

TOWN PLANNING BOARD

Minutes of 623rd Meeting of the Metro Planning Committee held at 9:00 a.m. on 8.3.2019

Present

Director of Planning
Mr Raymond K.W. Lee

Chairman

Mr Lincoln L.H. Huang

Vice-chairman

Mr Sunny L.K. Ho

Mr Stephen H.B. Yau

Dr Frankie W.C. Yeung

Dr Lawrence W.C. Poon

Mr Wilson Y.W. Fung

Mr Alex T.H. Lai

Professor T.S. Liu

Mr Franklin Yu

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Professor John C.Y. Ng

Professor Jonathan W.C. Wong
Assistant Commissioner for Transport (Urban),
Transport Department
Mr Michael H.S. Law

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

Principal Environmental Protection Officer (Metro Assessment),
Environmental Protection Department
Dr Sunny C.W. Cheung

Assistant Director (R1), Lands Department
Mr Simon S.W. Wang

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

Secretary

Absent with Apologies

Mr Thomas O.S. Ho

Ms Sandy H.Y. Wong

Mr Stanley T.S. Choi

In Attendance

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

Chief Town Planner/Town Planning Board
Ms April K.Y. Kun

Town Planner/Town Planning Board
Ms Charlotte P.S. Ng

Agenda Item 1

Confirmation of the Draft Minutes of the 622nd MPC Meeting held on 22.2.2019

[Open Meeting]

1. The draft minutes of the 622nd MPC meeting held on 22.2.2019 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Tsuen Wan and West Kowloon District

Agenda Item 3

Section 16 Application

[Open Meeting]

A/TW/502 Proposed Shop and Services (Fast Food Shop) in “Industrial” Zone,
Workshop 2 of Unit A, G/F, Sun Fung Industrial Building, 8-12 Ma Kok
Street, Tsuen Wan, New Territories
(MPC Paper No. A/TW/502A)

3. The Secretary reported that the application site was located in Tsuen Wan. The following Members had declared interests on this item :

Mr Stanley T.S. Choi - his spouse being a director of a company which
owned properties in Tsuen Wan; and

Professor John C.Y. Ng - his spouse owning a flat in Tsuen Wan.

4. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Stanley T.S. Choi had tendered an apology for being unable to attend the meeting. As the property of Professor John C.Y. Ng’s spouse had no direct view of the application site, the Committee agreed that he could stay in the meeting.

5. The Committee noted that the applicant’s representative requested on 19.2.2019 for deferment of the consideration of the application for one month in order to allow time for preparation of further information to address 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 departmental comments.

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

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

[Mr Alex T.H. Lai and Professor Jonathan W.C. Wong arrived to join the meeting at this point.]

[Ms Katy C.W. Fung, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), was invited to the meeting at this point.]

Agenda Item 4

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TWK/11 Renewal of Planning Approval for Temporary 'Public Vehicle Park (excluding Container Vehicle)' (Letting of Surplus Vehicle Parking Spaces to Non-residents) for a Period of 3 Years in "Residential (Group A)" Zone, (a) Car Park in Chak On Estate, Shek Kip Mei, (b) Car Park in Nam Shan Estate, Shek Kip Mei, (c) Car Park in Shek Kip Mei Estate, Shek Kip Mei, Kowloon

(MPC Paper No. A/TWK/11)

7. The Secretary reported that the application was submitted by the Hong Kong Housing Authority (HKHA) and the application sites were located in Shek Kip Mei. The following Members had declared interests on the item:

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| Mr Raymond K.W. Lee
(the Chairman)
<i>as the Director of Planning</i> | - being a member of the Strategic Planning Committee (SPC) and the Building Committee of HKHA; |
| Mr Martin W.C. Kwan
<i>as the Chief Engineer (Works), Home Affairs Department</i> | - being an alternate representative of the Director of Home Affairs who was a member of the SPC and the Subsidized Housing Committee of HKHA; |
| Mr Thomas O.S. Ho | - having current business dealings with HKHA; |
| Mr Alex T.H. Lai | - his firm having current business dealings with HKHA; |
| Dr Lawrence W.C. Poon | - working in the City University of Hong Kong and living in its quarters in Kowloon Tong. His spouse being an employee of the Housing Department (HD) (the executive arm of HKHA), but not involved in planning work; |
| Mr Franklin Yu | - having past business dealings with HKHA; and |

Mr Daniel K.S. Lau - being an ex-employee and ex-Director (Development and Marketing) of Hong Kong Housing Society, which was in discussion with HD on housing development issues.

8. The Committee noted that Dr Lawrence W.C. Poon had left the meeting temporarily, Mr Thomas O.S. Ho had tendered an apology for being unable to attend the meeting and Mr Franklin Yu had not yet arrived to join the meeting. As the interests of the Chairman and Mr Martin W.C. Kwan were direct, the Committee agreed that they should leave the meeting temporarily for the item. As Messrs Alex T.H. Lai and Daniel K.S. Lau had no involvement in the application, the Committee agreed that they could stay in the meeting. The Vice-chairman took over the chairmanship at this point.

