

**Minutes of 1224<sup>th</sup> Meeting of the  
Town Planning Board held on 5.6.2020**

**Present**

Permanent Secretary for Development  
(Planning and Lands)  
Ms Bernadette H.H. Linn

Chairperson

Mr Lincoln L.H. Huang

Vice-chairperson

Mr Wilson Y.W. Fung

Mr Stephen L.H. Liu

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr Lawrence W.C. Poon

Mr K.K. Cheung

Dr C.H. Hau

Mr Thomas O.S. Ho

Mr Alex T.H. Lai

Dr Lawrence K.C. Li

Professor T.S. Liu

Miss Winnie W.M. Ng

Ms Sandy H.Y. Wong

Mr Stanley T.S. Choi

Mr L.T. Kwok

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Mr K.W. Leung

Professor John C.Y. Ng

Dr Jeanne C.Y. Ng

Professor Jonathan W.C. Wong

Mr Ricky W.Y. Yu

Dr Roger C.K. Chan

Dr Venus Y.H. Lun

Mr C.H. Tse

Mr Conrad T.C. Wong

Chief Traffic Engineer (Hong Kong)

Transport Department

Mr M.K. Cheung

Chief Engineer (Works), Home Affairs Department

Mr Gavin C.T. Tse

Deputy Director of Environmental Protection (1)

Environmental Protection Department

Mr Elvis W.K. Au

Assistant Director (Regional 3), Lands Department

Mr Alan K.L. Lo

Director of Planning

Mr Raymond K.W. Lee

Deputy Director of Planning/District

Miss Fiona S.Y. Lung

Secretary

**Absent with Apologies**

Dr Frankie W.C. Yeung

Mr Franklin Yu

Mr Y.S. Wong

**In Attendance**

Assistant Director of Planning/Board

Ms Lily Y.M. Yam

Chief Town Planners/Town Planning Board

Mr Kevin C.P. Ng (a.m.)

Ms April K.Y. Kun (p.m.)

Senior Town Planners/Town Planning Board

Mr Alex C.Y. Kiu (a.m.)

Ms Annie H.Y. Wong (p.m.)

**Agenda Item 1**

[Open Meeting]

Confirmation of Minutes of the 1221<sup>st</sup> and 1222<sup>nd</sup> Meetings held on 8.5.2020 and 22.5.2020  
Respectively

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[The item was conducted in Cantonese.]

1. The draft minutes of the 1221<sup>st</sup> and 1222<sup>nd</sup> meetings held on 8.5.2020 and 22.5.2020 respectively were sent to Members before the meeting. Subject to any proposed amendments by Members on or before 8.6.2020, the minutes would be confirmed.

[Post-meeting Note: The minutes were confirmed on 8.6.2020 without amendment.]

**Agenda Item 2**

Matters Arising

(i) [Confidential Item] [Closed Meeting]

2. The item was recorded under confidential cover.

(ii) New Town Planning Appeal Received

Town Planning Appeal No. 2 of 2020

Temporary Barbecue Area for a Period of 3 Years in “Green Belt” Zone, Lot 206  
RP in D.D. 374 and adjoining Government Land, So Kwun Wat, Tuen Mun

Application No. A/TM-SKW/104

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

3. The Secretary reported that a Notice of Appeal was received by the Appeal Board Panel (Town Planning) on 26.5.2020 against the decision of the Town Planning Board (the Board) on 13.3.2020 to reject on review an application No. A/TM-SKW/104 for temporary barbecue area at a site zoned “Green Belt” (“GB”) on the approved So Kwun Wat Outline Zoning Plan No. S/TM-SKW/13.

4. The application was rejected by the Board for the following reasons :

- “(a) the proposed use is not in line with the planning intention of the “GB” zone, which is for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl, as well as to provide passive recreational outlets. There is a general presumption against development within this zone. No strong justification has been given in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the proposed use is not in line with the Town Planning Board Guidelines for ‘Application for Development within the Green Belt zone under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 10) in that the applicant fails to demonstrate that the proposed use would not generate adverse landscape impact on the surrounding areas; and
- (c) the approval of the application would set an undesirable precedent for similar applications within the “GB” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.”

5. Members noted that the hearing date of the appeal was yet to be fixed and agreed that the Secretary would act on behalf of the Board in dealing with the appeal in the usual manner.

