

TOWN PLANNING BOARD

Minutes of 555th Meeting of the Metro Planning Committee held at 9:00 a.m. on 8.4.2016

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr Lincoln L. H. Huang

Vice-chairman

Dr Wilton W.T. Fok

Mr Sunny L.K. Ho

Mr Dominic K.K. Lam

Mr Patrick H.T. Lau

Mr Frankie W.C. Yeung

Dr Lawrence W. C. Poon

Mr Wilson Y. W. Fung

Professor T. S. Liu

Ms Sandy H. Y. Wong

Assistant Commissioner for Transport (Urban),
Transport Department
Mr W. L. Tang

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

Assistant Director (Environmental Assessment),
Environmental Protection Department
Mr K.F. Tang

Assistant Director (Regional 1), Lands Department
Mr Simon S.W. Wang

Deputy Director of Planning/District
Ms Christine K.C. Tse

Secretary

Absent with Apologies

Mr Stephen H. B. Yau

Mr K. K. Cheung

Mr Thomas O.S. Ho

Mr T. Y. Ip

Mr Franklin Yu

In Attendance

Assistant Director of Planning/Board
Miss Fiona S.Y. Lung

Chief Town Planner/Town Planning Board
Mr Louis K.H. Kau

Town Planner/Town Planning Board
Mr Eric C.Y. Chiu

Opening Remarks

1. The Chairman said that it was the first meeting of the Metro Planning Committee for the term 2016-18. He was pleased to introduce Mr Lincoln L. H. Huang, who had been appointed as Vice-chairman of the Committee, and the seven new Members, Mr K.K. Cheung, Mr Wilson Y.W. Fung, Mr Thomas O.S. Ho, Mr T.Y. Ip, Professor T.S. Liu, Ms Sandy H.Y. Wong and Mr Franklin Yu, and extended a welcome to them. The Committee noted that Mr Cheung, Mr Ho, Mr Ip and Mr Yu had tendered apologies for being unable to attend the meeting.

Agenda Item 1

Confirmation of the Draft Minutes of the 554th MPC Meeting held on 18.3.2016

[Open Meeting]

2. The draft minutes of the 554th MPC meeting held on 18.3.2016 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Tsuen Wan and West Kowloon District

Agenda Item 3

Section 16 Application

[Open Meeting]

A/K3/569 Proposed Residential Institution (Youth Hostel) in “Residential (Group E)” zone, 9 Arran Street, Mong Kok, Kowloon
(MPC Paper No. A/K3/569)

4. The Committee noted that the applicant requested on 22.3.2016 for deferment of the consideration of the application for two months to allow time for preparation of further information to address the comments of government departments. It was the first time that the applicant requested for 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. 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 Dominic K.K. Lam arrived to join the meeting and Ms Ginger K. Y. Kiang, District Planning Officer/Hong Kong (DPO/HK), and Mr Derek P.K. Tse, Senior Town Planner/Hong Kong (STP/HK), were invited to the meeting at this point.]

Hong Kong District

Agenda Item 4

[Open Meeting]

Proposed Amendments to the Approved The Peak Area Outline Zoning Plan No. S/H14/11
(MPC Paper No.4/16)

Presentation and Question Sessions

6. With the aid of a PowerPoint presentation, Mr Derek P.K. Tse, STP/HK, presented the proposed amendments as detailed in the Paper and covered the following main points :

Background

- (a) the proposed amendment was mainly to take forward the decision of the Committee on a section 12A application (No. Y/H14/4) to rezone a site opposite 23 Coombe Road (the site) from “Green Belt” (“GB”) to “Residential (Group C) 6” (“R(C)6”);
- (b) to facilitate the preservation of the 2-storey Grade 1 historic building at 23 Coombe Road, namely ‘Carrick’, the Committee had agreed to rezone the site (about 1,100m² in area) to “R(C)6” in exchange. Taken into account the development in the surroundings and the overall visual quality of the area, the Committee also agreed to stipulate restrictions on the maximum plot ratio (PR) and building height (BH) on the site;

The Proposed Amendment to Matters shown on the Outline Zoning Plan (OZP)

- (c) Item A – to rezone the site from “GB” to “R(C)6” and stipulation of a maximum PR of 0.5 and a maximum BH of 2 storeys including carports and 260mPD;

Other Revisions to the OZP

- (d) minor technical amendments to rectify zoning boundaries and reflect existing developments would also be incorporated;