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

Presentation and Question Sessions

9. With the aid of a PowerPoint presentation, Ms Katy C.W. Fung, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the renewal of planning approval for temporary public vehicle park (excluding container vehicle) (letting of surplus vehicle parking spaces to non-residents) under application No. A/TWK/9 for a period of 3 years until 16.4.2022;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, a total of two public comments were received with one from the City University of Hong Kong supporting the application and the other from an individual expressing concerns on the application. Major views were set out in

paragraph 10 of the Paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. There were surplus vehicle parking spaces in the subject housing estates/court, and the letting of the surplus parking spaces to non-residents would help utilize public resources more efficiently. The application was in line with the Town Planning Board Guidelines No. 34B in that there was neither material change in planning circumstances nor change in the land uses of the surrounding areas since the last approval, there was no adverse planning implication arising from the renewal application, and the approval period sought was reasonable. The Transport Department had no objection to the application and an approval condition was recommended to ensure that priority would be given to the residents in letting the vehicle parking spaces. Regarding the public comments, the assessments above were relevant.

10. A Member noted a public comment suggesting conversion of the surplus vehicle parking spaces into elderly care facilities and would like to know what the applicant's considerations or limitations were for such conversion. Ms Katy C.W. Fung, STP/TWK said after taking into account the vacancy rate of vehicle parking spaces and other technical considerations including the low headroom and inadequate provision of escape routes, HKHA considered it more appropriate not to convert the parking spaces to other uses, but to continue letting the surplus parking spaces to non-residents.

11. In response to a Member's question, Ms Fung referred to Nam Shan Estate which had a vacancy rate of about 70% during 2004 to 2007. In light of the high vacancy rate, HKHA reviewed the technical feasibility and converted part of the car park spaces for educational facilities.

12. A Member asked for information including the total number of years that the planning permission had been extended and the total floor area of the surplus parking spaces, which would be useful for assessing the possible alternative use of the surplus parking spaces. Ms Fung responded that HKHA had been observing the vacancy rates for the number of parking spaces in the subject estates. The parking spaces would be made available for rental

to non-residents only after satisfying the demand of residents of the estates concerned. From the information provided by HKHA, the vacancy rates had been decreasing since the first planning permission in 2004. HKHA did not provide figures regarding the total floor area of the surplus parking spaces. However, HKHA had provided detailed breakdown of the number of surplus vacant parking spaces in the subject estates, which were included in Appendix 1 of the Paper, and as shown on a Powerpoint slide.

[Mr Stephen H.B. Yau arrived to join the meeting at this point.]

Deliberation Session

13. Members in general considered that the renewal application could be approved taking into consideration the local circumstances. A Member pointed out that although provision of parking space was essential, opportunity should be taken to review whether the surplus parking spaces could be converted for provision of suitable community facilities whenever opportunity arose. A Member suggested that the take-up rate of those surplus parking spaces by non-resident should also be taken into account in considering the renewal application. In this connection, Members noted that the take-up rates in the subject estates were over 50% in 2017-2018.

14. After deliberation, the Committee decided to approve the application on a temporary basis for a further period of three years from 17.4.2019 to 16.4.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following condition :

“ priority should be accorded to the respective residents of Chak On Estate, Nam Shan Estate and Shek Kip Mei Estate in the letting of the surplus vehicle parking spaces and the proposed number of vehicle parking spaces to be let to non-residents should be agreed with the Commissioner for Transport.”

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

[The Vice-chairman thanked Ms Katy C.W. Fung, STP/TWK, for her attendance to answer Members' enquiries. She left the meeting at this point.]

[The Chairman returned to the meeting and resumed the chairmanship at this point.]

[Dr Lawrence W.C. Poon returned and Mr Franklin Yu arrived to join the meeting at this point.]

Hong Kong District

Agenda Item 5

[Open Meeting]

Proposed Amendments to the Approved Wong Nai Chung Outline Zoning Plan No. S/H7/19

(MPC Paper No.1/19)

16. The Secretary reported that the rezoning site was located in Wong Nai Chung. The following Members had declared interests on the item :

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| Mr Alex T.H. Lai | - his parents co-owning a flat at The Leighton Hill in Causeway Bay; |
| Ms Lilian S.K. Law | - co-owning with spouse a flat on Ventris Road in Happy Valley; and ; |
| Mr. Martin W.C. Kwan | - close relative owning a flat in Causeway Bay. |

17. The Committee noted that Mr. Martin W.C. Kwan had not yet returned to the meeting. As the properties co-owned by Mr Alex T.H. Lai's parents and Ms Lilian S.K. Law and her spouse had no direct view of the rezoning site, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

