

**Minutes of 1338<sup>th</sup> Meeting of the  
Town Planning Board held on 27.6.2025**

**Present**

Permanent Secretary for Development  
(Planning and Lands)  
Ms Doris P.L. Ho

Chairperson

Mr Stephen L.H. Liu

Vice-chairperson

Ms Sandy H.Y. Wong

Mr Daniel K.S. Lau

Mr K.W. Leung

Mr Ricky W.Y. Yu

Professor Roger C.K. Chan

Mr Vincent K.Y. Ho

Mr Ben S.S. Lui

Mr Timothy K.W. Ma

Professor Bernadette W.S. Tsui

Ms Kelly Y.S. Chan

Dr C.M. Cheng

Mr Daniel K.W. Chung

Dr Tony C.M. Ip

Mr Ryan M.K. Ip

Mr Rocky L.K. Poon

Professor B.S. Tang

Mr Derrick S.M. Yip

Chief Traffic Engineer/Hong Kong  
Transport Department  
Mr Horace W. Hong

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

Assistant Director (Environmental Assessment)  
Environmental Protection Department  
Mr Gary C.W. Tam

Deputy Director of Lands/General  
Ms Jane K.C. Choi

Director of Planning  
Mr C.K. Yip

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

Secretary

**Absent with Apologies**

Mr Stanley T.S. Choi

Professor Jonathan W.C. Wong

Dr Venus Y.H. Lun

Professor Simon K.L. Wong

Mr Simon Y.S. Wong

**In Attendance**

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

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

Senior Town Planner/Town Planning Board  
Ms Bonnie K.C. Lee (a.m.)  
Ms Karen F.Y. Lam (p.m.)

## **Agenda Item 1**

[Open Meeting]

### Confirmation of Minutes of the 1337<sup>th</sup> Meeting held on 13.6.2025

[The item was conducted in Cantonese.]

1. The draft minutes of the 1337<sup>th</sup> meeting held on 13.6.2025 would be sent to Members in due course. Subject to any proposed amendments by Members, the minutes would be confirmed.

[Post-meeting note: The minutes were sent to Members on 10.7.2025 and were confirmed on 11.7.2025 without amendment.]

## **Agenda Item 2**

[Open Meeting (except Item (ii))]

### Matters Arising

[The item was conducted in Cantonese.]

#### (i) Reference Back of Approved Outline Zoning Plan

2. The Secretary reported that on 10.6.2025, the Secretary for Development referred the approved Kwun Tong (North) Outline Zoning Plan (OZP) No. S/K14N/15 to the Town Planning Board for amendment under section 12(1A)(a)(ii) of the Town Planning Ordinance. The reference back of the OZP was notified in the Gazette on 20.6.2025.

#### (ii) [Confidential Item] [Closed Meeting]

3. The item was recorded under confidential cover.

## **Deferral Case**

### **Section 17 Application**

[Open Meeting (Presentation and Question Sessions only)]

### **Presentation and Question Sessions**

4. The Town Planning Board (the Board) noted that there was one case requesting the Board to defer consideration of the review application. Details of the request for deferral were in **Annex**.

### **Deliberation Session**

5. After deliberation, the Board decided to defer a decision on the review application as requested by the applicant pending submission of further information, as recommended in the Paper.

**Hong Kong District**

**Agenda Item 3**

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. 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

(TPB Paper No. 11008)

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[The item was conducted in Cantonese and English.]

6. The Secretary reported that the application site (the Site) was located in Pok Fu Lam and Wheelock Properties (Hong Kong) Limited (the Wheelock) was the advisor to the applicant. The following Members had declared interests on the item:

- |  |   |
|--|---|
| Mr Stephen L.H. Liu<br>( <i>Vice-chairperson</i> ) | - co-owning with spouse properties in Pok Fu Lam;   |
| Professor Jonathan W.C. Wong                       | ] having close relative living in Pok Fu Lam;   |
| Professor Bernadette W.S. Tsui                     | ]   |
| 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; and |
| Mr Ryan M.K. Ip                                    | - being the vice-president cum co-head of Public Policy Institute of Our Hong Kong Foundation which had received donations from the Wheelock.   |

7. Members noted that Professor Jonathan W.C. Wong had tendered an apology for being unable to attend the meeting. As the properties co-owned by Mr Stephen L.H. Liu with spouse and owned/co-owned by Mr Ben S.S. Lui, his spouse and his company, and the residence of Professor Bernadette W.S. Tsui's relative had no direct view of the Site, and Mr Ryan M.K. Ip had no involvement in the project(s) under the sponsorship of the Wheelock in relation to the item, Members agreed that they could stay in the meeting.

#### Presentation and Question Sessions

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

##### **PlanD**

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|----------------------|--|
| Ms Janet K.K. Cheung | - District Planning Officer/Hong Kong (DPO/HK) |
| Ms Erica S.M. Wong   | - Senior Town Planner/Hong Kong                |
| Mr Ronald C.H. Chan  | - Town Planner/Hong Kong (TP/HK)               |

##### **Applicant's Representatives**

###### *Masterplan Limited*

Mr Ian Brownlee  
Ms Heather Yuen

###### *Ozzo Technology (HK) Limited*

Ms Oliver Cheung  
Mr Charlie Wu

###### *Wheelock Properties (Hong Kong) Limited*

Mr Matthew Sheh

9. The Chairperson extended a welcome and explained the procedures of the review hearing. She remarked that at the Town Planning Board (the Board/TPB) meeting held on 30.5.2025, the Board agreed to the imposition of a time limit of 15 minutes for the presentations of the applicants in section 12A (s.12A) and section 17 (s.17) applications. Upon the request

of the applicant's representatives of this review application for granting an extra 10 minutes for the presentation to provide more explanation of the issues involved, the Chairperson allowed the request and a total of 25 minutes for presentation would be allotted to the applicant's representatives. The Chairperson then invited PlanD's representatives to brief Members on the review application.

10. With the aid of a PowerPoint presentation, Mr Ronald C.H. Chan, TP/HK, PlanD briefed Members on the background of the review application including the Site and the surrounding areas, the applicant's proposal and justifications, the consideration of the application by the Metro Planning Committee (MPC) of the Board, departmental and public comments, and the planning considerations and assessments as detailed in TPB Paper No. 11008 (the Paper). As there had been no major change in planning circumstances since the consideration of the section 16 (s.16) application, PlanD maintained its previous view of not supporting the application.

11. The Chairperson then invited the applicant's representatives to elaborate on the review application.

12. With the aid of a PowerPoint presentation, Mr Ian Brownlee, the applicant's representative, made the following main points:

- (a) as regards the site location and context, the Site was very constrained which was narrow and elongated in configuration. Pok Fu Lam Road (PFLR), which was an elevated highway structure (H123), ran along the northeastern boundary of the Site. There was a level difference between PFLR and the Site, and the Site was situated at a site level lower than that of PFLR. Development within the Site was subject to various site constraints and challenges, including the provision of maintenance walkway within the Site for the highway structure and slope feature underneath;
- (b) the s.16 application was for submission of layout plan (LP) and proposed minor relaxation of building height (BH) restriction (BHR) from 151mPD to 164mPD for permitted 'Flat' use. While the applicant had requested to remove the requirement to submit LP from the Notes and Explanatory

Statement (ES) of the Pok Fu Lam Outline Zoning Plan (the OZP) for the “Residential (Group C) 7” (“R(C)7”) zone in the OZP amendment stage, which was not upheld, the applicant had fulfilled the requirement for LP submission in the s.16 application. The application for minor relaxation of BHR for the proposed development was due to various technical requirements and the need to improve the design and sustainability of the proposed development. The proposed development complied with the plot ratio (PR)/gross floor area (GFA) permitted in the OZP;

- (c) regarding rejection reason (a) for the s.16 application, i.e. the applicant failed to demonstrate that the proposed development as shown on the LP would have no adverse traffic impact on PFLR, the applicant had submitted a Traffic Impact Assessment (TIA) in the s.16 application. The findings of the TIA demonstrated that the proposed development would have no adverse traffic impact on the surrounding road network, including PFLR. The Transport Department (TD) had no objection to the TIA. Besides, the phrase ‘no adverse traffic impact on PFLR’ was considered too broad, which did not mention that the s.16 application was rejected owing to the concerns related to the provision/design of the bus lay-by;
- (d) in the s.16 application, a new vehicular run-in/out for the proposed development was proposed on PFLR. To allow sufficient sightline between the said proposed run-in/out and the existing junction of PFLR and private access road to the Ebenezer New Hope School, the applicant proposed to relocate the existing in-lane bus stop northward and replace it with a 2m-wide bus lay-by. The applicant had been liaising with TD and the Highways Department (HyD) on the design and practicability of the proposed bus lay-by;
- (e) according to the ES of the OZP for the “R(C)7” zone, ‘For any new development or redevelopment of an existing building, a LP should be submitted to the Board for approval to address concerns on environmental aspects. The LP submission should set out the proposed land use(s), and the form and disposition of all buildings, and provide relevant technical

assessments to ensure the air quality, traffic noise and sewerage issues could be properly addressed'. The requirement for a LP submission was imposed to address concerns raised by the Director of Environmental Protection (DEP) regarding potential traffic noise, air quality and sewerage impacts caused to/by the future residential development at the Site, taking into account the virtually unrestricted land lease status of the Site. The LP submission, together with the Environmental Assessment and Sewerage Impact Assessment, had been made in the s.16 application, and DEP had no in-principle objection to the application;

