

**Minutes of 365th Meeting of the  
Metro Planning Committee held on 14.1.2008**

**Agenda Item 2**

[Closed Meeting]

Proposed Amendments to the  
Draft Wong Nai Chung Outline Zoning Plan No. S/H7/13  
(MPC Paper No. 6/08)

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1. The Secretary declared an interest in this item for having a property in Beverly Hill, which was a subject of one of the proposed amendments under consideration. The following Members also declared interests:

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| Mr. James Merritt    | - being the representative of Lands Department, and there was a potential sale site (No. 373 Queen's Road East) which was a subject of one of the proposed amendments under consideration; |
| Professor N.K. Leung | - with relatives residing in the Wong Nai Chung area; and  |
| Mr. Nelson W.Y. Chan | - being involved in a school under planning at No. 14 King Kwong Road which was a subject of one of the proposed amendments under consideration.   |

2. Since the item was for the consideration of proposed amendments to an Outline Zoning Plan (OZP) and related to the plan-making process, Members agreed that in accordance with the Town Planning Board (the Board)'s established practice, the Secretary and the above Members with interests declared could stay at the meeting during the discussion of the item.

3. Ms. Christine K.C. Tse, District Planning Officer/Hong Kong (DPO/HK), and Mr. Tom C.K. Yip, Senior Town Planner/Hong Kong (STP/HK) of the Planning Department (PlanD), and Dr. Rumin Yin, Senior Building Physics Engineer, Ove Arup & Partners Hong Kong Ltd., were invited to the meeting at this point.

4. With the aid of a Powerpoint presentation, Mr. Tom C.K. Yip briefed Members

on the item as detailed in the Paper and covered the following main points:

### Background

- (a) to prevent the random proliferation of high-rise buildings which were out-of-context with the local character, PlanD had taken actions to review various OZPs with a view to imposing development restrictions as appropriate. In respect of the Wong Nai Chung area (the Area), a large part of the OZP, most of which were designated as Special Control Areas (SCAs) by the Government in 1972, had already been put under development restrictions. The locations of the SCAs and the details of the control were shown in a plan tabled at the meeting, which replaced Plan 4 of the Paper. On 8.12.2006, the rest of the Area which fell within Density Zone 2 and was zoned Residential (Group B) (“R(B)”) was put under building height and plot ratio (PR) restrictions upon exhibition of the draft OZP No. S/H7/12. The current exercise was the remaining part of a comprehensive review of building height restrictions on all development zones in the OZP. In order to avoid further proliferation of incompatible high-rise buildings in the Area and to provide a clearer and better planning control, appropriate building height restrictions were recommended;

### Existing Profile of the Area

- (b) in general, the Area could be divided into five sub-areas as follows:
- (i) the Central Valley Plain and Eastern Sports/Recreation Area, comprising the Happy Valley Race Course and the sports and recreation grounds encircled by the race course and at Caroline Hill Road;
  - (ii) Valley Floor Area, comprising mainly medium-rise developments;
  - (iii) Upper Valley Area, comprising mainly low-rise villa type developments;

- (iv) Eastern Upper Hill Area, comprising mainly medium to high-rise developments; and
- (v) Green Periphery Area, acting as the green buffer to the built-up area;

#### Local Wind Environment

- (c) an air ventilation assessment (AVA) by expert evaluation had been undertaken to assess the implications of the proposed building height restrictions on pedestrian wind environment in the Area. The major findings and recommendations of the AVA were as follows:
  - (i) the low-rise developments at Happy View Terrace and the slopes between Leighton Hill and Beverly Hill provided the main wind corridor for prevailing northeasterly wind to Happy Valley. The slopes should be designated as a non-building area (NBA), or the site coverage (SC) and height of the future buildings at the area should be kept as low as possible;
  - (ii) several large gaps between the existing buildings along Broadwood Road provided wind corridors for northeasterly wind to Blue Pool Road and its surrounding areas. Upon redevelopment, the gaps between buildings should be kept to the existing level and the SC should be kept as low as possible; and
  - (iii) Shan Kwong Road, Sing Woo Road and Village Road were the main entrance wind corridors to the Valley Floor Area. If possible, buildings along both sides of the roads should be set back by 5 metres to widen the corridors;

#### Urban Design Principles

- (d) taking into consideration the planning intention, topography, existing environment and the broad urban design guidelines as set out in the Hong Kong Planning Standards and Guidelines, the following major principles had been adopted:
- (i) the proposed height profile should respect the existing character of residential neighbourhood and preserve the existing vista from Happy Valley to Wong Nai Chung Gap;
  - (ii) developments in the “Government, Institution or Community” (“G/IC”) and “Other Specified Uses” (“OU”) sites should be maintained as low-rise to provide spatial and visual relief to the urban environment; and
  - (iii) existing development potential of the concerned sites should not be adversely affected;

Proposed Building Height Restrictions

- (e) in respect of the “Commercial” (“C”), “Commercial/Residential” (“C/R”), “Residential (Group A)” (“R(A)”), “R(B)” and Residential (Group C)1” (“R(C)1”) sites at the Valley Floor Area, four building height bands were proposed as detailed in paragraph 8.4 of the Paper, namely:
- (i) 85mPD for the “R(A)” sites to the immediate south of the Happy Valley Race Course, which included the sites bounded by Wong Nai Chung Road, Shan Kwong Road, King Kwong Street and Blue Pool Road;
  - (ii) 100mPD for the “R(A)” and “R(B)” sites along the valley on the two sides of Shan Kwong Road and Sing Woo Road (except an “R(B)” site to the south of Village Road and west of Shan Kwong Road), “R(A)” and “R(B)” sites at Leighton Road, Wong Nai Chung Road and Link Road, and the “C” and “C/R” (to be rezoned to “C”) site;

- (iii) 115mPD for the “R(B)” site to the south of Village Road and west of Shan Kwong Road and the eastern part of the “R(C)1” zone at the southern end of Shan Kwong Road; and
- (iv) 130mPD for the western part of the “R(C)1” zone at the southern end of Shan Kwong Road;

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

- (f) for the sites at the Eastern Upper Hill Area, restrictions as set out in paragraph 8.5 of the Paper were proposed, which mainly reflected the existing building heights;
- (g) as recommended in the AVA, the slopes between Leighton Hill and Beverly Hill were designated as NBA. Designation of more NBA at the rest of the “R(C)1” sites along Broadwood Road was considered not necessary since the concerned sites were already subject to stringent SC control under OZP and there was a large “Green Belt (“GB”)” zone to serve as a wind corridor. The recommendation in the AVA to provide setback along Shan Kwong Road, Sing Woo Road and Valley Road was considered not practical due to the small size and limited depth of most of the concerned lots. Furthermore, the proposed setback might seriously affect the development potential and design flexibility of the sites;
- (h) the existing “G/IC” sites, apart from providing Government, institution or community (GIC) facilities to the community, also served as breathing space and visual relief in the Area. Building height restrictions as detailed in paragraph 8.14 of the Paper were proposed for these sites to contain the development scale and/or reflect existing building heights. While most of these sites were subject to a proposed restriction in terms of number of storeys to allow design flexibility, restrictions for the school sites at the upper section of Blue Pool Road would be in terms of mPD to ensure preservation of public view. For the approved Phase 3 redevelopment of Hong Kong