18. The following government representatives and consultants were invited to the meeting at this point:

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| Mr Louis K.H. Kau | - District Planning Officer/Hong Kong (DPO/HK), PlanD; |
| Mr Anthony K.O. Luk | - Senior Town Planner/Hong Kong (STP/HK), PlanD; |
| Ms Fiona H.Y. Fong | - Senior Engineer/Wan Chai, Transport Department (SE/Wan Chai, TD) (Atg.); |
| Mr Wai Hong Chan | - Senior District Engineer/General(2), Highways Department (Sr Dist Engr/G(2), HyD); |
| Mr Chi Kin Wan | - Dist Engr/G(2)B, HyD; |
| Mr Charles So | - Executive Director/Traffic and Transport Planning, AECOM; and |
| Mr Charis Wong | - Senior Engineer/Traffic and Transport Planning, AECOM. |

19. The Chairman extended a welcome and invited Mr Anthony K.O. Luk, STP/HK, to brief Members on the Paper. With the aid of a PowerPoint presentation, Mr Anthony K.O. Luk presented the proposed amendments as detailed in the Paper and covered the following main points :

Background

- (a) to make good use of government land in the core business district and to meet the long-term needs of District Court-level judicial facilities, a site at the junction of Caroline Hill Road (CHR) and Leighton Road (the CHR Site) was proposed for commercial development and a District Court comprising the District Courts, Family Courts and Lands Tribunal;

The Proposed Amendments to the OZP

- (b) Amendment Item A- it was proposed to rezone a site (about 1.60ha) bounded by Leighton Road to the north, CHR on the east and west and the ex-EMSD Headquarters to the south from “Other Specified Uses” annotated “Sports and Recreation Club” (“OU(SRC)”) and “Government, Institution or Community” (“G/IC”) with a maximum building height (BH) of 2 and 3 storeys respectively to “Commercial (2)” (“C(2)”) with a maximum BH of 135mPD and maximum gross floor area (GFA) of 100,000m²;
- (c) Amendment Item B- it was proposed to rezone a site (about 1.06ha) located to the north of the South China Athletic Association and abutting CHR (West) from “G/IC” with a maximum BH of 3 storeys to “G/IC(2)” with a maximum BH of 135mPD and maximum GFA of 70,000m²;

Proposed Amendments to the Notes and Explanatory Statement (ES) of the OZP

- (d) corresponding revisions to the Notes were made in respect of “C” and “G/IC” zones to incorporate the respective development restriction, and to follow the revised set of Master Schedule of Notes to Statutory Plans;

Technical Assessments

- (e) various technical assessments had been conducted which demonstrated that the proposed developments would not induce unacceptable impact to the local area in terms of traffic, environmental, visual, air ventilation and landscape aspects;
- (f) according to the Traffic Review, the proposed developments would not generate unacceptable traffic impact after implementation of the proposed road junction improvement works. Part of the CHR Site would be used for the proposed road junction improvement works and provision of a new access connecting CHR(East) and (West);
- (g) relevant government departments had no adverse comments on the proposed amendments;

Provision of Government, Institution or Community (G/IC) facilities and Open Space

- (h) based on a planned population of about 185,000 persons, there was no shortfall on major GIC facilities in the area. A public open space of not less than 6,000m² had been proposed within the “C(2)” site; and

Consultation with Wan Chai District Council (WCDC)

- (i) WCDC had been consulted on 8.5.2018 and 8.1.2019. Majority of the WCDC members objected to the proposed amendments primarily on the traffic ground. Some members considered that commercial development should not be provided in the CHR Site and some members considered that more Government, Institution or Community (GIC) facilities, e.g. civic centre and Residential Care Home for the Elderly (RCHE), should be provided. In response to WCDC’s suggestion and after consultation with relevant government departments, one District Health Centre (DHC) and one Child Care Centre (CCC) were proposed to be provided within the “C(2)” site .

[Dr Frankie Yeung arrived to join the meeting at this point.]

Commercial and District Court Use

20. Members in general agreed to the proposed uses of the CHR Site for commercial development and District Court noting that the Site was located at the fringe of the core commercial and business areas of Causeway Bay. A Member said that given some existing court facilities had been ageing over years, the District Court proposal comprising the District Courts, Family Courts and Lands Tribunal at the CHR Site should be supported.

