

TOWN PLANNING BOARD

Minutes of 664th Meeting of the Metro Planning Committee held at 9:00 a.m. on 22.1.2021

Present

Director of Planning
Mr Ivan M. K. Chung

Chairman

Mr Wilson Y.W. Fung

Vice-chairman

Dr Frankie W.C. Yeung

Dr Lawrence W.C. Poon

Mr Thomas O.S. Ho

Mr Alex T.H. Lai

Professor T.S. Liu

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr 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 Patrick K.H. Ho

Chief Engineer (Works), Home Affairs Department

Mr Gavin C.T. Tse

Principal Environmental Protection Officer (Metro Assessment),
Environmental Protection Department

Dr Sunny C.W. Cheung

Assistant Director (R1), Lands Department

Mr Albert K.L. Cheung

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 W.H. Ho

Town Planner/Town Planning Board

Miss Carman C.Y. Cheung

Agenda Item 1

Confirmation of the Draft Minutes of the 663rd MPC Meeting held on 8.1.2021

[Open Meeting]

1. The draft minutes of the 663rd MPC meeting held on 8.1.2021 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

[Ms Katy C.W. Fung, District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK) and Mr Clement Miu, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK) were invited to the meeting at this point.]

Tsuen Wan and West Kowloon District

Agenda Item 3

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

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 Lin Cheung Road and Austin Road West, Kowloon (MPC Paper No. A/K20/133A)
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Presentation and Question Sessions

3. The Secretary reported that the application was located within the topside development zone (TDZ) of the Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL) West Kowloon Station (WKS) operated by MTR Corporation Limited (MTRCL), and adjoining the West Kowloon Cultural District (WKCD) operated by West Kowloon Cultural District Authority (WKCDA). 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) Limited (W&O), MVA Hong Kong Limited (MVA), AECOM Asia Co. Limited (AECOM) and Ove Arup & Partners Hong Kong Limited (ARUP) were four of the consultants of the applicants. The following Members had declared interests on the item:

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| Mr Thomas O.S. Ho | - | having current business dealings with SHK, MVA, AECOM and ARUP, and past business dealings with MTRCL; |
| Mr Franklin Yu | - | his spouse being an employee of SHK and his firm having current business dealings with W&O and ARUP; |
| Mr Alex T.H. Lai | - | his former firm having business dealings with MTRCL, SHK, W&O, and ARUP; |
| Mr Wilson Y.W. Fung | - | being a board member of the WKCDA; |
| Ms Sandy H.Y. Wong | - | being a member of the WKCDA Audit Committee; |
| Dr Frankie W.C. Yeung | - | being the chairman of the Xiqu Centre Advisory Panel; and |
| Ms Lilian S.K. Law | - | being an ex-Executive Director and committee member of The Boys' & Girls' Clubs Association of Hong Kong which received sponsorship from SHK. |

4. The Committee noted that Mr Franklin Yu had not yet arrived at the meeting. As the interest of Mr Thomas O.S. Ho was direct, the Committee agreed that he should be invited to leave the meeting temporarily for the item. As the interests of Mr Wilson Y.W. Fung, Ms Sandy H.Y. Wong, Dr Frankie W.C. Yeung and Ms Lilian S.K. Law were indirect and Mr Alex

T.H. Lai had no involvement in the application, the Committee agreed that they could stay in the meeting.

[Mr Thomas O.S. Ho left the meeting at this point.]

5. The Secretary reported that two letters from a Yau Tsim Mong District Council (YTMDC) Member and an owner of a residential building nearby the application site were received on 20.1.2021 and 21.1.2021 respectively. According to the provisions of the Town Planning Ordinance (the Ordinance), as the letters were submitted after the statutory publication period of the application, it should be treated as not having been made. Members might however note that similar comments had previously been submitted during statutory publication periods and those comments had been incorporated into the MPC Paper (the Paper).

6. Ms Katy C.W. Fung, DPO/TWK, clarified that the gross floor Area (GFA) for office use should be 238,000m² on Page 3 of the Paper.

7. With the aid of a PowerPoint presentation, Mr Clement Miu, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed comprehensive office, commercial and retail development with relaxation of building height restrictions (BHR);
- (c) departmental comments were set out in paragraph 11 of the Paper;
- (d) the Harbourfront Commission (HC)'s Task Force on Harbourfront Development in Kowloon, Tsuen Wan and Kwai Tsing (the Task Force) was consulted on 17.9.2020 and Members of the Task Force welcomed the proposed West Kowloon Parkway (WKP) to enhance pedestrian connectivity from Tai Kok Tsui to WKCD. Detailed comments were set out in paragraph 12 of the Paper;
- (e) during the statutory publication periods, a total of 4,089 public comments

including 1,232 supporting comments from a Yau Tsim Mong District Council (YTMDC) Member, local residents and individuals; 2,842 objecting comments from a Legislative Council Member, YTMDC Members, residents and Owners' Corporations of nearby developments and individuals; and 15 comments from a YTMDC Member and individuals providing comments/expressing concerns on the application were received. Major views were set out in paragraph 13 of the Paper; and

