

CONFIDENTIAL

(Downgraded on 26.11.2010)

**Minutes of 430th Meeting of the
Metro Planning Committee held on 12.11.2010**

Kowloon District

[Mr. Eric C.K. Yue, District Planning Officer/Kowloon (DPO/K), Miss Annie K.W. To, Senior Town Planner/Kowloon (STP/K) and Dr. Conn Yuen, Air Ventilation Assessment (AVA) Consultant were invited to the meeting at this point.]

[Mr. C.W. Tse returned to join the meeting at this point.]

Agenda Item 14

[Closed Meeting]

Proposed Amendments to the

Approved Ngau Tau Kok & Kowloon Bay Outline Zoning Plan No. S/K13/25

(MPC Paper No. 25/10)

1. The Secretary reported that Ms. Maggie M.K. Chan had declared an interest in this item as she owned a property within the Ngau Tau Kok and Kowloon Bay Planning Scheme Area (the Area). The Committee considered that her interest was direct and she should withdraw from the meeting for this item.

[Ms. Maggie M.K. Chan left the meeting temporarily at this point.]

Presentation and Question Sessions

2. With the aid of a physical model, a powerpoint presentation and a 3-Dimensional fly-through, Mr. Eric C.K. Yue, DPO/K, and Miss Annie K.W. To, STP/K, explained the general context of the Area and the proposed amendments to the approved Ngau Tau Kok

and Kowloon Bay Outline Zoning Plan (OZP) No. S/K13/25. The following main points were covered:

Background

- (a) the Kowloon Bay Business Area (KBBA) located in the western part of the Area was undergoing gradual transformation from a traditional industrial area to a business district providing good quality office towers. Building height (BH) restrictions had already been imposed on various development zones in the KBBA in 2005, i.e. the “Commercial” (“C”), “Government, Institution or Community (1)” (“G/IC(1)”), and “Other Specified Uses” (“OU”) annotated “Business”, “Refuse Transfer Station”, “Commercial Uses with Public Transport Terminus” and “Petrol Filling Station” zones, in order to preserve public views from the Hong Kong Convention and Exhibition Centre (HKCEC) New Wing to the Kowloon Ridgelines. These BH restrictions were still valid and would be retained;
- (b) in the absence of BH control, there could be a proliferation of high-rise buildings which were out of context with the surrounding environment. Hence, there was an urgent need to incorporate appropriate BH restrictions for the remaining parts of the Area;
- (c) the current BH review covered the remaining development zones without BH restrictions, including the “Residential (Group A)” (“R(A)”), “Residential (Group B)” (“R(B)”), “G/IC”, “G/IC(2)” and other “OU” zones;

Local Wind Environment

- (d) the annual prevailing wind of the Area came from the northeast, east and southeast, while the summer winds were mainly easterlies, south-easterlies, southerlies and south-westerlies. An air ventilation assessment (AVA) Study by expert evaluation had been undertaken for the Area to assess the likely impacts of the proposed BH restrictions on the pedestrian wind

environment. The major findings and recommendations of the AVA were detailed in paragraph 5.9 and Appendix V of the Paper, and were highlighted as follows:

- the existing green belts, open spaces and low-rise GIC developments were important ventilation pockets in the Area and should be maintained to allow wind penetration. The “G/IC(1)”, “OU(Petrol Filling Station)” and “OU(Refuse Transfer Station)” sites at the waterfront should also be maintained low-rise, i.e. 40mPD or below, to allow permeability of sea breeze to the KBBA;
- as the KBBA was densely packed with medium- to high-rise commercial/industrial buildings (120mPD to 170mPD) with narrow roads, the urban linear parks and open spaces should be maintained as well as practical setbacks from the roads and building gaps should be introduced within the KBBA. This could improve the permeability of sea breeze towards Kowloon Bay and the overall air ventilation in the KBBA;
- there were no significant adverse air ventilation impacts in the Ngau Tau Kok and Jordan Valley sub-area due to the abundant surrounding open spaces, green belts and low-rise GIC developments. Hence, these areas should be maintained;
- in general, future developments/redevelopments where podiums were allowed should be encouraged to provide setback from the site boundary, recess the lower floors from key wind corridors; delineate NBAs; and adopt suitable building design measures to minimize any possible adverse impacts. These design measures included small-scale and permeable podium, wider building gaps, and aligning podium edge to the building edge in order to create downwash to reach the pedestrian level; and
- detailed AVAs on a site-by-site basis should be undertaken for sites where large-scale developments/redevelopments might be possible, e.g. public housing sites;

