

TOWN PLANNING BOARD

Minutes of 659th Meeting of the Metro Planning Committee held at 9:00 a.m. on 6.11.2020

Present

Director of Planning
Mr Raymond K.W. Lee

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 Stanley T.S. Choi

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Professor John C.Y. Ng

Professor Jonathan W.C. Wong

Dr Roger C.K. Chan

Mr C.H. Tse

Assistant Commissioner for Transport (Urban),
Transport Department

Mr Tony K.T. Yau

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 K.F. Ling

Deputy Director of Planning/District

Miss Fiona S.Y. Lung

Secretary

In Attendance

Assistant Director of Planning/Board

Ms Lily Y.M. Yam

Chief Town Planner/Town Planning Board

Ms Caroline T.Y. Tang

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 658th MPC Meeting held on 23.10.2020

[Open Meeting]

2. The draft minutes of the 658th MPC meeting held on 23.10.2020 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Kowloon District

Agenda Item 3

Section 12A Application

[Open Meeting]

Y/K15/5

Application for Amendment to the Approved Cha Kwo Ling, Yau Tong, Lei Yue Mun Outline Zoning Plan No. S/K15/25, To rezone the application site from “Comprehensive Development Area” to “Commercial (1)”, “Commercial (2)” and “Government, Institution or Community” and to amend the Notes of the “Commercial” Zone , Yau Tong Marine Lots 71, 73 and 74, New Kowloon Inland Lot 6138 and Adjoining Government Land in Yau Tong Bay, Yau Tong, Kowloon
(MPC Paper No. Y/K15/5A)

4. The Secretary reported that Ove Arup & Partners Hong Kong Ltd. (ARUP) and ERM Hong Kong Ltd. (ERM) were two of the consultants of the applicants. The following Members had declared interests on the item:

Mr Thomas O.S. Ho - having current business dealings with ARUP; and

Mr Alex T.H. Lai - his former firm had business dealings with ARUP and ERM.

5. The Committee noted that the applicants had requested deferment of consideration of the application and Mr Alex T.H. Lai had not yet joined the meeting. As Mr Thomas O.S. Ho had no involvement in the application, the Committee agreed that he could stay in the meeting.

6. The Committee noted that the applicants’ representative requested on 23.10.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the second time that the applicants requested deferment of the application. Since the last deferment, the applicants had submitted further information to address departmental and public comments.

7. After deliberation, the Committee decided to defer a decision on the application as requested by the applicants pending the submission of further information from the applicants. The Committee agreed that the application should be submitted for its consideration within three months from the date of receipt of further information from the applicants. If the further information submitted by the applicants 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 applicants that two months were allowed for preparation of the submission of the further information. Since it was the second deferment and a total of four months had been allowed for preparation of submission of further information, no further deferment would be granted unless under very special circumstances.

Agenda Item 4

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/K22/4 Application for Amendment to the Approved Kai Tak Outline Zoning Plan No. S/K22/6, To rezone the application sites from "Open Space" and "Open Space (2)" to four sub-areas of "Other Specified Uses" annotated "Waterfront Related Commercial, Recreational and Leisure Uses" Zone, four pieces of Government Land at the waterfront of Kai Tak Development, Kowloon
(MPC Paper No. Y/K22/4B)

Presentation and Question Sessions

8. The following representatives from the Planning Department (PlanD) and the applicant were invited to the meeting at this point:

Ms Johanna W.Y. Cheng - District Planning Officer/Kowloon
(DPO/K), PlanD

Mr K.K. Lee - Senior Town Planner/Kowloon (STP/K),
PlanD

Designing Hong Kong Limited

Mr Paul Zimmerman]	
Mr Wong Wan Kei Samuel]	Applicant's Representatives
Ms Li Wing Yin Cindy]	

9. With the aid of a Powerpoint presentation, Mr K.K. Lee, STP/K, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed rezoning of four sites from “Open Space” (“O”) and “Open Space(2)” (“O(2)”) to four sub-zones of “Other Specified Uses” annotated “Waterfront Related Commercial, Recreational and Leisure Uses” (“OU(WRCRLU)”) zone on the approved Kai Tak Outline Zoning Plan (OZP) No. S/K22/6;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, 345 public comments from individuals (with 341 in standard form) were received. All of the public comments supported the application. Major views were set out in paragraph 10 of the Paper; and
- (e) PlanD’s views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper. The rezoning proposal, which was intended to make use of the waterbodies in Kai Tak to promote water sports and recreation uses, was generally in line with the vision and planning theme of Kai Tak. Compared to prescribing specific locations as proposed by the applicant under the rezoning proposal, the current “O”/“O(2)” zoning provided greater flexibility for identifying suitable locations for water sports facilities in accordance with the needs of relevant water sports associations and taking into account the water quality of different sections of Kai Tak Approach Channel (KTAC)/Kwun Tong Typhoon Shelter (KTTS) over time. The applicant had not submitted any

technical assessments to substantiate that the four proposed locations were technically feasible for the proposed uses and the proposal would not create adverse environmental, infrastructural, visual and landscape impacts on the surrounding areas. In that regard, relevant government departments including the Director of Environmental Protection (DEP), the Project Manager (East) of Civil Engineering and Development Department (PM(E), CEDD) and the Chief Town Planner/Urban Design and Landscape (CTP/UD&L) of PlanD had reservation/concerns on the proposal. Moreover, the Harbour Office of Development Bureau (DEVB) would explore the opportunity to include the elements raised in the subject application in the project scope of the Metro Park project in due course. Hence, water sports/recreation development at the concerned areas could already be facilitated whilst upholding flexibility for the overall design and usage of future public open spaces (POS) under the current provisions of the OZP. There was no strong justification for the proposed rezoning. Regarding the public comments, the departmental comments and planning assessments above were relevant.

