

TOWN PLANNING BOARD

Minutes of 793rd Meeting of the Metro Planning Committee held at 9:00 a.m. on 14.8.2026

Present

Director of Planning
Mr C.K. Yip

Chairperson

Ms Sandy H.Y. Wong

Vice-chairperson

Mr Ben S.S. Lui

Professor Bernadette W.S. Tsui

Ms Kelly Y.S. Chan

Mr Daniel K.W. Chung

Dr Tony C.M. Ip

Professor Simon K.L. Wong

Mr Derrick S.M. Yip

Professor Janet K.Y. Chan

Mr Vincent K.C. Cheung

Professor Herbert P.K. Chia

Dr Chris K.T. Lam

Assistant Commissioner/Urban,

Transport Department
Mr B.K. Chow

Chief Engineer (Works),
Home Affairs Department
Mr Bond C.P. Chow

Principal Environmental Protection Officer (Territory South),
Environmental Protection Department
Ms Marlene Y.H. Ho

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

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

Secretary

In Attendance

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

Chief Town Planner/Town Planning Board
Ms Katy C.W. Fung

Town Planner/Town Planning Board
Ms Y.Z. Jia

Agenda Item 1

Confirmation of the Draft Minutes of the 792nd MPC Meeting

[Open Meeting]

1. The draft minutes of the 792nd MPC meeting held on 24.7.2026 were confirmed without amendment.

[Messrs Vincent K.C. Cheung and Daniel K.W. Chung joined the meeting at this point.]

Agenda Item 2

Matters Arising

[Open Meeting]

Proposed Updated Selection Criteria for Streamlined Consideration of Section 16 Applications

2. The Secretary reported that the Rural and New Town Planning Committee (RNTPC) on 24.7.2026 agreed that section 16 (s.16) applications for minor relaxation of building height restriction (BHR) to accommodate aboveground car park, which were in line with the Government's policy and complied with the relevant requirements set out in the Buildings Department (BD)'s updated Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers APP-2 (APP-2), with no adverse departmental comments and no substantial public comments (or such concerns could be addressed through imposition of approval conditions/advisory clauses), while meeting the other criteria for streamlining arrangement (i.e. no objection from the Planning Department (PlanD), not involving conservation-related zones and no previously rejected application for the same/similar use at the application site), could be processed under the streamlining arrangement. Upon review and for the sake of consistency, the Secretary, with the aid of a PowerPoint slide, invited Members to consider whether the proposed type of application should be included in the Metro Planning Committee (MPC/the Committee)'s list of streamlined applications for consideration in a group, provided that the above-mentioned selection criteria were met. For applications to be considered under the streamlining arrangement, while presentation of individual cases would be streamlined, papers would still

be prepared and PlanD's representatives would also be available to answer questions raised by Members at the meeting. Should the Committee agree to include such s.16 applications in the streamlining arrangement, such arrangement could commence from the next meeting.

3. Some Members raised the following questions in relation to the proposed type of application:

- (a) noting that the Joint Practice Note No. 8 for Enhanced Facilitation Measures for Buildings Adopting Modular Integrated Construction (MiC) (JPN No. 8) was promulgated to encourage and promote wider adoption of MiC, whether the Government also encouraged the provision of aboveground car parks in private developments;
- (b) the background to the gross floor area (GFA) exemption arrangements for car parks in private development projects (i.e. the change from exempting underground car parks to allowing exemption for up to two levels of aboveground car parks), and the formulation of BHR on the Outline Zoning Plans (OZPs) in response to the changes;
- (c) whether the applicant's submission requirements and the planning assessments conducted for this type of s.16 applications would be the same as those required for other applications that were not selected for streamlined arrangement;
- (d) planning considerations for the proposed type of application, such as cases where the site coverage was lower than the requirements under the Building (Planning) Regulations for higher BH or where the cases involved low-rise developments; and
- (e) referring to a previous application at Ma Tau Wai Road involving minor relaxation of BHR considered by the Committee on 24.7.2026, whether applications that were considered marginal or might have potential adverse impacts should still be regarded as meeting the selection criteria for streamlining arrangement, or whether the streamlined arrangement

should be limited to applications that could demonstrate difficulties in providing underground car parks.

4. In response, the Chairperson made the following main points:

- (a) to take forward the measure announced in the 2025 Policy Address, the Development Bureau put forward the enhanced measure to allow full GFA exemption for no more than two levels of aboveground car parks in private developments, while doing away with the prerequisite of constructing some of the car parks underground to reduce construction costs and time. JPN No. 8 was jointly promulgated by BD, the Lands Department and PlanD to provide general guidelines to the trade/professionals. For GFA exemption for aboveground car parks, BD issued APP-2;
- (b) in around 2010, the Council for Sustainable Development recommended, amongst others, provision of underground car parks through provision of GFA concessions for underground car parks to address public concerns at that time about excessive and bulky buildings in Hong Kong. When reviewing BHRs on OZPs since the 2010s, it was the general assumption that car parking spaces would be provided underground. In response to the enhanced measures announced in 2025, the formulation of BHRs for zonings of new developments would be based on the assumption of two levels of aboveground car parks;
- (c) s.16 applications solely for minor relaxation of BHR for adopting MiC which were in compliance with the requirements under JPN No. 8 had been agreed by the Committee to be considered under streamlining arrangement. Despite such arrangement, a full paper including PlanD's assessments would be prepared for discussion and deliberation at the Committee's meeting. As the increase in BH for accommodating two levels of aboveground car parks would be generally minor in nature, it was proposed to include s.16 applications for minor relaxation of BHR to accommodate aboveground car park that were in line with the

Government's policy and complied with APP-2 under streamlining arrangement, subject also to meeting all selection criteria for streamlining arrangement. Similar to the s.16 applications for minor relaxation of BHR for MiC, a simple visual appraisal and a simple review of air ventilation impacts if the site was located on major breezeways would be required for s.16 applications for minor relaxation of BHR for two levels of aboveground car parks. PlanD's assessment would be the same as that for other applications for minor relaxation of BHR;

- (d) as with other s.16 applications for minor relaxation of BHR, the key concerns were the impacts on visual and/or air ventilation, taking into account the proposal and justifications submitted, departmental and public comments. Each application should be considered based on its individual merits and having regard to its justifications. If the case was not straightforward or PlanD did not support the application, it would not be considered under streamlining arrangement; and
- (e) the s.16 application at Ma Tau Wai Road considered by the Committee on 24.7.2026 involved minor relaxation of plot ratio restriction in addition to BHR, and therefore it would not be considered under streamlining arrangement.

