

**Minutes of 945<sup>th</sup> Meeting of the  
Town Planning Board held on 16.10.2009**

**Present**

Permanent Secretary for Development  
(Planning and Lands)  
Mr. Thomas Chow

Chairman

Mr. Nelson W.Y. Chan

Mr. David W.M. Chan

Mr. Leslie H.C. Chen

Mr. Tony C.N. Kan

Mr. Edmund K.H. Leung

Professor N.K. Leung

Dr. C.N. Ng

Dr. Daniel B.M. To

Mr. Stanley Y.F. Wong

Ms. Sylvia S.F. Yau

Mr. B.W. Chan

Mr. Walter K.L. Chan

Mr. Raymond Y.M. Chan

Mr. Y.K. Cheng

Ms. Anna S.Y. Kwong

Dr. James C.W. Lau

Mr. K.Y. Leung

Professor Edwin H.W. Chan

Mr. Rock C.N. Chen

Mr. Timothy K.W. Ma

Dr. Winnie S.M. Tang

Deputy Director of Environmental Protection  
Mr. C. W. Tse

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

Director of Lands  
Miss Annie Tam

Director of Planning  
Mrs. Ava S.Y. Ng

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

Secretary

**Absent with Apologies**

Dr. Greg C.Y. Wong

Vice-chairman

Professor David Dudgeon

Professor Bernard V.W.F. Lim

Mr. Alfred Donald Yap

Ms. Maggie M.K. Chan

Mr. Felix W. Fong

Professor Paul K.S. Lam

Ms. Starry W.K. Lee

Mr. Maurice W.M. Lee

Principal Assistant Secretary (Transport)  
Transport and Housing Bureau  
Mr. Fletch Chan

**In Attendance**

Assistant Director of Planning/Board  
Mr. Lau Sing

Chief Town Planner/Town Planning Board  
Ms. Christine K.C. Tse

Senior Town Planner/Town Planning Board  
Ms. Amy M.Y. Wu

**Agenda Item 1**

[Open Meeting]

Confirmation of Minutes of the 944<sup>th</sup> Meeting held on 25.9.2009

[The meeting was conducted in Cantonese.]

1. The minutes of the 944<sup>th</sup> Meeting held on 25.9.2009 were confirmed without amendments.

**Agenda Item 2**

[Open Meeting]

Matters Arising

[This item was conducted in Cantonese]

(i) Revised Town Planning Board Procedure & Practice (P&P)

2. The Secretary reported that the Town Planning Board (TPB) considered the proposed revision of declaration of interest in the P&P on 14.8.2009 and agreed to refine some wording in relation to the meaning of “business dealings”. Taking account of TPB’s concerns, the TPB Secretariat had refined paras. 2.16(d) and 2.17(c) of the P&P and circulated them to Members for comments on 5.10.2009. No comment had been received so far. Subject to Members’ views, the revised P&P would be promulgated for public information.

3. Members had no comments and agreed that the revised P&P was suitable for promulgation for public information.

(ii) Town Planning Appeal Decision Received

Town Planning Appeal No. 2 of 2007 (2/07)

Temporary Recycling Materials Transfer Station for a Period of 3 Years in “Village Type Development” Zone,

Lots 287(Part), 296(Part), 298(Part), 301(Part), 302 S.A, 302 RP, 303, 304, 306 and 307(Part) in D.D. 119, Shan Ha Tsuen, Yuen Long

(Application No. A/YL-TYST/331)

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4. The Secretary reported that an appeal had been made against the decision of the TPB to reject on review an application (No. A/YL-TYST/331) for temporary recycling materials transfer station for a period of 3 years at a site zoned “Village Type Development” (“V”) on the approved Tong Yan San Tsuen Outline Zoning Plan No. S/YL-TYST/10. The appeal was heard by the Town Planning Appeal Board (TPAB) on 27.4.2009 and dismissed by TPAB on 28.9.2009 based on the following considerations:

- (a) based on the actual use on the site, the TPAB decided that the applied use (temporary recycling materials transfer station) was an open storage use, and that TPB Guidelines No. 13D for ‘Application for Open Storage and Port Back-up Uses under section 16 of the Town Planning Ordinance’ was applicable;
- (b) there were a number of village houses in the adjoining area. The use of the site as an open storage was not compatible with the nearby village houses and would hinder the orderly development of the village in the area; and
- (c) the Appellant failed to submit the necessary assessment or proposal to justify that the proposed operation would have no adverse impact on the environment, the drainage and the traffic aspects.

5. Members noted that a copy of the TPAB’s Decision and the summary of appeal were circulated to Members on 14.10.2009.

(iii) Appeal Statistics

6. The Secretary reported that as at 16.10.2009, 20 appeal cases were yet to be heard by the TPAB. Details of the appeal statistics were as follows:

Allowed	:	24
Dismissed	:	110
Abandoned/Withdrawn/Invalid	:	134
Yet to be Heard	:	20
<u>Decision Outstanding</u>	:	<u>1</u>
<b>Total</b>	<b>:</b>	<b>289</b>

[Mr. Daniel B.M. To, Mr. Raymond Y.M. Chan and Mr. Y.K. Cheng arrived to join the meeting at this point.]

**Agenda Item 3**

[Open Meeting (Presentation and Question Session only)]

Consideration of Representations and Comment in Respect of the Draft South West Kowloon Outline Zoning Plan No. S/K20/23

(TPB Papers No. 8419 & 8420)

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[The hearing was conducted in English and Cantonese.]

**Group 1: R1 to R9, C1**

**(TPB Paper No. 8419)**

7. The following Members had declared interest on the item:

- Miss Annie Tam - Being Director of Lands
- Mr. Fletch Chan - Being Principal Assistant Secretary (Transport), Transport and Housing Bureau (THB) and the Secretary for Transport and Housing (STH) was a

Non-executive Director of the Mass Transit Railway Corporation Limited (MTRCL)

- Mr. Felix W. Fong - Being a Member of Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) who had submitted comments during the consideration of proposed amendments to the OZP by the MPC
- Ms. Starry W.K. Lee - Being a Member of DAB who had submitted comments during the consideration of proposed amendments to the OZP by the MPC, and a Member of the Legislative Council handling public complaints related to the representation site

8. Members noted that Mr. Fletch Chan, Mr. Felix W. Fong and Ms. Starry W.K. Lee had tendered apologies for not able to attend the meeting while Miss Annie Tam had not yet arrived at the meeting. Members noted that one of the representation sites (West Kowloon Terminus (WKT) of the Hong Kong section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL)) was a potential land sale site but agreed that the interest of Miss Annie Tam was indirect and insubstantial, and that she should be allowed to stay at the meeting.

#### Presentation and Question Session

9. The Chairman said that while Representer Nos. R1 and R6 would attend the meeting, other representers and commenter had either indicated that they would not attend the hearing or had made no reply. As sufficient notice had been given to the representers and commenter, Members agreed to proceed with the hearing in the absence of other representers and commenter. Members noted that a report titled 'Hong Kong Interchange Option – A cheaper, faster and better Express Rail Link' written by New XRL Expert Group of the Professional Commons was tabled by R1 at the meeting.

