

TOWN PLANNING BOARD

**Minutes of 678th Meeting of the
Metro Planning Committee held at 9:00 a.m. on 27.8.2021**

Present

Director of Planning
Mr Ivan M. K. Chung

Chairman

Mr Wilson Y.W. Fung

Vice-chairman

Dr Frankie W.C. Yeung

Dr Lawrence W.C. Poon

Mr Thomas O.S. Ho

Mr Alex T.H. Lai

Professor T.S. Liu

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Professor John C.Y. Ng

Dr Roger C.K. Chan

Mr C.H. Tse

Assistant Commissioner for Transport (Urban),
Transport Department
Mr Patrick K.H. Ho

Chief Engineer (Works), Home Affairs Department
Mr Gavin C.T. Tse

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

Assistant Director (Regional 1), Lands Department
Mr Albert K.L. Cheung

Deputy Director of Planning/District
Miss Fiona S.Y. Lung

Secretary

Absent with Apologies

Mr Stanley T.S. Choi

Professor Jonathan W.C. Wong

In Attendance

Assistant Director of Planning/Board
Ms Lily Y.M. Yam

Chief Town Planner/Town Planning Board
Ms Johanna W.Y. Cheng

Town Planner/Town Planning Board
Mr Alvin C.H. Kan

Opening Remarks

1. The Chairman said that the meeting would be conducted with video conferencing arrangement.

Agenda Item 1

Confirmation of the Draft Minutes of the 677th MPC Meeting held on 13.8.2021

[Open Meeting]

2. The draft minutes of the 677th MPC meeting held on 13.8.2021 were confirmed without amendments.

Agenda Item 2

Matter Arising

[Open Meeting]

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

Tsuen Wan and West Kowloon District

[Ms Jessica Y.C. Ho, Senior Town Planner/Tsuen Wan and West Kowloon District (STP/TWK), was invited to the meeting at this point.]

Agenda Item 3

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/K5/835 Proposed Shop and Services (Fast Food Counter and Local Provisions Store) in “Other Specified Uses” annotated “Business (2)” Zone, Portion of Workshop A4, G/F, Block A, Hong Kong Industrial Centre, 489-491 Castle Peak Road, Lai Chi Kok, Kowloon
(MPC Paper No. A/K5/835)

Presentation and Question Sessions

4. With the aid of a PowerPoint presentation, Ms Jessica Y.C. Ho, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) proposed shop and services (fast food counter and local provisions store);
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, one public comment from an individual indicating no comment on the application was received as set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)’s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed use was generally in line with the planning intention of the “Other Specified Uses” annotated “Business (2)” (“OU(B)2”) zone. It was considered not incompatible with other uses in the same industrial building

which mainly comprised shop and services uses on G/F and industrial-related offices and warehouses on the upper floors. Other concerned government departments had no objection to or no adverse comment on the application. The proposed use in general complied with the Town Planning Board Guidelines No. 22D. To address the technical requirements of the concerned government departments, appropriate approval conditions were recommended.

5. Members had no question on the application.

Deliberation Session

6. After deliberation, the Committee decided to approve the application on the terms of the application as submitted to the Town Planning Board (TPB) and subject to the following conditions :

- “(a) the submission and implementation of fire service installations proposal within 6 months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 27.2.2022; and
- (b) if the above planning condition is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.”

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

Agenda Item 4

Section 16 Application

[Open Meeting]

A/K5/836 Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Office, Shop and Services and Eating Place Use and Proposed Footbridges in “Other Specified Uses” annotated “Business” Zone and area shown as ‘Road’, 822 Lai Chi Kok Road and adjoining Government Land, Cheung Sha Wan, Kowloon
(MPC Paper No. A/K5/836)

8. The Secretary reported that Ove Arup & Partners Hong Kong Limited (ARUP) was one of the consultants of the applicant. The following Members had declared interests on the item:

Mr Thomas O.S. Ho]	having current business dealings with
]	ARUP; and
Mr Franklin Yu]	
Mr Alex T.H. Lai	-	his former firm having business dealings with ARUP.

9. The Committee noted that the applicant had requested deferment of consideration of the application and Mr Franklin Yu had not yet joined the meeting. As Messrs Thomas O.S. Ho and Alex T.H. Lai had no involvement in the application, the Committee agreed that they could stay in the meeting.

