

TOWN PLANNING BOARD

**Minutes of 396th Meeting of the
Metro Planning Committee held at 9:00 a.m. on 22.5.2009**

Present

Director of Planning
Mrs. Ava S.Y. Ng

Chairperson

Mr. Nelson W.Y. Chan

Mr. Leslie H.C. Chen

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

Mr. Felix W. Fong

Ms. Starry W.K. Lee

Mr. K.Y. Leung

Chief Traffic Engineer (Hong Kong),
Transport Department
Mr. H.L. Cheng

Assistant Director (Environmental Assessment),
Environmental Protection Department
Mr. C.W. Tse

Assistant Director (Kowloon), Lands Department
Ms. Olga Lam

Deputy Director of Planning/District
Miss Ophelia Y.S. Wong

Secretary

Absent with Apologies

Mr. Stanley Y.F. Wong

Vice-chairman

Professor N.K. Leung

Dr. Ellen Y.Y. Lau

Mr. Maurice W.M. Lee

Dr. Winnie S.M. Tang

Assistant Director(2), Home Affairs Department
Mr. Andrew Tsang

In Attendance

Assistant Director of Planning/Board
Mr. Lau Sing

Chief Town Planner/Town Planning Board
Mr. W.S. Lau

Town Planner/Town Planning Board
Ms. Karina W.M. Mok

Agenda Item 1

Confirmation of the Draft Minutes of the 395th MPC Meeting Held on 8.5.2009

[Open Meeting]

1. The draft minutes of the 395th MPC meeting held on 8.5.2009 were confirmed without amendments.

[Mr. Nelson W.Y. Chan arrived to join the meeting at this point.]

Agenda Item 2

Matters Arising

[Open Meeting]

(a) Matters Arising from the 394th MPC Meeting held on 17.4.2009

- (i) Proposed Comprehensive Residential and Commercial Development with the Provision of Government, Institution or Community Facilities and Public Open Space in “Comprehensive Development Area” zone, the Site of the Urban Renewal Authority Development Scheme at Staunton Street/Wing Lee Street (Master Layout Plan Submission)
(Application No. A/H3/387)

2. The Secretary reported that in consideration of the deferral request for consideration of Application No. A/H3/387 on 17.4.2009, Mr. Raymond Y.M. Chan enquired if there was a need for Member of the Home Purchase Allowance (HPA) Appeals Committee to declare interest on applications related to the Urban Renewal Authority (URA). The Town Planning Board (TPB) Secretariat had checked that the HPA Appeals Committee was a non-statutory body appointed by the Secretary for Development to consider appeals against the decisions of the Director of Lands regarding HPA cases upon resumption of a domestic property by the Government. For applications related to the URA, it would be prudent for TPB Member who was a Member of the HPA Appeals Committee to declare an interest in the item in accordance with the “sunshine test” principle. However, there was no need for the Member to withdraw from the meeting as the concerned Committee was not appointed by

or under the URA. The Committee agreed to the above arrangement.

(ii) Draft Planning Brief for the “Comprehensive Development Area(1)”
Site at 14-30 King Wah Road, North Point

3. The Secretary reported that in consideration of the draft Planning Brief for the “Comprehensive Development Area(1)” site at 14-30 King Wah Road on 17.4.2009, the “Coalition Against the Proposed Development on King Wah Road” (the Coalition) launched a petition against the draft Planning Brief and the petition letter was tabled at the meeting for Members’ reference. The Coalition claimed, among others, in its letter that paragraph 4.9 of MPC Paper No. 11/09 (the Paper) regarding the comments of the Sub-committee on Harbour Plan Review of Harbour-front Enhancement Committee (the Sub-committee) on the proposed development at the subject site under Applications No. A/H8/387 and A/H8/392 were misleading. In agreeing the draft Planning Brief as suitable for consultation, Members agreed to request the TPB Secretariat to confirm with the Secretary of the Sub-committee on whether the concerned paragraph had reflected the Sub-committee’s views on the applications. Members noted that the Secretary of the Sub-committee had advised on 6.5.2009 that the concerned paragraph was generally in line with the concluding remarks made by the Chairman of the Sub-committee, which summarized the key views of Members raised during discussions of the two cases on 23.1.2008 and 19.11.2008.

(b) Approval of Draft Outline Zoning Plans (OZPs)

4. The Secretary reported that the Chief Executive in Council on 19.5.2009 had approved the draft North Point OZP (renumbered as S/H8/22) and the draft Wan Chai North OZP (renumbered as S/H25/2) under section (9)(1)(a) of the Town Planning Ordinance and section 9(2) of the pre-amended Town Planning Ordinance respectively. The approval of the draft OZPs was notified in the Gazette on 22.5.2009.

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

Tsuen Wan and West Kowloon District

[Mr. Wilson W.S. Chan, District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK), and Mr. C.H. Mak, Assistant Town Planner/Tsuen Wan and West Kowloon (ATP/TWK), were invited to the meeting at this point.]

Agenda Item 3

[Open Meeting]

Proposed Amendments to the

Approved South West Kowloon Outline Zoning Plan No. S/K20/22

(MPC Paper No. 13/09)

5. The Secretary reported that an email dated 20.5.2009 from a resident of Yau Tsim Mong area and a letter dated 21.5.2009 from the Yau Tsim Mong Branch of the Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) were received providing comments on the development on top of the West Kowloon Terminus (WKT) of the Hong Kong section of the Guangzhou – Shenzhen – Hong Kong Express Rail Link (XRL) for consideration of the Town Planning Board (TPB). A copy of the above email and letter had been sent to Members on 21.5.2009 and tabled at the meeting.

6. Mr. Felix W. Fong, being a Member of DAB, enquired if he needed to withdraw from the meeting. In response, the Secretary said that according to the TPB Procedure and Practice, TPB Member who was a Member of an organisation that had submitted comments in consideration of proposed amendments to an Outline Zoning Plan (OZP) should declare an interest in the item in accordance with the “sunshine” test principle. However, the concerned TPB Member could stay at the meeting as the item was for the consideration of proposed amendments to an OZP and related to the plan-making process. However, if representation from the concerned organisation was received upon gazetting of the proposed amendments to the OZP, TPB Member who was a Member of the concerned organisation would need to withdraw from the meeting. The Committee agreed to the above arrangement and that Mr. Fong could be allowed to stay in the meeting accordingly. The Committee also noted that Ms. Starry W.K. Lee, being a Member of DAB, had not yet arrived at the meeting.

7. The Secretary said that the WKT site was a potential land sale site whereas the XRL was an on-going project. In this respect, Ms. Olga Lam, being the Assistant Director (Kowloon), Lands Department, and Mr. H.L. Cheng, being the Chief Traffic Engineer (Hong Kong), Transport Department and the Commissioner for Transport was a Non-executive Director of the Mass Transit Railway Corporation Limited (MTRCL), had declare interests in the item. As the item was for the consideration of proposed amendments to an OZP and related to the plan-making process, Members agreed that they should be allowed to stay in the meeting.

Presentation and Question Sessions

8. Mr. Wilson W.S. Chan, DPO/TWK, informed Members that in relation to this item, the next Agenda Item 4 to be considered by the TPB at this meeting was about the draft Planning Brief for the proposed “Comprehensive Development Area(1)” (“CDA(1)”) site at the WKT of the XRL. With the aid of a Powerpoint presentation, Mr. Chan then presented the proposed amendments to the approved South West Kowloon OZP No. S/K20/22 and covered the following main aspects as detailed in the Paper:

Background

- (a) the proposed amendments mainly involved two sites, namely :
 - (i) Site A which had a site area of about 5.88 ha and was currently zoned “CDA” subject to a maximum gross floor area (GFA) restriction of 296,250m² for residential use and 226,400m² for commercial use (equivalent to a total plot ratio (PR) of about 8.89) on the OZP. The site had been identified for development of the WKT of the XRL which was gazetted on 28.11.2008 under the Railways Ordinance; and
 - (ii) Site B, located to the immediate north of Site A, had a site area of about 4.22 ha and was currently zoned “Open Space” (“O”), “Government, Institution or Community” (“G/IC”) and area shown

as 'Road' with no development restrictions stipulated on the OZP;

[Ms. Starry W.K. Lee arrived to join the meeting at this point.]