- (f) traffic impact had not been identified as a matter to be considered in the LP submission. As mentioned, the applicant had conducted a TIA in the s.16 application, which demonstrated that the proposed development would have no adverse traffic impact on the surrounding road network, including PFLR;
- (g) at the s.12A application stage, the Commissioner for Transport (C for T) had requested the provision of a standard 3.3m-wide bus lay-by on PFLR adjacent to the proposed residential development to improve the existing traffic condition. C for T noted that 'the applicant will further examine the feasibility of the provision of a bus lay-by in the detailed design stage and he has no objection to the application from traffic engineering point of view'. It meant that C for T had accepted at the s.12A application stage that the provision of a bus lay-by would be subject to further feasibility study at the detailed design stage;
- (h) a feasibility study had been conducted at the s.16 application stage. The feasibility study had identified constraints in providing a standard 3.3m-wide bus lay-by as requested by TD. It was technically infeasible not to impose any additional loading for the modification and extension of the existing highway structure (H123) of PFLR. On this point, HyD had advised that 'the proposed road works should not be designed to impose additional loading on the existing highway structure (H123)'. Besides, geotechnical stability impact on the existing slope feature No. 11SW-C/C87 underneath the said highway structure was also in doubt. Furthermore, any modification and

extension of the highway structure (H123) would require additional columns and footings on the existing maintenance walkway within the Site for the highway structure and slope feature underneath PFLR. HyD had pointed out that the existing 2.5m-wide maintenance walkway to the highway structure and slope feature should be retained as far as practicable. If not, re-alignment of the maintenance walkway would be required. However, the Site which was small and irregular in configuration had limited space to provide alternative alignment for the maintenance walkway to accommodate additional columns and footings, whilst complying with other technical requirements and achieving permitted development intensity;

- (i) with reference to Annex H of the Paper, HyD had put on a number of advisory clauses in relation to any proposed road works, i.e. paragraphs (b)(i) to (b)(xiii). Those advisory clauses were stringent requirements for any proposed road works. For instance, the proposed road works should not be designed to impose additional loading on the existing highway structure (H123); and
- (j) given TD's requirement of maintaining an adequate width of PFLR, accommodating a 3.3m-wide bus lay-by and 2.5m-wide public footpath would require using part of the applicant's private lot, raising issues relating to land ownership and future management and maintenance (M&M) responsibilities of the public footpath and bus lay-by. TD and HyD had not confirmed taking up the M&M responsibilities and future private owners should not bear M&M responsibilities for the public facilities, i.e. the public footpath and bus lay-by. The applicant could not commit to the provision of public facilities within the private lot. The public facilities should be provided on GL. TD/HyD had mentioned that they did not have any funding on the provision of bus lay-by.

13. With the aid of a PowerPoint presentation, Ms Oliver Cheung, the applicant's representative, made the following main points in respect of the traffic aspect:

- (a) given that there was no change in the total GFA of the proposed development

under the s.12A and s.16 schemes, the findings of the TIAs conducted at the s.12A and s.16 application stages were comparable. The slight increase in traffic flow generated by the trips made by an addition of some 10 vehicles because of the increase in number of units and the decrease in average flat size was considered insignificant. Both TIAs concluded that the proposed development would not create adverse traffic impact on the surrounding road network;

- (b) relocation of the in-lane bus stop as proposed by the applicant at the s.12A and s.16 application stages was considered adequate to serve the travel need of the local community. Currently, most of the bus passengers who boarded/alighted the buses at the existing bus stop were the staff/visitors of the Ebenezer School and Home for the Visually Impaired (the Ebenezer School), and majority of the students, with special needs, went to school by school buses. After the relocation of the Ebenezer School, the numbers of pedestrians and stopping buses would reduce significantly. As demonstrated in the TIA conducted under the s.12A scheme, the number of stopping buses would decrease from 28 per hour at present to 5 -10 per hour in future during the peak hours (i.e. the period before/after school), while the number of pedestrians would decrease from 143 per hour at present to 24 per hour in future during the peak hours. It meant that there would only be one pedestrian passing by the footpath in every 2 to 3 minutes. Level of Service could be maintained at Grade A throughout the day along the footpath;
- (c) TD had no objection to the proposed relocation of the existing in-lane bus stop at the s.12A application stage, and agreed to the provision of a bus lay-by subject to further feasibility study. TD noted that 'the applicant will further examine the feasibility of the provision of a bus lay-by in the detailed design stage'. The applicant had conducted a feasibility study at the s.16 application stage, as committed during the s.12A application stage;
- (d) as mentioned by Mr Ian Brownlee in respect of the constraints of providing a 3.3m-wide bus lay-by, the applicant proposed to relocate the existing in-lane bus stop northward and replace it by a 2m-wide bus lay-by with a 1.3m-wide

public footpath on GL in the s.16 application (i.e. Option 1), which would minimally reduce the width of PFLR to the standard requirement of 13.5m. Option 1 was the result of a thorough feasibility study and was found feasible. Two additional technically feasible options (Options 2 and 3), similar to that proposed at the s.12A application stage, were submitted in the s.17 review application. Option 2 was to relocate the existing in-lane bus stop northward and maintain the existing width of the public footpath. No bus lay-by nor footpath widening was proposed. Option 3 was to relocate the existing in-lane bus stop northward and widen the public footpath to 2.5m by reducing the width of PFLR. No bus lay-by was proposed as such provision was only explored in response to the request of TD, rather than arising from the need of the proposed development; and

- (e) a review on the feasibility of providing a bus lay-by and widened footpath on the opposite side of PFLR had been examined but was found infeasible. The M&M issues of public facilities provided in private lot as mentioned by Mr Ian Brownlee needed to be resolved. A possible alternative bus lay-by location on government land (GL) at the adjacent “R(C)6” site southward from the existing bus stop was identified by the applicant for TD/HyD’s consideration.

14. With the aid of a PowerPoint presentation, Mr Ian Brownlee, the applicant’s representative, continued his presentation and made the following main points:

- (a) concerning rejection reason (b) for the s.16 application, i.e. the applicant failed to demonstrate that there were sufficient planning and design merits to justify the proposed minor relaxation of BHR, the Notes of the OZP for the “R(C)7” zone stated that based on the individual merits of a development or redevelopment proposal, minor relaxation of the BHR might be considered by the Board upon application. Paragraph 7.4.4 of the ES of the OZP also stated that the purpose of such minor relaxation clause was to allow the Board to consider proposals for building layout and design which, while not strictly complying with the stated restrictions, meet the planning objectives. It was intended to encourage imaginative designs which were adapted to the

characteristics of particular sites, and overcome the need for stilting or allow for conservation of environmentally important natural features or mature vegetation. In that regard, it was considered that the proposed minor relaxation of BHR could achieve the above purpose(s) which would be further elaborated in the ensuing points;

- (b) one of the major reasons for the proposed minor relaxation of BHR was the need to provide a 2.5m-wide maintenance walkway adjacent to the highway structure (H123), which was an additional requirement raised by HyD at the s.16 application stage. The 2.5m-wide maintenance walkway was a non-buildable area and such requirement constrained the developable area within the small, irregular and elongated site. The layout of the residential blocks as proposed under the s.12A scheme needed to be modified, taking into account the necessary emergency vehicular access (EVA), vehicular access, parking spaces, greenery, building setback (i.e. the requirement for 20m-setback from kerbside of PFLR to comply with air quality and noise standards) and building gap to meet relevant technical requirements;
- (c) the proposed increase in BH was only 13m. The proposed BH of 164mPD was compatible with the surrounding developments and would maintain the existing stepped BH profile descending towards the seaside. The surrounding areas generally consisted of taller buildings. The proposed BH of 164mPD was consistent with the BHR of 164mPD of the adjacent “Government, Institution or Community (1)” site, which was reserved for the proposed academic buildings for the Li Ka Shing Faculty of Medicine of the University of Hong Kong (HKU). The extent of relaxation of BHR was therefore considered appropriate;
- (d) according to the MPC paper, the Chief Town Planner/Urban Design and Landscape, PlanD considered that the Site was surrounded by medium-rise residential developments and road to its east, and dense vegetation slope to its west and the proposed development was not incompatible with the surrounding landscape setting. According to the minutes of the MPC meeting held on 16.8.2024, DPO/HK, PlanD mentioned that the proposed

development with a minor relaxation of the BHR to 164mPD was considered not incompatible with the surrounding developments. The above indicated that the proposed minor relaxation of BHR from 151mPD to 164mPD was compatible with the surrounding environment;

- (e) according to the findings of the Visual Impact Assessments conducted under the s.12A and s.16 schemes, the proposed development was considered to be visually compatible with its existing and future urban context, and the visual impact of the proposed development was similar to that of the developments on the opposite side of PFLR;
- (f) there was no requirement in the Notes and ES of the OZP that relaxation of BHR should bring about planning and design merits that would benefit the public. That said, the proposed minor relaxation of BHR could enable better urban design and a more sustainable development with improved air ventilation, improved visual quality and daylight penetration, improved sustainability, reduced environmental impact on the neighbourhood, improved internal living quality and the 20m-setback from PFLR for better air quality;
- (g) the number of building blocks had been reduced from five under the s.12A scheme to four under the s.16 scheme, and this would create a building gap of about 8m between Blocks T3 and T4. The proposed measures of building gap/separation exceeded the minimum requirement of 20% for permeability of low zone as set out in the Sustainable Building Design (SBD) Guidelines;
- (h) the proposed minor relaxation of BHR, which allowed an increase in the site formation level, would reduce the excavation volume and the amount of construction wastes, shorten the time required for site formation works, and lessen noise nuisance and air pollution to the neighbourhood;
- (i) according to the Joint Practice Note No. 5 (Development Control Parameters – Building Height Restriction) (JPN No. 5) jointly promulgated by the Buildings Department (BD), the Lands Department (LandsD) and PlanD, the

proposed 3.5m floor-to-floor (FTF) height was considered an acceptable height for residential flats. It was a design merit to improve the quality of internal living space for future residents, achieving a healthier, safer and more energy-efficient internal living environment. It was important for the post-COVID living, which helped reduce the risk of transmission of diseases and enhance resilience against climate change;

- (j) improved public realm was also another planning and design merit. When compared with the existing situation of hard concrete wall and building frontage on PFLR with no trees, the proposed development would provide a more spacious road corridor due to setback from PFLR. A green wall/facade would also be provided, which could improve pedestrian environment on PFLR. It was considered a public gain; and
- (k) in conclusion, (i) the requirement for a LP submission had been fulfilled and key issues relating to environmental aspects had been addressed; (ii) all three options had incorporated the requirement for the provision of a 2.5m-wide maintenance walkway within the Site, which posed constraints for the proposed development; (iii) the proposed development would have no adverse traffic impact on PFLR; (iv) bus stop/lay-by should be provided within GL, and location and design of the bus stop/lay-by did not require a decision from the Board; (v) the proposed minor relaxation of BHR was appropriate and compatible with the surrounding context; and (vi) the proposed development offered various planning and design merits and most of which were enabled by the proposed minor relaxation of BHR. As such, rejection reasons (a) and (b) were not justified.