Sanatorium and Hospital and the Hong Kong University SPACE Po Leung Kuk Community College, which were under construction and would be of heights out-of-context with the surrounding developments, maximum building heights in terms of both number of storeys and mPD were proposed to provide more stringent control;

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

- (i) building height restrictions as detailed in paragraph 8.18 of the Paper were proposed for the “OU” sites to contain the existing development intensity, reflect as-built conditions of the concerned sites, and provide visual and spatial relief to the built-up urban context. Most of these sites were subject to a proposed restriction in terms of the number of storeys, except the site occupied by the Hong Kong Jockey Club Headquarters Building which was the tallest building within the race course and the area to the immediate north. For this site, a building height restriction in terms of both the number of storeys and mPD (18 storeys and 81mPD) was proposed to provide more stringent control;
- (j) for the “OU” annotated “Sports and Recreation Club”, “Stables, Private Sports/Recreation Club and Public Open Space” and “Race Course” zones, it was proposed, in addition to imposing building height restrictions, that planning permission from the Board should be required for any new development and redevelopment (i.e. except addition, alteration and/or modification to an existing building) to preserve the existing character;

#### Rezoning Proposals

- (k) opportunity had also been taken to review the zoning of the “C/R” and “G/IC” sites with completed commercial and residential developments. The following rezoning proposals were made to reflect completed developments:
  - (i) rezoning of two “C/R” sites at Leighton Road and Stubbs Road

respectively to “C” with a maximum building height of 100mPD;

- (ii) rezoning of the “G/IC” site at No. 101 Leighton Road to “C(1)” with a maximum building height of 100mPD;
- (iii) rezoning of the “G/IC” site at No. 17 Ventris Road to “R(B)9” with a maximum building height of 115mPD and a maximum gross floor area (GFA) of 2,985m<sup>2</sup>;
- (iv) rezoning of the “G/IC” site at Nos. 12-18 Kwai Sing Lane to “R(B)10” with a maximum building height of 100mPD, a maximum domestic GFA of 15,495m<sup>2</sup>, a maximum non-domestic GFA of 8,687m<sup>2</sup> (with 2,251m<sup>2</sup> for GIC facilities), and a requirement to provide a public car park with 200 spaces; and
- (v) rezoning of the “G/IC” site at No. 32 Green Lane to “R(C)11” with a maximum building height of 130mPD. The building currently at the site was significantly taller than the neighbouring developments. To maintain the planned stepped height profile in this area, it was proposed that the existing building height should not be allowed upon redevelopment of the site;

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

- (l) amendments to the Notes and ES of the OZP as detailed in Attachments II and III of the Paper respectively were proposed to reflect the above building height restrictions and rezoning proposals;

Departmental Comments

- (m) while having no objection to the proposed building height restrictions, the District Lands Officer/Hong Kong East advised that the restrictions would have negative impact on the land values of the lots with no restriction on development parameters or a less stringent restriction under lease. The District Officer (Wan Chai) also commented that the proposed restrictions

for residential buildings would likely be opposed by existing residents of the affected buildings;

- (n) in response to the above comments, PlanD considered that the proposed restrictions were necessary to prevent the proliferation of out-of-context developments. Imposing building height restrictions on the OZP would allow certainty and transparency in the planning control system; and

#### Public Consultation

- (o) prior public consultation was not appropriate since pre-mature release of the intention to impose the restrictions might lead to people rushing in to submit building plans, which would defeat the purpose of incorporating the control. The public could provide their views on the proposed amendments upon exhibition of the amendments under section 7 of the Town Planning Ordinance (the Ordinance). The Wan Chai District Council would also be consulted during the exhibition period.

5. With the aid of a fly-through animation, Mr. Tom C.K. Yip concluded his presentation by illustrating the building height profile of the Area under the proposed building height restrictions.

6. Members then had a lengthy discussion on the proposed amendments and raised the following comments:

#### “R(A)” sites to the immediate south of the Happy Valley Race Course

- (a) compared with the existing building heights, allowing a building height of 85mPD for the “R(A)” sites to the immediate south of the Happy Valley Race Course might create wall effect to the buildings further south. Explanation on the rationale for the proposed building height restriction was sought;
- (b) the subject area was characterised by non-podium block type medium-rise

developments representing a special local character. Stipulating a maximum building height for the area might give an impression to the public that the Board encouraged redevelopment of the existing low-rise buildings up to the maximum height. For better protection of the local character, a more stringent restriction might be necessary;

- (c) it was important to ensure that the proposed building height restriction would not unduly affect the existing development potential of the concerned sites to ensure fairness to the affected property owners. Relaxation to the restrictions should be allowed in cases with planning and design merits;
- (d) to identify the appropriate restriction, a comparison between the building height profiles under a scenario with restriction and one without could be undertaken;

Sites at Wong Nai Chung Road to the east of the Race Course

- (e) allowing a building height of 100mPD for the residential sites at Wong Nai Chung Road might block the wind corridor between Leighton Hill and Beverly Hill and defeat the purpose of designating the slopes surrounding Happy View Terrace as NBA;
- (f) what was the rationale for allowing a maximum building height of 100mPD for the sites at Wong Nai Chung Road along the eastern periphery of the race course but allowing a height of only 85mPD for the sites to the immediate south of the race course;

Control of wall effect

- (g) taking into account that developers tended to maximize the building frontage to attain the best view from their developments, imposing building height restrictions without limiting building disposition might cause wall effect upon redevelopment. To avoid such situation, developers should be

encouraged to reduce the building frontage with incentive provided by allowing relaxation of the building height restrictions;

Approach of control

- (h) to allow more flexibility for development design, it might be more appropriate to control the building height by way of setting out the general criteria, such as compliance with the stepped height profile and provision of wind corridors, rather than imposing very specific restrictions on building height. Developments which did not satisfy the criteria would require planning permission by the Board;
- (i) before determining the appropriate building height restrictions, it was important to establish the planning intention in respect of the form and scale of developments in the Area. For the Wong Nai Chung area, preference should be given to retaining the existing local character and redevelopments should be confined to a small scale in harmony with the local character;

Sites with existing building height greater than proposed

- (j) for the sites with existing building height greater than that proposed, consideration should be given to not allowing redevelopment up to the existing height. Otherwise, the intended building height profile for the Area could not be realized even in the long term; and

Sites at Broadwood Road

- (k) a maximum building height of 240mPD was proposed for the site of Broad View Villa within the “R(C)1” zone at Broadwood Road while a lower height of 170mPD was proposed for the site of Villa Lotto to the immediate north. There stood a possibility, though very remote, for the Villa Lotto site to amalgamate with the Broad View Villa site upon redevelopment and in such a circumstance, building blocks could be placed in the Broad View Villa site and developed up to 240mPD. This might frustrate the intention

of containing future redevelopment within the existing height limit. To address this, it might be more desirable to confine the building height restriction of 240mPD to the existing building footprint or to designate a lower building height of 170mPD for the site. Since the OZP would allow redevelopment up to the existing height, designating a lower building height would not affect the development potential of the site but would convey a clearer message to the public regarding the intended building height concept of the Area.