10. The following representatives from the Government, the representer and the representer's representative were invited to the meeting at this point:

- Mr. Wilson Chan - District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK), Planning Department (PlanD)
- Mr. C. H. Mak - Town Planner/Yau Tsim Mong, PlanD
- Mr. Ho Wai Fu - Government Engineer/Railway Development, Highways Department (HyD)
- Mr. Li Kin Tung - Senior Engineer/XRL, HyD

**R1 (Designing Hong Kong Ltd.)**

- Mr. Paul Zimmerman - Representer's representative

**R6 (Tang Fai Cheong)**

- Mr. Tang Fai Cheong - Representer

11. The Chairman extended a welcome and explained the procedures of the hearing. He then invited the representatives from the Government to brief Members on the background to the representations.

12. With the aid of a Powerpoint presentation, Mr. Wilson Chan made the following main points as detailed in the Paper:

- (a) The background of the proposed amendments as set out in paragraph 1 of the Paper - the draft South West Kowloon OZP No. S/K20/23 was exhibited on 29.5.2009 under Section 5 of the Town Planning Ordinance (the Ordinance) for the rezoning of a site for the development of the WKT of XRL and its topside commercial/office development from "Comprehensive Development Area" ("CDA") to "CDA(1)", and a site for an integrated open space development from "Open Space" ("O"), "Government, Institution or Community" ("G/IC") and "Road" to "O(1)". A total of 10 representations and one comment were received. The Board would consider 9 representations (R1) and one comment (C1) under Group 1;



- (b) The subject of the representations was related to the “CDA(1)” site. The main grounds of the representations and representers’ proposals as detailed in paragraphs 2.4 to 2.12 of the Paper were summarised as follows:

*Building Height (BH) restrictions and BH Relaxation Clause*

- (i) R6 supported the BH restrictions for the “CDA(1)” site;
- (ii) R1 and R9 opposed the BH restrictions for the “CDA(1)” site, as the restrictions could result in ‘short’ and ‘fat’ buildings and lead to negative impact in respect of air ventilation and sight lines of the surrounding cityscape. The construction of skyscrapers would breach the ridgeline;
- (iii) R2 to R8 opposed the BH restriction relaxation clause which they considered might result in skyscraper development that might lead to adverse environmental impact. The “CDA(1)” site was the main ventilation corridor in the southern Kowloon Peninsula and was not suitable for high-density skyscraper development that would breach the ridgeline and create heat island effect. A stepped BH concept should be adopted with lower buildings near the waterfront;

*Development Intensity*

- (iv) R6 supported in principle the lowering of development intensity to a maximum plot ratio (PR) of 5 at the “CDA(1)” site but considered that the PR could be further reduced;
- (v) R2 to R5, R7 to R8 opposed the proposed PR 5 at the “CDA(1)” site;

*Location of XRL Terminus*

- (vi) R2 to R5, and R7 to R9 opposed the development of the XRL terminus at the “CDA(1)” site;
- (vii) R9 doubted the significance of having the terminus next to Austin Station;

*Planning Brief (PB)*

- (viii) R1 commented on the information and opposed the requirements set out in the PB for the “CDA(1)” site. He pointed out that the journey destination, which was 48 minutes away from Hong Kong, was Panyu but not Guangzhou. The ventilation facilities should be provided away from the ground level. Exhibition and conference facilities should be allowed. Convenient connectivity should be provided. The requirement to separate traffic facilities should be removed. Building separation should be specified as from the ground level up. Outdoor open space should be handed back to Government upon completion of the development, and an air ventilation corridor should be included;

*Representers' Proposals*

- (ix) R1: to remove the BH restrictions;
- (x) R2 to R8: to reject any application for relaxation of the BH restrictions and to lower the development intensity from PR of 5 to 3;
- (xi) R2 to R5, R7 to R9: the XRL terminus should be located at the Kam Sheung Road Station of the West Rail;

[Mr. K.Y. Leung, Mr. Tony C.N. Kan, Mr. Rock C.N. Chen and Mr. Leslie H.C. Chen arrived to join the meeting at this point.]

- (c) PlanD's responses to the grounds of representations as detailed in paragraph 5.3 of the Paper were summarised as follows:

*BH Restriction and BH Relaxation Clause*

- (i) the imposition of BH restrictions of 90 to 115mPD for the "CDA(1)" site was to preserve public views to the ridgelines and was in line with the Board's Vision Statement for the Harbour, the Urban Design Guidelines of the Hong Kong Planning Standards and Guidelines and the Harbour Planning Principles and Guidelines promulgated by the Harbourfront Enhancement Committee (HEC);
- (ii) under the draft PB for the "CDA(1)" site, there should be a provision of a north-south breezeway/visual link of not less than 40m wide and the layout of buildings in the site should respect and maintain the existing east-west wind paths;
- (iii) there were provisions for minor relaxation and relaxation of BH restrictions to provide flexibility for innovative design and iconic and sustainable architectural design;
- (iv) any development at the "CDA(1)" site would require the submission of a Master Layout Plan (MLP) under the planning permission system with technical assessments including the Visual Impact Assessment (VIA) and the Air Ventilation Assessment (AVA);
- (v) any section 16 application for relaxation of BH restriction would be subject to public scrutiny during the public inspection period;
- (vi) the imposition of BH restrictions was appropriate in response to better urban design and community aspirations, and due to the

prime and waterfront location. However, flexibility for minor relaxation and relaxation of BH restrictions should only be given to innovative design adapted to the characteristics of the site and to proposals with outstanding design merits and innovative, iconic and sustainable solutions;

- (vii) a stepped BH profile had already been incorporated at the site with BH restrictions set at 90mPD, 100mPD and 115mPD. Moreover, it had been stipulated in the draft PB that any development should adopt variations in BH profile and BH to create greater visual interest;

*Development Intensity*

- (viii) the proposed development intensity of PR 5 was determined having considered the creation of a high-grade office cluster in the West Kowloon Reclamation Area as identified under the HK2030 Study as well as to achieve the critical mass of a successful office node;
- (ix) the development intensity would provide an appropriate building bulk in the locality with a smooth transition between the existing high density development at Kowloon Station (with PR of 8.05) and the lower intensity at the Austin Station northern and southern sites (with maximum domestic PR of 5 and non-domestic PR of 1), complemented with the development intensity at the West Kowloon Cultural District (WKCD) site (with PR of 1.81);
- (x) the requirement to maintain a ventilation/view corridor under the draft PB with the stipulated BH restrictions would avoid wall effect and maintain the development at an appropriate development intensity;
- (xi) PR of 5 would also be in line with the prevailing community

aspiration when compared with the PR of 8.89 permitted under the previous OZP zoning at the site;

- (xii) in the light of the unique and strategic location of the site as a future rail hub and an office node, and on balancing the community's aspirations to lower development intensity, the development intensity of PR 5 was considered to be appropriate so as to maintain a critical mass of commercial development at that location;

*Location of the XRL Terminus*

- (xiii) the XRL was planned to be part of the national high speed rail network with WKT as the southern terminus. The location of WKT would be in the proximity of the existing business and tourism hub in Tsim Sha Tsui and served by multiple existing railway lines. That tourism and railway hub function would be further enhanced by the adjacent WKCD development;