15. As the presentations of the PlanD's representative and the applicant's representatives had been completed, the Chairperson invited questions from Members.

#### *Impact on Layout Design of Proposed Development*

16. A Member asked the applicant's representatives about the potential impact of the provision of a standard 3.3m-wide bus lay-by and associated footpath as requested by TD on

the overall layout design of the proposed residential development. In response, Mr Matthew Sheh and Ms Oliver Cheung, the applicant's representatives, with the aid of some PowerPoint slides, said that at the s.16 application stage, building layout had to set back from the site boundary fronting PFLR for the provision of a 2.5m-wide maintenance walkway to the highway structure and slope feature as requested by HyD. Under the s.16 scheme, the site area fronting PFLR was designed for the provision of a 7.3m-wide EVA/driveway with requirements set by relevant government departments that needed to be met, and for the purposes of vehicle manoeuvring and loading/unloading activities. Should further setback within the Site for the provision of the 3.3m-wide bus lay-by and associated footpath be required, the developable area of the Site would be further reduced, and the provision of an EVA/a driveway and the overall layout design of the proposed residential development within the small and elongated site would be affected.

17. Two Members followed up and asked the applicant's representatives the following questions:

- (a) referring to the LP under the s.16 scheme as shown in the PowerPoint slide, a section of the EVA/driveway was only 6m in width; and whether the provision of a 7.3m-wide EVA/driveway was a statutory requirement; and
- (b) whether preliminary assessments had been conducted to take into account the provision of a standard 3.3m-wide bus lay-by and associated footpath, and whether a drawing showing the potential impact of a standard 3.3m-wide bus lay-by and associated footpath on the overall layout design of the proposed residential development had been prepared for Members' reference.

18. In response, Mr Matthew Sheh, the applicant's representative, with the aid of a PowerPoint slide, made the following main points:

- (a) according to the statutory requirements as set out by BD, if the EVA was in form of a carriageway, it should not be less than 7.3m in width, and if the EVA was not in form of a carriageway, it should not be less than 6m in width. The section of the EVA/driveway in front of residential block T4 as pointed out by the Member was not in form of a carriageway, and hence it could be 6m

in width; and

- (b) while preliminary assessments had been conducted, a drawing showing the potential impact of a standard 3.3m-wide bus lay-by and associated footpath on the overall layout design of the proposed residential development was not available at the juncture.

19. As a related issue, Ms Jane K.C. Choi, Deputy Director of Lands/General (DD/G), LandsD asked whether the 2.5m-wide maintenance walkway and the 7.3m-wide EVA/driveway could be designed for shared use. In response, Mr Matthew Sheh, the applicant's representative, with the aid of a PowerPoint slide, explained that the maintenance walkway and the EVA/driveway were located at different site levels and it was not technically feasible for shared use due to site constraints.

*Provision of Bus Lay-by and Associated Footpath*

20. Noting that the applicant had proposed to set back the site boundary fronting PFLR between the relocated bus stop and the existing pedestrian crossing for widening the footpath to 2.5m under the s.12A scheme and to provide the run-in/out of the proposed development on a new cantilevered structure extending from the Site to PFLR under the s.16 scheme, some Members asked the applicant's representatives the following questions:

- (a) whether alternatives, such as the construction of another cantilevered structure or a new structure with supporting columns/footings not on the maintenance walkway for accommodating a standard bus lay-by and associated footpath, had been explored; and
- (b) whether it was technically infeasible or technically challenging to provide a standard bus lay-by and associated footpath after considering different construction methods.

21. In response, Messrs Ian Brownlee, Matthew Sheh and Ms Oliver Cheung, the applicant's representatives, with the aid of some PowerPoint slides, made the following main points:

- (a) at the s.12A application stage, C for T had requested the provision of a standard 3.3m-wide bus lay-by on PFLR adjacent to the proposed residential development to improve the existing traffic condition. C for T noted that 'the applicant will further examine the feasibility of the provision of a bus lay-by in the detailed design stage, he has no objection to the application from traffic engineering point of view'. It meant that C of T had accepted at the s.12A application stage that the provision of a bus lay-by would be subject to further feasibility study at the detailed design stage;
- (b) a feasibility study had been conducted at the s.16 application stage. The feasibility study had identified constraints in providing a standard 3.3m-wide bus lay-by as requested by TD. In the case that a standard 3.3m-wide bus lay-by as requested by TD and a widened footpath of 2.5m as committed at the s.12A application stage had to be provided, additional structures (e.g. columns, footings and/or cantilever) would be required for the standard bus lay-by and associated footpath. It was technically infeasible not to impose any additional loading for the modification and extension of the existing highway structure of PFLR (with minimum 30-ton imposed loads). On this point, HyD had put on a number of stringent requirements for any new road works and advised that 'the proposed road works should not be designed to impose additional loading on the existing highway structure' and 'the structural integrity of existing highway structure (H123) should not be adversely affected'. Besides, geotechnical stability impact to the existing slope feature was also in doubt. Based on limited records of the highway structure and slope feature, geotechnical/structural assessment was not available at the juncture. If using columns/footings to support structures for the standard bus lay-by and associated footpath, the impact on the existing maintenance walkway below PFLR would need to be considered. HyD had pointed out that the existing maintenance walkway to the highway structure and slope feature, which had a clear width of 2.5m and ran along the northeastern boundary of the Site and below the level of PFRL, should be retained as far as practicable, if not, re-alignment of the maintenance walkway would be required. Nevertheless, the Site which was small and irregular in

configuration had limited space to provide alternative alignment for the maintenance walkway to accommodate additional columns/footings, whilst complying with other technical requirements (such as the provision of a 20m buffer area from the kerbside of PFLR for the proposed development to comply with air quality and noise standards) and achieving the permitted development intensity. While it might be technically feasible to construct a 3.3m-wide bus lay-by and associated footpath similar to the proposed cantilevered structure for the new run-in/out to PFLR, there would be fundamental M&M issues as TD/HyD would not be able to take over the M&M responsibilities of a proposed cantilevered structure that was integrated with the parent structure of the proposed residential development;

- (c) taking into account the findings of the TIA and various site constraints, the applicant proposed three options, i.e. Option 1 (relocation of the existing in-lane bus stop northward and replacing it by a 2m-wide bus lay-by with a 1.3m-wide footpath as proposed in the s.16 application) and Options 2 and 3 (relocation of the in-lane bus stop northward, with or without footpath widening as proposed in the s.17 review application) for TD's consideration. All three options involved GL outside the Site and none would interfere with the existing highway structure and slope feature, which were all considered technically feasible;
- (d) traffic impact had not been identified as a matter to be considered in the LP submission, which should not be regarded as a matter to be considered by the Board under the LP submission. As mentioned, the applicant had conducted a TIA in the s.16 application, which demonstrated that the proposed development would have no adverse traffic impact on the surrounding road network, including PFLR;
- (e) it was unfair and unreasonable to request the applicant to provide public facilities (i.e. the 3.3m-wide bus lay-by and associated footpath on a cantilevered structure with additional columns and footings) within the private lot since it would involve high construction cost and M&M problems.

TD and HyD had not confirmed taking up the M&M responsibilities of the proposed bus lay-by and associated footpath; and

- (f) a possible alternative bus lay-by location on GL was identified by the applicant for TD/HyD's consideration. It was located at the adjacent "R(C)6" site, which was some 30m southward from the existing bus stop.

22. As regards the technical feasibility of any new road works (such as the additional columns and footings) and the impact on the highway structure (H123), Ms Janet K.K. Cheung, DPO/HK, PlanD said that HyD had advised that since the applicant had not agreed with TD on a feasible scheme for the provision of a bus lay-by and associated footpath, and no geotechnical/structural assessment had been provided, the effects on the existing highway structure and slope feature could not be determined from the highways maintenance viewpoint at this juncture.

23. The Chairperson and two Members sought clarification on what had been committed by the applicant at the s.12A application stage. In response, Ms Janet K.K. Cheung, DPO/HK, PlanD, with the aid of a PowerPoint slide, said that at the s.12A application stage, the applicant, when responding to TD's comments, had mentioned that 'the applicant will provide the bus lay-by subject to further feasibility study in the detailed design stage'. In view of the applicant's commitment, TD offered 'no objection' to the s.12A application.

24. On this point, Mr Ian Brownlee and Ms Oliver Cheung, the applicant's representatives, said that the s.12A application was to seek the Board's agreement to rezone the Site from "Government, Institution or Community" ("G/IC") to "R(C)7" for the proposed residential development, and the details of the bus lay-by as requested by TD were not available at that time. As committed in the s.12A application, the applicant had explored the feasibility of providing a bus lay-by at the detailed design stage (i.e. under the s.16 scheme). The applicant had conducted the feasibility study and recommended three feasible options, which only involved GL, for TD's consideration. If private land was involved for the provision of the public facilities (i.e. a standard bus lay-by and associated footpath), M&M issues would need to be resolved.

25. The Chairperson asked TD's views in case a standard bus lay-by could not be

provided by the applicant after the applicant had conducted the feasibility study. In response, Mr Horace W. Hong, Chief Traffic Engineer/Hong Kong (CTE/HK), TD said that as the applicant had committed at the s.12A application stage to provide a bus lay-by subject to further feasibility study, TD had no objection to the s.12A application. As such, the applicant had to provide strong justifications on why the provision of a standard bus lay-by was not technically feasible and to demonstrate that there would not be any adverse traffic impact under the three options as proposed, without a standard bus lay-by.

26. In response to a Member's enquiry on the design of the new run-in/out of the proposed development, Mr Matthew Sheh, the applicant's representative, said that it was preliminarily designed to provide the new run-in/out on a new structure reaching out from the Site to PFLR. The run-in/out arrangement was still subject to detailed design and HyD's agreement on the interface issue with the existing highway structure.

