

**TOWN PLANNING BOARD**

**Minutes of 350th Meeting of the  
Metro Planning Committee held at 9:00 a.m. on 25.5.2007**

**Present**

Director of Planning  
Mrs. Ava S.Y. Ng

Chairperson

Mr. Nelson W.Y. Chan

Mr. Leslie H.C. Chen

Professor N.K. Leung

Professor Bernard V.W.F. Lim

Dr. Daniel B.M. To

Ms. Sylvia S.F. Yau

Mr. Walter K.L. Chan

Mr. Raymond Y.M. Chan

Professor Paul K.S. Lam

Mr. K.Y. Leung

Assistant Commissioner for Transport (Urban),  
Transport Department  
Mr. Anthony Loo

Assistant Director (Environmental Assessment),  
Environmental Protection Department  
Mr. Elvis W.K. Au

Assistant Director (Kowloon), Lands Department  
Mr. James Merritt

Deputy Director of Planning/District  
Mr. Raymond T.L. Chiu

Secretary

**Absent with Apologies**

Dr. Greg C.Y. Wong

Mr. Stanley Y.F. Wong

Ms. Maggie M.K. Chan

Mr. Felix W. Fong

Ms. Starry W.K. Lee

Assistant Director(2), Home Affairs Department  
Ms. Margaret Hsia

**In Attendance**

Assistant Director of Planning/Board  
Mr. Lau Sing

Chief Town Planner/Town Planning Board  
Ms. Brenda K.Y. Au

Town Planner/Town Planning Board  
Mr. K.W. Ng

**Agenda Item 1**

Confirmation of the Draft Minutes of the 349th MPC Meeting held on 11.5.2007

[Open Meeting]

1. The draft minutes of the 349th MPC meeting held on 11.5.2007 were confirmed without amendments.

[Professor Bernard V.W.F. Lim arrived to join the meeting at this point.]

**Agenda Item 2**

Matters Arising

[Open Meeting]

(i) Approval of Outline Zoning Plan

2. The Secretary reported that on 8.5.2007, the Chief Executive-in-Council approved the Tsuen Wan West Outline Zoning Plan (OZP) under section 9(1)(a) of the Town Planning Ordinance. The approved OZP No. S/TWW/17 was notified in the Gazette on 18.5.2007.

(ii) Reference of Approved Outline Zoning Plan

3. The Secretary reported that on 8.5.2007, the Chief Executive-in-Council referred the approved Tai Po Outline Zoning Plan (OZP) No. S/TP/19 to the Town Planning Board for amendment under section 12(1)(b)(ii) of the Town Planning Ordinance. The reference of the OZP was notified in the Gazette on 18.5.2007.

**Hong Kong District**

**Agenda Item 3**

Section 12A Application

[Open Meeting (Presentation and Question Sessions Only)]

Y/H3/2                      Application for Amendment to the Draft Sai Ying Pun and Sheung Wan Outline Zoning Plan (OZP) No. S/H3/21 from “Residential (Group A)” to “Government, Institution or Community” and “Open Space” and Amendments to the Notes of the OZP, Former Police Married Quarters Site at Hollywood Road, Sheung Wan (MPC Paper No. Y/H3/2)

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Presentation and Question Sessions

4.                      The Committee noted that the Planning Department (PlanD) recommended the Committee to defer a decision on the application pending the completion of the further historical research and archaeological investigation for the application site, which was a subject of concern raised by the applicants. The Committee also noted that the applicants had indicated support to PlanD’s recommendation in their letter dated 21.5.2007, which was tabled at the meeting.

Deliberation Session

5.                      After deliberation, the Committee decided to defer a decision on the application pending the completion of the further historical research and archaeological investigation for the application site. The Committee also agreed that the application should be submitted to the Committee for consideration within three months upon the completion of these research and investigation and the deliberation by the Antiquities Advisory Board.

[Ms. Sylvia S.F. Yau and Mr. Anthony Loo arrived to join the meeting at this point.]

**Tsuen Wan and West Kowloon District**

[Ms. Heidi Y.M. Chan, District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK), and Miss Erica S.M. Wong, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), were invited to the meeting at this point.]

**Agenda Item 4**

**Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

- (i)           A/K5/635                   Proposed Shop and Services  
  in “Other Specified Uses” annotated “Business” zone,  
  A Car Parking Space, G/F, Tung Lee Building,  
  1043 Tung Chau West Street, Cheung Sha Wan  
  (MPC Paper No. A/K5/635)
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**Presentation and Question Sessions**

6.           Miss Erica S.M. Wong, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a)   background to the application;
- (b)   the proposed shop and services uses;
- (c)   departmental comments – concerned Government departments had no objection to or no adverse comment on the application, except for the Assistant Commissioner for Transport/Urban of the Transport Department (TD) who objected to the application on the ground that there was high demand for loading/unloading (L/UL) facilities in the area. The proposal to delete one parking space, which could be used for L/UL purpose, was undesirable;
- (d)   a total of 7 public comments were received during the statutory publication period, most of which were made by the owners/tenants of the subject building. All the comments were against the application mainly due to concerns on the loss of L/UL facility and possible adverse safety and air ventilation impacts; and

[Dr. Daniel B.M. To arrived to join the meeting at this point.]

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application for the reasons detailed in paragraph 12.1 of the Paper. The proposal to delete one parking space was unacceptable to the TD. The co-existence of shop and services use and vehicle parking and L/UL activities was not desirable in terms of land use compatibility. A similar application (No. A/K15/516) at subject building was rejected by the Town Planning Board upon review in June 2003 and there was no material change in the planning circumstances to justify a deviation from that previous decision. Approval of the subject application would set an undesirable precedent for similar applications.

7. Members had no question on the application.

#### Deliberation Session

8. After deliberation, the Committee decided to reject the application and the reasons were :

- (a) the deletion of one of the two parking spaces in the subject building would undermine the provision of parking/loading or loading facilities as required under the Hong Kong Planning Standards and Guidelines;
- (b) the co-existence of the shop and services use and vehicle parking/loading or unloading on the same floor was not desirable in land use compatibility terms; and
- (c) the approval of the application would set an undesirable precedent for similar applications within the “Other Specified Uses” annotated “(Business)” zone.

[Open Meeting (Presentation and Question Sessions Only)]

- (ii) A/K5/636 Shop and Services  
in “Other Specified Uses” annotated “Business” zone,  
Unit 15, G/F, Winsum Industrial Building,  
588-592 Castle Peak Road, Cheung Sha Wan  
(MPC Paper No. A/K5/636)
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Presentation and Question Sessions

9. Miss Erica S.M. Wong, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed shop and services use;
- (c) departmental comments – concerned Government departments had no objection to or no adverse comment on the application, except for the Director of Fire Services (D of FS) who did not support the application from fire safety point of view as no means of escape to the street completely separated from the industrial portion was available;
- (d) no public comment was received during the statutory publication period and no local objection/view was received by the District Officer; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application for the reasons detailed in paragraph 11.1 of the Paper in that the proposed development was not acceptable from fire safety point of view. In this connection, the application did not comply with the Town Planning Guidelines No. 22C. The approval of it would set an undesirable precedent for similar applications.

10. Members had no question on the application.

Deliberation Session

11. In response to the Chairperson's and a Member's questions, Ms. Heidi Y.M. Chan, DPO/TWK, clarified that there was one application (No. A/K5/590) approved for shop and services use at Units No. 16 and 17 on the ground floor of the subject building. For other commercial uses on the same floor, which had not obtained planning permission, they would be subject to lease enforcement actions.

12. Referring to the comments made by the District Lands Officer/Kowloon West of the Lands Department (LandsD) in paragraph 9.1.1 of the Paper, Mr. James Merritt confirmed that the lease conditions restricted the subject lot to be used for general industrial purposes excluding offensive trades. Hence, any commercial use within the subject building would be in breach of the lease and subject to enforcement actions, unless it was regularized by way of short term waiver after obtaining planning permission. Through circulating the planning applications to concerned Government departments for comments, the District Lands Officer should be fully aware of the problem of non-conforming commercial uses within the subject building. Appropriate lease enforcement actions would be taken.

[Mr. Leslie H.C. Chen arrived to join the meeting at this point.]