*Planning Brief (PB)*

- (xiv) the 48-minute journey time specified was from the WKT to the New Guangzhou Railway Station at Shibi;
- (xv) the exact locations of the ventilation facilities were subject to detailed design of the topside development;
- (xvi) the "CDA(1)" site, being the future rail hub and the southern terminus of the national high-speed rail network, positioned itself as a strategic location for international and regional 'Meetings, Incentive Travel, Conventions and Exhibitions' (MICE) activities. It was expected that demand for MICE facilities would continue to grow and that additional development of such facilities might be needed in future. Therefore, flexibility for the provision of such

uses had been built into Column 2 of the Notes of the OZP for the “CDA(1)” zone;

- (xvii) the Notes of the “CDA(1)” site specified that a minimum PR of 4.5 should be dedicated for ‘office’ use, and that only the remaining PR of 0.5 (equivalent to approximately 29,400 m<sup>2</sup>) originally intended for retail / commercial use could be used for MICE facilities under Column 2 of the Notes of the OZP. As the appropriate amount of floor space required for any such facilities was market-driven, it was considered appropriate to provide more flexibility for future provision of such uses at the site;
- (xviii) to allow more flexibility for future MICE facilities development at the “CDA(1)” site, it was considered appropriate to remove the stipulated minimum PR of 4.5 for office use in the Notes for the subject “CDA(1)” zone so that there would be a greater degree of flexibility in determining the appropriate amount of floor space for various kinds of commercial uses, including MICE facilities;
- (xix) a pedestrian network comprising six footbridges, three subways and an at-grade deck had been proposed. Moreover, a Traffic Impact Assessment including pedestrian flow analysis was required as part of the MLP submission to ensure that pedestrian connections were adequately provided and appropriately designed;
- (xx) the separation of those traffic facilities would ensure independent operations, which could be vital at the time of accidents or emergencies. It was also a design and operation requirement for the WKT;
- (xxi) the buildings of the topside development would be positioned on top of a terraced/stepped-type retail/commercial portion of the development, in the style of an “outdoor shopping street” as required in the draft PB;

- (xxii) as stipulated in the draft PB, the public open space should be open to the public 24 hours a day and conducive to easy public accessibility. The design and layout of the public open space would be governed by the MLP;
  - (xxiii) a massive podium-like structure would not be created. The east-west air paths had been illustrated in the plans of the draft PB. Building gaps that aimed to align with those air paths were to be provided to promote air and visual permeability;
- (d) PlanD's responses to representers' proposals as detailed in paragraph 5.4 of the Paper were summarised as follows:

*Removal of BH Restrictions*

- (i) given the prime location of the "CDA(1)" site in terms of visual sensitivity and waterfront proximity, the lifting of BH restrictions as proposed by the Representer would lead to uncontrollable and out-of-context development of super tall towers at the "CDA(1)" site. The imposition of BH restrictions for the "CDA(1)" could also reflect clearly the planning intention to control BH for the "CDA(1)" site;
- (ii) the "CDA(1)" site was in close proximity to the WKCD which was subject to BH restrictions ranging from 50mPD to 100mPD. The BH restrictions at the "CDA(1)" site were necessary to ensure that the proposed development at the "CDA(1)" site would be compatible with the WKCD development;
- (iii) the provision of application for relaxation of BH restrictions in the Notes of the "CDA(1)" zoning would provide flexibility for creative design solutions;

*Rejection of Application for Relaxation of BH Restrictions*

- (iv) the Notes and the Explanatory Statement of the OZP had clearly stated that the provision for minor relaxation of BH restrictions was to provide flexibility for innovative design adapted to the characteristics of the site. In addition, the provision for relaxation of BH restrictions was mainly to allow for greater design flexibility for iconic and sustainable architectural design given the strategic and unique site location;
- (v) any development at the “CDA(1)” site would require the submission of a MLP under the planning permission system with the required technical assessments, including a VIA and an AVA, to the Board for consideration as stipulated in the Notes of the “CDA(1)” zone;
- (vi) planning application made for relaxation of BH restrictions would be subject to a statutory public inspection period of three weeks as required under the provisions of the Ordinance;

*Lowering of the Development Intensity to PR 3*

- (vii) the development intensity of the “CDA(1)” site had been reduced from a PR of 8.89 to 5 as a result of the OZP amendment;
- (viii) the “CDA(1)” site, with excellent connectivity and strategic role as a gateway to the Mainland, should be fully utilized as it was a rare large prime site and one of the last plots of land available for commercial development in the urban area. To impose a maximum PR of 5 for the “CDA(1)” site was a balancing act in response to community aspiration for lower development intensity, especially near the waterfront, and to optimize land resources;



- (ix) further reducing development intensity at the site would lead to underutilization of the prime and scarce land resources, and would defeat the planning intention to create a major office node in the West Kowloon Reclamation Area;

*Relocation of the XRL Terminus to Kam Sheung Road*

- (x) the XRL would connect Hong Kong with the whole country and was of great strategic importance. Hong Kong could also be further connected with major cities in the Pearl River Delta through interchanging with the Pearl River Delta Inter-City Rapid Transit System. The shortening of travel time between Hong Kong and the neighbouring cities would improve mobility and bring about economic advantages for the pan-regional business partnerships;
- (xi) the XRL would play an important role in strengthening Hong Kong's transportation and economic ties in the regional context. The transport benefits of having the terminus in West Kowloon would be much higher than that in the New Territories, e.g. at Kam Sheung Road;

[Miss Annie Tam and Dr. C.N. Ng arrived to join the meeting at this point.]

- (e) Comment No. C1 supported R1 and suggested the removal of BH restrictions for the "CDA(1)" site. C1 opposed R2 to R8 in respect of the relaxation clause of the BH restrictions and the development intensity. Relevant responses to C1 were stated in paragraph 5.4.1 to 5.4.3 and 5.5 of the Paper; and
- (f) PlanD's views - PlanD had no objection to part of R1 and considered that R1 should be partially upheld by amending the planning intention and remarks of the Notes of the "CDA(1)" zone to provide more flexibility for the future development mix at the "CDA(1)" site as

detailed in Annexes VI-1 of the Paper. PlanD did not support the remaining part of R1 and R2 to R9 for reasons as detailed in paragraphs 7.2 to 7.6 of the Paper.

13. The Chairman then invited the representer and the representer's representative to elaborate on their representations.

14. With the aid of a Powerpoint presentation, Mr. Paul Zimmerman elaborated on R1 and made the following points:

*Comment on Draft PB*

- (a) Draft PB - the draft PB had neither been published nor undergone public consultation. The consultation was only limited to District Council and HEC. Providing an opportunity for the public to comment on the OZP would be an inappropriate mechanism for amendments to the draft PB. Given that the PB had material impact on the final development including building design features, rights of public access, recreation facilities within private property and the development intensity, he urged the Board to review the procedure for preparation and approval of a draft PB and to ensure that public comments were sought, heard, considered and responded to;
- (b) Zoning - the amendments of the planning intention and the remarks of the Notes proposed in response to his recommendation to use part of the site for exhibition and MICE related facilities were supported;

[Ms. Anna S.Y. Kwong arrived at the meeting at this point.]