#### *The Three Options*

27. Two Members enquired whether Option 1 (provision of 2m-wide bus lay-by) and Options 2 and 3 (relocation of the existing in-lane bus stop without providing a bus lay-by) were acceptable to TD.

28. In response, Mr Horace W. Hong, CTE/HK, TD made the following main points:

- (a) road safety was the most important consideration from the traffic engineering perspective;
- (b) according to the Transport Planning and Design Manual (TPDM), for any newly-constructed bus lay-by, the standard was 3.3m in width. Although there were sub-standard bus lay-bys in Hong Kong due to severe site constraints, the applicant had yet to demonstrate that the provision of an up-to-standard bus lay-by was not technically infeasible; and
- (c) PFLR was a primary distributor road which comprised two northbound and two southbound traffic lanes. An in-lane bus stop would block one northbound traffic lane when there were boarding/alighting from buses.

Besides, the proposed run-in/out of the proposed development would have impact on the northbound traffic lane.

29. On this point, Ms Oliver Cheung, the applicant's representative, said that the proposed 2m-wide bus lay-by could meet the absolute minimum requirement of 1.5m as specified in the TPDM, yet it was still subject to the satisfaction of TD/HyD. As she had explained, since the numbers of stopping buses and bus passengers would significantly reduce after the relocation of the Ebenezer School, it was considered that a 2m-wide bus lay-by under Option 1 and the in-lane bus stop under Options 2 and 3 were all technically feasible.

### *Traffic Impact*

30. A Member sought more explanations from the applicant's representatives on the findings of the TIA conducted and asked TD's comments on the TIA.

31. In response, Ms Oliver Cheung, the applicant's representative, with the aid of some PowerPoint slides, made the following main points:

- (a) the existing Ebenezer School at the Site was currently accessed via a private access road leading to/from PFLR, which was share-used by the Ebenezer School and the Ebenezer New Hope School which was located to the southeast of the Ebenezer School. The private access road allowed right-turn and left-turn to PFLR. There were about 50 vehicles, mainly school buses, travelling on the private access road during the peak hours (i.e. the periods before/after school);
- (b) a new vehicular run-in/out (with left-in/left-out arrangement) onto PFLR for the proposed residential development was proposed. The traffic generated by the proposed residential development would be insignificant given the small number of units (i.e. 135 units) and it was estimated that there would only be about 30 vehicles leaving and some 10 vehicles entering the proposed residential development in the morning peak hour;
- (c) most of the bus passengers who boarded/alighted the buses at the current bus

stop were the staff/visitors of the Ebenezer School. After the relocation of the Ebenezer School, the numbers of pedestrians and stopping buses would reduce significantly. It was estimated that the numbers of stopping buses and pedestrians would only be 5 -10 and 24 respectively per hour during the peak hours in future. With fewer bus passengers, the time of buses stopping on PFLR would also be reduced; and

- (d) the TIA concluded that the proposed development would not have adverse traffic impact on the surrounding road network.

32. In response, Mr Horace W. Hong, CTE/HK, TD made the following main points:

- (a) the applicant had submitted the TIA to TD for comment and TD's comments had not been responded/addressed by the applicant;
- (b) according to the TIA report submitted by the applicant, there were about 22 northbound bus routes running on PFLR. Besides, there would be 28 and 45 nos. of buses stopped at northbound bus stop adjacent to the Site in the morning peak hour (i.e. 8 a.m. to 9 a.m.) and in the afternoon peak hour (i.e. 5 p.m. to 6 p.m.) respectively; and
- (c) it was envisaged that there would be cumulative traffic impact on the northbound traffic of PFLR with the proposed run-in/out of the residential development together with the boarding/alighting activities of the buses at the said in-lane bus stop, particularly during the morning and afternoon peak hours, which had not been fully addressed by the applicant. In order to relieve the cumulative traffic impact arising from the residential development, TD requested the provision of an up-to-standard bus lay-by, subject to further feasibility study.

33. In response to a Member's enquiry on the need for a bus stop in the locality, Mr Horace W. Hong, CTE/HK, TD said that a bus stop was required in the locality to serve the community, including the proposed residential development at the Site and a number of residential developments on both sides of PFLR. Nearby residents could access to the bus

stop via the pedestrian crossing on PFLR.

34. On the point that the applicant had not responded to TD's comments, Ms Oliver Cheung, the applicant's representative, said that once they received TD's comments, they had provided responses to TD. Besides, the applicant had a meeting with TD and HyD around March 2025 to discuss and address concerns raised by TD and HyD, and hence the three options were proposed for the consideration of the Board. The TIA demonstrated that the proposed development would not generate adverse traffic impact on the surrounding road network with the proposed run-in/out while further adjustment to the location of the proposed run-in/out could be considered at the detailed design stage. She reiterated that the need for a standard bus lay-by was not arising from the proposed development. At the s.16 application and s.17 review application stages, three feasible options had been proposed.

#### *M&M Responsibilities*

35. Noting that it was not uncommon for private developers to provide public facilities within their private lots and to hand over the public facilities to the Government for M&M, e.g. public passageway on private land, public transport interchange (PTI) in private development, etc., some Members enquired about the M&M responsibilities of the bus lay-by and the maintenance walkway.

36. With regard to the M&M responsibilities of the bus lay-by, Mr Horace W. Hong, CTE/HK, TD said that if the applicant was willing to construct an up-to-standard bus lay-by within his private lot and to surrender the land for the bus lay-by to the Government, TD and HyD had no in-principle objection to take up the M&M responsibilities of the bus lay-by.

37. To supplement, Ms Jane K.C. Choi, DD/G, LandsD said that under the established practice, the M&M responsibilities of a public facility, such as the bus lay-by in this case, should be under the ambit of the Government. In general, the M&M responsibilities of a public facility should not be transferred to the individual owners of a private residential development. LandsD would have no objection to accept the surrender of the land for the concerned public facility to the Government should there be such request from a competent authority who would be willing to take up its M&M responsibilities upon surrender.

38. As regards the M&M issues of the 2.5m-wide maintenance walkway, Mr Ian Brownlee, the applicant's representative, with the aid of a PowerPoint presentation, said that the current 2.5m-wide maintenance walkway was located within the private lot and, and as requested by HyD, the said maintenance walkway should not be affected by the proposed development. Having considered the infrequent use of the maintenance walkway by HyD, the applicant was willing to take up the M&M responsibilities of the maintenance walkway and the concerned land would not be handed over to the Government. HyD and its authorised persons would continue to be allowed to have free access to the maintenance walkway for inspection, maintenance and repairing of the concerned highway structure and slope feature.

39. With regard to the example of PTI in private development as quoted by a Member, Mr Matthew Sheh, the applicant's representative, said that when preparing new lease for new development, depending on the circumstances, the Government might entrust the private developer to construct a PTI and to hand over the PTI upon completion to the Government for M&M. However, under the lease of the Site, there was no provision for the private lot owner to provide any public facilities. It might not be a like-for-like comparison.

40. As a related issue, a Member enquired whether public access via the proposed run-in/out of the residential development would be allowed, which would also be a cantilevered structure extending from the Site; and if the answer was affirmative, he asked the applicant's representatives whether similar cantilevered structure for the provision of the standard bus lay-by and footpath and handing over the concerned private land had been considered. In response, Mr Matthew Sheh, the applicant's representative, with the aid of a PowerPoint slide, said that boundary walls and a gate would be erected for the proposed run-in/out, and hence public would not have access to the proposed run-in/out. The concerned land, being an integral part of the proposed residential development, would be owned, managed and maintained by the lot owner and would not be handed over to the Government. It might not be comparable to the case of the bus lay-by and associated footpath as it would be public facilities on private land and there would be M&M issues.

#### *Requirement for LP Submission*

41. Two Members sought clarification on the planning permission that was sought for under the current application, and enquired the background and purpose of incorporating the

requirement for a LP submission in the Notes of the OZP for the “R(C)7” zone and the information that should be included in the LP submission for the approval of the Board.

42. In response, Ms Janet K.K. Cheung, DPO/HK, PlanD, with the aid of a PowerPoint slide, made the following main points:

- (a) the current application consisted of two parts: (i) submission of LP to fulfil the requirements as stipulated in the Notes for the “R(C)7” zone; and (ii) proposed minor relaxation of BHR for permitted ‘Flat’ use;
- (b) during consideration of the s.12A application, DEP requested an effective mechanism to ensure the implementation of proper design and measures to satisfy the relevant requirements under the Hong Kong Planning Standards and Guidelines in terms of air quality and traffic noise, as well as further environmental and sewerage impact assessments as the lease of the Site was virtually unrestricted. MPC agreed to include a requirement for the submission of a LP through a s.16 application for the “R(C)7” zone to identify the potential impacts and recommend appropriate mitigation measures at an early planning stage of the proposed residential development;
- (c) in tandem, in the s.12A application, the applicant agreed to provide the bus lay-by subject to further feasibility study at the detailed design stage. In view of the applicant’s commitment, C for T offered ‘no objection’ to the s.12A application;
- (d) according to paragraph (3)(v) in the Remarks of the Notes of the OZP for the “R(C)” zone, the LP submitted for approval of the Board should include ‘such other information as may be required by the Board’. Even though MPC had not stated that the traffic aspect as a major concern during the consideration of the s.12A application, C for T had clearly conveyed to the applicant the requirement for the provision of a feasible bus lay-by during the s.12A application stage. The applicant had also agreed to provide the bus lay-by subject to further feasibility study at the detailed design stage. Therefore, it was justifiable to request the applicant to include a feasible bus lay-by in the

LP submission under the s.16 application; and

- (e) in the s.12A application, the applicant proposed to relocate the existing in-lane bus stop on PFLR for the construction of a new vehicular run-in/out for the proposed development and to set back part of the site boundary fronting PFLR for footpath widening. Nevertheless, the proposal of setting back part of the site boundary for footpath widening was omitted under the s.16 scheme. Since the proposed run-in/out, being part and parcel of the proposed development, would affect the existing bus stop and footpath on PFLR, the applicant was required to provide feasible re-provisioning option(s).