(iii) Appeal Statistics

6. The Secretary reported that as at 1.6.2020, a total of 14 cases were yet to be heard by the Appeal Board Panel (Town Planning) and one appeal’s decision was outstanding. Details of the appeal statistics were as follows :

Allowed	36
Dismissed	162
Abandoned/Withdrawn/Invalid	203
Yet to be Heard	14
Decision Outstanding	1
Total	416

### **Tuen Mun & Yuen Long West District**

#### **Agenda Item 3**

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/YL-TT/477

Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lot 2964 S.B in D.D. 116, Kong Tau Tsuen, Yuen Long (TPB Paper No. 10655)

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[The item was conducted in Cantonese.]

#### **Presentation and Question Sessions**

7. The following Planning Department (PlanD)’s and the applicant’s representative were invited to the meeting at this point :

##### **PlanD’s Representative**

Mr Kepler S.Y. Yuen - District Planning Officer/Tuen Mun & Yuen Long West (DPO/TMYLW)

##### **Applicant and Applicant’s Representative**

*Winner Surveying Consultants Company* - Applicant

Mr Wong Wing Kin - Applicant’s representative

8. The Chairperson extended a welcome and briefly explain the procedure of the review hearing. She then invited DPO/TMYLW, PlanD to brief Members on the review application.

9. With the aid of a PowerPoint presentation, Mr Kepler S.Y. Yuen, DPO/TMYLW, PlanD, briefed Members on the background of the review application including the consideration of the application by the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board), justifications provided by the applicant, departmental and public comments, and planning considerations and assessments as detailed in TPB Paper No. 10655 (the Paper).

[Mr Conrad T.C. Wong arrived to join the meeting at this point.]

10. The Chairperson then invited the applicant's representative to elaborate on the review application.

11. With the aid of a visualizer, Mr Wong Wing Kin, the applicant's representative, made the following main points :

- (a) the application site (the Site) was carved out from Lot 2964 in D.D. 116. It was an infill site surrounded by existing Small Houses, and Small House application had been submitted since 2014;
- (b) there was no village 'environs' ('VE') boundary for Kong Tau San Tsuen nor Kong Tau Tsuen, which were recognized villages, and the Lands Department (LandsD) gave no explanation as to why there was no 'VE' for the two recognized villages in its comments on the planning application. Accordingly, criteria (B)(a) and (B)(b) of the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories (Interim Criteria) should not be applicable to the application, and land availability in the "Village Type Development" ("V") zone in meeting the demand for Small House development was irrelevant;
- (c) the proposed Small House was compatible with the surrounding Small House developments in terms of land use, scale, design and layout, and the application met criteria (B)(d) and (B)(g) of the Interim Criteria, and sympathetic consideration should be given;

- (d) the Site was covered by an approved previous application (No. A/DPA/YL-TT/12) for two Small Houses. Thus, a precedent had already been set. The circumstances of the Site were unique and dissimilar to the five rejected similar applications as quoted by PlanD in the Paper. Approval of the application would not set any undesirable precedent because there would not be any similar application;
- (e) the Site was hard paved, and being used as the private garden of the approved house at Lot 2964 RP in D.D. 116. Approval of the application would not result in any degradation of the rural agricultural character as suggested by PlanD. It was noted that the Director of Agriculture, Fisheries and Conservation and the Chief Town Planner/Urban Design and Landscape of PlanD, had no adverse comment on/objection to the application; and
- (f) it was the Board's practice to rezone sites with planning approval to reflect the approved use subsequent to completion of the approved development. For example, the former San Miguel brewery in Sham Tseng was rezoned from "Comprehensive Development Area" to "Commercial/Residential" to reflect the approved development. Similarly, the Site and its adjoining area should have been rezoned to "V" upon completion of the two approved houses under application No. A/DPA/YL-TT/12. If the Board decided to reject the application upon review, the applicant would like to request the Board to rezone the Site to "V" at the next round of Outline Zoning Plan amendments.

12. As the presentations from DPO/TMYLW, PlanD and the applicant's representative had been completed, the Chairperson invited questions from Members.

[Ms Winnie W.M. Ng and Ms Sandy H.Y. Wong arrived to join the meeting during the presentation of the applicant's representative.]

13. Members had the following questions :

- (a) the relationship of the owner of the Site with the owners of the two houses at the original Lot 2964 in D.D. 116, if any;

- (b) whether Kong Tau San Tsuen was represented at the Shap Pat Heung Rural Committee; and
- (c) elaboration on why, in the applicant's opinion, the absence of 'VE' for Kong Tau Tsuen/Kong Tau San Tsuen would render criteria (B)(a) and (B)(b) of the Interim Criteria inapplicable, in particular, why the availability of land in the "V" zone for Small House development was an irrelevant consideration.