- (c) Removal of the BH restriction - the BH restriction should be removed. More public space and viewing points would be available in the WKCD waterfront without the imposition of the BH restriction;
- (d) Journey Time - to avoid any misunderstanding, the station in Guangzhou

should be clearly described as ‘New Guangzhou Railway Station in Shibi, Panyu’;

- (e) Ventilation Facilities - ventilation facilities should not be located at the ground level as that was in conflict with the objective of creating a quality pedestrian environment. The existing ventilation facilities in West Kowloon had created a wall effect not conducive to the creation of a quality pedestrian environment;
- (f) Pedestrian Connectivity - the proposed network of footbridges and subways and an at-grade deck were in conflict with the stated objective of creating a quality pedestrian environment. The elevated corridors and travellers were only mechanical tools that would bring people from one place to another, without recognising the need for a pedestrian environment where people could ‘wander’ around, which was an important element in neighbourhood and community planning;
- (g) Building Separation – unless buildings were grounded at the street level, pedestrian connectivity, visual corridors and air ventilation would be limited;
- (h) Public Open Space – public open space should be returned to public ownership upon completion by developers. Neighbouring owners/operators could obtain licences for use of the designated areas for outdoor seating, exhibitions or other uses. Regulations under land leases were inflexible and would limit public access/recreation;

*Location of XRL Terminus*

- (i) the XRL terminus should be built as an integrated Hong Kong Interchange at Kam Sheung Road to connect the Express Rail Station at Tsing Yi with the Airport Express Line. The Kam Sheung Road Terminus could provide faster, cheaper and better services;

WKT

- (j) the existing road network in West Kowloon was already very complicated and congested. Locating the XRL Terminus at West Kowloon would exacerbate the traffic problem. The existing transit modes were also disconnected in West Kowloon requiring various shuttle services between stations;
- (k) there would be transfer difficulty among WKT, Kowloon Station and Austin Station. The future transfer at WKT with West Rail Line, Tung Chung Line and Airport Express Line would be very inefficient;
- (l) the WKT would impose constraints on the development of WKCD due to the need for a large stretch of WKT work site from 2009 to 2015;
- (m) the proposed XRL with the terminus at West Kowloon was very costly (\$63 billion) as compared with that of the South Island Line (SIL) (\$7 billion), West Island Line (WIL) (\$15.4 billion) and Shatin and Central Link (SCL) (\$37.4 billion);

Kam Sheung Road Interchange

- (n) with the Hong Kong Interchange at Kam Sheung Road, only one concourse would be required for change over to local and China Rail network;
- (o) the cost of the Interchange at Kam Sheung Road was cheaper (\$25 billion including \$4 billion for land resumption) as compared with that of WKT (\$63 billion);
- (p) in terms of the total travel time from the border to Hong Kong Station, 46 minutes would be required with the proposed WKT whereas only 42 minutes would be required for the Interchange at Kam Sheung Road;

- (q) as for the construction time, there was a high risk that the construction work of XRL with terminus at West Kowloon would not be completed by 2015. The work to construct the XRL with Interchange at Kam Sheung Road would be substantially less and the construction work for the XRL tunnels/terminus and the Hong Kong Island Express could be undertaken in parallel as they were completely separate geographically. The approximate time required would be:

Design, Environmental Impact Assessment (EIA) and Gazette	1.5 year
Civil Construction	3 year
Systems/Architectural	1 year
Contingency	0.5 year
<hr/> Total	<hr/> 6 years

- (r) the estimated land resumption required for the Interchange at Kam Sheung Road included only a car park, an electricity substation, a few houses, pig farms, a recycling storage and some abandoned houses;
- (s) the Expert Panel for the alternative proposal at Kam Sheung Road comprised Dr. Hung Wing-tat, Ir Albert Lai Kwong-tak, Dr. Leung Kai-chi, Mr. Stanley Ng, Ms Pong Yuen-ying, Ir. Ronald Taylor and Mr. Paul Zimmerman;
- (t) the alternative proposal would bring about more transport, planning and financial benefits including reduced risk of congestion in West Kowloon/Tsim Sha Tsui/Jordan, fewer constraints on WKCD, simpler construction, easier local transfer with one concourse, shorter total travel time, lower risk of traffic congestion, fewer land resumption problems, lower risk of construction delay, more job opportunities, net savings of \$38 billion (i.e. savings of \$45 billion on station and the need for \$7 billion on new rail), lower operational cost and cheaper fares; and
- (u) it was not uncommon for stations to be built outside cities. According to a survey of 16 high speed passenger railway stations in China, 10

stations were built outside cities whereas 3 were built inside cities. Those built inside cities were basically the existing downtown stations located within small cities.

[Professor Edwin H.W. Chan arrived to join the meeting at this point.]

15. With the aid of a Powerpoint presentation, Mr. Tang Fai Cheong elaborated on R6 and made the following points:

- (a) he accepted the proposed amendment of the “CDA(1)” site with a PR of 5 and BH restriction of 90mPD, 100mPD and 115mPD but opposed the provision of clauses for minor relaxation of PR and BH restrictions and relaxation of BH restriction in the remarks of the Notes;
- (b) he requested reducing the PR for the “CDA(1)” site to 3 and objected any permission for relaxation of BH restriction;
- (c) there was an increasing trend for high-rise development at the waterfront e.g. Hampton Place and The Long Beach in Tai Kok Tsui, and the Union Square above Kowloon Station (i.e. The Arch, The Cullinan and ICC). Those new developments totally blocked the existing development inland and were against the planning and design guidelines for waterfront development;
- (d) the Board should be reminded of the original vision of the West Kowloon Reclamation and the objective of the 1991 Metroplan which was to reduce population density in the Metro Area through reclamation and to decentralise population from the congested urban area. In that regard, the WKT site which was located on reclaimed land should be used to relieve the congested commercial area. No further relaxation of BH restriction should be allowed as it would lead to wall effect and heat island effect. The Board should take into account the need to relieve urban congestion and improve living environment;

- (e) the Government should take into consideration the urban climate in the planning process. According to the urban climatic map prepared by PlanD, the air quality in Yau Tsim Mong was extremely poor, resulting in heat island effect. In Japan, the Government demolished houses to extend the width of the air ventilation corridor from 20m to 40m. However, in Hong Kong, the planned air ventilation corridors could not be implemented. For example, in Tseung Kwan O, the original plan was to provide four 75 to 100m wide air ventilation corridors. It was now found that three of them were blocked by surrounding tall buildings and the remaining one would also be blocked by future residential development to its south;
- (f) the Board should urgently review the OZPs covering the old districts so as to prevent developers from constructing high-rise buildings. Without BH restrictions on the OZP, the Tai Kok Tsui area was now subject to adverse air ventilation problem due to the redevelopment of high-rise buildings. It was a pity that the Board did not take into account public comment on the planning application for redevelopment of Skyway House in the area. The redevelopment would block the existing air ventilation corridor with sea breeze blowing towards Mongkok district centre;
- (g) Ferry Street and Hoi Wang Road were the remaining strategic air ventilation corridors in West Kowloon and should be preserved. Sea breezes from the south could blow into Yau Mei Tei, Mong Kok and Tai Kok Tsui through Ferry Street, Tong Mei Road and Hoi Wang Road, reducing heat for urban Kowloon;
- (h) high-rise development should not be allowed at WKT and Austin Station as it would block the ridgelines of Lion Rock when viewed from Central piers. There were already a lot of high-rise buildings permitted in Tsim Sha Tsui including a 63-storey hotel (New World Centre East Wing) and a 96-storey office development (Ocean Centre Phase III) which would breach the ridgelines;