Guiding Principles for Formulating BH Restrictions in the Area

- (e) the formulation of BH restrictions had taken into account the existing topography, site formation level, existing land use zonings, the characteristics of existing BH profile, the existing BHs of adjoining areas including Ngau Chi Wan, Kai Tak and Kwun Tong as well as the broad urban design principles in the Hong Kong Planning Standards and Guidelines, in particular:
- public views to the 20% building-free zone of the ridgelines of Kowloon Peak, Lion Rock and Tsz Wan Shan from the vantage points at Quarry Bay Park and HKCEC New Wing should be preserved;
 - the BH profile should be sympathetic and respect the surrounding developments, which had diversity in height and massing of developments in different localities;
 - the proposed BH bands should be compatible with the character of the neighbourhood, avoiding development of ‘out-of-context’ buildings;
 - the proposed BH bands should ensure that the urban design principles would not be negated while still accommodating the development intensity as provided under the current OZP with allowance for building design flexibility;
 - the proposed BH of developments should provide a compatible setting for the historical buildings to avoid overshadowing and dwarfing effects on the heritage features; and
 - the low-rise developments on “G/IC” and “OU” sites should be retained as spatial and visual relief in this urban environment. Consideration would be given to create breezeways and view corridors by linking up the low-rise GIC facilities, open spaces and the green belts in the Area. Moreover, the local view corridor to the Lion Rock from the view point at the footbridge near Choi Ying Place, which was a pedestrian route linking up Mass Transit Railway (MTR) Kowloon

Bay Station to the public housing developments in Jordan Valley, needed to be preserved as far as possible;

Overall BH Concept

- (f) the current BH restrictions for developments in the KBBA were to create a discernible townscape in the Area by forming a critical mass of office/commercial uses at 170mPD as an identifiable business node. The proposed BH profile for the residential developments to the east of Kwun Tong Road mainly followed the topography by stepping up gradually eastward and northward towards the Jordan Valley and the foothill of Kowloon Peak with no intrusion of the Jordan Valley ridgeline at 190mPD;
- (g) the existing and proposed BH profiles of the Area had taken into account the need to preserve the 20% building-free zone of the ridgelines of Kowloon Peak when viewing from the vantage points of Quarry Bay Park and HKCEC New Wing;
- (h) in general, BH bands which commensurated with the planning intention of various land use zones and reflected the majority of the existing buildings/committed developments were adopted;

Proposed BH Restrictions

- (i) BH restrictions would be expressed in terms of metres above the Principal Datum (mPD) for developments in the “C”, “R(A)” and “R(B)” zones, or some relatively higher “G/IC” and “OU” sites. Height bands with a minimum of 20m difference was adopted as far as possible to create a distinct contrast in height profile;
- (j) to allow for design flexibility, minor relaxation of the BH restrictions through planning permission system could be considered on individual merits. The existing buildings with BH exceeding the proposed height limits would not be affected by the proposed BH restrictions. For sites

subject to site constraints, provision of basement carpark might be required;

- (k) the low-rise free-standing GIC and ancillary facility buildings within large housing estates should be kept as breathing spaces and visual relief to the building masses. No new addition, alteration and/or modification to or redevelopment of these existing individual free-standing GIC and ancillary facility buildings should result in a total development and/or redevelopment in excess of the height of the existing building. All public housing estates were governed by planning briefs and detailed AVA on a site-by-site basis should be undertaken. The layout and design of these GIC and ancillary facility buildings should be comprehensively reviewed with the support of relevant impact assessments on air ventilation and visual aspects upon future redevelopment of the estates;

- (l) for large housing development sites within the “R(A)” zone, it was necessary to provide varying height profile within the same BH band to avoid wall effect of buildings, add variation to the sites and improve the air ventilation at street level;

[Ms. L.P. Yau left the meeting at this point.]

