

TOWN PLANNING BOARD

Minutes of 733rd Meeting of the Metro Planning Committee held at 9:00 a.m. on 22.12.2023

Present

Director of Planning
Mr Ivan M. K. Chung

Chairman

Mr Wilson Y.W. Fung

Vice-chairman

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr Stanley T.S. Choi

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Mr Ricky W.Y. Yu

Professor Roger C.K. Chan

Mr Ben S.S. Lui

Mr Timothy K.W. Ma

Assistant Commissioner/Urban, Transport Department
Mr Chow Bing Kay

Chief Engineer (Works), Home Affairs Department
Mr Paul Y.K. Au

Principal Environmental Protection Officer (Territory South),
Environmental Protection Department
Miss Queenie Y.C. Ng

Assistant Director/Regional 1,
Lands Department
Ms Trevina C.W. Kung

Deputy Director of Planning/District
Mr C.K. Yip

Secretary

Absent with Apologies

Professor Jonathan W.C. Wong

Professor Bernadette W.S. Tsui

In Attendance

Chief Town Planner/Town Planning Board
Ms Fannie F.L. Hung

Assistant Town Planner/Town Planning Board
Mr Jimmy C.H. Lee

Agenda Item 1

Confirmation of the Draft Minutes of the 732nd MPC Meeting held on 8.12.2023

[Open Meeting]

1. The draft minutes of the 732nd MPC meeting held on 8.12.2023 were confirmed without amendments.

Agenda Item 2

Matters Arising

[Open Meeting]

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

Tsuen Wan and West Kowloon District

[Mr Derek P.K. Tse, District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK), and Mr Michael K.K. Cheung, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), were invited to the meeting at this point.]

Agenda Item 3

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/TW/537 Proposed Comprehensive Residential (Flat) and Social Welfare Facility (Multi-disciplinary Outreaching Support Team for the Elderly) Development with Minor Relaxation of Maximum Plot Ratio and Building Height Restrictions in “Comprehensive Development Area (6)” Zone, Lots 444 (including S.A and RP), 458, 464, 484 and 488 in D.D. 443 and adjoining Government Land, Tsuen Wan
(MPC Paper No. A/TW/537A)

3. The Secretary reported that the application site (the Site) was located in Tsuen Wan. Mr Stanley T.S. Choi had declared an interest on the item for his spouse being a director of a company which owned properties in Tsuen Wan.

4. As the properties owned by the company of Mr Stanley T.S. Choi’s spouse had no direct view of the Site, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

5. With the aid of a PowerPoint presentation, Mr Michael K.K. Cheung, STP/TWK, briefed Members on the background of the application, the proposed development at the Site which comprised Site A owned by the applicant, Sites B to D under separate ownership and a strip of public lane on government land (GL) in the middle of the Site, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department (PlanD) had no objection to the application.

[Ms Sandy H.Y. Wong, Mr Franklin Yu and Mr Paul Y.K. Au joined the meeting during PlanD's presentation.]

Setback, Greenery and Public Lane

6. Two Members raised the following questions:
 - (a) whether the proposed setback area and the proposed greening and landscape treatment thereat along the boundary of the Site fronting Wang Wo Tsai Street and Yeung Uk Road would be open to the public;
 - (b) the management and maintenance responsibilities of the public lane; and
 - (c) whether an approval condition could be imposed to ensure the implementation of the proposed vertical green wall and artistic paintings at the podium façade fronting the public lane.

7. In response, Mr Derek P.K. Tse, DPO/TWK, made the following main points:
 - (a) the building setback was proposed voluntarily by the applicant to facilitate a continuous planting strip along the boundary of the Site. The 3m wide setback fronting Wang Wo Tsai Street along the northern and northeastern boundaries was within the applicant's lots (i.e. Site A). While the planting strip might be accessible as shown in the artist's impression (upper) in Drawing A-13 of the Paper, the applicant had not explicitly undertaken to open up the area for public use. Notwithstanding that, the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) considered that the proposed design and greening measures at the setback area could help enhance pedestrian comfort;
 - (b) the existing public lane within the Site was currently under the Highways Department's maintenance. It would be retained as GL to facilitate pedestrian circulation to/from the planned open space to the south of Site A. The applicant also proposed providing artistic painting and/or vertical green

wall at the podium façade that fronting the public lane to complement the greenery in the planned open space; and

- (c) should the application be approved, an approval condition on Landscape Master Plan (LMP) would be imposed. The applicant would be required to submit and implement the proposed treatment of the podium façade as part of the LMP submission to indicate whether it would be a vertical green wall or an artistic painting façade to the satisfaction of the Director of Planning or of the Town Planning Board (the Board).