14. In response, Mr Wong Wing Kin, the applicant's representative, made the following points :

- (a) Mr Lee Ho Yin, an indigenous villager of Tung Tau Tsuen in Shap Pat Heung, commissioned the applicant to submit the planning application for Small House development. He had no knowledge as to whether Mr Lee was related to the owners of the two houses at the original Lot 2964 in D.D. 116;
- (b) to his knowledge, Kong Tau San Tsuen was not represented at the Shap Pat Heung Rural Committee; and
- (c) criteria (B)(a) and (B)(b) of the Interim Criteria made reference to the percentage of the proposed Small House footprint within the 'VE'. Since there was no 'VE' for Kong Tau Tsuen/Kong Tau San Tsuen, the said criteria should not be applicable to the application. It followed that the rest of criteria (B)(b) on availability of land for Small House development was irrelevant. Besides, the 10-year Small House demand forecast of 391 houses mentioned in the Paper did not include cross-village applications within the same Heung outside the four villages of the "V" zone. Therefore, the assertion that there was no general shortage of land in meeting the demand for Small House development in the subject "V" zone was questionable.

15. With the aid of a PowerPoint slide showing the Interim Criteria, Mr Kepler S.Y. Yuen, DPO/TMYLW, PlanD, responded that criterion (B)(b) was indeed applicable to the application. As more than 50% of the proposed Small House footprint was located outside the 'VE' and not less than 50% of the proposed Small House footprint fell within the "V" zone, favourable consideration would only be given if there was a general shortage of land in meeting the demand for Small House development in the "V" zone.

[Mr Alex T.H. Lai arrived to join the meeting at this point.]

16. As Members had no further question on the application, the Chairperson said that the hearing procedure for the review application had been completed. The Board would further deliberate on the review application. The Chairperson thanked PlanD's and the applicant's representatives for attending the meeting, and they left the meeting at this point.

#### Deliberation Session

17. The Chairperson pointed out that the Interim Criteria was applicable to the application. Members unanimously agreed that the applicant failed to provide strong justifications to address the rejection reasons, and there was no justification to depart from the RNTPC's decision to reject the application.

18. After deliberation, the Board decided to reject the application on review for the following reasons :

- “ (a) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that there is no general shortage of land in meeting the demand for Small House development in the “Village Type Development” zone of Kong Tau Tsuen, Kong Tau San Tsuen, Nga Yiu Tau and Tong Tau Po Tsuen; and
- (b) approval of the application would set an undesirable precedent for similar applications in the subject “Agriculture” zone resulting in a general degradation of the rural agricultural character of the area.”

**Hong Kong District**

**Agenda Item 4**

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Representations and Comments in respect of the Draft Pok Fu Lam Outline Zoning Plan No. S/H10/18  
(TPB Paper No. 10653)

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[The item was conducted in Cantonese and English.]

19. The Secretary reported that the proposed amendment items were located at/near Cyberport. The Hong Kong Cyberport Management Company Limited (HKCMCL) (R6/C1), Hong Kong United Youth Science and Technology Association (R7), the Mass Transit Railway Corporation Limited (MTRCL) (R21), Hong Kong New Generation Cultural Association (HKNGCA) (R29), the Island South Property Management Limited (ISPML) (R105) and Ms Mary Mulvihill (R161/C32) had submitted representations/comments. In addition, Urbis Limited (Urbis) was HKCMCL's consultants for the Cyberport expansion project. The following Members had declared interests on the item :

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| Mr Peter K.T. Yuen | - being a Member of the Board of Governors of the Arts Centre, which had collaborated with the MTRCL on a number of arts projects;                           |
| Mr K.K. Cheung     | - his firm having current business dealings with HKCMCL, MTRCL, HKNGCA, ISPML and Urbis, and hiring Ms Mary Mulvihill on a contract basis from time to time; |
| Mr Thomas O.S. Ho  | - his firm having current business dealings with MTRCL and Urbis;  |

- Mr Alex T.H. Lai - his former firm having current business dealings with HKCMCL, MTRCL, HKNGCA, ISPML and Urbis, and hiring Ms Mary Mulvihill on a contract basis from time to time;
- Professor T.S. Liu - having current education programme with the Caritas Pokfulam Community Development Project Centre at Pok Fu Lam Village;
- Ms Sandy H.Y. Wong - being a personal friend of the Chief Executive Officer (CEO) of HKCMCL;
- Mr Stanley T.S. Choi - being a Director of the Hong Kong United Youth Association Limited which was the parent association of the Hong Kong United Youth Science and Technology Association;
- Mr. Stephen L.H. Liu - co-owning with spouse flats at Fulham Garden and Chi Fu Fa Yuen; and
- Professor Jonathan W.C. Wong ] family member(s) living in Wah Fu Estate.  
Mr C.H. Tse ]