[Messrs Alex T.H. Lai and Daniel K.S. Lau joined the meeting during PlanD's presentation.]

10. The Chairman then invited the applicant's representatives to elaborate on the application. With the aid of a PowerPoint presentation, Mr Paul Zimmerman, the applicant's representative, made the following main points:

Not meeting the vision and public aspiration for harbourfront

- (a) the Government's vision for the harbourfront of Victoria Harbour included a distinguished, vibrant, attractive and people-oriented Kai Tak. Kai Tak had the potential to be transformed to a world-class attraction similar to Darling Harbour in Sydney and Marina Bay in Singapore. In 2006, the public had expressed views on giving priority to harbourfront-dependent uses, preserving water-based recreation use in KTAC and providing marine-related facilities. At present, in the absence of a dedicated department to promote active uses of the waterfront and water-friendly culture, it was difficult to meet the stated policy objectives and vision

statement for the harbourfront;

Limited activation of the ground and water in Kai Tak

- (b) the existing “O” zoning along KTAC and KTTS had no provision to promote active uses of the waterfront promenades and the sheltered waters nearby;
- (c) CEDD’s conceptual layout plan for the promenade adjoining Road D3 showed passive uses and none of the elements in CEDD’s proposal would encourage vibrant use of the waterfront and the waterbodies;
- (d) the waterfront had been planned for more than 20 years, but the vibrant waterfront being planned for had still not materialised. They had been liaising with government bureaux/departments on the provision of permanent water sports facilities in Kai Tak for many years, but with no avail. The Board needed to approve the proposed rezoning to facilitate development of vibrant and active commercial and recreation uses at the waterfront;

The rezoning proposal

- (e) the planning intention of the proposed “OU(WRCRLU)” zone was for provision of low-rise and low-density waterfront related commercial, recreational and leisure uses to serve the need of the general public. The proposed rezoning was to promote a vision and allow quality permanent facilities including passive and active recreation, sports, leisure and entertainment uses, that enhanced enjoyment of the waterfront as well as its adjacent waterbody and Kai Tak Sports Park;
- (f) Locations 1 and 4 were unique points in relation to the waterbodies including KTAC, KTTS as well as the promenades and cycle tracks. Locations 2 and 3 were unique connecting points between KTAC and the future Metro Park. The proposed structures at the four locations could be designed as landmarks, and to support sports and leisure uses of the nearby KTAC and Metro Park. The structures would help diversify the character

and uses of open space, encourage the use of waterbody at KTAC and KTTS by a larger community thus increasing the overall public amenity;

- (g) the proposed locations were highly accessible by pedestrians and cyclists and well-served by public transport. They were sheltered by infrastructure and commercial developments and were located away from residential developments. The proposal would have no significant adverse environmental and traffic impacts on the surroundings;
- (h) the rezoning proposal would maximise the development potential of Kai Tak. Considering the scale involved, accommodation of the potential developments/facilities as proposed would not induce negative visual effects on the surroundings;
- (i) no government departments other than PlanD objected to the application and HAB supported the application;

Need to expedite implementation

- (j) even though some of the proposed uses were covered in either Column 1 or 2 in the Notes of the “O” zone, the implementation remained uncertain as no dedicated government department was responsible for that, and mixed use buildings of better functions that would accommodate both commercial element and public utility were also unlikely. Referring to a plan showing Energizing Kowloon East Office (EKEO)’s Medium to Long-term Co-use Proposals in KTTS, it was indicated that a water area was designated for water sports/recreation activities/temporary water area for water recreation events at Kai Tak Runway Park Phase 2A adjacent to the Tourism Node site, but there was no provision on the land side to facilitate active water sports uses in the Planning Brief of the Tourism Node that had been submitted for the Board’s consideration recently. Under the existing zoning, non-government organisations (NGOs) wishing to use the area for water sports purposes would have to apply through Short Term Tenancy (STT). Given the short tenancy period, limited resources would be put into provision of quality and sustainable structures and facilities;

Design of Road D3 along the waterfront area

- (k) more flexibility for the waterfront related commercial, recreational and leisure uses should be allowed in the design of Road D3 and its adjoining waterfront promenade/POS, which was currently undertaken by CEDD. The proposal could be considered as a variation to the committed works of government project, or as part of a new project requiring minor additional costs;

Precedence of similar “OU” zones

- (l) there were similar “OU” zones along the Victoria Harbour for public waterfront promenade and water recreation related uses. Two sites at the Ma Tau Kok waterfront were zoned “OU” annotated “Waterfront Related Commercial, Cultural and Leisure Uses” to create a dining cove and more vibrant environment. The Wan Chai North OZP had a provision for low-rise and low-density waterfront related commercial and leisure uses for public enjoyment to add variety and vibrancy to the waterfront. Such similar zoning was also provided in the Central District (Extension) OZP for possible festival markets, café and restaurants and retails shops;
- (m) the proposed “OU(WRCRLU)” zoning would allow more flexibility at the implementation stage and could ensure good quality buildings with better design and more activities provided; and

Improving water quality in Kai Tak

- (n) relevant government departments including CEDD, Drainage Services Department (DSD) and Environmental Protection Department (EPD) had taken measures to improve the water quality of Kai Tak. They would further rectify the identified pollution sources and upgrade facilities to intercept pollutants to achieve the water quality requirement for water sports activities.

[Mr Franklin Yu and Dr Frankie W.C. Yeung joined the meeting during the presentation of the applicant’s representative.]

11. As the presentations of PlanD's representative and the applicant's representative were completed, the Chairman invited questions from Members.