5. While expressing support/no objection to including the proposed type of application for consideration under streamlining arrangement, the Vice-chairperson and some Members had the following views/concerns:

- (a) noting that the Government had already introduced the enhanced measures to allow GFA exemption for up to two levels of aboveground car parks, the planning procedure should be further streamlined, provided that the proposal was technically acceptable, in order to align with the Government's development strategy of enhancing efficiency;
- (b) PlanD should act as gatekeeper in assessing those s.16 applications to avoid developments with excessive floor height for car parks or resultant

overall BHs and avoid sending the wrong message to applicants that such applications had to be approved, as JPN No. 8 had specified that favourable consideration might be given to an increase of BH up to 4% of the total storey height of MiC floors while no such indication was provided for accommodating two levels of aboveground car parks, as APP-2 was on GFA exemption; and

- (c) MiC and aboveground car park were different in nature. The cumulative environmental, visual and air ventilation impacts of increasing BH of developments for accommodating two levels of aboveground car parks within the same neighbourhood should be carefully considered.

6. In response to Members' views/concerns, the Chairperson and the Secretary made the following clarifications:

- (a) for selection of s.16 applications for streamlining arrangement, other agreed selection criteria, including (i) no objection from PlanD; (ii) the application site was not within conservation-related zones; (iii) no adverse departmental comments or the concerns of bureaux/departments could be addressed through imposition of approval conditions/advisory clauses; (iv) no previously rejected application for the same/similar use at the application site (excluding those with subsequent approval); and (v) no substantial adverse public comments or the concerns raised by the public could be addressed through imposition of approval conditions/advisory clauses and/or relevant bureaux/departments had no adverse comments on the relevant aspects raised by the public, should be fulfilled;
- (b) papers would still be prepared for all applications, including applications under streamlined arrangement, following the current practice. Members could raise questions on any application during the meeting, which would be answered by the Secretariat and/or PlanD's representatives as appropriate, before deliberation on the applications, following the current practice. In some cases at RNTPC meetings, even applications that fulfilled all criteria for streamlined arrangement had still been presented

for discussion if PlanD considered that particular issues required further consideration;

- (c) marginal/controversial cases would not be selected for streamlining arrangement; and
- (d) the proposal aimed to align with that adopted by RNTPC for the sake of consistency. Nevertheless, if considered necessary, MPC could determine whether a particular type of application was suitable for selection under the streamlining arrangement, taking into account relevant considerations including geographical context and meeting efficiency, etc.

7. The Vice-chairperson and a Member suggested that a benchmark to limit the extent of minor relaxation of BHR for accommodating aboveground car parks could be provided, e.g. in terms of a percentage and/or metres, for a clearer indication of the selection criteria for streamlined arrangement.

8. Taking into account Members' views/concerns/suggestion, the Chairperson said that Members might consider two possible options: (i) not to include the proposed type of application in the streamlining arrangement; and (ii) to include the proposed type of application in the streamlining arrangement, with a benchmark to quantify and confine the BHR relaxation within a specified range. In relation to Option (ii), it was noted that determining an absolute figure could be difficult given the varied BHs of developments.

9. Two Members expressed support for including the proposed type of application under the streamlining arrangement as this could enhance meeting efficiency, while marginal/controversial cases would still be presented by PlanD's representatives to the Committee for consideration. Meanwhile, they preferred not to specify a benchmark and made the following main points:

- (a) noting that the benchmark, if agreed by the Committee, would be recorded in the meeting minutes and made publicly available, it was considered that introducing a benchmark might convey an unintended impression to private developers that a certain degree of BHR relaxation would

automatically be considered acceptable by the Committee; and

- (b) if necessary, qualitative and descriptive requirements, rather than quantified benchmarks, were considered preferable to avoid public misunderstanding and misinterpretation.

10. A Member enquired under what circumstances Members could request a presentation by PlanD, even if an application had been selected for streamlining arrangement. In response, the Chairperson said that following the current practice, Members could always request a presentation by PlanD and raise questions on an application, regardless of whether the application was selected for streamlining arrangement. Papers and a summary table for the streamlined applications containing key information would be prepared and provided to Members before the meeting. The Secretary supplemented that should Members raise questions or express concerns about any streamlined applications during the meeting, they would be addressed by the Secretariat and/or PlanD's representatives as appropriate at the meeting.

11. A Member expressed that the lengthy discussion on this matter reflected Members' concern and reservation. In such circumstances, it was considered prudent to adopt Option (i). The Vice-chairperson and two Members concurred, considering that it was appropriate to adopt a cautious approach at this stage, i.e. not to include the proposed type of application in streamlining arrangement.

12. In response to a Member's observation that unlike JPN No. 8, minor relaxation of BHR was not explicitly featured in APP-2, the Chairperson clarified that according to APP-2, should the BH of a building exceed the BHR permitted under the relevant OZP for a minor proportion, a s.16 application to the Town Planning Board would be required for minor relaxation of the BHR. If the application for minor relaxation of BH restriction was solely for accommodating two levels of aboveground car parks, under normal circumstances, the applicant would only require a visual appraisal instead of a visual impact assessment, and if the application site was situated on major breezeways, a simple review of the air ventilation impacts. This was intended to expedite development and facilitate the implementation of the enhanced measure under the planning regime. That said, each case would be considered on its individual merits and based on the information submitted.

13. The Chairperson concluded that Members had expressed diverse views, with the majority opting not to include the proposed type of application in streamlining arrangement. With regard to the Vice-chairperson's view as to whether RNTPC should review its decision or follow MPC's decision on the matter, some Members considered that different arrangements could be adopted by the respective Planning Committees (PCs), given that the development context and planning circumstances in metro areas and rural/new town areas were in fact distinct. Since the matter was procedural in nature and intended to improve meeting efficiency, it should be left to each PC to deliberate and decide based on its own operational considerations.

14. After discussion, the Committee decided not to include applications for minor relaxation of BHR to accommodate two levels of aboveground car parks in the streamlining arrangement, and agreed that different types of applications could be selected for streamlining arrangement by the respective PCs.

Hong Kong District

[Mr Elton H.T. Chung and Ms Erica S.M. Wong, Senior Town Planners/Hong Kong (STPs/HK), and Mr Ronald C.H. Chan and Ms Gloria Y.L. Sze, Town Planners/Hong Kong (TPs/HK), were invited to the meeting at this point.]

Agenda Item 3

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H9/86	Proposed Hotel and Permitted Shop and Services with Minor Relaxation of Building Height Restriction in “Residential (Group A)” Zone and an area shown as ‘Road’, 9-19 (odd nos.) Kam Wa Street, Shau Kei Wan
(MPC Paper No. A/H9/86)	

15. The Secretary reported that the application site (the Site) was located in Shau Kei Wan and Mr Vincent K.C. Cheung had declared an interest on the item for currently conducting a property valuation of the Site. As the interest of Mr Vincent K.C. Cheung was considered direct, the Committee agreed that he should be invited to leave the meeting temporarily for the item.

[Mr Vincent K.C. Cheung left the meeting temporarily at this point.]

Presentation and Question Sessions

16. With the aid of a PowerPoint presentation, 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 (PlanD) did not support the application.

The Proposed Scheme and Development Intensity

17. A Member raised the following questions:

- (a) whether a plot ratio (PR) of 15 was permissible under the Shau Kei Wan Outline Zoning Plan (the OZP); and
- (b) while noting from the Paper that PlanD considered the proposed development with a PR of 15 as incompatible with the surrounding residential developments with permitted PRs of 8 to 10, whether any future development proposal was in place in the area with increased development intensity, which might warrant different planning considerations.