20. As the interests of Mr Peter K.T. Yuen and Professor T.S. Liu were indirect, Messrs K.K. Cheung, Thomas O.S. Ho, Alex T.H. Lai, Ms Sandy H.Y. Wong and Mr Stanley T.S. Choi had no involvement in the representations, and the properties of Mr. Stephen L.H. Liu, and the residence of Professor Jonathan W.C. Wong's and Mr C.H. Tse's family member(s) did not have direct view of the representation sites, they could stay in the meeting.

## Presentation and Question Sessions

21. The Chairperson said that notification had been given to the representers and commenters inviting them to attend the hearing, but other than those who were present or had indicated that they would attend the hearing, the rest had either indicated not to attend or made no reply. As reasonable notice had been given to the representers and commenters, Members agreed to proceed with the hearing of the representations and comments in their absence.

22. The following government representatives were invited to the meeting :

### **Government Representatives**

#### *Planning Department (PlanD)*

- Mr Louis K.H. Kau - District Planning Officer/Hong Kong (DPO/HK)
- Mr Mann M.H. Chow - Senior Town Planner/Hong Kong (STP/HK)

#### *Innovation and Technology Bureau (ITB)*

- Ms Eva Y.L. Yam - Principal Assistant Secretary for Innovation and Technology (3) (PAS(IT)3)
- Ms Salina K.T. Mak - Assistant Secretary for Innovation and Technology (3A) (AS(IT)3A)

#### *Transport Department (TD)*

- Mr Ivan K.F. Cheung - Senior Engineer, Traffic Engineering (Hong Kong) Division (SE, TE(HK))

23. The following representers and their representatives of the first session were invited to the meeting at this point.

### **Representers and their Representatives**

R6 - Hong Kong Cyberport Management Company Limited

R14 - Hong Kong Wireless Technology Industry Association

R19 - The Association of Cloud and Mobile Computing Professionals

R22 - Hong Kong New Emerging Technology Education Association

R57 - 李健虎 Lie Kin Fu Tiger

Hong Kong Cyberport Management Company Limited	-	Representer & representers' representative
Mr Yan King Shun	]	Representers'
Mr Lo Chi Heng	]	representatives
Mr Cheng Hay Wing Howard Brain	]	
Mr Chan Cho Sing Joel	]	
Mr MacDonald Alan Forbes	]	
Ms Cheung Lai Yung Oliver	]	
Mr Lo Lam Steve	]	

R7 - 香港青聯科技協會

Ms Wong Lai Fong Yvonne	-	Representer's representative
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R18 - Esperanza

Ms Rachel Chan	-	Representer's representative
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R20 - Benefit Vantage Limited

Mr Christopher Andrew Bellamy	-	Representer's representative
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R23 – The Hong Kong Association for Computer Education

Mr Leung Ka Hung	-	Representer's representative
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R24 - Omega International Health Service Limited

Dr K.C. Jonathan Lau	-	Representer's representative
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R29 - Hong Kong New Generation Cultural Association

Dr Jimmy Wong Kam Yiu	-	Representer's representative
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R31 - DSG Finance Holdings (Hong Kong) Limited

Ms Huang Li - Representers's  
representative

R32 - Genius Development Workshop Company Limited

Mr Ma Biu - Representers's  
representative

R39 - Find Solution Ai Ltd

Ms Viola Lam - Representers's  
representative

R47 – Hung Wai Man (洪為民)

Mr Hung Wai Man - Representers

R56 - Wong Kam Fai

Mr Wong Kam Fai - Representers

R96 - 互聯網專業協會

Mr Lam Hon Wai - Representers's  
representative

24. The Chairperson extended a welcome. The representers, commenters and their representatives had been informed that the hearing would be split into two sessions. She then briefly explained the procedures of the hearing. She said that PlanD's representative would be invited to brief Members on the representations and comments. The representers, commenters, and their representatives would then be invited to make oral submissions. To ensure the efficient operation of the meeting, each representer, commenter or his or her representative would be allotted 10 minutes for making oral submissions. There was a timer device to alert the representers, commenters or their representatives two minutes before the allotted time was to expire, and when the allotted time limit was up. A question and answer (Q&A) session would be held after all attending representers, commenters or their representatives of each session had completed their oral submissions. Members could direct their questions to the government representatives or the representers, commenters and their

representatives. After the Q&A session of each session, representers, commenters or their representatives would be invited to leave the meeting, while the government's representatives would be invited to leave the meeting upon completion of all the Q&A sessions. The Town Planning Board (the Board) would deliberate on the representations and comments after the completion of all the Q&A sessions and inform the representers and commenters of the Board's decision in due course.