7. In response to Members' comments, Ms. Christine K.C. Tse explained the rationales behind the proposed height restrictions and made the following main points:

“R(A)” sites to the immediate south of the Happy Valley Race Course

- (a) as shown on the photomontage at Plan 18 of the Paper, the view from the Happy Valley Sports Ground to Wong Nai Chung Gap could still be preserved by setting a building height restriction of 85mPD for the “R(A)” sites to the immediate south of the Happy Valley Race Course;
- (b) in formulating the proposed building height restriction, it had been assumed that each of the redeveloped buildings would comprise a tower block with a typical floor height of 3.15m on a one-storey podium, with car park at basement level. The intention was to reflect the current character of the area. If a more stringent building height restriction was to be adopted, the parameters as assumed would have to change in order not to affect the development potential of the sites;
- (c) if no building height restrictions were imposed, many sites in the Area could be redeveloped into very tall buildings which would be out-of-context with the local character. As shown on Plan 6 of the Paper, building plans for high-rise developments had been received in respect of several sites;

Sites at Wong Nai Chung Road to the east of the Race Course

- (d) a more stringent restriction of 85mPD was proposed for the sites to the immediate south of the race course in order to preserve the view from the valley floor to Wong Nai Chung Gap. As shown on the photomontage at Plan 19 of the Paper, the sites at Wong Nai Chung Road to the east of the race course were under the backdrop of tall buildings at Ventris Road and Broadwood Road and therefore, a less stringent restriction was proposed;

Control of wall effect

- (e) to provide an incentive for development/redevelopment with planning and design merits, provision for minor relaxation of the building height restrictions was proposed. A set of criteria for consideration of such minor relaxation was proposed in paragraph 8.3 of the Paper and incorporated in paragraph 7.5 of the proposed ES at Attachment III of the Paper;

Approach of control

- (f) the proposed building height restrictions for the Area were based on the intention to maintain the existing character of the Area which comprised mainly medium and low-rise developments. For “R(A)” sites, shops were only found at the ground floor level;

Sites with existing building height greater than proposed

- (g) it was a general practice of the Board to respect existing development right and allow redevelopment up to the existing building height. For consistency and fairness, a departure from such practice would require strong justifications, for instance, in cases where allowing redevelopment up to the existing height would significantly jeopardize major planning and design concepts such as the need to protect views to the ridgeline. In the Wong Nai Chung area, a departure from the practice was proposed only for the site at No. 32 Green Lane, which was occupied by an existing building

of 146.3mPD that was incompatible with the stepped height profile of the adjacent areas. To tally with the stepped height profile, it was proposed that future redevelopment at the site should be subject to a lower building height of 130mPD; and

Sites at Broadwood Road

- (h) the proposed building height restrictions for the Broad View Villa and Villa Lotto sites were intended to reflect the existing building heights. The portion of the Broad View Villa site beyond the existing building footprint was mainly used as a swimming pool and formed part of the development. Since both the Broad View Villa and Villa Lotto had been developed up to the maximum PR of 5, an amalgamation of the two sites for redevelopment was unlikely. It was a general practice of the Board to impose development restrictions on a development site as a whole. Confining the restrictions to the existing building footprint might affect the flexibility for redevelopment.

8. In response to a Member's further enquiry, Ms. Christine K.C. Tse said that the proposed building height restrictions would not lead to any change in the planned population in the Area.

9. In response to Members' comments at paragraphs 6(e) and (g) above, Dr. Rumin Yin made the following points:

- (a) the proposed height of 100mPD for the "R(B) sites on Wong Nai Chung Road would not block the wind flow from the north to the valley since the wind could still pass through, as the buildings on the adjacent "G/IC" sites would be subject to a building height of only 12 storeys; and
- (b) on the basis that the OZP would not incorporate control on building separation and building shape, restricting the building height was a more practical way to alleviate the adverse impacts of high-rise buildings. It was because taller buildings with narrower footprints would result in greater wall

effect should there be no control on the building height of developments. Designating NBA and setbacks were other alternatives, which, however, might not be practical in some cases.

10. In respect of Members' concern on the possible impact of allowing a maximum building height of 85mPD for the "R(A)" sites to the immediate south of the race course on the local character, the Chairperson said that the photomontage on Plan 18 of the Paper only showed a scenario that all sites were redeveloped to the maximum height. In reality, that scenario might not happen given the constraints for redevelopment, such as the multiple ownership of some of the sites. Having said that, consideration could be given to slightly reducing the proposed building height without adversely affecting the development right of the concerned sites. In this regard, Members noted that there was a reasonable scope to slightly reduce the building height restriction without affecting the development potential. Taking this into account, Members agreed that the proposed maximum building height for the concerned sites should be reduced to 80mPD.

11. Regarding a Member's suggestion to provide an incentive for reducing the building frontage by allowing a higher building height, the Chairperson said that the OZP might not be the most suitable tool for the control of the design of individual buildings. The Secretary added that the feasibility of imposing control under the Buildings Ordinance on separation between buildings was being studied by the Buildings Department. For the OZP, there was provision for minor relaxation of development restrictions to encourage better design. To facilitate consideration of application for such minor relaxation, PlanD had proposed a set of criteria in paragraph 7.5 of the revised ES of the OZP. To address Members' concern, the Chairperson suggested and Members agreed that the provision of separation between buildings to enhance visual and air permeability should also be explicitly set out as a criterion for consideration of applications for minor relaxation of the building height restrictions.

12. In response to a Member's suggestion to control the building height by way of setting out the general criteria without specifying building height restrictions, the Chairperson said that it might cause difficulty in determining whether planning permission was required in processing building plan submissions. In any event, the general criteria underlying the building height restrictions in the OZP would be set out in the ES.