BH Restrictions/Proposals for Residential and Commercial/Business Developments

Kowloon Bay Business and Residential Areas

- (m) BH restrictions had been imposed in the KBBA to preserve a minimum of 20% building-free zone of Kowloon ridgelines from Quarry Bay Park vantage point and the distinguished backdrop of Kowloon Peak from the HKCEC New Wing vantage point. Four height bands of 100mPD, 120mPD, 140mPD and 170mPD had been adopted to create a discernible townscape. These BH restrictions were still valid and should be retained;

- (n) to maintain a smooth transition of BH profile from the KBBA, the high-rise business node in KBBA stepped down gradually to the medium-rise

residential developments at its northern and western fringes including Kai Yip Estate, Kai Tai Court, Richland Gardens and Telford Gardens. BH bands of 60mPD, 80mPD and 100mPD were proposed for these residential developments taking into account the site levels, natural topography, BH of existing buildings in adjoining areas, lease conditions, local view corridor, existing BH profile and proximity to district open spaces;

Ngau Tau Kok and Jordan Valley Residential Area

- (o) this sub-area was occupied by medium- to high-rise private and public residential developments. Maximum BH bands ranging from 80mPD to 180mPD were proposed as summarised below:
- maximum BH of 80mPD and 100mPD for Ping Shek Estate to preserve the local view corridor towards the Lion Rock and maintain compatibility with the nearby district open space and medium- to low-rise developments;
 - maximum BH of 100mPD for Cheerful Court (Senior Citizen Residence developed by the Hong Kong Housing Society) to reflect the as-built condition;
 - maximum BH of 140mPD for Choi Ha Estate and Choi Ying Estate to reflect the existing height;
 - maximum height bands of 100mPD, 120mPD and 140mPD for the northern, western and eastern parts of Lower Ngau Tau Kok Estate Redevelopment respectively to reflect the development proposals in the planning brief. The proposed height bands could achieve a stepped height profile and were compatible with the adjacent Upper Ngau Tau Kok Estate (140mPD);
 - maximum BH of 160mPD and 170mPD for the committed public housing development of Choi Tak Estate and maximum BH of 170mPD for Choi Fook Estate to reflect the committed BH in the planning brief; and

- maximum BH of 180mPD for the ‘park and ride’ cum commercial/residential development at 8 Clear Water Bay Road to reflect the as-built development;

Shun Lee Residential Area

- (p) this sub-area was predominantly occupied by medium-rise public housing, Home Ownership Scheme developments and Shun Lee Disciplined Services Quarters. Maximum BH bands of 160mPD to 180mPD were proposed for these residential developments;

Kai Tak Mansion

- (q) the site was surrounded by a number of historical buildings (i.e. Grade 1 historical buildings of ex-Royal Air Force (RAF) Officers’ Quarters Compound and ex-RAF Headquarters Building as well as Grade 3 historical building of Sam Shan Kwok Wong Temple), a primary school and open spaces;
- (r) having considered the permissible development intensity of the site under “R(A)” zone (i.e. a maximum total plot ratio (PR) of 9), there were concerns that redevelopment of the site for high-rise building would cause adverse impact on air ventilation, incompatibility with the historical buildings and low-rise setting and visual impacts on its neighbours. In order to minimize the possible adverse impacts of the future redevelopment of Kai Tak Mansion, a maximum BH of 110mPD was proposed to minimize overshadowing/dwarfing effect of high-rise development on the adjoining low-rise buildings, as well as to maintain compatibility of the overall height profile in the surrounding area. Also, it was proposed to designate two 10m-wide NBAs along the north-eastern and south-eastern lot boundaries to provide sufficient buffers for the neighbouring Grade 1 historical building and school. Moreover, a 20m-wide strip of land in the middle of the site was demarcated as a building gap where no building should exceed the height of 15mPD. This building gap would encourage

the prevailing winds to permeate, reduce the adverse visual impact on the sensitive receivers at ex-RAF Officers' Quarters Compound and partially open up the visibility of Grade 1 historical building to the public at street level;

BH Proposals for "G/IC" and "OU" Developments

- (s) the proposed BH restrictions were principally to reflect the existing and planned developments in the Area;
- (t) within the KBBA, specific BH restrictions of 15mPD, 40mPD and 60mPD had already been imposed on the "G/IC(1)" and "OU" zones to provide visual relief within the high-rise and high-density environment. These BH restrictions would be maintained;
- (u) for the "G/IC" and "G/IC(2)" sites outside the KBBA, maximum BH restrictions of one to eight storeys were proposed for low-rise developments, whereas a maximum height of 40mPD was proposed for the committed Cross District Community Cultural Centre in the northern part of the former Lower Ngau Tau Kok Estate;