18. In response, Mr Elton H.T. Chung, STP/HK, with the aid of some PowerPoint slides, made the following main points:

- (a) while a maximum non-domestic PR of 15 was permissible under the “Residential (Group A)” (“R(A)”) zone of the OZP, ‘Hotel’ was a Column 2 use, which required planning permission from the Town Planning Board (the Board). The maximum non-domestic PR of 15 was stipulated with reference to the PR restrictions permissible under the Building (Planning) Regulations (B(P)R) and was intended to avoid over-development and preserve the local characteristics of individual sites. Although it allowed flexibility for non-domestic uses under Column 2 to reach the maximum permissible development potential under B(P)R upon obtaining planning permission from the Board, such development proposals should be considered on a case-by-case basis and on individual merits by the Board and should not undermine the planning intention and character of the neighbourhood or result in excessive development; and
- (b) in assessing the application, PlanD had taken into account factors including the planning intention of the “R(A)” zone and compatibility of the proposed development with the surrounding uses and developments. The Site was located in a predominantly high-rise residential neighbourhood comprising a mix of old and new residential developments within the “R(A)”, “R(A)2” and “R(A)7” zones, all subject to maximum

domestic PRs of 8 to 10 under the OZP. To the east of the Site was the Ming Wah Dai Ha public rental housing estate, which was undergoing phased redevelopment with a maximum PR of 6. To the northeast of the Site along A Kung Ngam Road, land designated “R(A)5” was intended for another subsidised housing development, with permitted PRs from 8 to 10, depending on the site classification under B(P)R. Areas to the further northeast were zoned “Other Specific Uses” annotated “Business” (“OU(B)”), which was intended primarily for general business uses, subject to a maximum non-domestic PR of 12. In view of the above, the proposed development with a PR of 15 was considered excessive and incompatible with the surrounding areas in terms of development intensity.

19. In response to the Member’s further enquiry, Mr Elton H.T. Chung, STP/HK, said that both existing and new residential developments in areas zoned “R(A)” within the neighbourhood were subject to maximum domestic PRs of 8 to 10, depending on the site classification, i.e. maximum domestic PR of 8 for Class A site, 9 for Class B site and 10 for Class C site, unless exemptions were permitted under B(P)R. The definition of Class A, Class B and Class C sites should be in accordance with B(P)R.

20. The Chairperson added that unlike other urban areas such as Yau Ma Tei, Mong Kok and Sham Shui Po that had been covered by comprehensive district studies exploring possibilities to optimise development intensity, there was currently neither any study nor plan to increase the development intensities of the Shau Kei Wan area.

21. Noting that the Site was within an area zoned “R(A)” where ‘Hotel’ was a Column 2 use that required planning permission from the Board and was subject to a maximum non-domestic PR of 15, a Member enquired whether approval of the current application for proposed hotel use would imply automatic entitlement to a development intensity up to a PR of 15 as permissible under the OZP and whether the Committee could approve the proposed hotel use but with a PR lower than 15.

22. In response, Mr Elton H.T. Chung, STP/HK, explained that the planning permission, if granted, would be scheme-based, and the applicant would be required to

implement the proposed hotel development, including the development parameters, as submitted and approved. PlanD had conducted a comprehensive planning assessment of the current proposal, taking into account the proposed hotel use, its development parameters and planning merits. The Chairperson added that planning applications would generally be considered by the Committee based on the applicant's submission. There was no basis for the Committee to counter-propose a different development intensity for a proposed development, as the proposed scheme and the required supporting information such as technical assessments were not available for the Committee's consideration.

23. Another Member asked whether, should the application be approved, the applicant could change the proposed hotel development into a student hostel development without the need for another planning permission from the Board. The Chairperson said that according to the Definition of Terms Used in Statutory Plans adopted by the Board, student hostels supported by the Government's policy could be regarded as 'Hotel' use. In such case, if the application was approved, the applicant could change the hotel development into a student hostel development in compliance with the relevant government policy, without the need for a separate planning permission from the Board, provided that the development parameters remained unchanged. Mr Elton H.T. Chung, STP/HK, added that the applicant had not indicated any such intention in the application.

Demand and Supply for Hotel Rooms and Tourism Development in the Community

24. In response to a Member's enquiry on the demand for hotel rooms in the area, Mr Elton H.T. Chung, STP/HK, with the aid of some PowerPoint slides, made the following main points:

- (a) there were a number of tourist attractions and cultural heritage sites in Shau Kei Wan, such as Shing Wong Temple, Tin Hau Temple, Hong Kong Museum of the War of Resistance and Coastal Defence, and declared monuments in the Old Lei Yue Mun Barracks within Lei Yue Mun Park;
- (b) the supply of hotel rooms in the neighbourhood was limited, with only one hotel, namely the China Rich Oriental Hotel, located in Shau Kei Wan.

Most hotels in the Eastern District were concentrated in North Point and Quarry Bay; and

- (c) the Tourism Commission supported the application as the proposed development would provide new hotel guestrooms and offer additional accommodation options for visitors.

25. A Member remarked that the provision of hotel rooms and tourist attractions did not need to be located within the same district, given Hong Kong's compact urban development and accessibility. The overall demand and supply of hotels in Hong Kong, locational suitability and local context were all factors to be taken into account.

Traffic Impact

26. A Member raised the following questions:

- (a) comments of the Transport Department (TD) in relation to the consultations with public light bus (PLB) operators conducted by the applicant; and
- (b) the impact on the existing PLB Stand cum Part-time Parking Lay-by arising from the proposed development and any mitigation measures proposed.

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

- (a) as stated in the further information (FI) submitted by the applicant in support of the application, consultations with PLB operators had been conducted and most operators indicated no objection to the proposal. The applicant claimed, however, that the response from one operator, i.e. the Motor Transport Workers General Union (PLB Branch), had not been received by the time the FI was submitted. In view of this and based on the information available, TD commented that clarification from the applicant as to whether the Motor Transport Workers General Union (PLB

Branch) had no objection to the application remained pending; and

- (b) while a certain portion of the existing PLB Stand cum Part-time Parking Lay-by along Kam Wa Street would be affected by the proposed development, the applicant stated that the impact would be minimised as far as possible through design measures, such as locating the proposed run-in/out of about 6.5m in width at the eastern end of the Site, and ensuring that the operation of the PLB Stand cum Part-time Parking Lay-by would not be adversely affected.

Impact on Licensed Fixed-pitch Hawkers

28. Noting that some opposing public comments opined that the proposed development disrespected local hawker culture, and understanding that relocation of affected hawkers could be challenging, a Member enquired whether consultation with the affected hawkers had been conducted and whether any relocation plan was available. In response, Mr Elton H.T. Chung, STP/HK, explained that the Food and Environmental Hygiene Department (FEHD) had no objection in principle to making appropriate arrangements, including permanent relocation, for the two licensed fixed-pitch hawkers, if considered necessary. While no specific relocation plan was available at this stage, FEHD considered relocation for the two affected licensed fixed-pitch hawkers to be feasible. The applicant also committed to assisting the affected licensed fixed-pitch hawkers in coordinating with FEHD to facilitate the relocation. No information was provided by the applicant indicating that consultation with the affected licensed fixed-pitch hawkers had been conducted.