13. After deliberation, the Committee decided to reject the application and the reasons were :

- (a) the application was not acceptable from fire safety point of view; and
- (b) the approval of the application would set an undesirable precedent for similar applications within the "Other Specified Uses" annotated "(Business)" zone.



[Open Meeting (Presentation and Question Sessions Only)]

- (iii)           A/K20/99                   Proposed Hotel (Amendments to an Approved Scheme)  
in “Residential (Group A)1” zone,  
G/F (Part) and UG/F (Part), Kowloon Inland Lot 11158,  
Hoi Fai Road, West Kowloon Reclamation  
(MPC Paper No. A/K20/99)
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Presentation and Question Sessions

14.           The Committee noted that the applicant on 21.5.2007 requested for a deferment of the consideration of the application to allow more time to prepare further information to address the outstanding comments from the Planning Department.

Deliberation Session

15.           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 also agreed that the application should be submitted to the Committee for consideration within two months from the date of receipt of additional 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.

[Open Meeting (Presentation and Question Sessions Only)]

- (iv)           A/KC/326                   Proposed Public Vehicle Park (excluding Container Vehicle)  
(Surplus Car Parking Spaces Only)  
in “Residential (Group A)” zone,  
Kwai Chung Estate, Kwai Chung  
(MPC Paper No. A/KC/326)
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16.           The Secretary said that as the subject application was made by the Housing Department on behalf of the Hong Kong Housing Authority (HKHA), the following Members had declared interests in this item :

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|--|---|
| Mrs. Ava S.Y. Ng<br>as the Director of Planning                              | - being a member of the Building Committee and the Strategic Planning Committee (SPC) of the HKHA                                 |
| Dr. Greg C.Y. Wong   | - having current business dealing with the Housing Department   |
| Professor Bernard V.W.F. Lim   | - having current business dealing with the Housing Department   |
| Mr. Stanley Y.F. Wong  | - being a member of the HKHA  |
| Mr. Walter K.L. Chan   | - being a former member of the HKHA   |
| Mr. James Merritt<br>as the Assistant Director of<br>Lands Department        | - being an assistant to the Director of Lands who was a member of the HKHA  |
| Ms. Margaret Hsia<br>as the Assistant Director of<br>Home Affairs Department | - being an assistant to the Director of Home Affairs who was a member of the SPC and the Subsidised Housing Committee of the HKHA |

17. The Committee noted that Dr. Greg C.Y. Wong, Mr. Stanley Y.F. Wong and Ms. Margaret Hsia had tendered apologies for being unable to attend the meeting. The Secretary said that as the Vice-chairman was not able to attend the meeting, the Chairperson could continue to chair the meeting out of necessity. Members agreed.

[Professor Bernard V.W.F. Lim, Mr. Walter K.L. Chan and Mr. James Merritt left the meeting temporarily at this point.]

#### Presentation and Question Sessions

18. Miss Erica S.M. Wong, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed public vehicle park (excluding container vehicle) for letting the surplus car parking spaces of the subject estate to non-residents on a monthly basis;

- (c) departmental comments – concerned Government departments had no objection to or no adverse comment on the application;
- (d) a total of 5 public comments were received during the statutory publication period. Of these, 4 were made by the Kwai Tsing District Council members suggesting that rental priority should be given to the residents and adequate motorcycle parking spaces should be provided. The remaining one raised concerns on safety and fire hazard as there was a petrol filling station to the northwest of the application site; and
- (e) the Planning Department (PlanD)'s views – PlanD had no in-principle objection to the application for the reasons detailed in paragraph 10.1 of the Paper in that the proposal was only to convert the surplus ancillary parking spaces into public vehicle park. Priority would be given to the residents in renting the parking spaces. Since the ancillary parking demand might fluctuate over time, it was recommended that the application be approved on a temporary basis for a period of 3 years so that the applicant could let the parking spaces flexibly while the parking demand of the residents could be reviewed regularly and agreed by the Transport Department.

19. Members had no question on the application.

#### Deliberation Session

20. In response to a Member's question, Ms. Heidi Y.M. Chan, DPO/TWK, said that the average surplus rate of the parking spaces of the subject estate was 32%. The applicant had not received any resident's complaint on insufficient car parking spaces in the past 3 years.

21. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 25.5.2010, on the terms of the application as submitted to the Town Planning Board and subject to the condition that the proposed number of parking spaces to be let to non-residents should be agreed with the Commissioner for

Transport.

22. The Committee also agreed to advise the applicant to :

- (a) a temporary approval period of three years was granted so that the parking spaces can be let to non-residents flexibly while the parking demand of the residents could be further reviewed; and
- (b) in letting the surplus parking spaces, priority should be given to residents of the public housing estate.

[Open Meeting (Presentation and Question Sessions Only)]

- (v) A/TW/391 Proposed Public Vehicle Park (excluding Container Vehicle)  
(Surplus Car Parking Spaces Only)  
in “Residential (Group A)” zone,  
Lei Muk Shue Estate, Tsuen Wan  
(MPC Paper No. A/TW/391)
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23. The Secretary said that as the subject application was made by the Housing Department on behalf of the Hong Kong Housing Authority (HKHA), the following Members had declared interests in this item :

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|---|---|
| Mrs. Ava S.Y. Ng<br>as the Director of Planning | - being a member of the Building Committee<br>and the Strategic Planning Committee<br>(SPC) of the HKHA |
| Dr. Greg C.Y. Wong                              | - having current business dealing with the<br>Housing Department  |
| Professor Bernard V.W.F. Lim                    | - having current business dealing with the<br>Housing Department  |
| Mr. Stanley Y.F. Wong                           | - being a member of the HKHA  |
| Mr. Walter K.L. Chan                            | - being a former member of the HKHA   |

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| Mr. James Merritt<br>as the Assistant Director of<br>Lands Department        | - being an assistant to the Director of Lands<br>who was a member of the HKHA  |
| Ms. Margaret Hsia<br>as the Assistant Director of<br>Home Affairs Department | - being an assistant to the Director of Home<br>Affairs who was a member of the SPC and<br>the Subsidised Housing Committee of the<br>HKHA |

24. The Committee noted that Dr. Greg C.Y. Wong, Mr. Stanley Y.F. Wong and Ms. Margaret Hsia had tendered apologies for being unable to attend the meeting, and Professor Bernard V.W.F. Lim, Mr. Walter K.L. Chan and Mr. James Merritt had refrained from joining the meeting. The Secretary said that as the Vice-chairman was not able to attend the meeting, the Chairperson could continue to chair the meeting out of necessity. Members agreed.

#### Presentation and Question Sessions

25. Miss Erica S.M. Wong, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed public vehicle park (excluding container vehicle) for letting the surplus car parking spaces of the subject estate to non-residents on a monthly basis;
- (c) departmental comments – concerned Government departments had no objection to or no adverse comment on the application;
- (d) a total of 4 public comments were received during the statutory publication period. One was made by a District Council member who objected to the application due to insufficient information and possible adverse environmental impact. Two others requested for more motorcycle parking spaces for the residents and a public library respectively. The remaining

one queried whether the application would lead to loss of open space, increased traffic flow and poor air quality; and

- (e) the Planning Department (PlanD)'s views – PlanD had no in-principle objection to the application for the reasons detailed in paragraph 10.1 of the Paper in that the proposal was only to convert the surplus ancillary parking spaces into public vehicle park. It would have no effect on the provision of local open space in the subject estate. Priority would be given to the residents in renting the parking spaces. Upon completion of the renovation works of the car park in Lei Muk Shue II Estate in mid-2007, the supply of motorcycle parking spaces would be improved. Since the ancillary parking demand might fluctuate over time, it was recommended that the application be approved on a temporary basis for a period of 3 years so that the applicant could let the parking spaces flexibly while the parking demand of the residents could be reviewed regularly and agreed by the Transport Department.

26. Members had no question on the application.

#### Deliberation Session

27. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 25.5.2010, on the terms of the application as submitted to the Town Planning Board and subject to the condition that the proposed number of parking spaces to be let to non-residents should be agreed with the Commissioner for Transport.