- (f) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments made in paragraph 14 of the Paper. The proposed development was in line with the planning intention of the “Comprehensive Development Area (1)” (“CDA(1)”) zone and complied with the plot ratio (PR) restriction under the Outline Zoning Plan (OZP) and generally complied with the requirements of the Planning Brief (PB). The proposed development was considered not incompatible with the existing developments and planned land uses in the area. Given the location of the application site (the Site) having strategic transport connection, the proposed gross floor area (GFA) for the office and retail portions in the current scheme was considered acceptable. While the proposed development would protrude above the ridgeline of Beacon Hill/Lion Rock when viewed from the vantage point at Central Pier 7, it was mentioned in the Urban Design Guidelines of the Hong Kong Planning Standards and Guidelines (HKPSG) that flexibility might be considered on individual merits and for special landmark buildings to give punctuation effects at suitable locations. Capitalising on the strategic location and good accessibility, the Site could be considered for development with high quality architectural/landmark building design and planning and design merits to add vibrancy to the area. The Chief Town Planner/Urban Design & Landscape (CTP/UD&L), PlanD considered the proposed BHs generally compatible with the surrounding BH profile of the area and the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD) had no adverse comment on the visual aspect. There were planning and design merits for the proposed development, including the provision of an additional open space of 8,500m² for public use, greater building setbacks and a minimum

50m wide building gap to enhance air and visual permeability, and a West Kowloon Parkway (WKP) for north-south pedestrian connection with multiple access points and viewing platforms. CTP/UD&L, PlanD considered that the proposed building design measures would create visual permeability and relief, reduce the perceived bulkiness of the buildings, promote architectural/visual interest and pedestrian comfort, create a diverse pedestrian experience as well as contribute to a pleasing and vibrant public realm. Concerned government departments had no objection to or no adverse comment on the application. The applicants were advised to consult HC on the project during detailed design stage. Regarding the public comments, the comments of government departments and planning assessments above were relevant. Other responses to the public comments were set out in paragraph 14 of the Paper.

8. Some Members raised the following questions:

Relaxation of BHRs

- (a) background information on the formulation of BHRs on the OZP;
- (b) the rationale for the incorporation of a relaxation, rather than a minor relaxation, clause for the “CDA(1)” zone;
- (c) the number of sites that had been reserved for the development of iconic buildings in the area and their relationship with the planning intention of protection of ridgeline;
- (d) the reasons for relaxation of BHRs at the Site as proposed by the applicants;
- (e) whether the visual impact of the proposed development was acceptable;

Planning and Design Merits vs Protection of Ridgeline

- (f) how the planning and design merits of the proposed development could outweigh the need to protect the ridgeline;

(g) whether there were similar applications approved even though the ridgeline was breached by the proposed development;

(h) how the provision of open space and WKP for public use could be enforced;

Open Space

(i) the function of and proposed uses in the open space;

(j) noting that there were quite a number of open spaces in the nearby developments, how the additional 8,500m² open space could be considered as beneficial to the public;

West Kowloon Parkway

(k) the north-south connection and management of the WKP;

(l) connectivity among the Site, WKS and WKCD via WKP;

(m) whether it was possible to incorporate the proposed WKP under the previously approved scheme;

Viewing Platforms

(n) the connection between the viewing platforms and WKP;

(o) the views from the proposed viewing platforms, in particular the 'Harbour Lookout' since WKCD was still in the implementation stage;

(p) the opening hours of WKP and the pedestrian connection via the Site;

Sustainable Building Design/Features

(q) a comparison of pedestrian wind environment between the current scheme

and the previously approved scheme;

- (r) the distribution of the 33% of greenery coverage;
- (s) the sustainable features and the purpose of the 15m high clearance for L4;

Commercial/Retail Uses

- (t) the GFA for commercial/retail uses;

Others

- (u) whether there was any provision of public vehicle park (PVP);
- (v) whether the HC was adequately consulted on the proposed development; and
- (w) the provision of cycling facilities in the West Kowloon area and the Site.

9. In response, Ms Katy C.W. Fung, DPO/TWK, and Mr Clement Miu, STP/TWK, made the following main points with the aid of some PowerPoint slides and the visualizer:

Relaxation of BHRs

- (a) the Site was zoned “CDA(1)” with a maximum PR of 5 for development above WKS and maximum BHRs of 90, 100, 115mPD. The BHRs had taken into account the topography of the area and the BH profile of the existing and planned developments in the surrounding areas, including the residential and commercial developments at Kowloon Station with BHs ranging from 141-276mPD (except International Commerce Centre (ICC) which had a BH of 490mPD) and the proposed developments in WKCD with BHRs of 50, 70 and 100mPD. The concept of stepped BH profile had been adopted with BHRs descending from the north-western corner to the southern part of the Site to echo with the BH profile of the surrounding areas and protect views to the ridgeline from the vantage point at Central Pier 7;