Public Comments

29. Noting that among the eight public comments received during the statutory publication period, two public comments expressing views (both submitted by the Chairman of the Aldrich Area Committee) included the consolidated comments from 361 survey responses of nearby residents, the Chairperson and two Members raised the following questions:

- (a) the survey methodology and whether the reasons for supporting or

opposing the application were reflected in the public comments; and

- (b) when and how the survey was conducted.

30. In response, Mr Elton H.T. Chung, STP/HK, with the aid of a PowerPoint slide and a visualiser, made the following main points:

- (a) the survey comprised four questions, including (i) whether ‘Hotel’ and ‘Shop and Services’ uses were considered sufficient in the vicinity of the Site; (ii) whether the existing traffic and other supporting facilities at Kam Wa Street could cater for the proposed hotel and shop and services development at the Site; (iii) whether respondents supported the Site being used for ‘Hotel’ and ‘Shop and Services’ purposes in general; and (iv) any other comments on the proposal. Among the 361 responses collected, 71% expressed support for using the Site for ‘Hotel’ and ‘Shop and Services’ purposes, and 41% considered that the existing traffic and other supporting facilities were insufficient to cater for the proposed hotel. Nevertheless, the survey did not collect views on whether the proposed development intensity, i.e. a PR of 15 and a building height (BH) of 113.56 metres above Principal Datum, was considered acceptable; and
- (b) the survey was conducted online between 13.5.2026 and 18.5.2026, which was after the commencement of the public inspection period for the application on 28.4.2026.

31. A Member observed that since particulars such as the name of the person filling out the questionnaire might not be required when submitting responses through such an online survey, there might be repeated responses from the same person. Besides, the survey was intended to collect views from nearby residents who might have different views from licensed fixed-pitch hawkers. The views expressed should therefore be carefully assessed.

Deliberation Session

32. The Chairperson remarked that under most OZPs covering Hong Kong District,

no PR restriction was imposed, implying that developments should comply with the PR restriction set out under B(P)R i.e. the maximum PR for domestic use ranged from 8 to 10 depending on site classification whereas the maximum PR for non-domestic use was 15. For mixed uses, a formula based on the proportion of proposed domestic or non-domestic PR and those permitted should be applied (the composite formula), allowing flexibility for developers in determining the distribution between domestic and non-domestic uses. To reflect the PR restrictions as set out under B(P)R, on land designated “R(A)” under the OZP, development or redevelopment was subject to a maximum domestic PR of 8 to 10, a maximum non-domestic PR of 15, as well as the domestic and non-domestic PRs calculated based on the composite formula for mixed uses. Given that the Site was located within an area zoned “R(A)” that was intended primarily for high-density residential developments, surrounded by developments that were predominantly residential, and there were areas intended for general business uses zoned “OU(B)” under the OZP that were subject to a maximum non-domestic PR of 12 with a view to avoiding excessive building bulk, the Committee should consider whether a proposed hotel development at the Site with a PR of 15 was appropriate. PlanD did not support the application as the proposed development with a PR of 15 was considered excessive and incompatible, in terms of development intensity and hence building bulk, with the surrounding residential developments with permitted PRs of 8 to 10. With regard to the survey results submitted in the public comments, it was noted that no questions were asked in relation to the proposed PR and BH of the hotel development at the Site.

33. Members generally considered that the application as a whole could not be supported, as the proposed hotel development with a PR of 15 was regarded as excessive and incompatible, in terms of development intensity, with the surrounding residential developments with permitted PRs of 8 to 10.

34. While a few Members expressed no particular view on or did not object to the proposed ‘Hotel’ use at the Site, the Committee noted that the planning permission for the proposed development, if granted, would be scheme-based. In such case, the proposed hotel development with a PR of 15 was considered excessive and incompatible with the surrounding developments. A Member further commented that the design merits put forward by the applicant were insufficient to support the proposed scheme. In response to a Member’s enquiry as to whether the Committee could approve the hotel use while setting a

limit on PR, the Chairperson said that the approval was scheme-based. If a PR was stated for the Site, this might send a wrong message to the applicant that a hotel development with the stated PR would be approved by the Committee.

35. A Member observed that the applicant failed to demonstrate that the proposed development would not generate adverse traffic impacts, particularly in relation to the affected PLB Stand cum Part-time Parking Lay-by. Two Members echoed that the associated traffic impact had not been suitably addressed and TD had reservation on the application, and the public comments received had also expressed concerns on traffic grounds.

36. Two Members considered that the relevance and credibility of the online survey conducted to collect views on the application, as attached to the public comments received, were questionable and should be carefully assessed and weighed. The Chairperson added that each application should be considered on its own merits. While the Committee should take into account all public comments received during the statutory publication periods, it might attach appropriate weight to the information submitted therein.

37. While noting that the applicant claimed that the proposed minor relaxation of the BH restriction was intended to accommodate the two levels of aboveground car parks of about 10.85m in height (Drawing A-11 of the Paper) that was in line with the Government's policy, a Member expressed objection to the application, and emphasised that the compatibility and impacts of the proposed development on the surrounding environment should be carefully assessed. The Member also noted that a set of building plans for residential development with PR and BH that complied with the OZP had been approved. Another Member added that the proposed development of such intensity could potentially create adverse impacts on the micro-climate/air ventilation of the area, and there was no relevant assessment submitted.

38. The Chairperson concluded that Members generally did not support the application and expressed concerns over the excessive development intensity that was considered incompatible with the surrounding environment. The potential impacts, in particular from traffic perspective, had not been adequately addressed by the applicant. Members' views on the proposed hotel use and the proposed PR would be recorded in the

meeting minutes for the applicant's consideration/reference. Any future application for hotel development with lower development intensity would be considered based on its own merits and the information submitted.

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

- “(a) the proposed development, with a plot ratio (PR) of 15, is considered excessive and incompatible, in terms of development intensity and hence building bulk, with the surrounding residential developments with permitted PRs of 8 to 10; and
- (b) the applicant fails to demonstrate that the proposed development will not have adverse traffic impact.”

[Mr Derrick S.M. Yip left the meeting during deliberation.]

[The meeting was adjourned for a 5-minute break.]

[Mr Vincent K.C. Cheung rejoined the meeting at this point.]

Agenda Item 4

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H12/30 Proposed Access (Inclined Lift) for the Existing Residential Development in “Green Belt” and “Residential (Group C) 1” Zones, 17 Bowen Road (Inland Lot 2460) and its adjacent Government Land, Mid-Levels, Hong Kong
(MPC Paper No. A/H12/30A)

Presentation and Question Sessions

40. With the aid of a PowerPoint presentation, Mr Ronald C.H. Chan, TP/HK,

briefed Members on the background of the application, the proposed access, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department (PlanD) did not support the application.