25. The Chairperson then invited PlanD's representatives to brief Members on the representations and comments.

26. With the aid of a PowerPoint presentation, Mr Mann M.H. Chow, STP/HK, briefed Members on the representations and comments, including the background of the amendments, the grounds/views/proposals of the representers and commenters, planning assessments and PlanD's views on the representations and comments as detailed in the TPB Paper No. 10653 (the Paper). He drew Members' particular attention to Representer R101 who clarified that while the principle of rezoning the area under Item C1 was supported, it was premature to rezone Representation Site C1 (Site C1) for proposed school development in the absence of a traffic impact assessment (TIA).

27. The Chairperson then invited the representers and their representatives of the first session to elaborate on their representations.

R6 - Hong Kong Cyberport Management Company Limited

R14 - Hong Kong Wireless Technology Industry Association

R19 - The Association of Cloud and Mobile Computing Professionals

R22 - Hong Kong New Emerging Technology Education Association

R57 - 李健虎 Lie Kin Fu Tiger

28. With the aid of a PowerPoint presentation, Mr Yan King Shun made the following main points :

- (a) he was the Chief Executive Officer (CEO) of HKCMCL. Cyberport was wholly owned by the Hong Kong Government to promote Innovation and Technology (I&T) development with a view to diversifying the territory's economic base;

- (b) Cyberport had formed a digital community of over 1,550 member companies, including some successful startups such as GOGOVAN, Bowtie, and Klook, with \$13 billion of cumulative funding raised as of April 2020. Cyberport's digital community provided a strong driving force for the territory's I&T development. The companies in the Cyberport Pokfulam campus had diversified backgrounds, the owners of about one-third of them were non-local and generally used Hong Kong as their base to enter other markets;
- (c) Cyberport aimed to establish a complete I&T ecosystem and housed a wide range of supporting establishments, including venture capitalists, professional service providers, government authorities/regulators, universities, large I&T enterprises and accelerators, for its startup community. It offered a number of support programmes, including the Cyberport Incubation Programme and rent-free digital tech space, for companies/individuals to turn their ideas into business applications. Cyberport also invested in its incubatees with good business potential;
- (d) in terms of industry development, Cyberport's current main focus was on the Financial Technology (FinTech), Smart Living, and Digital Entertainment/Electronic Sports (E-Sports) sectors. Hong Kong played a leading role in the area of FinTech in Asia. Cyberport's community accounted for some two-thirds of and had made significant contributions to the industry. Many leading I&T enterprises also established offices/experience centres in Cyberport to provide platforms for showcasing startups' I&T applications for Smart Living and development of digital entertainment/E-Sports applications;
- (e) Cyberport underwent rapid development over the past few years particularly due to major I&T breakthroughs like Artificial Intelligence (AI), cloud computing, etc., and was in urgent need for expansion. Taking its incubation programme as an example, while Cyberport had increased its annual intake of incubatees from 50 to 130, the number of applications received remained high at over 700 in 2019, resulting in over 500

applications being turned down in recent years on average. This was partly due to insufficient digital tech space in Cyberport;

- (f) Cyberport also lacked suitable conference facilities for holding large scale (1,000 participants and above) I&T events. Currently, its multi-function hall could only accommodate a maximum of 300 participants. The territory itself was also experiencing a shortage of conference facilities to meet the demand for venue of large events. As a result, Cyberport had to turn down a number of large scale I&T events in 2019, two of which were eventually held in Shenzhen and Singapore;
- (g) existing space of Cyberport, including the recently completed Smart-Space 8 (SS8) in Tsuen Wan, had almost been fully utilized. To meet its operational needs, HKCMCL proposed to develop Site A1 into a digital tech space providing office space for about 100 I&T related companies, co-working space for some 750 startups, a multi-function hall of around 1,000-person capacity which could be partitioned into three event venues and each for 300-400 participants, a data services platform, with supporting food/beverage (F&B) and retail outlets;
- (h) another key consideration in the planning of the Cyberport expansion project was to develop the existing temporary waterfront park at Site A2 into a permanent public open space with a 800m long waterfront promenade, enhanced landscape facilities, pet-friendly facilities, amenities and smart facilities (including 5G applications). There was no major enhancement/construction of permanent facilities before because the existing temporary park was entrusted to HKCMCL under a temporary management contract with the land reserved for the formerly proposed Route 7;
- (i) HKCMCL noted the community's concerns on the visual, traffic and open space provision aspects of the Cyberport expansion project, and had conducted at least 10 local consultation exercises with the Southern District Council (SDC) and owners' committees of nearby residential developments over the past year. The preliminary design had already taken into account

the local views, and HKCMCL would continue to liaise with the local community during the detailed design stage;

