

TOWN PLANNING BOARD

**Minutes of 582nd Meeting of the
Metro Planning Committee held at 9:00 a.m. on 9.6.2017**

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 Stephen H.B. Yau

Dr Lawrence W.C. Poon

Mr K.K. Cheung

Mr Thomas O.S. Ho

Professor T.S. Liu

Ms Sandy H.Y. Wong

Mr Franklin Yu

Chief Traffic Engineer/Hong Kong, Transport Department
Mr Peter C.K. Mak

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

Principal Environmental Protection Officer (Metro Assessment),
Environmental Protection Department
Mr Tony W.H. Cheung

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

Deputy Director of Planning/District
Ms Jacinta K.C. Woo

Secretary

Absent with Apologies

Dr Frankie W.C. Yeung

Mr Wilson Y.W. Fung

In Attendance

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

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

Town Planner/Town Planning Board
Mr Dennis C.C. Tsang

Agenda Item 1

Confirmation of the Draft Minutes of the 581st MPC Meeting held on 26.5.2017

[Open Meeting]

1. The draft minutes of the 581st MPC meeting held on 26.5.2017 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

- (i) Planning Application No. A/K4/67

Proposed Comprehensive Redevelopment of Tai Hang Sai Estate (including flats and shops and services) and Minor Relaxation of Plot Ratio and Building Height Restrictions in "Comprehensive Development Area" zone, Tai Hang Sai Estate, Shek Kip Mei, Kowloon

2. The Secretary reported that on 24.6.2016, the Committee approved the application No. A/K4/67 submitted by the Hong Kong Settlers Housing Corporation Limited (HKSHC) for a proposed comprehensive redevelopment of Tai Hang Sai Estate and minor relaxation of plot ratio and building height restrictions in "Comprehensive Development Area" zone. The Housing Affairs Committee (HAC) meeting of the Sham Shui Po District Council discussed the proposed development on 13.4.2017 and agreed to forward the minutes of the meeting, HAC papers setting some HAC members' concerns and the responses from government departments and HKSHC to the Town Planning Board for information. The documents were tabled at the meeting for Members' information.

[Mr Lawrence Y.C. Chau, District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK), Mr Louis K.H. Kau, District Planning Officer/Hong Kong (DPO/HK), Mr Tom C.K.Yip, District Planning Officer/Kowloon (DPO/K), Ms Yvonne Y.T.Leong, Senior Town Planner/Housing & Office Land Supply (STP/HOLS), and Ms Kitty K.Y. Chiu, Senior Town

Planner/New Territories District Planning Division Headquarters (STP/NTHQ), were invited to the meeting at this point.]

General

Agenda Item 3

Review of Sites Designated “Comprehensive Development Area” on Statutory Plans in the Metro Area for the Years 2015/2017

(MPC Paper No.4/17)

[Open Meeting]

3. Ms Kitty K.Y. Chiu, STP/NTHQ, introduced the background to the review of “Comprehensive Development Area” (“CDA”) sites. She said that in May 1999, the Town Planning Board (the Board) endorsed the Guidelines for “CDA” Zones and agreed that the review of “CDA” sites designated for more than three years should be conducted annually. The review would assist the Committee in considering the rezoning of suitable “CDA” sites to other appropriate zonings and monitoring the progress of “CDA” developments. Upon agreement by Members in April 2016, the Town Planning Board Guidelines No. 17A were revised to specify that the review of the “CDA” sites designated for more than three years should be conducted on a biennial basis.