28. The Committee also agreed to advise the applicant :

- (a) a temporary approval period of three years was granted so that the parking spaces can be let to non-residents with flexibility, while the parking demand of the residents can be reviewed regularly;
- (b) in letting the surplus parking spaces, priority should be given to residents of

the public housing estate; and

(c) to explain the proposal to the residents of Lei Muk Shue Estate.

[Open Meeting (Presentation and Question Sessions Only)]

(vi) A/TW/392 Renewal of Planning Approval for Temporary  
'Public Vehicle Park (excluding Container Vehicle)'  
Use (Surplus Parking Spaces Only) under Application  
No. A/TW/348 for a Period of 3 Years,  
"Residential (Group A)" zones for Cheung Shan Estate and  
Fuk Loi Estate, Tsuen Wan  
(MPC Paper No. A/TW/392)

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29. The Secretary said that as the subject application was made by the Housing Department on behalf of the Hong Kong Housing Authority (HKHA), the following Members had declared interests in this item :

Mrs. Ava S.Y. Ng as the Director of Planning	- being a member of the Building Committee and the Strategic Planning Committee (SPC) of the HKHA
Dr. Greg C.Y. Wong	- having current business dealing with the Housing Department
Professor Bernard V.W.F. Lim	- having current business dealing with the Housing Department
Mr. Stanley Y.F. Wong	- being a member of the HKHA
Mr. Walter K.L. Chan	- being a former member of the HKHA
Mr. James Merritt as the Assistant Director of Lands Department	- being an assistant to the Director of Lands who was a member of the HKHA
Ms. Margaret Hsia as the Assistant Director of Home Affairs Department	- being an assistant to the Director of Home Affairs who was a member of the SPC and the Subsidised Housing Committee of the HKHA

30. The Committee noted that Dr. Greg C.Y. Wong, Mr. Stanley Y.F. Wong and Ms. Margaret Hsia had tendered apologies for being unable to attend the meeting, and Professor Bernard V.W.F. Lim, Mr. Walter K.L. Chan and Mr. James Merritt had refrained from joining the meeting. The Secretary said that as the Vice-chairman was not able to attend the meeting, the Chairperson could continue to chair the meeting out of necessity. Members agreed.

#### Presentation and Question Sessions

31. Miss Erica S.M. Wong, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed renewal of planning approval for temporary ‘public vehicle park (excluding container vehicle)’ use for letting the surplus car parking spaces of the subject two estates to non-residents on a monthly basis for a period of 3 years;
- (c) departmental comments – concerned Government departments had no objection to or no adverse comment on the application;
- (d) one public comment from a District Council member was received during the statutory publication period. He objected to the application due to insufficient information and possible adverse environmental impact; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application for the reasons detailed in paragraph 11.1 of the Paper in that the proposal was to continue the change of the surplus ancillary parking spaces into public vehicle parks. The Director of Environmental Protection had no adverse comment on the application regarding the environmental aspect. The proposed 3-year renewal period was considered reasonable, and the application was in line with the planning criteria set out in the Town Planning Board Guidelines No. 34A.



32. Members had no question on the application.

Deliberation Session

33. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 12.6.2007 to 11.6.2010, on the terms of the application as submitted to the Town Planning Board and subject to the condition that the proposed number of parking spaces to be let to non-residents should be agreed with the Commissioner for Transport.

34. The Committee also agreed to advise the applicant :

- (a) a temporary approval period of three years was granted so that the parking spaces can be let to non-residents with flexibility, while the parking demand of the residents can be reviewed regularly; and
- (b) in letting the surplus parking spaces, priority should be given to residents of the public housing estate.

[Open Meeting (Presentation and Question Sessions Only)]

(vii) A/TWK/4 Renewal of Planning Approval for Temporary  
'Public Vehicle Park (excluding Container Vehicle)'  
Use (Surplus Car Parking Spaces Only) under Application  
No. A/TKW/2 for a Period of 3 Years,  
"Residential (Group A)" zones for Kwai Shing West Estate,  
Lai King Estate, Lai Yiu Estate, Cheung Ching Estate and  
Easeful Court  

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(MPC Paper No. A/TWK/4)

35. The Secretary said that as the subject application was made by the Housing Department (HD) on behalf of the Hong Kong Housing Authority (HKHA), the following Members had declared interests in this item :

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|--|---|
| Mrs. Ava S.Y. Ng<br>as the Director of Planning                              | - being a member of the Building Committee and the Strategic Planning Committee (SPC) of the HKHA                                 |
| Dr. Greg C.Y. Wong   | - having current business dealing with the Housing Department   |
| Professor Bernard V.W.F. Lim   | - having current business dealing with the Housing Department   |
| Mr. Stanley Y.F. Wong  | - being a member of the HKHA  |
| Mr. Walter K.L. Chan   | - being a former member of the HKHA   |
| Mr. James Merritt<br>as the Assistant Director of<br>Lands Department        | - being an assistant to the Director of Lands who was a member of the HKHA  |
| Ms. Margaret Hsia<br>as the Assistant Director of<br>Home Affairs Department | - being an assistant to the Director of Home Affairs who was a member of the SPC and the Subsidised Housing Committee of the HKHA |

36. The Committee noted that Dr. Greg C.Y. Wong, Mr. Stanley Y.F. Wong and Ms. Margaret Hsia had tendered apologies for being unable to attend the meeting, and Professor Bernard V.W.F. Lim, Mr. Walter K.L. Chan and Mr. James Merritt had refrained from joining the meeting. The Secretary said that as the Vice-chairman was not able to attend the meeting, the Chairperson could continue to chair the meeting out of necessity. Members agreed.

#### Presentation and Question Sessions

37. Miss Erica S.M. Wong, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed renewal of planning approval for temporary 'public vehicle park (excluding container vehicle)' use for letting the surplus car parking spaces of the subject five estates to non-residents on a monthly basis for a

period of 3 years;

- (c) departmental comments – concerned Government departments had no objection to or no adverse comment on the application;
- (d) 2 public comments were received during the statutory publication period. One stated that the surplus parking spaces in the Lai King Estate should be used by public organizations such as schools free of charge. Another objected to the application in Lai Yiu Estate as there were insufficient parking spaces for residents and schools; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for the reasons detailed in paragraph 11.1 of the Paper in that the proposal was to continue the change of the surplus ancillary parking spaces into public vehicle parks. The proposed 3-year renewal period was considered reasonable, and the application was in line with the planning criteria set out in the Town Planning Board Guidelines No. 34A. In view of the high vacancy rates of parking spaces in Lai King Estate and Lai Yiu Estate, there should be adequate parking spaces to meet the demand of the residents of and the public organizations located in these two estates. The charge for parking spaces was outside the purview of the Committee.

38. In response to a Member's question, Ms. Heidi Y.M. Chan, DPO/TWK, said that the table under paragraph 1.3 of the Paper showed the numbers and percentages of surplus car parking spaces in the five estates under the previously approved application and the current application. The same Member said that consideration should be given to changing some of the surplus car parking spaces into other uses to better serve the residents in view of persistent high vacancy rates. Also, the applicant should be required to pay premium to the Government for any long-term change of the surplus ancillary car parking spaces to public car parks.

39. Noting that the vacancy rates of some of the estates had increased since the previous approval, the Chairperson said that the applicant could consider changing some of the surplus open-air parking spaces into other uses such as open space. Also, it would be

worthwhile for the HD and Transport Department to review the standards of parking provisions in the public housing estates.

40. Referring to the public comments at Appendix II of the Paper with respect to the car parking spaces for the concerned schools in Lai King Estate and Lai Yiu Estate, a Member asked whether these schools were entitled to have free parking spaces in the estates. Ms. Heidi Y.M. Chan responded that according to the applicant, there was an administrative arrangement allowing the public organizations within the estates to use some of the parking spaces free of charge. The concern could be sorted out between the applicant and the schools.

#### Deliberation Session

41. A Member suggested that the public organizations within the subject estates such as schools should be allowed to use the surplus car parking spaces free of charge or at a lower fee. Another Member point out that the design of any school, regardless whether it was within a HKHA's estate or not, should have car parking spaces on site. Provision of additional parking spaces within the estate free of charge or at a low fee might be unfair to other schools. This Member considered that as there had been shrinking demand for the car parking spaces within the HKHA's estates in the concerned areas since the increases of the vehicle first registration and licence fees in the 1970s and the opening of Mass Transit Railway in the 1980s, the car parking provision for these estates should be reviewed when opportunities arose such as upon redevelopment.