- (b) the Site was located at a multi-modal transport hub with convergence of four rail lines including the Kowloon Station of Airport Express Line and Tung Chung Line, the WKS of XRL and the Austin Station of West Rail Line, rendering it a major rail hub commanding excellent strategic transport connection with regional and domestic transport networks. Given its strategic location and the proximity to WKCD, the Site could be considered for development of high quality architectural/landmark building to add vibrancy to the area. In view of the above, a clause was incorporated in the Notes of the “CDA(1)” zone in that relaxation of BHR might be considered by the Board on application under section 16 of the Town Planning Ordinance (the Ordinance) for proposals with outstanding planning or design merits;
- (c) BHRs for areas of Tsim Sha Tsui, Yau Ma Tei, Mong Kok and Cheung Sha Wan were generally within a range of 80-130mPD under the OZP, taking into account the need for protection of the ridgeline. Iconic/landmark buildings were only encouraged in strategic locations and focal points to enhance the image of West Kowloon. Apart from ICC, WKCD and the Site were given greater flexibility for the development of iconic/landmark buildings, while no more sites were planned for iconic/landmark buildings in the surrounding areas;
- (d) compared with the BHRs on the OZP, the proposed increase in BH under the current application ranged from 26.7% to 59%. According to the applicants, the main reasons for increasing the BH of the proposed development included smaller building footprint with greater building gaps between towers (a minimum of 50m) and greater building setbacks, a proposed floor-to-floor height of 4.2m for office use, and designing L4 as a semi-open environment with a headroom of 15m to enhance natural ventilation;
- (e) the applicants had submitted a Visual Impact Assessment (VIA) to analyse the visual impacts induced by the proposed development from different viewpoints. With reference to the photomontages for the proposed development from the viewpoint of Central Pier 7 (Drawing A-49 of the

Paper), it was noted that the proposed development under the previously approved scheme (application No. A/K20/113 with minor relaxation of BHR) would nearly reach the ridgeline while the current scheme would breach the ridgeline. Another view from Tamar Park was shown in Drawing A-42 of the Paper. Although the proposed development would breach the ridgeline, it was compatible with the BH profile of the surrounding environment including the tall buildings in the Kowloon Station (i.e. BH of 141-276mPD on top of Kowloon Station and ICC with BH of 490mPD) and the proposed developments in WKCD. Concerned government departments including CTP/UD&L and ArchSD had no objection to or no adverse comment on the proposed relaxation of BHRs;

Planning and Design Merits Vs Protection of Ridgeline

- (f) while the proposed development would protrude above the ridgeline of Beacon Hill/Lion Rock when viewed from the vantage point at Central Pier 7, the relaxation of BHRs could be favourably considered if there were outstanding planning or design merits in accordance with the Notes of the “CDA(1)” zone. In the current application, the major planning and design merits included the provision of (i) a total of about 8,500m² open space for public use on L2 and L4 including a Central Open Space on L4 (about 3,140m²) and a minimum 50m-wide building separation located between the two office towers; (ii) a north-south WKP along the eastern boundary of the TDZ connecting the hinterland of Tai Kok Tsui/Yau Ma Tei areas to the Site at L2 leading to the WKCD and waterfront; and (iii) integration of the open spaces and WKP to form three viewing platforms. The above proposals could provide a larger open space with multi-functional spaces for the enjoyment of the general public, enhance air ventilation and visual permeability, enhance pedestrian linkages, create a diverse pedestrian experience as well as contribute to a pleasing and vibrant public realm. Relevant government departments had no adverse comment on the application. As such, it was considered that the proposed relaxation of BHRs was acceptable after balancing the visual impact and the planning and design merits of the proposed development for the general public;

- (g) while there was no similar application for relaxation of BHR in the planning area that would breach the ridgeline approved by the Board, the Board had previously agreed to the rezoning of a site at Sai Yee Street of Mongkok for a comprehensive office and retail development with a BH that would breach the ridgeline. The BH of 320mPD for the Sai Yee Street Site was agreed in 2018 based on the consideration that the site was located in a transport hub with East Rail Line and in close proximity to the Tsuen Wan Line, and a large public open space of about 3,000m² could be provided at grade for public enjoyment. It was stated in the HKPSG that flexibility might be considered on individual merits and for special landmark buildings to give punctuation effects at suitable locations. Each planning application would be considered based on its individual circumstances and merits;
- (h) should the application be approved, the applicants were required to submit a revised Master Layout Plan (MLP) under the approval conditions. In accordance with the Town Planning Board Guidelines No. 18A (TPB PG-No.18A), the requirements including the location of various types of facilities and the opening hours, such as that of the open spaces and the WKP would be incorporated in the MLP, which would be deposited in the Land Registry. The compliance with the MLP would be enforced through the lease under a clause relating to the compliance with the Town Planning Ordinance (the Ordinance);

Open Space

- (i) the Central Open Space on L4 would be open for public use between 7am and 11pm. While the applicants had not listed out the active uses in the proposal, the Central Open Space could be used as a multi-functional space and a community node for different purposes such as musical performance, market & fair and exhibition;
- (j) the additional open space of 8,500m² for public use played an important role in linking up the existing and planned open spaces from Tai Kok Tsui in the north to WKCD in the south to form an integrated and comprehensive open

space network. Besides, the WKP linking several open spaces via the Site could help bridge the missing link in the north-south pedestrian connection;