13. In response to Ms. Christine K.C. Tse's response made in paragraph 7(h) above, a Member said that to maintain consistency with other OZPs, the established practice of imposing development restrictions on a site as a whole should be followed, unless there were strong justifications for not doing so. Since the concerned buildings had been developed to the maximum PR of 5 allowed under the OZP and were under multiple ownership, an amalgamation of the two sites at Villa Lotto and Broad View Villa to take advantage of a greater building height was unlikely. As such, there was no imminent need for considering a departure from the established practice. This issue could be looked into separately at a later date.

14. The Secretary added that the concern was related to the issue of the transfer of plot ratio, which had been a subject of study by the PlanD in the context of the comprehensive review of the Town Planning Ordinance in the past. In view of the complexity and wide implication of the issue, the Chairperson said that the issue should be studied as a general planning matter instead of being handled on an ad-hoc basis in the context of the Wong Nai Chung OZP.

15. In response to Members' concern over the proposed building height restrictions in the Broadwood Road area, Mr. Tom C.K. Yip briefed Members on the different height concepts developed by PlanD in the course of the building height review. The concepts were eventually not adopted as it was difficult to draw up a rational height concept as most of the concerned sites had already been developed to the maximum potential without a discernable pattern. The Chairperson also said that it might not be appropriate to impose the same height for different sites, taking into consideration the difference in site levels.

16. A Member asked whether the exhibition of the proposed amendments would be in conflict with the processing of the judicial review (JR) and representations as mentioned in paragraphs 2.3 and 2.4 of the Paper, and whether the Paper and the minutes of the meeting would be open to the public. The Secretary said that the proposed amendments, the JR and the representations would be processed separately. The Paper and the minutes of the meeting would be kept confidential until the proposed amendments to the OZP were gazetted.

17. After deliberation, the Committee decided to agree that:
- (a) subject to the amendment to the proposed building height restriction as agreed in paragraph 10 above, the draft Wong Nai Chung OZP No. S/H7/13A and its Notes at Attachments I and II of the Paper respectively were suitable for exhibition under section 7 of the Ordinance; and
  - (b) subject to the amendment as agreed in paragraph 11 above, the revised ES at Attachment III of the Paper should be adopted as an expression of the planning intentions and objectives of the Board for the various land use zonings of the OZP and the revised ES should be published together with the OZP under the name of the Town Planning Board.

[The Chairperson thanked Ms. Christine K.C. Tse, Mr. Tom C.K. Yip and Dr. Rumin Yin for attending the meeting. They all left the meeting at this point.]

[Professor Bernard V.W.F. Lim, Mr. Stanley Y.F. Wong, Dr. Daniel B.M. To, Mr. Raymond Y.M. Chan, Mr. Nelson W.Y. Chan and Mr. Anthony Loo left the meeting at this point.]

### **Agenda Item 3**

[Closed Meeting]

Proposed Amendments to the  
Approved Ho Man Tin Outline Zoning Plan No. S/K7/18  
(MPC Paper No. 4/08)

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### **Agenda Item 4**

[Closed Meeting]

Proposed Amendments to the  
Approved Ma Tau Kok Outline Zoning Plan No. S/K10/18  
(MPC Paper No. 5/08)

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18. The Secretary reported that the following Members had declared interests in the

two items:

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- Mr. Raymond Y.M. Chan - having a property which was a subject of one of the proposed amendments under consideration;
- Mr. James Merritt - being the representative of Lands Department (LandsD) and there was a sale site (the ex-Valley Road Estate Phase 2 site) and a potential sale site (the ex-Ho Man Tin Police Quarters site) which were the subject of the proposed amendments under consideration;

Agenda Item 4

- Mr. Raymond Y.M. Chan and Ms. Starry W.K. Lee - each having a property which was a subject of one of the proposed amendments under consideration; and
- Mr. James Merritt - being the representative of LandsD and there was a sale site (the ex-CAS training centre site) which was a subject of one of the proposed amendments under consideration.

19. Since the two items were for the consideration of proposed amendments to an Outline Zoning Plan (OZP) and related to the plan-making process, Members agreed that in accordance with the Town Planning Board's established practice, the above Members with interests declared in the two items could stay at the meeting during the discussion of the items. The Committee also noted that Mr. Raymond Y.M. Chan had already left the meeting.

20. Mr. Eric C.K. Yue, District Planning Officer/Kowloon (DPO/K), Mr. Kelvin K.W. Chan and Mr. C.C. Lau, Senior Town Planners/Kowloon (STPs/K), Mr. Derek P.K. Tse and Miss Helen H.Y. Chan, Town Planners/Kowloon (TPs/K) of the Planning Department (PlanD), and Dr. Rumin Yin, Senior Building Physics Engineer, Ove Arup & Partners Hong Kong Ltd., were invited to the meeting at this point.

21. Mr. Eric C.K. Yue, DPO/K, said that an information note attaching a composite plan and a working model that showed the proposed building height (BH) restrictions for the development zones in the Ma Tau Kok and Ho Man Tin areas had been prepared for Members' reference.

22. With the aid of a Powerpoint presentation, Mr. Kelvin K.W. Chan, STP/K, briefly presented the background of the BH review for the approved Ma Tau Kok and Ho Man Tin OZPs. With the removal of the ex-Kai Tak Airport, the Ma Tau Kok and Ho Man Tin areas had been subject to redevelopment pressure and a number of high-rise redevelopments had been erected in the area in recent years. A BH review for the development zones was therefore undertaken for the two OZPs.

Proposed Amendments to the Approved Ma Tau Kok Outline Zoning Plan No. S/K10/18

23. With the aid of a Powerpoint presentation, Mr. Kelvin K.W. Chan continued to present the proposed amendments to the approved Ma Tau Kok OZP No. S/K10/18 as detailed in Paper No. 5/08 and covered the following main points:

Existing Profile of the Area

- (a) in general, the Ma Tau Kok area could be divided into six sub-areas as follows:
  - (i) Kowloon City Area, comprising mainly low to medium-rise developments;
  - (ii) Prince Edward Road West and Argyle Street Area, comprising mainly low to medium-rise developments;
  - (iii) south of Sung Wong Toi Road Area, comprising mainly medium-rise developments;
  - (iv) Waterfront Area, comprising mainly medium-rise developments;
  - (v) Inland Area, comprising mainly medium to high-rise developments;  
and
  - (vi) west of Kau Pui Lung Road - Foothill Area, comprising mainly high-rise developments;