- (b) in view of the following planning considerations, it was necessary to revisit the land uses and development parameters governing the two sites:
- (i) Potential High-grade Office Cluster – the Hong Kong 2030: Planning Vision and Strategy had identified the southern part of the West Kowloon Reclamation Area as the first choice of possible supplement to the Central Business District Grade A office supply. According to the Study on the Propensity for Office Decentralisation and the Formulation of an Office Land Development Strategy, a critical mass of a minimum office GFA of 500,000m² would be required for the creation of a successful office node. Four railways (i.e. the Airport Express Line, the Tung Chung Line, the XRL and the Kowloon Southern Link) would converge in the area. To capitalise on the strategic location and convenient transport connection of Site A, it was prudent to provide more Grade A offices on the site;
 - (ii) WKT and its Operational Needs - various operational requirements to ensure the smooth operation of the WKT had been identified as detailed in paragraph 4.3 of the Paper. In meeting the operational requirements, about 3.18 ha on top of the WKT (about 54% of the site area of Site A) was identified as non-building area. If the permitted development intensity of Site A under the OZP (i.e. PR of 8.89) was to remain the same, this would result in four super high-rise and massive towers with building heights over 300mPD and PR over 19 on a net site area basis;
 - (iii) Urban Design and Community Aspirations – based on the development parameters permitted under the OZP, the resultant four super tall and massive towers would breach the Kowloon ridgelines

when viewed from vantage points on the Hong Kong Island; and, together with other adjacent developments, would create a wall of towers blocking views from the harbourfront. Apart from dominating the waterfront, they would also be in sharp contrast to the future West Kowloon Cultural District (WKCD) development to the south where the maximum building height (BH) was restricted to 70mPD. Such building mass would not be in line with the growing community aspirations for lower development intensity and enhancement of the harbourfront areas;

(iv) Appropriate Development Intensity of Site A – an in-house assessment had thus been carried out to review the use and development intensity of Site A. In formulating and considering the development options, a balanced approach taking account of various considerations, including the community aspirations, preservation of ridgelines, the building heights and development intensities of the surrounding areas, as well as optimization of land resources and office hub function of the site, had been adopted. The assessment results of the three development options considered were highlighted as detailed in paragraph 4.7 of the Paper. Upon assessment, Option B was recommended for Site A with details highlighted as follows :

- the development above the railway station would be restricted to a maximum PR of 5, of which a minimum PR of 4.5 should be for office use. The remaining PR of the site should be for commercial/retail uses. Ancillary car park should be provided underground in basement(s). This development would supply 264,600m² of office floor space, boosting the total Grade A office supply in the West Kowloon Reclamation Area to some 603,000m²;
- the above-ground railway facilities would be restricted to a maximum PR of 0.68. This could control the amount of railway-related facilities to be provided above-ground and

encourage the developer to free up more open area for the topside development at the site as far as possible;

- Site A would be restricted to maximum BHs of 90mPD, 100mPD and 115 mPD in the three sub-areas as delineated on the OZP with the minor relaxation clause on the BH restrictions specified in the Remarks of the Notes. Given the strategic and unique location of the site, flexibility should be provided to encourage iconic and signature development. Subject to Members' views, consideration might be given to including a relaxation clause on the BH restrictions to allow greater flexibility for proposals with outstanding planning and design merits; and
 - the benefits of the recommended Option B for Site A included preserving the ridgelines; meeting the critical mass requirement for a successful office node; creating synergy with the XRL and WKCD; providing greater flexibility in mitigating air and noise impacts from nearby busy roads by the office development; and maintaining reasonable level of retail provision;
- (v) Public Open Space and PTI at Site B - to make way for the development of the WKT, the existing temporary public transport interchange (PTI) and coach/motorcycle park at Wui Cheung Road within Site A would be reprovisioned to the southern portion of Site B. An electricity sub-station and a ventilation building serving the WKT would also be accommodated within the site. To compensate for the loss of the originally planned at-grade open space at the site, a landscaped deck would be built above the PTI for public open space purpose whereas the northern portion of the site would be developed into an at-grade public open space. The detailed design of the various facilities to be provided at Site B was being prepared by MTRCL. To ensure a comprehensive and integrated design of the various facilities within Site B, it was recommended that any development on the site, other than public open space, would require planning permission of the TPB through the statutory planning application system;

Proposed Amendments to the OZP

- (c) as detailed in paragraph 5.1 and Annex II of the Paper, it was proposed to rezone Site A from “CDA” to “CDA(1)” for the comprehensive development of the WKT and the topside office/commercial development into a strategic rail and high-grade office hub with the provision of open space and other supporting facilities; and to rezone Site B from “O” and “G/IC” zones and area shown as ‘Road’ to “O(1)” to facilitate an integrated development comprising public open space, a PTI and its supporting facilities, vent shaft and public utility installation;

Proposed Amendments to the Notes of the OZP

- (d) as detailed in paragraph 5.2 and Annex III of the Paper, the Notes of the OZP would be revised mainly to incorporate a new set of Notes for the proposed “CDA(1)” and “O(1)” sub-zones. Opportunity was also taken to refine the PR/GFA exemption clause to clarify the provision related to caretaker’s quarters in the Remarks of the Notes for the “Residential (Group A)” and “CDA” zones in accordance with the latest revised Master Schedule of Notes to Statutory Plans;

Proposed Amendments to the Explanatory Statement of the OZP

- (e) as detailed in paragraph 5.3 and Annex IV of the Paper, the Explanatory Statement (ES) of the OZP would be revised to take into account the proposed amendments and to reflect the latest planning circumstances of the OZP; and

Public Consultation

- (f) subject to the Committee’s agreement to the proposed amendments, the Yau Tsim Mong District Council would be consulted during the exhibition period of the draft South West Kowloon OZP No. S/K20/22A (to be

renumbered as S/K20/23 upon exhibition) under section 5 of the Town Planning Ordinance (the Ordinance).

9. Members then had lengthy discussions on the proposed amendments which were summarised in the following paragraphs.

Land Use, Development Intensity and Building Height

10. Located at an important transportation hub with the convergence of four railways, Members recognized the unique and strategic location of Site A which commanded excellent strategic transport connection with the regional and domestic transport networks. The proposed land uses of Site A primarily for office accommodation with railway facilities and some commercial/retail uses were considered appropriate and agreeable. In light of the growing community aspirations for a lower development intensity in recent years, Members agreed that the proposed development parameters for Site A had struck a balance between the need to capitalize on the strategic location of the transportation hub and the aspiration for lower development intensity. The proposed PR and BH restrictions were agreed. The recommendation to lower the development bulk of Site A by requiring the provision of ancillary car park in the basement(s) was also fully endorsed. In considering the proposed land uses and development restrictions for Site A, the Committee had to balance various factors, including the community aspirations for a lower development intensity and optimum utilization of the scarce land resources of Site A which commanded a unique and strategic location so as to provide a reasonable level of development to enhance the long-term competitiveness of Hong Kong's economy. Although the proposed reduction of development intensity for Site A might lead to a decrease in Government revenue, Members generally agreed that developing the site to a development intensity and BH similar to that of the adjacent comprehensive commercial and residential development above the Kowloon Station should be avoided given the growing community aspirations for a quality living environment in recent years.