Scale of Development

21. Regarding a Member’s observation on the proposed plot ratio (PR) of 6.6 for the “G/IC(2)” site which was comparatively low in the district, Mr Louis K.H. Kau explained that based on the Judiciary’s advice, a total GFA of 70,000m² and a site area of about

10,000m² would be required for the District Court, the resulting PR the proposed development was 6.6. Given the nature and operational requirement of the District Court, no other public facilities were proposed for co-location. Mr Kau further explained that the development intensity of the CHR Site as a whole was proposed with due regard to the carrying capacity of the local road network. Based on the findings of the Traffic Review, the maximum GFA of the whole CHR Site was capped at 170,000m². With 70,000m² GFA set aside for the District Court, a maximum GFA of 100,000m² would then be available for commercial development, which was equivalent to a PR of 11.17. In response to a Member's enquiry, Mr Kau clarified that the 100,000m² GFA also included the GFA of GIC and public transport facilities, while underground public car park could be exempted from GFA calculation under the relevant joint practice note of concerned government departments.

Traffic Impact

22. A Member raised concern on the possible traffic impact arising from the proposed CCC and asked if adequate lay-by spaces would be provided to avoid tailing back of traffic to Leighton Road or adjoining areas. Mr Louis K.H. Kau, DPO/HK, said that the Transport Department had required provision of a minimum of seven pick up/drop-off spaces in the commercial development. In response to a Member's question regarding the types of public transport facilities to be included in the project, Mr Kau said that public transport facilities, including 125 public car parking spaces and a potential minibus terminus, would be provided within the commercial development. Besides, improvement works for road junction, pedestrian footpath and crossing facilities were proposed to mitigate traffic impact induced by the proposed development as well as improving the existing traffic conditions.

23. Some Members asked if weaving movement had been taken into account in undertaking the Traffic Review. Mr Charles So, Executive Director/Traffic and Transport Planning of AECOM explained that congestions related to weaving movements had been observed at CHR westbound. In order to reduce lane-changing manoeuvres, provision of a dedicated left-turning traffic lane at the westbound of Leighton Road and Hoi Ping Road junction and modification of the existing priority junction at west of CHR Site into a roundabout-like circulation had been proposed. A Member queried if the proposed traffic improvement measures would be effective in alleviating traffic congestion on CHR westbound. Mr So further explained that in improving the existing traffic conditions on

CHR westbound, modification of the left-turn lane to “left-turn and right-turn” shared lane at the northbound of Leighton Road and Hoi Ping Road junction would reduce the need to change-lane for right-turn. In addition, by setting back into the CHR Site, an extra lane would be provided on CHR westbound. The traffic impact would be minimized after implementation of the proposed road junction improvement works.

Pedestrian Circulation

24. A Member pointed out that most of the proposed pedestrian improvement measures were concentrated on Leighton Road and questioned if the proposed commercial development would pose impacts on the pedestrian circulation on Hoi Ping Road which had a very high pedestrian flow currently. He asked if there would be other mitigation measures to facilitate pedestrian circulation. In response, Mr Louis K.H. Kau said that the feasibility of an underground pedestrian network extended from MTR Station to various sites in Causeway Bay, including CHR Site, was explored under a study conducted by the Civil Engineering and Development Department (CEDD). In this regard, the future developer of the commercial site would be required to reserve an underground opening for the possible pedestrian connection to MTR Station and this requirement would be incorporated into the land sale conditions. In response to a Member’s further enquiry about the estimated time of completing the study for the subject pedestrian connection, Mr Kau said that a feasibility study had commenced this year and was targeted to be completed by 2020.

Provision of GIC Facilities

25. In response to a Member’s enquiry on the services provided by a DHC, Mr Louis K.H. Kau said that as announced in the Chief Executive’s Policy Address 2017, DHC would be set up in each district with a view to enhancing public awareness of disease prevention and their capability in self-management of health, to promote awareness of the importance of primary healthcare services, to improve service accessibility, to provide support for the chronically ill as well as relieve the pressure on specialist and hospital services. Key services of DHC included primary, secondary and tertiary prevention services which focused on provision of counselling services, health promotion and educational programmes as well as health assessment and screening and chronic diseases screening and management service. In this connection, reference could be drawn from the pilot DHC in Kwai Tsing.

26. A Member asked if future developer would have to meet any design and locational requirements in the provision of GIC facilities at the commercial site. Mr Louis K.H. Kau responded that the developer would have to fulfil the specifications in providing the DHC and CCC to the satisfaction of the concerned government departments and this requirement would be incorporated in the land sale conditions.

27. A Member further queried if leisure facilities for the elderly could be incorporated in association with the DHC to provide a more comprehensive service for the elderly. Mr Louis K.H. Kau said that DHC was under the policy purview of the Food and Health Bureau and the provision of facilities within the DHC was still under study. Detailed scope of services would be submitted to WCDC for consultation and Member's suggestion would be conveyed to concerned department accordingly. The same Member said that the provision of DHC and CCC within the commercial development in the CHR Site was supported but there should be more information on how to set priority in providing the various types of GIC facilities.