Designation of NBAs and Building Gaps on the OZP

- (v) the following NBAs and building gaps are proposed in accordance with the recommendations of the AVA Study:

NBAs and building gaps in areas within the KBBA

- (w) a minimum of 3m-wide NBA was designated from the lot boundaries within the "G/IC(1)", "O", "OU(Business)" and "OU(RTS)" zones abutting both sides of Wang Kwong Road and Wang Chiu Road. Upon redevelopment of the lots, these NBAs could help improve the effectiveness of the two roads functioning as major breezeways as well as create a pleasant pedestrian environment by allowing street planting on wider pavement;

- (x) a 15m-wide strip of land was designated as NBA at the central part of the “G/IC(1)” site at Wang Chin Street to serve as an extension of Lam Wah Street to funnel the easterlies and sea breeze in KBBA;
- (y) a 5m-wide NBA was designated from the lot boundary of the “OU(Business)” zone abutting the eastern side of Wang Mau Street to extend the breezeway of the linear open space from Kai Cheung Road to Sheung Yee Road;
- (z) three strips of land traversing the “C”, “OU(Business)” and “OU(Commercial Uses with Public Transport Terminus)” zones from Lam Hing Street to Sheung Yuet Road were demarcated as building gaps with a width of 15m and 16m taking into account the variation of lot boundaries. No building should exceed a maximum BH of 22mPD within these building gaps which, upon development/redevelopment of the lots, would help to extend the breezeway of Sheung Yee Road and improve wind permeability in KBBA;
- (aa) a 15m-wide strip of land from Lam Fung Street to Sheung Yee Road (i.e. Enterprise Square V or MegaBox) was demarcated as a building gap where no building should exceed a maximum BH of 22mPD. This slanting building gap, upon redevelopment of the lot, would help to open up the wind corridor for the oncoming sea breeze in the south, which permeated to other parts of KBBA;

NBAs and building gaps in areas outside the KBBA

- (bb) two 10m-wide NBAs were designated along the north-eastern and south-eastern boundaries of the “R(A)” zone of Kai Tak Mansion, which were currently occupied by retaining wall and vehicular access. A 20m-wide strip of land was also demarcated as a building gap in the central part of the site subject to a BH of 15mPD. These NBAs and building gap would help minimize adverse air ventilation impact on the neighbours and improve the permeability of prevailing winds in the locality upon

redevelopment of the site;

- (cc) the existing north-eastern vegetated slope within the “R(A)” zone of Ping Shek Estate was designated as a NBA. This NBA, together with the adjacent “GB” zone and Ping Shek Playground, would form a green and air ventilation pocket in the area;
- (dd) the existing slopes at the eastern periphery of the “R(B)” zone of Shun Chi Court was designated as a NBA. It would serve as an air ventilation pocket;
- (ee) three strips of lands were demarcated as building gaps within the “OU(Mass Transit Railway Depot with Commercial and Residential Development Above)” zone of Telford Gardens and Telford Plaza. Two 22m-wide building gaps, running in east-west direction, were demarcated where no building should exceed a maximum BH of 22mPD, which could serve as wind corridors connecting the air paths of Wang Tai Road and Sheung Yuet Road to Kwun Tong Road. Another 15m-wide building gap, running in north-south direction from Kai Cheung Road to Tai Yip Street, was demarcated where no building should exceed 22mPD. The BH of 22mPD was in line with the height of the existing MTR depot. These building gaps were to be provided upon future redevelopment of Telford Gardens and Telford Plaza;
- (ff) to provide design flexibility, a minor relaxation clause had been incorporated into the Notes of the relevant zones to allow minor relaxation of the NBA and building gap restrictions under exceptional circumstances;

[Dr. Winnie S.M. Tang left the meeting at this point.]

Proposed Amendments to the OZP

- (gg) while the proposed BH restrictions and the proposed NBAs and building gaps would be incorporated into the OZP, opportunity was also taken to recommend other zoning amendments as summarised below;

Rezoning of the northern part of the Former Lower Ngau Tau Kok Estate from “R(A)” to “G/IC(1)”

- (hh) a site at the northern part of the former Lower Ngau Tau Kok Estate at the junction of Kwun Tong Road and Ngau Tau Kwok Road was proposed to be rezoned from “R(A)” to “G/IC(1)” to facilitate the committed development of Cross District Community Cultural Centre;

Rezoning of a site to the north of Kai Yip Estate from “O” to “G/IC(2)”