43. Mr C.K. Yip, D of Plan, remarked that the run-in/out arrangement formed an integral part of the overall layout of the proposed development. The run-in/out arrangement and feasible design options relating to the affected bus stop and footpath were required to be incorporated in the LP submission through the s.16 application for the approval of the Board.

44. In relation to the setback of site boundary for footpath widening proposed in the s.12A application but omitted in the s.16 application, a Member asked the applicant's representatives the reason for the omission. In response, Mr Ian Brownlee, the applicant's representative, said that it was removed from the s.16 application due to the M&M issues.

#### *Relaxation of BHR*

45. A Member asked the applicant's representatives the following questions:

- (a) the rationale for adopting a 3.5m FTF height for the proposed development under the s.16 scheme, rather than the 3.15m FTF height as proposed under the s.12A scheme; and
- (b) instead of applying minor relaxation of BHR, whether the option of reducing PR would be explored.

46. In response, Mr Ian Brownlee, the applicant's representative, with the aid of a PowerPoint slide, made the following main points:

- (a) according to JPN No. 5, a 3.5m FTF height for typical floor of flat and a 4.5m FTF height for house were acceptable by BD. The proposed 3.5m FTF height for the proposed development would provide higher clear height to allow sufficient natural ventilation and daylight into the residential units, thereby achieving a healthier, safer and more energy-efficient internal living environment. It was important for the post-COVID living, which helped reduce the risk of transmission of diseases and enhance resilience against climate change. As such, the proposed 3.5m FTF height for the proposed development was reasonable and justifiable; and
- (b) the proposed increase in BH was not related to PR. Development within the Site was already subject to site constraints and challenges. It was very difficult for private developers to reduce PR as they would endeavour to achieve the maximum permissible PR as specified in the OZP and other legislations.

47. As the applicant's representatives had no further points to raise and there were no further questions from Members, the Chairperson informed the applicant's representatives that the hearing procedure of the review application had been completed and the Board would deliberate on the review application in their absence and inform the applicant of the Board's decision in due course. The Chairperson thanked PlanD's representatives and the applicant's representatives for attending the meeting. They left the meeting at this point.

[Ms Kelly Y.S. Chan left the meeting and Mr Derrick S.M. Yip left the meeting temporarily during the Q&A session.]

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

[Professor Roger C.K. Chan left the meeting during the break.]

#### Deliberation Session

48. Members in general considered that the applicant had not provided strong justifications to support the review application and hence the application should not be

approved. Some Members expressed the following views/comments/suggestions:

*The s.12A Application*

- (a) sympathetic consideration had been given to the s.12A application for rezoning the Site from “G/IC” to “R(C)7” to facilitate the relocation of the Ebenezer School to a larger site in Tung Chung;
- (b) at the s.12A application stage, the applicant had proposed (i) to set back the site boundary fronting PFLR between the relocated bus stop and the existing pedestrian crossing for widening the public footpath to 2.5m; and (ii) to provide a bus lay-by subject to further feasibility study. Footpath widening and provision of bus lay-by were considered as planning gains and public benefits, which were favourably considered by the Board in partially agreeing to the s.12A application;
- (c) the applicant failed to honour the commitments previously made at the s.12A application stage (i.e. setting back the site boundary for footpath widening and provision of a feasible bus lay-by) in the s.16 planning application and the current s.17 review application;
- (d) the Site was previously zoned “G/IC” which was intended to provide government, institution and community facilities serving the needs of the community. It was not unreasonable that the applicant should provide some sort of public facilities, such as widened footpath, to bring benefit to the community;

*Requirement of LP Submission*

- (e) the applicant emphasised that the LP submission should be intended to address the environmental issues, and traffic should not be a matter to be considered in the LP submission according to the Notes and ES for the “R(C)7” zone. Such justification was not grounded. The new run-in/out formed an integral part of the layout design of the proposed development. The run-

in/out arrangement would affect the existing bus stop and footpath, and hence design options relating to the affected bus stop and footpath should be included in the LP submission through the s.16 application for the approval of the Board. The Board should scrutinise the LP in a holistic manner, taking into account the environmental and traffic issues, amongst others;

*Traffic Impact*

- (f) the applicant's claim that the traffic generated by the proposed residential development was less than that of the Ebenezer School was doubted;
- (g) it was queried whether the TIA had taken into account the traffic demand from hikers to Pok Fu Lam Reservoir during weekends/public holidays;

*Provision of Bus Lay-by and Associated Footpath*

- (h) the provision of a standard bus lay-by and widened footpath was required to serve the needs of the community, including the proposed residential development at the Site, the existing residential developments in the surroundings and visitors to Pok Fu Lam, etc.;
- (i) the applicant failed to demonstrate that the provision of a standard bus lay-by and associated footpath was technically infeasible. Feasible alternatives, such as a cantilevered structure or other forms (e.g. a deck) to connect the Site with PFLR for the provision of a standard bus lay-by and associated footpath, had not been explored by the applicant. On the other hand, a cantilevered structure for the run-in/out of the proposed development was proposed by the applicant;
- (j) the applicant claimed that it was not technically feasible to impose additional loading on the existing highway structure and estimated a minimum imposed load of 30 tonnes. It was considered that such additional loading to the highway structure might not cause an insurmountable problem from civil engineering perspective;

- (k) Option 1, i.e. the provision of a substandard 2m-wide bus lay-by with a 1.3m-wide footpath, was not supported as the stopping buses would still block one traffic lane of PFLR, which would pose significant risk to the road users; and reducing the width of the existing footpath from 1.9m to 1.3m would make the footpath too narrow, which would pose severe constraints to wheelchair users;
- (l) the applicant should endeavour to liaise with concerned government departments, such as TD and HyD, to explore practical solutions to resolve the technical issues relating to the provision of an up-to-standard bus lay-by and widened footpath;

#### *M&M Responsibilities*

- (m) there were examples that public facilities could be provided within private lots and the concerned land could be surrendered to the Government for subsequent M&M. The applicant should liaise with relevant government departments to explore practical solutions to resolve the M&M issues should the bus lay-by/footpath be located within the private lot;
- (n) there were cases where footpaths/public passages provided within private lots were constructed, managed and maintained by the lot owners. Should a 2.5m-wide footpath/public passage be provided within the Site as previously proposed in the s.12A application, in view of the small area that needed to be dedicated for such purpose, it was envisaged that the costs involved in the construction and M&M would not be substantial. Such provision could be considered a public gain to the community;
- (o) judging from the presentation, it appeared that the applicant was not willing to carve out/surrender some areas of the Site for the provision of an up-to-standard bus lay-by/footpath for public use;

*Relaxation of BHR*

- (p) while a Member considered that the proposed increase in BH might not be incompatible with the surrounding developments with similar BHs, another Member queried the compatibility, noting the absolute increase in BH of about 10m (i.e. about 30%) compared with the s.12A scheme;
- (q) the applicant claimed that one of the reasons for the proposed minor relaxation of BHR was the increase in the proposed FTF height from 3.15m to 3.5m to provide more spacious internal living environment. Such justification, merely for the benefit of its future residents, could not support the proposed minor relaxation of BHR;
- (r) while the applicant claimed that the proposed increase in BH would not have adverse visual impact on the surrounding environment and acknowledging that the proposed minor relaxation of BHR would allow an increase in the site formation level and help reduce the excavation volume and the amount of construction wastes, which could enhance resilience against climate change, such justifications were not sufficient to support the proposed minor relaxation of BHR;
- (s) according to BD's requirement, the minimum height for habitable rooms was 2.5m, and BD might accept a range of storey heights for domestic buildings not exceeding 3.5m for typical residential floors;
- (t) the PR restriction in the OZP set out the maximum permissible PR, which might not be achievable due to site-specific constraints. Other than achieving the PR permitted in the OZP, there should be justifications for minor relaxation of BHR; and
- (u) minor relaxation of the BHR should be considered by the Board based on individual merits. It was considered that the proposed minor relaxation of BHR lacked sufficient planning and design merits that would benefit the public.

49. With regard to the applicant's reference to JPN No. 5 in justifying the 3.5m FTF height, Mr C.K. Yip, D of Plan, clarified that a more accurate reference for storey height control should be BD's Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-5 (Height of Storeys Regulations 3(3) & 24 of Building (Planning) Regulations), which set out the minimum and maximum heights (i.e. 2.5m and 3.5m respectively) for residential floors, among others.

50. The Chairperson remarked that the proposed residential development at the Site, if materialised, would have the additional advantage of facilitating the relocation of the Ebenezer School to a site in Tung Chung, enabling the provision of new and better-designed facilities and improved education and social welfare services for the visually impaired. Seen in this light, she saw merits for parties concerned including the Government to work together to identify an acceptable option for the bus lay-by. It seemed that the provision of a standard bus lay-by and a 2.5m-wide footpath might be technically more complicated than what was envisaged by the applicant at the s.12A application stage if impact on the layout design of the proposed residential development within the Site was to be minimised. While acknowledging that private developer might not in general prefer to carving out some areas of the private lot for public use, the applicant should at least demonstrate the impact of the provision of the public facilities on the overall layout design and the reduction in site area for the proposed development for the Board's consideration. If the applicant submitted a revised LP in future, while the provision of a 2.5m-wide footpath was deemed necessary, TD/HyD should consider whether flexibility could be allowed in the design of the bus lay-by, and TD/HyD and relevant government departments could further liaise with the applicant on the M&M responsibilities of the public facilities including the bus lay-by and the footpath. Besides, PlanD could provide assistance on the liaison of the concerned government departments with the applicant for preparation of a revised LP for submission to the Board.

51. To supplement, Mr Horace W. Hong, CTE/HK, TD said that TD and HyD had a meeting with the applicant in February 2025. At the meeting, TD had discussed with the applicant the option of providing a new structure to accommodate an up-to-standard bus lay-by and widened footpath, similar to what the applicant had proposed for the run-in/out arrangement. The applicant had not provided positive responses to the said option. TD and HyD had all along been providing professional advice and necessary assistance to the applicant.