Proposed Amendments to the Notes of the OZP

- (e) to update the Notes of the “R(C)” zone to include the remarks for sub-zone “R(C)6” with PR and BH restrictions as stated in (c) above. Minor relaxation clause for the PR and BH restrictions would be incorporated;
- (f) amendments to the exemption clause on maximum PR in the remarks for “Residential (Group B)” and “R(C)” zones to clarify that exemption of caretaker’s quarters and recreational facilities were only applicable to those facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building;

Consultation

- (g) relevant departments had no objection to or no adverse comments on the proposed amendments; and
- (h) the Wan Chai District Council (WCDC) was consulted in March 2014 on a proposal similar to the one under application No. Y/H14/4. The WCDC would be consulted again on the proposed amendments during the exhibition of the draft OZP.

7. In response to a Member’s query, Ms Ginger K.Y Kiang, DPO/HK, said that preservation of Carrick was considered important from heritage perspective as it was the residence of Mr John Joseph Francis, a prominent figure in civic affairs in Hong Kong, and the building was one of the oldest surviving European houses in Hong Kong. In response to another Member’s query, she said that the exemption clause for PR calculation in the remarks of the “R(C)” zone would be applicable to the future development at the site.

Deliberation Session

8. After deliberation, the Committee decided to :
- (a) agree to the proposed amendments to the approved The Peak Area OZP No. S/H14/11 and that the draft The Peak Area OZP No. S/H14/11B at Attachment II of the Paper (to be renumbered to S/H14/12 upon exhibition) and its Notes at Attachment III of the Paper were suitable for exhibition under section 5 of the Town Planning Ordinance;
 - (b) adopt the revised Explanatory Statement (ES) at Attachment IV of the Paper for the draft The Peak Area OZP No. S/H14/11B as an expression of the planning intentions and objectives of the Town Planning Board for various land use zonings of the draft OZP; and
 - (c) agree that the revised ES at Attachment IV of the Paper was suitable for exhibition for public inspection together with the draft OZP.

[The Chairman thanked Ms Ginger K. Y. Kiang, DPO/HK, and Mr Derek P.K. Tse, STP/HK, for their attendance to answer Members' enquiries. They left the meeting at this point.]

[Miss Jessica K.T. Lee, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H19/73 Proposed Minor Relaxation of Plot Ratio and Site Coverage Restrictions for Permitted Residential Development in "Residential (Group C)" zone, 2 Tung Tau Wan Road, Stanley, Hong Kong
(MPC Paper No. A/H19/73)

9. The Secretary reported that the MVA Hong Kong Ltd. (MVA) was one of the

consultants of the applicant and Mr Patrick H.T. Lau had declared an interest in the item for having current business dealings with MVA. As Mr Lau had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

10. With the aid of a PowerPoint presentation, Miss Jessica K.T. Lee, 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 plot ratio (PR) and site coverage (SC) restrictions of the “Residential (Group C)” (“R(C)”) zone for permitted residential development;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchsD) advised that despite the proposal had no significant visual impact on the surroundings, the relaxation of PR and SC restrictions might set a precedent case and result in cumulative adverse impact on the traffic and environment in the area. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) considered that there was no design merit to justify the relaxation of PR and SC from urban design and visual impact perspectives. Other concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the two statutory publication periods, two public comments were received from the principal of St Stephen’s College. She was concerned about the potential traffic impact of the proposed development on Stanley and Tung Tau Wan Road and the safety of the students and operation of the school bus might be affected; the proposed new block might affect the view of the historic campus and one of the staff bungalows; and there were also concerns on issues of vibration, noise, dust,

environmental pollution and heavy traffic during the construction phase. No local objection/view was received by the District Officer (Southern); and

- (e) the PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. While the resultant visual bulk of the development was not incompatible with the surrounding context and substantial adverse landscape impact was not anticipated, the proposed addition in the form of an infill block would require demolition of an existing outdoor swimming pool and reduce the existing outdoor amenity area. The three existing blocks together with the infill block would lead to a more congested layout, particularly on the northern portion of the site. Approval of the application would also set an undesirable precedent for similar applications in the area. The cumulative effect of approving such similar applications would result in a degradation of the general amenity of the area. The subject application differed from the two cases quoted by the applicant, i.e. A/TM/463 and A/YL-NTM/310 in that those two approved applications involved residential developments on undeveloped land where the additional development intensity arising from the minor relaxation of the PR and SC restrictions could well be integrated within the overall layout design of the proposed development. Regarding the public comments, the above planning assessments were relevant.