11. Having regard to the unique and strategic location of Site A which was unusual in the territory, a Member considered that development proposal having outstanding planning/design merits for the site could be considered by the TPB even if it would breach the ridgelines. In relation to this, the Chairperson said that the Planning Department had

suggested to incorporate two clauses relating to relaxation of the BH restrictions on application to the TPB as stated in paragraphs (7) and (8) of the Remarks of the Notes for the proposed “CDA(1)” zone. A Member asked if they were standard clauses in the Notes of OZP and the reasons for recommending the clauses for the proposed “CDA(1)” zone. Mr. Wilson W.S. Chan said that the minor relaxation clause of the BH restrictions as stated in paragraph (7) of the Remarks of the Notes was generally a standard provision in all zones to allow flexibility for innovative design adapted to the characteristics of particular sites. Taking into account the unique and strategic location of Site A, flexibility could be provided to encourage iconic and signature development at the site which might exceed the BH restrictions by a larger margin which could not be covered by the minor relaxation clause on the BH restrictions in paragraph (7) of the Remarks of the Notes. To this end, a relaxation clause of the BH restrictions was added in paragraph (8) of the Remarks of the Notes to the effect that proposals with outstanding planning and design merits might be considered on application to the TPB under the section 16 planning application system. Similar clause had been adopted for the WKCD site on the same OZP which allowed for relaxation of the BH restrictions on application to the TPB for free-standing arts and cultural facilities based on individual merits.

12. A Member gave support to the proposed development intensity of Site A due to the unique and strategic location of the site and its future development potential. While agreeing that Site A was suitable for office development given its unique and strategic location, another Member cautioned that many residents lived nearby the site and hence considered that air ventilation of the surrounding areas should not be compromised. The Member thus asked if there was a need to encourage iconic type of development at the site by relaxing the BH restrictions based on design merits which might cause adverse air ventilation impact on the surrounding areas. Given the unique and strategic location of Site A, a Member considered it appropriate to encourage development with outstanding design at this site. The Member gave support to the incorporation of the relaxation clause of the BH restrictions to provide flexibility for proposals with outstanding planning and design merits. A tall and thin development, while meeting urban design requirements and principles, might also perform well in air ventilation assessment (AVA) comparable to a low-profile built form.

13. A Member asked if the PR for office and non-office uses at Site A could be

flexibly adjusted to meet the market needs. Mr. Wilson W.S. Chan said that such flexibility had been incorporated in the proposed Notes for the “CDA(1)” zone in that out of the total maximum PR of 5 for development above the railway station, the level of office provision at Site A could range from PR of 4.5 to 5 without the need to seek planning permission of the TPB. If the total PR for development above the railway station exceeded 5, application for minor relaxation of the PR restriction as provided for under paragraph (7) of the Remarks of the Notes would be required.

14. A Member said that the clock tower of the previous railway station at Tsim Sha Tsui was generally accepted by the community as one of the iconic structures in the territory. The MTRCL should take heed of the good example of iconic structure in planning for the future WKT.

15. Referring to Plan 2 of the Paper, a Member asked what would be the iconic structure covering the main entrance and ticketing hall to be put at the southern portion of Site A and whether it would be more appropriate for the iconic structure to be located in the northern portion of the site where a higher BH restriction was allowed. There was also enquiry on how the three sub-areas of Site A with stepped BH restrictions of 90-115mPD increasing from the south to north were derived. Mr. Wilson W.S. Chan said that according to MTRCL, the concerned structure, being the main entrance/logo of the future WKT of the XRL, was under design by MTRCL. Details of the proposed BH restrictions for the three sub-areas would be explained in the draft Planning Brief to be considered under Agenda Item 4. The Chairperson welcomed the same Member’s suggestion that the preparation of a physical model at the Master Layout Plan (MLP) submission stage could help facilitate the TPB to visualize the future development at the site under the proposed development restrictions.

16. Members also noted and agreed to the proposed relocation of the temporary PTI at Wui Cheung Road as well as the comprehensive and integrated design of the open space, PTI and other facilities in Site B.

Air Ventilation

17. A Member noted that the provision of a north-south breezeway/visual link of not

less than 40m wide within the site was proposed in the draft Planning Brief to be considered under Agenda Item 4 (Plan 5 in MPC Paper No. 14/09). With reference to Plan 2 of the Paper, the Member said that the proposed north-south breezeway/visual link would coincide with the non-building area identified by MTRCL, except a triangular area at the northernmost part of the breezeway/visual link within the site. The concerned triangular area would be subject to a maximum BH restriction of 100mPD. There was concern that the air ventilation in north-south direction would be affected by the future development in the concerned triangular area.

18. Several Members were of particular concern on air ventilation in the east-west direction given that the existing developments were located at the adjacent Kowloon Station to the west of Site A and the inner urban areas to the east.

19. Mr. Wilson W.S. Chan explained that the BH restriction only referred to the maximum BH permissible in an area as stipulated on the OZP. It did not mean that the entire footprint of the concerned area would be built upon. In fact, the OZP provided statutory planning control primarily on the land use and major development parameters of a site such as PR and BH. Should the Committee agree to the proposed amendments to the OZP under consideration, TPB approval would be required for future development on Site A and in submitting a planning application under section 16 of the Town Planning Ordinance, a MLP covering the site would be required. In relation to this, a draft Planning Brief setting out the detailed planning and design requirements had been prepared to guide the preparation of MLP for the site. Various technical assessments, including an AVA to assess the impacts of the proposed development on the wind environment at pedestrian level in and around the site, had to be carried out as part of the MLP submission. Members' concern on air ventilation in the north-south or east-west directions could be examined by the project proponent at detailed design stage, taking account of the various requirements as set out in the draft Planning Brief to be discussed under Agenda Item 4.

20. A Member opined that the more crucial air ventilation concern would be at the pedestrian level as air ventilation was obstructed by the podium. While acknowledging the need to provide a comfortable station environment for commuters at the WKT, it was considered essential to ensure that the provision of railway-related facilities such as ticketing hall, immigration and quarantine areas at Site A would not result in massive and bulky

podium, causing adverse air ventilation or visual impacts. As the WKT would handle large volume of commuters each day, another Member said that good ventilation should be provided within the station while not affecting air penetration to the inner urban areas. The Chairperson said that the XRL was an underground railway and hence most of the railway-related facilities to be provided at Site A would be put underground. As for the above-ground railway facilities, Mr. Wilson W.S. Chan said that they would mainly comprise the entrance hall, ventilation shaft and plant rooms and subject to the proposed statutory planning control at a maximum PR restriction of 0.68 under the OZP.

21. A Member said that the residents living in the inner urban areas such as the residential neighbourhood at Ferry Point were generally concerned about the potential air ventilation and visual impacts that might be brought about by the future developments at the harbourfront. The Member asked if there was any information comparing the PR and BH proposed for Site A and those of the existing developments in the inner urban areas.

22. Mr. Wilson W.S. Chan said that there was no information at hand about the development intensities of the existing developments in the inner urban areas. Notwithstanding, the proposed PR at Site A would be reduced from a total PR of 8.89 to a maximum PR of 5 for the development above railway station and a maximum PR of 0.68 for the above-ground railway facilities. With the aid of three photomontages as shown in Plans 4 to 6 of the Paper, Mr. Wilson W.S. Chan said that the residential neighbourhood at Ferry Point was visible from Pier 7 (Star Ferry) in Central under the three development options. Under the baseline option, development at Site A with the existing permitted PR of 8.89 would result in very massive development, substantially breaching the ridgelines whereas the height of development under Option A with a maximum PR of 6.5 would be relatively lower but still breaching the ridgelines. As required in the draft Planning Brief for Site A, the future developer(s) would be required to carry out a visual impact assessment to examine any possible visual impacts that might be caused by the proposed development on the surrounding areas and identify mitigation measures as part of the MLP submission.

23. In response to a Member's question about the location of the major air ventilation corridor in the West Kowloon area, the Chairperson said that apart from the proposed north-south breezeway within Site A, the air ventilation corridors in the east-west direction would generally follow the existing east-west road networks in the area.

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

Flexibility of Development Restrictions

24. A Member noted that development at Site A had to take account of various requirements such as the designation of non-building area and north-south breezeway within the site. There was concern that the development restrictions were too rigid and the future developer(s) had to submit the revised development proposal to the TPB for consideration each time when minor amendments to the development proposal had to be made.