West Kowloon Parkway

- (k) the WKP had a total length of 1.5km and 350m of which would pass through the Site via L2. It would run along the eastern edge of the TDZ providing north-south connection between the proposed Central Kowloon Route Yau Ma Tei Landscape Deck (to be managed by the Highways Department) and the landscaped deck above the WKS Bus Terminus (managed by MTRCL) in the north, and the WKCD in the south (to be managed by WKCDA). The WKP would be further extended to the waterfront area after the completion of WKCD developments;
- (l) the WKP, which was on L2 of the proposed development, would be connected to the existing landscape deck of WKS via various access points. The Site would be connected to the proposed open space in WKCD via escalator and lifts at the southern end of the proposed development as well as the retail facilities on G/F;
- (m) under the previously approved scheme (No. A/K20/113), while a 24-hour north-south passageway was also proposed at the eastern part of the Site, the linkage was not as clear, direct and pleasant as the current scheme. Under application No. A/K20/113, a short section of the passageway was located at the peripheral spaces along the eastern boundary of the TDZ while majority of the passageway was relying on the existing landscape deck of the WKS. Under the current scheme, however, a landscape route on L2 of the proposed development would form part of WKP with several open spaces and viewing platforms. WKP including the escalators and lifts would be open 24 hours daily for public access with weather protection by building structures with plantings would be provided along WKP. Retail facilities would also be provided along the WKP to increase vibrancy but the scale of these facilities would be small;

Viewing Platforms

- (n) three viewing platforms would be provided by integrating the open space and WKP: (i) the 'The Strata Balcony' in the north for view to Kowloon hinterland, (ii) 'The Halo' in the central looking over the WKS and harbour, and (iii) the 'Harbour Lookout' in the south for view to the harbour, WKCD and Hong Kong Island. 'The Halo', which was the iconic feature of the Parkway Plaza on L2, would serve as a focal point and connection point to the WKS as well as vertical connection between open space on L2 and L4. The three viewing platforms would enhance the connectivity of the open spaces within the proposed development, open up the Site as an activity node for the enjoyment of the public and provide different visual experiences to the Kowloon hinterland and the harbour. The possible views from the three viewing platforms were illustrated in Appendix Ia of the Paper;
- (o) as the land adjoining the proposed development in WKCD was designated as open space, the 'Harbour Lookout' would provide an unobstructed view towards the open space and the harbour;
- (p) the Austin Station of West Rail, Kowloon Station of Tung Chung Rail and WKS of XRL would be closed after operation hours. However, WKP including the escalators and lifts and certain areas within WKS including six footbridges would be open 24 hours daily for public access. The proposed shopping mall was required to reserve an area on L1 for 24 hours public access to connect with the existing footbridge network. Vertical connections such as escalators/lifts for barrier-free access would be provided within the proposed development to facilitate pedestrian movement between the Site, WKS and adjacent developments including WKCD;

Sustainable Building Design/Features

- (q) the previously approved scheme (No. A/K20/113) had three building blocks with BHs ranging from 76.7 to 119mPD and a larger building footprint. There were two building gaps with the widest width of 31m and 40m between the towers. The current scheme, however, had two towers and a smaller

building footprint, enabling the provision of a minimum 50m wide building gap and more setbacks from the western part of the Site, and resulting in a scheme which was more visually permeable when viewed from the east and the west. According to the air ventilation assessment (AVA) submitted by the applicants, the overall pedestrian wind environment in the proposed development would be better than that in the previously approved scheme. CTP/UD&L, PlanD had no adverse comment on the findings of the AVA;

- (r) the proposed development would have not less than 33% green coverage through the provision of vertical greening, green roof and planting areas at different levels. The greenery would mainly be provided at the Central Open Space on L4 and along the WKP route and viewing platforms/lookout points on L2. About 270 trees would be planted on L2 and L4;
- (s) permeable elements and green features were incorporated in the current scheme to address the potential air ventilation impact and achieve a sustainability building design. Solar panels for energy generation and rainwater harvest system for irrigation purpose would be provided within the proposed development. Greening amenities such as roof-top gardens and viewing balconies at the side of each floor were designed for office workers' enjoyment. Besides, L4 had a high headroom of 15m with 7m tall glass louvres on top to facilitate natural air ventilation flowing into the indoor spaces on L4. Such clerestory ventilation would reduce energy consumption and introduce more natural daylight;

Commercial/Retail Uses

- (t) the proposed development with a total PR of 5 was in line with the restriction under the OZP and the PB. According to the applicants, the proposed PR for commercial/retail use was 0.95 with a view to capitalising on the strategic location as a multi-modal transport hub and proximity to the nearby shopping mall at Kowloon Station to provide a large shopping facility to serve the local residents/workers as well as the regional travellers. According to the applicants, the proposed commercial/retail facilities (GFA of 56,000m²) at the Site, together with those in the Elements (GFA of 82,800m²), would

provide a regional shopping mall with a total GFA of 138,800m², which was comparable with other large regional shopping mall in Hong Kong such as New Town Plaza and Cityplaza;

Others

- (u) ancillary car parking spaces were provided at the underground levels of the proposed development. There was no requirement under the PB for the provision of PVP and no PVP was proposed in the proposed development;
- (v) the applicants had consulted the Task Force of HC on the current scheme, including the proposed open spaces and connectivity within the Site and the surrounding areas; and
- (w) while cycling facilities were provided in the waterfront area of WKCD, there was currently no cycle track provided in other West Kowloon area due to limited spaces.

Lease Control

10. Some Members enquired about the reason for not including BHR in the lease for the Site. In response, Ms Katy C.W. Fung, DPO/TWK said that according to the Joint Practice Note No. 5 which took effect from 15.5.2019, if BHRs were imposed under the statutory plans, such control would generally not be included in new leases and modified leases except in special circumstances. As such, no BHR was imposed in the lease for the Site which was sold by tender in November 2019. In response to a Member's question on the premium issue, Mr Albert K.L. Cheung, Assistant Director (R1), Lands Department, said that the tender document did not bind the tenderer to a particular MLP (including the previously approved scheme in 2010). The relevant information statement of the tender indeed stated that the Purchaser might submit alternative proposals for the consideration of the Board and application for amendment to the approved MLP. As there was no BHR under the lease, the control would be done through the planning regime. Should the relaxation of BHR be approved by the Board, the applicants did not need to apply for lease modification and there was no premium issue.

