

TOWN PLANNING BOARD

Minutes of 751st Meeting of the Metro Planning Committee held at 9:00 a.m. on 4.10.2024

Present

Director of Planning
Mr Ivan M.K. Chung

Chairperson

Ms Sandy H.Y. Wong

Vice-chairperson

Mr Stanley T.S. Choi

Mr Ricky W.Y. Yu

Professor Roger C.K. Chan

Mr Ben S.S. Lui

Professor Bernadette W.S. Tsui

Ms Kelly Y.S. Chan

Dr Tony C.M. Ip

Professor Simon K.L. Wong

Mr Derrick S.M. Yip

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

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

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

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

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

Secretary

Absent with Apology

Professor Jonathan W.C. Wong

In Attendance

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

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

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

Agenda Item 1

Confirmation of the Draft Minutes of the 750th MPC Meeting held on 20.9.2024

[Open Meeting]

1. The draft minutes of the 750th MPC meeting held on 20.9.2024 were confirmed without amendment.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Deferral Cases

Section 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

Presentation and Question Sessions

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

Deliberation Session

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

Tsuen Wan and West Kowloon District

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

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/KC/506 Proposed Minor Relaxation of Building Height Restriction for Permitted Social Welfare Facility in “Government, Institution or Community” Zone, 200-210 Lai King Hill Road, Kwai Chung
(MPC Paper No. A/KC/506A)

5. The Secretary reported that Otherland Limited was one of the consultants of the applicant. Dr Tony C.M. Ip declared an interest on the item for his company currently working with Otherland Limited on ongoing projects. As Dr Tony C.M. Ip had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

6. With the aid of a PowerPoint Presentation, Mr W.C. Lui, STP/TWK, briefed Members on the background of the application, the proposed development, departmental comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

7. The Vice-chairperson and a Member raised the following questions:

- (a) the gross floor area (GFA) and site coverage (SC) of the existing and proposed developments;
- (b) whether the application site (the Site) was subject to any GFA restrictions under the Outline Zoning Plan (OZP); and

- (c) the number of persons with mental handicap awaiting residential rehabilitation services.

8. In response, Mr W.C. Lui, STP/TWK, with aid of some PowerPoint slides, made the following main points:

- (a) as compared with the existing development, the proposed development involved increase in GFA and SC from about 4,160m² to 12,900m² and from about 34% to 70% respectively;
- (b) the Site was not subject to any GFA restriction but a building height (BH) restriction of 4 storeys under the OZP; and
- (c) the applicant did not provide information on the number of persons with mental handicap awaiting residential rehabilitation services. Nevertheless, according to the applicant, the waiting time for Hostel for Severely Mentally Handicapped Persons and Hostel for Moderately Mentally Handicapped Persons ranged from 8.9 to 17.8 years and from 9.9 to 11.4 years respectively in 2023.

Deliberation Session

9. The Chairperson remarked that the proposed development was in line with the Government's policy to increase the provision of the much-needed social welfare facilities (SWFs) at sites owned by non-government organisations to make better use of their sites through expansion, redevelopment or new development. The proposed minor relaxation of BH restriction could facilitate the provision of additional SWFs and the expansion of current SWFs through in-situ redevelopment. The proposed scheme had incorporated various design merits, including building setbacks, building separation and landscape treatments on different floors.

10. Members generally supported the application. A Member considered the proposed BH acceptable and noted that a traffic impact assessment had been conducted by the applicant to address the traffic concerns in relation to the proposed development and

relevant approval conditions would be imposed. The Vice-chairperson said that the proposed development could help address the acute demand for SWFs, in particular residential rehabilitation services, and consideration could be given to further increasing the BH for the provision of more SWFs to cater for the needs of the community. In that regard, the Committee noted that the relevant SWFs could not be situated at a level more than 24m above ground according to relevant regulations, and the BH under the proposed scheme had been optimised.

11. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 4.10.2028, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the approval conditions stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/KC/507	Proposed Shop and Services in “Other Specified Uses” annotated “Business” Zone, Portion of Godown A, G/F, Block A, Tung Chun Industrial Building, 9-11 Cheung Wing Road, Kwai Chung (MPC Paper No. A/KC/507)
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12. The Secretary reported that application premises were located in Kwai Chung. Ms Kelly Y.S. Chan had declared an interest on the item for being an independent non-executive director of a company with rental premises for shop use in the vicinity. As the interest was indirect, the Committee agreed that she could stay in the meeting.

Presentation and Question Sessions

13. With the aid of a PowerPoint Presentation, Mr W.C. Lui, STP/TWK, briefed Members on the background of the application, the proposed use, departmental comments,

and the planning considerations and assessments as detailed in the Paper. The Planning Department (PlanD) had no objection to the application.

14. Members had no question on the application.

Deliberation Session

15. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 4.10.2028, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the approval conditions stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

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

Hong Kong District

[Ms Maggie H.K. Wu, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H15/287 Proposed Religious Institution (Church) in "Residential (Group A) 2" Zone, Shop C (Portion) and Shop D on G/F and 1/F, Happy View Building, Nos. 165-167 Main Street, Ap Lei Chau, Hong Kong
(MPC Paper No. A/H15/287)

16. The Secretary reported that application premises (the Premises) were located in

Ap Lei Chau. Mr Paul Y.K. Au had declared an interest on the item for owning properties in Ap Lei Chau in the vicinity of the Premises. As the interest was indirect, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

17. With the aid of a PowerPoint Presentation, Ms Maggie H.K. Wu, STP/HK, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department (PlanD) had no objection to the application.

18. A Member noted that the church had a long establishment in the community and enquired about its original location and the reason for its relocation. In response, Ms Maggie H.K. Wu, STP/HK, said that according to the applicant, the church was originally located within the building to the east of the subject site. As that building was redeveloped in 2022, the church was temporarily relocated to Marina Square West in the South Horizons. The Premises were identified as the permanent relocation site.

19. In response to a Member's enquiry, Ms Maggie H.K. Wu, STP/HK, said that as a general practice, a 4-year time limit for commencement would be imposed on a planning permission to ensure that the approved development proposal would be implemented within a reasonable period. After the specified time limit for commencement, the permission would cease to have effect unless the development permitted was commenced or the permission was renewed. The same 4-year time limit was imposed on the other two similar applications (No. A/H15/203 and A/H15/273) previously approved by the Committee and hence the same was recommended for the current application.

Deliberation Session

20. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 4.10.2028, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the approval condition stated in the Paper.

The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

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

Kowloon District

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

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K10/273 Proposed Flat, Shop and Services and Eating Place in “Residential (Group E)” Zone, Kowloon Inland Lot No. 6414, 33 Sheung Heung Road, To Kwa Wan, Kowloon
(MPC Paper No. A/K10/273B)

Presentation and Question Sessions

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

Flat Size

22. A Member noted that a public comment was concerned about the ‘nano flats’ of the proposed development, and the Vice-chairperson and some Members observed from Drawing A-7 of the Paper that some flats in the proposed development were only about 19m² and enquired about the average flat size of the proposed development. The

Vice-chairperson further enquired whether the balconies within the residential units were included in the flat size calculation. In response, Ms Vicki Au, STP/K, said that according to the applicant's submission, the average flat size of the proposed development was about 38m² in terms of gross floor area (GFA). Residential units of various sizes would be provided in the proposed development, with the larger units located on higher floors. Regarding the balconies, the applicant might apply for GFA exemption for the concerned floor area during the building plan submission stage.