10. The Committee noted that the applicant’s representative requested on 16.8.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

11. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the

applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

[The Chairman thanked Ms Jessica Y.C. Ho, STP/TWK, for her attendance to answer Members' enquiries. She left the meeting at this point.]

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

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/KC/476 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Non-Polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods) in "Other Specified Uses" annotated "Business" Zone, 94-100 Ta Chuen Ping Street, Kwai Chung, New Territories
(MPC Paper No. A/KC/476A)

12. The Secretary reported that KTA Planning Limited (KTA) was one of the consultants of the applicant. Mr Daniel K.S. Lau had declared an interest on the item for being a member and an ex-employee of the Hong Kong Housing Society which had business dealings with KTA.

13. As the interest of Mr Daniel K.S. Lau was indirect, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

14. With the aid of a PowerPoint presentation, Ms Stephen C.Y. Chan, STP/TWK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) proposed minor relaxation of plot ratio (PR) restriction for permitted non-polluting industrial use (excluding industrial undertakings involving the use/storage of dangerous goods);
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication period, a total of 30 public comments were received, including 17 supporting comments from individuals, one objecting comment from North Kwai Chung Transport Concern Group and 12 comments providing views on the application from individuals. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The application was for minor relaxation of PR restriction from 9.5 to 11.4 (+20%) for the redevelopment of a pre-1987 industrial building (IB) (already demolished) into a 23-storey IB for permitted non-polluting industrial use with building height complying with the Outline Zoning Plan (OZP) restriction. The proposed development was generally in line with the planning intention of the “Other Specified Uses” annotated “Business” (“OU(B)”) zone. The Secretary for Development provided policy support to the subject application. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD considered that the proposed development would unlikely induce any significant adverse effects on the visual character of the surrounding townscape and the proposed design measures would promote visual interest and pedestrian comfort. Other concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments received, the comments of

government departments and planning assessments above were relevant.

15. Members raised the following questions:

- (a) why a continuous canopy, that would provide better sun and rain shading, could not be provided along the building facade on the Ta Chuen Ping Street frontage;
- (b) how the proposed design measures e.g. vertical greening and decorative fins could improve the pedestrian environment and blend the architecture with the street level environment as claimed by the applicant;
- (c) whether the intended road widening works in future would affect the proposed tree and shrub planting within the non-building area (NBA) and width of the pedestrian footpath;
- (d) the types of structures allowed within the NBA in general;
- (e) greenery coverage of the Site and within the NBA, and the details of the tree planting proposal within the NBA;
- (f) noting that the Site was sloping along Tai Chuen Ping Street and the location of the ingress/egress point was proposed in between the proposed trees, whether the proposed tree and shrub planting would create conflict between vehicles and pedestrians and affect pedestrian safety;
- (g) land ownership and surrender/resumption arrangement of the NBA before and upon the implementation of the intended road widening works in future; and
- (h) whether there was any previously approved planning application in the vicinity with similar requirement for NBA.

16. In response, Stephen C.Y. Chan, STP/TWK, made the following main points:

- (a) the applicant indicated that a continuous canopy along the street frontage on Ta Chuen Ping Street could not be provided as it would be in conflict with the trees proposed to be planted in the NBA. The applicant considered that the proposed trees would also offer shading and comfort to pedestrians and could enhance the street environment in the industrial area;
- (b) landscape treatments were proposed in the form of vertical greening on G/F to 2/F near the entrance to the building at Tai Chuen Ping Street, planters at the building edge and greenery at the roof level as shown in Drawings A-10 and A-11. Decorative fins/grilles were proposed mainly to screen the smoke vents/metal louvers at the lower levels of the building. CTP/UD&L, PlanD considered that the proposed design measures might promote visual interest and pedestrian comfort;
- (c) the proposed development would incorporate a 3.5m-wide full-height NBA along Ta Chuen Ping Street, with 2.5m for greenery area and 1m for footpath. The NBA, as required under the OZP, was intended for long-term road widening purpose and improvement of air ventilation in the area. The existing pavement of about 3.5m wide together with the proposed 1m-wide footpath within the NBA, would add to a total width of about 4.5m of the future pavement. The road widening was a long-term proposal and might be implemented after all buildings within the NBA on both sides of Tai Chuen Ping Street were redeveloped. Currently, there was no programme nor detailed design for the intended road widening works. In formulating the road widening proposal in future, the relevant departments would allow adequate width for the pavement to enhance pedestrian comfort. While the impact of the long-term road widening works on the proposed trees/landscaping within the NBA could not be ascertained at the current stage, the landscaping would serve to provide merits and benefits in terms of visual amenity, better air quality and shading in the interim period;
- (d) boundary fence/wall or minor structure with high air porosity and visual permeability, landscaping and underground uses would be generally

allowed within NBA;