- (i) according to the Metroplan Review and the Kowloon Density Study Review in 1999, low-rise development area was limited to luxurious residential districts while the WKT was designated as high rise development. The study also mentioned about the relaxation of PR in the urban area and designation of other high-rise development nodes. Without taking into consideration the urban climate, the recommendations of the study were out-dated and should be reviewed;
- (j) the recent high-rise developments in Kwun Tong Industrial Area including the APM, Landmark East and Megabox also contributed to the loss of sea breeze in East Kowloon. The BH restrictions for this area should be reviewed;
- (k) many redevelopment schemes undertaken by Urban Renewal Authority with high development intensity of PR from 8 to 10 (e.g. Langham Place, The Zenith and Lee Tung Street Scheme) had created problem of infrastructural capacity and environment. In view of the narrow streets of the old districts, high density development which would generate significant traffic impact should not be permitted in those areas;
- (l) the Government or developers should take the urban renewal opportunity to address the inadequate provision of facilities within the district by providing more local open space and G/IC facilities;
- (m) the “Residential (Group A)” site for Austin Station should be rezoned to “CDA” with PR and BH restriction reduced to 4 and 100mPD respectively so as to protect the ridgelines of Lion Rock and to address the inadequate provision of open space and G/IC facilities. A north-south air ventilation corridor of not less than 40m should also be provided. PlanD should consult the public on the proposed topside development of Austin Station;
- (n) the PR of the “CDA” site at Nam Cheong Station in the West Kowloon



Reclamation Area should be reduced from 8 to 5 with a BH restriction of 120mPD. Besides, the PR of future development in the Kai Tak development area should not exceed 5; and

- (o) the Government should promote cycling as a sustainable means of transport to improve air quality and reduce road traffic. Cycling track should be planned for the West Kowloon area covering Lai Chi Kok to WKCD.

[Professor N. K. Leung arrived to join the meeting while Dr. Winnie S.M. Tang left the meeting at this point.]

16. As the presentations from the presenter and the presenter's representative had been completed, the Chairman invited questions from Members.

17. Members had the following questions:

- (a) what the merits of the WKT location proposed by the Government were as compared with the alternative proposal at Kam Sheung Road put forward by R1;
- (b) referring to the proposed amendment to the Notes of the "CDA(1)" site by PlanD as stated in paragraphs 7.1(a) and (b) of the Paper, whether it would be possible for the "CDA(1)" site to be used solely for MICE facilities in future, if office demand was fully met in other areas;
- (c) in view of the long distance between the WKT, Austin Station and Kowloon Station, whether there would be good pedestrian connectivity in the future station development so as to help increase patronage at the stations, in particular for the tourists with heavy luggages;
- (d) whether railway termini of express rails were built inside or outside the city centre for cities in Europe;

- (e) why there were three other stations between Hong Kong and Guangzhou noting that XRL was an express rail;
- (f) with the proposed WKT which would attract traffic into the area, whether there were any measures to address the existing traffic congestion problem in West Kowloon in particular along Jordan Road, Austin Road and Canton Road; and
- (g) in view of public concern on heat island effect, whether there was control on the relaxation of the BH restriction.

18. Mr. Ho Wai Fu of HyD replied that the XRL was a strategic rail link aimed at connecting Hong Kong to the national express rail network in the Mainland. In considering the location of the terminus of the XRL, the Government had taken into consideration the strategic need for a connection inside the city centre. He advised that the Mainland was developing a comprehensive railway network of about 16,000 km to link up with most of the major cities by 2015. Many railway termini at cities such as Beijing, Wuhai and Shanghai were located within the inner city centre so as to provide business travellers and tourists with convenience. For the WKT, it was expected that the terminus would serve about 50% of the working population in Hong Kong who had to commute from Hong Kong to the Mainland.

19. As to the interchange at Kam Sheung Road proposed by R1, Mr. Ho said that the location had actually been considered by the Government during the preliminary planning stage but was quickly discarded due to its remoteness from the city centre and the lack of major road connection. He added that the cost of the Kam Sheung Road proposal was underestimated substantially and the cost estimates presented by R1 for the SCL, WIL and SIL were all based on price levels at different years. It was thus misleading to compare the cost of the various railway projects in the way they were presented. Moreover, he said that R1 had underestimated the construction cost of the railway section from Tsing Yi to Kam Sheung Road to be only \$7 billion. For sake of comparison, he said that in 1995, the construction cost of Ting Kau Bridge was about \$3 billion. He also stated that the land resumption cost of about \$4 billion estimated by R1 was not compatible with their claim that only a small number of houses were to be resumed.

20. On railway operation ground, Mr. Ho pointed out that R1's presentation of having four railway tracks from Tsing Yi to Hong Kong Station was incorrect as there were currently only two railway tracks from Kowloon Station to Hong Kong Station. For the railway implementation programme, he commented that R1 had seriously compressed the construction time and had not taken into account the time for land resumption. He added that the 1.5 years assumed by R1 for the design, EIA and gazette process would not be adequate and by making reference to the construction of West Rail, the time required for the civil construction works alone would be more than 3 years. Besides, he stated that R1's proposal had not taken into consideration the need to demolish the existing West Rail Control Centre at Kam Sheung Road if the alignment of the Hong Kong Interchange were to be adopted. To conclude, he considered that the alternative proposal of locating the XRL Terminus at Kam Sheung Road put forward by R1 was technically infeasible.

21. On the supply of floor space for MICE facilities, Mr. Wilson Chan said that according to PlanD's 'Study on the Propensity for Office Decentralisation and the Formulation of an Office Land Development Strategy' completed in late 1990s, a critical mass of 500,000m<sup>2</sup> gross floor area for office use was required for the creation of a successful office node. He advised that taking into account the proposed topside development at WKT (264,600m<sup>2</sup>) and the office floor space in the vicinity, which included the International Commerce Centre above Kowloon Station (231,474m<sup>2</sup>) and the WKCD (107,683m<sup>2</sup>), a total of 603,757m<sup>2</sup> office space could be provided in South West Kowloon. As a result, apart from the need to achieve a critical mass of 500,000m<sup>2</sup> for the office node, a floor space of about 100,000m<sup>2</sup> could be made available for future MICE facilities.

22. Regarding pedestrian connectivity at the WKT, Mr. Ho of HyD said that the Government had put great emphasis on the provision of a good and convenient pedestrian network in the WKT. There would be a total of six footbridges and three subways connecting WKT with the adjacent developments. Travellers and retail walkways would also be available for passengers to wander freely through the various developments in the area. Besides, a proposed at-grade pedestrian deck connecting to the WKCD would also be provided.

23. On the question on the location of express rail termini in other countries, Mr. Ho of HyD advised that the termini of the express rails were located inside the city centre in London and were considered very convenient by the travellers. In Paris, the rail terminus was also located within the city centre. Some other cities in France had their high speed rail termini located outside city centres but those were not major cities. In Taiwan, the rail terminus was provided in the city centre but some intermediate stations were located in the suburban area. He highlighted that the railway network in the Mainland, which aimed to connect the major cities, would bring significant transport and economic benefits to the country. As such, the location of the Hong Kong terminus at West Kowloon would have strategic importance.