23. Noting that the Government had promulgated a minimum flat size requirement of 26m² in saleable area, a Member enquired (i) whether such requirement was applicable to the proposed development and hence would be incorporated in the future lease; and (ii) whether it was the duty of the Town Planning Board (the Board) to consider flat size in the proposed scheme of an application. The same Member also expressed concern that if the proposed scheme did not meet the Government's minimum flat size requirement, approval of the application might convey a misleading message to the public that 'nano flats' were still permissible. In response, Ms Catherine W.S. Pang, Assistant Director/Regional 1, Lands Department (LandsD), indicated that lease modification would be required to take forward the proposed development and relevant government bureaux/departments (B/Ds) would be consulted during the lease modification stage, and their requirements, including minimum flat size, would be incorporated in the modified lease. Ms Vicki Au, STP/K, supplemented that if the subject application was approved by the Committee, amendments to the approved scheme, including a reduction in the total number of flats due to an increase in average flat size to meet the minimum flat size requirement under the modified lease, would be processed under the Town Planning Board Guidelines for Class A and Class B Amendments to Approved Development Proposal (TPB PG-No. 36C). According to TPB PG-No. 36C, reduction in number of units falling within Class A amendment would not require a separate planning application to the Board. The applicant should highlight any Class A amendments to the approved scheme for PlanD's checking at the subsequent building plan submission stage.

Housing Demand

24. A Member noted that one of applicant's justifications was that the proposed development was in line with Government's policy for increasing housing supply while some

adverse public comments suggested that the housing market for smaller flats was already saturated. The Member enquired whether the Government's policy on land supply should be taken into account when considering the subject application. In response, Ms Vicki Au, STP/K, explained that the Site was zoned "Residential (Group E)" ("R(E)") on the Outline Zoning Plan (OZP), which was intended primarily for phasing out of existing industrial uses through redevelopment or conversion for residential use on application to the Board. From planning perspective, the proposed residential development was in line with the planning intention of the "R(E)" zone and the potential industrial/residential (I/R) interface issue had been assessed in the Environmental Assessment submitted by the applicant. The Chairperson supplemented that the application was in line with the planning intention of the "R(E)" zone and relevant government departments including the Environmental Protection Department (EPD) had no adverse comment on the application, with the imposition of approval conditions. Regarding the layout of the proposed scheme, it should be considered by the applicant who might take into account the market situation.

Provision of Government, Institution and Community (GIC) Facilities

25. A Member enquired about the overall provision of GIC facilities in the area, and whether PlanD would consider rezoning the Site to "Government, Institution or Community" or imposing a requirement for the provision of GIC facilities at the Site. In response, Ms Vicki Au, STP/K, said that the existing and planned provisions of major GIC facilities were generally adequate in the Ma Tau Kok area to meet the demand of the existing and planned population, except for secondary school classrooms and some social welfare facilities which were under a long-term target assessed on a wider spatial context by the Social Welfare Department. Besides, there were redevelopment projects in the vicinity involving larger sites which would allow greater flexibility in considering the provision of GIC facilities. Given that the area was under transformation and the surrounding areas were predominantly zoned as "Residential (Group A)", "R(E)" and "Open Space" on the OZP, it was considered appropriate to designate the Site as "R(E)" for residential purpose. Considering the small size of the Site, there was limited scope to accommodate GIC facilities at the Site.

Proposed Canopies

26. The Vice-chairperson and some Members enquired about the width of proposed

setback at Sheung Heung Road, and whether part of the proposed canopies was outside the lot boundary of the Site and hence the technical feasibility of the proposed canopies if they were outside the lot boundary. In response, Ms Vicki Au, STP/K, with the aid of Drawing A-10 of the Paper, explained that the applicant proposed a 1m setback at G/F from the lot boundary abutting Sheung Heung Road, and two 1.2m wide canopies along Sheung Heung Road and Ha Heung Road would be provided from the building edge at 1/F outside the lot boundary. The proposed scheme, with the proposed setback and canopies, had been circulated to relevant government departments for comment, and no adverse comment in respect of the proposed setback and canopies was received. The issue of the canopies extending beyond lot boundary and whether they would be GFA countable would be considered at the lease modification and building plan submission stages.

Deliberation Session

27. The Chairperson recapitulated that the “R(E)” zone was primarily intended for residential use through phasing out of existing industrial uses. In view of the existing industrial uses in the area and the potential I/R interface issues, an application to the Board for residential use was required. The major consideration of the application was whether the I/R interface problem could be effectively addressed under the proposed scheme. In that regard, the applicant had submitted relevant assessments to demonstrate the technical feasibility of the proposed scheme, and concerned government departments, including EPD, had no objection to the application with the imposition of appropriate approval conditions. The issues discussed above, such as the minimum flat size and proposed canopies, could be addressed during the lease modification and building plan submission stages.