4. With the aid of a PowerPoint presentation, Ms Kitty K.Y. Chiu presented the results of the latest review on “CDA” sites in the Metro Area as detailed in the Paper and made the following main points:

- (a) there were a total of 64 “CDA” sites in the Metro Area by the end of March 2017, five of them located in Yau Tong were designated for less than three years. The current review had examined the remaining 59 “CDA” sites that had been designated for more than three years;

“CDA” Sites with No Approved Master Layout Plan (MLP)

- (b) a total of 22 “CDA” sites had been designated for more than three years with no approved Master Layout Plan (MLP). Twenty of them were proposed for retention and two were subject to review on the zoning and site boundary/development intensity. Justifications for retention of the 20 “CDA” sites and progress of rezoning of the other two sites were set out in Appendices I and II of the Paper respectively;

“CDA” Sites with Approved MLP

- (c) a total of 37 “CDA” sites had been designated for more than three years with approved MLP. Among them, 27 were proposed for retention to ensure proper implementation in accordance with the approved MLPs and approval conditions. Detailed justifications for the retention of these sites were at Appendix III of the Paper;

Sites already Agreed for Rezoning

- (d) there were three sites previously agreed by the Committee for rezoning to appropriate zonings to reflect their as-built conditions. They included: (i) the hotel development at Oil Street, North Point (H14B), (ii) the comprehensive residential, office, hotel and service apartment development at the Airport Railway Kowloon Station, West Kowloon Reclamation Area (K11), and (iii) the development of the Former Marine Police Headquarters site in Salisbury Road (K14). The current progress of rezoning of these three sites were set out in paragraph 4.2.2 and Appendix IV of the Paper;

Sites Proposed for Rezoning

- (e) the development in three sites had been completed. It was proposed to rezone the sites to appropriate zonings to reflect their as-built conditions and approved uses when opportunity arose. They included: (i) the residential development at Pine Crest, Tai Po Road (K24), (ii) the school

and residential developments at the junction of Inverness Road and Junction Road (K34), and (iii) the comprehensive residential cum Government, Institution and Community (GIC) development at the Mass Transit Railway Tsuen Wan West Station Site TW7 (TW29). The details were set out in paragraph 4.2.3 and Appendix V of the Paper;

Sites with Potential for Rezoning

- (f) four “CDA” sites with approved MLPs were considered to have potential for rezoning subject to full compliance with the approval conditions and completion of the developments. They included: (i) the conservation and conversion of the Chai Wan Flatted Factory Building for public housing development (H36), (ii) the ex-Kowloon Motor Bus (KMB) Limited Lai Chi Kok bus depot site (K17), (iii) the hotel development at a site south of Hung Luen Road, Hung Hom (K47A), and (iv) the commercial development at a site at the junction of Hung Luen Road and Kin Wan Street, Hung Hom (K47B). The details were set out in paragraph 4.2.4 and Appendix VI of the Paper.

5. The Chairman recapitulated that the “CDA” review was intended to take a proactive approach to closely monitor the progress of implementation of the “CDA” sites. For instance, the “CDA” site in Yau Tong which had no implementation progress for many years was sub-divided into several “CDA” sites upon review and applications for development at the sub-divided “CDA” sites had been received recently. “CDA” sites upon completion of development would generally be rezoned to provide flexibility for subsequent modification of uses within development.

Speeding up the Implementation of Development in “CDA” Sites

6. Some Members raised the following questions/points:
- (a) how long the sites near Kowloon City Road had been zoned “CDA” and whether the implementation of the site could be expedited;

- (b) what actions the government / Board could take to expedite the implementation of large “CDA” sites;
- (c) whether the smaller “CDA” zones could be rezoned to appropriate zonings, or the large “CDA” zones could be subdivided into smaller ones;
- (d) for large “CDA” zones which had not been implemented for over 15 years, the government could take the initiative to prepare MLP for the sites to facilitate development by individual owners; and
- (e) whether local community participation should be considered as a possible measure to expedite the implementation of development.