42. A Member said that the shrinking demand for the car parking spaces in the HKHA's estates might also be attributed to the aging population in the estates and the economic downturn in the past decade. A 3-year approval would retain proper planning control for the use of the surplus parking spaces. The Chairperson's suggestion to change some of the surplus open-air parking spaces into open space was supported. As regards whether the public organizations within the estates should be entitled to use the surplus parking spaces free of charge or at a lower fee, it was the applicant's management policy which should be left to the applicant.

43. After deliberation, the Committee decided to approve the application on a

temporary basis for a period of 3 years from 29.5.2007 up to 28.5.2010, on the terms of the application as submitted to the Town Planning Board and subject to the condition that the proposed number of parking spaces to be let to non-residents should be agreed with the Commissioner for Transport.

44. The Committee also agreed to advise the applicant :

- (a) a temporary approval period of 3 years was granted so that the parking spaces can be let to non-residents with flexibility while the parking demand of the residents can be reviewed regularly;
- (b) in letting the surplus parking spaces, priority should be given to residents of the public housing estates;
- (c) to apply to the District Lands Officer/Tsuen Wan and Kwai Tsing for a temporary waiver to relax the user and restriction on alienation of parking spaces for letting of surplus parking spaces at Easeful Court to non-residents; and
- (d) to consider changing some of the surplus open-air parking spaces into other uses such as open space in view of persistent high vacancy rates.

[The Chairperson thanked Ms. Heidi Y.M. Chan, DPO/TWK, and Miss Erica S.M. Wong, STP/TWK, for their attendance to answer Members' enquires. Ms. Chan and Miss Wong left the meeting at this point.]

[Professor Bernard V.W.F. Lim, Mr. Walter K.L. Chan and Mr. James Merritt returned to join the meeting at this point. Dr. Daniel B.M. To and Professor Paul K.S. Lam left the meeting temporarily at this point.]



- (c) departmental comments – the application was supported by the Secretary of Education and Manpower (SEM). Other concerned Government departments had no objection to or no adverse comment on the application;

[Dr. Daniel B.M. To returned to join the meeting at this point.]

- (d) a total of 4 public comments were received during the statutory publication periods of the application and the further information. 3 supported the application while the remaining one made suggestions on the design of the proposed hotel and the need for wider consultation with the hotel/tourism trade; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for the reasons detailed in paragraph 12.1 of the Paper.

47. A Member commented that the applicant had not provided sufficient information to show that the proposed hotel was for training purpose, though it would be small in scale.

48. In response to some Members' questions, Ms. Lily Y.M Yam, STP/HK, made the following points :

- (a) the Hospitality Industry Training and Development Centre (HITDC) currently occupied the subject premises as well as 7/F and 8/F of the subject building. Should the application be approved, the existing facilities within the subject premises could be relocated to the other two floors;
- (b) the operation of the proposed training hotel would simulate the industry environment. Full accommodation services, basic food and beverage services and concierge services would be provided by the trainees of the HITDC and the Chinese Cuisine Training Institute. The hotel would be opened to the public. The applicant had not provided any information on the detailed operation; and

- (c) the comment of the Chief Building Surveyor/Hong Kong West of the Buildings Department in relation to hotel concession was a building matter, concerning whether the back-of-house and ancillary facilities of the proposed hotel would be exempted from the calculations of gross floor area under the Buildings Ordinance.

### Deliberation Session

49. A Member said that the application could be approved only if the proposed hotel was genuinely for training purpose but no such detailed information was provided in the applicant's submission.

50. Another Member said that the subject building was located in an area not highly accessible by public transport. Besides, the scale of the proposed hotel was small, with a total of 60 guestrooms only. It would unlikely be a profit-making operation. The training provided by the applicant emphasized on the techniques and skills that would need to be acquired by the frontline workers in the industry. Without the proposed training hotel, the course offered by the applicant might be incomplete as no practical training in stimulated industry environment could be provided for the trainees. Two other Members shared the views expressed. One of them highlighted that the application was supported by the Hotel, Catering and Tourism Training Board, the Federation of Hong Kong Hotel Owners and the Hong Kong Hotels Association.

51. Mr. James Merritt supplemented that the lease restricted the subject lot to be used for non-profit making vocational training centre. As such, any profit to be generated from the proposed hotel would have to be put back for training purpose by the applicant. Moreover, SEM would oversee the applicant's operation of the proposed training hotel.

52. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 25.5.2011, 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 condition that the provision of fire service installations to the satisfaction of the Director of Fire Services or of the TPB.



53. The Committee also agreed to advise the applicant :

- (a) to note the comments of the Chief Building Surveyor/Hong Kong West, Buildings Department with regard to the hotel concession, site coverage and phase 2 of the proposed training hotel;
- (b) to note the comments of the District Lands Officer/Hong Kong West & South, Lands Department with regard to the nature of the proposed training hotel; and
- (c) to note the comments of the Director of Environmental Protection with regard to the design of the fresh air intake of the proposed training hotel.

[Open Meeting (Presentation and Question Sessions Only)]

- (ii) A/H12/20 Proposed Minor Relaxation of Building Height Restriction in “Residential (Group C)2” zone, 6 Shiu Fai Terrace, Mid-levels East (IL 2302B1 and Extension) (MPC Paper No. A/H12/20)
- 

Presentation and Question Sessions

54. Ms. Lily Y.M. Yam, 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 the building height restriction from 12 storeys above 1 storey of carport to 12 storeys above 2 storeys of podium for car park and clubhouse;
- (c) departmental comments – concerned Government departments had no

objection to or no adverse comment on the application;

- (d) a total of 45 public comments were received during the statutory publication period. 5 supported the application and 39 objected to it. The remaining one was related to the tree transplanting proposal. The main objection reasons included possible adverse traffic, air circulation, visual, infrastructural and geotechnical impacts of the proposed development; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for the reasons detailed in paragraph 10.1 of the Paper in that the proposed minor relaxation of building height restriction was to cater for the provision of car park and clubhouse, which was considered to be in line with the relevant provision in the Notes for the “Residential (Group C)2” (“R(C)2”) zone. Moreover, the proposal would enable a smaller site coverage and a more spacious frontage for landscaping and off-street loading/unloading activities. The resulted overall building height of the proposed development was generally compatible with the existing residential developments in the area. The proposed additional one storey would unlikely create adverse visual impact on the surrounding areas, and concerned Government departments had no adverse comment on the traffic, water supply, drainage and geotechnical aspects of the proposed development. Also, similar applications (No. A/H12/10, A/H12/11, A/H12/12 and A/H12/15) at No. 8 Shiu Fai Terrace had been approved before.

55. In response to two Members' questions, Ms. Lily Y.M. Yam, STP/HK, made the following points :

- (a) the applicant had not provided any detailed justifications for the proposed 6m floor-to-floor height of the 2-storey podium and the 7.5m high electrical and mechanical (E/M) structure on the rooftop;
- (b) the overall building height of the proposed development would be about

116mPD (excluding the E/M structure on the rooftop). The corresponding figure for the development at No. 8 Shiu Fai Terrace was about 113.5mPD, while those for the existing developments at Shiu Fai Terrace within the “R(C)2” zone were between 70mPD and 110mPD. For the Greenville Gardens to the south of the subject site and zoned “Residential (Group B)”, the overall building heights varied from 104mPD to 160mPD. Within the subject “R(C)2” zone, the proposed development under application would be the tallest building, should the application be approved;

- (c) the applicant had not carried out any air ventilation assessment nor prepared any physical model for the proposed development. However, some photomontages were included in the visual impact assessment to compare the possible development based on the development restrictions stipulated under the Outline Zoning Plan (OZP) and the proposed development under application. Some existing developments within the “R(C)2” zone had not yet been developed up to the maximum building height permitted under the OZP; and
- (d) noting that the Chief Town Planner/Urban Design and Landscape (CTP/UD&L) of the PlanD had commented that it would be feasible for transplanting two trees proposed to be felled by the applicant, the Committee could consider imposing a condition requiring the applicant to submit and implement a tree preservation scheme, should it approve the application.