28. In response to a Member's enquiry on whether the existing sports facilities at the CHR site would be reprovided, Mr Kau said that the existing facilities at the ex-Post Office Recreation Club and the PCCW Recreation Club were not public facilities and their reprovisioning would not be required.

29. A Member observed that WCDC had expressed the need for a civic centre and would like to know if the CHR Site could accommodate a civic centre instead. Mr Louis K.H. Kau said that WCDC's proposal for Moreton Terrace Activities Centre would provide an additional performance and activity venue to serve local community. It had recently secured funding from the Legislative Council. Besides, according to the Leisure and Cultural Services Department (LCSD), civic centre was planned on a district-wide basis and the current provision of civic centres on the Hong Kong Island was considered sufficient.

Visual impacts and Air Ventilation

30. With reference to the photomontages from the view of Sharp Street East and Victoria Park (Plans F and H in Attachment VI of the Paper), a Member pointed out that the existing visual gaps would be blocked by the developments at the CHR Site. This Member

asked if it was possible to adjust the disposition of the buildings to minimize its impact on visual permeability, and the justifications for positioning the District Court building at the southern portion. In response, Mr Louis K.H. Kau said that the conceptual layout shown in Plan 5 of the paper had been drawn up to illustrate the feasibility of accommodating the planned uses and served as the basis for carrying out various technical assessments. The exact building disposition and the detailed layout would be subject to future design at the implementation stage. The proposed building gaps of 25m and 20m shown in the conceptual scheme, and the new access road together with the open space fronting Leighton Road were to retain visual permeability through the CHR Site, break up the building mass of the proposed developments and improve air ventilation. According to the visual impact assessment and the photomontages prepared for the conceptual scheme, the proposed development would not have any significant adverse visual effects in overall terms. Given the site constraints, impairment to visual permeability at some particular viewpoints was inevitable.

Landscape

31. Some Members appreciated the conservation of the two Old and Valuable Trees (OVTs) but found the OVT within the “G/IC(2)” site detached and isolated. They pointed out that the proposed arrangement would downgrade the value of the OVT and leaving it as a pure exhibit. Some Members asked if it was possible to make adjustment to the layout to integrate the proposed open space with this OVT. In response, Mr Louis K.H. Kau said that the building footprint, need for a new access road and security requirements of the District Court had imposed constraints on the use of space around the OVT.

32. Apart from the two OVTs being conserved in-situ, a Member considered the fruit trees within/along the north-western periphery of the CHR Site were worth preserving for education and sentimental values. Mr Louis K.H. Kau said that due to the proposed traffic improvement works on CHR, a number of existing trees would be unavoidably affected. In this connection, the project proponent and the developer were required to follow the corresponding Design Guidelines of the Development Bureau and the Practice Notes of the Lands Administration Office respectively to minimise the impact of the proposed developments on the existing trees as far as possible and provide appropriate landscape measures as well as feasible tree protection and compensatory planting proposals. The

future developer would be required to submit a Landscape Proposal and the requirement of which would be incorporated into the future land sale conditions.

33. A Member asked if flexibility would be allowed for future developer to adopt innovative ways to revitalize the stone retaining walls. By referring to Plan 5 in the Paper, Mr Louis K.H. Kau said that while some sections of the stone retaining wall would be affected by proposed traffic improvement works, three sections of the stone retaining walls would be preserved. The future developer would be required to meet the technical requirements as advised by the Antiquities and Monuments Office (AMO) during the course of conservation. Regarding a Member's enquiry on the historical value of the stone retaining walls, Mr Kau said the stone retaining walls were estimated to be constructed during the 1930s while their historical value was still subject to assessment by AMO in accordance with its priorities of work. The decision to conserve the selected sections of the stone retaining walls was a result from public consultation on the CHR site over the years, including WCDC in 2018 and 2019. Although the OVT located on Leighton Road did not grow on the stone retaining walls, it was in close proximity and as such, the associated section of stone retaining walls would be preserved to maintain its integrity. AMO had been engaged and consulted in the course of preparing the conceptual layout for the CHR Site.

Conceptual Layout

34. In response to a Member's question, Mr Louis K.H. Kau said that the open space, as indicated under the conceptual layout plan, would be designed, implemented and managed by the future developer of the commercial site. In this connection, the future developer was required to follow the design and management requirements under the guidelines on "Public Open Space in Private Developments Design and Management Guidelines" promulgated by the Development Bureau. Generally speaking, the public open space had to be opened to the general public at reasonable hours with easy access. If the future developer wished to carry out commercial activities on the public open space, they had to apply for a waiver and/or permission, as appropriate, from the Lands Department and/or the Buildings Department. A Member questioned whether the location of the public open space at the southeast corner of the CHR site was appropriate having regard to the location of the OVTs and the local open spaces in the vicinity. Another Member also suggested relocating the open space from southeast to southwest corner to enhance public accessibility. Mr Louis

K.H. Kau explained that the disposition of the District Court at the westbound of CHR was to meet the District Court's design requirement where a minimum site area of 10,000m² and two ingress/egress points were necessary for the operational needs of the Judiciary. The design requirement of the Judiciary might not be fulfilled if part of the District Court site had to be set aside for public open space. Moreover, land uses along eastbound of CHR were mainly residential and designating the open space at southeast corner of the site could benefit the local residents. Notwithstanding the above, Mr Kau pointed out that the building disposition and layout would be subject to detailed design at the implementation stage.