7. Mr Tom C.K.Yip, DPO/K, made the following responses:

- (a) there were four sites zoned “CDA” in the Ma Tau Kok area, including three (K30, K39 and K68) between Sung Wong Toi Road and Mok Cheong Street, and one (K31) between Mok Cheong Street and Ma Tau Kok Road. The review of those sites were on-going and any proposals, when ready, would be reported to the Board. The multiple ownership of the sites posed a constraint to the redevelopment. Nevertheless, a MLP had been approved for K39 in 2016 which might provide incentives for development at sites K30 and K68;
- (b) the three sites in Ma Tau Kok (K30, K39 and K68), which were originally within one “CDA” zone, had been zoned “CDA” for 17 years. The planning intention of the “CDA” zone was to facilitate the restructuring of the obsolete area of Ma Tau Kok, phasing out of the non-conforming uses, and addressing possible industrial/residential interface problems. To facilitate redevelopment in the area, the then Kowloon City District Urban Renewal Forum had proposed to subdivide the “CDA” into three smaller “CDAs” so as to facilitate land assembly;
- (c) under the provision of the Town Planning Ordinance (the Ordinance), minor amendments to the MLP would be allowed to provide flexibility for implementation of the MLP.

8. The Chairman supplemented as follows:
- (a) in the past, large “CDA” zones had been subdivided into smaller “CDA” zones to facilitate development, e.g. the Yau Tong “CDA” zone;
 - (b) the Board had previously approved a MLP for a “CDA” zone in Tsuen Wan that allowed for phased implementation by different parties;
 - (c) the government had previously prepared and obtained approval of a MLP for a “CDA” zone in Ma On Shan before disposal of sites within the “CDA” zone to different parties in accordance with the approved MLP;
 - (d) smaller “CDA” sites could be rezoned for other uses where appropriate, subject to review; and
 - (e) through the plan-making process, local communities could express their views and facilities meeting the local need could be incorporated into the “CDA” development.

9. Regarding Members’ proposal to rezone smaller “CDA” sites to other zonings with no requirement for planning permission, the Secretary said that the main objectives of designating sites for “CDA” were expressed in the Town Planning Board Guidelines No. 17A, including the phasing out of non-conforming uses, urban restructuring, and timely provision of GIC uses, open space and infrastructural facilities. The “CDA” zone provided a planning control mechanism to ensure an appropriate scale of development that would address the adverse concerns.

Rezoning of Implemented “CDA” Sites

10. In response to a Member’s enquiry on why the “CDA” site in Oil Street, North Point was not proposed for rezoning to reflect the completed hotel development, the Chairman said that the adjacent “CDA” zones were under different stages of implementation, rezoning of those “CDA” zones could be considered comprehensively upon their completion of development.

11. Mr Tom C.K. Yip, DPO/K, supplemented that the proposed rezoning of the “CDA” zone of Whampoa Garden, which was completed in 2003, to “Government, Institution or Community”, “Residential (Group A)” and “Commercial” was objected to by the local residents as there were concerns that if the site was rezoned, the future inclusion of additional non-domestic development would have adverse impacts on the surrounding areas and there would be no mechanism for them to express their views and for the Board to control the developments. The local objection was upheld by the Board and the “CDA” zone for Whampoa Garden was retained.

Implications of Delay of Rezoning

12. A Member enquired whether there would be any implications on the owner’s right of development if there was a delay of rezoning after the “CDA” development had been completed. In response, the Chairman said that sufficient flexibility should have been allowed in the approved MLP, no significant implication on future development of the site was expected.

Conservation of the Former Marine Police Headquarters

13. A Member raised concerns on the conservation of the Former Marine Police Headquarters at Salisbury Road, Tsim Sha Tsui and enquired what procedures had been taken to ensure that the historic building would be compatible with the surrounding settings. In response, Mr Lawrence Y.C. Chau, DPO/TWK, said that the Antiquities and Monuments Office (AMO) was involved in the planning and design process of the project, and the established planning process, which included adoption of planning design guidelines, invitation of tenders and submission of MLP had been followed through.

14. The Chairman supplemented that the site was a piece of government land and the MLP was approved in 2004. AMO’s conservation requirements had been included in the land sale conditions.