12. The Chairman and some Members raised the following questions:

- (a) current and planned uses of the waterbodies of KTAC and KTTS and the four application sites;
- (b) width of KTAC and KTTS, and water quality of the area;
- (c) types of water sports expected, and the responsible government department for organising waters sports events;
- (d) whether the proposal would comply with the Harbour Planning Principles and Guidelines;
- (e) how the proposal could help achieve the vision of the harbourfront, and the current provision under the OZP;
- (f) the existing mechanism in activating the harbourfront, and progress of implementation by the relevant government departments;
- (g) whether the Town Planning Board (the Board) had approved any rezoning application involving government land only but submitted by private individuals, and the assessment criteria (including policy requirement) for considering such rezoning application;
- (h) whether the approval of the application would expedite the implementation of the proposal;
- (i) whether the waterbody could be designated with a specific zoning on the OZP; and

- (j) clarification on the progress of Road D3 project being undertaken by CEDD.

13. In response, Ms Johanna W.Y. Cheng, DPO/K, made the following main points:

- (a) EKEO had been facilitating the co-use of the waterbody of KTTS for water sports/recreation activities and events for promoting water-friendly culture, and formulating proposals under on-going feasibility studies for providing commercial and other supporting facilities on the waterfront. A number of water sports events including dragon boat, rowing and sailing competitions were held. The Marine Department (MD) had also widened the passageways in KTTS to facilitate co-use of the waterbody. For Locations 1 to 3, the sites were within the boundary of Road D3 (Metro Park Section) and its adjoining waterfront promenade/POS project, the implementation work of which was currently undertaken by CEDD. The Harbour Office of DEVB would explore the opportunity to allow more flexibility for the waterfront related commercial, recreational and leisure uses as proposed under the rezoning application in the design of the above project. Due to the poor water quality at the upstream part of KTAC, EPD had strong reservation on the proposed rezoning of Location 1. For Location 4, the planned POS was proposed to adopt a water sports theme, with provision of land-based facilities such as storage and training facilities and a set of landing steps to allow access to the adjoining waterbody. As the POS site was currently being used as a temporary works area for the Trunk Road T2 project, it would only be available for development after the completion of the road works;
- (b) the width of KTAC and KTTS was about 200m and 440m respectively. By making reference to the water quality modelling results from CEDD, the water quality at the upstream part of KTAC deteriorated sharply in 2019 and did not meet the requirement for secondary contact recreational uses (i.e. *E. coli* level of “below 610 count/100ml”);
- (c) secondary contact recreational uses e.g. canoeing and rowing were expected.

In general, the Leisure and Cultural Services Department would oversee the organisation of water sports events/activities in the territory and EKEO had also facilitated events in the waterbodies of KTTS;

- (d) the Harbourfront Commission's Task Force on Kai Tak Harbourfront Development had no objection to the proposed uses in the application which were considered in line with the long-term vision to bring vibrancy to the waterfront. However, the Task Force indicated that they were not in a position to consider the rezoning application. Subject to policy support from the Home Affairs Bureau (HAB), water sports organisations could submit STT applications to the Lands Department (LandsD) for the sites that they considered suitable for water sports activities. At present, there were three such STT applications under processing. Two of them were already approved by LandsD and expected to be executed soon;
- (e) to facilitate the development of water sports and recreation activities so as to strengthen the role of Kai Tak as a sports hub, 'Place of Recreation, Sports or Culture (Water Sports/Water Recreation only)' had been stipulated as a Column 1 use in the "O" zone of the Kai Tak OZP since 2017. Compared to prescribing specific locations as proposed by the applicant under the rezoning proposal, the current "O"/"O(2)" zoning on the Kai Tak OZP provided greater flexibility for identifying suitable locations for water sports facilities and better opportunity in achieving the vision of the harbourfront. Furthermore, commercial uses such as 'Eating Place' and 'Shop and Services' were Column 2 uses that might be permitted upon application to the Board. The section 16 planning application mechanism allowed the Board to scrutinise development proposals for the uses in the planned open space to ensure that they would be of appropriate scale and high quality design, and compatible with the open space and waterfront setting;
- (f) the Government had taken a proactive role in incorporating flexibility to facilitate water sports/recreation development in Kai Tak, which echoed the intention of the rezoning application to activate the waterfront in Kai Tak.

EKEO had been facilitating the co-use of the waterbody of KTTS for water sports/recreation activities and events for promoting water-friendly culture. The Harbour Office of DEVB would explore the opportunity with CEDD to include the elements raised in the rezoning application in the design of the POS project adjoining Road D3 (Metro Park Section). MD was also involved in regulating the water passageways of KTTS;

- (g) there was no approved rezoning application in Kai Tak that only involved government land. Generally speaking, when submitting a rezoning application involving government land only, the applicant had to demonstrate the technical feasibility of the proposal, and that there was policy support from the relevant bureau. Whilst the Secretary for Home Affairs (SHA) indicated that he welcomed proposals that could increase the provision of sports facilities from the angle of promoting sports development, he was unable to offer policy support to the proposal under the current application based on the information submitted in the application at the present stage;
- (h) the implementation of the proposal would not be expedited by amending the OZP as per the applicant's proposal. On the other hand, the Harbour Office of DEVB would take an active role in exploring the opportunity to include the elements raised in the application in the project scope of the POS project to be implemented as part/variation of the existing public works project;
- (i) in general, waterbody was seldom designated with a specific zoning on OZPs except for some areas with specific planning intention; and
- (j) the implementation works of Road D3 (Metro Park Section) and its adjoining waterfront promenade/POS project was currently undertaken by CEDD. The conceptual plan of the POS shown in the applicant's presentation was a preliminary design in 2018. Subsequently, CEDD had refined the proposal and would conduct consultation with relevant parties including the Task Force on Kai Tak Harbourfront Development of the

Harbourfront Commission and the relevant District Councils. The project was scheduled for completion in 2023.