Proposed Social Welfare Facility (SWF)

8. Two Members raised the following questions:

- (a) the nature of the proposed SWF and whether the Social Welfare Department (SWD) was involved in the proposal; and
- (b) noting that the proposed multi-disciplinary outreaching support team for the elderly (MOSTE) facility was located right underneath a proposed swimming pool on 1/F of Site A, whether there would be any construction and hygiene problems affecting the operation of the facility and the elderly therein.

9. In response, Mr Derek P.K. Tse, DPO/TWK, made the following main points:

- (a) the applicant previously intended to provide a child care centre (CCC) at the proposed development. SWD did not support such a proposal given a number of existing and planned CCCs in other easily accessible locations in the area, and limited population intake of the proposed development. SWD considered that the proposed floor area for SWF under the applicant's scheme was more suitable for a MOSTE facility, which was in great demand to serve the Tsuen Wan and Kwai Tsing districts. As such, the applicant proposed to provide a MOSTE facility on G/F of Site A. The MOSTE, comprising social workers, occupational therapists, physiotherapists and speech therapists, would provide outreach services for the service users of residential

care homes for the elderly (RCHEs), self-financing nursing homes and day care units attached to RCHEs; and

- (b) the proposed MOSTE facility was basically an office for MOSTE staff to provide outreach services. Normally, the operation of the MOSTE facility would not involve any visit by the elderly. Regarding the construction aspect, the building works would have to comply with the Buildings Ordinance. An approval condition on the provision of the SWF to the satisfaction of the Director of Social Welfare or of the Board was also suggested so as to ensure that the proposed SWF would be satisfactorily provided, including the design, operation and hygiene aspects.

Phased Development Approach

10. A Member and the Chairman raised the following questions:

- (a) details of the proposed developments at Sites B, C and D under the current Master Layout Plan (MLP);
- (b) possible impact of the use/development at Site C on the proposed development at Site A;
- (c) whether separate planning permissions would be required for future developments at Sites B, C and D; and
- (d) whether the phased development approach under the application was similar to the one in the adjacent “Comprehensive Development Area (3)” (“CDA(3)”) zone.

11. In response, Mr Derek P.K. Tse, DPO/TWK, made the following main points:

- (a) the requirement on submission of a MLP for the “CDA(6)” zone was to ensure that the development proposal(s) would be formulated in a comprehensive manner with proper layout design and taking into account

various environmental, traffic, infrastructure, visual impact, air ventilation and other constraints. While the applicant was the owner of Site A, the overall layout and key development parameters of Sites A, B, C and D had been shown on the MLP and the table in paragraph 1.6 of the Paper respectively to govern the future developments therein. Detailed design of each individual site could be further examined in the later stage based on the current MLP;

- (b) the original building at Site C had been demolished and the site was currently used for open storage cum car parking. The future development of Site C would have to follow the MLP. According to the applicant's technical assessments, there would be no industrial/residential interface problem between Site A and the current use of Site C;
- (c) as the MLP submitted by the applicant covered the whole "CDA(6)" zone (including Sites A, B, C and D), should the current application be approved, the owners of Sites B, C and D might develop their sites according to the current MLP without separate planning permission. If future development proposal involved substantial amendments to the approved MLP, a fresh planning application would be required; and
- (d) there was a similar application (No. A/TW/527) for a proposed comprehensive residential and SWF development with minor relaxation of plot ratio and building height restrictions at a site zoned "CDA(3)" to the north of the Site, which was approved by the Committee in 2021. Similar to the current application, the applicant of application No. A/TW/527 proposed to implement the comprehensive development at the "CDA(3)" site in four phases (i.e. Phase 1 owned and implemented by the applicant, and Phases 2a to 2c under separate ownership and to be implemented by the respective owners). For both the "CDA(3)" and the subject "CDA(6)" sites, the MLP submission mechanism was in place to ensure that there was appropriate planning control over the proposed phased developments.