25. Mr. Wilson W.S. Chan said that pursuant to section 4A(2) of the Ordinance, an applicant for permission for development within the “CDA(1)” zone had to prepare a MLP for the approval of the TPB. When there were proposed amendments to an approved development scheme, the applicant could refer to the TPB Guidelines No. 36 and determined if the proposed amendments were classified as Class A or Class B amendments. The former did not require further application to the TPB whereas the latter were subject to TPB’s approval upon application made under section 16(A)2 of the Ordinance. Under section 2(5)(b) of the Ordinance, the TPB had delegated its authority to the Director of Planning to consider applications for Class B amendments, except that the application was considered unacceptable by the concerned Government departments (including local objections) or involving deletion of Government, institution or community facilities initiated by the relevant Government departments. Amendments falling outside the scope of Class A or Class B amendments would require fresh section 16 planning application to the TPB. The Secretary supplemented that amendments to an approved development proposal in relation to the statutory requirements such as land uses, PR and BH as stipulated on the OZP, except those Class A amendments, would require the approval of the TPB. However, the detailed planning requirements and design guidelines for the site such as the provision of breezeway were not statutory planning requirements as such and would be stipulated in the draft Planning Brief to serve as a guide to facilitate the preparation of a MLP.

Public Comments Received

26. Regarding the email dated 20.5.2009 from a resident of Yau Tsim Mong area and

the letter dated 21.5.2009 from the Yau Tsim Mong Branch of DAB received, the Chairperson asked if their comments regarding the development on top of the WKT could be addressed in the proposed planning requirements as set out in the OZP and the draft Planning Brief to be considered in Agenda Item 4.

27. In response, Mr. Wilson W.S. Chan said that the Yau Tsim Mong Branch of DAB mainly commented that the PR/BH of the concerned development should not exceed the relevant restrictions as stipulated on the prevailing OZP; the concerned development should not create “wall-effect” and cause adverse noise and exhaust air problems; the design of the concerned development should be compatible with the surrounding developments; there should be clear guidelines governing the use of public space which should be for the benefit of the public and community; and the potential adverse impacts on traffic and pedestrian flow during the construction of the concerned development should be minimized. The resident of Yau Tsim Mong area raised concerns on air ventilation and “wall-effect” resulting from the development on top of the WKT. Apparently, their comments were made before noting the proposed development parameters as stated in the Paper. In fact, the above general comments/concerns had already been taken into account in the proposed amendments under consideration and the draft Planning Brief to be considered in Agenda Item 4. The resident of Yau Tsim Mong area had also suggested to stipulate a maximum PR of 3 and a maximum BH of 100mPD for Site A as well as to designate a 40m-wide breezeway with BH restricted at 30mPD within the site to link up Hoi Wang Road. The development intensity and BH restrictions for Site A proposed by the Planning Department had already been deliberated earlier at the meeting whilst the draft Planning Brief had required the provision of a north-south breezeway of not less than 40m wide within Site A.

28. After further deliberation, the Committee decided to:

- (a) agree to the proposed amendments to the approved South West Kowloon OZP No. S/K20/22 and its revised Notes as set out in Annexes II and III of the Paper respectively;
- (b) agree that the draft South West Kowloon OZP No. S/K20/22A (to be renumbered as S/K20/23 upon exhibition) and its Notes at Annexes II and III of the Paper respectively were suitable for exhibition for public

inspection under section 5 of the Ordinance;

- (c) agree that the revised ES at Annex IV of the Paper be adopted as an expression of the planning intentions and objectives of the TPB for the various land use zonings on the draft South West Kowloon OZP No. S/K20/22A; and
- (d) agree that the revised ES at Annex IV of the Paper was suitable for exhibition together with the draft South West Kowloon OZP No. S/K20/22A and issue under the name of the TPB.

Agenda Item 4

[Open Meeting]

Draft Planning Brief for “Comprehensive Development Area(1)” Site at the Guangzhou - Shenzhen - Hong Kong Express Rail Link Terminus in West Kowloon Reclamation Area on the Draft South West Kowloon Outline Zoning Plan No. S/K20/22A
(MPC Paper No. 14/09)

Presentation and Question Sessions

29. With the aid of a Powerpoint presentation, Mr. Wilson W.S. Chan, DPO/TWK, presented the item and covered the following main aspects as detailed in the Paper :

- (a) the subject site, with a site area of about 5.88 ha, was proposed for rezoning from “Comprehensive Development Area” (“CDA”) to “CDA(1)” with plot ratio (PR) and building height (BH) restrictions on the draft South West Kowloon Outline Zoning Plan (OZP) No. S/K20/22A (to be renumbered as S/K20/23 upon exhibition under section 5 of the Town Planning Ordinance (the Ordinance)) under Agenda Item 3 considered by the Committee earlier at the meeting. The planning intention of the “CDA(1)” zone was for comprehensive development of the West Kowloon Terminus (WKT) of the Hong Kong section of the Guangzhou – Shenzhen – Hong Kong Express

Rail Link (XRL) and the topside office/commercial development into a strategic rail and high-grade office hub with the provision of open space and other supporting facilities;

- (b) a draft Planning Brief had been prepared to serve as a guide to facilitate the preparation of Master Layout Plan (MLP) as required under the Notes for the subject “CDA(1)” zone for consideration of the Town Planning Board (TPB). While the draft Planning Brief focused on the property development above the WKT (hereinafter referred as the subject development), the broad station arrangements, railway alignments and related facilities which would affect the subject development should be illustrated in the MLP submission. The major planning and design requirements for the concerned development as set out in the draft Planning Brief were highlighted in the following sub-paragraphs;

Plot Ratio

- (c) the subject development should be subject to a maximum PR of 5, of which a minimum PR of 4.5 should be for office use and the remaining PR for commercial/retail uses;

Building Height

- (d) to protect the ridgelines when viewed from Pier 7 (Star Ferry) in Central and the Sun Yat Sen Memorial Park in Sheung Wan, the subject development should adopt a stepped BH profile with the maximum BHs restricted at 90mPD, 100mPD and 115mPD in the three sub-areas of the subject “CDA(1)” zone as delineated on the OZP so as to respect the waterfront setting and its visual relationship with the adjacent developments, including those at the West Kowloon Cultural District (WKCD), Kowloon Station and Austin Station. Given the strategic and unique location of the site, flexibility should be provided to encourage iconic and signature development. As such, a BH relaxation clause was provided to allow greater flexibility for proposals with outstanding planning and design merits;

Non-Building Area

- (e) non-building area was delineated by the Mass Transit Railway Corporation Limited (MTRCL) on top of the WKT to meet the operational requirements of the WKT as set out in paragraph 5.7 of the Paper, including that the columns and lift shafts of the topside development should stay clear of the track-fan area of the XRL. The exact location and extent of the non-building area could be refined subject to negotiation and agreement with MTRCL;

Urban Design, Open Space and Landscape Requirements

- (f) the future developer(s) of the subject development was/were required to prepare urban design proposals (including visual impact assessments) with focus on creating variation in height profile, visual relief and openness; providing building gaps; integrating the utility buildings/vent shafts into the topside development; and ensuring compatibility with the surrounding developments in determining the disposition and layout of the concerned development;
- (g) a north-south breezeway/visual link of not less than 40m wide should be provided within the site to facilitate air ventilation and enhance visual connectivity to the WKCD and the harbourfront;
- (h) the future developer(s) of the subject development was/were required to prepare landscape master plans with focus on providing utility-free and unobstructed planting strip, in-ground tree planting at ground level, other amenities, street furniture and facilities as well as integrating the provision of pedestrian linkages with that of the open space network;
- (i) a minimum of 8,900m² of public open space should be provided which should be open-air; mostly provided at ground level; and open 24 hours to the public;

- (j) a minimum green coverage of 30% of the site area should be provided. The greenery should be visible to the pedestrians and could be provided at various levels and forms such as vertical greening;

Other Technical Requirements

- (k) a traffic impact assessment (TIA), an air ventilation assessment (AVA), a visual impact assessment, an environmental assessment as well as a drainage and sewerage impact assessment should be prepared and submitted as part of the MLP submission to the TPB for consideration;
- (l) the TIA should include a pedestrian flow analysis, taking into account the proposed pedestrian circulation network for the site which comprised 6 footbridges, 3 subways and 1 at-grade crossing as shown in Plan 6 of the Paper; and

Way Forward

- (m) subject to the Committee's endorsement of the draft Planning Brief, the Yau Tsim Mong District Council and the Harbour-front Enhancement Committee (HEC) would be consulted on the draft Planning Brief. The views collected would be reported to the Committee for consideration.