52. In response to a Member's enquiry on the possible next step that might be taken by the applicant, the Chairperson said that the applicant could submit a fresh s.16 application with a revised LP at any time.

53. As Members had no further points to make, the Chairperson concluded that Members generally did not support the review application and their views were set out in paragraph 48 above. As the applicant had not provided strong justifications to support the review application and there had been no material changes in the planning circumstances since the rejection of the subject application by MPC, the review application should not be approved.

54. After deliberation, the Board decided to reject the application for the following reasons:

- “(a) the applicant fails to demonstrate that the proposed development as shown on the layout plan has 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.”

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

55. The Chairperson said that the meeting would be adjourned for lunch break.

[The meeting was adjourned for lunch break at 1:05 p.m.]

56. The meeting was resumed at 1:40 p.m.

57. The following Members and the Secretary were present in the afternoon session:

Permanent Secretary for Development  
(Planning and Lands)  
Ms Doris P.L. Ho

Chairperson

Mr Stephen L.H. Liu

Vice-chairperson

Ms Sandy H.Y. Wong

Mr Daniel K.S. Lau

Mr K.W. Leung

Mr Ricky W.Y. Yu

Mr Ben S.S. Lui

Mr Timothy K.W. Ma

Professor Bernadette W.S. Tsui

Ms Kelly Y.S. Chan

Dr C.M. Cheng

Mr Daniel K.W. Chung

Mr Ryan M.K. Ip

Mr Rocky L.K. Poon

Professor B.S. Tang

Mr Derrick S.M. Yip

Chief Traffic Engineer/Hong Kong  
Transport Department  
Mr Horace W. Hong

Deputy Director/General  
Lands Department  
Ms Jane K.C. Choi

Director of Planning  
Mr C.K. Yip

**General**

**Agenda Item 5**

[Open Meeting]

Proposed Amendments to the Definitions of Terms Used in Statutory Plans and Broad Use Terms

(TPB Paper No. 11010)

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[The item was conducted in Cantonese.]

58. The following government representatives were invited to the meeting at this point:

***Development Bureau (DEVB)***

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|------------------------|--|
| Miss Christine W.Y. Au | - Principal Assistant Secretary for Development (Planning and Lands) (PAS(PL)) |
| Mr Samuel H.C. Lai     | - Assistant Secretary for Development (Planning and Lands) (AS(PL))            |
| Mr Mann M.H. Chow      | - Head of Development Projects Facilitation Office                             |

***Education Bureau (EDB)***

- |                      |  |
|----------------------|--|
| Mr Vincent Y. F. Hui | - Assistant Secretary (Further Education) (AS(FE)) |
|----------------------|--|

***Planning Department (PlanD)***

- |                       |   |
|-----------------------|---|
| Ms Caroline T.Y. Tang | - Assistant Director of Planning/Board (AD/B)       |
| Ms Anny P.K. Tang     | - Chief Town Planner/Town Planning Board (CTP/TPB)  |
| Ms Karen F.Y. Lam     | - Senior Town Planner/Town Planning Board (STP/TPB) |

59. The Chairperson extended a welcome and invited PlanD's representatives to brief Members on TPB Paper No. 11010 (the Paper). With the aid of a PowerPoint presentation, Ms Caroline T.Y. Tang, AD/B, PlanD and Ms Karen F.Y. Lam, STP/TPB, PlanD briefed Members on the background, and the proposed amendments to the Definitions of Terms used

in Statutory Plans (DoTs) and Broad Use Terms (BUTs), as detailed in the Paper.

60. As the presentation of PlanD's representatives had been completed, the Chairperson invited questions and comments from Members.

*Policy Objectives and Rationale for Expanding the Scope of BUT and DoT for 'Hotel'*

61. Members generally expressed support for the principles and directions of the proposed amendments to the DoTs and BUTs, particularly the expansion of the scope for 'Hotel' use to include student hostels supported by Government's policy. Some Members highlighted that many property owners welcomed the pilot scheme for student hostels which not only helped students secure accommodation, but also unlocked the potential of under-utilised properties, making better use of existing resources.

62. Some Members raised the following questions/comments:

- (a) noting that the DoT of 'Hotel' only included student hostels supported by Government's policy, whether this policy referred to support from DEVB, EDB, or both;
- (b) to avoid exploiting the system and ensure quality control, whether the operators of student hostels under the pilot scheme would be required to partner with universities or need regular licence renewals;
- (c) the poor market performance of hotels, commercial buildings and warehouses over the past 1.5 years had led many developers and property owners to view converting their properties into student hostels as the only profitable exit or even a short-term speculation opportunity. As such, without a proper monitoring system, there could be the risk of abuse, with operators potentially offering substandard accommodations solely for profit;
- (d) it was proposed to launch the scheme as a pilot program, with a limited duration (e.g. 2 years) with selected projects across diverse districts and property types. This would enable the monitoring of demand and supply of eligible student

hostels, as well as preventing market disruptions;

- (e) DEVB and EDB's market-driven approach aligned with Hong Kong Government's long-standing positive non-intervention policy. In particular, considering the pressing and significant shortage of student hostels, launching this initiative only as a pilot project might hinder its effectiveness in addressing the pressing demand;
- (f) whether a projected figure was available for the 10-year demand and supply for student hostels;
- (g) whether student hostels operating on a self-financing and privately funded basis would be available to students from privately funded universities and University Grants Committee (UGC)-funded universities, when the latter could have access to some public funds; and
- (h) following the successful implementation of the student hostel policy, efforts should also be made to explore initiatives aiming at increasing the supply of accommodation for innovation and technology talents.

63. The Chairperson said that the acute shortage of student hostel places necessitated immediate actions. A licensing system would require the backing of a new piece of legislation, which would take a much longer period of time to come into fruition, yet the market could not wait. For instance, the Hong Kong Metropolitan University recognised the pressing need and aimed to complete converting a hotel to student hostel by September 2026 to catch up the 2026/27 academic year. The policy direction of the pilot scheme was to establish a clear and simple framework with low compliance costs to incentivise the market to supply more student hostels within a shorter time span. Reviews would be conducted based on market response and stakeholder feedback, to determine whether adjustments would be required. While the possibility of strengthened regulations in the future should not be ruled out, monitoring mechanism of the current scheme should be sufficient in guarding against the provision of low-quality accommodations.

64. In response, Miss Christine W.Y. Au, PAS(PL), DEVB, Mr Samuel H.C. Lai,

AS(PL), DEVB and Mr Vincent Y.F. Hui, AS(FE), EDB made the following points:

- (a) the policy support for the student hostels under the pilot scheme was jointly provided by DEVB and EDB. Applications could be submitted by post-secondary institutions, private developers/operators, or jointly by institutions and private developers/operators. Operators were not required to establish a direct relationship with any specific post-secondary institution and were free to rent their hostel places to students. Prospective developers/operators would be required to submit an application using a prescribed form to EDB setting out basic information of its proposed student hostel, such as number of hostel places, sources of student tenants, mix of room types and sizes and completion date, etc, together with the signing of a statutory declaration. EDB would confirm its eligibility based on the information provided against the eligibility criteria (such as hostel places were not to be sold off individually), and inform applicants of the result in around 2 to 4 weeks. The Development Projects Facilitation Office under DEVB would serve as a one-stop shop to provide facilitation services for conversion projects to ensure early completion of necessary processes. Subject to the Board's agreement to expand the DoT for 'Hotel' use, planning procedures would not be required in most conversion cases on commercial-related sites;
- (b) in addition to ensuring compliance with various regulatory regimes, the pilot scheme also included facilitation measures to encourage operators of student hostels to provide quality accommodations. For instance, the Buildings Department (BD) would allow previously gross floor area (GFA)-exempted spaces in hotels or commercial buildings to be converted into facilities that enhance the living environment for student tenants, such as gyms, study rooms and similar amenities. BD would issue practice notes detailing requirements on this front in order to facilitate conversion of such spaces;
- (c) in recent years, EDB had stepped up promotion of the "Study in Hong Kong" brand and attracting more non-local students to further their studies in Hong Kong. The number of non-local students pursuing full-time locally-accredited post-secondary programmes in Hong Kong had almost doubled from about

40,000 to 80,000 in the past 5 years. However, a 10-year projected figure for student hostel demand would not be available due to the many different variables especially those relating to demands. Currently, UGC-funded universities and other self-financing post-secondary institutions had the option to build their own hostels or purchase/rent hostel spaces for their students. Many students, particularly non-local students, might like to rent accommodations on their own during their study periods. In addition, there was demand from local undergraduate students seeking opportunities to experience hostel life. Nevertheless, considering the significant growth in non-local student enrollment, there was a clear and pressing demand for hostel places for post-secondary students in Hong Kong;

- (d) the demand for student hostels had significantly driven up rental prices, with single rooms costing over HK\$13,000 per month. This imbalance between supply and demand highlighted the urgent need for immediate measures to address the shortage. Separately, given the fact that the scheme would increase the possibility for different types of commercial buildings, including office buildings, to be converted into hostels, the pressure on only using hotels could be diffused; and
- (e) under the prevailing policy, the Government provided funding to cover part of the capital costs for publicly-funded student hostel at the UGC-funded universities. The UGC had been enforcing strict rules on the use of public funds, ensuring they were utilised exclusively for their intended purposes and would not deviate from the specified funding objectives. Universities also operated self-financing post-secondary programmes, with freedom to allocate relevant educational facilities, including student hostels. The UGC was not involved in the setting of rent of self-financing hostels provided by UGC-funded universities.

65. A Member said that universities were obligated to provide hostel places, particularly for first- and second-year post-secondary students. While the UGC provided funding to cover a portion of these hostel places, universities were responsible for addressing the remaining demand, which included subsidising students to rent hotel rooms as an alternative

accommodation option. In recent years, due to a decline in tourism, some hotels, such as boutique hotels, had offered long-term leases to students as hostels. This arrangement had provided a viable business opportunity for these hotels, helping to reduce vacancy rates. However, after settling in Hong Kong, many students preferred to move out of student hostels and either rent or purchase apartments for long-term residence. Over time, this shift was expected to establish a different student accommodation market, which might lead to a decline in demand for dedicated student hostels. Another Member said that the demand for student hostels might decrease significantly after a few years. This could be further influenced by the proposed Northern Metropolis University Town, where the students might choose to commute daily between Shenzhen and Hong Kong, hence reducing the need for student hostels in Hong Kong.