Petrol Filling Station

12. Noting that there was an existing petrol filling station (PFS) at Tsuen Wan Town Lot No. 408 sandwiched between Sites C and D which was zoned “Open Space” on the Outline Zoning Plan, a Member enquired whether the Government had a programme to implement the proposed open space. In response, Mr Derek P.K. Tse, DPO/TWK, said that the lease term of the existing PFS would be expiring in 2025. Though there was currently no implementation programme for the proposed open space, PlanD would liaise with the Leisure and Cultural Services Department before the expiry of the PFS to explore the possibility to expedite the development of the planned open space.

Town Planning Board Guidelines

13. In response to the Chairman’s enquiry, Mr Derek P.K. Tse, DPO/TWK, said that the application was in line with the Town Planning Board Guidelines for ‘Designation of “CDA” Zone and Monitoring the Progress of “CDA” Developments’ (TPB PG-No. 17A) in that the proposed development could facilitate urban renewal and restructuring of land use in the old urban area of Tsuen Wan, provide opportunities for amalgamation of sites for co-ordinated development, and contribute to the timely provision of adequate government, institution or community (GIC) facilities for the district. The applicant had also demonstrated its efforts to acquire the land of the Site by obtaining the land ownership of Lots 458 and 488 in D.D. 443 (i.e. Site A) which covered about 40% of the private land within the “CDA(6)” zone. The proposed comprehensive residential and SWF development was generally in line with the planning intention of the “CDA(6)” zone, which was intended for comprehensive development/redevelopment of the area primarily for residential use with the provision of commercial facilities, open space and other supporting facilities. The proposed developments at Sites A, B, C and D would be implemented by phases and would be self-contained in terms of layout design and provision of open space and GIC facilities, etc. The submitted environmental assessment demonstrated that with the implementation of recommended mitigation measures, the future occupants of Site A would not be subject to adverse industrial noise impact, odour nuisance nor air quality impact even if Sites B, C and D were to be redeveloped at a later stage. The Director of Environmental Protection had no adverse comments on the application.

Deliberation Session

14. A Member said that there was an imminent need for providing office space and training facility to support MOSTE services across the territory, and the current application should be supported.

15. Noting that the lease term of the existing PFS would be expiring in 2025 and the PFS might cease operation thereafter, a Member suggested that the Government should suitably assess the demand and supply of PFS in the Tsuen Wan East Industrial Area. In response, the Chairman said that the Member's comment on the local demand of PFS was noted, and the Government would follow up on the reprovisioning of PFS, if needed, and the development of planned open space as appropriate.

16. In response to a Member's view that the design, provision and maintenance of the public lane should be duly monitored and co-ordinated by the Government, the Chairman said that the public lane was on GL, and its detailed design and possible integration with the planned open space would be separately examined and explored by relevant government departments.

17. While showing support to the application, a Member quoted a similar development in Tsuen Wan and suggested that the applicant should consider refining the open space design of the proposed development to deliver greater public benefit, for example by providing a more accessible landscaped open space with seats on the ground level for public use. Some other Members shared the view and opined that an approval condition might be imposed to set out the opening hours of the open space.

18. A Member considered that the proposed building setback could be regarded as a planning gain since the building line was indeed moved inward from the lot boundary and the proposed at-grade greenery along the pavement could help enhance the pedestrian environment. The same Member, however, had reservation on imposing an approval condition requiring the applicant to open the open space for public use as the management and maintenance responsibilities of the open space might put financial burden on the future residents in the long term, and the decision to impose such condition might set a precedent and lead to wider implications.

19. The Chairman concluded that Members generally considered the application acceptable. Regarding Members' concerns on the design and accessibility of the setback area, the applicant would need to implement the proposed setback and landscape elements thereat, including a continuous planting strip outside the fence wall, as proposed under the current submission. Should the application be approved, an approval condition on the submission and implementation of a revised LMP to the satisfaction of the Director of Planning or of the Board would be imposed. In addition, the Chairman remarked that the building setback was proposed voluntarily by the applicant to improve the overall amenity of the Site and the setback area was not a public open space in private development, Members' views on the design and accessibility of the setback area would be taken into account during the scrutiny of the submission of the revised LMP.