15. After deliberation, the Committee decided to :

“(a) note the findings of the review of the sites designated “CDA” on statutory

plans in the Metro Area;

- (b) agree to the proposed retention of the “CDA” designation for the sites mentioned in paragraphs 4.1.1 and 4.2.1 and detailed at Appendices I and III of the Paper;
- (c) note the agreement of the Committee to rezone the sites mentioned in paragraph 4.2.2 and detailed at Appendix IV of the Paper;
- (d) note the sites which are subject to review mentioned in paragraph 4.1.3 and detailed at Appendix II of the Paper;
- (e) agree to the proposed rezoning of the sites mentioned in paragraph 4.2.3 and detailed at Appendix V of the Paper; and
- (f) note the sites with potential for rezoning mentioned in paragraph 4.2.4 and detailed at Appendix VI of the Paper.”

[The Chairman thanked Mr Lawrence Y.C. Chau, DPO/TWK, Mr Louis K.H. Kau, DPO/HK, Mr Tom C.K. Yip, DPO/K, Ms Yvonne Y.T. Leong, STP/HOLS, and Ms Kitty K.Y. Chiu, STP/NTHQ, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Hong Kong District

Agenda Item 4

Section 12A Application

[Open Meeting]

Y/H20/4 Application for Amendment to the Draft Chai Wan Outline Zoning Plan No. S/H20/22, To rezone the application site from "Government, Institution or Community" and "Open Space" to "Government, Institution or Community (4)", Government Land at the junction of Sun Yip Street and Siu Sai Wan Road, Chai Wan, Hong Kong
(MPC Paper No. Y/H20/4)

16. The Secretary reported that the site was located in Chai Wan. Urbis Limited (Urbis) and AIM Group Limited (AIM) were two of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Raymond K.W. Lee (the Chairman) - co-owning with his spouse/his spouse owning properties in Chai Wan;
- Mr Sunny L.K. Ho - owning and co-owning with his spouse properties in Chai Wan;
- Mr Dominic K.K. Lam - being a director of a company which owned a property in Chai Wan;
- Mr K.K. Cheung - his firm having current business dealings with AIM;
- Mr Thomas O.S. Ho - his firm having current business dealings with Urbis; and
- Mr Franklin Yu - having past business dealings with Urbis.

17. The Committee noted that the applicant had requested deferment of the consideration of the application. As the interest of Mr Franklin Yu was indirect, Mr K.K. Cheung and Mr Thomas O.S. Ho had no involvement in the application and the properties owned by Mr Raymond K.W. Lee and/or his spouse, Mr Sunny L.K. Ho and jointly with his spouse, and Mr Dominic K.K. Lam's company did not have a direct view of the site, the Committee agreed that they could stay in the meeting.

18. The Committee noted that the applicant's representative requested on 24.5.2017

deferment of the consideration of the application to 23.6.2017 in order to allow time to prepare further information to respond to relevant departmental comments. It was the first time that the applicant requested deferment of the application.

19. 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 three 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 weeks 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 5

Section 16 Application

[Open Meeting]

A/H3/434 Proposed Hotel in "Residential (Group A) 8" Zone, 15-19 Third Street,
Sai Ying Pun, Hong Kong
(MPC Paper No. A/H3/434A)

20. The Secretary reported that Lanbase Surveyors Limited (Lanbase) and Andrew Lee King Fun & Associates Architects Limited (ALKF) were two of the consultants of the applicant. The following Members had declared interests on the item:

Mr Patrick H.T. Lau - having current business dealings with Lanbase and
past business dealings with ALKF; and

Mr Franklin Yu - having past business dealings with ALKF.

21. The Committee noted that the applicant had requested deferment of the consideration of the application. As Mr Patrick H.T. Lau had no involvement in the

application and the interest of Mr Franklin Yu was indirect, the Committee agreed that they could stay in the meeting.

22. The Committee noted that the applicant's representative requested on 22.5.2017 deferment of the consideration of the application for two months in order to allow time to respond the comments from the Transport Department. It was the second time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address the departmental comments, including the submission of revised floor plans and traffic impact assessment.