- (e) the overall green coverage of the Site was about 20.3%. The greenery at ground floor level within the NBA was about 60m², accounting for about 20% of the total greenery area. According to the applicant's submission, the seven existing trees on the Site to be felled were not included in the Register of Old and Valuable Trees. The applicant also indicated that seven heavy standard trees would be planted within the NBA after the existing trees were felled;
- (f) the Commissioner for Transport had no in-principle objection to the proposed development from traffic engineering perspective and had no adverse comment on the proposed location of the ingress/egress point. Nevertheless, should the application be approved, an approval condition on the design and provision of vehicular access, among others, for the proposed development was recommended;
- (g) the lot owner would be required to surrender the land within the NBA upon the request of the Government or the land would be resumed by the Government when the road widening proposal along Tai Chuen Ping Street was to be implemented. However, as the road widening works was a long-term proposal, details of land surrender/resumption could not be ascertained at the current stage. In the interim period before the NBA was surrendered/resumed for road widening purpose, the NBA would remain under private ownership and would be managed and maintained by the land owner; and
- (h) there were two s.16 planning applications (No. A/KC/460 and 469) involving the same site within the same "OU(B)" zone previously approved by the Board. Those two applications, which were also subject to the 3.5m-wide NBA requirement along Ta Chuen Ping Street under the OZP, were proposed for industrial/office and hotel development respectively. For both applications, no tree planting/landscaping was proposed within the NBA of the development.

17. Mr Albert K.L. Cheung, Assistant Director (Regional 1), Lands Department (LandsD), supplemented for Members' information that since there was no restriction on GFA, site coverage nor building height under the lease, there would not be a land administration mechanism to require the applicant to surrender the NBA for road widening in future. Mr Patrick K.H. Ho, Assistant Commissioner for Transport (Urban), Transport Department, remarked that the concerned NBA was a statutory requirement under the OZP, and if there were alternative means to require the applicant to surrender the land to the Government for taking forward the road widening works, resumption under the Roads (Works, Use and Compensation) Ordinance (Cap 370) might not be required. The Chairman said that whether the land in the NBA would be surrendered or resumed would be determined at the time upon implementation of the road widening works and was not a relevant consideration for the planning application. Members needed to consider whether the proposed planning and design merits warranted the minor relaxation of PR being sought.

[Dr Frankie W.C. Yeung joined the meeting during the question and answer sessions.]

Deliberation Session

18. Members generally had no in-principle objection to the application which was in line with the policy to incentivise redevelopment of industrial buildings but considered that the applicant should provide sufficient planning and design merits, in both quality and quantity, to justify the proposed minor relaxation of PR being sought. Members noted that the main planning and design merit of the subject proposal was to promote a full-height NBA which was a mandatory requirement under the OZP while other merits were obviously lacking. A Member said that in similar approved cases, there were additional planning and design merits such as voluntary setback in addition to the OZP requirements, provision of canopy, and more permeable and interesting building design. Whilst the proposals for greenery and tree planting were noted, Members generally considered that there was insufficient information on details of the greening proposal, landscape design and benefit to the public realm and to pedestrian comfort. There was also concern on the arrangement of uses within the NBA, such as location of the greenery/trees and footpaths and their respective widths. A Member said that information on proposals within the NBA of other similar approved planning applications in the vicinity would also be useful for the Board's consideration of the subject planning application.

19. After deliberation, the Committee decided to defer a decision on the application pending further information from the applicant on (i) the greening proposal and landscape design and (ii) uses within the NBA for further consideration of the Board. The Planning Department was also requested to provide information on the uses within the NBA of other similar planning applications previously approved by the Board for its reference.

[Mr Alex T.H. Lai left the meeting during the deliberation session.]