- (ii) in order to preserve the historical building of ex-RAF Headquarters (Grade 1), it was proposed to rezone the site from “O” to “G/IC(2)” with restriction of no demolition of the historical building;

Rezoning of the existing comprehensive development above Kowloon Bay MTR Depot and the adjoining railway and MTR Station

- (jj) in order to better reflect the planning intention of the residential/commercial development on top of Kowloon Bay MTR depot, i.e. Telford Gardens and Telford Plaza, it was proposed to rezone the site from “OU(Mass Transit Railway Comprehensive Development Area)” to “OU(Mass Transit Railway Depot with Commercial and Residential Development Above)”. Similarly, the existing MTR railway, the MTR Kowloon Bay Station and the associated facilities were proposed to be rezoned from “OU(Mass Transit Railway Comprehensive Development Area)” and area shown as ‘Road’ to “OU(Railway)” to reflect the planning intention of the site;

Rezoning of a strip of land at Sheung Yee Road from “O” and areas shown as ‘Road’ to “OU(Landscaped Elevated Walkway)”

- (kk) in order to create an enhanced pedestrian environment connecting the proposed private-initiated elevated walkway system from the footbridge at Telford Garden to various business buildings up to Enterprise Square V in the KBBA with the Kai Tak area, it was proposed to rezone a strip of land from “O” and areas shown as ‘Road’ to “OU(Landscaped Elevated Walkway)”. The alignment of the pedestrian linkage would be subject to detailed design and further study by the Civil Engineering and

Development Department's Kai Tak Infrastructure Study;

Other rezoning proposals

- (ll) other rezoning proposals were mainly to reflect development proposals, existing/committed uses, provide clearer planning intention and rationalize zoning boundaries, which were detailed in paragraph 14 of the Paper. Major proposals included the rezoning of areas in the middle part of the former Lower Ngau Tau Kok Estate site from R(A)" to "O" and an area shown as 'Road' to reflect the proposed district open space development and the proposed new road under Lower Ngau Tau Kok Estate Redevelopment project respectively; the rezoning of Cheerful Court at Choi Ha Road (a Senior Citizen Residence developed by the Hong Kong Housing Society) from "G/IC" to "G/IC(3)" with gross floor area restriction to reflect the as-built development; and rezoning of a site at 8 Clear Water Bay Road from "G/IC" to "OU(Commercial/Residential Development with Public Car Park and Public Transport Interchange)" to reflect the existing commercial/residential development cum park-and-ride facilities;

Proposed Amendments to the Notes of the OZP

(mm) the proposed amendments to the Notes were detailed in paragraph 16 of the Paper and highlighted below:

- incorporation of BH, NBA and building gap restrictions and minor relaxation clause for such restrictions in some development zones;
- revising the maximum PR to maximum GFA and stipulating BH restriction for the "R(B)" zone to reflect the existing development intensity permitted under the lease;
- incorporation of GFA and inclusion of an exemption clause in the "G/IC(3)" sub-zone;
- incorporation of minor relaxation clause for PR/GFA restrictions in some development zones;

- deletion of the Notes for the “OU(Mass Transit Railway Comprehensive Development Area)” zone;
 - incorporation of new sets of Notes for the “OU(Mass Transit Railway Depot with Commercial and Residential Development Above)”, “OU(Railway)”, “OU(Commercial/Residential Development with Public Car Park and Public Transport Interchange)” and “OU(Landscaped Elevated Walkway)” zones;
 - amendment to the Remarks for the “G/IC(2)” sub-zone that demolition and redevelopment of the historical buildings were not allowed;
 - the requirement for a public transport terminus was incorporated in the Notes for the “OU(Commercial Uses with Public Transport Terminus)” zone;
 - incorporation of a clause in the “R(A)” zone stating that the PR(s) of the existing building should apply only if addition, alteration and/or modification to or redevelopment of an existing building was for the same type of building as the existing building, otherwise, the development restrictions would apply;
 - amendment to the exemption clause on maximum PR in the “R(A)” zone to clarify that the provision related to caretaker’s quarters and recreational facilities only applied to domestic building or domestic part of the building;
 - incorporation of a provision to exempt basement floor(s) in determining the maximum number of storeys; and
 - amendments to the annotation of the “OU” zone from “Lorry Park” to “Open Lorry Park” and refinement of the planning intention of this zone;
- (nn) opportunity was also taken to revise the Explanatory Statement of the OZP as detailed in Appendix III of the Paper to take account of the proposed amendments and to reflect the latest planning circumstances of the OZP;