23. 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 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. Since it was the second deferment and a total of four months had been allowed for preparation of the submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 6

Section 16 Application

[Open Meeting]

A/H15/271 Proposed Public Utility Installation (Aboveground Gas Governor Kiosk) and Crash Barrier in an area shown as 'Road', Government Land outside Po Leung Kuk Wai Yin College on Tin Wan Hill Road, Tin Wan, Hong Kong
(MPC Paper No. A/H15/271)

24. The Secretary reported that the site was located in the Aberdeen/Ap Lei Chau area and the application was submitted by the Hong Kong and China Gas Company Limited

(HKCGC), which was a subsidiary of Henderson Land Development Company Limited (HLD). Dennis Lau & Ng Chun Man Architects & Engineers (Hong Kong) Limited (DLN) was the consultant of the applicant. The following Members had declared interests on the item:

- Mr Patrick H.T. Lau - having current business dealings with HLD and DLN and owning a flat in Tin Wan, Aberdeen;
- Mr K.K. Cheung - his firm having current business dealings with HKCGC;
- Mr Franklin Yu - having past business dealings with HLD;
- Dr Wilton W.T. Fok - being an employee of the University of Hong Kong which had received a donation from a family member of the Chairman of HLD before, and co-owning a flat with his spouse in Ap Lei Chau;
- Mr Wilson Y.W. Fung - being a Director of the Hong Kong Business Accountants Association which had obtained sponsorship from HLD before; and
- Mr Thomas O.S. Ho - having past business dealings with DLN.

25. The Committee noted that Mr Wilson Y.W. Fung had tendered apologies for being unable to attend the meeting. The Committee also noted that the applicant had requested deferment of the consideration of the application. As the interest of Mr Patrick H.T. Lau was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion. As the interests of Mr Franklin Yu and Mr Thomas O.S. Ho were indirect, Mr K.K. Cheung had no involvement in the application, and the flat co-owned by Dr Wilton W.T. Fok and his spouse did not have a direct view of the site, the Committee agreed that they could stay in the meeting.

26. The Committee noted that the applicant's representative requested on

31.5.2017 deferment of the consideration of the application for two months in order to allow time for preparation of further information to address departmental and public comments. It was the first time that the applicant requested deferment of the application.

27. 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 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.

[Ms Johanna W.Y. Cheng, 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/K7/113 Proposed Minor Relaxation of Building Height Restriction for Permitted House Development in "Residential (Group C)" Zone, 36A Braga Circuit, Ho Man Tin, Kowloon (Kowloon Inland Lot 2657 S.A ss.11 S.A ss.1)
(MPC Paper No. A/K7/113)

Presentation and Question Sessions

28. With the aid of a PowerPoint presentation, Ms Johanna W.Y. Cheng, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed minor relaxation of building height (BH) restriction from two to three storeys to allow for one storey of basement for parking, ancillary recreational facilities and ancillary plant room uses for the permitted house development;
- (c) departmental comments – departmental comments were set out in paragraph 8 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. Their views were set out in paragraph 9 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 10 of the Paper. The above ground portion of the proposed houses would remain at two storeys and was compatible with other houses in the vicinity. The proposed relaxation of BH was considered acceptable and there would be insignificant visual impact. The proposal would provide better streetscape and adverse impact on existing landscape resources was not anticipated. Three similar applications had been approved on the considerations that the additional basement floor(s) would not have adverse visual impacts and the proposed developments would not be incompatible with the surrounding buildings. Regarding the public comment objecting to the application, the comments of government departments and the planning assessment above were relevant.

29. A Member raised the following questions:

- (a) how the site could be reached by car and the location of the ingress/egress of the proposed basement car park; and
- (b) noting that tree plantings were proposed outside the fence wall of the site, whether Braga Circuit would be widened.

30. Ms Johanna W.Y. Cheng, STP/K, made the following responses:

- (a) the site could be accessed through Braga Circuit. The ingress/egress point of the proposed basement car park was located at the south-eastern corner of the site; and
- (b) the proposed tree plantings would be provided in an area where the fence wall would be set back. There would be no widening of Braga Circuit.

31. Some Members raised the following questions/concerns:

- (a) how to ensure that the basement car park would not be changed for other uses;
- (b) whether on-street parking was on both sides of Braga Circuit;
- (c) whether an approval condition on ingress/egress arrangement could be included should the application be approved;
- (d) why the main roof level of 41.5 mPD instead of 47.34 mPD was adopted for calculation of the increase of the BH; and
- (e) what the arrangement was for air ventilation of the proposed basement car park and whether the air ventilation system would affect public health.