14. In response, Mr Paul Zimmerman, the applicant's representative, made the following main points:

- (a) regarding the current use of the concerned waterbodies, the anchorage area of KTTS could be relocated and the waterbody could be released to meet the needs for water sports activities and no technical issue was anticipated. Regarding the planned uses of the four sites, all of them were intended for POS, and there was a need for making provision for future development of these sites before the existing public works were finalised and imposed constraints for some of their proposals, which would make meeting the vision of the harbourfront more difficult. An overarching bureau would be required to help expedite the implementation of Kai Tak harbourfront development in a comprehensive and coordinated manner;
- (b) regarding the water quality in Kai Tak, the relevant government departments had taken different measures and would further rectify the identified pollution sources and upgrade facilities to intercept pollutants to achieve the water quality requirement for secondary contact recreational uses;
- (c) regarding the Harbour Planning Principles and Guidelines, the rezoning proposal would bring vibrancy to the harbourfront, maximise the development potential of Kai Tak and adjacent waters with better visual access and transform KTAC and KTTS into world-class attractions;
- (d) in order to achieve the vision of the harbourfront, rezoning was a necessary step to ensure quality design and long-term management. Taking an example of the conceptual layout plan of the waterfront promenade adjoining Road D3 (Metro Park Section), the existing "O" zoning had no provision to enable use of the water, which would defeat the purpose of activating the harbourfront;

- (e) there was a lack of overriding policy support on the provision of water sports related facilities at the waterfront; and
- (f) the allocation and management of the waterways and anchorage was under the jurisdiction of MD.

15. As the applicant's representatives had no further points to raise and there was no further question from Members, the Chairman informed the applicant's representatives that the hearing procedure for the application had been completed and the Committee would deliberate on the application in their absence and inform the applicant of the Committee's decision in due course. The Chairman thanked the representatives of PlanD and the applicant's representatives for attending the meeting. They left the meeting at this point.

[Messrs Stanley T.S. Choi and Alex T.H. Lai left the meeting at this point.]

Deliberation Session

16. The Chairman remarked that whilst there was a shared vision for promoting active uses of the harbourfront, there were different views on how to achieve the vision. The applicant considered that the good intention could be achieved by amending OZP as proposed in the rezoning application. PlanD, on the other hand, considered that the current "O"/"O(2)" zones provided greater flexibility for water sports/recreation and other supporting uses in terms of their location, design and usage. The Chairman said that in order to create better interfaces between land and water, the Board made a decision in 2017 to stipulate 'Place of Recreation, Sports or Culture (Water Sports/Water Recreation only)' use as a Column 1 use in the "O" zone of the OZP. As a result of the amendment, several water sports organisations had submitted STT applications for water sports activities in Kai Tak. The main issue to be considered in the subject rezoning application was whether the OZP had already provided sufficient flexibility to facilitate the implementation of the conceptual proposal for a more vibrant waterfront as advocated by the applicant.

17. Whilst noting that the rezoning proposal was in line with the long-term vision to bring vibrancy to the waterfront, some Members considered that the application could not be supported and had the following views:

- (a) policy support was not given by the relevant government bureau for the rezoning proposal. It was noted from the comment of SHA that if the applicant submitted a development plan, a financial plan and an operation plan that could demonstrate the feasibility and worthiness of the proposal that met his criteria, he would consider giving the policy support;
- (b) the applicant, who would not be implementing the proposal, failed to demonstrate the technical feasibility of rezoning the sites. There was insufficient information to demonstrate that the proposal would not create adverse visual, landscaping and pedestrian accessibility impacts on the surrounding areas;
- (c) the current “O”/“O(2)” zones provided greater flexibility for water sports/recreation and other supporting uses in terms of their location, design and usage. Meanwhile, due to the uncertainty in the planning for usage of the waterbody and the water quality, there was no strong justification to prescribe four specific locations as proposed under the rezoning application.

18. Noting the efforts of Harbour Office and EKEO of DEVB and other relevant bureaux/departments such as HAB, CEDD, MD, EPD and DSD in facilitating the co-use of the waterbody for promoting water-friendly culture as well as improving the water quality in Kai Tak, some Members were of the view that all concerned parties should champion the early implementation of Kai Tak harbourfront development in a comprehensive and coordinated manner. The relevant government bureaux/departments should keep the public informed about the latest progress on implementation of various projects in the Kai Tak development. Besides, there should be room for improvement in the design of the waterfront promenade/POS adjoining Road D3 (Metro Park Section), the implementation work of which was currently undertaken by CEDD. Given Members' view, the Chairman suggested and Members agreed that CEDD should be requested to allow more flexibility and make the provision for any future waterfront related uses in the design of Road D3 (Metro Park Section) and its adjoining waterfront promenade/POS.

19. After further deliberation, the Committee decided not to agree to the application for the following reasons:

- “(a) notwithstanding that the proposed rezoning to promote water sports/recreation uses at the Kai Tak waterfront is in line with the planning intention of “Open Space” (“O”) zone, the current “O”/“O(2)” zones provide greater flexibility for water sports/recreation and other supporting uses in terms of their location, design and usage while allowing the Town Planning Board to maintain control through appropriate Columns 1 and 2 uses in the Notes of the Outline Zoning Plan. There is no strong justification to prescribe four specific locations as proposed under the rezoning application; and
- (b) the applicant fails to demonstrate the technical feasibility of rezoning the sites to “Other Specified Uses” annotated “Waterfront Related Commercial, Recreational and Leisure Uses” and that the proposed rezoning would not create adverse visual, landscaping and pedestrian accessibility impacts on the surrounding areas”

[Professor John C.Y. Ng, Messrs Thomas O.S. Ho and Frankie W.C. Yeung left the meeting at this point.]

[Ms Johanna W.Y. Cheng, District Planning Officer/Kowloon (DPO/K) and Miss Helen H.Y. Chan/Kowloon, Senior Town Planner/Kowloon (STP/K), were invited to the meeting at this point.]