Departmental Consultation and Public Consultation

- (oo) relevant government departments had no adverse comment on or objection to the proposed amendments. The proposed BH restrictions had taken into account the comments of relevant departments, where appropriate; and
- (pp) upon agreement of the Committee, the proposed amendments to the OZP would be published under section 5 of the Town Planning Ordinance for public inspection. The Kwun Tong District Council would be consulted on the amendments during the exhibition period of the draft Ngau Tau Kok and Kowloon Bay OZP No. S/K13/25A (to be renumbered as S/K13/26 upon exhibition).

3. A Member noted that some non-building area (NBA) and building gap requirements had been proposed for some sites to enhance the air ventilation in the area. This Member opined that as most of these sites in the area such as the Enterprise Square V or MegaBox had already been developed, the enhancement measures could hardly be materialized in the near future. This Member enquired that if there were any more practical enhancement measures which could solve the air ventilation problems in short or medium term.

4. In response to this Member's enquiry, Dr. Conn Yuen, the AVA consultant, said that KBBA was densely developed with high-rise commercial and industrial buildings and narrow streets. There had been air ventilation problems in KBBA caused by MegaBox, which was a massive box-like development with two slab-type towers on top. The massive development presented an obstacle to the permeability of the incoming sea-breeze from the south to the inland area. According to the findings of the AVA study, the negative impacts could be minimized by (i) widening the narrow streets such as Wang Kwong Road and Wang Chiu Road by introducing setbacks from the lot boundary of the site, (ii) maintaining the linear open spaces along the Wang Mau Street and Kai Fuk Road. Furthermore, the committed linear open spaces from Kai Cheung Road to Wang Yuen Street would better serve the business area upon redevelopment; and (iii) open up the MegaBox by introducing building gaps to allow the wind to permeate to other areas.

5. Mr. Eric C.K. Yue, DPO/K, added that the proposed NBA and building gap requirement reflected the long term intention to open up the wind corridor for the incoming sea breeze in the south permeating to other parts of KBBA. The proposed building gap would be realized upon redevelopment of the MegaBox in the long term. In short or medium term, air ventilation problems could be mitigated by open up the air corridors, for instance, maintaining the existing open spaces (such as those at Sheung Yuet Road and Kai Fuk Road), designation of non-building areas along Wang Chiu Road and keeping the low-rise developments such as the sites covered by “Government, Institution or Community” zones in KBBA.

6. Despite the difficulty of providing NBAs and building gaps in the already built-up area in the near future, another Member supported the stipulation of these requirements on the OZP which could provide a clearer intention and effective mechanism to resolve the air ventilation problems in the long term.

7. Another Member shared the view and added that the current building height review exercise provided opportunity to preserve some key urban design attributes such as the public view to the ridgelines and provide better planning control to development on the sites which were subject to great air ventilation concerns. The provision of NBAs and building gaps requirements on the OZP served a positive planning purpose.

8. A Member considered that the proposed NBA and building gaps would not only help maintaining the air corridors in the area concerned, but would enhance the air ventilation for the broader area. This Member agreed that clear development restrictions should be incorporated into the OZP to guide future development.

[Mr. Clarence W.C. Leung left the meeting at this point.]

9. The Secretary said that TPB was progressively stipulating clear development restrictions in all Outline Zoning Plans such as building height restriction, NBAs and building gaps and other appropriate development parameters to meet the community aspiration and to improve the quality of living environment. In general, for those existing buildings that had already exceeded the building height restrictions, the rights of redeveloping the buildings to their existing building heights would be respected on Outline

Zoning Plans. However, there were exceptions, for example, if the buildings were located on the view corridors to important ridgelines, or critical air paths, or at wind entrances, or at the waterfront, TPB might require the building height restrictions to be adhered to upon redevelopment. In considering the amendments to approved Hung Hom Outline Zoning Plan, there had been thorough discussion on whether the existing building height of an excessively tall development at the waterfront, i.e. Harbourfront Landmark should be respected. Members agreed that as a matter of principle, for waterfront sites with existing building height not conforming to the intended height profile, redevelopment up to the existing building height would not be allowed, lest the intended building height profile could not be realized even in the long term. This 'exception' rule was endorsed by the Chief Executive in Council and was generally adopted in the Outline Zoning Plans review, so as to realize the planning objective, even in longer run. Notwithstanding, the Secretary also noted that the AVA consultant had also recommended some short or medium terms mitigation measures such as maintaining the existing open spaces and low-rise developments in KBBA. Members noted.