32. Ms Johanna W.Y. Cheng, STP/K, made the following responses:

- (a) the proposed use of the basement was for car parking, ancillary recreational

facilities and ancillary plant room, which would be subject to approval in the building plans submission and lease modification stages;

- (b) Braga Circuit provided a shared access to the properties on both sides of the street. There were cars parking on both sides of the street as well;
- (c) an approval condition on the design and provision of vehicular access and car parking facilities to the satisfaction of the Commissioner for Transport had been recommended in the approval conditions, as shown in paragraph 11.2(a) of the Paper. On-street parking was outside the scope of the subject planning application;
- (d) the calculation of maximum BH was normally up to the main roof level of the building which was 41.5 mPD in the current application. The roof level of the lift shaft reaching 47.34 mPD had included room for overrun of the lift as required by the lift company. Sectional drawings showing the details of the proposed building and the lift shaft were at Appendix Id of the Paper; and
- (e) the air ventilation aspect of the proposed basement car park would be dealt with in the building plans submission stage;

Deliberation Session

33. Noting the high headroom of the proposed basement car park, a Member raised concern that should the application be approved, the proposed basement car park might be changed to other uses and enquired whether an approval condition could be included to specify that the basement would only be allowed for car parking purpose. By making reference to Drawing A-10 of the Paper, the Committee noted that the clear headroom of the basement level was only 2.65 m.

34. The Chairman said that the applied use was clearly stated in the application which included the proposed car park, ancillary recreational facilities and ancillary plant room. Should the application be approved, those were the only uses to be permitted at the

basement level of the proposed building as shown in the application as submitted. The uses could be enforced through the building plans and lease conditions by the Buildings Department and Lands Department (LandsD) respectively.

35. A Member enquired which party would be responsible for the enforcement of on-street parking within the private street of the application site. In response, Mr Simon S.W. Wang, Assistant Director (Regional 1), LandsD, said that if the requirement had been stipulated in the lease conditions, his department would carry out investigation usually upon receiving reports/complaints. Should breach of the lease conditions be confirmed, the department would carry out appropriate enforcement actions.

36. The Vice-chairman said that as the Transport Department had not specified any requirements, there was no specific reason to include an approval condition to control on-street parking on Braga Circuit.

37. A Member supported the application. Noting that Braga Circuit was a private street with a small volume of traffic, no traffic impact was expected.

38. After further 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 9.6.2021, 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 conditions :

- “(a) the design and provision of vehicular access and car parking facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB; and
- (b) the provision of water supplies for fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB.”

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

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| Mr Patrick H.T. Lau | } | having current business dealings with HKHA; |
| Mr Thomas O.S. Ho | | |
| Mr K.K. Cheung | - | his firm having current business dealings with HKHA; |
| Mr Franklin Yu | - | having past business dealings with HKHA; and |
| Dr Lawrence W.C. Poon | - | his spouse being an employee of HD but not involved in planning work. |

41. The Committee noted that Dr Lawrence W.C. Poon had already left the meeting. As the interests of the Chairman, Mr Patrick H.T. Lau, Mr Thomas O.S. Ho and Mr Martin W.C. Kwan were direct, the Committee agreed that they should leave the meeting temporarily for the item. As Mr K.K. Cheung had no involvement in the application and the interest of Mr Franklin Yu was indirect, the Committee agreed that they could stay in the meeting. The Vice-chairman took over the chairmanship at this point.

[Mr Patrick H.T. Lau, Mr Thomas O.S. Ho and Mr Martin W.C. Kwan left the meeting and the Chairman left the meeting temporarily at this point.]