11. In response to the queries from the Chairman and a Member, Miss Jessica K.T. Lee said that the existing PR restriction of the “R(C)” zone was 0.75 and the applicant proposed to relax it to 0.9 to accommodate an additional residential block. A Traffic Impact Assessment was submitted by the applicant and the Commissioner for Transport had no objection to the application and considered that the proposed car parking provision were in line with the requirements of the Hong Kong Planning Standards and Guidelines.

12. A Member noted that the three existing buildings at the site had been converted from 15 flats to 255 mini studio units and the proposed development would affect the existing communal swimming pool, and asked whether the applicant was the sole owner of the site. Miss Lee answered in the affirmative.

13. A Member asked whether the additional building block and relaxation in SC restriction would adversely affect the greenery coverage of the site. In response, Miss Lee said that the applicant had only submitted a Landscape Master Plan and tree preservation proposal, but had not provided information on the greenery coverage of the site.

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

14. In response to a Member's query on the compatibility of the proposed development with the surrounding environments and the impact on the existing character of the area, Miss Lee explained that the site was surrounded mainly by areas zoned "Residential (Group A)2" ("R(A)2") to its west and "Government, Institution or Community" ("G/IC") to its north and east. The "R(A)2" zone mainly consisted of residential buildings and shops and developments therein were subject to a maximum building height (BH) restriction of 6 storeys. The "G/IC" zones were mainly occupied by education institutes and community service facilities such as clinic and there was no maximum PR and BH restrictions stipulated on the Outline Zoning Plan for the "G/IC" zone. Having taken the surrounding areas into account, the current proposal under application, which sought minor relaxation of PR and SC while keeping the BH restriction of the "R(C)" zone, was considered not incompatible with the general character of the surrounding area. In response to the Vice-chairman's follow-up question, Miss Lee said that the proposed PR of 0.9 under application was the same as that of a recent land sale site further south at Wong Ma Kok Road.

15. In response to a Member's query, Miss Lee explained that the two similar applications (No. A/TM/463 and A/YL-NTM/310) as quoted by the applicant were submitted by the Lands Department on undeveloped land and there was greater flexibility for an integrated design to mitigate the potential impacts associated with the minor relaxation of PR/BH. The current application, through relaxation of PR and SC of an existing development to accommodate an additional block, would result in a more congested layout and did not warrant favourable consideration. Furthermore, the applicant had not provided any strong planning justification in support of the application except that the proposed 20% increase in PR was in line with the government policy to increase housing land supply.

16. A Member asked whether the land owner could further subdivide the site. In

response, Mr Simon S.W. Wang, Assistant Director (Regional 1), Lands Department, replied that in general there would be no restriction on subdivision of lot unless it was explicitly prohibited in the relevant land lease. However, he had no detailed information of the lease of the site at hand.

Deliberation Session

17. The Chairman said that the application was for minor relaxation of PR and SC restrictions to facilitate the development of an additional block within an existing residential development in the “R(C)” zone. In considering the application, various planning considerations, including its compatibility with the surrounding development in terms of land use and development scale, should be taken into account by the Committee.

18. A Member said that the site had already been developed up to the maximum PR and SC currently permitted under the OZP and the applicant had not demonstrated that the proposed minor relaxation of PR and SC restrictions would have positive planning implications on the surrounding area or the proposal could improve the layout of the development or air ventilation at the site. The application, which involved development of an additional block within an existing development, should not be approved solely because it could increase housing supply. Another Member shared the same view and said that approval of the application would set an undesirable precedent for similar applications. The same Member further said that the sale site at Wong Ma Kok Road with a PR of 0.9 was not in the immediate vicinity of the site and might not be a suitable reference.

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

- “(a) there is no strong justification for the proposed relaxation of plot ratio and site coverage restrictions; and
- (b) approval of the application would set an undesirable precedent for similar applications in the area. The cumulative effect of approving such similar applications would result in a degradation of the general amenity of the area.”