Deliberation Session

11. The Chairman briefly recapitulated that the proposed development generally complied with the OZP and PB requirements except the proposed BHs. As there was a provision for relaxation of BHRs in the Notes of the “CDA(1)” zone for proposals with outstanding planning or design merits, Members might consider whether there were sufficient planning and design merits in current proposal to justify the proposed relaxation of BHR which would breach the ridgeline when viewed from the strategic viewpoint.

12. Members noted that there was no BH clause under the lease and development control in terms of BH at the Site would mainly be scrutinized under the planning regime. In that regard, some Members considered that there would be public expectation that such a major relaxation in the BHR should be justified by substantial planning or design merits/public gain. In addition, there was no precedent of relaxation of BHR in the planning area resulting in a breach of the ridgeline approved under the planning application mechanism. In view of the above, the application for relaxation of BH breaching the ridgeline should be considered with due care and supported by outstanding planning or design merits.

13. Members generally considered that the ridgeline of Beacon Hill/Lion Rock was a valuable asset and special consideration should be given for its preservation as far as possible in the development process. Regarding the proposed development, while the applicants had good intention to propose a number of planning and design merits, those merits were not that outstanding which warranted relaxation of the BHRs breaching the ridgeline. The views of Members were summarised as follows:

- (a) while the proposed addition of 8,500m² open space for public use could link up the existing and planned open spaces in the West Kowloon area, the benefit of the open space was not substantial as there was no lack of open space provision in the area, in particular, 8,900m² of public open space had already been provided in the WKS. Besides, most of the open space were designed for passive and circulation purposes. There was a lack of information on the function of and facilities to be provided in the open space, as well as innovative ideas on the design and management of the open space with a view to developing it into multi-functional and vibrant public realm for the enjoyment of the general public;

- (b) while the WKP could provide a better north-south pedestrian linkage, the merits of providing such a connection were over-emphasised as only a section of WKP fell within the Site. Whether the WKP could provide a pleasant walking environment connecting the hinterland of Tai Kok Tsui/Yau Ma Tei areas to the Site and leading to the WKCD and waterfront would hinge on the design and future management of the WKP subject to the agreement with different management bodies. At the moment, the applicants had not provided sufficient information in this regard. Besides, the views of the three proposed viewing platforms would depend on various factors which might be out of the applicants' control. There was no information giving realistic views of these platforms taking account of the completed developments in WKCD;
- (c) the correlation between the BH relaxation and the provision of planning and design merits was not clear. In particular, no information was available to demonstrate how the provision of additional open space and WKP was related to a reduction in site coverage of the proposed development and hence the need for an increase in BH. There was also no demonstration that efforts had been made to reduce the BH of the proposed development as high headroom had been adopted for the office and retail floors as well as the roof-top garden, which were for the benefit of the users of the proposed development at the expense of the public views to the ridgeline. The new skyline as promoted by the applicants could not be a reason to justify the breach of the ridgeline;
- (d) the building design of the previously approved scheme integrated better with WKS, and there were no substantial improvements in the current proposal in terms of north-south pedestrian connection and air ventilation. No information had been provided to demonstrate why the north-south pedestrian connection could not be improved without the relaxation of BHRs;
- (e) while sustainable and architectural design features had been proposed, the design and function of the proposed development were not that impressive

warranting it to be considered as an iconic/landmark building as compared with other iconic developments in the surrounding areas such as ICC;

- (f) the proposed development, which aimed to provide a large shopping mall, could not help integrate the old neighbourhood and the new developments in West Kowloon nor provide much benefit to the local community. More public gains should be explored in the proposed development to meet the needs of the local community. For example, public vehicle park could be considered although such requirement was not included in the PB; and
- (g) the current scheme should not be the only option to provide planning and design merits. The applicants should explore different design options with a view to promoting better integration between the old neighbourhood area and new developments in WKS and WKCD. A place making approach could be adopted in the provision of open space and WKP such that they could be more user-friendly and inclusive with the incorporation of cultural and human-oriented elements.

14. The Chairman summed up Members' views and concluded that Members generally considered that the application could not be supported as the applicants had not provided strong justification to demonstrate outstanding planning or design merits in the current application that warranted a favourable consideration for relaxation of BHRs breaching the ridgeline. There was still room to improve the scheme such as providing a more inclusive and vibrant open space, better integrating the old neighbourhood with the new developments, as well as providing more public gains to the local community. The applicants were obliged to provide more information in these aspects to justify the relaxation of BHR. To reflect Members' consideration, the Chairman suggested and Members agreed that the rejection reason should be suitably amended.

15. After deliberation, the Committee decided to reject the application. The reason was:

“ the applicants fail to demonstrate that there are outstanding planning or design merits to justify the proposed relaxation of building height restrictions, which

would breach the ridgeline from strategic viewpoint.”