#### Deliberation Session

56. A Member said that while there was no strong objection to the proposal of relaxing the building height restriction by one storey, the proposed 6m floor-to-floor height for the two podium floors and 7.5m high E/M structure on the rooftop were considered to be excessive. Although the storey height of the clubhouse might need to be higher than that for the car park, the clubhouse could be proposed on one floor only and the height of the car parking floor could be reduced. There were not sufficient justifications for the proposed floor-to-floor height and hence for the overall building height as well.

57. Another Member pointed out that each application should be considered on its individual merits. The subject site should not be comparable to No. 8 Shiu Fai Terrace as the latter was near the end of the road while the former was at the entrance. Since planning permission was required for the proposed development, the Committee should scrutinize the overall building height. Coupled with the facts that Shiu Fai Terrace was a narrow road and there were two previous landslide incidents at the slope immediately below the subject site, it might not be desirable to allow the proposed relaxation of the building height restriction.

58. In response to the Chairperson's question, Ms. Lily Y.M. Yam explained that a floor-to-floor height of 3.5m for a residential building was generally acceptable to concerned Government departments. This was the floor height proposed for 2/F to 13/F of the subject development, except for the top floor. The Chairperson added that the subject site fell within a "Special Control Area" where the building height restriction was expressed in terms of number of storeys.

59. The Chairperson noted that the floor-to-floor height of some parts of the podium floors might actually be less than 6m as there were a raised platform on G/F and a transfer plate above 1/F. As regards the rooftop structure, it was generally excluded from the calculation of the overall building height if the size was not excessive.

[Ms. Sylvia S.F. Yau left the meeting temporarily at this point.]

60. A Member said that the use of transfer plate in the design of this kind of development was not common, and the applicant should be required to justify the proposed 7.5m high E/M structure on the rooftop. Moreover, justifications should also be provided for the top floor, which was proposed to be 4m high.

61. Since the proposed development would be at a prominent location as viewed from Stubbs Road, some Members were concerned that the proposed development would be imposing and visually obstructive to the pedestrians/drivers.

[Ms. Sylvia S.F. Yau returned to join the meeting at this point.]

62. A Member pointed out that in assessing whether the proposed development was compatible with the surrounding developments, comparison should be made with the buildings within the “R(C)2” zone instead of the 30-storey residential towers within the “R(B)” zone to the south of the subject site. The applicant should prepare a physical model to facilitate assessment of the height and bulk of the proposed development in relation to those of the surrounding developments.

63. Members were of the view that the applicant had not done its best to minimize the overall building height of the proposed development and to demonstrate the merits of relaxing the building height. Detailed justifications for the floor-to-floor heights of the podium and the top floor and for the height of the E/M structure above the main roof should be provided by the applicant. A Member also suggested that the further information should be provided to address the comments made by the CTP/UD&L of PlanD on the tree felling proposals.

64. After further deliberation, the Committee decided to defer a decision on the application pending submission of additional information from the applicant to address the concerns of Members and to demonstrate the visual impacts of the proposed development from different viewing angles with three-dimensional visualization device. The Committee also agreed that the application should be submitted to the Committee for consideration within two months from the date of receipt of additional 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.

[The Chairperson Ms. Lily Y.M. Yam, STP/HK, for her attendance to answer Members’ enquires. Ms. Yam left the meeting at this point.]

[Mr. David C.M. Lam, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

[Open Meeting (Presentation and Question Sessions Only)]

- (iii)            A/H15/223            Proposed Public Vehicle Park (excluding Container Vehicle)  
in “Residential (Group A)” zone,  
Shek Pai Wan Estate, Aberdeen  
(MPC Paper No. A/H15/223)
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65.            The Secretary said that as the subject application was made by the Housing Department (HD) on behalf of the Hong Kong Housing Authority (HKHA), the following Members had declared interests in this item :

- |  |   |
|--|---|
| Mrs. Ava S.Y. Ng<br>as the Director of Planning                              | - being a member of the Building Committee and the Strategic Planning Committee (SPC) of the HKHA                                 |
| Dr. Greg C.Y. Wong   | - having current business dealing with the Housing Department   |
| Professor Bernard V.W.F. Lim   | - having current business dealing with the Housing Department   |
| Mr. Stanley Y.F. Wong  | - being a member of the HKHA  |
| Mr. Walter K.L. Chan   | - being a former member of the HKHA   |
| Mr. James Merritt<br>as the Assistant Director of<br>Lands Department        | - being an assistant to the Director of Lands who was a member of the HKHA  |
| Ms. Margaret Hsia<br>as the Assistant Director of<br>Home Affairs Department | - being an assistant to the Director of Home Affairs who was a member of the SPC and the Subsidised Housing Committee of the HKHA |

66.            The Committee noted that Dr. Greg C.Y. Wong, Mr. Stanley Y.F. Wong and Ms. Margaret Hsia had tendered apologies for being unable to attend the meeting. The Secretary said that as the Vice-chairman was not able to attend the meeting, the Chairperson could continue to chair the meeting out of necessity. Members agreed.

[Professor Bernard V.W.F. Lim, Mr. Walter K.L. Chan and Mr. James Merritt left the meeting temporarily at this point.]

Presentation and Question Sessions

67. Mr. David C.M. Lam, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed public vehicle park (excluding container vehicle) for letting the surplus car parking spaces of the subject estate to non-residents on a monthly basis;
- (c) departmental comments – concerned Government departments had no objection to or no adverse comment on the application;
- (d) 2 public comments from an Eastern District Council member and the Incorporated Owners of Yue Fai Court were received during the statutory publication period. The former had no objection to the application while the latter mainly concerned about the possible adverse air, noise and traffic impacts of the proposal; and
- (e) the Planning Department (PlanD)'s views – PlanD had no in-principle objection to the application for the reasons detailed in paragraph 10.1 of the Paper in that the proposal was only to change the surplus ancillary car parks into public vehicle park. Concerned Government departments, including the Environmental Protection Department and Transport Department (TD), had no adverse comment on or no objection to the application. Priority would be given to the residents in renting the parking spaces. It was however noted that the parking demand arising from the full occupation of Phase 2 of Shek Pai Wan Estate was uncertain at this stage. In order to exercise proper control, it was recommended that the application be approved on a temporary basis for a period of 3 years so that the applicant could let the parking spaces flexibly while the parking demand of the residents could be reviewed after 3 years.

68. Members had no question on the application.

Deliberation Session

69. A Member noted that the subject estate was quite new and the occupation of Phase 2 was still underway. While there was no objection to granting a 3-year temporary approval to allow monitoring of the situation, it would be necessary for the HD and TD to review the parking standards, should the vacancy rate remain high after full occupation of the estate.

70. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years up to 25.5.2010, on the terms of the application as submitted to the Town Planning Board and subject to the condition that the proposed number of car parking spaces should be let to non-residents to be agreed with the Commissioner for Transport.

71. The Committee also agreed to advise the applicant :

- (a) a temporary approval period of 3 years was granted so that the vacant car parking spaces could be let to non-residents flexibly while the parking demand of the residents could be further reviewed;
- (b) in letting the vacant parking spaces, priority should be given to residents of Shek Pai Wan Estate; and
- (c) to note the comments of the Assistant Commissioner for Transport/Urban of Transport Department that letting of the parking spaces to non-residents should be on short-term basis.

[Professor Bernard V.W.F. Lim, Mr. Walter K.L. Chan and Mr. James Merritt returned to join the meeting at this point. Mr. Elvis W.K. Au left the meeting temporarily at this point.]