35. Some Members further suggested that consideration could be given to swap the proposed locations of the commercial development and the District Court. Mr Louis K.H. Kau explained that disposition of the District Court at the southeast portion was to meet the requirements of the Judiciary for two ingress/egress points were necessary for its operational needs. The current location of the District Court could allow for ingress/egress on the interval road directly connecting to the lower ground level, loading/unloading and parking area. In response to a Member's question, Mr Kau said the Correctional Services Department had been consulted and its requirement had been incorporated into the conceptual layout. The Chairman explained that Members were invited to agree on the proposed rezoning of the "C(2)" and "G/IC(2)" sites on the OZP. The conceptual development scheme was drawn up to illustrate the possible layout and served as the basis for carrying out various technical assessments only. The detailed layout on the individual sites would be subject to future design and users' requirements at the implementation stage.

36. Some members had reservation on the proposed boundary of the "C(2)" and "G/IC(2)" zones demarcated on the OZP, in particular, with regard to the location of the public open spaces within the commercial development. A member reiterated that consideration should be given to enhance the connection to the open space network within the district to facilitate pedestrian circulation and accessibility.

Conclusion

37. To sum up, the Chairman concluded that Members agreed to the proposed uses and development intensity of the CHR Site for commercial development and the District Court. However, Members required more information on justifications for the conceptual

layout and disposition of the building blocks, open space network and pedestrian connectivity within and outside the site before making a decision on the proposed rezoning of the “C(2)” and “G/IC(2)” sites on the OZP. Members also requested for additional information on the choice and government's priority of GIC facilities to be provided in the proposed “C(2)” site.

38. After further deliberation, the Committee decided to defer the consideration of the proposed amendments to the approved Wong Nai Chung OZP pending submission of further information set out in paragraph 37 above.

39. The Chairman thanked the government representatives and consultants for their attendance to answer Members' enquiries. They left the meeting at this point.

[Mr Martin W.C. Kwan returned to the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting]

A/H3/440 Proposed Flat (Government Staff Quarters) and Minor Relaxation of Building Height Restriction in “Government, Institution or Community” Zone and an area shown as ‘Road’, 280 Des Voeux Road West, Sai Ying Pun, Hong Kong

(MPC Paper No. A/H3/440)

40. The Secretary reported that Townland Consultants Limited (Townland) and AIM Group Limited (AIM) were two of the consultants of the applicant. The following Members had declared interests on this item :

Mr Alex T.H. Lai - his firm having current business dealings with Townland and AIM; and

Mr Thomas O.S. Ho - having past business dealings with Townland.

41. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Thomas O.S. Ho had tendered an apology for being unable to attend the meeting. As Mr Alex T.H. Lai had no involvement in the application, the Committee agreed that he could stay in the meeting.

42. The Committee noted that the applicant’s representative requested on 1.3.2019 deferment of the consideration of the application for one month in order to allow time for preparation of further information to address the outstanding departmental comments. It was the first time that the applicant requested deferment of the application.

43. 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 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 one month was allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

[Mr Ng Tak Wah, Senior Town Planner/Hong Kong (STP/HK) was invited to the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H8/429 Proposed Shop and Services (Retail Shop) in “Comprehensive Development Area (2)” Zone, G/F (Portion), North Point View Mansion, 54 Kai Yuen Street, Hong Kong
(MPC Paper No. A/H8/429)

44. The Secretary reported that the application was submitted by Mr Kwan Man Fong and Liu, Chan and Lam, Solicitors (LCL) was the consultant of the applicant. The application site was located in North Point. The following Members had declared interests on the item :

Mr Alex T.H. Lai - his firm having current business dealings with Mr Kwan Man Fong and LCL;

Mr Stephen H.B. Yau - owning a flat in North Point; and

Mr Thomas O.S. Ho - owning a flat at Braemar Hill Mansion in North Point.

45. The Committee noted that Mr Thomas O.S. Ho had tendered an apology for being unable to attend the meeting. As Mr Alex T.H. Lai had no involvement in the application and the property owned by Mr Stephen H.B. Yau had no direct view of the application site, the Committee agreed that they could stay in the meeting.

46. The Secretary reported that Mr Cheng Tat Hung, a District Council (DC) member, had submitted a letter prior to the meeting objecting to the application. The Committee noted that the content of the letter was the same as a written submission made by Mr Cheng within the statutory publication period and had been incorporated in the Paper.