28. While having no in-principle objection to residential use at the Site, the Vice-chairperson and Members expressed reservations regarding the small flat size under the proposed scheme and emphasised that ‘nano flats’ should not be supported as this was considered undesirable and the living quality would be compromised. In view of the above, Members discussed whether an approval condition should be imposed on the planning permission or an advisory clause should be added if the application was approved. In response to a Member’s enquiry, Ms Catherine W.S. Pang, Assistant Director/Regional 1, LandsD, said that the requirement for a minimum flat size of 26m² in saleable area was applicable to lease modification or land exchange applications for private developments if the

applications were received by LandsD from 25.2.2022 onwards, as announced by the Development Bureau on 24.2.2022. As a lease modification/land exchange to implement the proposal was required, the minimum flat size requirement would be incorporated under lease for the Site during the lease modification/land exchange stage. A Member opined that more information on the flat size, in addition to the average flat size, could be provided in the Papers, if available.

29. The Chairperson concluded that Members in general supported residential use at the Site. As lease modification/land exchange for the proposal would be required, the minimum flat size requirement could be incorporated during the lease modification/land exchange stage and TPB PG-No. 36C had provided flexibility to accommodate future amendments to the approved development proposal, including the change in number of units to meet the minimum flat size requirement. After some discussion, the Committee agreed that it would be more appropriate to impose an advisory clause to address Members' concern on the flat size issue and for LandsD's follow-up action during the lease modification/land exchange stage.

30. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 4.10.2028, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the approval conditions stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper and the following additional advisory clause:

“to comply with the minimum flat size requirement, i.e. a saleable area of not less than 26m², in the proposed development to enhance the living space in accordance with the latest Government requirement.”

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

Agenda Item 12

Any Other Business

[Open Meeting]

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

**Minutes of 751st Metro Planning Committee
(held on 4.10.2024)**

Deferral Cases

Requests for Deferment by Applicant for 2 Months

Item No.	Application No.*	Times of Deferment
3	A/TW/543	1 st
4	A/TWW/130	1 st
8	A/H19/86	1 st
9	A/H20/200	2 nd [^]
10	A/K7/122	2 nd [^]

Note:

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

Declaration of Interests

The Committee noted the following declaration of interests:

Item No.	Members' Declared Interests	
3	The application site was located in Tsuen Wan.	<ul style="list-style-type: none">- Mr Stanley T.S. Choi for his spouse being a director of a company which owned properties in Tsuen Wan- Professor Simon K.L. Wong for his company owning a property in Tsuen Wan
4	The application was submitted by Leveson Limited (subsidiary of Sun Hung Kai Properties Limited (SHK)), with AECOM Asia Company Limited (AECOM) as one of the consultants of the applicant.	<ul style="list-style-type: none">- Dr Tony C.M. Ip for his company currently working with SHK on ongoing projects and for having current business dealings with AECOM
10	The application premises were located in Ho Man Tin and the application was submitted by Great Prosper Development Limited.	<ul style="list-style-type: none">- Mr Stanley T.S. Choi for owning properties in Ho Man Tin which were in close proximity to the application premises- Mr Derrick S.M. Yip for being a personal friend of the owners of Great Prosper Development Limited

As the properties owned by the companies of Mr Stanley T.S. Choi's spouse and Professor Simon K.L. Wong had no direct view of the application site under Item 3, the Committee agreed that they could stay in the meeting. As Dr Tony C.M. Ip's interest in relation to SHK was direct under Item 4, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion of Item 4. As the interests of Messrs Stanley T.S. Choi and Derrick S.M. Yip were direct under Item 10, the Committee agreed that they could stay in the meeting but should refrain from participating in the discussion of Item 10.

** Refer to the agenda at https://www.tpb.gov.hk/en/meetings/MPC/Agenda/751_mpc_agenda.html for details of the planning applications.*