Presentation and Question Sessions

42. 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 proposed temporary ‘public vehicle park (excluding container vehicle)’ (surplus vehicle parking spaces only) for a period of five years;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper. The Commissioner for Transport (C for T) had no objection to the application from traffic viewpoint, subject to the condition that priorities were given to the residents and annual reviews of

the demand of parking spaces from the residents should be carried out. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication period, four public comments were received from the SAGE So Sang Neighbourhood Elderly Centre and three individuals. One public comment supported, two objected to and one had no comment on the application. Major objection grounds were set out in paragraph 9 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 10 of the Paper. The letting of the surplus parking spaces to non-residents would help utilise resources more efficiently. The residents would be accorded the highest priority in the letting of vehicle parking spaces. As only surplus monthly vehicle parking spaces would be let to non-residents, the need of residents would not be compromised and the proposed approval period of five years was considered acceptable. An approval condition was recommended requiring that priority should be accorded to the residents in public rental housing estates in the letting of the surplus monthly vehicle parking spaces and the proposed number of vehicle parking spaces to be let to non-residents should be agreed with C for T. The proposal would not generate additional traffic flow in the area. Regarding the public comments, the assessments above were relevant. The applicant had also undertaken to continue liaising with the relevant Estate Management Advisory Committees (EMACs) on the concern of adequate provision of parking space.

43. A Member enquired whether consideration had been given to converting the surplus car parking spaces in public rental housing estates for community uses and how many applications for conversion of vacant car parks in public rental housing estates to open space/community uses had been received.

44. Ms Joyce Y.S. So, STP/K, made the following responses:

- (a) the subject application was the first planning application in the two public rental housing estates for letting of surplus car parking spaces to non-residents. An advisory clause advising HD to review the possibility of converting surplus vehicle parking spaces to community uses had been included in the suggested advisory clause; and
- (b) no planning application for converting surplus car parking spaces in public rental housing estates in the Kwun Tong District to community uses had been received so far.

45. The Vice-chairman supplemented that there was a case for wholesale conversion of car parks in a public rental housing estate for community use. In the subject case, as only a few surplus car parking spaces were available, it would be difficult to convert the spaces to other uses.

46. Some Members raised the following questions:

- (a) noting that there was no surplus parking spaces for private cars and motor cycles in Yau Lai Estate which might suggest that there was insufficient supply of parking spaces for these two types of vehicles, whether the nine surplus parking spaces for Light Goods Vehicle (LGV) could be converted for parking of private cars and motor cycles to meet the residents' demand;
- (b) whether the letting of the surplus LGV parking spaces to other types of vehicles would be subject to any regulations or requirements of the Transport Department (TD);
- (c) whether there was any plan showing the specific locations of the parking spaces for letting out; and
- (d) as there were retail shops in the two car parks which were in close proximity to the railway stations, whether hourly parking had been considered.

47. Ms Joyce Y.S. So, STP/K, made the following responses:

- (a) HD had not provided any statistics on the provision of and demand for the parking spaces. There was also no information on whether HD had considered the feasibility of letting surplus parking spaces for LGV to park other types of vehicles;
- (b) the letting of surplus car parking spaces in public rental housing estates followed the adopted policy and practices, i.e. priority should be accorded to the residents and the number of surplus parking spaces to be let to non-residents should be agreed with C for T. There was no designated location of parking spaces which were to be let to non-residents; and
- (c) hourly parking was available in both public rental housing estates.

48. Mr Peter C.K. Mak, Chief Traffic Engineer/Hong Kong, TD, said that TD supported the full utilisation of car parks and had requested HD to investigate the feasibility of flexible use of surplus private car parking spaces for nanny vans on a short term basis. There were physical constraints to the conversion of parking space as each type of vehicle had specific headroom requirements and minimum turning space requirements. The provision of parking space should also meet the lease requirements.

49. A Member raised concerns on the process of consultation and said that the stakeholders, including the residents and shop operators, should be well represented and enquired about the membership of the EMAC.

50. In response, Ms Joyce Y.S. So, STP/K, said that the EMACs of the two public rental housing estates included staff of HD, chairmen of the residents' cooperation committees, the relevant elected District Council Members and shop operators. The key function of the EMACs was to handle the general matters of the public rental housing estates.