[The Chairman thanked Ms Katy C.W. Fung, DPO/TWK, and Mr Clement Miu, STP/TWK, for their attendance to answer Members’ enquiries. They left the meeting at this point.]

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

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

[Mr Franklin Yu arrived to join the meeting at this point.]

Agenda Item 4

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K5/822 Proposed Hotel (Conversion of Existing Non-domestic Building) in
 “Residential (Group A) 6” Zone, 396 Lai Chi Kok Road, Sham Shui Po,
 Kowloon
 (MPC Paper No. A/K5/822B)

Presentation and Question Sessions

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

- (a) background to the application;
- (b) the proposed hotel (Conversion of Existing Non-domestic Building);
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) no public comment was received during the statutory publication period; 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. Although the application site fell within the “Residential (Group A)” (“R(A)”) zone which was primarily for high-density residential developments, according to the Occupation Permit for the existing building issued in 1976, the subject building was for non-domestic uses (i.e. office and shop). The proposed in-situ conversion for hotel use would not impact on the existing housing supply in the area and was considered not incompatible with the other uses of the building and the surrounding developments. The proposed plot ratio and building height of the subject building complied with the restrictions on the Outline Zoning Plan (OZP). The proposed development would not result in adverse environmental, sewerage and drainage impact on the surrounding area. Concerned government departments had no objection to or no adverse comment on the application. Approval of the application would not be inconsistent with the Committee's previous decision in approving a similar application.

17. In response to a Member's enquiry regarding the difference between a previously rejected application No. A/K5/814 and the current application, Ms Jessica Y.C. Ho, STP/TWK, said that application No. A/K5/814 for redevelopment of an existing composite commercial/residential building for hotel use (with 70 guestrooms) was located three blocks away from the application site. It was rejected by the Town Planning Board on review on 16.10.2020 mainly on the grounds that the site should be developed for its zoned use due to the current shortfall in housing supply, insufficient justifications to deviate from the planning intention of the “R(A)” zone and the applicant failed to demonstrate that the proposed development would not generate adverse traffic impact on the surrounding areas. As compared with application No. A/K5/814, the current application involved an existing non-domestic building for office and retail uses, and the proposed in-situ conversion for hotel use would not have impact on the existing housing supply in the area. The current proposal, which would provide not more than 16 guestrooms for backpackers or single travelers, would not induce adverse traffic impact on the surrounding areas. The Commissioner for Transport had no objection to the application.

Deliberation Session

18. Noting the small size of the proposed guestrooms, a Member raised concern on whether the proposed development after conversion would be regarded as a hotel. Members noted that the applicant would apply for hotel licence under the Hotel and Guesthouse Accommodation Ordinance (HAGAO) and the Home Affairs Department (HAD) had no objection to the application. According to HAD's advice, the licensing requirements would be formulated after inspections by the HAD's Building Safety Unit and Fire Safety Team upon receipt of an application under the HAGAO.

19. 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 22.1.2025, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the submission of a Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the TPB; and
- (b) the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment in relation to (a) above to the satisfaction of the Director of Drainage Services or of the TPB.”

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

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

[Mr K.S. Ng, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), was invited to the meeting at this point.]

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/TW/518 Proposed Minor Relaxation of Plot Ratio Restriction for Permitted Non-polluting Industrial Development (excluding industrial undertakings involving the use/storage of Dangerous Goods) in “Other Specified Uses” annotated “Business” Zone, Lot 301 RP in D.D. 355, Pun Shan Street, Tsuen Wan, New Territories
(MPC Paper No. A/TW/518B)

Presentation and Question Sessions

21. The Secretary reported that the application was located in Tsuen Wan. Kenneth To & Associates Limited (KTA), SYW & Associates Limited (SYW) and Mott MacDonald Hong Kong Limited (MMHK) were three of the consultants of the applicant. The following Members had declared interests on the item:

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|------------------------|---|---|
| Mr Thomas O.S. Ho | - | having current business dealings with MMHK; |
| Mr Alex T.H. Lai | - | his former firm having business dealings with SYW and MMHK; |
| Mr Daniel K.S. Lau | - | being an ex-employee of the Hong Kong Housing Society which had business dealings with KTA; |
| 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. |

22. The Committee noted that Messrs Thomas O.S. Ho, Stanley T.S. Choi and Alex T.H. Lai had already left the meeting. As Mr Daniel K.S. Lau had no involvement in the application and the property of Professor John C.Y. Ng’s spouse had no direct view of the application site, the Committee agreed that he could stay in the meeting.

23. With the aid of a PowerPoint presentation, Mr K.S. Ng, STP/TWK, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed minor relaxation of plot ratio (PR) restriction for permitted non-polluting industrial use (excluding industrial undertakings involving the use/storage of Dangerous Goods);
- (c) departmental comments were set out in paragraph 9 of the Paper;
- (d) during the statutory publication periods, three public comments from individuals including one supporting comment and two comments expressing concerns were received. Major views were set out in paragraph 10 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessments set out in paragraph 11 of the Paper. The proposed redevelopment was generally in line with the planning intention of the “Other Specified Uses” annotated “Business” (“OU(B)”) zone and the proposed building height (BH) of not more than 100mPD complied with the BH restriction stipulated under the Outline Zoning Plan. The Secretary for Development gave policy support to the application to optimise utilisation of the existing industrial stock and make better use of valuable land resources. The proposed development would provide a 3m-non-building area (NBA) with landscape treatments in the form of vertical greening and sunken planters facing Pun Shan Street and a 4.5m-NBA which would form part of the pedestrian networks extending from Pun Shan Street into the inner part of the street block bounded by Sha Tsui Road, Pun Shan Street and Chai Wan Kok Street to join the same proposed 4.5m setback under application No. A/TW/509 which was approved with conditions on 13.12.2019, creating an alternative pedestrian route. Although the application site was less than 1,000m² for which the Sustainable Building