30. To further follow up a Member's question raised at the meeting earlier under Agenda Item 3 on the BH restrictions of the northernmost part of the subject "CDA(1)" site, Mr. Wilson W.S. Chan said that the proposed BH restrictions were determined with reference to the ridgelines at the backdrop of the site which sloped gently downwards from the west to the east as shown in Plan 6 of MPC Paper No. 13/09, on the assumption that the ridgelines should not be breached. Another Member said that based on the relationship with the ridgelines, the highest BH restriction of 115mPD would be located in the northern portion of the site, right next to Block 6 of the Sorrento above the adjacent Kowloon Station. Whether this would cause adverse impact to the adjacent developments would be subject to technical assessments to be carried out at the MLP submission stage when detailed layout of the concerned development, including disposition of building blocks within the site, was

available.

31. Several Members then had the following comments/questions on the draft Planning Brief :

- (a) what were the reasons for locating the proposed north-south breezeway/visual link centrally within the site and whether the breezeway at the currently proposed location would be affected by the iconic structure to be provided at the southern portion of the site as shown in Plan 4 of the Paper. If the proposed breezeway/visual link were re-aligned along the western edge of the site closer to the Kowloon Station, this could create greater gap between the developments above the WKT and the adjacent Kowloon Station;
- (b) as raised earlier in the meeting under Agenda Item 3, the proposed north-south breezeway/visual link would partly coincide with the non-building area identified by MTRCL, except at a triangular area towards the northernmost part of the breezeway/visual link within the site. A Member had concern that the north-south breezeway/visual link would be affected by the future development in the concerned triangular area;
- (c) the east-west air flow paths as shown in Plan 5 of the Paper were generally provided by the existing road network in the area, including Wui Cheung Road in between the two “Residential (Group A)2” (“R(A)2”) sites to the east of the site. The layout of the residential developments to be developed at the “R(A)2” sites were, however, not yet known at this stage. As residents in the inner urban areas were increasingly concerned about the potential “wall effect” created by developments at the harbourfront, it was therefore important to ensure that the subject development would not obstruct the east-west air movements to the surrounding areas, particularly the inner urban areas at Jordan;
- (d) whether the proposed breezeway/visual link to be provided within the site was confined to development above the podium. Large podium structure

with full or large ground coverage would impede air movement at street level and should thus be avoided at the subject site. It was considered that air ventilation consideration should be taken into account in the planning of both the podium and the building blocks atop;

- (e) retail provision typically found in Hong Kong was in the form of indoor shopping mall within podium development. Drawing reference to the Namba Parks at Osaka, retail provision could be, wholly or partly, in form of outdoor shopping street which could help minimize the bulk of podium structure, thereby improving air ventilation at street level and visual connectivity. With good design, the development could become the landmark of the area and help enhance the city's landscape. If retail provision was to be provided at the subject site, consideration should be given to providing different forms of retail provision as far as practicable given the unique and strategic location of the subject site;
- (f) in planning a new development site, it was important to provide proper pedestrian connections to the surrounding areas, including the adjacent Kowloon Station, Austin Station and the WKCD. To facilitate pedestrian movement, at-grade pedestrian connections to the inner urban areas at Jordan should be provided as far as practicable;
- (g) as the adjacent Kowloon Station had been completed, there was question on the feasibility of providing the proposed footbridge and subway linkages between the site and the Kowloon Station; and
- (h) public open space was provided for the use and enjoyment of the public. Given the sizeable area of the public open space to be provided at the subject site, due consideration should be given to ensure public accessibility to the open space such as by way of providing exclusive access.

[Mr. Walter K.L. Chan arrived to join while Ms. Starry W.K. Lee left the meeting at this point.]

32. In response to Members' questions in paragraphs 31(a) to (d), (f) and (g) above, Mr. Wilson W.S. Chan made the following main points :

- (a) as shown in Plan 4 of the Paper, about 3.18 ha of the site had been identified as non-building area. The central location of the proposed north-south breezeway/visual link largely fell within the identified non-building area. If the proposed breezeway/visual link was realigned along the western edge of the site which was largely outside the non-building area, the remaining "buildable area" within the site would be substantially reduced;
- (b) the east-west air flow paths as shown in Plan 5 of the Paper were indicative only and the future developer(s) would carry out an AVA at MLP submission stage to demonstrate that the air ventilation impact caused by the subject development would be reduced to the minimum. To address Members' concern, the draft Planning Brief could be amended to highlight the need to enhance the east-west air ventilation;
- (c) regarding the potential air ventilation impact that might be caused by podium development, various measures had been adopted to minimize the bulk of the podium structure at the subject site as far as practicable. For example, the subject site would not accommodate the existing PTI and coach/motorcycle park which would be relocated to the "Open Space(1)" ("O(1)") site to the north and would be subject to planning application. Ancillary car park had to be provided underground as stipulated in the Remarks of the Notes for the subject "CDA(1)" zone. Besides, most railway facilities for the WKT would be put underground and the above-ground railway facilities to be provided at the site would be subject to a maximum PR restriction of 0.68 under the OZP; and
- (d) as shown in Plan 6 of the Paper showing the proposed pedestrian circulation network for the subject site, a footbridge would be provided to link up with the "O(1)" site to the north where the future PTI and coach/motorcycle park would be located. Pedestrian connection to the

WKCD site would be via a subway and an at-grade pedestrian deck across Austin Road West with the proposed depression of section of Austin Road West under the WKT-related road projects. Two footbridges and a subway were proposed to provide connection with the two “R(A)2” sites to the east which would be developed by MTRCL. While the three proposed footbridge connections had been reserved in the Kowloon Station development, MTRCL was examining the feasibility of constructing a subway linkage with the Kowloon Station, having regard to the foundation piles already built at that Station.

33. In response to the Member’s comment in paragraph 31(e) above, the Chairperson suggested and Members agreed to stipulate in the draft Planning Brief that in planning for retail provision at the subject site, consideration should be given to providing different forms of retail provision such as outdoor shopping street as far as practicable.

34. In response to the Member’s comment in paragraph 31(h) above, the Chairperson said that the accessibility of public open space was dependent on various factors, including the design and management of the open space. She suggested and Members agreed to stipulate in the draft Planning Brief that the design and management of the public open space to be provided at the subject site should be conducive to easy public accessibility.

[Ms. Sylvia S.F. Yau and Dr. Daniel B.M. To left the meeting temporarily at this point.]

35. Mr. H.L. Cheng, Chief Traffic Engineer (Hong Kong), Transport Department, said that the transport facilities to be provided at the site as specified in Annex A of the draft Planning Brief were not fully in accordance with the relevant standards of the Hong Kong Planning Standards and Guidelines. As the exact provision requirements would be subject to the TIA to be carried out by the future developer(s) to the satisfaction of the Commissioner of Transport as stated on Page 12 of the draft Planning Brief, he suggested to delete Annex A from the draft Planning Brief. Members agreed.

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

36. After deliberation, the Committee decided to:

- (a) endorse the draft Planning Brief to serve as a guide to facilitate the preparation of MLP for the subject “CDA(1)” site subject to the refinements as detailed in paragraphs 32(b), 33 to 35; and
- (b) subject to the refinements as detailed in paragraphs 32(b), 33 to 35, agree that the draft Planning Brief was suitable for consultation with the Yau Tsim Mong District Council and HEC. The views collected together with the revised PB incorporating the relevant comments, where appropriate, would be submitted to the Committee for further consideration and endorsement.

[The Chairperson thanked Mr. Wilson W.S. Chan, DPO/TWK, and Mr. C.H. Mak, ATP/TWK, for their attendance to answer Members’ enquires. They left the meeting at this point.]

37. The meeting was adjourned at 10:50 a.m. for a break of 5 minutes.

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

[Mr. P.C. Mok, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), was invited to the meeting at this point.]