Deliberation Session

51. As the surplus LGV parking spaces in Yau Lai Estate could be let to other types of vehicles and other surplus parking spaces could also be designated for community use, a Member said that the possible use of the surplus parking spaces had not been fully explored. The view was shared by some Members.

52. A Member said that local view was important in determining the use of the car parks and their views should be fully reflected in the Paper for consideration of the Committee.

53. A Member said that an approval period of less than five years could be considered for closer monitoring of the surplus parking spaces, but another Member said that the approval period of five years was considered appropriate. The Vice-chairman supplemented that following the general agreement from Members, an approval period of five years was granted in recent applications.

54. In view that the applications for letting of surplus parking spaces in public rental housing estates were generally straight forward, and involving limited number of surplus parking spaces, a Member enquired if deemed approval could be granted, if not, whether the Director of Planning (D of Plan) could be given the delegated authority by the Board to grant planning permission.

55. In response, the Secretary said that public vehicle park is a 'Column 2' use in "Residential (Group A)" zone and planning permission of the Board was required under the Town Planning Ordinance. D of Plan could not grant planning permission for those cases. However, PlanD would consider measures to streamline the processing of those planning applications.

56. The Vice-chairman said that the Committee could consider a deferment for consideration of the application if Members considered that there was insufficient information in the Paper, or a planning permission could be granted with an advisory clause advising HD to review the possibility of converting surplus parking spaces to community use or to park other types of vehicles.

57. Two Members said that it was not appropriate to defer the consideration of the application. One Member supported the application given that priority was accorded to the residents and the letting of surplus parking spaces would represent better utilisation of the parking spaces. Another Member opined that Choi Tak Estate was an old public rental housing estate where the demand for car park was small, alternative uses of the car park should be explored.

58. Members generally had no objection to the application. To address Members' concern, the Committee agreed to add an advisory clause advising the applicant to investigate the feasibility to convert the surplus parking spaces for LGV in the Yau Lai Shopping Centre for other types of vehicles to meet the parking demand of the residents.

59. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 5 years up to 9.6.2022, on the terms of the application as submitted to the Town Planning Board and subject to the following condition :

“Priority should be accorded to the residents of Choi Tak Estate, Yau Lai Estate and the proposed Choi Fook Estate Phase III in the letting of the surplus monthly 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.”

60. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix III of the Paper in addition to the following:

“(c) to investigate the feasibility to convert the surplus parking spaces for Light Goods Vehicles in the Yau Lai Shopping Centre for other types of vehicles to meet the demand of the residents.”

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

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

Agenda Item 9

Section 16 Application

[Open Meeting]

A/K15/120 Proposed Comprehensive Residential Development (including Flats, Shop and Services, Eating Place and Public Vehicle Park (excluding container vehicle)) in "Comprehensive Development Area (5)" Zone and an area shown as 'Road', Yau Tong Inland Lot 44 and Adjoining Government Land, Junction of Shung Shun Street and Yan Yue Wai, Yau Tong, Kowloon

(MPC Paper No. A/K15/120)

61. The Secretary reported that Ove Arup & Partners Hong Kong Limited (Arup) was one of the consultants of the applicant. The following Members had declared interests on the item:

Mr Patrick H.T. Lau - having current business dealings with Arup;

Mr K.K. Cheung - his firm having current business dealings with Arup;

Mr Franklin Yu - having past business dealings with Arup.

62. The Committee noted that Mr Patrick H.T. Lau had already left the meeting. The Committee also noted that the applicant had requested deferment of the consideration of the application. As Mr K.K. Cheung had no involvement in the application and the interest of Mr Franklin Yu was indirect, the Committee agreed that they could stay in the meeting.

63. The Committee noted that the applicant's representative requested on 25.5.2017 for deferment of the consideration of the application for two months in order to allow time for preparation of further information to address the comments of relevant government departments. It was the first time that the applicant requested deferment of the application.

64. 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 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 10

Any Other Business

65. There being no other business, the meeting closed at 11:10 a.m..