[The Chairman thanked Mr Stephen C.Y. Chan, STP/TWK, for his attendance to answer Members' enquiries. He left the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting]

A/TY/145 Renewal of Planning Approval for Temporary Concrete Batching Plant for a Period of 5 Years in "Industrial" Zone, Tsing Yi Town Lot 98, 14-18 Tsing Tim Street, Tsing Yi, New Territories
(MPC Paper No. A/TY/145)

20. The Committee noted that the applicant's representative requested on 17.8.2021 deferment of consideration of the application for two months so as to allow more time to prepare further information to address departmental comments. It was the first time that the applicant requested deferment of the application.

21. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of further

information, and no further deferment would be granted unless under very special circumstances.

[Mr Franklin Yu joined the meeting at this point.]

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/H10/95 Proposed Cyberport Expansion Development (Proposed Office, Exhibition or Convention Hall, Information Technology and Telecommunications Industries, Eating Place, and Shop and Services Uses) in “Other Specified Uses” annotated “Cyber-Port(1)” Zone, Telegraph Bay, Pok Fu Lam, Hong Kong
(MPC Paper No. A/H10/95)

22. The Secretary reported that the application was submitted by Hong Kong Cyberport Management Company Limited (HKCMCL). KTA Planning Limited (KTA), Rocco Design Architects Associates Limited (Rocco) and AECOM Asia Company Limited (AECOM) were three of the consultants of the applicant. The following Members had declared interests on the item:

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|--------------------|---|--|
| Mr Thomas O.S. Ho | - | having current business dealings with AECOM; |
| Mr Alex T.H. Lai | - | his former firm having business dealings with Rocco and AECOM; |
| Mr Daniel K.S. Lau | - | being a member and an ex-employee of the Hong Kong Housing Society which had business dealings with KTA; and |
| Ms Sandy H.Y. Wong | - | being a personal friend of the Chief Executive Officer of HKCMCL. |

23. The Committee noted that Mr Alex T.H. Lai had already left the meeting. As the interest of Mr Daniel K.S. Lau was indirect and Mr Thomas O.S. Ho and Ms Sandy H.Y. Wong had no involvement in the application, the Committee agreed that they could stay in the meeting.

24. The Secretary informed the meeting that Mr Paul Zimmerman, the vice-chairman of the Southern District Council (VC of SDC), had sent an email to the Secretariat regarding his comments on the planning application and requested that the email be brought to the attention of Members. Members noted that the email was received after the statutory period for submission of public comments. The Secretary further said that Mr Zimmerman had submitted a public comment within the statutory public inspection period which was already included in the Paper.

Presentation and Question Sessions

25. The following representatives from the Planning Department (PlanD) and the Innovation and Technology Bureau (ITB) were invited to the meeting at this point:

PlanD

Mr Mann Chow - Senior Town Planner/Hong Kong (STP/HK)

ITB

Miss Charmaine H.W. Wong - Deputy Secretary for Innovation & Technology (2) (DS(IT)2)

Miss Betty L.Y. Fung - Principal Assistant Secretary for Innovation & Technology (3) (PAS(IT)3)

26. With the aid of a PowerPoint presentation, Mr Mann Chow, STP/HK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed Cyberport expansion development (proposed office, exhibition or convention hall, information technology and telecommunications industries, eating place, and shop and services uses);
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication periods, a total of 1,319 public comments were received, including 151 supporting comments from City University of Hong Kong, The Chinese University of Hong Kong, Hong Kong Software Industry Association, MIT Hong Kong Innovation Node, other organisations and individuals; 1,155 objecting comments (including 1,126 in standard proforma) from Pokfulam Residents' Alliance, the Incorporated Owners of Bagoio Villa, VC of SDC and individuals; and 13 comments providing views on the application from individuals. Major views were set out in paragraph 10 of the Paper;
- (e) the PlanD's views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed uses were always permitted and were in line with the planning intention of the “Other Specified Uses” annotated “Cyber-Port(1)” (“OU(Cyber-Port)(1)”) zone. The key development parameters complied with the development restrictions under the Notes of the zone. Notwithstanding that, the applicant was required to submit a layout plan for the approval of the Town Planning Board (the Board). The proposed development had adopted various responsive building design features to respect the overall setting of the waterfront site and the Cyberport Waterfront Park (the Park), as well as to enhance visual and air permeability and promote pedestrian connectivity and functional diversity. Multi-level terraces stepping away from the southeast facing the Park were proposed. An approximate 15m-wide east-west corridor on G/F and the public accessible area next to the multi-function hall on 2/F with an approximate 18m-width were provided to encourage visual and air permeability. At-grade public open space and a