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/676 Proposed Temporary Shop and Services (Fast Food Shop)
for a Period of 2 Years
in “Other Specified Uses” annotated “Business” zone,
Shop A, G/F, Mackenny Centre,
660 Castle Peak Road, Cheung Sha Wan
(MPC Paper No. A/K5/676)

Presentation and Question Sessions

38. Mr. P.C. Mok, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed temporary shop and services (fast food shop) for a period of 2 years;
- (c) departmental comments – concerned Government departments, including the Director of Fire Services, had no objection to or adverse comments on the application;
- (d) no public comment was received during the statutory publication period and no local objection was received by the District Officer; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessment in paragraph 11 of the Paper. The proposed temporary fast food shop for a period of 2 years was considered generally in line with the planning intention of the “Other Specified Uses” annotated “Business” (“OU(Business)”) zone and complied with the requirements set out in the Town Planning Board Guidelines No. 22D for ‘Development within “OU(Business)” Zone’. The proposed temporary fast food shop was considered not incompatible with the uses of the subject industrial building which mainly comprised offices of industrial/trading firms and godowns on the upper floors. No significant adverse impacts on developments within the subject building and the adjacent areas were anticipated.

39. Members had no question on the application.

Deliberation Session

40. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 2 years up to 22.5.2011, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- (a) the provision of fire service installations in the subject premises to the satisfaction of the Director of Fire Services or of the TPB before operation of the use; and
- (b) if the above planning condition was not complied with before operation of the use, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.

41. The Committee also agreed to advise the applicant of the following :

- (a) to apply to the District Lands Officer/Kowloon West, Lands Department for the temporary waiver to permit the applied use; and
- (b) to consult the Chief Building Surveyor/Kowloon, Buildings Department to ensure that the change in use would comply with the Buildings Ordinance, in particular the provision of 2-hour fire resisting separation walls between the application premises and the remaining portion of the building in accordance with the Building (Construction) Regulation and the Code of Practice for Fire Resisting Construction as well as the provision of adequate means of escape in accordance with the Building (Planning) Regulation and the Code of Practice for the Provision of Means of Escape in Case of Fire.

[The Chairperson thanked Mr. P.C. Mok, STP/TWK, for his attendance to answer Members' enquires. Mr. Mok left the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting]

A/K5/677 Proposed Shop and Services
in “Other Specified Uses” annotated “Business” zone,
Units C and D, G/F, Garment Centre,
576-586 Castle Peak Road, Cheung Sha Wan
(MPC Paper No. A/K5/677)

42. The Committee noted that the applicant’s representative on 6.5.2009 had requested for deferment of the consideration of the application for not more than two months in order to allow time to prepare supplementary information to address departmental comments.

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 also agreed that the application should be submitted to the Committee for consideration within two months from the date of receipt of further information from the applicant. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

[Mr. K.T. Ng, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), was invited to the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TW/404 Proposed Massage Establishment
in “Residential (Group A)” zone,
1/F, Tin Wah Building,
36-44 Chuen Lung Street, Tsuen Wan
(MPC Paper No. A/TW/404)

Presentation and Question Sessions

44. Mr. K.T. Ng, STP/TWK, said that a memo dated 20.5.2009 from the District Officer (Tsuen Wan) making clarification on the comments of the Chairman of Tsuen Wan Central Area Committee in paragraph 9.1.6 of the Paper had been sent to Members on 21.5.2009 and tabled at the meeting for Members' information. Mr. Ng then presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed massage establishment on the 1/F of a composite commercial/residential building which was accessible via a staircase serving the non-domestic portion of the subject building whereas the residential portion on the upper floors would be served by two other separate entrances;
- (c) departmental comments – the Commissioner of Police (C of P) advised that his office had not received any application for the issue of a massage establishment licence at the application premises and hence was unable to comment on the application at this stage. Should the Committee decide to approve the application, the applicant should be reminded to apply to his office for a massage establishment licence. Other concerned Government departments had no objection to or adverse comments on the application;
- (d) during the statutory publication period, two public comments were received raising objection to the application mainly for the reasons that the application premises was not suitable for the proposed development; the subject building was originally used for residential purpose; and the proposed development would bring about vice business as well as law and order problems. The District Officer (Tsuen Wan) advised that the Chairman of the Tsuen Wan Central Area Committee had no objection to the application if the proposed development would be under formal monitoring and if there was a social need for such use; and

- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment in paragraph 11 of the Paper. The proposed development complied with the requirements set out in the Town Planning Board Guidelines No. 14B for ‘Application for Commercial Bathhouse and Massage Establishment’. Being in an area of mixed commercial and residential developments with ten previously approved similar applications in the vicinity, the proposed development was considered not incompatible with the neighbourhood. It was located within the non-domestic portion of a composite commercial/residential building with its own entrance separated from those serving the residential portion of the subject building. As such, it would unlikely cause inconvenience and nuisances to the residents of the subject building. To ensure compliance with the fire safety requirements, an approval condition requiring the applicant to provide fire service installations had been recommended. Regarding the public comments, relevant Government departments had no adverse comments on the application and the Commissioner of Police would monitor the public law and order through the massage establishment licensing system. In order to monitor the operation of the proposed development to ensure that it would not cause nuisances to the residents in the area, it was recommended to approve the application on a temporary basis for a period of 3 years.

45. Members had no question on the application.

Deliberation Session

46. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years up to 22.5.2012, on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- (a) the provision of fire service installations within six months from the date of the approval to the satisfaction of the Director of Fire Services or of the TPB by 22.11.2009; and

- (b) if the above planning condition was not complied with by the specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.

47. The Committee also agreed to advise the applicant of the following :

- (a) to apply to the Commissioner of Police for a massage establishment licence for the proposed development at the application premises; and
- (b) to submit building plans on the building works within the application premises to the Director of Buildings to demonstrate compliance with the Buildings Ordinance.

[The Chairperson thanked Mr. K.T. Ng, STP/TWK, for his attendance to answer Members' enquires. Mr. Ng left the meeting at this point.]

Hong Kong District

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

Agenda Item 8

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H18/59 Proposed Government Use (Radiation Monitoring Station)
 in "Green Belt" zone,
 Government land near Cape D'Aguilar Submarine Cable Station,
 Hok Tsui
 (MPC Paper No. A/H18/59)

Presentation and Question Sessions

48. 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 Government use (radiation monitoring station) which comprised various facilities on or near a concrete base as shown in Drawing A-2 of the Paper;
- (c) departmental comments – while having no in-principle objection to the application, the Antiquities and Monuments Office (AMO) advised that the application site fell within the Bokhara Battery which had been proposed for Grade II status in the recent assessment exercise of historical buildings. Should the application be approved, it was recommended to impose an approval condition requiring the applicant to submit and implement a site formation proposal to their satisfaction. Other concerned Government departments, including the Director of Agriculture, Fisheries and Conservation (DAFC) and the Chief Town Planner/Urban Design and Landscape, Planning Department, had no objection to or adverse comments on the application;
- (d) no public comment was received during the statutory publication period and no local objection was received from the District Officer; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for the reasons as detailed in paragraph 11 of the Paper. The application was considered generally in line with the criteria set out in the Town Planning Board Guidelines No. 10 for 'Application for Development within "Green Belt" Zone'. The proposed radiation monitoring station was an essential facility to provide an early alert of abnormal rise in radiation level in the event of a nuclear accident at the two nuclear power stations in Daya Bay. The applicant had demonstrated that the proposed site under application was the most suitable one among the alternative sites being considered. The proposed station was small in scale and hence

would unlikely cause adverse impacts on the natural landscape, visual amenity, traffic and infrastructure capacity of the surrounding areas. An approval condition requiring the applicant to submit and implement a site formation proposal as suggested by the AMO had been recommended.