10. A Member pointed out that there were proposed building gap requirements at the fringe of the development in Telford Gardens, it might still be possible for developer to provide the required building gaps by revising the layout. However, for MegaBox, the proposed building gaps cut cross the site, such requirement might pose undue constraints on the future developments/redevelopments of these sites and hampered the opportunities for better building design. This Member opined that apart from the stipulated building gap restriction, flexibility might be allowed for alternative measures in addressing the air ventilation concerns.

11. The Chairman said that the Government had proposed a comprehensive package of measures to enhance the built environment including requiring building separation, setback and greenery. To foster a quality and sustainable built environment, the Council for Sustainable Development (SDC) recommended mandatory building separation for large building developments (sites no less than two hectares or with continuous building façade width of no less than 60 metres) and mandatory building setback for buildings abutting narrow streets (streets less than 15 metre-wide) to improve air ventilation between buildings and at street level. On a site-specific basis, there might be various design solutions to improve air ventilation such as voids or sky gardens in a building.

12. Dr. Conn Yuen, the AVA consultant, pointed out that the AVA study provided an overview of the existing wind environment in the Area, identify the areas with intense air ventilation problems, and recommended enhancement measures to minimize negative impacts and where appropriate, improvement to the existing conditions. Mitigation measures such as building gaps and NBAs were indentified for implementation in both short and longer term. The AVA study also recommended that for some specific sites where large-scale development or redevelopment might be possible, detailed AVAs on a site-by-site basis should also be undertaken. In response to a Member's enquiry on the flexibility, Dr. Conn Yuen said that TPB might consider alternative measures if it could demonstrate that the air ventilation problems could be addressed.

13. The Secretary suggested that apart from the proposed building gap requirement, flexibility should be allowed for alternative measures supported by an AVA to address the air ventilation concerns and that the AVA should demonstrate that alternative measures would provide comparable or better wind performance to the Area than the 15m-wide building gap. Members agreed.

14. The Chairman concluded that Members generally agreed that in view of the great air ventilation problem caused by MegaBox, in order to achieve a long term planning intention and help mitigate air ventilation problems in KBBA, it was appropriate to designate a 15m-wide building gap (of 22mPD in height) requirement at the site of MegaBox. Notwithstanding, Members also agreed that apart from stipulating the building gap restriction, flexibility should also be allowed for alternative measures supported by an AVA and that AVA should demonstrate that alternative measures would provide comparable or better wind performance to the Area than the 15m-wide building gap.

15. In response to the Chairman's enquiry, Mr. H.L. Cheng of Transport Department said that he had no information in hand on the current situation of 'park-and-ride' facility at 8, Clear Water Bay Road (next to Choi Hung MTR Station) and would provide the information after the meeting.

[Post-meeting Note: TD's reply was received by the Secretary, TPB on 18.11.2010. TD informed that among the 450 car parking spaces including for park-and-ride users, hourly-rate rental users, as well as the residents, the average daily number of park-and-ride users was about

100.]

16. The Chairman said that the above documents, after incorporating Members' suggestion regarding the MegaBox site, would be published under section 5 of the Town Planning Ordinance.

17. After deliberation, the Committee decided to :

- (a) agree to the proposed amendments to the approved Ngau Tau Kok and Kowloon Bay OZP No. S/K13/25 and that the draft Ngau Tau Kok and Kowloon Bay OZP No. S/K13/25A at Attachment I (to be renumbered to S/K13/26 upon exhibition) and its Notes at Attachment II of the Paper were suitable for exhibition under section 5 of the Town Planning Ordinance; and
- (b) adopt the revised Explanatory Statement at Attachment III of the Paper for the draft Ngau Tau Kok and Kowloon Bay OZP No. S/K13/25A as an expression of the planning intentions and objectives of the Board for the various land use zonings on the OZP and agree that the revised Explanatory Statement was suitable for exhibition together with the OZP under the name of the Board.

[The Chairman thanked Mr. Eric C.K. Yue, DPO/K, Miss Annie K.W. To, STP/K, and Dr. Conn Yuen, the AVA consultant, for their attendances to answer Members' enquiries. They left the meeting at this point.]