24. As regards the rail connections, Mr. Ho of HyD explained that there were three intermediate stations for the XRL between Hong Kong and Guangzhou. They were located at Futian, Longhua and Humen. The station at Longhua would connect to Hangzhou-Fuzhou-Shenzhen Passenger Line whereas the Humen Station would link up the Guangzhou-Donggoun-Shenzhen Rapid Transit System and the inter-cities network, e.g. Zhongshan, Foshan and Zhuhai. Hence, the WKT would be connected to the heart of the cities in Pearl River Delta.

25. Regarding the traffic problem, Mr. Ho said that the proposed WKT project would help improve the surrounding road network in Lin Cheung Road and Austin Road. He said that Transport Department and HyD were examining traffic improvement measures along Canton Road and Austin Road, and would consult the public when the proposal was available. Besides, there were also transport plan to divert the future traffic flow of the WKCD from the local network to West Kowloon Highway.

26. On the control of relaxation of BH restriction, Mr. Wilson Chan stated that any development at the "CDA(1)" site would require the submission of a MLP under the planning permission system with relevant technical assessments, including a VIA and an AVA, to the Board for consideration as stipulated in the Notes of the "CDA(1)" zone. Besides, under the draft PB for the "CDA(1)" site, there should be a provision of a north-south breezeway/visual link of not less than 40m wide and the layout of buildings in the site should respect and maintain the existing east-west wind paths. He advised that planning application made for relaxation of BH restrictions would be subject to a statutory

public inspection period as required under the provisions of the Ordinance.

27. Mr. Paul Zimmerman agreed that the XRL was of strategic importance in connecting the national rail network and major cities in Mainland. He stated that the alternative proposal put forward by R1 at Kam Sheung Road was much safer and could be implemented more quickly whereas there was high risk and cost for the proposed WKT. He said that the Government should assess the cost and trade off between the proposed WKT and the alternative terminus at Kam Sheung Road, in particular, the need to divert traffic away from West Kowloon. He also pointed out that while the Government did not show the future pedestrian route among stations, the site visit he had with the media the day before had demonstrated the difficulty in pedestrian connectivity among stations.

28. As the representer and representer's representative had finished their presentations and Members had no further questions, the Chairman said that the hearing procedures had been completed and that the Board would deliberate on the representations in their absence and inform them of the Board's decision in due course. The Chairman thanked them and the Government's representatives for attending the hearing. They all left the meeting at this point.

#### Deliberation Session

29. The Chairman invited Members to consider the representations taking into consideration all the written submissions and the oral representations and materials presented at the meeting.

30. A Member supported PlanD's recommendation on the proposed amendment to the planning intention and remarks of the Notes of the "CDA(1)" zone to provide more flexibility for future development mix to partially meet R1. For the remaining part of R1 and other representations, the Member generally considered that there was no strong planning justification to uphold the representations. The Member also noted that there was great discrepancy between the information (e.g. implementation time and cost) provided by R1 and HyD on the XRL project and the proposals at WKT and Kam Sheung Road, and considered that those figures provided by HyD were more reliable. Another Member also supported PlanD's recommendation and considered that the siting of the

WKT should not be the focus of the hearing.

31. A Member raised concern on the traffic congestion problem in the existing built-up area in Yau Tsim Mong districts and the future traffic improvement measures for the area. The Chairman said that, as pointed out by HyD, the concerned departments were in the process of drawing up measures to ease the problem and would consult the public once ready.

32. Two Members opined that given the large size of the proposed WKT and its linkage with other rail stations, it would be necessary to design a good pedestrian system to facilitate convenient pedestrian connectivity, in particular for the passengers and tourists with luggages. The Chairman replied that the issue could be further considered by the Board during the MLP submission stage as the applicant was required to submit a Traffic Impact Assessment which would include a pedestrian flow analysis.

33. In response to a Member's query on whether it would be possible for the "CDA(1)" site to be used solely for MICE facilities in future if office demand was fully met in other areas, the Secretary drew Members' attention to the planning intention as stated in the Notes of the OZP that the topside development of "CDA(1)" site was primarily for office/commercial use forming a strategic rail and high-grade office hub. In that regard, office use should be a primary component of the site and the site could not be used solely for MICE facilities, unless the planning intention was amended.

34. Members generally agreed to PlanD's recommendation to partially uphold R1 by amending the planning intention and remarks of the Notes of the "CDA(1)" zone to provide more flexibility for future development mix but considered that there was no strong planning justification to uphold the remaining part of R1 and the other representations. The Chairman then asked Members to consider the reasons for not upholding R1 to R9 as proposed by PlanD in paragraphs 7.2 to 7.6 of the Paper.

#### Representation No. R1

35. After further deliberation, the Board decided to partially uphold Representation No. R1 by amending the Notes of the "CDA(1)" zone to provide more flexibility for the

future development mix at the “CDA(1)” site as below (in ***bold and italics*** and deletion marked with ~~double-crossed lines~~):

(a) Amendment to the Planning Intention of the Notes of the “CDA(1) zone

To amend the Planning Intention to read as:

“This zone is intended for the comprehensive development of the West Kowloon Terminus of the Guangzhou – Shenzhen – Hong Kong Express Rail Link and the topside ~~office/commercial~~ development, ***which is primarily for office / commercial use***, into a strategic rail and high-grade office hub with the provision of open space and other supporting facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.”

(b) Amendments to the Remarks of the Notes of the “CDA(1)” zone

To amend Remark (3) in the Notes to read as:

“(3) No new development, or addition, alternation and /or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment about the railway station in excess of a maximum plot ratio of 5.0, ~~of which a minimum plot ratio of 4.5 shall be for office use~~, or the plot ratio of the existing building, whichever is the greater. Ancillary car parking should be provided in the basement.”

36. After further deliberation, the Board decided not to uphold the remaining part of Representation No. R1 for the following reasons:

- (a) the imposition of BH restrictions was to preserve public views to the ridgelines and was in line with the Board’s Vision Statement for the Harbour and the Harbour Planning Principles and Guidelines

promulgated by the HEC, respecting the harbourfront setting and providing visual access to the Harbour;

- (b) the proposed amendment to remove BH restrictions would undermine the overall purpose of imposing BH restrictions and might result in a development that was not compatible with the adjacent WKCD development, which was subject to a BH restriction of 70mPD to the immediate south of the “CDA(1)” site;
- (c) the BH restrictions relaxation clauses provided sufficient flexibility for designs with outstanding planning or design merits; and
- (d) the XRL would serve as a strategic rail link providing strategic connections of Hong Kong to regional and national destinations. The XRL terminus would be the southern gateway of the national express passenger rail network. Locating the terminus in West Kowloon, which was at the heart of the future business and tourist areas and served by multiple existing railway lines, would form a major transportation hub and would be welcomed by cross-boundary travellers for business and tourism. The proposed alternative location at Kam Sheung Road, due to its distance from the city centre and lack of other supporting infrastructure, would not be able to offer similar benefits. The information provided could not fully demonstrate the relative merits of the proposed terminus at Kam Sheung Road over that at West Kowloon.