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K22/29 Proposed Social Welfare Facility (Residential Care Home for the Elderly cum Day Care Unit) in Non-residential Portion of a Mixed Use Development in “Other Specified Uses” annotated “Mixed Use(3)” Zone, Kai Tak Area 1E Site 1, Kowloon
(MPC Paper No. A/K22/29)

20. The Secretary reported that the application was submitted by Hong Kong Housing Society (HKHS). Kenneth To & Associates Ltd. (KTA) and DLN Architects Ltd.

(DLN) were two of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Raymond K.W. Lee - being an ex-officio member of the
(the Chairman) Supervisory Board of HKHS;
as the Director of Planning
- Mr Alex T.H. Lai - his former firm had business dealings with
HKHS and DLN;
- Mr Daniel K.S. Lau - being an ex-employee of HKHS, which had
business dealings with KTA;
- Ms Lilian S.K. Law - being a member of HKHS; and
- Dr Lawrence W.C. Poon - being an ex-employee of HKHS.

21. The Committee noted that as the interest of Mr Raymond K.W. Lee, the Chairman, was direct, he would leave the meeting temporarily, and Mr Alex T.H. Lai had already left the meeting. As Ms Lilian S.K. Law was not a member of the Supervisory Board or steering committee of HKHS, and Mr Daniel K.S. Lau and Dr Lawrence W.C. Poon had no involvement in the application, the Committee agreed that they could stay in the meeting.

22. Mr Raymond K.W. Lee, the Chairman, left the meeting temporarily. Mr Wilson Y.W. Fung, the Vice-chairman, took over the chairmanship at this point.

Presentation and Question Sessions

23. With the aid of a PowerPoint presentation, Miss Helen H.Y. Chan, STP/K, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;

- (b) the proposed social welfare facility (Residential Care Home for the Elderly (RCHE) cum Day Care Unit (DCU) in non-residential portion of a mixed use development;
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the first three weeks of the statutory publication period, one public comment opposing the application was received from an individual. 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. With the proposed physical segregation to mitigate any interface issues between future users of the government accommodation portion and residents, the proposed development was generally in line with the planning intention of the “Other Specified Uses” annotated “Mixed Use(3)” zone and complied with the Town Planning Board Guidelines No. 42. The proposed use was considered not incompatible with the surrounding uses. The application was in line with the government policy of increasing the provision of welfare facilities, which was in the public interest. The Director of Social Welfare had no adverse comment on the application. No insurmountable traffic and environmental impacts were anticipated. Appropriate approval conditions were recommended to address relevant departments’ concerns and requirements. Other concerned departments had no objection to or no adverse comment on the application. Regarding the public comment, the departmental comments and planning assessments above were relevant.

24. Some Members raised the following questions:

- (a) whether the gross floor area (GFA) of the proposed RCHE cum DCU would be counted towards the non-domestic plot ratio (PR);
- (b) details of the proposed noise mitigation measures; and

- (c) whether openable windows would be provided.

25. In response, Ms Johanna W.Y. Cheng, DPO/K, made the following main points:

- (a) the GFA of the proposed RCHE cum DCU would be counted towards the non-domestic PR and would not exceed the overall PR of the mixed use development;
- (b) the proposed development was about 40m away from Prince Edward Road East. The noise mitigation measures included setbacks from adjoining roads and provision of acoustic windows at strategic locations, and that all habitable rooms would face the inner courtyard area. The Director of Environmental Protection had no adverse comment on the environmental assessment submitted by the applicant; and
- (c) for the proposed RCHE cum DCU, openable windows would be provided for natural lighting and ventilation.

Deliberation Session

26. 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 6.11.2024, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the design and construction of the proposed Residential Care Homes for the Elderly cum Day Care Unit to the satisfaction of the Director of Social Welfare or of the TPB;
- (b) the submission of a revised Noise Impact Assessment and implementation of the noise mitigation measures identified therein for the proposed development to the satisfaction of Director of Environmental Protection or

of the TPB;

- (c) the submission of a Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (d) the implementation of the local sewerage upgrading/sewerage connection works as identified in the Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Drainage Services or of the TPB.”

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

[The Vice-chairman thanked Ms Johanna W.Y. Cheng, DPO/K, and Miss Helen H.Y. Chan, STP/K, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

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

Tsuen Wan and West Kowloon District

Agenda Item 6

Section 16 Application

[Open Meeting]

A/K20/133

Proposed Comprehensive Office, Commercial and Retail Development with Relaxation of Building Height Restriction in “Comprehensive Development Area (1)” Zone and an area shown as ‘Road’, the Site of the Guangzhou-Shenzhen-Hong Kong Express Rail Link West Kowloon Terminus at the Junction of Ling Cheung Road and Austin Road West, Kowloon

(MPC Paper No. A/K20/133)

28. The Secretary reported that the application was submitted by Century Opal Limited and Max Century (H.K.) Limited which were subsidiaries of Sun Hung Kai Properties Limited (SHK). Wong & Ouyang (HK) Ltd. (W&O), MVA Hong Kong Ltd. (MVA) and AECOM Asia Co. Ltd. (AECOM) were three of the consultants of the applicants. The following Members had declared interests on the item:

- | | | |
|-------------------|---|----------------------------------------------------------------------------------------------|
| Mr Thomas O.S. Ho | - | having current business dealings with SHK, MVA and AECOM; |
| Mr Alex T.H. Lai | - | his former firm had business dealings with SHK, W&O, MVA and AECOM; and |
| Mr Franklin Yu | - | his spouse being an employee of SHK; and his firm having current business dealings with W&O. |

29. The Committee noted that the applicants had requested deferment of consideration of the application and Messrs Thomas O.S. Ho and Alex T.H. Lai had already left the meeting. As the interest of Mr Franklin Yu was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion.

30. The Committee noted that the applicants' representative requested on 23.10.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicants requested deferment of the application.