[Open Meeting (Presentation and Question Sessions Only)]

- (iv)           A/H17/117           Proposed Minor Relaxation of Site Coverage Restriction  
from 25% to not more than 40%  
in “Residential (Group C)3” zone,  
38 Repulse Bay Road (RBL 380)  
(MPC Paper No. A/H17/117)
- 

Presentation and Question Sessions

72.           Mr. David C.M. Lam, 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 the site coverage restriction from 25% to not more than 40%;
- (c)   departmental comments – concerned Government departments had no objection to or no adverse comment on the application;
- (d)   1 public comment was received from the owner/occupier of a nearby building during the statutory publication period of the further information, objecting to the proposed development mainly for the reasons summarized in paragraph 11.2 of the Paper;
- (e)   the Planning Department (PlanD)’s views – PlanD had no objection to the application for the reasons detailed in paragraph 12.1 of the Paper in that the proposal was in line with the relevant general guideline agreed by the Town Planning Board (TPB) in March 2000. The proposed relaxation of site coverage did not exceed the relevant maximum permissible level of 50% under the general guideline. Other proposed development parameters, including plot ratio and building height, were within the restrictions stipulated under the OZP. The proposed development would unlikely create adverse visual impact on the surrounding areas or adverse

impact on the natural landscape in the area. No tree felling would be involved. Relevant Government departments, including the Architectural Services Department (ArchSD) and Agriculture, Fisheries and Conservation Department, had no objection to the application.

[Mr. Elvis W.K. Au returned to join the meeting at this point.]

73. In response to two Members' questions, Mr. David C.M. Lam, STP/HK, made the following points :

- (a) PlanD had not sought any legal advice on the legal submission included in the public comment. After taking into account the relevant departmental comments, PlanD responded in paragraph 12.3 of the Paper to the main concerns raised in the public comment; and

[Mr. Anthony Loo left the meeting temporarily at this point.]

- (b) the general guideline agreed by the TPB in March 2000 allowed relaxation of maximum domestic site coverage to 50% for sites falling within Residential Zone 3 (including the subject site), subject to planning applications to the TPB that could satisfy the criteria set out in paragraph 5 of the Paper and were considered acceptable to concerned Government departments.

74. A Member opined that the PlanD's responses to the public comment in paragraph 12.3 of the Paper might not be sufficient as the concern was the weight to be given to the affected private interest. Mr. David C.M. Lam explained that the responses were made from an urban design perspective which mainly concerned the general visual impact. The view currently enjoyed by some residents in the nearby buildings might be affected to some extent.

[Mr. Anthony Loo returned to join the meeting at this point.]

75. In response to the Chairperson's enquiry, Mr. David C.M. Lam clarified that the proposed houses would be built on an existing platform that already covered most of the

subject site. As such, no tree felling would be involved.

### Deliberation Session

76. The Chairperson asked for the site coverage of the existing building on the subject site. Mr. David C.M. Lam said that he did not have such information at hand but based on the size of the building block shown in Plan A-2 of the Paper, the site coverage should be less than 50%.

77. In response to Members' questions, Mr. David C.M. Lam, STP/HK, made some further points as follows :

- (a) the applicant had provided further information several times after submitting the application. According to the TPB Guidelines No. 32, any further information, which would not result in a material change in the nature of the application, could be accepted. The Secretary would decide whether the accepted further information could be exempted from publication for public comments or otherwise, based on the criteria set out in the Guidelines. Nevertheless, all accepted further information would be made available for public inspection until the case had been considered;
- (b) any public comment on an application would be made available for public inspection. The total number of public comments received would be uploaded to the TPB's website. For the subject application, the applicant should be aware of the public comment made. It was however uncertain whether the applicant had inspected the comment in respect to visual impacts and why no response to it was made; and
- (c) on Members' concern regarding the implications of an increase in site coverage on the building bulk, the applicant did not submit details about the bulk of the existing and proposed developments. The ready information available was the overall building height, which was 67.6mPD for the existing development and 69.05mPD for the proposed development.

78. A Member supported in principle minor relaxation of the site coverage restriction to provide greater design flexibility and avoid box-like development in low-density residential area. However, as pointed out by the ArchSD in paragraph 10.1.1(b) of the Paper, the proposed building façade facing Repulse Bay Road was rather solid and harsh without any terrace building concept. As such, there were not sufficient merits to approve the application, taking into account that Repulse Bay Road should be the most common viewpoint for the general public, and the seaward façade, though in terrace form, could only be seen from the sea at a distance. With regard to concerns raised in the only one public comment, the applicant could not demonstrate that the proposed development would not cause adverse visual impact on the view from other vantage locations in the area. Further justifications should be required from the applicant.

79. Referring to the photomontage shown in Figure A attached to Appendix Ic of the Paper, a Member added that proposed development might improve the visual context looking from southwest from the sea. However, the views from existing developments directly behind the subject site (i.e. Pinecrest and The Somerset) might be affected.

80. Members considered that while reckoning that there was no obligation to safeguard open views from private properties, the visual impact assessment should be more comprehensive to cover all major viewing points, particular from the common public vantage corridors. Besides, the concern should be more on the extent to which the public view would be affected. It was noted that the applicant had not provided sufficient information to address the issue. A Member indicated that the legal issue raised in the public comment should also be addressed.

[Dr. Daniel B.M. To and Professor Paul K.S. Lam left the meeting at this point.]

81. After deliberation, the Committee decided to defer a decision on the application pending submission of additional information from the applicant to address the concerns raised by the Committee. The Committee also agreed that the application should be submitted to the Committee for consideration within two months from the date of receipt of additional 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.

[Mr. Leslie H.C. Chen left the meeting at this point.]

[Open Meeting (Presentation and Question Sessions Only)]

- (v)           A/H25/7                   Proposed Hotel, Place of Recreation, Sports and Culture (Art Venue), and Exhibition and Convention Hall in “Open Space”, “Other Specified Uses” annotated “Leisure and Entertainment Complex and Elevated Walkway” and “Other Specified Uses” annotated “Elevated Walkway” zones and Area Shown as “Road”, Ex-A-King Slipway Site (IL 8407RP) and Adjoining Government Land, Causeway Bay  
(MPC Paper No. A/H25/7)
- 

Presentation and Question Sessions

82.           The Committee noted that the applicant on 15.5.2007 requested for a deferment of the consideration of the application to allow time for the applicant to address the public comments and concerns of Government departments, and to submit further information to substantiate the application.

Deliberation Session

83.           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 also agreed that the application should be submitted to the Committee for consideration within two months from the date of receipt of additional 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.

[The Chairperson Mr. David C.M. Lam, STP/HK, for his attendance to answer Members' enquires. Mr. Lam left the meeting at this point.]

[Mr. Nelson W.Y. Chan and Professor N.K. Leung left the meeting temporarily at this point.]

### **Kowloon District**

[Mr. Eric C.K. Yue, District Planning Officer/Kowloon (DPO/K), and Mr. C.C. Lau, Senior Town Planner/Kowloon (STP/K), were invited to the meeting at this point.]

### **Agenda Item 6**

#### **Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

- (i)           A/K/6                           Renewal of Planning Approval for Temporary ‘Public Vehicle Park (excluding Container Vehicle)’ Use (Surplus Car Parking Spaces Only) under Application No. A/K/2 for a Period of 3 Years, “Residential (Group A)” and “Open Space” zones for Ping Shek Estate, Wan Hon Estate, Wo Lok Estate, Lei On Court and Lei Yue Mun Estate  
(MPC Paper No. A/K/6)
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84.           The Secretary said that as the subject application was made by the Housing Department on behalf of the Hong Kong Housing Authority (HKHA), the following Members had declared interests in this item :

- |   |   |
|---|---|
| Mrs. Ava S.Y. Ng<br>as the Director of Planning | - being a member of the Building Committee and the Strategic Planning Committee (SPC) of the HKHA |
| Dr. Greg C.Y. Wong                              | - having current business dealing with the Housing Department                                     |
| Professor Bernard V.W.F. Lim                    | - having current business dealing with the Housing Department                                     |

- |  |  |
|--|--|
| Mr. Stanley Y.F. Wong  | - being a member of the HKHA   |
| Mr. Walter K.L. Chan   | - being a former member of the HKHA  |
| Mr. James Merritt<br>as the Assistant Director of<br>Lands Department        | - being an assistant to the Director of Lands<br>who was a member of the HKHA  |
| Ms. Margaret Hsia<br>as the Assistant Director of<br>Home Affairs Department | - being an assistant to the Director of Home<br>Affairs who was a member of the SPC and<br>the Subsidised Housing Committee of the<br>HKHA |

85. The Committee noted that Dr. Greg C.Y. Wong, Mr. Stanley Y.F. Wong and Ms. Margaret Hsia had tendered apologies for being unable to attend the meeting. The Secretary said that as the Vice-chairman was not able to attend the meeting, the Chairperson could continue to chair the meeting out of necessity. Members agreed.