41. Noting that the proposed access was in the form of an inclined lift and there were also inclined lifts in other areas of Hong Kong, a Member raised the following questions:

- (a) whether there were inclined lifts within the “Green Belt” (“GB”) zone in other areas of Hong Kong that had obtained planning approval; and
- (b) whether the planning considerations would differ if the proposed access was in other forms, such as a private access road.

42. In response, Mr Ronald C.H. Chan, TP/HK, with the aid of some PowerPoint slides, made the following main points:

- (a) based on the information available, there were currently four inclined lifts in Hong Kong, including two located on private land (at Discovery Bay and Tai O Heritage Hotel) and two on government land (at Po Fook Hill and Kwai Chung Park). None of them were located in areas zoned “GB”; and
- (b) there were planning applications approved by the Committee for proposed access road serving private residential developments in other districts such as The Peak Area. The proposed access roads in those cases were either for alteration or enhancement of the existing ones, with some of them being rights-of-ways (ROWs), to meet the requirements under relevant regulations/ordinances. Unlike these applications, the current application did not involve alteration or enhancement of an existing pedestrian ROW. Instead, a new access in the form of an inclined lift was proposed at the Site. Should the application be approved, application to the Lands Department (LandsD) for lease modification/land grant would be required.

43. The Chairperson and a Member raised the following questions:

- (a) noting that there were four previous applications associated with the provision of an inclined passenger elevator/access within the “GB” zone linking Bowen Road to the house (named Caronia) at 17 Bowen Road (the House, i.e. the house in relation to the current application), the difference between the proposed access under the current application and those under the four previous applications; and
- (b) operational details of the manual goods conveying system (the System) currently occupying the application site (the Site) as shown in Plan A-9 of the Paper, and whether the System could be regarded as a form of ROW with approval from LandsD.

44. In response, Mr Ronald C.H. Chan, TP/HK, with the aid of some PowerPoint slides, made the following main points:

- (a) regarding the four previous applications, application No. A/H12/3 involved an inclined passenger elevator within the “GB” zone connecting the House, which was rejected by the Town Planning Board (the Board) upon review in 1992, and the appeal was dismissed by the Town Planning Appeal Board in 1993 on the grounds that the proposed development was not in line with the planning intention of “GB” zone and should not be allowed merely to enhance the amenity of a single house without benefit to the public at large. The other three previous applications (applications No. A/H12/14, 18 and 28) were for vehicular accesses with or without car parking spaces that involved clearance of existing vegetation, and were all rejected by the Committee in 2002, 2005 and 2015 respectively on similar grounds to those for application No. A/H12/3. For application No. A/H12/28 rejected in 2015, one of the rejection grounds also related to the concern on interface with the declared monument of the 21-Arch Section of the Bowen Aqueduct, located about 15m below the Site, which was declared as a monument in 2009; and

- (b) according to the site inspection conducted by PlanD, a motor had been installed at the platform outside the House. The motor appeared to support the goods conveying system for delivering goods uphill to the House. Based on the information available, there was no record of any permission under the planning, lands or building regimes for the System at the Site.

45. Noting that the proposed access was intended to serve the House, a Member enquired whether the House comprised a single residence, and whether the applicant had provided any specific justifications in support of the need for an inclined lift, such as to serve elderly residents living in the House. Mr Ronald C.H. Chan, TP/HK, with the aid of a PowerPoint slide, responded that the House was built in 1923 and was subject to the restriction of one house under the lease conditions for Inland Lot 2460. While the applicant stated that the proposed inclined lift was to improve accessibility for the residents of the House, according to the site inspection conducted by PlanD, the proposed inclined lift would only connect from the gate downhill to the platform of the House and users would still have to walk up a section of the existing staircase of about 8m high between the gate downhill and Bowen Road. The proposal would not deliver full barrier-free access for the residents. It also appeared that the House was currently rented out rather than occupied by the land owner, i.e. the applicant.

46. A Member enquired whether, apart from technical perspectives, the relevant government bureaux/departments (B/Ds) had taken into account public perception and community concerns regarding the proposed access at the Site when considering the application. In response, Mr Ronald C.H. Chan, TP/HK, with the aid of a PowerPoint slide, explained that while the relevant B/Ds consulted had provided comments on the proposal from their respective purviews/technical aspects, PlanD would take into account relevant planning considerations, which included whether the proposal was in line with the planning intention of “GB” zone, the relevant assessment criteria as set out under the Town Planning Board Guidelines on Application for Development within Green Belt Zone under Section 16 of the Town Planning Ordinance (TPB PG-No. 10), the departmental comments and public comments received during the statutory publication period, etc. The Chairperson added that the District Officer of the Home Affairs Department had been consulted on any local views on the proposal, and such views, if any, had been included in the Paper for the Committee’s

consideration.

Deliberation Session

47. The Chairperson recapitulated that the proposed inclined lift was to serve the private house development at 17 Bowen Road exclusively, which was located in an area mainly zoned “GB”. There was an existing pedestrian ROW for the House to reach Bowen Road. While the applicant stated that the proposal was intended to improve accessibility of the residents of the House, whether sufficient justifications had been provided to warrant a departure from the planning intention of the “GB” zone should be considered. PlanD did not support the application as the proposed access would serve a single private residential development only, which was not in line with the planning intention of the “GB” zone. There was no strong justification for a departure from the planning intention, and approval of such application would set an undesirable precedent for other similar applications within “GB” zone.

48. Members generally did not support the application. Some Members opined that unlike the other four inclined lifts as mentioned by PlanD’s representative (paragraph 42(a) above), which could be used by visitors to the concerned venues, the proposed inclined lift within the “GB” zone at the Site was solely for the convenience of a single private residential development without public benefit and was therefore considered unjustified and might create negative public perception. A Member further emphasised that each application should be considered on its individual merits and relevant planning considerations. For instance, the proposed vehicular access and pedestrian walkway involving “GB” zone for a residential development at Tai Hang (Application No. A/H6/96) was rejected by the Board upon review in January 2026, having considered the applicant’s justifications, as the scale of proposed access encroaching onto an extensive area of the “GB” zone was considered excessive and would generate adverse landscape and visual impacts on the area. In contrast, the proposed utility installation in “GB” zone to serve the proposed preservation-cum-residential development in Stanley (Application No. A/H19/88) was approved in February 2026 as the upgraded utility installations were in compliance with current regulations and standards as required by relevant B/Ds and utility providers and were essential to support the proposed development, and the proposal with mitigation measures was considered not incompatible with the surrounding landscape character. For the current

application, there was no strong justification for a departure from the planning intention of the “GB” zone, and approval of the application would set an undesirable precedent for other similar applications within “GB” zone.

49. The Chairperson remarked that although the proposed inclined lift, to certain extent, could provide convenience to the private residential development at 17 Bowen Road, such convenience would have to be balanced against the public interest. The proposed access serving solely a private purpose, which would cause adverse impacts on the “GB” zone, should not outweigh the public interest.

50. To address a Member’s concern on the existing temporary manual goods conveying system at the Site, the Committee agreed that PlanD should refer the matter to the relevant B/Ds, including LandsD, for follow-up enforcement action as appropriate.

