

TOWN PLANNING BOARD

Minutes of 752nd Meeting of the Metro Planning Committee held at 9:00 a.m. on 25.10.2024

Present

Director of Planning
Mr Ivan M.K. Chung

Chairperson

Ms Sandy H.Y. Wong

Vice-chairperson

Mr Stanley T.S. Choi

Professor Roger C.K. Chan

Professor Bernadette W.S. Tsui

Dr Tony C.M. Ip

Professor Simon K.L. Wong

Mr Derrick S.M. Yip

Chief Traffic Engineer/Kolwoon,
Transport Department
Mr Vico P. Cheung

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

Principal Environmental Protection Officer (Territory North),
Environmental Protection Department
Mr William H.K. Lung

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

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

Secretary

Absent with Apologies

Professor Jonathan W.C. Wong

Mr Ricky W.Y. Yu

Mr Ben S.S. Lui

Ms Kelly Y.S. Chan

In Attendance

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

Chief Town Planner/Town Planning Board
Mr K.K. Lee

Town Planner/Town Planning Board
Mr Alex M.K. Choi

Agenda Item 1

Confirmation of the Draft Minutes of the 751st MPC Meeting held on 4.10.2024

[Open Meeting]

1. The draft minutes of the 751st MPC meeting held on 4.10.2024 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 three cases requesting the Town Planning Board to defer consideration of the applications. Details of the requests for deferral, Members' declaration of interests for individual 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.

[Mr Vico P. Cheung joined the meeting at this point.]

Tsuen Wan and West Kowloon District

[Mr Kervis W.C. Chan, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK) and Mr Chris K.C. Ma, Town Planner/Tsuen Wan and West Kowloon, were invited to the meeting at this point.]

Agenda Item 3

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/K3/599 Proposed Shop and Services in “Other Specified Uses” annotated
“Business” Zone, G/F (Portion), The Cloud, 111 Tung Chau Street, Tai
Kok Tsui, Kowloon

(MPC Paper No. A/K3/599)

5. The Secretary reported that the application premises were located in Mong Kok. 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. The Committee noted that Ms Kelly Y.S. Chan had tendered an apology for being unable to attend the meeting.

Presentation and Question Sessions

6. With the aid of a PowerPoint Presentation, Mr Kervis W.C. Chan, STP/TWK, 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.

[Mr Stanley T.S. Choi joined the meeting during PlanD’s presentation.]

7. Members had no question on the application.

Deliberation Session

8. 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 25.10.2028, 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.]

Agenda Item 7

Any Other Business

[Open Meeting]

Proposed Streamlining Arrangement for Consideration of Section 16 Applications

9. The Secretary briefed Members that in view of the large number of section 16 (s.16) applications that needed to be considered at a meeting, the Rural and New Town Planning Committee (RNTPC) had been adopting a streamlining arrangement to consider straight-forward applications, particularly those related to temporary uses, in a group since July 2022. The approach was similar to the current arrangement for considering requests for deferment and renewal cases by the Committee. Under the streamlining arrangement, applications that fulfilled the agreed selection criteria (i.e. the 'streamlined applications') would be considered in a group, and a summary table would be shown on the screen and presented by the Secretariat, obviating the need for the Planning Department (PlanD)'s representatives to attend the meeting to brief Members on those applications. Members could still raise questions on the cases before deliberation. So far, the operation had been smooth and effective, allowing RNTPC Members to focus discussions on the more complex cases.

10. With the aid of a PowerPoint slide, the Secretary briefed Members on the selection criteria adopted by RNTPC to shortlist the streamlined applications, which included (a) PlanD had “no objection” to the application or considered that the applied/proposed use “could be tolerated”; (b) the application site was not within conservation-related zones; (c) there were no adverse comments from concerned government bureaux/departments or their concerns could be addressed; (d) there was no previously rejected application for the same/similar use (excluding those with subsequent approval); (e) there were no substantial adverse public comments; and (f) the applied/proposed use should fall within one of the types of uses that were agreed by RNTPC as suitable for streamlining. As there were similar straightforward cases in the metro areas, Members might wish to consider if such streamlining arrangement would also be adopted by the Committee.