20. In response to a Member's enquiry on submission and approval arrangement of the revised LMP, the Chairman explained that the revised LMP would be vetted by the professional expertise in landscape architecture in PlanD to ensure that the detailed design including greening and tree planting proposal would be properly incorporated and implemented prior to the compliance of approval condition.

21. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 22.12.2027, 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 approval conditions stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

[The Chairman thanked PlanD's representatives for attending the meeting. They left the meeting at this point.]

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

Agenda Item 4

Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/K1/268 Proposed Minor Relaxation of Building Height Restriction from 45mPD to 60mPD for Permitted ‘Educational Institution’ Use in “Government, Institution or Community” Zone, Blocks U and W of Hong Kong Polytechnic University Main Campus, Hung Hom, Kowloon
(MPC Paper No. A/K1/268A)

22. The Secretary reported that the application was submitted by the Hong Kong Polytechnic University (PolyU) and the application site (the Site) was located in Hung Hom. The following Members had declared interests on the item:

Professor Roger C.K. Chan - being the Professor and Divisional Head of the College of Professional and Continuing Education, PolyU; and

Mr Stanley T.S. Choi - owning a flat in Hung Hom.

23. As the interest of Professor Roger C.K. Chan was direct, the Committee agreed that he should be invited to leave the meeting temporarily for the item. As the flat owned by Mr Stanley T.S. Choi had no direct view of the Site, the Committee agreed that he could stay in the meeting.

[Professor Roger C.K. Chan left the meeting temporarily at this point.]

Presentation and Question Sessions

24. With the aid of a PowerPoint presentation, Mr Clement Miu, STP/TWK, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

25. Members had no question on the application.

Deliberation Session

26. The Chairman recapitulated that the application was for proposed minor relaxation of BH restriction for construction of additional storeys atop the existing academic blocks, which was to provide additional academic floor space to cater for the operational needs of PolyU. Members generally considered that the application could be supported.

27. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 22.12.2027, 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 approval conditions stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

[The Chairman thanked PlanD's representative for attending the meeting. Mr Clement Miu, STP/TWK, left the meeting at this point.]

[Professor Roger C.K. Chan rejoined the meeting at this point.]

Kowloon District

[Mr Steven Y.H. Siu, Senior Town Planner/Kowloon (STP/K), and Mr Kenneth P.C. Wong, Town Planner/Kowloon, were invited to the meeting at this point.]

Agenda Item 5

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/K15/130 Proposed Comprehensive Development (including Commenced Phases I and II Developments, and Proposed Phase III and Remaining Phases Development for Residential, Hotel, Commercial, Public Utility Installation (Gas Piggig Station) and Marine Related Facility (Landing Step)) and Minor Relaxation of Plot Ratio Restriction in “Comprehensive Development Area” Zone, Various Lots and adjoining Government Land at Yau Tong Bay, Yau Tong, Kowloon
(MPC Paper No. A/K15/130A)

28. The Secretary reported that Ove Arup & Partners Hong Kong Limited (ARUP) was one of the consultants of the applicant. Mr Franklin Yu had declared an interest on the item for his firm having current business dealings with ARUP.

29. As Mr Franklin Yu had no involvement in the application, the Committee agreed that he could stay in the meeting.

Presentation and Question Sessions

30. With the aid of a PowerPoint presentation, Mr Steven Y.H. Siu, STP/K, briefed Members on the background of the application, the proposed development which comprised the commenced Phases I and II developments, the proposed Phase III development and the Remaining Phases development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department (PlanD) had no objection to the application.

Surroundings and Land Use Compatibility

31. Two Members raised the following questions:

- (a) noting that the proposed Phase III site, i.e. Yau Tong Marine Lot (YTML) YTML 71 (the Development Site), was owned by the applicant and situated

between the Cha Kwo Ling Salt Water Pumping Station (CKLSWPS) and Wing Shan Industrial Building (WSIB) to its east and the Towngas Cha Kwo Ling Gas Piggings Station (the gas piggings station) and the Civil Engineering and Development Department's maintenance depot (the CEDD maintenance depot) to its west, whether the proposed residential development at the Development Site would be compatible with the surrounding land uses; and

- (b) the expiry date of the lease term for the gas piggings station.