- (j) in terms of traffic, the traffic flow generated by the development of Cyberport 5 would be in the reverse direction to the residential traffic in the area during both the morning and evening peak hours. HKCMCL's TIA concluded that Cyberport 5's traffic impacts would not be insurmountable, and suitable junction improvement measures had been proposed to mitigate those impacts. Discussions were being held with bus and green minibus (GMB) operators to review the frequency of public transport services to/from Cyberport after completion of the proposed development; and
- (k) on visual impact, Cyberport 5 would be within the planned building height restriction (BHR) and in line with the general stepped height profile of the area. It had also adopted a terraced design to minimize the visual impact on the surroundings. Provision of greening on the building would also be maximized. In addition to at-grade open space, sheltered open space, sky garden and landscaped viewing platforms would be provided for public enjoyment. This would also help to improve the area's air ventilation.

R7 - 香港青聯科技協會

29. Ms Wong Lai Fong Yvonne made the following main points :

- (a) the association supported the Cyberport expansion project and the related Items A1 and A2;
- (b) in order to achieve the Government's policy objective of developing the Greater Bay Area into an International I&T Hub, Hong Kong should invest more, land resources in particular, in the I&T sector. Cyberport, being the key driving force in Hong Kong's I&T development, needed more land to help make the territory's I&T sector bigger and stronger. The long-term economic benefits of the Cyberport expansion project should not be underestimated;

- (c) Cyberport was the only I&T conglomerate on the Hong Kong Island, and many I&T events/activities were conducted in Cyberport. It was discouraging that larger scale I&T events would need to be conducted in neighbouring areas like Shenzhen due to a lack of space in Hong Kong; and
- (d) while the Cyberport expansion project might generate some impacts on the nearby residents, there was a need for expansion space in the vicinity of Cyberport to achieve the synergy effect. The association appealed to the Board's and the community's support for the Cyberport expansion project.

[Mr Stanley T.S. Choi arrived to join the meeting at this point.]

#### R18 – Esperanza

30. Ms Rachel Chan made the following main points:

- (a) Esperanza was a new non-governmental organization (NGO) looking for a new way of living, working and learning in the 21<sup>st</sup> Century, i.e. Smart Living. It had been lobbying a NGO in the United States to hold an Asian version of its annual EdTech conference in Hong Kong, but to no avail simply because no conference venue in Hong Kong was big enough to hold such an event which had some 20,000 participants;
- (b) despite our economic prosperity, Hong Kong lagged behind most countries in digital literacy. Without a sufficiently digital literate talent base, no I&T development would be possible. The Cyberport expansion project could help in this regard by enhancing both our I&T talent base and infrastructure; and
- (c) there was a need for a living laboratory to pilot test the Smart City concept. In many northern European countries, for example, parks were no longer equipped with traditional children play facilities like swings and slides. Instead, they were integrated with various I&T facilities as an outdoor classroom for kids to learn how technology could be applied to daily life.

R20 - Benefit Vantage Limited

31. Mr Christopher Andrew Bellamy made the following main points:

- (a) Hong Kong had been a centre for Asian innovation in various industries, from finance to logistics. However, these traditional industries were under revolutionary technological change, and if they failed to integrate with the rapidly changing technology, Hong Kong would be left behind. I&T businesses would leave Hong Kong for places like Singapore and South Korea; and
- (b) working in Cyberport on a daily basis, he saw not only how important Cyberport was, but also the space limitations that Cyberport was facing. Cyberport was a venue for free collaboration of ideas, and the space limitations of Cyberport made it less than ideal for this purpose. The Cyberport expansion project was hence supported.

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

R24 - Omega International Health Service Limited

32. Dr K.C. Jonathan Lau made the following main points :

- (a) despite the low financial return, his company established a clinic in Cyberport's arcade a few months ago to explore the possibility of establishing a medical system, integrated with technology, to look after the community; and
- (b) he found the living laboratory of Cyberport 5 particularly attractive in that it could bring the point of care closer to work and home, rather than in the clinic during traditional medical consultation. Cyberport was a very good venue for HealthTech development, and the Cyberport expansion project was supported.