15m-wide corridor on G/F would provide connections between the inland and the waterfront promenade. A proposed linkbridge, landscape deck on 1/F and the elevated landscape walkway would provide connection between the Arcade Cyberport and the Park. Some floor spaces of the lowest three floors would be for retail, food and beverages (F&B) and alfresco dining to enable a greater diversity in terms of activities and functions. The building design features were generally in line with the requirements as stated in the Explanatory Statement (ES) of the Outline Zoning Plan (OZP). The Secretary for Innovation and Technology (SIT) supported the proposed development. The Chief Town Planner/Urban Design and Landscape, PlanD and the Chief Architect/Central Management Division 2, Architectural Services Department considered the proposed development would not be incompatible with the surrounding area. Other concerned government departments had no objection to or no adverse comment on the application. To address the technical requirements of the concerned government departments, appropriate approval conditions were recommended. Regarding the public comments received, the comments of government departments and planning assessments above were relevant.

27. Some Members raised the following questions:

The application site and its surroundings

- (a) whether the proposed uses were always permitted within the “OU(Cyber-Port)(1)” zone and whether the application site (the Site) included the Park;
- (b) difference between the Site and the ‘development site’ as indicated on Plan A-1 of the Paper;
- (c) connections of the proposed development to the bus terminus at Arcade Cyberport and the Park;
- (d) connection of the waterfront promenade northward to Sandy Bay as previously discussed at OZP amendment stage, given the local residents’

expectation that the government would actively explore the option;

- (e) development restrictions of the existing Cyberport development;

Proposed layout plan and building design

- (f) how the concern of the Board and public comments on aspects such as building height (BH), air ventilation, visual permeability and interface with the Park could be addressed by the proposed layout plan;
- (g) how the assessment area and surrounding area in the quantitative Air Ventilation Assessment (AVA) were defined;
- (h) details of the proposed landscape treatment e.g. vertical greening and edge greening at terrace gardens, and whether the proposed green roof would be accessible to the public;
- (i) clear height of the proposed at-grade POS and whether it would be managed by the applicant;

Uses in the proposed development

- (j) why a data service platform had to be provided at the Site;
- (k) capacity of the existing exhibition venues at Cyberport, and operational details of the multi-function hall on 2/F of the proposed development;
- (l) gross floor area (GFA) distribution of office, retail, F&B, and alfresco dining, and the type of activities to be introduced at the proposed development;
- (m) whether there was any performance venue for Art Tech;
- (n) whether the proposed development had followed the Sustainable Building Design Guidelines (SBDG); and

Others

- (o) details of the public consultation on the project as it was indicated in the public comments and comments from VC of SDC that the community was not consulted on the proposed layout plan.

28. In response, Mr Mann Chow, STP/HK, made the following main points:

The application site and its surroundings

- (a) the proposed uses were always permitted under the “OU(Cyber-Port)(1)” zone. However, according to the Notes of the OZP, a layout plan should be submitted for the approval of the Board. This was to ensure that the proposed development would integrate with the surrounding development including the Park. The Park was not part of the application site (the Site) and the design of the Park was not the subject of the planning application;
- (b) the ‘development site’ referred to the land area for Cyberport 5 development. The ‘application site’ referred to the whole “OU(Cyber-Port)(1)” zone including portion of the roundabout to the northeast of the development site;
- (c) the proposed linkbridge on 1/F would provide connection to the Arcade Cyberport where there were escalators connecting to the bus terminus on the ground floor thereat. An elevated landscape walkway (partly outside the Site) was proposed to connect the proposed development on 1/F with the Park at-grade. Pedestrian could access the Park at-grade via Information Crescent. An area on 2/F could be open for public access when it was not used as an exhibition hall. The G/F to 2/F were well-connected with barrier-free access. There was space reserved on G/F of the proposed development for pedestrian circulation to the waterfront promenade;
- (d) as shown in Drawing A-28b of the Paper, the existing pathway would be upgraded and pedestrian could walk to Sandy Bay via Cyberport Road near

the northern end of the Site. Regarding the proposal to connect the waterfront promenade at Cyberport northward to Sandy Bay, it involved land outside the Site and the proposal would be referred to relevant government bureaux/departments to explore the feasible options;