32. In response, Mr Steven Y.H. Siu, STP/K, made the following main points:

- (a) the CKLSWPS and the gas piggings station were considered as passive uses and no significant environmental impact on the proposed residential development was anticipated. The applicant had submitted a qualitative risk assessment in relation to the gas piggings station, and pledged to adopt relevant risk mitigation measures such as avoiding windows of the proposed residential tower facing the gas piggings station. Should the application be approved, an advisory clause was recommended to request the applicant to liaise with the operator of the gas piggings station on the safety requirements to be adopted during the design and construction stages of the proposed development; and
- (b) the lease term of the gas piggings station at New Kowloon Inland Lot (NKIL) 6138 would expire on 30.6.2047. There was no plan to relocate the gas piggings station as proposed under the previously approved Master Layout Plans (MLPs) and the MLP under the current application.

Building Design and Public Waterfront Promenade (PWP)

33. Two Members raised the following questions:

- (a) the reason why the proposed residential tower at the Development Site was in irregular shape; and

- (b) whether there was any control and monitoring mechanism for the design and implementation of the PWP within the Development Site and other phases to ensure a consistent and coherent design for the entire PWP.

34. In response, Mr Steven Y.H. Siu, STP/K, made the following main points:

- (a) the irregular shape of the building footprint shown on the MLP might be due to a number of development constraints posed on the Development Site including (i) the requirement of providing not less than 15m wide of PWP under the endorsed Planning Brief (PB); (ii) a building setback of not less than 10m from Cha Kwo Ling Road to alleviate the traffic noise impact; (iii) avoiding encroachment onto the tree crown area of a potentially valuable *Chinese Banyan* tree at the southwestern corner of the Development Site; (iv) the provision of a public pedestrian access at the western side of the Development Site to link up Cha Kwo Ling Road and the PWP; and (v) adoption of suitable window orientation to address the possible risk arising from the gas pigging station; and
- (b) the provision of a PWP of not less than 15m in width (with a total area of not less than 24,700m² for the whole “Comprehensive Development Area” (“CDA”) zone) along the entire waterfront was required under the endorsed PB of the Yau Tong Bay (YTB) “CDA” zone. Owners of different lots could design and provide the required PWP taking into account their individual site constraints and specific development proposal. Should the application be approved, an approval condition on the design and provision of the PWP including its public pedestrian access and temporary access to the satisfaction of the Director of Leisure and Cultural Services (DLCS) or of the Town Planning Board (the Board) was recommended.

Building Height (BH) Profile

35. Some Members raised the following questions:

- (a) whether there was an overall BH concept to govern the developments of the

subject “CDA” zone;

- (b) noting that the Committee had approved a rezoning application No. Y/K15/6 for the redevelopment of the WSIB with a BH of 120mPD three months ago, whether the approval of the subject application would attract similar applications for relaxation of BH from the owners of adjacent lots; and
- (c) whether the applicant’s claim that the BH of 115mPD for the proposed residential tower at the Development Site would create a more dynamic and coherent skyline was reasonable.

36. In response, Mr Steven Y.H. Siu, STP/K, made the following main points:

- (a) according to the endorsed PB, developments within the “CDA” zone were restricted to a maximum BH of 120mPD with an east-west descending BH profile. Reference should be made to the maximum BH of 60mPD at the two western ends to maintain a more intertwined relationship with the harbour edge;
- (b) while the intention and future actions of the owners of adjacent lots were unpredictable, the Phases I and II developments were currently in an advance stage of implementation and the lease modification was under processing. As regards the other dissenting lots in the Remaining Phases of the “CDA” zone, i.e. a sand depot (YTML 25 & Ext and 26 & Ext) and a recycling yard (YTML 2, 3 & 4), there was no information from the lot owners indicating their redevelopment intention. If any planning applications for minor relaxation of BH in relation to other lot(s) within the same “CDA” zone were received in the future, they would be considered by the Committee on a case-by-case basis taking into consideration their individual merits. Since the endorsed PB had prescribed a BH profile for the “CDA” zone, the Committee might consider adhering to such prescribed BH as set out in the PB for the relevant lots if future applications were received; and
- (c) according to the subject application submission, the applicant had

endeavoured to reduce the BH of the proposed residential development at the Development Site while fulfilling various requirements and design constraints as mentioned in paragraph 34(a) above which rendered the need for the proposed BH of 115mPD.