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

- “(a) the proposed development is not in line with the planning intention of the “Green Belt” (“GB”) zone which is primarily for conservation of the natural environment and to safeguard it from encroachment by urban-type development. There is a general presumption against development in “GB” zone, and there is no strong justification for a departure from such planning intention; and
- (b) the proposed development is not in line with the Town Planning Board Guidelines on Application for Development within Green Belt Zone under Section 16 of the Town Planning Ordinance (TPB PG-No. 10) in that there are no exceptional circumstances to justify the proposed development within the “GB” zone.”

[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 (DPO/K), Ms Florence Y.S. Lee and Mr Patrick W.Y. Wong, Senior Town Planners/Kowloon (STPs/K), and Mr Jeff C.N. Leung, Ms Charlotte P.S. Ng and Ms Peggy L.Y. Wong, Town Planners/Kowloon (TPs/K), were invited to the meeting at this point.]

Agenda Item 5

[Open Meeting]

Proposed Amendments to the Approved Kwun Tong (South) Outline Zoning Plan No. S/K14S/28

(MPC Paper No. 6/26)

52. The Secretary reported that the proposed amendments mainly involved rezoning of a site at Wan Hon Street, Kwun Tong (the Site) to facilitate a proposed residential development (Amendment Item A), which was supported by an Engineering Feasibility Study conducted by the Civil Engineering and Development Department (CEDD). The following Members had declared interests on the item:

Mr Daniel K.W. Chung - being a former director of CEDD;

Dr Tony C.M. Ip - having current business dealings with CEDD; and

Professor Herbert P.K. Chia - his business partner renting a unit in the vicinity of the Site.

53. As Mr Daniel K.W. Chung had no involvement in the item and the interest of Professor Herbert P.K. Chia was considered indirect, the Committee agreed that they could stay in the meeting. As the interest of Dr Tony C.M. Ip was considered direct, the Committee agreed that he should be invited to leave the meeting temporarily for the item.

[Dr Tony C.M. Ip left the meeting at this point.]

Presentation and Question Sessions

54. Other than the Planning Department (PlanD)'s representatives as listed out before paragraph 52 above, the following government representatives (including the consultants) were invited to the meeting at this point:

CEDD

Mr Roy M.S. Lam	-	Project Team Leader
Mr Andrew W.C. Lee	-	Senior Engineer
Ms Karen W.Y. Chui	-	Engineer

Consultants

AtkinsRealis Asia Limited

Mr Louis N.K. Lau
Mr Kelvin H.F. Chau

55. With the aid of a PowerPoint presentation, Ms Florence Y.S. Lee, STP/K, PlanD briefed Members on the background of the proposed amendments to the approved Kwun Tong (South) Outline Zoning Plan (OZP) No. S/K14S/28 (the OZP), technical considerations, consultation conducted and departmental comments as detailed in the Paper. The proposed amendments mainly included:

- (a) Amendment Item A1 - rezoning of a site at Wan Ho Street from "Government, Institution or Community" ("G/IC") to "Residential (Group A) 4" subject to a maximum domestic gross floor area (GFA) of 20,810m², a maximum non-domestic GFA of 3,360m², a maximum building height (BH) of 150 metres above Principal Datum (mPD), and the requirement of a minimum setback of 2.5m from the lot boundary fronting Wan Hon Street; and
- (b) Amendment Item A2 - rezoning of a portion of land to the immediate northeast corner of Item A1 Site from "G/IC" to an area shown as 'Road'.

56. There were also amendments to the Notes of the OZP in relation to the above

rezonings as well as other amendments, including revisions to the covering Notes and other technical amendments to keep pace with modern needs and to align with the latest Master Schedule of Notes to Statutory Plans.

57. As the presentation of PlanD's representative had been completed, the Chairperson invited questions from Members.

Proposed BH Restriction

58. The Chairperson and two Members raised the following questions:

- (a) whether the proposed BHR of 150mPD had already taken into account the accommodation of aboveground car parks and adoption of Modular Integrated Construction (MiC);
- (b) whether the BH of the future development would be increased beyond the proposed BHR of 150mPD for accommodating MiC, if a smaller site coverage (SC) was adopted for the residential tower; and
- (c) noting from the notional scheme that a three-storey aboveground car park was proposed, whether all three storeys of car parks could be exempted from GFA calculation.

59. In response, Ms Vivian M.F. Lai, DPO/K, PlanD, with the aid of a PowerPoint slide, made the following main points:

- (a) the proposed notional scheme assumed that all ancillary parking facilities would be provided above ground. Based on this assumption, together with other assumptions including a floor-to-floor height (FTFH) of about 3.15m for all residential floors and accommodation of a clubhouse above the four-storey podium, the total main roof level would reach about 144.25mPD under the notional scheme. To allow design flexibility, a BHR of 150mPD was proposed for the Site, leaving a buffer of about 5m to 6m from the assumed main roof level of 144.25mPD. The proposed

3.15m FTFH for residential floors was considered reasonable, consistent with other similar developments which had taken into account the adoption of MiC;

- (b) the BHR was set having regard to the site context and character of the area and its feasibility was demonstrated by the notional scheme which had incorporated all relevant requirements as set out under the Building (Planning) Regulations. While the future developer could submit an application for relaxation of BHR for adopting a smaller SC for the residential tower, strong justifications would be required. Each application would be considered on its own merits and justifications; and
- (c) in accordance with the relevant requirements set out in the Buildings Department (BD)'s updated Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers APP-2, aboveground car park of not more than two floors would be exempted from GFA calculation. If there were specific site constraints rendering it necessary to provide split levels or stack up the car parking spaces at multiple levels, more than two aboveground carparking floors might be 100% disregarded from GFA calculation on the condition that the total floor area of the aboveground car parks would not exceed twice the site area. That said, the actual amount of GFA to be exempted for car park floors would be subject to the consideration of BD at the detailed design stage.

60. In response to the Chairperson's further enquiry on the adequacy of the assumed FTFH of 3.15m for residential floors to accommodate MiC, Ms Vivian M.F. Lai, DPO/K, PlanD explained that while under the building regime, up to 10% of the MiC floor area of a new building might be disregarded from GFA calculation of the development according to the Joint Practice Note No. 8, this allowance was intended to cater for the additional floor area required for adoption of MiC, such as thicker enclosure walls and slabs. Strong justifications would need to be provided if the future developer pursued the future development with a BH exceeding the proposed BHR of 150mPD for the purpose of adopting MiC.

61. The Chairperson said that the notional scheme and the proposed BHR of 150mPD, which were supported by technical assessments, were formulated based on the relevant requirements and having considered the site conditions with a certain degree of flexibility to accommodate evolving market needs. Situated at a level of about 37.5mPD (Drawing 2b and Plan 2), the absolute BH allowed was about 112m including aboveground car park. There was a need to strike a balance between controlling overall development intensity and allowing sufficient design flexibility.

