

**RESTRICTED**

**TOWN PLANNING BOARD**

**Minutes of 636<sup>th</sup> Meeting of the  
Metro Planning Committee held at 9:00 a.m. on 4.10.2019**

**Present**

Director of Planning  
Mr Raymond K.W. Lee

Chairman

Mr Lincoln L.H. Huang

Vice-chairman

Mr Sunny L.K. Ho

Mr Stephen H.B. Yau

Dr Frankie W.C. Yeung

Dr Lawrence W.C. Poon

Mr Wilson Y.W. Fung

Mr Alex T.H. Lai

Professor T.S. Liu

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr Stanley T.S. Choi

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Assistant Commissioner for Transport (Urban),  
Transport Department  
Mr Michael H.S. Law

Chief Engineer (Works), Home Affairs Department  
Mr Martin W.C. Kwan

Principal Environmental Protection Officer (Metro Assessment),  
Environmental Protection Department  
Dr. Sunny C.W. Cheung

Assistant Director (R1), Lands Department  
Mr Simon S.W. Wang

Deputy Director of Planning/District  
Miss Fiona S.Y. Lung

Secretary

**Absent with Apologies**

Mr Thomas O.S. Ho

Professor John C.Y. Ng

Professor Jonathan W.C. Wong

**In Attendance**

Assistant Director of Planning/Board  
Ms Lily Y.M. Yam

Chief Town Planner/Town Planning Board  
Mr Kepler S.Y. Yuen

Assistant Town Planner/Town Planning Board  
Ms Andrea W.Y. Yan

**Agenda Item 1**

Confirmation of the Draft Minutes of the 635<sup>th</sup> MPC Meeting held on 20.9.2019

[Open Meeting]

1. The draft minutes of the 635<sup>th</sup> MPC meeting held on 20.9.2019 were confirmed without amendments.

**Agenda Item 2**

Matters Arising

[Open Meeting]

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

**Tsuen Wan and West Kowloon District**

**Agenda Item 3**

Section 16 Application

[Open Meeting]

A/KC/465                      Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Industrial Development in “Industrial” Zone, No. 22 Yip Shing Street, Kwai Chung, New Territories  
(MPC Paper No. A/KC/465)

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3.                      The Secretary reported that Llewelyn-Davies Hong Kong Limited (LD) was one of the consultants of the applicant. Mr Thomas O.S. Ho had declared an interest on the item for having past business dealings with LD. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Thomas O.S. Ho had tendered an apology for being unable to attend the meeting.

4.                      The Committee noted that the applicant’s representative requested on 13.9.2019 deferment of consideration of the application for two months in order to allow time for preparation of further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

5.                      After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee’s consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

[Mr Vincent W.Y. Wong, Senior Town Planner/Hong Kong (STP/HK) was invited to the meeting at this point.]

**Hong Kong District**

**Agenda Item 4**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/H17/140            Proposed Minor Relaxation of Site Coverage and Building Height  
Restriction for Permitted 'Flat' Use in "Residential (Group C) 5" Zone,  
39 South Bay Road, South Bay, Hong Kong  
(MPC Paper No. A/H17/140)

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6.            The Secretary reported that Townland Consultants Limited (Townland), Urbis Limited (Urbis), AGC Design Limited (AGC) and Siu Yin Wai & Associates Limited (SYW) were the consultants of the applicant. The following Members had declared interests on the item :

Mr Thomas O.S. Ho            -    having past business dealings with Townland and his firm having current business dealings with Urbis; and

Mr Alex T.H. Lai            -    his firm having current business dealings with Townland, Urbis, AGC and SYW.

7.            The Committee noted that Mr Thomas O.S. Ho had tendered an apology for being unable to attend the meeting. As Mr Alex T.H. Lai had no involvement in the application, the Committee agreed that he could stay in the meeting.

[Mr Martin W.C. Kwan, Chief Engineer (Works)/Home Affairs Department arrived to join the meeting at this point.]