Design Guidelines was not applicable, greenery provision of not less than 20% of the site area was introduced on a voluntary basis. The Chief Town Planner/Urban Design & Landscape, PlanD considered that the proposed greening treatment at the building's low zone would enhance the pedestrian environment and visual amenity along the building frontage. Concerned government departments had no objection to or no adverse comment on the application. Regarding the public comments, the comments of government departments and planning assessments above were relevant.

24. In response to a Member's enquiry on the possibility of tree planting at the setback area, Mr K.S. Ng, STP/TWK, said that the proposed NBAs would still be owned by the landowner and would not be surrendered to the Government until the Transport Department had road improvement works for Pun Shan Street in future and surrendering of the concerned land to the Government was required. Mr Ng further said that as planting trees along the sidewalk would reduce space for pedestrian circulation, the applicant had provided an alternative by providing sunken planters fronting Pun Shan Street.

25. A Member asked the ownership of the lots adjoining the application site. In response, Mr K.S. Ng, STP/TWK said that the application site was part of the former Central Textiles (HK) Limited Factory (known as Lots 301RP, 301s.A, TWIL 49s.A, TWIL 49s.B, TWIL 49RP, 313RP, 313s.A), which was demolished for redevelopment. The application site and the adjoining lots were owned by the same landowner. The site to the immediate east of the application site (i.e. Lots TWIL 49s.A, TWIL 49 s.B and TWIL 49RP) was the subject of an approved application No. A/TW/509 for minor relaxation of PR for non-polluting industrial use. The proposed developments in the said and current application sites had followed the setback requirements of the Tsuen Wan Central Outline Development Plan.

26. In response to Members' enquiry on the provision of canopy, Mr K.S. Ng explained that as the proposed canopy might be accountable for Gross Floor Area (GFA) calculation under the building regime, the applicant had only proposed to provide a 2m wide and 6m long canopy to cover the sidewalk near the main entrance of the building. There was no proposal to extend the proposed canopy from the application site along the south-western lot boundary to the adjoining lots as the design for the proposed development under application No. A/TW/509 was an open landscaped plaza.

Deliberation Session

27. A Member considered that tree planting along the sidewalk should be explored, and the collection of rainwater as recycled water for irrigating the landscaping features should be encouraged. Members generally considered that the adoption of environmentally friendly measures could be included in the advisory clauses for the applicant's consideration as appropriate. Members noted that the setback area would not be surrendered to the Government and a balance between the need for tree planting and reserving more space for pedestrian circulation should be struck.

28. Given that a 4.5m-NBA adjoining the south-western lot boundary of the application site would be provided to tie in with the adjoining lots to create a continuous pedestrian route, some Members considered it beneficial to the public if a continuous canopy along the pedestrian route could be provided to improve the walking environment. Noting that there was GFA implication for the provision of a larger canopy under the building regime, some Members were of the view that some kind of incentive should be given to the landowners to encourage them to provide canopies. The Secretary supplemented for Members' information that the issue had been raised to the relevant bureaux/departments under the streamlining initiative for consideration. To address Members' concern, the Chairman suggested and Members agreed that an advisory clause regarding the provision of a larger canopy would be included for the applicant's consideration as appropriate.

29. 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 22.1.2025, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the 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 submission of an updated Sewerage Impact Assessment (SIA) for the

proposed development to the satisfaction of the Director of Environmental Protection or of the TPB;

- (c) the implementation of the recommended works as identified in the updated SIA for the proposed development in condition (b) above to the satisfaction of the Director of Drainage Services or of the TPB; and
- (d) the submission of land contamination assessments in accordance with the prevailing guidelines and the implementation of the remediation measures identified therein prior to development of the Site to the satisfaction of the Director of Environmental Protection or of the TPB.”

30. The Committee also agreed to advise the applicant to note the advisory clauses as set out at Appendix III of the Paper with the following additional advisory clauses:

- “(a) to explore the possibility of using recycled water for irrigating the landscaping features in the proposed development; and
- (b) to explore the possibility of extending the canopy to cover the full frontage of the south-western lot boundary at the detailed design stage.”

[The Chairman thanked Mr K.S. Ng, STP/TWK, for his attendance to answer Members’ enquiries. He left the meeting at this point.]

Hong Kong District

Agenda Item 6

Section 16 Application

[Open Meeting]

A/H5/414 Proposed Residential Development with Minor Relaxation of Building Height Restriction in “Residential (Group B)” Zone and area shown as ‘Road’, 33-35 Kennedy Road, Wan Chai, Hong Kong
(MPC Paper No. A/H5/414)

Presentation and Question Sessions

31. The Committee noted that the applicants’ representative requested on 4.1.2021 deferment of consideration of the application for two months in order to allow time for preparation of further information to address the departmental comments. It was the first time that the applicant requested deferment of the application.