R29 - Hong Kong New Generation Cultural Association

33. Dr Jimmy Wong Kam Yiu made the following main points :
- (a) his association was a youth organization which had served Hong Kong for 45 years already. The association had cooperated with Cyberport in holding education and I&T activities for 12 years since 2008;
  - (b) through the years, the association had discovered many talented youths who eventually became quite successful in the I&T sector, a notable example was Mr Stark Chan Yik-hei. The Association recommended him to join Cyberport's startup programme upon his graduation from the university. Now Mr Chan had been running his own company in Cyberport for 10 years;
  - (c) in recent years, there was an increased emphasis on science, technology, engineering and mathematics (STEM) education, and the association had been organizing large scale STEM activities annually. As Cyberport could not provide space for the association's events/activities which had over 1,000 participants, there had been less cooperation between the two organizations since 2015. The two organizations could only cooperate on smaller scale activities like the International STEMathon 2019 which had around 200 participants. Therefore, the association supported the Cyberport expansion project; and
  - (d) the waterfront advantage of Site A should be well-utilized, for example the pier at Site A2 could be used for construction materials/waste delivery to minimize any road traffic impact during the construction stage or transporting visitors during the operation stage.

R32 - Genius Development Workshop Company Limited

34. Mr Ma Biu made the following main points :
- (a) scientists needed to be trained starting from their childhood, preferably around 3 to 10 years old (primary school) when they were most curious about the

things around them. His company specialized in that area and had cooperated with Cyberport for over one year; and

- (b) his company supported the Cyberport expansion project as the current space limitation in Cyberport had constrained its development.

### R39 - Find Solution Ai Limited

35. Ms Viola Lam made the following main points :

- (a) she was this year's Co-President of the Cyberport Startup Alumni Association (CSAA). CSAA supported the Cyberport expansion project;
- (b) the I&T sector accounted for less than 1% of Hong Kong's Gross Domestic Product (GDP), and yet Cyberport was one of the few organizations which devoted a very substantial amount of resources in supporting the development of the I&T sector. Cyberport also provided a venue for startups to meet investors to raise funds;
- (c) her company was able to join Cyberport's incubation programme, obtained Cyberport's investment funding, and raised some US\$5 million's funding from investors in 2019. That said, her company had waited two years for digital tech space in Cyberport. While prestigious digital tech space was available elsewhere, the key to success was the conglomeration of I&T people, which could only be found in Cyberport;
- (d) innovative products and solutions required a testing ground to test their accuracy and efficacy. That required corroboration with universities, scholars, specialist organizations, etc. This could not be easily found in Hong Kong other than in technology parks such as Cyberport. Her company had been in contact with renowned institutions around the world such as the University College London (UCL) and University of California, Berkeley (UC Berkeley), appealing to them to set up an office in Hong Kong, but Cyberport did not have space for those organizations; and

- (e) Hong Kong had 340,000 small and medium enterprises (SMEs), and almost 50% of Hong Kong's working population worked in SMEs, which grew from startups. Cyberport could provide opportunity, platform and funding for those startups.

R56 - Wong Kam Fai

36. Mr Wong Kam Fai made the following main points :

- (a) he worked in the Chinese University of Hong Kong (CUHK) and was responsible for I&T and enterprise education, and fully supported the Cyberport expansion project;
- (b) tertiary education institutes like CUHK was responsible for nurturing students, who needed platforms like Cyberport and Science Park to put their ideas into businesses. However, both did not have enough space to incubate all the talented students currently; and
- (c) the number of students spinning off into startups had increased by 40% between 2017 to 2019. Those startups needed someone to teach them how to do business, and turning ideas into products required prototyping and testing. Finally, the startups would need to create markets for and refine their products. Cyberport and Science Park provided all three elements to help startups. None of those requirements would be possible in the commercial world which was profit-oriented. The testing stage in particular, would also be benefited by the synergy of related I&T companies in the same environment.