**Presentation and Question Sessions**

8.            With the aid of a PowerPoint presentation, Mr Vincent W.Y. Wong, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

(a) background to the application;

- (b) the proposed minor relaxation of site coverage (SC) and building height (BH) restrictions for permitted flat use;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the statutory publication period, three public comments were received from the individuals objecting to the application. The major grounds were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed residential redevelopment with the relaxed SC and BH was considered not incompatible with the character of surrounding areas. The proposed relaxation of SC from 22.5% to 28% did not exceed the maximum permissible level adopted by the Town Planning Board (the Board) (i.e. 50% for sites falling within Residential Zone 3). The proposed development was considered to have design merits and would enhance the environment of the neighbourhood area. In that regard, the proposed relaxation of SC was considered generally in line with the criteria set out in the Board's general guidelines for SC relaxation as mentioned in paragraph 4 of the Paper. Adverse traffic, environmental and geotechnical impacts caused by the proposed development were not anticipated. Relevant departments consulted had no comment on or no objection to the application. To address the concern from the Director of Environmental Protection on waste management during the construction phase, relevant advisory clause was recommended. The Committee had approved similar applications in the area, approval of the application was not inconsistent with previous decisions of the Committee. Regarding the adverse public comments received, the comments of government departments and planning assessments above were relevant.

[Ms Sandy H.Y. Wong and Mr Franklin Yu arrived to join the meeting at this point.]

*Background of the Site and the Proposal*

9. Some Members raised the following questions:
- (a) the proposed scheme and the existing residential development on the site, and the completion date of the existing residential development;
  - (b) whether the area of the proposed clubhouse had been included in the calculation of the proposed plot ratio (PR)(i.e. 0.9) and whether a planning permission would be required if the Building Authority (BA) decided that the area of clubhouse should be accountable for PR calculation at the building plan submission stage;
  - (c) whether the proposed clubhouse was for recreational purpose and for the use of residents after taken into account its scale and location. If not, whether it should be included in the PR/gross floor area (GFA) calculation from planning perspective;
  - (d) the background on the maximum permissible domestic SC of 50% for sites falling within Residential Zone 3 adopted by the Board;
  - (e) in relation to (d) above, why a higher SC was not adopted in the proposal;
  - (f) the current condition and ownership of the existing four houses; and
  - (g) whether the Committee had approved similar applications in the area which had involved demolition of relatively new buildings for redevelopment.
10. Mr Vincent W.Y. Wong, STP/HK made the following responses:
- (a) the existing residential development with four houses above the podium would be redeveloped into a single residential block with four domestic units. The applicant proposed to retain the existing podium structure (i.e. LU and UG floors) while some alteration would be made to accommodate

the clubhouse, caretaker's office/quarters, plant rooms and car park. Recreational facilities would be provided in the clubhouse for future residents' enjoyment (Drawings A-2 to A-8 of the Paper referred). The existing residential development was completed in 2016 with an age of about 3 years;

- (b) according to the information provided by the applicant, the proposed PR of 0.9 was for the domestic portion of the proposed residential development, while the area of the clubhouse was disregarded in the calculation of PR/GFA. If BA considered that the area of the clubhouse should be included in the calculation, PlanD would process the building plan submission in accordance with the criteria set out in Town Planning Board Guidelines No. 36B;
- (c) according to the Remarks of the Notes for the subject "Residential (Group C)" ("R(C)") zone, recreational facilities for use and benefit of all the owners and occupiers of the domestic building or domestic part of the building, provided such uses and facilities were ancillary and directly related to the development or redevelopment, might be disregarded in PR/SC calculation. As shown on Drawing A-3 of the Paper, the proposed clubhouse could only be accessed by the residents via the internal lift and staircase. Therefore, it was considered that the proposed clubhouse was ancillary to the proposed development and could be disregarded in the PR/SC calculation;
- (d) on 24.3.2000, the Board reviewed the domestic SC restriction for "Residential (Group B)" and "R(C)" zones and agreed as a general guideline, to adopt the relaxation of the maximum domestic SC to 50%, among others, for sites falling within Residential Zone 3 Area in Metro and New Town areas. Applications which satisfied the criteria as set out in paragraph 4 of the Paper and considered acceptable to the concerned government departments would be considered by the Board;
- (e) although the applicant had not provided any information on why the



relaxation of SC sought was not up to the maximum allowed by the Board, it should be noted that, as stipulated in the lease of the subject lot, the eastern and southern portions of the lot were non-building areas which might limit the scope of SC relaxation sought;

- (f) as observed during the site visit, only one house was currently occupied. There was no information at hand regarding the ownership of the four houses; and
- (g) according to the available information, there was no similar application in the area which involved redevelopment of relatively new completed building.