66. In response to the Vice-chairperson's enquiry on whether any assessment had been conducted regarding the potential impacts on the market of private properties, the Chairperson said that the pilot scheme would have more bearings on Grade B and/or C office buildings for conversion into student hostels. This could make better use of underutilised spaces while being aligned with the "Study in Hong Kong" initiative. Regarding the private residential property market, various policy initiatives, such as trawl for talents and non-local students enrollment, had intensified demand for private rentals, which had contributed to an increase in rents in recent years. By redirecting the student demand to hostels, there could be less pressure on the private residential market.

67. Some Members raised the following questions/comments:

- (a) noting that hotels, compared to other commercial buildings, were naturally better suited for conversion into student hostels, a Member asked whether there would be any selection mechanism to ensure the appropriate properties for conversion, given that planning permission from the Board would no longer be required;
- (b) noting that existing hotel licensees were operating student hostels under the framework of hotel operations, whether it was necessary to amend the DoT for 'Hotel' use; and

- (c) noting that previously exempted GFAs designated for hotels could be carried forward under the pilot scheme for student hostels, whether this would result in exceeding the development restrictions imposed by the relevant outline zoning plans (OZPs) or the lease clauses.

68. In response, Miss Christine W.Y. Au, PAS(PL), DEVB and Mr Samuel H.C. Lai, AS(PL), DEVB made the following points:

- (a) student hostels were currently classified as a 'Residential Institution' ('RI') use under the planning regime. Under the existing framework, student hostels would require planning permission from the Board in "Commercial" ("C") zone and was not permitted in "Other Specified Use" annotated "Business" ("OU(B)") zone. As a result, converting hotels/commercial buildings in these zones into student hostels typically required planning permission or even rezoning. With the proposed expansion of the DoT and BUT of 'Hotel' to include student hostels supported by Government's policy, eligible student hostels would be regarded as 'Hotel' use, which was always permitted in "C" zone. However, planning permission would still be required in "OU(B)" zone (for open-air developments or buildings other than industrial or industrial-office buildings) for the Board's consideration. Regardless of the planning status, conversion cases would more than often require the submission of building plans for alteration and addition (A&A) works to BD. These plans had to comply with the same standards for natural lighting, ventilation and other requirements applicable to domestic use. Besides, given student hostels were intended for medium- to long-term habitation, industrial buildings were not eligible for the pilot scheme due to land use incompatibility and lower suitability as habitable spaces; and
- (b) there were existing cases where hotel licence owners, operating under the Hotel and Guesthouse Accommodation Ordinance (the Ordinance), had converted premises originally built as hotels into student hostels. These premises would need to comply with all the requirements as set out in the Ordinance, which would include the retention of a high-end amount of car-parking spaces and loading/unloading areas. These facilities might not be

serving students' needs the most. By joining the pilot scheme, eligible student hostels would be regarded as non-domestic buildings for the purpose of calculating plot ratio and site coverage under the Buildings Ordinance. This reclassification would allow previously exempted GFAs intended for hotel use (e.g. covered car parks, loading/unloading areas and staff canteens) to be retained. The scheme provided further facilitation to allow conversion of these exempted GFAs into facilities that could actually benefit students, such as gym, study rooms and collaboration rooms. BD would be listing out these supporting facilities that could qualify for GFA exemption under the scheme. If a property owner wished to further expand the GFAs for its premises, whether exempted or accountable, they would have to follow existing development restrictions under different regulatory regimes.

69. Ms Caroline T.Y. Tang, AD/B, PlanD supplemented that under the planning regime, when considering an applied use, it was necessary to refer not only to the DoTs and BUTs but also to ensure compliance with the development restrictions/requirements of the relevant statutory plan. The Notes of the statutory plan had specified the uses that were always permitted under Column 1 and those requiring planning permission from the Board under Column 2 for various zones, along with specific development restrictions and other requirements for individual zones. For instance, in "Residential (Group A)" zone, no action would be required for those existing hotels which (a) existed before the publication of respective statutory plan; (b) conformed to the Notes of the respective zone when the hotel was developed; or (c) had obtained valid planning permission from the Board.

70. Using the example of expanding the DoT and BUT for 'Hotel' use to include student hostels, a Member suggested that, given the urgent need for elderly services in light of the aging population, the possibility of expanding certain DoTs and BUTs should also be explored to facilitate the supply of quality and comprehensive elderly care services. Another Member observed that providing accommodations for the elderly would require extensive conversions of business hotels to incorporate the specialised facilities necessary for elderly residents. Unlike the relatively straightforward conversions for student hostels, this process would be significantly more complex and challenging.

*Conversion of Hotels and Other Commercial Buildings to Student Hostels*

71. The Vice-chairperson and some Members raised the following questions/comments:

- (a) whether hotels currently under construction or new hotels would be automatically included in the pilot scheme, allowing them to simply submit building plans to convert the previously exempted GFAs for the purpose of hotel use into facilities for student hostels;
- (b) whether facilities such as restaurants within converted hostels repurposed from commercial buildings would be accessible to the general public or reserved exclusively for use by student tenants;
- (c) any charge of market premium for converting commercial buildings under land administration; and
- (d) noting that relevant government departments would be responsible for ensuring the building and fire safety standards for the conversion of commercial buildings into student hostels, it was essential to provide a clear guide outlining the specific requirements for such conversions as compliance with these standards would have cost implications for property owners.

72. In response, Miss Christine W.Y. Au, PAS(PL), DEVB and Mr Samuel H.C. Lai, AS(PL), DEVB made the following points:

- (a) new hotels that were yet to obtain an occupation permit would not be eligible under the pilot scheme. Market research revealed that conversions from existing hotels or commercial buildings could be completed in approximately 1 year from the date of application approval. To address the shortage of student hostels, the pilot scheme now focused on facilitating measures for converting existing premises into student hostels. The pilot scheme would be reviewed later, taking into account feedback from operators, post-secondary institutions and other stakeholders to see if new buildings should also be able to enjoy such facilitation;

- (b) restaurants exclusively serving student tenants were considered ancillary to the student hostels, and it was quite common for converted student hostels to include food and beverage outlets catering specifically to their tenants. Nevertheless, the pilot scheme did not prescribe any specific requirements regarding the provision of restaurants. Their inclusion would be a business decision, provided that they complied with relevant regulatory regimes. For restaurants that served the general public, such establishments would also be permitted under the scheme in cases of partial conversions of buildings into student hostels. Specifically, there should not be too many different uses co-existing in the building; the student hostel portion should be of a certain scale and grouped together (i.e. not scattered across different parts of the building and no half-storey conversion); and effective access control had to be in place at the student hostel (e.g. installation of facial recognition system or use of access cards), etc.;
- (c) Lands Department (LandsD) had selected four areas (i.e. in Hung Hom, Jordan, Sai Ying Pun and Shek Mun respectively), to conduct a desktop research on some leases of potential commercial buildings to be converted to student hostels. These areas were close to existing universities where a number of Grade B and C commercial buildings were located. Based on a general review of user restrictions for about 2,400 private lots in these areas, it appeared that the vast majority of potential lots would not require lease modification or waiver application as their user restrictions were general and could cover the use of student hostels. In cases whereby lease modification or waiver would be required, LandsD would process relevant applications in accordance with the current mechanism; and
- (d) the pilot scheme would ensure that student hostels to be provided would align with policy objectives of providing high-quality accommodation that fully complied with fire safety and building standards. BD would issue practice notes detailing requirements on this front in order to facilitate the conversion of these spaces.

73. A Member enquired whether service apartments were being operated under hotel licences and whether the proposed amendment would affect them. In response, Miss Christine W.Y. Au, PAS(PL), DEVB said that the existing converted student hostels were operating under hotel licences while the pilot scheme would help expand the possibility of conversion to cover other commercial buildings. Mr C.K. Yip, Director of Planning, supplemented that the term ‘service apartment’ was deleted from the DoTs and statutory plans more than 20 years ago as some residential premises were developed under the guise of being service apartments to claim GFA exemption and these premises were later sold off individually. From planning perspective, if service apartments resembled residential units, they would be regarded as ‘Flat’ or ‘Residential Institution’ use; whereas service apartments operated under hotel licences would be regarded as ‘Hotel’ use.

74. A Member highlighted the distinction between providing purely lodging accommodation and hall education, as the latter required communal spaces for activities or events like high-table dinners. These facilities were typically available on campus. The Member asked whether eligible student hostels under the pilot scheme would be required to include such facilities to nurture hall education. In response, Mr Vincent Y.F. Hui, AS(FE), EDB clarified that the pilot scheme did not prescribe mandatory facility requirements for any specific purpose. Under the facilitation measures of the pilot scheme, areas previously exempted from GFA calculations (e.g. car parks) prior to conversion could be retained. These spaces would also be allowed to be repurposed into facilities (e.g. gym) aimed at enhancing the living environment for student tenants.

#### *Operation and Monitoring of Eligible Student Hostels*

75. Some Members suggested that future operators of student hostels under the pilot scheme should be required to establish partnerships or sign agreements with universities, as hotel operators lacked authority to verify students’ identities or enforce proper discipline within the hostels. A Member asked whether there would be any enforcement mechanisms or penalties for operators who failed to meet performance standards, such as delisting from the eligible student hostel programme. Another Member raised concerns about potential noise disturbances from student hostel, and said that consideration should be given to balance the needs of the students and surrounding residents. A Member suggested incorporating intervention provisions into the pilot scheme, enabling the Government to assume control of

student hostels for emergencies like pandemics or building safety hazards.