49. Several Members indicated that there was no in-principle objection to the proposed use under application, but had the following comments/concerns on the application :

- (a) the proposed radiation monitoring station was located close to the historic structures of the Bokhara Battery and the Hok Tsui Site of Special Scientific Interest (SSSI) which was one of the best examples of rocky shores in Hong Kong with rich coastal features formed by interaction of wind and tidal actions on the rocks. In particular, it required the formation of a concrete base for installation of some of its facilities which was located just next to a historic structure of the Battery. As such, there were concerns that the proposed station might affect the character of the Battery and the SSSI and whether the proposed site under application was appropriate for the proposed station;
- (b) noting that the various facilities to be installed for the proposed station were rather scattered, whether there were any technical reasons or requirements justifying the layout of the proposed station. Even if there were technical reasons or requirements for the proposed layout, there was concern that the visual amenity of the area would be affected by the proposed station. It was suggested that the development proposal for the station should be improved in visual terms; and
- (c) the application site was currently covered with grass and low shrubs, but part of it had to be formed to provide a concrete base for the proposed station which was located adjoining a historic structure of the Battery. To ensure the compatibility of the proposed station with the Battery and the surrounding areas, consideration should be given to provide some forms of greenery for the proposed station.

50. In response, Mr. David C.M. Lam made the following main points :

- (a) as detailed in paragraph 2 of the Paper, two alternative sites, including the automatic weather station at Waglan Island and the Marine Department's Lighthouse in Cape D'Aguiar, had been considered in the site selection process. However, they were considered not suitable for the proposed station as the former site was not accessible by land transport whereas the lighthouse at the latter site might block the radiation measurement. The application site was selected in view of its exposed location and accessibility by land transport which could allow rapid emergency maintenance of the proposed station. No excavation works or new access road for the proposed station would be required;
- (b) the concerned Government departments, including PlanD and the applicant, had been mindful in protecting and preserving the Bokhara Battery and had carried out site visits in formulating the development proposal for the proposed station at the selected site under application. As shown in Drawing A-2 of the Paper, the proposed concrete base had been carefully positioned slightly away from the historic structures of the Battery. The AMO had no in-principle objection to the application given that the proposed station would not cause disturbance to the Battery and all construction works would be carried out away from the historic structures of the Battery. Besides, an approval condition requiring the applicant to submit and implement a site formation proposal as suggested by the AMO had been recommended;
- (c) while the proposed station was located at some distance away from the SSSI, the facilities to be constructed closer to the SSSI were mainly poles and fences which were small in scale. As such, no significant adverse impact to the SSSI was anticipated. The DAFC also had no adverse comment on the application given the small scale nature of the proposed works and no existing trees or natural features would be affected; and

- (d) there was no information in the applicant's submission to justify the layout of the proposed station. However, the facilities of the proposed station were all small in scale as shown in Drawing A-2 of the Paper. As road access to the area was restricted to vehicles with the required permit only, the application site was not readily accessible by the general public. In light of the above, no significant visual impact due to the proposed station was anticipated.

51. In response to a Member's follow-up question regarding the accessibility of the application site, Mr. David C.M. Lam said that access to the Cape D'Aguilar area was via Hok Tsui Road which was designated as a prohibited zone under the Road Traffic Ordinance. Only vehicles with the required permit from the relevant Government department could use the road to reach the foothill of Cape D'Aguilar, from there people could access the application site at the hilltop via staircases/footpath. The Chairperson supplemented that it would be difficult for the general public to access the application site by climbing up the adjacent steep slopes from seaside.

52. The Chairperson concluded Members' general stance of having no in-principle objection to the application. Notwithstanding, to address Members' concerns on the potential adverse impact on the visual amenity of the area and the Bokhara Battery, she suggested to impose an approval condition requiring the applicant to provide landscape treatment for the proposed station. Referring to Plan A-2 of the Paper, a Member added that space was available near the application site and asked if it was technically feasible to adjust the location of the proposed station facilities further away from the roof of the Bokhara Battery as far as possible and provide visual treatment for the development, including planting trees/grasses around the station facilities. Mr. David C.M. Lam replied in the affirmative. In this regard, the Chairperson suggested to modify the additional approval condition requiring the applicant to adjust the layout of the proposed station so as to maintain as much distance as possible between the station and the Battery. A Member pointed out that although the application site and its surrounding areas were now not readily accessible, the opportunity to open up the area, including the Battery, to the general public in future should not be ruled out. To ensure that the character of the Bokhara Battery and its long-term use in future would not be adversely affected by the proposed station, this Member gave support to the Chairperson's suggestions. Two other Members shared the same view.

After discussion, the Committee agreed to incorporate the two proposed approval conditions.

Deliberation Session

53. 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 22.5.2013, 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) to adjust the layout of the proposed development to separate the proposed development from the Bokhara Battery as well as to submit and implement landscape proposal for the proposed development to the satisfaction of the Director of Planning or of the TPB; and
- (b) the submission and implementation of a site formation proposal to the satisfaction of the Director of Leisure and Cultural Services or of the TPB.

54. The Committee also agreed to advise the applicant of the following :

- (a) to apply to the District Lands Officer/Hong Kong West and South, Lands Department for approval to occupy the subject site;
- (b) to note the comments of the Head of Geotechnical Engineering Office regarding the submission on the stability of all slopes and/or retaining walls which could affect or be affected by the proposed development for checking as required under the Environment, Transport and Works Bureau Technical Circular No. 29/2002; and
- (c) to note the comments of the Director-General of Civil Aviation to avoid electromagnetic or radio interference to Civil Aviation Department's radio station.

[The Chairperson thanked Mr. David C.M. Lam, STP/HK, for his attendance to answer

Members' enquires. Mr. Lam left the meeting at this point.]

Kowloon District

[Mr. Vincent T.K. Lai, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

Agenda Item 9

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K7/95 Proposed Redevelopment of Two School Buildings
in Excess of a Maximum Building Height of 4 Storeys
in "Government, Institution or Community(1)" zone,
Two Sites within King George V School Campus,
2 Tin Kwong Road, Ho Man Tin (KIL 10736)
(MPC Paper No. A/K7/95)

Presentation and Question Sessions

55. Mr. Vincent T.K. Lai, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed redevelopment of two existing school buildings (including a 2-storey classroom block and a 1-storey canteen block) within the King George V (KGV) School campus into two new school buildings with a building height of 6 storeys, highlighting that the proposed building height complied with the maximum building height restriction of 6 storeys as stipulated under the Notes for the subject "Government, Institution or Community(1)" ("G/IC(1)") zone, but any new development/redevelopment of an existing building in excess of a

maximum building height of 4 storeys would require the submission of an air ventilation assessment (AVA) to the Town Planning Board (the Board) for approval as required under the Notes;

- (c) departmental comments – the Assistant Commissioner for Transport/Urban, Transport Department (AC for T/U, TD) reserved comments on the application pending the availability of assessment results regarding the provision of parking and loading/unloading facilities. Other concerned Government departments, including the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD), had no objection to or adverse comments on the application;
- (d) a total of 49 public comments were received during the statutory publication period. 47 commenters raised objection to or concerns on the application mainly on air quality, air ventilation, visual quality, noise nuisance, traffic congestion and safety grounds. One commenter supported the application whereas another commenter had no objection to the application as long as the nearby schools and residents would not be affected by the proposed redevelopment during the construction stage; and
- (e) PlanD's views – PlanD had no objection to the application based on the assessment in paragraph 11 of the Paper. The application sites were located within the KGV School campus which was surrounded by low-rise Government, institution or community developments. The two proposed 6-storey school buildings were considered compatible with the low-rise buildings ranging from 1 storey to 6 storeys within the school campus and complied with the maximum building height restriction of 6 storeys under the subject "G/IC(1)" zone. However, as the subject "G/IC(1)" zone was located at localised wind corridor for the prevailing southwesterly wind in summer, the applicant had submitted and demonstrated in the AVA as required under the Notes for the subject "G/IC(1)" zone that the air ventilation impact resulted from the proposed redevelopment would be very localised and the southwesterly wind corridor would not be affected. CTP/UD&L, PlanD had no objection to the application as the submitted

AVA had demonstrated that the proposed redevelopment to 6 storeys was generally comparable in air ventilation term to that of a 4-storey redevelopment. AC for T/U, TD's concerns could be addressed under the lease as the District Lands Officer/Kowloon West, Lands Department (DLO/KW, LandsD) had advised that corresponding changes to the provision of parking spaces in compliance with the lease requirement would be required. Regarding the public comments, relevant Government departments, including CTP/UD&L, PlanD and the Director of Environmental Protection, had no objection to the application from air ventilation, urban design and environmental viewpoints whereas the traffic concern could be dealt with under the lease.