37. Members also noted that the comments made by R1 on the draft PB for the “CDA(1)” site, other than the comment on the proposed land use of the site, were not related to any amendment items on the OZP. Responses to those comments were set out in paragraph 5.3.5 of the Paper. The issues would be dealt with separately in the context of the consideration of the draft PB by the MPC.



Representations No. R2 to R5, R7 to R8

38. After further deliberation, the Board decided not to uphold Representations No. R2 to R5, R7 to R8 for the following reasons:

- (a) the XRL would serve as a strategic rail link providing strategic connections of Hong Kong to regional and national destinations. The XRL terminus would be the southern gateway of the national express passenger rail network. Locating the terminus in West Kowloon, which was at the heart of the future business and tourist areas and served by multiple existing railway lines, would form a major transportation hub and would be welcomed by cross-boundary travellers for business and tourism. The proposed alternative location at Kam Sheung Road, due to its distance from the city centre and lack of other supporting infrastructure, would not be able to offer similar benefits;
- (b) development intensity of the “CDA(1)” site had already been reduced from PR of 8.89 to 5 in response to community aspirations for lower development intensity, especially near the waterfront. Further reduction of the development intensity to a PR of 3 would imply under-utilization of prime and scarce land resources, and the intention of creating a successful office node in West Kowloon would also be affected as the critical mass of high-grade office would not be met; and
- (c) the clauses for minor relaxation and relaxation of BH restrictions allowed flexibility for innovative design adapted to the characteristics of the site and provided greater flexibility for iconic and sustainable architectural design given the strategic and unique location. Any application for relaxation of BH restrictions would have to demonstrate the outstanding design merits for consideration by the Board.

Representation No. R6

39. After further deliberation, the Board noted R6's in principle support for the lowering of development intensity, and the incorporation of BH restrictions of 90 to 115 mPD. The Board decided not to uphold the remaining part of Representation No. R6 for the following reasons:

- (a) development intensity of the "CDA(1)" site had already been reduced from PR of 8.89 to 5 in response to community aspirations for lower development intensity, especially near the waterfront. Further reduction of the development intensity to a PR of 3 would imply under-utilization of prime and scarce land resources, and the intention of creating a successful office node in West Kowloon would also be affected as the critical mass of high-grade office would not be met; and
- (b) the clauses for minor relaxation and relaxation of BH restrictions allowed flexibility for innovative design adapted to the characteristics of the site and provided greater flexibility for iconic and sustainable architectural design given the strategic and unique location. Any application for relaxation of BH restrictions would have to demonstrate the outstanding design merits for consideration by the Board.

Representation No. R9

40. After further deliberation, the Board decided not to uphold Representation No. R9 for the following reasons:

- (a) the XRL would serve as a strategic rail link providing strategic connections of Hong Kong to regional and national destinations. The XRL terminus would be the southern gateway of the national express passenger rail network. Locating the terminus in West Kowloon, which was at the heart of the future business and tourist areas and served by multiple existing railway lines, would form a major

transportation hub and would be welcomed by cross-boundary travellers for business and tourism. The proposed alternative location at Kam Sheung Road, due to its distance from the city centre and lack of other supporting infrastructure, would not be able to offer similar benefits; and

- (b) the clauses for minor relaxation and relaxation of BH restrictions allowed flexibility for innovative design adapted to the characteristics of the site and provided greater flexibility for iconic and sustainable architectural design given the strategic and unique location. Any application for relaxation of BH restrictions would have to demonstrate the outstanding design merits for consideration by the Board.

**Group 2: R10**

**(TPB Paper No. 8420)**

41. The following Members had declared interest on this item:

- Mr. Felix W. Fong - Being a Member of DAB who had submitted comments during the consideration of proposed amendments to the OZP by the MPC.
- Ms. Starry W. K. Lee - Being a Member of DAB who had submitted comments during the consideration of proposed amendments to the OZP by the MPC, and a Member of the Legislative Council handling public complaints related to the representation site.

42. Members noted that Mr. Felix W. Fong and Ms. Starry W.K. Lee had tendered apologies for not able to attend the meeting.

**Presentation and Question Session**

43. The Chairman said that Representer No. R10 had indicated that he would not

attend the hearing. As sufficient notice had been given to the representer, Members agreed to proceed with the hearing in the absence of the representer.

44. The following representatives from the Government were invited to the meeting at this point:

- |                 |   |
|-----------------|---|
| Mr. Wilson Chan | - District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK), Planning Department (PlanD) |
| Mr. C. H. Mak   | - Town Planner/Yau Tsim Mong, PlanD   |
| Mr. Ho Wai Fu   | - Government Engineer/Railway Development, Highways Department (HyD)                          |
| Mr. Li Kin Tung | - Senior Engineer/XRL, HyD  |

45. The Chairman extended a welcome and explained the procedures of the hearing. He then invited the representatives from the Government to brief Members on the background to the representations.

46. With the aid of a Powerpoint presentation, Mr. Wilson Chan made the following main points as detailed in the Paper:

- (a) the background of the proposed amendments as set out in paragraph 1 of the Paper. The Board would consider one representation (R10) under Group 2;
- (b) the subject of representation related to the rezoning of a site generally bounded by Lin Cheung Road, Jordan Road and Hoi Wang Road from “O”, “G/IC” and ‘Road’ to “O(1)”;
- (c) the main grounds of the representation and the representer’s proposal were summarised in paragraph 2.2 of the paper. The representer and the residents of Yau Ma Tei were pleased to see that the site had been rezoned to “O(1)”. As the area north of the “O(1)” had been planned by HyD to be the portal of the proposed Central Kowloon Route (CKR),

which was a source of environmental pollution, R10 proposed that the proposed landscaped deck at the “O(1)” site should be extended northward to completely cover the portal of the CKR tunnel, such that the portal would be located further away from residents;

- (d) PlanD’s responses to the grounds of representation and representer’s proposal as detailed in paragraph. 4.3 of the Paper were summarised as follows:
- (i) the rezoning of the site from “O” to “O(1)” was to retain the original planning intention of outdoor open-air public space for active and / or passive recreational uses serving the needs of local residents as well as the general public. The site would still meet the intention to provide public open space despite the co-location of a Public Transport Interchange (PTI) and some station-related facilities at the “O(1)” site. The public’s positive response was noted;
  - (ii) regarding residents’ concerns of the environmental nuisance generated from the portal of the CKR, it should be noted that the entrance portal of the CKR tunnel had been relocated away from the densely populated areas of Yau Ma Tei to an area closer to the Yau Ma Tei Interchange where there was no concentration of residential developments in the immediate surroundings. A landscaped deck extending the CKR tunnel entrance from Ferry Street to Hoi Wang Road would be provided to reduce air and noise pollution generated from tunnel traffic;
  - (iii) the landscaped deck at the “O(1)” site was proposed to provide public open space displaced by the permanently re-provisioned PTI at the ground level of the site. The landscaped deck above the PTI would be located in the southern portion of the “O(1)” site, and at-grade open space would be provided in the northern portion that was closer to the CKR;

- (iv) comparatively speaking, open-air open space at ground level was more accessible and preferred by the general public, thus the open space at the “O(1)” site to be provided at ground level should be maximized, with only the portion of open space above the PTI elevated, and the rest provided at ground level;
  - (v) the landscaped deck at the “O(1)” site was located approximately 150m from the CKR tunnel portal. Extension of the landscaped deck from the PTI would imply the decking of open-air at-grade public open space at the “O(1)” site plus an extension of the landscape deck by approximately 250m to cover the CKR portal and the link roads. The landscaped deck would have a total length of about 550m, which was too massive in planning and urban design terms. The likely adverse visual impact of this structure would be detrimental to the local visual quality and would likely affect air ventilation; and
- (e) PlanD’s views - PlanD did not support R10 for reasons as detailed in paragraphs 6(a) and (b) of the Paper.