### Local Wind Environment

- (b) an air ventilation assessment (AVA) by expert evaluation had been undertaken to assess the implications of the proposed BH restrictions on pedestrian wind environment in the Ma Tau Kok area. The major findings and recommendations of the AVA were as follows:
- (i) the Kowloon City Area was subject to relatively poor air ventilation performance due to the existing street pattern and congested layout. As such, the height of buildings in this area should be kept as low as possible;
  - (ii) the two open spaces, including Olympic Garden and Tin Kwong Road Recreation Ground, provided wind corridor for northeasterly and southwesterly wind to Argyle Street and its surrounding area. The existing public transport interchange at San Ma Tau Street was also a major wind entrance to the To Kwa Wan Recreation Ground area. The height of buildings between the two open spaces, those along Argyle Street and near the eastern part of San Shan Road should be kept as low as possible;
  - (iii) the area near Mok Cheong Street was the major wind corridor to the To Kwa Wan Recreation Ground. Apart from keeping the height of buildings in this area as low as possible, a quantitative AVA study for the "CDA" sites near Mok Cheong Street was also recommended; and
  - (iv) Ma Tau Wai Road was a major wind corridor. To enhance the effect of the ventilation corridor, the height of buildings on the west side of Ma Tau Wai Road should be high in order to divert the wind to flow down to the pedestrian level of Ma Tau Wai Road. Besides, the height of buildings near Tam Kung Road should be kept low to reduce wind blockage;

### Urban Design Principles

- (c) taking into consideration the existing topography, site formation level, existing land use zoning, existing BH profile, BH restrictions imposed on the OZP for the surrounding areas, including Kowloon Tong and Kai Tak, findings of the AVA and the broad urban design guidelines as set out in Hong Kong Planning Standards and Guidelines (HKPSG), the following major working principles had been adopted:
- (i) the proposed height profile should be sympathetic and compatible in scale and proportion with the surrounding developments, which had a general stepped height profile with lower developments along the waterfront/park areas and higher developments in the inland area;
  - (ii) the proposed height profile should take into account the existing character of the area and the general height of the existing developments. Out-of-context developments must be avoided whereas the views to the ridgelines, which provided a backdrop to the area, should be preserved;
  - (iii) developments in the “Government, Institution or Community” (“G/IC”) and “Other Specified Uses” (“OU”) sites should be maintained as low-rise to provide spatial and visual relief to the urban environment; and
  - (iv) existing development potential of the concerned sites should not be adversely affected;

### Proposed BH Restrictions

- (d) there were broadly four BH bands of 80mPD, 100mPD, 120mPD and 140mPD recommended for the “Commercial” (“C”), “Comprehensive Development Area” (“CDA”), “Residential (Group A)” (“R(A)”), “R(B)” and “R(E)” zones as detailed in paragraph 7.5 of Paper No. 5/08. For the “R(A)” sites in Kowloon City area, a height limit of 80mPD was proposed,

which could be increased to 100mPD for sites with an area of 400sqm or more to avoid pencil-like buildings and to encourage amalgamation of sites for more comprehensive development;

- (e) the “G/IC” sites were subject to a height limit of 1 to 13 storeys, except the site at 1 Ma Hang Chung Road which was subject to a height limit of 80mPD to reflect the BH of a previously approved application (No. A/K10/211), as detailed in paragraphs 7.6 to 7.9 of Paper No. 5/08;
- (f) the “OU” annotated “Commercial Development with Public Vehicle Park” and “Sports and Recreation Club” zones were subject to a maximum BH of 36mPD and 1 storey respectively as detailed in paragraphs 7.10 to 7.12 of Paper No. 5/08;
- (g) to allow for design flexibility, there would be provision for applications for minor relaxation of BH restrictions through the planning permission system having regard to a set of criteria as detailed in paragraph 7.4 of Paper No. 5/08;

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

- (h) to incorporate the BH restrictions with provision of minor relaxation clause for the relevant zones and to rezone the “R(A)” sites in Kowloon City area to “R(A)2” to effect the proposed two-tier BH restrictions of 80mPD for sites smaller than 400sqm and 100mPD for sites with an area of 400sqm or more to avoid pencil-like buildings and to encourage amalgamation of sites for more comprehensive development;
- (i) to amend the covering Notes regarding the definition of “existing building” and the planning intention of the “O” zone in accordance with the latest revised Master Schedule of Notes to Statutory Plan (MSN), as well as other technical amendments as detailed in paragraph 9.2 of Paper No. 5/08;
- (j) to amend the ES to take into account the proposed amendments and the

latest planning circumstances as detailed in paragraph 10 of Paper No. 5/08;

Departmental Comments

- (k) the Director of Housing (D of H) objected to the proposed height limit of 100mPD for Ma Tau Wai Estate and considered that a height limit of 140mPD should be applied to the entire area west of Ma Tau Kok Road/Ma Tau Chung Road, including Ma Tau Wai Estate and the adjoining strip of “R(A)” zone. District Lands Officer/Kowloon East (DLO/KE) and District Lands Officer/Kowloon West (DLO/KW) mainly commented that the BH restrictions should not affect the development potential and lead to “wall-liked” buildings. Besides, the restrictions would have negative impact on the land values and might induce larger site coverage of developments and agglomeration of building lots, which in turn might affect the pedestrian wind environment;
  
- (l) in response to the above comments, PlanD was of the view that the currently proposed height limit of 100mPD for Ma Tau Wai Estate would be more congruous to the adjacent “R(B)” zone with a proposed BH of 80mPD. Besides, various considerations, including the plot ratio as permitted under the current OZP, site coverage as permitted under the Building (Planning) Regulation, and air ventilation/local wind environment had been take into account in arriving at the recommended BH restrictions; and

Public Consultation

- (m) prior public consultation was not appropriate since pre-mature release of the intention to impose the restrictions might lead to people rushing in to submit building plans, which would defeat the purpose of incorporating the control. The public could provide their views on the proposed amendments upon exhibition of the amendments under section 5 of the Town Planning Ordinance. The Kowloon City District Council would

also be consulted during the exhibition period.

24. Mr. Kelvin K.W. Chan said that the ex-Cattle Depot Artist Village site straddled on the “G/IC” and “Open Space” (“O”) zones. As the “O” zoning would be subject to review in future, the proposed height limit of 1 storey for the ex-Cattle Depot Artist Village site would not be imposed on the “O” zone for the time being, as stated in footnote 14 and shown on Plan 11 and Attachment I of Paper No. 5/08. Members noted and agreed that the proposed amendments to the approved Ma Tau Kok OZP No. S/K10/18 would not include the height limit of 1 storey for the “O” zone covering the ex-Cattle Depot Artist Village site.

25. With the aid of a fly-through animation, Mr. Kelvin K.W. Chan concluded his presentation by illustrating the building height profile of the Ma Tau Kok area under the proposed BH restrictions.