31. After deliberation, the Committee decided to defer a decision on the application as requested by the applicants pending the submission of further information from the applicants. 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 applicants. If the further information submitted by the applicants 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 applicants that two months were allowed for preparation of the submission of the further

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

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

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/KC/469 Proposed Hotel Use and Proposed Minor Relaxation of Plot Ratio
Restriction in “Other Specified Uses” annotated “Business” Zone, 57-61
Ta Chuen Ping Street, Kwai Chung, New Territories
(MPC Paper No. A/KC/469)

32. The Secretary reported that Kenneth To & Associates Ltd. (KTA) and Z Design Ltd. were two of the consultants of the applicant. The following Members had declared interests on the item:

- | | | |
|--------------------|---|------------------------------------------------------------------------------------------|
| Mr Alex T.H. Lai | - | his former firm had business dealings with Z Design Ltd.; and |
| Mr Daniel K.S. Lau | - | being an ex-employee of Hong Kong Housing Society, which had business dealings with KTA. |

33. The Committed noted that Mr Alex T.H. Lai had already left the meeting. As Mr Daniel K.S. Lau had no involvement in the application, the Committee agreed that he could stay in the meeting.

[The Vice-chairman left the meeting at this point.]

Presentation and Question Sessions

34. The Committee noted that a replacement page (p.2 of Appendix IV of the Paper) updating the comments of the Lands Department was shown on the visualiser for Members' reference. With the aid of a PowerPoint presentation, Mr 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) the proposed hotel use and proposed minor relaxation of plot ratio (PR) restriction;
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the first three weeks of the statutory publication periods, five public comments opposing the application were received from individuals. Major views were set out in paragraph 11 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 12 of the Paper. The proposed hotel development was generally in line with the planning intention of the “Other Specified Uses” annotated “Business” (“OU(B)”) zone and the transformation of the area from industrial to general business uses. The proposed development was also generally in line with the Town Planning Board Guidelines No. 22D and was considered not incompatible with the surrounding uses. The proposed minor relaxation of PR restriction generally followed the policy on revitalisation of pre-1987 industrial buildings and the Development Bureau gave policy support to the application. Concerned government departments had no objection to or no adverse comment on the application on traffic, environmental and other aspects. Various planning and design merits, including building setbacks in addition to the OZP requirements, landscape provision, green building design were proposed to enhance the visual interest, pedestrian comfort and connectivity. Regarding the public comments, the departmental comments and planning assessments above were relevant.

35. Two Members raised the following questions:
- (a) proposed measures to address traffic concerns, in particular the one-way road network in the area; and
 - (b) proposed setback areas and greenery measures on G/F.
36. In response, Mr Stephen C.Y. Chan, STP/TWK, made the following main points:
- (a) the Traffic Impact Assessment had demonstrated that the proposed development would not cause adverse traffic impact on the adjacent road network. Adequate parking and loading/unloading spaces would be provided within the proposed development in accordance with the requirements of the Hong Kong Planning Standards and Guidelines. The applicant also proposed traffic bollards and railing in the vicinity of the proposed run-in/out to avoid illegal parking, and loading/unloading activities would be carried out within the site. Furthermore, the proposed development would incorporate a 3.5m-wide non-building area (NBA) along Ta Chuen Ping Street according to the OZP requirement to cater for the long-term road widening proposal. The Commissioner for Transport had no in-principle objection to the application subject to the incorporation of the recommended approval conditions; and
 - (b) apart from the 3.5m-wide NBA required under the OZP and an additional full-height setback of 0.95m along Ta Chuen Ping Road, the applicant would provide additional voluntary setbacks to improve the pedestrian environment. The voluntary setbacks along the eastern, northern and western boundaries on G/F would provide paved service lanes which would be accessible by the public. Planting strips were proposed near the main entrance.

Deliberation Session

37. Members in general considered that the application could be supported as there

would not be adverse traffic impact and the proposed setbacks with greenery could help enhance pedestrian movement and landscape quality of the area. A Member remarked that more planting strips and edge plantings should be provided in the setback areas to further promote visual interest and comfort for pedestrians.

38. 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 6.11.2024, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the design and provision of parking facilities, loading/unloading spaces and vehicular access for the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (b) the design and implementation of traffic measures, as proposed by the applicant at his own cost, prior to occupation of the proposed development to the satisfaction of the Commissioner for Transport or of the TPB;
- (c) the submission of an updated Sewerage Impact Assessment for the proposed development to the satisfaction of the Director of Environmental Protection or of the TPB;
- (d) the implementation of the local sewerage upgrading/sewerage connection works identified in the updated Sewerage Impact Assessment for the proposed development in (c) above to the satisfaction of the Director of Drainage Services or of the TPB; and
- (e) the submission of land contamination assessments in accordance with the prevailing guidelines and the implementation of the remediation measures identified therein prior to the development of the site to the satisfaction of the Director of Environmental Protection or of the TPB.”

39. The Committee also agreed to advise the applicant to note the advisory clauses as

set out at Appendix IV of the Paper.

[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 8

Section 16 Application

[Open Meeting]

A/KC/471 Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Non-Polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods) in "Other Specified Uses" annotated "Business" Zone, 10-16 Kwai Ting Road, Kwai Chung, New Territories
(MPC Paper No. A/KC/471)

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

Mr Thomas O.S. Ho - having current business dealings with ARUP;
and

Mr Alex T.H. Lai - his former firm had business dealings with
ARUP.

41. The Committee noted that the applicants had requested deferral of consideration of the application and Messrs Thomas O.S. Ho and Alex T.H. Lai had already left the meeting.

42. The Committee noted that the applicants' representative requested on 23.10.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the first time that the applicants requested deferment of the application.