#### *Visual and Landscape Aspects*

11. In response to a Member's enquiry on whether there were any trees affected by the proposed redevelopment, Mr Vincent W.Y. Wong, STP/HK said that although some existing trees would be affected, the applicant had proposed to retain the vertical greening on the podium façade facing South Bay Road as well as other landscaping measures to minimize the landscape impact.

12. Noting that an approval condition on the provision of vertical greening was recommended should the application be approved, a Member asked if there were any guidelines for Members' reference when assessing such landscape treatment. In response, Mr Vincent W.Y. Wong, STP/HK said that as a general practice, the Urban Design and Landscape Section of PlanD would help administer the approval condition and provide landscape comment on the implementation aspect.

#### *Others*

13. Referring to the section plan (Plan A-6), a Member enquired if the pedestrians on South Bay Road would enjoy the benefits from the further setback of residential block. In response, Mr Vincent W.Y. Wong, STP/HK said that the stepped terraced balconies and further setback of the residential block would minimise the visual impact of the building bulk

from pedestrian level along South Bay Road.

14. In response to a Member's enquiry, Mr Vincent W.Y. Wong, STP/HK said that the Architectural Services Department and Buildings Department had been consulted and they had no adverse comments on the proposed redevelopment from architectural and building safety point of view.

#### Deliberation Session

[Dr Frankie W.C. Yeung arrived to join the meeting at this point.]

15. Some Members generally had no objection to the application but raised concern on the potential environmental impact that might be caused by the demolition of the existing houses completed fairly recently. Out of them, one Member added that no justification had been provided to explain why the existing residential development approved in 2013 should be demolished and converted to a single block residential building. Another Member considered that the applicant should pay more effort in minimising the disturbance to the neighbourhood to be caused by the proposed redevelopment during the construction stage.

16. Although demolition of such new building was not ideal, some Members considered that the proposed scheme complied with the planning intention of "R(C)5" zone and the relevant guidelines on relaxation of SC adopted by the Board, no adverse impact caused by the proposed development was anticipated, there was no significant difference between house and flat under the proposal from planning perspective, similar applications for minor relaxation of SC/BH were approved by the Committee and the development right of the landowner should be respected. Having considered the above-mentioned factors, the Members were generally of the view that there was no strong reason to reject the application.

17. While concurring that the landowner had the right to develop his land, a Member considered that such right was subject to certain development restrictions imposed by various government departments. When assessing applications for relaxation of development restrictions, environmental consideration should also be taken into account. In response to the Member's concern on the potential environmental impacts, the Vice-chairman said that the proposed relaxation of SC generally complied with the criteria adopted by the Board as

set out in paragraph 4 of the Paper and the proposed BH was the same as that of the existing buildings. There was no strong reason to reject the application as the environmental impacts arising from demolition of new buildings for redevelopment was not a planning consideration nor had it been adopted as one of the above criteria.

18. Since the concern of demolition of new buildings for redevelopment had been raised by the Committee during the consideration of another planning application, some Members suggested that consideration should be given in the future to include environmental factor in the relevant guidelines to serve as a better guidance when considering applications involving the similar issue, as well as enhancing the public awareness of environmental protection.

19. In response to a Member's enquiry on the proposed clubhouse, the Chairman said that ancillary clubhouse facilities in residential developments were quite common. According to the established practice, BA would exempt floor areas for recreational use from PR/GFA calculation for up to 5% of the domestic GFA in normal circumstances.