[Professor Bernard V.W.F. Lim, Mr. Walter K.L. Chan and Mr. James Merritt left the meeting temporarily at this point.]

#### Presentation and Question Sessions

86. Mr. C.C. Lau, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed renewal of planning approval for temporary ‘public vehicle park (excluding container vehicle)’ use for letting the surplus car parking spaces of the subject five estates to non-residents on a monthly basis for a period of 3 years;
- (c) departmental comments – concerned Government departments had no objection to or no adverse comment on the application;

- (d) 2 public comments were received during the statutory publication period. Both agreed to the application; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for the reasons detailed in paragraph 11.1 of the Paper.

[Professor N.K. Leung returned to join the meeting at this point.]

87. Members had no question on the application.

#### Deliberation Session

88. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 29.5.2007 to 28.5.2010, on the terms of the application as submitted to the Town Planning Board and subject to the condition that the proposed number of car parking spaces to be let to non-residents should be agreed with the Commissioner for Transport.

89. The Committee also agreed to advise the applicant :

- (a) in letting the surplus parking spaces, priority should be given to residents of the public housing estates concerned; and
- (b) the Lands Department should be consulted on the conditions of lease or vesting order in relation to the proposal.

[Open Meeting (Presentation and Question Sessions Only)]

- (ii) A/K/7 Renewal of Planning Approval for Temporary 'Public Vehicle Park (excluding Container Vehicle)' Use (Surplus Car Parking Spaces Only) under Application No. A/K/4 for a Period of 3 Years, "Residential (Group A)" zones for Ma Tau Wai Estate and Sheung Lok Estate  
(MPC Paper No. A/K/7)
-



90. The Secretary said that as the subject application was made by the Housing Department on behalf of the Hong Kong Housing Authority (HKHA), the following Members had declared interests in this item :

- |  |   |
|--|---|
| Mrs. Ava S.Y. Ng<br>as the Director of Planning                              | - being a member of the Building Committee and the Strategic Planning Committee (SPC) of the HKHA                                 |
| Dr. Greg C.Y. Wong   | - having current business dealing with the Housing Department   |
| Professor Bernard V.W.F. Lim   | - having current business dealing with the Housing Department   |
| Mr. Stanley Y.F. Wong  | - being a member of the HKHA  |
| Mr. Walter K.L. Chan   | - being a former member of the HKHA   |
| Mr. James Merritt<br>as the Assistant Director of<br>Lands Department        | - being an assistant to the Director of Lands who was a member of the HKHA  |
| Ms. Margaret Hsia<br>as the Assistant Director of<br>Home Affairs Department | - being an assistant to the Director of Home Affairs who was a member of the SPC and the Subsidised Housing Committee of the HKHA |

91. The Committee noted that Dr. Greg C.Y. Wong, Mr. Stanley Y.F. Wong and Ms. Margaret Hsia had tendered apologies for being unable to attend the meeting, and Professor Bernard V.W.F. Lim, Mr. Walter K.L. Chan and Mr. James Merritt had refrained from joining the meeting. The Secretary said that as the Vice-chairman was not able to attend the meeting, the Chairperson could continue to chair the meeting out of necessity. Members agreed.

#### Presentation and Question Sessions

92. Mr. C.C. Lau, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;

- (b) the proposed renewal of planning approval for temporary ‘public vehicle park (excluding container vehicle)’ use for letting the surplus car parking spaces of the subject two estates to non-residents on a monthly basis for a period of 3 years;
- (c) departmental comments – concerned Government departments had no objection to or no adverse comment on the application;
- (d) 2 public comments were received during the statutory publication period. One was from a District Council member objected to the application after consulting the residents of Sheung Lok Estate. Many of them were the elderly, who worried that an increase in parking of outside vehicles would affect them as well as the ingress/egress of ambulances. Another comment raised concerns on the possible adverse impacts on local traffic, road safety and environmental quality related to the goods vehicles; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application for the reasons detailed in paragraph 11.1 of the Paper in that there had been no change in planning circumstances since the approval of the previous application, and no net increase in the total car parking spaces in the subject estates. Concerned Government departments, including the Transport Department and Environmental Protection Department, had no adverse comment on or no objection to the application. Priority would be given to residents for renting the parking spaces.

93. Members had no question on the application.

#### Deliberation Session

94. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years from 12.6.2007 to 11.6.2010, on the terms of the application as submitted to the Town Planning Board and subject to the condition that the proposed number of car parking spaces to be let to non-residents should be agreed with the

Commissioner for Transport.

95. The Committee also agreed to advise the applicant :

- (a) in letting the surplus parking spaces, priority should be given to residents of the public housing estates concerned; and
- (b) the Lands Department should be consulted on the conditions of lease or vesting order in relation to the proposal.

96. The Committee agreed to consider Application No. A/K15/78 first, as it was also submitted by the Hong Kong Housing Authority and the same Members had to declare interest in the application.

[Open Meeting (Presentation and Question Sessions Only)]

(iii) A/K15/78 Proposed Public Car Park (Surplus Car Parking Spaces Only)  
in “Residential (Group A)” zone,  
Yau Tong Estate, Yau Tong  
(MPC Paper No. A/K15/78)

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97. The Secretary said that as the subject application was made by the Housing Department on behalf of the Hong Kong Housing Authority (HKHA), the following Members had declared interests in this item :

- |   |   |
|---|---|
| Mrs. Ava S.Y. Ng<br>as the Director of Planning | - being a member of the Building Committee and the Strategic Planning Committee (SPC) of the HKHA |
| Dr. Greg C.Y. Wong                              | - having current business dealing with the Housing Department                                     |
| Professor Bernard V.W.F. Lim                    | - having current business dealing with the Housing Department                                     |
| Mr. Stanley Y.F. Wong                           | - being a member of the HKHA  |
| Mr. Walter K.L. Chan                            | - being a former member of the HKHA   |

- |  |  |
|--|--|
| Mr. James Merritt<br>as the Assistant Director of<br>Lands Department        | - being an assistant to the Director of Lands<br>who was a member of the HKHA  |
| Ms. Margaret Hsia<br>as the Assistant Director of<br>Home Affairs Department | - being an assistant to the Director of Home<br>Affairs who was a member of the SPC and<br>the Subsidised Housing Committee of the<br>HKHA |

98. The Committee noted that Dr. Greg C.Y. Wong, Mr. Stanley Y.F. Wong and Ms. Margaret Hsia had tendered apologies for being unable to attend the meeting, and Professor Bernard V.W.F. Lim, Mr. Walter K.L. Chan and Mr. James Merritt had refrained from joining the meeting. The Secretary said that as the Vice-chairman was not able to attend the meeting, the Chairperson could continue to chair the meeting out of necessity. Members agreed.

#### Presentation and Question Sessions

99. Mr. C.C. Lau, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed public vehicle park (excluding container vehicle) for letting the surplus car parking spaces of the subject estate to non-residents on a monthly basis;
- (c) departmental comments – concerned Government departments had no objection to or no adverse comment on the application;
- (d) 2 public comments were received during the statutory publication period. One supported the application while the other objected to it for the reason that it would attract more vehicles to the area, causing adverse traffic and environmental impacts; and

- (e) the Planning Department (PlanD)'s views – PlanD had no in-principle objection to the application for the reasons detailed in paragraph 11.1 of the Paper in that the proposal was only to convert surplus ancillary parking spaces to public car park. There would be no increase in the total number of parking spaces within the subject estate, and concerned Government departments, including the Transport Department and Environmental Protection Department, had no adverse comment on or no objection to the application. Priority would be given to residents for renting the parking spaces. Noting that the four residential blocks had been programmed for sale by the end of 2009, it was recommended that the application be approved on a temporary basis for a period of 3 years so that the applicant could let the parking spaces flexibly while the parking demand of the residents could be reviewed regularly.

100. Members had no question on the application.

#### Deliberation Session

101. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years up to 25.5.2010, on the terms of the application as submitted to the Town Planning Board and subject to the condition that the proposed number of car parking spaces to be let to non-residents should be agreed with the Commissioner for Transport.