43. After deliberation, the Committee decided to defer a decision on the application as requested by the applicants pending the submission of further information from the applicants. 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 applicants. If the further information submitted by the applicants 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 applicants that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 9

Section 16 Application

[Open Meeting]

A/TW/512 Proposed Columbarium in "Government, Institution or Community (6)"
Zone, Tung Lum Nien Fah Tong (Block 7 & Block 8), No. 29 Tung Lam
Terrace, Lo Wai, Tsuen Wan, New Territories (Lot 1233 R.P. (Part) in
D.D. 453)

(MPC Paper No. A/TW/512B)

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

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

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

45. The Committed noted that the applicant had requested deferment of consideration of the application, and Mr Stanley T.S. Choi and Professor John C.Y. Ng had already left the meeting.

46. The Committee noted that the applicant's representative requested on 22.10.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

47. After deliberation, the Committee decided to defer a decision on the application as requested by the applicant pending the submission of further information from the applicant. The Committee agreed that the application should be submitted for its consideration within two months from the date of receipt of further information from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The Committee also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information. Since it was the third deferment and a total of six months had been allowed for preparation of submission of further information, this was the last deferment and no further deferment would be granted.

Agenda Item 10

Section 16 Application

[Open Meeting]

A/TW/515 Proposed Comprehensive Residential Development and Minor Relaxation of Maximum Plot Ratio and Building Height Restrictions (Amendments to Approved Scheme) in "Comprehensive Development Area (3)" Zone, Tsuen Wan Town Lots 126, 137, 160 and 363, and adjoining Government Land, Tsuen Wan, New Territories
(MPC Paper No. A/TW/515B)

48. The Secretary reported that the application site was located in Tsuen Wan. The application was submitted by Tippon Investment Enterprises Limited, which was a subsidiary of Sun Hung Kai Properties Ltd. (SHK). Llewelyn-Davies Hong Kong Ltd. (LD), AECOM Asia Co. Ltd. (AECOM) and LWK & Partners (Hong Kong) Ltd. (LWK) were three 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 SHK and AECOM, and past business dealings with LD;
- Mr Alex T.H. Lai - his former firm had business dealings with SHK, AECOM and LWK;
- Mr Franklin Yu - his spouse being an employee of SHK;
- Mr Stanley T.S. Choi - his spouse being a director of a company which owned properties in Tsuen Wan; and
- Professor John C.Y. Ng - his spouse owning a flat in Tsuen Wan.

49. The Committee noted that the applicant had requested deferment of consideration of the application and Messrs Thomas O.S. Ho, Alex T.H. Lai and Stanley T.S. Choi and Professor John C.Y. Ng had already left the meeting. As the interest of Mr Franklin Yu was direct, the Committee agreed that he could stay in the meeting but should refrain from participating in the discussion.

50. The Committee noted that the applicant's representative requested on 28.10.2020 deferment of consideration of the application for two months so as to allow time to prepare further information to address departmental comments. It was the third time that the applicant requested deferment of the application. Since the last deferment, the applicant had submitted further information to address departmental comments.

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

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

[Ms Karmin Tong, Senior Town Planner/Hong Kong (STP/HK), was invited to the meeting at this point.]

Hong Kong District

Agenda Item 11

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/H24/26 Proposed Shop and Services (Retail Shop) in “Other Specified Uses” annotated “Pier and Associated Facilities” Zone, Shop B on Lower Deck of Central Pier No. 8, Hong Kong
(MPC Paper No. A/H24/26)

Presentation and Question Sessions

52. With the aid of a PowerPoint presentation, Ms Karmin Tong, STP/HK, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed shop and services (retail shop);
- (c) departmental comments were set out in paragraph 8 of the Paper;
- (d) during the first three weeks of the statutory publication period, one public comment providing views on the application was received from an individual. Major views were set out in paragraph 9 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 10 of the Paper. The proposed retail shop was considered generally in line with the planning intention of the “Other Specified Uses” annotated “Pier and Associated Facilities” (“OU(PAF)”) zone. The proposed use was considered not incompatible with the pier use in that it would provide convenient services to ferry passengers as well as visitors using the pier and the waterfront promenade. Considering the small size of the proposed retail shop, it would unlikely cause disruption to the pier operation and passenger circulation. Concerned government departments had no objection to or no adverse comment on the application. There were three approved similar applications within the subject “OU(PAF)” zone. Approval of the current application was consistent with the Committee’s previous decisions. Regarding the public comment, the departmental comments and planning assessments above were relevant.

53. In response to some Members’ questions, Ms Karmin Tong, STP/HK, said that the western berth of the subject pier (Central Pier No. 8) was operated by the applicant providing ferry services between Central and Hung Hom (i.e. the Central-Hung Hom ferry route). The proposed shop and services use would help generate non-farebox revenue to cross-subsidise the applicant’s ferry operation.

54. Mr Tony K.T. Yau, Assistant Commissioner for Transport (Urban), Transport Department supplemented that in general the non-farebox revenue generated would be put back to the profit and loss account for operation of the ferry services.

Deliberation Session

55. A Member opined that as a general observation, the Government might consider vitalising ferry services in Hong Kong so that such services could be provided not only for local passengers but also for tourists. Members noted that the “OU(PAF)” zone was intended primarily to provide land for the development of pier with the provision of integrated retail/restaurant/tourism related facilities and pier-roof open space for public enjoyment, and the proposed use was considered generally in line with such planning intention. Members had no objection to the application.

56. 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 6.11.2024, 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 condition:

“the provision of fire service installations and equipment to the satisfaction of the Director of Fire Services or of the TPB.”

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

[The Chairman thanked Ms Karmin Tong, STP/HK, for her attendance to answer Members' enquiries. She left the meeting at this point.]