- (e) the existing Arcade Cyberport to the north of the Site fell within sub-area 1 of “Other Specified Uses” annotated “Cyber-Port” (“OU(Cyber-Port)”) zone, which was subject to a maximum BH of 85mPD and a maximum GFA of 92,500m². As all uses were put under Column 2 under the “OU(Cyber-Port)” zone, any redevelopment thereat would require planning permission from the Board;

Proposed layout plan and building design

- (f) the applicant had tried to address the concern of the Board and public comments in the layout plan. On BH concern, the maximum BH of the proposed development was reduced from 61mPD to 58mPD by cantilevering over the drainage reserve, which was in response to Members’ previous comments in the OZP amendment stage. The proposed BH was lower than the BH restriction of 65mPD stipulated under the OZP. The average floor-to-floor height was increased from 4.2m to 4.5m. In addition, taking into account the technical requirements of the electrical and mechanical (E&M) facilities, one storey of E&M facilities was proposed on the top floor in the detailed design;
- (g) on air ventilation concern, the quantitative AVA showed that the proposed development would not induce significant impact to the nearby area in overall air ventilation performance terms. Noting that there were particular spots in the vicinity of the Site with velocity ratio lower than the baseline scheme, mitigation measures were adopted to alleviate the potential impact on the surrounding wind environment. The cantilever design and built form of the proposed development had taken into account the existing drainage reserves with the creation of wind corridors or breezeway through the development thus enhancing the permeability of the development. A 15m-wide east-west corridor on G/F, 12m-wide setback

along the north-eastern boundary and 97m-wide setback on ground level at the northwest of the Site, and permeable corridors on 1/F and 2/F were proposed;

- (h) on visual permeability concern, responsive building design was adopted to respect the overall setting of the Site and the surroundings, where the proposed building profile would appear visually as “floating” when viewed from some vantage point as shown in Drawing A-21 of the Paper. Permeable building design on ground and upper floors was maintained by providing partially covered open space/landscape gardens and terrace gardens on various floors;
- (i) on the concern of interface with the Park, the same area of 5,000m² at-grade public open space (POS) was proposed at the southern end abutting the Park. The POS under cover thereat had high headroom. A landscape deck on 1/F and an elevated landscape walkway were also proposed to enhance connection with the Park;
- (j) with reference to Figure 1 of the AVA report in Appendix Ic of the Paper, the assessment area covered area closer to the Site and the surrounding area covered a wider area. The definition of these terms were technical details in the AVA;
- (k) the landscaping areas accessible to the public included lawns on G/F, edge planting on 1/F and 2/F. No vertical greening was proposed due to maintenance difficulties as the Site was close to the sea. Terrace gardens with edge planting on the upper floors would only be accessible by the tenants. The green roof above the E&M floor would not be open to the public but it would enhance the amenity value for some viewers who had direct view of the roof level;
- (l) the undercover POS on G/F would have a clear headroom of about 4.5m underneath the elevated landscape walkway and would be managed by the applicant;

Uses in the proposed development

- (m) a data service platform was included in the scheme submitted in 2019 (2019 scheme) to support the OZP amendment. The same floor space of about 10,500m² for data service platform was included in the current layout plan;
- (n) the multi-function hall on the 2/F could accommodate a maximum of about 800 people. It was anticipated that such big events would not be frequently held, hence the space would adopt a flexible design. When the exhibition hall needed not to be used in full capacity, part of the area on the 2/F would be opened up to serve as public accessible area/passageway;
- (o) the total GFA was 66,000m², which was the same as that of the 2019 scheme. A GFA of about 5,903m² for retail and F&B/alfresco dining was proposed (with no further breakdown amongst those uses), which was less than that of the 2019 scheme. The retail/F&B and alfresco dining would not occupy areas for the proposed at-grade POS. The proposed GFA for office was about 36,055m², which was more than that of the 2019 scheme in view of the projected increase in office demand. The proposed development would enable diverse activities and functions along the waterfront. The sunset terrace on 2/F and the sunset lawn on G/F would provide public space for resting and socialising. Member's comment on creating an activity node or place with more character at the sunset lawn at the north end of the Site could be conveyed to the applicant;
- (p) there was no provision of floor space for Art Tech in the applicant's submission but Member's comment could be conveyed to the applicant;
- (q) the proposed development would follow SBDG and the applicant would aim for BEAM Plus Gold; and

Others

- (r) the current planning application was published for public inspection in July 2021 under the statutory requirement, which was a process for public consultation under the Town Planning Ordinance.