11. The Chairperson supplemented that the streamlining arrangement was in line with the Government’s policy to streamline development-related procedures. Under the streamlining arrangement adopted by RNTPC, paper for each application would still be prepared by PlanD for Members’ consideration. The streamlined applications would be highlighted in the agenda, and a summary table containing major information of the streamlined applications together with the papers would be provided to Members before the meeting. Members could raise questions on the streamlined applications at the meeting, which would be addressed by the Secretariat and/or PlanD’s representatives as appropriate. If adopted, the Committee could review and refine the operation of the arrangement, including the selection criteria for the streamlined applications, whenever necessary. The Chairperson then invited Members to consider whether a similar streamlining arrangement should be adopted by the Committee.

12. The Vice-chairperson and some Members had the following questions and views:

- (a) whether Members would need to attend the meeting in person to consider the streamlined applications;
- (b) whether Members with questions on the streamlined applications should inform the Secretariat in advance so that PlanD’s representatives could be arranged to attend the meeting to answer their questions;

- (c) whether the streamlining arrangement would compromise the chances for applicants to be heard at the meeting;
- (d) how to determine whether the adverse public comments were substantial; and
- (e) when selecting the streamlined applications, consideration should be given to the fact that the possible impacts of some temporary uses in the metro areas might differ from those in the rural areas.

13. The Chairperson and the Secretary made the following responses:

- (a) Members were required to attend the meeting to consider the streamlined applications;
- (b) there was no need for Members to inform the Secretariat about their questions on the streamlined applications in advance. The Secretariat would address Members' questions on the applications at the meeting, and PlanD's representatives would also be available to provide responses or brief Members on the cases as needed;
- (c) the streamlined arrangement would not apply to those applications where applicants were allowed to attend and be heard at the meeting (e.g. s.12A applications);
- (d) whether adverse public comments were considered substantial depended on the nature and substance of the issues raised, e.g. whether those issues could be addressed through approval conditions; and
- (e) the selection of the streamlined applications for consideration by the Committee would take into account the planning circumstances of the metro areas.

14. After some discussion, the Committee agreed in principle to the adoption of

streamlining arrangement for straight-forward cases in future meetings, and also agreed that the Secretariat would prepare a draft list of streamlined applications, taking into account the planning circumstances of the metro areas, for the Committee's consideration at the next meeting.

15. There being no other business, the meeting was closed at 9:25 a.m.

**Minutes of 752nd Metro Planning Committee
(held on 25.10.2024)**

Deferral Cases

Requests for Deferment by Applicant for 2 Months

Item No.	Application No.	Times of Deferment
4	A/K22/37	2 nd ^
5	A/H6/93	1 st
6	A/H6/94	1 st

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	
5	The application was submitted by Perfect Win Properties Limited and Silver Nicety Company Limited (subsidiaries of Hysan Development Company Limited (Hysan)), with Ove Arup & Partners Hong Kong Limited (ARUP) as one of the consultants of the applicants.	<ul style="list-style-type: none"> - Mr Ricky W.Y. Yu for having some of the projects of his social enterprise sponsored by the Lee Hysan Foundation (LHP), and being the director and chief executive officer of Light Be which had received donations from LHF in the past - Dr Tony C.M. Ip for his company currently working with ARUP on ongoing projects
6	The application was submitted by Perfect Win Properties Limited and Barrowgate Limited (subsidiaries of Hysan), with ARUP as one of the consultants of the applicants.	<ul style="list-style-type: none"> - Mr Ricky W.Y. Yu for having some of the projects of his social enterprise sponsored by LHP, and being the director and chief executive officer of Light Be which had received donations from LHF in the past - Dr Tony C.M. Ip for his company currently working with ARUP on ongoing projects

The Committee noted that Mr Ricky W.Y. Yu had tendered an apology for being unable to attend the meeting. As Dr Tony C.M. Ip had no involvement in the applications under Items 5 and 6, the Committee agreed that he could stay in the meeting.

*Refer to the agenda at https://www.tpb.gov.hk/en/meetings/MPC/Agenda/752_mpc_agenda.html for details of the planning applications.