Agenda Item 12

Section 16 Application

[Open Meeting]

A/H5/413 Proposed Flat with Minor Relaxation of Building Height Restriction in “Residential (Group A)”, “Residential (Group C)” Zones and area shown as ‘Road’, 31 - 36 Sau Wa Fong, Wan Chai, Hong Kong
(MPC Paper No. A/H5/413)

58. The Secretary reported that Kenneth To & Associates Ltd. (KTA) was one of the consultants of the applicant. Mr Daniel K.S. Lau had declared an interest on the item as he was an ex-employee of Hong Kong Housing Society, which had business dealings with KTA. As Mr Daniel K.S. Lau had no involvement in the application, the Committee agreed that he could stay in the meeting.

59. The Secretary said that according to the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations, and Applications made under the Town Planning Ordinance (TPB PG-No. 33), a decision on a

section 16 application would be deferred if the application site was still subject to outstanding adverse representation(s) yet to be submitted to the Chief Executive in Council (CE in C) for consideration and the substance of the representation(s) was relevant to the subject application. As the area shown as ‘Road’ within the application site was subject to an outstanding adverse representation in respect of the draft Wan Chai Outline Zoning Plan (OZP) No. S/H5/27, the Planning Department recommended to defer a decision on the application pending the submission of the draft OZP together with the representation to CE in C and the CE in C’s final decision on the representation in respect of the draft OZP.

60. After deliberation, the Committee decided to defer a decision on the application. The application would be submitted to the Committee for consideration after the CE in C’s decision on the OZP and the relevant adverse representation was made.

[Professor Jonathan W.C. Wong left the meeting at this point.]

[Mr Mak Chung Hang/Kowloon, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

Kowloon District

Agenda Item 13

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K18/335 Further Consideration of Section 16 Application
Proposed Minor Relaxation of Building Height Restriction to Allow for
One Storey of Basement for Permitted House Use in “Residential (Group
C) 1” Zone, 14 Kent Road, Kowloon Tong, Kowloon
(MPC Paper No. A/K18/335B)

Presentation and Question Sessions

61. With the aid of a PowerPoint presentation, Mr Mak Chung Hang, STP/K, presented the application and covered the following aspects as detailed in the Paper:

- (a) background to the application - during the consideration of the application on 21.8.2020, the Committee decided to defer a decision on the application pending the applicant's submission of supplementary information on justifications for the proposed extensive basement, planning gains that might be brought about by the proposal such as a better landscape proposal, and details of the approved General Building Plans (GBPs);
- (b) departmental comments were set out in paragraph 4 of the Paper; and
- (c) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 5 of the Paper. Regarding the area of basement, the proposed basement in the current application (712m²) exceeded the largest one (653m²) among the 14 approved similar applications while it was slightly smaller than that in the approved GBP (722.8m²). The applicant did not provide explanation on the merits of the basement or whether it would better meet the criteria for minor relaxation of BH to allow for a basement level. On planning gains, the applicant claimed that the provision of water tank in the basement could reduce impact on the living environment, the main building would be less bulky and with lower site coverage, and a landscaped garden would be provided with plantings for better air quality. The proposed building had a lower site coverage as compared to that under the approved GBP. Regarding the landscape proposal, the applicant had not submitted an alternative landscape proposal or tree preservation proposal after the last consideration by the Committee. An existing tree (T8) would be felled and the greenery coverage remained at 10%. The Chief Town Planner/Urban Design and Landscape, PlanD had no objection to the application from landscape planning perspective. Concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments, the departmental comments and planning assessments above were relevant.

[Mr Daniel K.S. Lau left the meeting at this point.]

62. Some Members raised the following questions:

- (a) comparison of the landscape proposals in the approved GBP and the current application;
- (b) comparison of the provision of parking spaces and loading/unloading bay in the basement in the approved GBP and the current application;
- (c) whether the calculation of GFA and basement area would be assessed under the Buildings Ordinance in the GBP submission stage; and
- (d) whether the proposed development had reached the maximum plot ratio (PR) permitted under the Outline Zoning Plan (OZP).

63. In response, Mr Mak Chung Hang, Senior Town Planner/Kowloon (STP/K), made the following main points:

- (a) the green coverage in the approved GBP and the current application was 9.46% and 10.1% respectively. The existing tree (T8) would be transplanted to the western part of the site in the approved GBP, while it would be felled in the current application. Other existing trees would be either retained in-situ or transplanted within the site in both schemes. With reference to the ground floor plans (Plan FA-4b), the two schemes had different layout of planting areas;
- (b) three private car parking spaces and a loading/unloading bay would be provided in the basement in both the approved GBP and the current application. With reference to the basement floor plans (Plan FA-4a), the two schemes had different layouts in the basement;
- (c) in the GBP submission stage, the GFA of the proposed development, including whether the size of basement was reasonable for disregarding

from GFA calculation, would be assessed under the Buildings Ordinance. Any excessive car parking spaces and associated spaces should be included in GFA calculation; and

- (d) the proposed development would have a PR of 0.6 which was the maximum permitted PR under the OZP.

Deliberation Session

64. Members in general considered that the application could not be supported as the applicant had not addressed the concerns raised by the Committee in the previous meeting. In particular, the applicant failed to provide justification for the proposed extensive basement and look into the potential planning gain to the surrounding area that could be brought about by adopting a better landscape proposal. Members noted that the absolute size of the basement was relatively large as compared with other similar applications previously approved by the Board. Some Members considered that with the provision of a basement storey and hence a smaller site coverage, there should be scope for the applicant to preserve the existing trees and provide more greenery at the site so as to improve the amenity of the locality.

65. After deliberation, the Committee decided to reject the application. Members then went through the reason for rejection as stated in paragraph 6 of the Paper and considered that it was appropriate. The reason was:

“the applicant fails to demonstrate that the proposed development would not have adverse impacts on existing trees and that there are planning and design merits to support the application.”

[The Chairman thanked Mr Mak Chung Hang, STP/K, for his attendance to answer Members' enquiries. He left the meeting at this point.]

Agenda Item 14

Any Other Business

66. There being no other business, the meeting was closed at 1:05 p.m.