Presentation and Question Sessions

47. With the aid of a PowerPoint presentation, Mr Ng Tak Wah, STP/HK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed shop and services (retail shop);
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The Lands Department pointed out the lease allowed the subject lot be used for residential purpose only and the proposed use would contravene the lease conditions, while the Commissioner for Transport reminded that car parking spaces should meet the lease requirements. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, 64 public comments from a DC member, the chairperson of Hong Kong Island East District Branch of the Liberal Party, Incorporated Owners, a concern group, a member of the Area Committee, vice president of the District Fire Safety Committee, and other individuals were received. Amongst them, 15 opposed the application while the remaining providing views with negative comments. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessment made in paragraph 12 of the Paper. The proposed shop was not in keeping with the residential character of the neighbourhood. There was no strong planning justification for the proposed change of use within a pure residential neighbourhood. The

approval of the application would set an undesirable precedent. The cumulative impact of approving other similar applications would result in change of a pure residential neighbourhood. Regarding the adverse public comments, comments of concerned departments and the planning assessments above were relevant.

[Mr Alex T.H. Lai left the meeting at this point.]

48. In response to a Member's enquiry, Mr Ng Tak Wah, STP/HK, said that the suspected car repair workshop at the premises had not obtained planning permission nor lease modification approval. As regard the structural changes, i.e. installation of ventilators and doors, on the premises, the Buildings Department had taken enforcement action and a statutory order for compliance had been issued to the owner.

Deliberation Session

49. After deliberation, the Committee decided to reject the application. The reasons was :

“ there is no strong planning justification for the change of use in the area which is primarily for residential use. The approval of the application would set an undesirable precedent for other similar applications, the cumulative effect of approving such applications would result in change of a pure residential neighbourhood.”

[The Chairman thanked Mr Ng Tak Wah (STP/HK) for his attendance to answer Members' enquiries. He left the meeting at this point.]

Agenda Item 8

Section 16 Application

[Open Meeting]

A/H21/149 Proposed Office, Shop and Services and Eating Place in “Residential (Group A)” Zone and an area shown as ‘Road’, 48-94 Pan Hoi Street, Quarry Bay, Hong Kong
(MPC Paper No. A/H21/149A)

50. The Secretary reported that the application was submitted by Wealth First Limited, which was a joint-venture of Henderson Land Development Company Limited (HLD) and Swire Properties Limited (Swire). Jones Lang Lasalle Limited (JLL), MVA Hong Kong Limited (MVA) and Ronald Lu & Partners (Hong Kong) Limited (RLP) were three of the consultants of the applicant. The application site was located in Quarry Bay. The following Members had declared interests on the item :

- Mr. Thomas O.S. Ho - having current business dealings with Swire, MVA and RLP and owning a flat in Quarry Bay;
- Mr Alex T.H. Lai - his firm having current business dealings with HLD, Swire, JLL and RLP;
- Mr Franklin Yu - having past business dealings with HLD and MVA;
- Mr Wilson Y.W. Fung - co-owning a flat with spouse in Quarry Bay; and
- Mr Martin W.C. Kwan - co-owning two units with spouse in Tai Koo Shing.

51. The Committee noted that the applicant had requested deferment of consideration of the application. Mr Thomas O.S. Ho had tendered an apology for being unable to attend the meeting and Mr Alex T.H. Lai had left the meeting. As Mr Franklin Yu had no involvement in the application, and the properties owned by Mr Wilson Fung Y.W. and co-owned with spouse by Mr Martin W.C. Kwan had no direct view of the application site, the Committee agreed that they could stay in the meeting.

52. The Committee noted that the applicant's representative requested on 27.2.2019 deferment of the consideration of the application for two months in order to allow time for preparation of further information to clarify the concerns of 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 departmental comments with revised traffic impact assessment and open space proposal.

53. 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 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 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 the preparation of the further information, no further deferment would be granted unless under very special circumstances.

[Ms Jessie K.P. Kwan, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

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

Kowloon District

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/K/19 Renewal of Planning Approval for Temporary 'Public Vehicle Park (excluding Container Vehicle)' for a Period of 3 Years (Surplus Car Parking Spaces only) in "Residential (Group A)" Zone, (a) Choi Ying Estate and (b) Ko Cheung Court and Yau Mei Court, Kwun Tong District, Kowloon

(MPC Paper No. A/K/19)

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

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|--|---|
| Mr Raymond K.W. Lee
(the Chairman)
<i>as the Director of Planning</i> | - being a member of the Strategic Planning Committee (SPC) and the Building Committee of HKHA; |
| Mr Martin W.C. Kwan
<i>as the Chief Engineer (Works), Home Affairs Department</i> | - being an alternate representative of the Director of Home Affairs who was a member of the SPC and the Subsidized Housing Committee of HKHA; |
| Mr Thomas O.S. Ho | - having current business dealings with HKHA; |
| Mr Alex T.H. Lai | - his firm having current business dealings with HKHA; |
| Dr Lawrence W.C. Poon | - his spouse being an employee of the Housing Department (HD) (the executive arm of HKHA), but not involved in planning work; |
| Mr Franklin Yu | - having past business dealings with HKHA; and |

Mr Daniel K.S. Lau - being an ex-employee and ex-Director (Development and Marketing) of Hong Kong Housing Society, which was in discussion with HD on housing development issues.