20. To sum up, the Chairman said that Members generally had no objection to the application while some Members raised concerns on the environmental impacts resulting from demolition of fairly new buildings for redevelopment and the waste management aspect. The Chairman said that arrangement could be made to invite representatives of the Environmental Protection Department to share with Members the existing policy and initiatives on waste management and recycling for development projects in Hong Kong at an appropriate juncture.

21. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 4.10.2023, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following condition :

“the provision of vertical greening on the podium façade facing South Bay Road to the satisfaction of the Director of Planning or of the TPB.”

22. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix V of the Paper.

[The Chairman thanked Mr Vincent W.Y. Wong, STP/HK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

### **Agenda Item 5**

#### **Section 16 Application**

[Open Meeting]

A/H3/441 Proposed Office, Shop and Services/Eating Place in “Residential (Group A)” Zone, 3-6 Glenealy, Central, Hong Kong  
(MPC Paper No. A/H3/441A)

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23. The Secretary reported that Kenneth To & Associates Limited (KTA) and Siu Yin Wai & Associates Limited (SYW) were two of the consultants of the applicant. The following Members had declared interests on the item :

Mr Alex T.H. Lai - his firm having current business dealings with SYW; and

Mr Daniel K.S. Lau - being an ex-employee of the Hong Kong Housing Society which had current business dealings with KTA.

24. The Committee noted that the applicant had requested deferment of consideration of the application. As Messrs Alex T.H. Lai and Daniel K.S. Lau had no involvement in the application, the Committee agreed that they could stay in the meeting.

25. The Committee noted that the applicant's representative requested on 19.9.2019 deferment of consideration of the application for two months so as to allow time to further study the feasibility of the proposed pedestrian enhancement scheme (PES) in order to address departmental comments. It was the second time that the applicant requested



ARUP;

Mr Alex T.H. Lai - his firm having current business dealings with ARUP; and

Mr Franklin Yu - having past business dealings with ARUP.

28. The Committee noted that the applicant had requested deferment of consideration of the application. Mr Thomas O.S. Ho had tendered an apology for being unable to attend the meeting and Mr Alex T.H. Lai had already left the meeting. As Mr Franklin Yu had no involvement in the application, the Committee agreed that he could stay in the meeting.

29. The Committee noted that the applicant's representative requested on 25.9.2019 deferment of consideration of the application for two months in order to allow time for preparation of further information to address the comments from government departments. It was the first time that the applicant requested deferment of the application.

30. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

**Agenda Item 7**

**Section 16 Application**

[Open Meeting]

A/K15/122                      Proposed Comprehensive Residential Development in “Comprehensive Development Area (1)” Zone, 5 and 8 Tung Yuen Street, Yau Tong, Kowloon  
  
(MPC Paper No. A/K15/122)

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31.            The Secretary reported that the application was submitted by Korn Reach Investment Limited which was a subsidiary of CK Hutchison Holding Limited (CKHH). Kenneth To & Associates Limited (KTA), Mott MacDonald Hong Kong Limited (MMHK) and C.M. Wong & Associates Limited (CMW) were three of the consultants of the applicant. The following Members had declared interests on the item :

- Mr Thomas O.S. Ho            -    having past business dealings with CMW and his firm having current business dealings with MMHK;
  
- Mr Alex T.H. Lai              -    his firm having current business dealings with CKHH and MMHK;
  
- Mr Daniel K.S. Lau            -    being an ex-employee of the Hong Kong Housing Society which had current business dealings with KTA; and
  
- Mr Franklin Yu                -    having past business dealings with MMHK and his firm having current business dealings with CMW.

32.            The Committee noted that the applicant had requested deferment of consideration of the application. Mr Thomas O.S. Ho had tendered an apology for being unable to attend the meeting and Mr Alex T.H. Lai had already left the meeting. As Messrs Daniel K.S. Lau and Franklin Yu had no involvement in the application, the Committee agreed that they could stay in the meeting.

33. The Committee noted that the applicant's representative requested on 24.8.2019 deferment of consideration of the application for two months in order to allow time for preparing further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

34. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

### **Agenda Item 8**

#### **Any Other Business**

35. There being no other business, the meeting closed at 10:15 a.m..