Traffic and Transport

62. A Member raised the following questions:

- (a) noting that many vehicle repair workshops were located along Wan Hon Street, with vehicles often parked on-street, what the potential traffic impact of the proposed residential development, with more than 90 parking spaces for private vehicles to be provided, would have on the surrounding areas;
- (b) noting that the Site was bounded by Wan Ho Street and Shui Wo Street and a vehicular access arrangement was proposed at Wan Hon Street, whether any additional access point (for both vehicles and pedestrians) would be provided at Shui Wo Street to facilitate access for the future residents; and
- (c) whether a connection could be provided within the Site to improve accessibility for nearby residents given the level difference between Wan Hon Street and Shui Wo Street.

63. In response, Mr Roy M.S. Lam, Project Team Leader, CEDD, with the aid of some PowerPoint slides, made the following main points:

- (a) Preliminary Traffic and Transport Impact Assessment (PTTIA) had been conducted for the notional scheme, taking into account the existing and future traffic flow on the nearby road network including Wan Hon Street,

Shui Wo Street, Hip Wo Street, Mut Wah Street and Kwun Tong Road, and the findings indicated that the traffic conditions would remain within acceptable performance thresholds during peak hours;

- (b) having considered the site conditions, including the visibility and geometric constraints, the existing right-in/right-out vehicular access arrangement was proposed to be maintained at Wan Hon Street; and
- (c) a pedestrian access to/from Wan Hon Street and Shui Wo Street could be provided within the podium of the proposed residential development to enhance accessibility. The future developer could further explore such arrangement at the detailed design stage.

64. The Chairperson added that given the relatively small site area of the Site (i.e. 0.28 hectare), the requirement of providing a public passageway at the Site was not stipulated as it might be onerous for the future developer. Nevertheless, the future developer should give due consideration to the provision of pedestrian access at the Site at the detailed design stage.

Provision of Government, Institution and Community (GIC) Facilities

65. Noting that a 30-place supported hostel for mentally handicapped persons was proposed under the notional scheme, the Vice-chairperson enquired about the current demand for such facility in the Kwun Tong area and the rationale for inclusion of such facility at the Site. In response, Ms Vivian M.F. Lai, DPO/K, PlanD, with the aid of a PowerPoint slide, made the following main points:

- (a) based on the existing and planned provision of GIC facilities and open space in Kwun Tong District and with reference to the comments provided by relevant government bureaux/department, in particular the Social Welfare Department (SWD), there was a shortfall mainly in the provision of elderly, child care and rehabilitation services;
- (b) by 2034, over 1,000 places for elderly services and about 700 places for

child care services would be provided in both private and public developments, including the public housing developments at Hiu Ming Street, Tak Tin Street and Pik Wan Road. However, only about 300 places would be provided for rehabilitation services; and

- (c) SWD advised that the average waiting time for rehabilitation facilities in Kwun Tong District was up to 80 months (more than 6 years). To help meet this acute demand, a 30-place supported hostel for mentally handicapped persons was proposed at the Site to alleviate the shortfall in rehabilitation facilities in Kwun Tong District.

Proposed Amendments to the Covering Notes of the OZP

66. A Member enquired about any implications of incorporating small unmanned aircraft (SUA) take-off and landing facilities in the covering Notes of the OZP, having regard to the Town Planning Board (the Board)'s recent discussion on the issue when considering the representation in respect of the draft Mai Po and Fairview Park OZP. The Chairperson clarified that at the relevant hearing, the main issue discussed with regard to SUA was primarily related to allowing such facilities in the "Other Specified Uses" annotated "Wetland Conservation Park" zone for the planned Sham Po Shue Wetland Conservation Park, but not provision in development zones. The operation of SUA was governed by the Small Unmanned Aircraft Order (Cap. 448G) under the ambit of the Civil Aviation Department. The proposed amendment to the covering Notes of OZPs was mainly to allow the provision of SUA take-off and landing facilities on land falling within the boundaries of the OZP to promote low-altitude economy, and such arrangement had been made to 11 OZPs. Ms Vivian M.F. Lai, DPO/K, PlanD, supplemented that there were no conservation zones under the subject OZP.

67. The Chairperson concluded that Members generally supported the proposed amendments to the OZP. Should the Committee agree with the proposed amendments, the draft OZP would be gazetted for public inspection for 2 months and the representations received, if any, would be submitted to the Board for consideration.

68. After deliberation, the Committee decided to:

- “(a) agree to the proposed amendments to the approved Kwun Tong (South) Outline Zoning Plan (OZP) No. S/K14S/28 and that the draft Kwun Tong (South) OZP No. S/K14S/28A at Attachment II of the Paper (to be renumbered to S/K14S/29 upon exhibition) and its Notes at Attachment III of the Paper are suitable for exhibition for public inspection under section 5 of the Town Planning Ordinance (the Ordinance); and
- (b) adopt the revised Explanatory Statement (ES) at Attachment IV of the Paper for the draft Kwun Tong (South) OZP No. S/K14S/28A (to be renumbered to S/K14S/29 upon exhibition) as an expression of the planning intentions and objectives of the Town Planning Board (the Board) for various land use zonings of the OZP and the revised ES will be published together with the OZP.”

69. Members noted that as a general practice, the Secretariat of the Board would undertake detailed checking and refinement of the draft OZP including the Notes and ES, if appropriate, before their publication under the Ordinance. Any major revisions would be submitted for the Board’s consideration.

[Professor Bernadette W.S. Tsui and Professor Janet K.Y. Chan left the meeting during the question and answer session.]

[The Chairperson thanked the government representatives (including the consultants) for attending the meeting. CEDD’s representatives (including the consultants) left the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/838 Proposed Hotel (Student Hostel) (Partial Conversion of Existing Commercial Building) in “Other Specified Uses” annotated “Business” Zone, 86 Hung To Road, Kwun Tong, Kowloon
(MPC Paper No. A/K14/838A)

70. The Secretary reported that the application was for proposed hotel (student hostel) and the application premises (the Premises) was located in Kwun Tong. Professor Herbert P.K. Chia had declared an interest on the item for his business partner renting a unit in the vicinity of the Premises. As the interest of Professor Herbert P.K. Chia was considered indirect, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

71. With the aid of a PowerPoint presentation, Ms Charlotte P.S. Ng, TP/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 had no objection to the application.

72. Members had no question on the application.

Deliberation Session

73. 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 14.8.2030, 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 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K13/334 Green Fuel Station (Electric Vehicle Charging) and Shop and Services (Convenience Store) in “Other Specified Uses” annotated “Business” Zone, Workshops 7 & 8, G/F, Metro Centre, 32 Lam Hing Street, Kowloon Bay, Kowloon
(MPC Paper No. A/K13/334A)

74. The Secretary reported that the application premises (the Premises) for green fuel station and shop and service use were located in Kowloon Bay. The following Members had declared interests on the item:

Professor Simon K.L. Wong - being the chairman of Employees Retraining Board which owned properties in Kowloon Bay; and

Ms Kelly Y.S. Chan - being an independent non-executive director of a company with rental premises for shop use in the vicinity of the Premises.