55. The committee noted that Mr Thomas O.S. Ho had tendered an apology for being unable to attend the meeting and Dr Lawrence W.C. Poon and Mr Alex T.H. Lai had left the meeting. As the interests of the Chairman and Mr Martin W.C. Kwan were direct, the Committee agreed that they should leave the meeting temporarily for the item. As the interest of Mr Franklin Yu was indirect and Mr Daniel K.S. Lau had no involvement in the application, the Committee agreed that they could stay in the meeting. The Vice-chairman took over the chairmanship at this point.

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

Presentation and Question Sessions

56. With the aid of a PowerPoint presentation, Ms Jessie K.P. Kwan, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the renewal of planning approval for temporary public vehicle park (excluding container vehicle) (surplus vehicle parking spaces only) under applications No. A/K13/300 and A/K15/116 for a period of 3 years until 23.3.2022;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. Concerned government departments had no objection to or no adverse comment on the application;
- (d) during the first three weeks of the statutory publication period, one public comment from an individual was received. Major views were set out in paragraph 10 of the paper; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application on a temporary basis for a period of three years based on the assessments set out in paragraph 11 of the Paper. There were surplus vehicle parking spaces in the subject housing estates, and the letting of the surplus parking spaces to non-residents would help utilize public resources more efficiently. The application was in line with the Town Planning Board Guidelines No. 34B in that there was neither material change in planning circumstances nor change in the land uses of the surrounding areas since the last approval, and there was no adverse planning implication arising from the renewal application. The Transport Department had no objection to the application and an approval condition was recommended to ensure that priority would be given to the residents in letting the vehicle parking spaces. Regarding the public comments, the assessments above were relevant. As regards the public comment on the use of surplus parking spaces for elderly care facilities, the applicant indicated that the occupancy rate of and demand for the parking facilities would be reviewed continuously and the feasibility of converting the parking spaces to other uses would be explored.

57. A Member raised the following questions:

- (a) the number of renewal permissions being granted and the total number of years being extended; and
- (b) the vacancy rates of the vehicle parking spaces in the subject estates.

58. Ms Jessie K.P. Kwan, STP/K, made the following responses:

- (a) the temporary public vehicle park in Choi Ying Estate was the subject of three previous applications (Nos. A/K/13/253, A/K/13/287 and A/K/13/300) for the same use since 2010 while the temporary public vehicle park in Ko Chung Court and Yau Mei Court was the subject of five previous applications (Nos. A/K/2, A/K15/77, A/K15/92, A/K15/108 and A/K15/116) for the same use since 2004; and

- (b) with reference to the data provided by HKHA, there were only 10 surplus parking spaces in Choi Ying Estate, and out of the 52 surplus parking spaces in Ko Chung Court and Yau Mei Court, 46 were for motorcycles.

Deliberation Session

59. Members in general considered that the renewal application could be approved taking into consideration the local circumstances, while a Member pointed out that although provision of parking space was essential, opportunity should be taken to review whether the surplus parking spaces could be converted for provision of suitable community facilities whenever opportunity arose.

60. After deliberation, the Committee decided to approve the application on a temporary basis for a further period of three years from 24.3.2019 until 23.3.2022, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following condition :

“ priority should be accorded to the respective residents of Choi Ying Estate, Ko Cheung Court, Yau Mei Court and Yau Tong Estate in the letting of the surplus vehicle parking spaces and the proposed number of vehicle parking spaces to be let to non-residents should be agreed with the Commissioner for Transport.”

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

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

[The Chairman and Mr Martin W.C. Kwan returned to the meeting, and the Chairman resumed the chairmanship at this point.]

Agenda Item 10

Section 16 Application

[Open Meeting]

A/K14/765 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Office and Shop and Services/Eating Place Uses in “Other Specified Uses” annotated “Business” Zone, 4 Tai Yip Street, Kwun Tong, Kowloon
(MPC Paper No. A/K14/765)

62. The Committee noted that the applicant’s representative requested on 26.2.2019 deferment of the consideration of the application for two months in order to allow time for preparation of responses to comments of the relevant departments. It was the first time that the applicant requested deferment of the application.

63. 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 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 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 11

Any Other Business

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