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

[Mr William W.L. Chan, Senior Town Planner/Kowloon (STP/K), was invited to the meeting at this point.]

Kowloon District

Agenda Item 7

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K14/796 Proposed Hotel with Other Uses (including Place of Recreation, Sports or Culture / Office (Audio-visual Recording Studio) / Office (Design and Media Production) / Research, Design and Development Centre) (Wholesale Conversion of an Existing Industrial Building) in “Other Specified Uses” annotated “Business” Zone, 28A Hung To Road, Kwun Tong, Kowloon
(MPC Paper No. A/K14/796)

Presentation and Question Sessions

33. The Secretary reported that AECOM Asia Co. Limited (AECOM) and Wong & Ouyang (Building Services) Limited, which was a sister company of Wong & Ouyang (Hong Kong) Limited (W&O) were two of the consultants of the applicant. The following Members had declared interests on the item:

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|-------------------|---|--|
| Mr Thomas O.S. Ho | - | having current business dealings with AECOM; |
| Mr Franklin Yu | - | having current business dealings with W&O; and |
| Mr Alex T.H. Lai | - | his former firm having business dealings with W&O. |

34. The Committee noted that Messrs Thomas O.S. Ho and Alex T.H. Lai had already left the meeting. As Mr Franklin Yu had no involvement in the application, the Committee agreed that he could stay in the meeting.

35. With the aid of a PowerPoint presentation, Mr William W.L. Chan, STP/K, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed hotel with other uses (including Place of Recreation, Sports or Culture/Office (Audio-visual Recording Studio)/Office (Design and Media Production)/Research, Design and Development Centre) (Wholesale Conversion of an Existing Industrial Building);
- (c) departmental comments were set out in paragraph 10 of the Paper;
- (d) during the statutory publication periods, two supporting public comments from a member of Kwun Tong Central Area Committee were received; and
- (e) the Planning Department (PlanD)'s views – PlanD had no objection to the application based on the assessment set out in paragraph 12 of the Paper. The proposed hotel was in line with the Town Planning Board Guidelines No.22D and the planning intention of the “Other Specified Uses” annotated “Business” (“OU(B)”) zone. The proposed plot ratio (PR) and building height (BH) did not exceed the restrictions for the application site under the Outline Zoning Plan. The proposed hotel was considered not incompatible with the surrounding uses and would help improve the existing urban environment and serve as a catalyst in phasing out the current industrial uses within the “OU(B)” zone, and was also in line with the Energizing Kowloon East Initiative. As compared with the previously approved scheme under application No. A/K14/643, the proposed scheme under the current application only involved addition of the Designated Portion for specified uses in accordance with the 2018 Policy and corresponding reduction in hotel Gross Floor Area (GFA) and guestrooms. Major development parameters including total GFA and BH remained largely the same. Relevant departments had no objection to/adverse comments on the application.

36. In response to a Member's enquiry on the mechanism for providing the specified uses, Mr William W.L. Chan, STP/K, explained that the applicant would need to follow the requirements of the Designated Portion and Specified Uses as listed in the Lands Department (LandsD)'s Practice Note 6/2019 “Application for Special Waiver for Conversion of an Entire

Existing Industrial Building”. Details of the Designated Portion would be stated in the application to LandsD for special waiver, and normally the Specified Uses in the Designated Portion would be operated by the tenants.

Deliberation Session

37. 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 22.1.2025, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions :

- “(a) the submission of a revised sewerage impact assessment to the satisfaction of the Director of Environmental Protection or of the TPB;
- (b) the implementation of the local sewerage upgrading/sewerage connection works identified in the sewerage impact assessment in condition (a) above to the satisfaction of the Director of Drainage Services or of the TPB;
- (c) the submission of a revised traffic impact assessment including a traffic management plan for the vehicular access arrangement, and implementation of the traffic management plan and the mitigation measures, if any, identified therein, to the satisfaction of the Commissioner for Transport or of the TPB; and
- (d) the design 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.”

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

[The Chairman thanked Mr William W.L. Chan, STP/K, for his attendance to answer Members’ enquiries. He left the meeting at this point.]

Agenda Item 8

Any Other Business

[Open Meeting]

(i) Streamlined Processing of Deferral and Renewal Applications

39. The Secretary reported that the Rural and New Town Planning Committee (RNTPC) had all along adopted a streamlined approach in processing requests for deferral of consideration of applications in that the Secretary would briefly summarize the applications and seek Members' approval in one go. Despite the fewer MPC cases, it was recommended that a similar approach be adopted for considering the deferral cases.

40. Applications for renewal of planning approval, though rather simple and straightforward in nature, were currently processed in a manner similar to other s.16 applications. A full paper would be submitted to the Committee for consideration, and Planning Department would make a presentation at the meeting followed by Question & Answer session before deliberation on the application. In order to save Members' time in considering this kind of application, it was proposed to process renewal applications in a streamlined approach. Similar to the deferral cases, the Secretary would briefly summarize the applications and seek Members' approval in one go. In the next stage, a simplified paper format on renewal applications would be adopted for use when ready.

41. The Committee agreed to the streamlined approach which would take effect from the next meeting. The Committee also agreed to the adoption of a simplified paper format for the renewal application when ready.

(ii) [Confidential Item] [Closed Meeting]

42. The item was recorded under confidential cover.

43. There being no other business, the meeting was closed at 12:45 p.m..