26. With the aid a working model, Mr. Eric C.K. Yue further explained the planned BH profile for the Ma Tau Kok area under the proposed BH restrictions. In response to Members’ questions, Mr. Yue said that the existing BH of Wyler Garden at about 46mPD was shown in the working model rather than its proposed height limit of 100mPD, based on the working assumption that buildings with age less than 30 years would have a lower propensity for redevelopment. As regards the proposed BH of 140mPD for Lok Man Sun Chuen which was the highest in the area, he said that the height limit had taken into account the higher topography of the site. A Member raised concern on whether the hill behind Lok Man Sun Chuen would be surrounded by similar tall buildings. Mr. Eric C.K. Yue said that the concerned area fell within the Ho Man Tin OZP and the proposed BH restrictions for that area would be considered by the Committee at the same meeting. It was worth noting that the area to the north of the hill were mostly government, institution or community (GIC) buildings and open spaces. Dr. Rumin Yin added that wind could still blow over the canopy of Lok Man Sun Chuen at the proposed height limit of 140mPD and flow down to the hill behind.

27. Located at the waterfront with sea view, a Member said that the “R(E)” sites at Yuk Yat Street with existing BH of about 42-52mPD would be subject to greater redevelopment pressure than the residential sites in the inland area. As residents in the inland area had expressed great concern on the possible “wall effect” of buildings at the

waterfront upon redevelopment, that Member asked about the reason for the proposed BH of 100mPD for the “R(E)” sites at Yuk Yat Street and whether there was scope to reduce the proposed height limit. Mr. Eric C.K. Yue said that one of the considerations in deriving the proposed BH restrictions was to accommodate the plot ratio as permitted under the OZP. Unlike the “R(A)” sites at Kowloon City area, the concerned lots at Yuk Yat Street were relatively larger. A height limit of 100mPD would be required to accommodate the plot ratio as permitted under the OZP, assuming a typical floor height of 3.15m and presence of car park podium. Nevertheless, there could be scope to reduce the proposed height limit for the “R(E)” sites at Yuk Yat Street if the Committee considered that car park could be built underground instead of at the podium, and/or the assumed typical floor height of 3.15m could be reduced.

28. While acknowledging the need to accommodate the plot ratio as permitted under the OZP, another Member said that ancillary car park, unlike retail shops, would not be accountable for gross floor area (GFA) calculation and hence it was not unreasonable to assume the car park, if required at the “R(E)” sites at Yuk Yat Street, to be built underground, should Members consider the proposed BH restriction be further reduced. In response to a Member’s question, Mr. Eric C.K. Yue said that the existing BH of Sunrise Villa within the “R(E)” zone at Chi Kiang Street was 115.5mPD.

29. The Secretary supplemented that the possible wall effect created by redevelopment of the industrial buildings at Yuk Yat Street was a concern of the Committee. The Committee had previously deferred the consideration of application No. A/K10/209 for a “R(E)” site at Yuk Yat Street and required the applicant to submit a revised design scheme based on a lower BH and to submit further information with respect to air ventilation to address the Committee’s concerns.

30. The Chairperson said that the extent to which the proposed BH restriction for the “R(E)” sites at Yuk Yat Street could be reduced would be limited. Moreover, a lower height limit might also create impermeable building masses, blocking the flow of wind from the waterfront to the inland area. As planning permission would be required for residential use within the subject “R(E)” zone to address industrial/residential interface problems, the Committee could consider maintaining the proposed BH restriction of 100mPD for the “R(E)” sites at Yuk Yat Street, but setting out in the Explanatory Statement of the OZP the

need to give due consideration to provide adequate space between the proposed development and the surrounding developments to enhance the air and visual permeability in the future development proposals to be submitted for consideration by the Committee. Members agreed.

31. A Member recalled that there were approved planning applications at Yuk Yat Street. With reference to Plan 10 of the Paper, Mr. Eric C.K. Yue replied that there were two approved planning applications (No. A/K10/181 and A/K10/209) at Yuk Yat Street with BH of 134.7mPD and 146.2mPD respectively. The same Member said that the proposed BH restrictions for the residential sites along Broadwood Road within the Wong Nai Chung area were mainly to reflect the existing BH. Following the same principle, the proposed BH restrictions for the two sites at Yuk Yat Street could reflect the BH in the approved planning applications. The Secretary explained that the existing BH was imposed along Broadwood Road as a distinctive height concept was not apparent. A height band concept was, however, applicable to the residential sites at Yuk Yat Street.

32. A Member asked if consideration could be given to having a stepped height profile for the “CDA” sites near Mok Cheong Street to avoid creating “wall liked” buildings and for better interface with the adjacent Kai Tak Development and the ex-Cattle Depot Artist Village site. Mr. Eric C.K. Yue replied that the AVA had identified the “CDA” sites near Mok Cheong Street as the major wind corridor from Kai Tak to To Kwa Wan Recreation Ground and inland area. As Master Layout Plan (MLP) submission would be required for developments within the “CDA” zone in accordance with the Notes of the OZP, the applicants would be required to submit, inter alia, a quantitative AVA study during the MLP submission. In drawing up the layout of the development, due consideration should be given to the findings of the AVA. In particular, there should be adequate space between buildings to enhance the air and visual permeability to the surrounding developments and any adverse impact on the surrounding areas, particularly in terms of air ventilation should be carefully assessed and mitigated. Diversity in building mass/form should also be encouraged within each site to achieve a more interesting building height profile in the area. The Chairperson suggested and Members agreed to clearly specify the above requirements for the “CDA” sites near Mok Cheong Street in the Explanatory Statement of the OZP and the Planning Briefs to be prepared.

33. After deliberation, the Committee decided to:
- (a) subject to the amendment as agreed in paragraph 24 above, agree to the proposed amendments to the approved Ma Tau Kok OZP No. S/K10/18 and that the draft Ma Tau Kok OZP No. S/K10/18A (to be renumbered as S/K10/19 upon exhibition) and its Notes at Attachments I and II of Paper No. 5/08 respectively were suitable for exhibition under section 5 of the Town Planning Ordinance; and
  - (b) subject to the amendments as agreed in paragraphs 30 and 32 above, adopt the revised Explanatory Statement at Attachment III of Paper No. 5/08 as an expression of the planning intentions and objectives of the Town Planning Board for the various land use zonings of the OZP, and the revised ES would be published together with the OZP under the name of the Town Planning Board.