General Discussion on Applications for Minor Relaxation of Plot Ratio and Site Coverage Restrictions for Subdivision of Flats

20. Arising from the deliberation of planning application No. A/H19/73, Members had a general discussion on applications involving subdivision of flats. The Committee noted that in some occasions building works associated with flat subdivision might be designated as minor works under the Buildings Ordinance (BO) which could be processed under the simplified requirements of the Minor Works Control System and prior approval from the Buildings Authority was not required. A Member had concerns on how the technical requirements on car parking and fire safety could be met under such circumstances and considered that clarification from the Lands Department and the Buildings Department on control of such subdivision might be useful.

21. Noting Member's above concerns, the Chairman said that in general there was no specific restriction under the OZP on the number of flats within a site. The Chairman further said that subdivision of flats would be subject to the requirements under BO as highlighted above. As for provision of car parking spaces, Mr W.L. Tang, Assistant Commissioner for Transport (Urban), Transport Department, said that in assessing the number of parking spaces required for a development, the Transport Department would make reference to the appropriate car parking standard in the Hong Kong Planning Standards and Guidelines taking into account the number and sizes of the proposed flats.

[Dr Lawrence W.C. Poon left the meeting at this point.]

23. The Committee noted Dr Lawrence W.C. Poon had left the meeting. The Committee agreed that as the interests of the Chairman, Mr Martin W.C. Kwan and Mr Patrick H.T. Lau were direct, they should be invited to leave the meeting temporarily for the item. As Mr Dominic K.K. Lam had no involvement in the application, the Committee agreed that he could stay in the meeting. As the Chairman had to leave the meeting, the Committee agreed that Mr Lincoln L.H. Huang, the Vice-chairman, should take over and chair the meeting for the item.

[The Chairman left the meeting temporarily and Mr Martin W.C. Kwan and Mr Patrick H.T. Lau left the meeting at this point.]

Presentation and Question Sessions

24. With the aid of a PowerPoint presentation, Miss Jessica K.T. Lee, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the renewal of planning approval for temporary public vehicle park (excluding container vehicle) (surplus vehicle parking spaces only) under application No. A/H15/255 for a period of three years until 25.5.2019;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment was received from an individual commenting that the floor area of the surplus vehicle parking spaces should be released for the provision of community facilities; HKHA should not be an operator of parking facilities; and the Town Planning Board (TPB) should question whether the proposal was the best use of the precious land resources. No local objection/view was received by the District Officer (Southern); 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 application complied with the TPB Guidelines No. 34B on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development. An approval condition was recommended to ensure that priority would be given to the residents in renting the surplus vehicle parking spaces. Regarding the public comment, the assessments above were relevant and one of the carpark floors involving 125 car parking spaces had been converted for welfare facilities in 2010.

25. In response to a Member's query, Miss Jessica K.T. Lee, STP/HK, said that residents of Shek Pai Wan Estate had priority to rent the monthly vehicle parking spaces and only the unlet parking spaces would be made available to non-residents.

Deliberation Session

26. After deliberation, the Committee decided to approve the application on a temporary basis for a period of three years from 26.5.2016 to 25.5.2019, on the terms of the application as submitted to the TPB and subject to the following condition :

“priority should be accorded to the residents of Shek Pai Wan Estate in the letting of the surplus vehicle parking spaces and the proposed number of vehicle parking spaces to be let to non-residents should be agreed with the Commissioner for Transport.”

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

[The Vice-chairman thanked Miss Jessica K.T. Lee, STP/HK, for her attendance to answer Members' enquiries. She left the meeting at this point.]

[Ms Joyce Y.S. So, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

Kowloon District

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K15/118 Renewal of Planning Approval for Temporary ‘Public Vehicle Park (excluding Container Vehicle)’ (Vacant Vehicle Parking Spaces only) for a Period of Three Years in “Residential (Group A)” zone, Lei Yue Mun Estate, Yau Tong, Kowloon
(MPC Paper No. A/K15/118)

28. The Secretary reported that the application was submitted by the Hong Kong Housing Authority (HKHA). The following Members had declared interests in the item:

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| Mr Raymond K.W. Lee
(the Chairman)
<i>as the Director of Planning</i> | - being a member of the Strategic Planning Committee (SPC) and the Building Committee of HKHA; |
| Mr Martin W.C. Kwan
<i>as the Chief Engineer (Works) of Home Affairs Department</i> | - being an alternate member for the Director of Home Affairs who was a member of the SPC and Subsidized Housing Committee of HKHA; |
| Mr Patrick H.T. Lau | - having current business dealings with HKHA; |
| Mr Dominic K.K. Lam | - having past business dealings with HKHA; and |

Dr Lawrence W.C. Poon - his spouse working in the Housing Department, which was the executive arm of HKHA, but had no involvement in the planning application and management work of the subject estate.