Deliberation Session

37. A Member said that the Environment and Ecology Bureau and relevant government departments should liaise with the Hong Kong and China Gas Company Limited to identify suitable locations across the territory for provision of gas-related facilities. In response, the Chairman said that while the lease term of the gas pigging station would expire on 30.6.2047, PlanD would follow up with the relevant government bureaux/departments on the possibility of its relocation (if required) to another suitable location in due course.

38. The Committee noted that the proposed BHs of the Development Site and WSIB site both located near the western end of the “CDA” zone were 115mPD and 120mPD respectively. Two Members raised concerns that the proposed BH of 115mPD for the Development Site had not entirely respected the BH profile stated in the endorsed PB, i.e. a maximum of 120mPD descending from the east towards the lowest BH of 60mPD at the two western ends. A Member considered that the proposed BH of 115mPD for the Development Site was reasonable and conducive to its redevelopment. Another Member said that the proposed residential development under the current MLP, as compared with the proposed hotel use under the last approved MLP, was generally compatible with the land uses and BHs of the surrounding developments.

39. Some Members suggested that the BH profile of the YTB “CDA” zone, in particular the BHs of adjacent lots at the northwestern portion, should be holistically reviewed to provide an updated guidance for future developments and achieve a coherent BH profile. As regards the two government sites in the northwestern portion, i.e. the CKLSWPS and the CEDD maintenance depot, the Chairman remarked that there was no programme to relocate those facilities. Members’ concern on the BH profile in this portion could be examined and reviewed at the later stage when there was a concrete proposal for relocation/redevelopment. Another Member opined that flexibility should be allowed for individual developments so as to provide a more interesting and lively BH profile.

40. While a Member said that the landscaping proposal and PWP design proposed for the Development Site could be considered as a planning gain, another Member opined that the design of different segments of the PWP should be considered in a holistic manner. Another Member suggested exploring the possibility of providing PWP on the government sites so that a continuous PWP could be provided.

41. As for the design of the PWP within the Development Site, the Chairman reiterated that the application would be subject to an approval condition on the design and provision of the PWP to the satisfaction of the DLCS or of the Board, should it be approved by the Committee. Relevant government departments, including the Harbour Office of the Development Bureau, would be consulted as appropriate to ensure the quality and coherence of the PWP across different lots. Moreover, under an approval condition of the approved application No. A/K15/112-1, the owners of Phases I and II developments were required to design, provide, temporarily manage and maintain the segment of PWP at the CKLSWPS (until it was surrendered to the Government upon request), which was in line with a Member's suggestion to make use of such government land to facilitate the provision of a continuous PWP.

42. In response to Members' concerns related to the PB requirements, the Chairman explained that the endorsed PB for the YTB "CDA" zone was to provide guidance to facilitate the preparation and submission of MLP, while the statutory BH restriction was stipulated in the Notes of the Outline Zoning Plan. The Secretary supplemented that the PB for the YTB "CDA" zone was endorsed by the Committee on 9.4.2010. The planning circumstances had changed since its endorsement, including the promulgation of the Sustainable Building Design Guidelines and the approval of the rezoning application No. Y/K15/6. While the prescribed development requirements and restrictions as set out in the endorsed PB could be flexibly considered together with the justifications put forward by the applicant, the Committee might also consider whether the proposed BH for the Development Site was reasonable so as to allow a development be built in accordance with the current standards and requirements, given the site-specific constraints as detailed in paragraph 34(a) above.

43. The Chairman said that if the owners of other lots within the "CDA" zone decided to pursue developments with BH exceeding the statutory BH restriction or those set out in the

approved MLP, they would be required to submit fresh section 16 planning applications, and the Committee would consider such applications on a case-by-case basis.

44. Members generally had no objection to the application.

45. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Board. The permission should be valid until 22.12.2027, 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 approval conditions stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

[The Chairman thanked PlanD's representatives for attending the meeting. They left the meeting at this point.]

Agenda Item 6

Any Other Business

[Open Meeting]

46. There being no other business, the meeting closed at 10:35 a.m..