102. The Committee also agreed to advise the applicant :

- (a) a temporary approval period of three years was granted so that the car parking spaces could be let to non-residents with flexibility, while the parking demand of the residents could be reviewed regularly;
- (b) in letting the surplus parking spaces, priority should be given to residents of the public housing estate; and
- (c) to explain the proposal to the residents of the adjacent estates and the Estate

Management Advisory Committee.

[Professor Bernard V.W.F. Lim, Mr. Nelson W.Y. Chan, Mr. Walter K.L. Chan and Mr. James Merritt returned to join the meeting at this point. Mr. Raymond Y.M. Chan and Mr. K.Y. Leung left the meeting temporarily at this point.]

[Open Meeting (Presentation and Question Sessions Only)]

(iv)           A/K14/541           Wholesale Trade  
in “Other Specified Uses” annotated “Business” zone,  
Unit H, 8/F, Yip Fat Factory Building, Phase 2,  
73 and 75 Hoi Yuen Road, Kwun Tong  
(MPC Paper No. A/K14/541)

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(v)           A/K14/542           Wholesale Trade  
in “Other Specified Uses” annotated “Business” zone,  
Portion of Unit E, 14/F, Yip Fat Factory Building, Phase 2,  
73 and 75 Hoi Yuen Road, Kwun Tong  
(MPC Paper No. A/K14/542)

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103.           Noting that Applications No. A/K14/541 and A/K14/542 were similar in nature, the Committee agreed to consider the two applications together.

Presentation and Question Sessions

104.           Mr. C.C. Lau, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the applications;
- (b) the proposed wholesale trade use for both applications;
- (c) departmental comments – concerned Government departments had no objection to or no adverse comment on the applications, except for the Director of Fire Services (D of FS) who objected to both cases on the

grounds that the proposed use would attract large number of visitors not familiar with the subject industrial building and hence would be exposed to higher risks inside the building;

[Mr. K.Y. Leung returned to join the meeting at this point.]

- (d) two public comments were received during the statutory publication period for each application. They all supported the applications; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support both applications for the reasons detailed in paragraph 11.1 of the Papers in that the proposed use was not acceptable from fire safety point of view, having taking into account the relevant considerations in the Town Planning Board Guidelines No. 22C.

105. Noting that the Secretary mentioned at the meeting on 11.5.2007 that relevant Government bureau/departments had been discussing the fire safety concerns related to commercial uses within industrial/industrial-office buildings for the transitional period with a view to early transforming the old industrial areas into business uses, the Chairperson asked about the progress. Mr. Eric C.K. Yue, DPO/K, replied that the Fire Services Department maintained their concern on commercial use above the ground floor of industrial buildings.

#### Deliberation Session

106. Referring to the current uses on different floors of the subject building shown in the table under paragraph 7.2 of the two Papers, a Member asked whether D of FS would impose less stringent requirements if the proposed wholesale trade use only co-existed with warehouse/godown use instead of industrial workshops. The Chairperson explained that as the D of FS treated warehouse/godown use as a kind of industrial uses, and the godown premises could be changed to industrial workshops as of right, the fire-safety concern of these two kinds of uses would be similar.

107. After deliberation, the Committee decided to reject the two applications and the reason for each was that the application was not supported from fire safety point of view.

[Open Meeting (Presentation and Question Sessions Only)]

- (vi) A/K14/543 Proposed Shop and Services  
in “Other Specified Uses” annotated “Business” zone,  
Units 1-4, Workshops 1 and 2, Ground Floor,  
11-13 Shing Yip Street, Kwun Tong  
(MPC Paper No. A/K14/543)
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Presentation and Question Sessions

108. Mr. C.C. Lau, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed shop and services use;

[Mr. Raymond Y.M. Chan returned to join the meeting at this point.]

- (c) departmental comments – concerned Government departments had no objection to or no adverse comment on the application, except for the Director of Fire Services who did not support the application from fire safety point of view since a means of escape separated from the industrial portion of the subject building was not available;
- (d) 2 public comments were received during the statutory publication period. Both supported the application; and
- (e) the Planning Department (PlanD)’s views – PlanD did not support the application for the reasons detailed in paragraph 11.1 of the Paper in that the proposed use was not acceptable from fire safety point of view, having taking into account the relevant considerations in the Town Planning Board Guidelines No. 22C.



109. Members had no question on the application.

Deliberation Session

110. After deliberation, the Committee decided to reject the application and the reason was that the application was not supported from fire safety point of view.

[Open Meeting (Presentation and Question Sessions Only)]

(vii) A/K18/241 Proposed School (Tutorial Centre)  
in “Residential (Group C)1” zone,  
G/F, 16 Cumberland Road, Kowloon Tong (NKIL 760)  
(MPC Paper No. A/K18/241)

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Presentation and Question Sessions

111. Mr. C.C. Lau, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed school (tutorial school);
- (c) departmental comments – concerned Government departments had no objection to or no adverse comment on the application. The Chief Building Surveyor/Kowloon of the Buildings Department noted that there were some unauthorized structures in the rear part of the subject site;
- (d) a total of 4 public comments were received during the statutory publication period. All objected to the application mainly for the reasons that there were already too many schools in the area causing problems on traffic congestion, parking, road safety and air quality. The tranquil living environment was also adversely affected; and



Presentation and Question Sessions

115. Mr. C.C. Lau, 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 the building height restriction from 5 storeys to 7 storeys;
- (c) departmental comments – concerned Government departments had no objection to or no adverse comment on the application;
- (d) 1 public comment from the Incorporated Owners of One Beacon Hill was received during the statutory publication period, objecting to the application for the reasons that any relaxation of building height restriction for the subject site would be incompatible with the immediate surrounding environment and the neighbouring low-rise residential blocks. It would also adversely affect airflow, view and serenity of the neighbouring low-rise residential blocks, and result in further increase in population density, thus imposing extra burden on the local utilities; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for the reasons detailed in paragraph 11.1 of the Paper. A previous application for relaxation of the building height restriction from 5 storeys to 7 storeys (maximum 72.62mPD) was approved by the Committee in May 2003. In order to protect the historical tunnel with gas pipes underneath the subject site, the applicant had revised the approved scheme but the same building height was maintained. The proposed development was considered acceptable on the traffic, environment and infrastructure aspects, and concerned Government departments had no objection to or no adverse comment on the application.

116. Members had no question on the application.

Deliberation Session

117. A Member said that the proposed scheme in the current application represented an improvement when compared with two previously rejected applications (No. A/K18/234 and A/K18/235). Other Members agreed.

118. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 25.5.2011, 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 provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (b) the submission of a tree preservation proposal and a landscape proposal to the satisfaction of the Director of Planning or of the TPB;
- (c) in relation to approval condition (b) above, the implementation of the tree preservation proposal and a landscape proposal, including quarterly monitoring reports, to the satisfaction of the Director of Planning or of the TPB; and
- (d) the submission of a Heritage Impact Assessment and the implementation of mitigation measures identified therein to the satisfaction of the Director of Leisure and Cultural Services or of the TPB.

119. The Committee also agreed to advise the applicant :

- (a) the approval of the application did not imply any compliance with the Buildings Ordinance and Regulation and that the gross floor area exemption included in the application would be granted by the Building Authority. The applicant should approach the Buildings Department

direct to obtain the necessary approval;

- (b) the Lands Department should be consulted on the lease matters relating to the proposed development;
- (c) the Drainage Services Department should be consulted on the necessary precautionary measures to protect the adjoining drainage channel; and
- (d) the applicant should liaise and agree with the Town Gas on a method statement for construction prior to the commencement of and during the course of the site works. During the course of site works, the applicant should also provide regularly all relevant site measurements, including vibration measurement data, to the Town Gas for monitoring purpose.

[The Chairperson thanked Mr. Eric C.K. Yue, DPO/K, and Mr. C.C. Lau, STP/K, for their attendance to answer Members' enquires. Mr. Yue and Mr. Lau left the meeting at this point.]

**Agenda Item 7**

**Any Other Business**

120. There being no other business, the meeting was closed at 12:00 noon.