76. In response, Miss Christine W.Y. Au, PAS(PL), DEVB and Mr Samuel H.C. Lai, AS(PL), DEVB said that the policy direction was to create a clear and easy-to-follow policy and regulatory framework with low compliance costs so as to leverage the market to provide more quality hostel accommodations. Various partnership scenarios with universities for assigning student hostel places could be implemented, either on a university-wide or program-specific basis. Moreover, a dedicated website would be created to list eligible student hostels. From a business perspective, operators would strive to maintain their reputation by ensuring the quality of accommodations provided. For monitoring purposes, EDB would require the applicant to sign a statutory declaration upon submitting the application that the proposed student hostel operation would be in compliance with the criteria. While the student hostel was in operation, the applicant would be required to submit to EDB annually a certified audit report, providing occupancy statistics of the student hostel and certifying that the abovementioned eligibility criteria had been duly complied with during the reporting period. The operator would also be required to keep proper records on its continuous fulfillment of the eligibility (including the tenants' relevant information such as check-in/check-out days, background, etc.). EDB and relevant government departments would be authorised by the said declaration/requirements to gain access to and exercise the power to inspect the student hostel, as well as to acquire relevant records, upon reasonable prior notice. In the event of non-compliance, the relevant premises would no longer be recognised as an eligible student hostel under the scheme. The Government would take suitable enforcement actions in accordance with the declaration, land lease and relevant ordinances. For example, subject to actual case circumstances, EDB would consider taking legal actions against false statements made in a statutory declaration while BD might consider enforcement action for those exempted-GFA for non-compliant uses. Non-complying developers/operators would also be disqualified from the pilot scheme and being removed from the list of eligible student hostels on the dedicated website. In addition, developers or operators who failed to deliver quality accommodation would be rejected by the market.

77. The Chairperson noted that some existing off-campus hostels were enforcing stringent house rules, including gender-segregated floors, designated in-and-out hours, visitor restriction and smoking ban. It was believed that in order to gain more of the market share, newly converted hostels would also emulate the same as parents of prospective students would

most often be the assessor in deciding where to house their children. Poorly operated hostels would not be welcomed and could not charge any reasonably high rent.

78. A Member cited the University of Hong Kong's proactive measures of relocating students to a temporary hotel in response to the contamination in dormitories and suggested negotiating lease agreements between universities and hotel operators to provide affordable rooms during both emergencies and regular academic terms, while providing hotels with stable occupancy rates. In response, Mr Samuel H.C. Lai, AS(PL), DEVB said that the market had already responded to the shortage of hostel spaces by initiating the conversion of premises into student hostels under hotel licences operated by property owners. However, due to restrictions and requirements under various regulatory regimes, such as the provision of specific facilities (e.g. carpark) mandated by hotel licensing requirements, these conversions could not be carried out on a large scale. The launch of the pilot scheme aimed to address this issue by facilitating the market's efforts to convert hotels and other commercial buildings into student hostels through a streamlined application process.

79. A Member said that the positioning and room rates of student hostels should be determined by market forces. Another Member asked whether there were any requirements on the room rates and sizes of eligible student hostels. In response, Mr Samuel H.C. Lai, AS(PL), DEVB and Mr Vincent Y.F. Hui, AS(FE), EDB said that there would be no rent control under the pilot scheme, and rental prices would be determined by the market based on various factors such as location and available facilities. While the scheme did not prescribe a minimum room size, converted hostels were required to submit building plans for A&A works to ensure habitability. The same standards for natural lighting and ventilation as those applied to domestic use were adopted for student hostels. For instance, adequate window areas should be provided, and the distance from any part of a habitable room to the required window should not exceed 9 meters, among other requirements.

#### *Eligibility of Hostel Tenants*

80. Two Members raised the following questions:

- (a) the eligibility requirements for tenants; and

- (b) whether the spouses of eligible tenants would be allowed under the pilot scheme.

81. In response, Miss Christine W.Y. Au, PAS(PL), DEVB and Mr Vincent Y.F. Hui, AS(FE), EDB made the following points:

- (a) eligible student hostels should be occupied by full-time local or non-local students (including exchange students) of institutions operating publicly-funded or self-financing locally-accredited post-secondary programmes at the sub-degree (i.e. Associate Degree and Higher Diploma) or degree levels. To allow operational flexibility, the operator would have discretion to permit occupation of hostel places by any persons who were not student tenants but were otherwise affiliated with such post-secondary institutions (other tenants), such as visiting scholars, subject to the condition that the number of other tenants should not at any time annually exceed 10% of the total number of student hostel places calculated on a full-occupancy basis; and
- (b) the pilot scheme aimed to increase the supply of student hostels to address the shortage of accommodations for students. Allowing the spouses or parents of student tenants to occupy the hostels would go against this objective, as it would reduce the availability of spaces intended specifically for students, which was the primary goal of the scheme.

82. A Member asked whether students enrolled in the Vocational Training Council (VTC)'s Higher Diplomas for non-local students would qualify for the pilot scheme. In response, Mr Vincent Y.F. Hui, AS(FE), EDB said that VTC had recently launched the Vocational Professionals Admission Scheme (VPAS) to attract non-local students to enroll in its designated full-time Higher Diploma programmes. As such, students participating in VPAS would also be eligible for student hostels under the pilot scheme. EDB would publish and maintain a list of eligible institutions for the scheme.

83. The same Member followed up and enquired if vocational programmes with part-time or workplace placements would qualify, given the scheme focused on full-time course. A Member pointed out that there were taught Master's programmes conducted on a part-time

basis, and whether it would be appropriate to exclude these students if the pilot scheme only covered full-time programmes. In response, Mr Vincent Y.F. Hui, AS(FE), EDB explained that generally speaking, students pursuing part-time programmes were often associated with some forms of occupations which would likely help them address their housing needs. The number of non-local students enrolled in full-time locally-accredited post-secondary programmes in Hong Kong had nearly doubled over the past 5 years, rising from about 40,000 to 80,000. Given this significant growth, prioritising full-time students under the pilot scheme was considered necessary.

### *Indoor Pet Hotel*

84. Some Members raised the following questions:

- (a) whether animal boarding establishments (ABE) with outdoor activity areas and indoor accommodations for animals would be regarded as ‘Shop and Services’ use; and
- (b) whether a licence would be required for operating an indoor pet hotel.

85. In response, Ms Caroline T.Y. Tang, AD/B, PlanD, with the aid of a PowerPoint slide, made the following points:

- (a) under the current DoTs, ‘ABE’ meant any place or premises providing food and accommodation, training or recreation facilities for or undertaking breeding of animals other than livestock. For those establishments involving open-air operations or providing outdoor activities, they would be regarded as ‘ABE’ but not ‘Shop and Services’ use. ‘ABE’ use was not permitted in most zones of the OZPs within urban areas, except “Recreation” and “Government, Institution or Community” zones where ‘ABE’ use might be permitted upon obtaining planning permission from the Board. In rural areas, however, ‘ABE’ use could be applied for in zonings like “Agriculture”, “Green Belt” and “Other Specified Uses” annotated “Rural Use” or for temporary uses. Given that indoor pet hotels, operating in fully air-conditioned premises with negligible noise, functioned similarly to those of ‘Shop and Services’ uses, it was therefore

proposed to expand the definition of ‘Shop and Services’ to include indoor pet hotels. This would allow indoor pet hotels to operate in areas such as shopping malls and the lowest three floors of certain residential buildings in urban areas; and

- (b) the nature of pet shops and indoor pet hotels was similar, as both involved the presence of animals for overnight accommodation. Both types of operations required respective licences from the Agriculture, Fisheries and Conservation Department.

86. Noting that some ABE operators in rural areas, upon obtaining temporary planning approval, had subsequently changed the premises for domestic use, a Member expressed concern whether similar misuse might also occur in urban areas following the expansion of the relevant DoT. In response, Ms Caroline T.Y. Tang, AD/B, PlanD explained that such uses in the rural and urban areas were in different settings and contexts. Indoor pet hotels generally operated in high-traffic urban areas, such as street-level shops or shopping malls. It was unlikely for the operators to convert the shop premises for domestic use. In cases of misuse or breach of applied use, such premises would be subject to enforcement actions under different regulatory regimes.

### *Gas*

87. In response to a Member’s enquiry about the need to revise the term to the broader gas concept as 「氣體」 in Chinese, Ms Anny P.K. Tang, CTP/TPB, PlanD explained that under the Gas Safety Ordinance, the definition of ‘gas’ as 「氣體」 included towngas, LPG and natural gas. The Environment and Ecology Bureau was currently amending the Gas Safety Ordinance to include hydrogen as a recognised gas source. Under the DoTs, ‘gas’ should be a general term and the English and Chinese translations should also be aligned. Another Member enquired whether ‘medical gas’ would also be covered. Ms Caroline T.Y. Tang, AD/B, PlanD said that the intention to adopt the term ‘gas’ (「氣體」) in a more general sense was to make it more generic with broader coverage and to balance accuracy with flexibility, allowing the inclusion of new gas types as provided in the relevant legislation.

[Ms Kelly Y.S. Chan joined and Messrs Ryan M.K. Ip, Timothy K.W. Ma, Daniel K.W. Chung, Horace W. Hong and Miss Christine W.Y. Au left the meeting during the question and answer session.]

88. The Board agreed to the revised DoTs and BUTs as detailed in the Paper, which should take effect upon promulgation and uploading to the Board's website (i.e. upon confirmation of the minutes of the subject meeting).

89. The Chairperson thanked the government representatives for attending the meeting. They left the meeting at this point.

#### **Agenda Item 6**

[Open Meeting]

#### **Any Other Business**

[The item was conducted in Cantonese.]

90. There being no other business, the meeting was closed at 3:15 p.m.

**Minutes of 1338<sup>th</sup> Town Planning Board  
(held on 27.6.2025)**

**Deferral Case**

Request for Deferment of Review Application by Applicant for 2 Months

| <b>Item No.</b> | <b>Application No.*</b> | <b>Times of Deferment</b> |
|-----------------|-------------------------|---------------------------|
| 4               | A/NE-TK/800             | 1 <sup>st</sup>           |

*\* Refer to the agenda at [https://www.tpb.gov.hk/en/meetings/TPB/Agenda/1338\\_tpb\\_agenda.html](https://www.tpb.gov.hk/en/meetings/TPB/Agenda/1338_tpb_agenda.html) for details of the planning application*