75. As the interest of Professor Simon K.L. Wong was considered indirect, the Committee agreed that he could stay in the meeting. As the interest of Ms Kelly Y.S. Chan was considered direct, the Committee agreed that she should be invited to leave the meeting temporarily for the item.

[Ms Kelly Y.S. Chan left the meeting at this point.]

Presentation and Question Sessions

76. With the aid of a PowerPoint presentation, Ms Peggy L.Y. Wong, TP/K, briefed Members on the background of the application, the applied uses, 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.

Applied Uses

77. Noting that the Premises had already been renovated and appeared to be in operation, a Member asked whether the applicant had been aware that planning permission was required for its operation before the application was submitted. In response, Mr Patrick W.Y. Wong, STP/K, explained that there was no information on whether the applicant had been aware of the need for planning permission prior to submitting the current application. It was possible that complaints had been received by relevant government bureaux/departments (B/Ds), indicating that the uses were not in compliance with relevant government requirements and planning permission was required for the applied uses at the Premises.

78. The Member further enquired whether applications involving suspected unauthorized uses should be taken into account when considering such applications. In response, the Chairperson said that unlike those suspected unauthorized developments (UDs)/UDs in the New Territories that might involve clearance of vegetation and cause irreversible damage to the natural environment, the considerations for premises-based uses within buildings in the urban areas would mainly relate to land use compatibility, potential nuisance to nearby residents/occupiers, impacts on the surrounding area and the risk of setting undesirable precedent for other similar applications. For the current application, no planning permission would be required if the Premises were used for ancillary parking, or for a 'Public Vehicle Park' ('PVP'), which was always permitted under the "Other Specified Uses" annotated "Business" ("OU(B)") zone. As 'Green Fuel Station' ('GFS') and 'Shop and Services' ('S&S') were Column 2 uses under the "OU(B)" zone, planning permission from the Town Planning Board (the Board) was required.

79. In response to the Member's further enquiry, Mr Patrick W.Y. Wong, STP/K, confirmed that planning permission would not be required if the Premises were used for ancillary parking with electric vehicle (EV) charging facilities. Nevertheless, according to the applicant, the proposal was for a green fuel station instead of parking. Together with the convenience store, planning permission from the Board for 'GFS (EV Charging)' and 'S&S' uses at the Premises was required.

80. Another Member enquired whether the Premises could be used as a 'Petrol

Filling Station' ('PFS') if the application be approved by the Committee. In response, Mr Patrick W.Y. Wong, STP/K, said that the technical considerations for a 'PFS' and 'GFS', such as those from fire safety and electrical and mechanical perspectives, were different, as they were subject to different requirements and guidelines from the relevant B/Ds. The Chairperson added that the planning permission, if granted, would be scheme-based, and the applicant would be required to implement the applied 'GFS (EV Charging)' and 'S&S' uses as submitted.

81. A Member asked whether the number of car parking spaces had been specified under the land lease for the concerned building, and if affirmative, whether the 24-hour operating EV charging spaces under the application would be used for car parking, particularly for overnight parking and counted towards the total number of car parking spaces for the concerned building. In response, Mr Patrick W.Y. Wong, STP/K, said that from land lease perspective, the Premises were situated within an existing industrial building, namely Metro Centre, under the New Kowloon Inland Lot 6019, which was restricted for industrial and/or godown purposes (excluding any offensive trades). As proposed by the applicant, an additional charge would be applied if the vehicles did not depart within 10 minutes upon completion of the charging process. The Chairperson added that as both ancillary parking and PVP were permitted under the "OU(B)" zone of the Ngau Tau Kok and Kowloon Bay OZP (the OZP), the provision of car parking spaces at the Premises would be subject to enforcement by the Lands Department (LandsD) in consultation with the Transport Department, if necessary.

82. Another Member remarked that the applied use, i.e. a green fuel station, was to certain extent similar to a vehicle repair workshop, in that vehicles would remain on the premises/sites while being serviced. In that regard, the applied 'GFS (EV Charging)' use at the Premises was intended to provide EV charging services to vehicles, and was therefore considered by nature different from parking use.

Traffic Impact

83. Noting that a total of eight charging spaces and two waiting spaces were proposed under the application, a Member enquired about the existing traffic flow on nearby streets and the potential traffic impact of the proposal. In response, Mr Patrick W.Y. Wong,

STP/K, with the aid of some PowerPoint slides, said that according to the Traffic Review submitted by the applicant, the applied uses together with a new vehicular run in/out arrangement would not result in adverse traffic impact on Lam Lee Street, which had a relatively low level of traffic and pedestrian flow during both weekdays and weekends, i.e. with a peak traffic flow of about 16 vehicle trips per hour recorded at present.

Deliberation Session

84. A Member expressed concerns regarding development control and subsequent enforcement at the Premises, should the applied ‘GFS (EV Charging)’ use later be converted to other uses such as a ‘PFS’ or a ‘PVP’, particularly as the public might not be fully aware of such differences. Approval of the application without appropriate enforcement mechanism could create a loophole that might encourage other landowners to follow suit. The Chairperson remarked that while, in general, a number of uses could be subsumed under a single use term according to the Definition of Terms Used in Statutory Plans adopted by the Board, the current application was specifically for ‘GFS (EV Charging)’ and ‘S&S (Convenience Store)’ uses. Planning permission, if granted, would be scheme-based, and the applicant would be required to implement the applied EV charging station and convenience store as submitted. Any non-compliance or unauthorized uses would be subject to enforcement action by relevant authorities, including LandsD and the Buildings Department, in consultation with PlanD and other concerned government departments, as appropriate.

85. Regarding the Member’s concern about the potential conversion of EV charging spaces into parking spaces, the Chairperson clarified that parking use, including both ancillary car parking and ‘PVP’ use, was permitted as of right at the Premises within the “OU(B)” zone under the OZP. The Committee also noted that as stated in the application, quick EV charging facilities would be provided at the Premises, with monitoring and management of operation conducted by on-site staff daily from 09:00 to 18:00. In addition, 24-hour CCTV monitoring would also be in place and an additional charge would be applied if the vehicles did not depart within 10 minutes upon completion of the charging process.

86. Some Members expressed support for the application, noting that the proposal would help meet market demand for EV charging facilities and was consistent with the

relevant government policy. As the applied uses were already in operation at the Premises, a Member was concerned whether a condition should be imposed to prohibit parking use at the Premises and whether a warning message should be conveyed to the applicant that planning permission was required before commencing operation.

87. The Chairperson concluded that Members generally supported the application, having considered that the proposal put forward under the application for a 'GFS (EV Charging) and 'S&S (Convenience store)' was acceptable, the demand for EV charging facilities in the area and no objection/adverse comment from relevant B/Ds. To address Members' concerns regarding development control and enforcement at the Premises, the Committee noted that an advisory clause stating that prior planning permission should have been obtained before commencing the applied uses at the Premises had already been included in Appendix III of the Paper. PlanD would also convey the Committee's views to relevant B/Ds, including LandsD, for follow-up enforcement action as appropriate.

88. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. 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 8

Any Other Business

[Open Meeting]

89. There being no other business, the meeting was closed at 12:40 p.m.