29. The Committee noted the Chairman had left the meeting temporarily and Mr Martin W.C. Kwan, Mr Patrick H.T. Lau and Dr Lawrence W.C. Poon had left the meeting. As Mr Dominic K.K. Lam had no involvement in the application, the Committee agreed that he could stay in the meeting. The Committee agreed that Mr Lincoln L.H. Huang, the Vice-chairman, should continue to chair the meeting for the item.

Presentation and Question Sessions

30. With the aid of a PowerPoint presentation, Ms Joyce Y.S. So, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the renewal of planning approval for temporary public vehicle park (excluding container vehicle) (vacant vehicle parking spaces only) under application No. A/K15/110 for a period of three years until 3.5.2019;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, two public comments were received from a Kwun Tong District Council (KTDC) Member and an individual. The KTDC Member suggested releasing the car parking spaces currently let to Hong Kong Post in order to provide more parking spaces to non-resident whereas the individual objected to the application mainly on the grounds that the public vehicle park was not in line with the planned use; there was a deficit in the provision of

recreational facilities in the estate and alternative use of the temporary public vehicle park should be considered; and the number of vacant parking spaces would diminish when the adjoining estate was completed. No local objection/view was received by the District Officer (Kwun Tong); 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 application complied with the Town Planning Board Guidelines No. 34B on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development. An approval condition was recommended to ensure that the residents of Lei Yue Mun Estate were offered the highest priority to rent the monthly parking spaces and the number of parking spaces to be let to non-residents was monitored from time to time. Regarding the public comment on alternative use of the vehicle parking spaces, an advisory clause to advise the applicant to consider letting the area of surplus parking spaces for community uses was suggested. Regarding the suggestion to release parking spaces currently let to Hong Kong Post, it was a management issue outside the scope of the current application.

31. In response to the Vice-chairman's query, Ms Joyce Y.S. So, STP/K, said that the applicant had provided the vacancy rate of parking spaces during January to December 2015, but not the actual take-up rate of the surplus parking spaces being let to non-residents.

32. A Member asked about the provision of recreational facilities in the Lei Yue Mun Estate. In response, Ms So said that sufficient open spaces had been provided to the residents of the estate in accordance with the Hong Kong Planning Standards and Guidelines and the Planning Brief of the estate.

33. Another Member asked whether it was effective to suggest the applicant to consider alternative uses of the vacant parking space through an advisory clause. In response, Ms So said that if the application was approved, the applicant would be informed of the approval condition as well as the advisory clauses stipulated by the Committee.

Deliberation Session

34. The Vice-chairman said that the application was for renewal of planning permission and there appeared to be no strong planning reason to reject the application. Given that Members had concern on the take-up rate of the vacant parking spaces, such information should be provided in the upcoming applications to facilitate the Committee's consideration. He further said that the applicant, HKHA, would give due consideration to the advisory clauses as suggested by the Committee and use the vacant parking spaces for alternative purposes to meet the needs of the community if there was no sufficient market demand for such parking spaces, as reflected in the previous item considered by the Committee.

35. A Member shared the view of the Vice-chairman and said that there might be scope to utilise the unlet parking spaces for hourly-parking, retail shops or other community facilities such as recycling centre etc. Another Member suggested HKHA to expedite its review on possible alternate uses of the surplus parking spaces of the estate, noting the vacancy rate was near 42%.

36. Another Member said that HKHA had previously converted some surplus car parking spaces in existing estates to other uses when possible. The Member also suggested that PlanD should liaise with HKHA and Transport Department on possible mechanisms to streamline repeated renewal of planning approvals for public vehicle park as suggested in the last meeting.

37. After deliberation, the Committee decided to approve the application on a temporary basis for a period of three years until 3.5.2019, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following condition :

“priority should be accorded to the residents of Lei Yue Mun Estate in the letting of the vacant vehicle parking spaces and the proposed number of vehicle parking spaces to be let to non-residents should be agreed with the Commissioner for Transport.”

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

[The Vice-chairman thanked Ms Joyce Y.S. So, STP/K, for her attendance to answer Members' enquiries. She left the meeting at this point.]

[The Chairman returned to join the meeting at this point.]

Agenda Item 8

Any Other Business

39. There being no other business, the meeting closed at 10:30 a.m..