*Proposed Amendments to the Approved Ho Man Tin Outline Zoning Plan No. S/K7/18*

34. With the aid of a Powerpoint presentation, Mr. C.C. Lau, STP/K, presented the proposed amendments to the approved Ho Man Tin OZP No. S/K7/18 as detailed in Paper No. 4/08 and covered the following main points:

Existing Profile of the Area

- (a) the area to the north of Argyle Street and Waterloo Road was flat land lying along three primary distributor roads, i.e. Boundary Street, Prince Edward Road West and Argyle Street with a street level of 7mPD to 14mPD. It was a traditional low- to medium-density residential area with buildings mainly of 20mPD to 50mPD (2 storeys to 17 storeys) in height providing a comfortable human scale built-environment and streetscapes. There were a few buildings up to 80mPD and four exceptional high-rise residential buildings up to 134mPD (33 storeys). It adjoined the low-rise, low-density Kowloon Tong area to the north across Boundary Street;

- (b) the area to the south of Argyle Street and Waterloo Road was highland sloping upwards to Ho Man Tin South Estate at about 70mPD, then sloping down towards Chatham Road North (street level of 7mPD). The BHs in this area were diverse ranging from 25mPD to 167mPD (2 storeys to 41 storeys). There were also some exceptional high-rise residential buildings up to 205mPD (46 storeys);

#### Local Wind Environment

- (c) an AVA by expert evaluation had been undertaken to assess the likely impacts of the proposed BH restrictions on pedestrian wind environment in the Area. Major findings and recommendations of the AVA were as follows :
  - (i) Prince Edward Road West and Argyle Street were the main wind corridors in the Area and there was a local wind corridor across Ho Man Tin High Level Service Reservoir, vacant site at ex-Ho Man Tin Estate and the Ho Man Tin Hill Road area. The open areas at south-eastern part of the Area (i.e. Ko Shan Road Park, Ho Man Tin East Service Reservoir Playground and King's Park Service Reservoir and the vacant site thereat) were important for air circulation;
  - (ii) the current vacant sites at Ho Man Tin Estate allowed wind padding through to the adjacent part of Mong Kok. New buildings thereon might cause blocking problem and create a wind shadow right behind. Some designated wind corridors should be set aligning with prevailing wind and the building layout should be revised to ensure good wind penetration over the site; or the BH restriction should be set as low as possible. The building coverage of the site should also be limited as far as possible;
  - (iii) the "R(A)" area abutting the southern section of Waterloo Road between Pui Ching Middle School and Ho Man Tin Street was a strategic location for wind coming from northeast, east and southwest

directions. The height of the southern cluster is around 60mPD. The proposed BH should be kept as low as possible (similar to existing condition) or the building porosity of these zones should be increased to create an effective wind corridor for wind penetration;

- (iv) the existing BHs in the residential area fronting Perth Street Sports Ground varied from 27mPD to 62mPD. The BH restriction for this area should be set as low as possible; or wind corridor should be provided for wind penetration. Moreover, the building coverage should be controlled as far as possible;
- (v) the average existing BH of the area along Prince Edward Road West and northern section of Waterloo Road was about 50mPD. The buildings along the subject roads should be set back to allow deeper wind penetration; and
- (vi) the ex-Valley Road Estate Phase 1 site was situated at the hillside (site level at about 45mPD). Design of buildings should have high porosity or have a designated wind corridor so as to favour wind penetration in east/west and northeast/southwest directions. The building porosity should also be increased or the building site coverage be reduced;

#### Urban Design Principles

- (d) taking into account the existing topography, site formation level, existing land use zoning, characteristics of existing BH profile, BH restriction imposed on OZP for the surrounding areas, and the urban design guidelines as set out in the HKPSG, the following major principles had been adopted :
  - (i) to preserve existing visual and green amenities, clusters with open settings, open streetscapes and human scale character;
  - (ii) to respect the development rights as permitted under the OZP;
  - (iii) to follow the physical terrain of the Area as appropriate;

- (iv) to allow smooth transition from low-rise developments to high/medium-rise developments in the Area as well as those in the neighbouring districts;
- (v) to complement the BH concepts of the existing height restrictions in the Area;
- (vi) to allow flexibility for modern building design; and
- (vii) to protect the setting of heritage features;

#### Proposed BH Restrictions

- (e) there were seven BH bands proposed for the “R(A)”, “R(B)” and “C” zones in addition to the current BH restrictions of 2 storeys and 12 storeys (over car parks) for the “R(C)” and “R(B)1” zones respectively as detailed in paragraphs 4.4.5 to 4.4.13 and 4.4.19 of Paper No. 4/08, namely:
  - (i) 80mPD for the “R(B)” sites to the north of Argyle Street (street levels of 7-14 mPD);
  - (ii) 90mPD for the “R(B)” sites to the south of Argyle Street (street levels of 14-28 mPD) and the only “C” zone at Argyle Street;
  - (iii) 100mPD for the “R(B)” zone of higher street levels (25-35 mPD) along Man Fuk Road/Man Wan Road, the area between Perth Street and Sheung Shing Street and the lower section of Ho Man Tin Hill Road, as well as the “R(A)” sites along the southern section of Waterloo Road extended to Argyle Street (street levels of 7-14 mPD), on the highland of the Area including medium-density public housing estates and private residential developments, and the lower blocks of Ho Man Tin South Estate along Fat Kwong Street;
  - (iv) 120mPD for the “R(B)” zone at upper section of Ho Man Tin Hill Road, as well as the “R(A)” zone abutting Chatham Road North and Fat

Kwong Street and the portion of Ho Man Tin Estate away from Fat Kwong Street;

- (v) 130mPD for the Carmel On the Hill and the ex-Valley Road Estate Phase 1 site within the “R(A)” zone; and
  - (vi) 150mPD and 160mPD for part of Ho Man Tin South Estate sites within the “R(A)” zone;
- (f) apart from providing GIC facilities to the community, the existing “G/IC” sites also provided visual and spatial relief to the built-up area. BH restrictions as detailed in paragraphs 4.4.14 to 4.4.18 of Paper No. 4/08 were proposed for these sites to contain their development scale or to reflect their existing BH. The “G/IC” sites occupied by low-rise buildings would be subject to a height limit of 1 to 13 storeys to allow more design flexibility, whereas those sites with higher developments or falling within visually more prominent locations and major spatial relief areas, BH restrictions of 50mPD, 60mPD, 80mPD and 90mPD were proposed;
- (g) a 1-storey BH restriction was proposed for the “OU” annotated “Petrol Filling Station” zone to allow only ancillary structures in a petrol filling station, and a 3-storey restriction for the “OU” annotated “Kerosene Store” zone to reflect the existing BH on site, as detailed in paragraph 4.4.20 of Paper No. 4/08;
- (h) to allow for design flexibility, there would be provision for applications for minor relaxation of BH restrictions through the planning permission system having regard to a set of criteria as detailed in paragraph 4.4.4 of Paper No. 4/08;

#### Proposed Rezoning of Two Sale Sites

- (i) rezoning of the ex-Ho Man Tin Police Quarters site from “G/IC” to “R(E)” with a maximum domestic plot ratio (PR) of 5 and a BH restriction of

100mPD as detailed in paragraph 5.1 of Paper No. 4/08;

- (j) rezoning of the ex-Valley Road Estate Phase 2 site from “R(A)” to “R(B)2” with a maximum PR of 5 and a BH restriction of 130mPD on the lower platform and 150mPD on the upper platform, as well as a non-building area (NBA) of 15m in width between the two platforms of the site as detailed in paragraph 5.2 of Paper No. 4/08;