29. In response to some Members' enquiries on the need for a data service platform at the Site, Miss Charmaine H.W. Wong, DS(IT)2, ITB replied that the proposed development would attract diversified technology companies and start-ups to set up their offices in Cyberport. Apart from providing work spaces and other supporting facilities, there was a need for the proposed development to accommodate a data service platform to create synergy in the research and development of I&T-related companies including those whose business were related to artificial intelligence, big data and cybersecurity. The platform would allow Cyberport to support more start-ups, enterprises and talents of the sector.

30. In response to another Member's enquiry on public consultation conducted for the project, Miss Charmaine H.W. Wong, DS(IT)2, ITB supplemented that the proposal was generally supported by SDC at the meetings of the relevant committee in May and July 2019. An information paper updating the progress of the project was circulated to SDC in May 2021 and written responses to comments raised had been provided. The proposed layout plan submitted by the applicant had been revised to address the previous comments from members of SDC and the public, including lowering the BH, extending the building northward and providing connection with the Arcade Cyberport. Cyberport was also planning to hold a design competition for the Park featuring smart design elements later in collaboration with a local non-governmental organisation to collect more public views on the design and facilities to be provided.

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

Deliberation Session

31. Two Members considered that the layout plan was not acceptable as insufficient details were submitted, such as on pedestrian connectivity and landscape proposal, to demonstrate that the previous concerns of the Board and the public had been adequately addressed, and a few Members considered that the applicant had not kept its commitment to consult and engage the public in taking forward the project as reflected in the opposing public comments received. Other Members generally considered that the scheme had been improved as compared with the 2019 scheme submitted to support the OZP amendment and

the applicant had generally addressed the major concerns of the Board and the public. The layout plan followed the requirements stated in the Notes of the OZP; and had addressed the planning intentions for adoption of responsive building design, enhancement to pedestrian connectivity and provision of mitigation measures to alleviate the potential air ventilation impacts as set out in paragraph 7.8 of the ES of the OZP. Whilst noting that connectivity of waterfront promenade to Sandy Bay was outside the scope of the subject application, a Member remarked that the relevant government bureau/department might be requested to look into the matter. Moreover, a few Members considered that there was room for the applicant to further refine the design and greening proposals to better harmonise and provide better visual and physical connections with the existing Cyberport development, the waterfront promenade and the waterfront park to maximise benefits to the public.

32. The Chairman concluded that though with some dissenting views of individual Members, more Members considered that the applicant had demonstrated efforts to address major comments from the Board and the public by lowering the BH with cascading BH profile stepping down towards the Park, incorporating building setbacks, improving visual and air permeability, enhancing pedestrian connectivity and integration with the waterfront promenade. Members' detailed comments on various aspects could be further considered by the applicant at the detailed design stage of the proposed development.

33. Regarding some Members' concern on connecting the waterfront promenade northward to Sandy Bay, the Committee agreed that such concern could be conveyed to the Development Bureau (DEVB) for consideration as it might be more appropriate for DEVB to take the lead to coordinate with the relevant government bureaux/departments to explore feasible options to connect the waterfront promenade.

34. After deliberation, the Committee decided to approve the application on the terms of the application as submitted to the Town Planning Board (TPB). The permission should be valid until 27.8.2025, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the submission and implementation of landscape proposal to the satisfaction of the Director of Planning or of the Town Planning Board; and

- (b) the design and provision of internal transport facilities and vehicular access to the satisfaction of Commissioner for Transport or of the Town Planning Board.”

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

[Dr Frankie W.C. Yeung and Mr Daniel K.S. Lau left the meeting during the deliberation session.]

[The Chairman thanked Mr Mann Chow, STP/HK, PlanD, Miss Charmaine Wong, DS(IT)2, and Miss Betty Fung, PAS(IT)3, ITB for their attendance to answer Members’ enquiries. They left the meeting at this point.]

Agenda Item 8

Any Other Business

36. There being no other business, the meeting was closed at 12:30 p.m.