56. Members had no question on the application.

Deliberation Session

57. Mr. H.L Cheng, Chief Traffic Engineer (Hong Kong), Transport Department, said that his department had raised concern on the lack of assessment results from the applicant on the provision of parking and loading/unloading facilities for the proposed redevelopment. Although PlanD advised that the issue could be addressed under the lease, details of the relevant lease conditions had not been made available. Ms. Olga Lam, Assistant Director (Kowloon), LandsD, sought clarification on how the issue could be addressed under the lease. Mr. Vincent T.K. Lai replied that the demolition of classroom block would require corresponding changes in the provision of parking spaces in compliance with the lease requirement as advised by DLO/KW, LandsD. As both the assessment results on the provision of parking and loading/unloading facilities for the proposed redevelopment and the relevant lease conditions were not available at this stage, Mr. H.L. Cheng suggested and Members agreed to impose an approval condition requiring the applicant to provide parking and loading/unloading facilities for the proposed redevelopment to the satisfaction of the Commission for Transport or of the TPB.

58. After further deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 22.5.2013, 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 fire fighting and fire service installations to the satisfaction of the Director of Fire Services or of the TPB;
- (b) the submission and implementation of tree preservation and landscape proposal to the satisfaction of the Director of Planning or of the TPB; and
- (c) the provision of parking and loading/unloading facilities for the proposed redevelopment to the satisfaction of the Commissioner for Transport or of the TPB.

59. The Committee also agreed to advise the applicant of the following :

- (a) the approval of the application did not imply any compliance with the Buildings Ordinance and Regulations. The applicant should approach the Buildings Department direct to obtain the necessary approval;
- (b) to note the comments of the Director of Fire Services that the arrangement of emergency vehicular access should comply with Part VI of the Code of Practice for Means of Access for Firefighting and Rescue which was administered by the Buildings Department;
- (c) to note the comments of the District Lands Officer/Kowloon West, Lands Department that due to the demolition of the classroom block, corresponding changes to provide an appropriate number of parking spaces to comply with the lease requirement would be required;
- (d) to note the comments of the Antiquities and Monuments Office, Leisure and Cultural Services Department as follows :
 - (i) the applicant should ensure that no disturbance would be made to the Peel Block, Pavilion and Caretakers' House of the King George V

School during the course of work;

- (ii) monitoring and protective measures on the Peel Block and Pavilion should be implemented during the course of work;
 - (iii) the design and character of the proposed new buildings should be compatible to the architectural style of the Peel Block;
 - (iv) according to the air ventilation assessment, a dedicated walkway would link up the proposed new buildings to the Peel Block. The applicant should forward the details of the walkway for his comments; and
- (e) to resolve any land issue relating to the proposed redevelopment with the concerned Government departments.

Agenda Item 10

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K18/261 Proposed School (Primary School)
 in “Residential (Group C)1” zone,
 105 Waterloo Road, Kowloon Tong (NKIL 708 RP)
 (MPC Paper No. A/K18/261)

Presentation and Question Sessions

60. Mr. Vincent T.K. Lai, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed primary school which involved the demolition of the existing

2-storey vacant building for redevelopment into a new 2-storey primary school at a plot ratio of 0.6 and building height of 2 storeys or 18.29mPD at main roof level;

- (c) departmental comments – concerned Government departments, including the Secretary for Education, had no objection to or adverse comments on the application;
- (d) during the statutory publication period, four public comments were received mainly raising concerns on the adverse environmental, health and traffic impacts caused by the increasing number of schools in the Kowloon Tong area; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application for the reasons as detailed in paragraph 10 of the Paper. The proposed primary school was considered not incompatible with the surrounding areas in which some schools were located along Waterloo Road in the vicinity. The proposed plot ratio of 0.6 and building height of 2 storeys complied with the maximum plot ratio and building height restrictions for the subject "Residential (Group C)1" zone and were considered not incompatible with the surrounding developments. A previous application (No. A/K18/256) for in-situ conversion and re-construction of the existing building at the application site into a 2-storey primary school at a plot ratio of 0.6 and a building height of 19.1mPD at main roof level had been approved by the Committee on 7.11.2008. Under the current application, the proposed 2-storey primary school had the same plot ratio and a lower absolute building height at 18.29mPD at main roof level. The proposed primary school would not encroach onto the 6m wide non-building areas abutting Waterloo Road and Lincoln Road as stipulated under the draft Kowloon Tong Outline Development Plan No. D/K18/1A. No major adverse impacts on the traffic, environment and infrastructural capacity of the surrounding areas were anticipated. Regarding the public comments, relevant Government departments, including the Direction of Environmental Protection,

Commissioner of Police and the Assistant Commissioner for Transport/Urban, Transport Department, had no adverse comments on the application.

61. Members had no question on the application.

Deliberation Session

62. 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 22.5.2013, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- (a) the design and provision of vehicular access arrangement, parking facilities and loading/unloading spaces and laybys for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the provision of water supplies for fire fighting and fire service installations for the proposed development to the satisfaction of the Director of Fire Services or of the TPB;
- (c) the submission of a sewerage impact assessment and implementation of the sewage improvement measures identified therein to the satisfaction of the Director of Drainage Services or of the TPB; and
- (d) the submission and implementation of a landscape and tree preservation proposal to the satisfaction of the Director of Planning or of the TPB.

63. The Committee also agreed to advise the applicant of the following :

- (a) the approval of the application did not imply any compliance with the Buildings Ordinance and Regulations. The applicant should approach the Buildings Department direct to obtain the necessary approval;

[Miss Helen L.M. So, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

Agenda Item 12

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/589 Proposed Private Club
 in “Other Specified Uses” annotated “Business” zone,
 Portion of Units 1 and 2, G/F,
 11-13 Shing Yip Street, Kwun Tong
 (MPC Paper No. A/K14/589)

Presentation and Question Sessions

66. With the aid of a Powerpoint presentation, Miss Helen L.M. So, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed private club;
- (c) departmental comments – the Director of Fire Services (D of FS) objected to the application as the proposed private club was considered not compatible in an industrial building from fire safety point of view. Although the proposed private club was restricted to members only, the club members were treated the same as members of the public who were unfamiliar with the subject industrial building or surrounding areas, and were not aware of or prepared to face the potential risk associated with the industrial activities. In view of the higher risk of fire in such building/premises, it was anticipated that the unnecessary life risk in case of fire or other calamities would be greater. The Chief Officer (Licensing Authority), Home Affairs Department (HAD) also objected to the

application on fire safety ground. Other concerned Government departments had no objection to or adverse comments on the application;

- (d) during the statutory publication period, one public comment expressing support to the application was received; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessment in paragraph 10 of the Paper. The application involved a change of use from industrial to private club on portion of the ground floor of an industrial building. Both the D of FS and the Chief Officer (Licensing Authority), HAD objected to the application on fire safety ground.

67. Noting that there was an internal staircase and escalator inside the application premises leading to the 1/F as shown in Plan A-6 of the Paper, the Chairperson enquired if the current application covered the 1/F of the subject building and what were the existing uses thereon. Miss Helen L.M. So replied that the current application did not cover the 1/F of the subject building which was currently occupied by offices, warehouses and a showroom as detailed in paragraph 6.2(b) of the Paper.

Deliberation Session

68. The Chairperson said that similar to the proposed arts gallery at part of the application premises under the previous application (No. A/K14/583), the proposed private club under the current application would attract members of the public to the subject industrial building. The application could not be approved on fire safety ground.

69. After further deliberation, the Committee decided to reject the application and the reason was that the proposed private club was considered not acceptable in an industrial building from fire safety point of view.

[The Chairperson thanked Miss Helen L.M. So, STP/K, for her attendance to answer Members' enquires. Miss So left the meeting at this point.]

Agenda Item 13

Any Other Business

70. There being no other business, the meeting was closed at 11:40 a.m..