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

- (k) amendments to the Notes and ES of the OZP as detailed in Attachments II and III of Paper No. 4/08 respectively were proposed to reflect the above BH restrictions and rezoning proposals;
- (l) amendments to the covering Notes regarding the definition of “existing building” and the planning intention of the “O” zone in accordance with the latest revised MSN, as well as other technical amendments as detailed in paragraph 6.2.3 of Paper No. 4/08;

Departmental Comments

- (m) the District Lands Officer/Kowloon East (DLO/KE) advised that the imposition of BH restrictions for “R(B)” sites would lead to larger site coverage of the domestic parts of redevelopments and less private open area at the podium level. Given the agglomeration of building lots and narrow streets in the Area, and the non-domestic podium structures with larger site coverage, the proposal would affect the pedestrian wind environment. It would also adversely affect the value of redevelopment, construction cost, Government land revenue and time required for redevelopment involving minor relaxation of BH restriction. PlanD, on the other hand, was of the view that podium structure, which was permitted under the Building (Planning) Regulation, might be provided by the developer regardless of the proposed BH restrictions. Also, relevant development control under the Buildings Ordinance such as site coverage

had been taken into account in drawing up the proposed height restriction. In addition, NBAs had been imposed on the Ho Man Tin Outline Development Plan to improve the streetscape, and an AVA had been conducted for the proposed amendments to the OZP. As it was the planning objective to preserve the existing townscape of Ho Man Tin Area, any new development or redevelopment should blend in well with the local context;

- (n) the Director of Housing commented that the proposed BH restrictions for Ho Man Tin South Estate should be revised from 150mPD and 160mPD to 160mPD and 170mPD respectively taking into account the existing BHs. Also, BH restriction for the Ho Man Tin South Estate Phase 2 site should be 170mPD in view of its location on a higher site level of 74mPD and severe geotechnical and development constraints. PlanD was of the view that an existing building would not be affected by the proposed BH until there was a material change of use or the building was redeveloped, and the BH of Ho Man Tin South Estate should be kept as low as possible as the site was located at a visual prominent location in Kowloon Peninsula;
- (o) the Director of Environmental Protection (DEP) did not support the proposed rezoning of the ex-Ho Man Tin Police Quarters site for residential development on the ground of anticipated road traffic noise impact from Princess Margaret Road. As there were fewer opportunities for incorporating practicable noise mitigating designs in the development, alternative option of non-noise sensitive or noise-tolerant development for the site should be explored. PlanD opined that according to the Notes of the “R(E)” zone, residential use of the site required planning permission from the Board, in which planning scheme with suitable environmental mitigation measures would be proposed by the applicant for consideration by DEP and the Board; and

#### Public Consultation

- (p) prior public consultation was not appropriate since pre-mature release of the intention to impose the restrictions might lead to people rushing in to

submit building plans, which would defeat the purpose of incorporating the control. The public could provide their views on the proposed amendments upon exhibition of the amendments under section 5 of the Town Planning Ordinance. The Kowloon City District Council would also be consulted during the exhibition period.

35. With the aid of a fly-through animation, Mr. C.C. Lau concluded his presentation by illustrating the BH profile of the Ho Man Tin Area under the proposed BH restrictions.

36. A Member noted DLO/KW's comments on the user restriction for the proposed 15m NBA within the ex-Valley Road Estate Phase 2 site and agreed that the types of restriction should be clearly stated. Mr. Eric C.K. Yue clarified that the 15m NBA was proposed in response to the Committee's concerns on a previous section 12A application (No. Y/K7/3) considered in October 2007, and the NBA was intended to provide separation space and breezeway between the two platforms of the site to prevent a big podium covering the whole site and to avoid possible wall effect of future developments on site. In response to the same Member's further question, Mr. Eric C.K. Yue said that, from a district planning point of view, it was not desirable to provide podium car park for the future development and basement car park would be preferred. In response to Mr. James Merritt's query, the Chairperson said that as the proposed NBA was to provide separation space and breezeway between the two platforms of the site, it might be used for open space or driveway purpose and no structures above ground should be allowed.

37. Mr. C.W. Tse, Assistant Director (Environmental Assessment) of Environmental Protection Department (EPD), said that the proposed rezoning of ex-Ho Man Tin Police Quarters Site to "R(E)" was not supported by EPD in view of anticipated road traffic noise impact from the heavily trafficked Princess Margaret Road. In view of its small site area, there were fewer opportunities for incorporating practicable noise mitigating designs in the development. Mr. Eric C.K. Yue said that a notional scheme for the subject site had demonstrated that residential use on site was viable through the incorporation of a combination of suitable environmental mitigation measures, including setting back of residential building(s) from Princess Margaret Road. The proposed "R(E)" zoning would require residential use of the site to seek planning permission from the Town Planning Board so that potential traffic noise and vehicular emission impacts could be addressed through

suitable mitigation measures and building design. The Secretary said that as future developer might come up with better ideas in addressing the potential environmental problems, the environmental mitigation measures adopted in the notional scheme would not be appropriate to be incorporated into the OZP nor the sale conditions. The environmental concerns would be dealt with during the planning application process under section 16 of the Town Planning Ordinance.

38. Taking note of EPD's objection to the proposed rezoning of the police quarters site for residential use, Mr. James Merritt was of the concern that the Committee might face a difficult situation at the time of considering the planning application for proposed residential development on site. The Secretary said that the proposal had taken into account the notional scheme which had demonstrated the feasibility of developing the site for residential use. Nevertheless, Mr. C.W. Tse reiterated that the site was subject to serious traffic noise impact and there was a possibility that the problem could not be adequately addressed by the future developer. However, he respected the views of the Committee and it was up to the Committee to decide whether the application should be approved at section 16 application stage taking into account environmental considerations.

39. After deliberation, the Committee decided to:

- (a) agree to the proposed amendments to the approved Ho Man Tin OZP No. S/K7/18 and that the draft Ho Man Tin OZP No. S/K7/18A (to be renumbered as S/K7/19 upon exhibition) and its Notes at Attachments I and II of Paper No. 4/08 respectively were suitable for exhibition under section 5 of the Town Planning Ordinance; and
- (b) adopt the revised Explanatory Statement at Attachment III of Paper No. 4/08 as an expression of the planning intentions and objectives of the Town Planning Board for the various land use zonings of the OZP, and the revised Explanatory Statement would be published together with the OZP under the name of the Town Planning Board.

[The Chairperson thanked Mr. Eric C.K. Yue, Mr. Kelvin K.W. Chan, Mr. C.C. Lau, Mr. Derek P.K. Tse, Miss Helen H.Y. Chan and Dr. Rumin Yin for attending the meeting. They all left

the meeting at this point.]