[Mr. Raymond Y.M. Chan left the meeting at this point.]

47. As the presentation from the Government’s representatives had been completed, the Chairman invited questions from Members.

48. A Member asked whether the Government had considered incorporating the PTI at the basement level. Mr. Wilson Chan replied that the Government had examined the basement option at the early design stage but found that due to the existence of vast amount of utilities underneath, the depth of the basement could only be one metre which would not be sufficient to accommodate the PTI.

49. As Members had no further questions, the Chairman said that the hearing procedures had been completed and the Board would deliberate on the representation and

would inform the representer of the Board's decision in due course. The Chairman thanked the Government's representatives for attending the hearing. They all left the meeting at this point.

### Deliberation Session

50. Members generally considered that there was no strong planning justification to uphold the representation. The Chairman then asked Members to consider the reasons for not upholding R10 as proposed by PlanD in paragraphs 6(a) and (b) of the Paper.

### Representation No. R10

51. After further deliberation, the Board noted the general support of R10 on the rezoning of the "O(1)". The Board decided not to uphold the remaining part of the Representation No. R10 for the following reasons:

- (a) the rezoning of the site from "O" to "O(1)" under Amendment Item B was to retain the original planning intention of outdoor open-air public space for active and / or passive recreational uses serving the needs of local residents as well as the general public. At-grade and open air open space would be provided in the northern portion of the "O(1)" site in conjunction with the permanent re-provision of the Jordan Road PTI at the southern portion of the "O(1)" site. The proposal to extend the landscape deck at the "O(1)" site to cover the elevated approach roads from Lin Cheung Road and the West Kowloon Highway to the CKR tunnel portal would require the construction of a massive structure which would eliminate the at-grade and open air open space, and would also bring adverse visual and air ventilation impacts to nearby residents; and
- (b) a landscaped deck extending from the CKR entrance from Ferry Street to Hoi Wang Road had already been planned in the CKR project.

**Agenda Item 4**

[Open Meeting]

Request for Deferral for Review of Application No. A/H3/389

Proposed Hotel in “Residential (Group A)” zone, 338-346 Queen's Road West, Sai Ying Pun, Hong Kong

(TPB Paper No. 8422)

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[The meeting was conducted in Cantonese.]

52. The Secretary reported that on 6.10.2009, the representative of the applicant wrote to the Secretary of the Board stating that the applicant was preparing further information to support the review and would also submit a new planning application with a reduced PR for the proposed hotel. In that regard, he requested the Board to defer hearing of the review application pending the decision of the new planning application. The justifications for deferment met the criteria for deferment as set out in the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications (TPB PG-No. 33).

53. After deliberation, the Board decided to agree to defer a decision on the review application and that the review application would be submitted to the Board for consideration within 3 months upon receipt of the further submission from the applicant. The Board also decided to advise the applicant that the Board had allowed 2 months for preparation of submission of further information and that no further deferment would be granted unless under very special circumstances.

**Agenda Item 5**

[Open Meeting]

Request for Deferral for Review of Application No. A/YL-NTM/223

Proposed Comprehensive Low Density Residential Development in “Comprehensive Development Area” zone, Lots 700, 701, 702 S.A, 702 S.B, 718(Part), 719(Part), 720(Part), 721 S.A, 721 S.B, 721 S.C, 721RP, 722 S.A, 722 S.B, 722 S.C, 722RP, 723 S.A, 723 S.B, 723RP, 724 S.A, 724RP, 725, 726, 727, 728, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739RP(Part), 740(Part), 741(Part), 842RP, 845RP, 853RP, 854, 855, 952RP, 954, 956,



960RP, 961, 962, 963, 966, 967, 968RP, 972RP, 973RP, 975, 976, 977, 1019, 1020, 1021, 1022, 1023, 1024 and 4469RP in D.D. 104, and Adjoining Government Land, Ngau Tam Mei, Yuen Long

(TPB Paper No. 8421)

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[The meeting was conducted in Cantonese.]

54. The following Members had declared interest on this item:

Dr. Greg C.Y. Wong ) Having business dealings with the  
Professor Bernard V.W. F. Lim ) Consultant of the Applicant (AGC Design  
Ltd.)

Mr. Alfred Donald Yap ) Having business dealings with the parent  
Mr. Raymond Y.M. Chan ) company of the applicant (Henderson  
Land Development Co. Ltd.)

55. Members noted that Dr. Greg C.Y. Wong, Professor Bernard V.W.F. Lim and Mr. Alfred Donald Yap had tendered apologies for not able to attend the meeting while Mr. Raymond Y.M. Chan had already left the meeting.

56. The Secretary reported that on 25.9.2009, the applicant wrote to the Secretary of the Board requesting the Board to defer making a decision on the application for 2 months in order to allow time to prepare written representations to resolve the technical issues. The justifications for deferment met the criteria for deferment as set out in the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications (TPB PG-No. 33).

57. After deliberation, the Board decided to agree to defer a decision on the review application and the review application would be submitted to the Board for consideration within 3 months upon receipt of the further submission from the applicant. The Board also decided to advise the applicant that the Board had allowed 2 months for preparation of submission of further information and no further deferment would be granted unless under very special circumstances.

**Agenda Item 6**

[Open Meeting]

Submission of Draft Tsz Wan Shan, Diamond Hill and San Po Kong Outline Zoning Plan No. S/K11/24A to the Chief Executive in Council for Approval  
(TPB Paper No. 8424)

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[The meeting was conducted in Cantonese.]

58. The Secretary introduced the Paper.
  
59. After deliberation, the Board:
  - (a) agreed that the draft Tsz Wan Shan, Diamond Hill and San Po Kong Outline Zoning Plan (OZP) No. S/K11/24A and its Notes at Annexes I and II of Paper respectively were suitable for submission under section 8 of the Ordinance to the Chief Executive in Council (CE in C) for approval;
  
  - (b) endorsed the updated Explanatory Statement (ES) for the draft Tsz Wan Shan, Diamond Hill and San Po Kong OZP No. S/K11/24A at Annex III of the Paper as an expression of the planning intention and objectives of the Board for the various land-use zonings on the draft OZP and issued under the name of the Board; and
  
  - (c) agreed that the updated ES was suitable for submission to the CE in C together with the draft OZP.

**Agenda Items 7 & 8**

60. The items were reported under confidential items.

**Agenda Item 9**

Any Other Business

[Open Meeting. The meeting was conducted in Cantonese.]

61. There being no other business, the meeting was closed at 11:00 a.m.