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

R96 - 互聯網專業協會

37. Mr Lam Hon Wai made the following main points :

- (a) most members of his association were from Cyberport;

- (b) Cyberport held over 120 international and local I&T activities in 2019 to facilitate exchanges among the I&T sector. With Cyberport's efforts, Hong Kong was able to catch up with neighboring areas in I&T development;
- (c) Cyberport was the largest I&T accelerator in Hong Kong, and was the first choice for startups in Hong Kong and its neighbouring areas. A lack of space would undermine the synergy effect, reduce exchanges between companies and reduce investor's investment interest if there were insufficient companies within Cyberport to choose from;
- (d) other I&T accelerators in the Greater Bay Area was a few times bigger than Cyberport. Expansion was the only option for Cyberport to maintain its competitiveness;
- (e) regarding other representers' concerns on the construction/operation traffic of the Cyberport expansion project, suitable measures had already been proposed to mitigate any traffic impact. It should also be noted that most I&T startups would be adopting flexible working hours, and well supported by I&T applications to allow them to work anywhere, anytime; and
- (f) regarding other representers' proposals to reduce the scale of Cyberport's expansion, the association considered the current proposed scale of Cyberport expansion appropriate, as it was the outcome of a series of consultations. Like other basic infrastructures, the Cyberport expansion project would need to cater for the demand of future growth as well as to meet the existing deficit.

38. As the presentation from the government representatives, representers and their representatives of the first session had been completed, the meeting proceeded to the Q&A session for the first session. The Chairperson explained that Members would raise questions and the Chairperson would invite the government representatives, representers and their representatives to answer. The Q&A session should not be taken as an occasion for the attendees to direct questions to the Board or for cross-examination between parties. The Chairperson then invited questions from Members.

Role of Cyberport and Science Park

39. Some Members asked the government representatives about the difference in roles/division of labour between Cyberport and Science Park. A Member also raised the same question to Representer R56 for his views from the user's perspective.

40. In response, Ms Eva Y.L. Yam, PAS(IT)3, ITB, advised that I&T was a very broad sector involving different technologies and areas of development. While both Cyberport and Science Park help nurture startups, their major differences lay in the respective organization's positioning and working objectives. Cyberport's emphasis was on provision of IT applications and solutions in different areas, such as FinTech, EdTech, big data, etc. as well as bringing about digital transformation of traditional industries, whereas Science Park's emphasis was on bio-technology (BioTech), robotics, etc. which led to production and industrialization. It should be noted that some overlapping between Cyberport and Science Park was inevitable.

41. Mr Yan King Shun, the representative of R6, supplemented, using smart phone development as an example, that the major differences between Cyberport and Science Park were that the former would focus on software development, like mobile applications, etc., whereas the latter would mainly focus on hardware development, such as chips, camera technology, etc.

42. Mr Wong Kam Fai, R56, responded that for technology development, prototyping, market trial, R&D projects, CUHK would recommend its students to go to Science Park, which was stronger in industrial production. For application development, Smart Living and FinTech projects, CUHK would recommend its students to approach Cyberport.

Cyberport's Existing Operation

43. Some Members raised the following questions to the government representatives and Representer R6:

- (a) ownership of the existing pier at the Cyberport Waterfront Park;
- (b) the proportion of local companies in Cyberport's existing tenant profile;

- (c) the amount of floorspace available for rent in the existing Cyberport development, and whether the low vacancy rate was a result of low rent;
- (d) whether HKCMCL had any guidelines on the percentage of floorspace to be rented to non-I&T related companies;
- (e) noting that many shops in the Arcade were not I&T related, whether the non-I&T related space could be redeployed as I&T co-working space instead;
- (f) the queueing/waiting time for renting digital tech space and booking of conference facilities;
- (g) why physical space would be needed in Cyberport when its tenants were mostly engaged in software development which should not be location-bounded;
- (h) in what way could Cyberport create a synergy effect and Cyberport's strategy to encourage innovation;
- (i) integration of Cyberport with its neighbourhood;
- (j) the average age of Cyberport's working population; and
- (k) funding and company profile of HKCMCL.

44. In response, Mr Louis K.H. Kau, DPO/HK, PlanD, advised that both the Cyberport Waterfront Park and the pier were under the Government's ownership.

45. In response, Mr Yan King Shun made the following main points :

- (a) about two-thirds of Cyberport's existing tenants were local companies. While the founder of the remaining one-third of the companies might have a non-local origin, Cyberport required all those companies to have a Hong Kong business registration;

- (b) Cyberport had less than 10,000 m<sup>2</sup> (or 7%) of vacant office space available for rent at the moment. The rent of Cyberport's office space was comparable to the market rent at similar locations, such as Wong Chuk Hang. The Arcade was also let out at market rent. By nature, the rent of Cyberport's co-working space was very competitive;
- (c) there were clear guidelines on tenancy of Cyberport's digital tech space for I&T related companies and their supporting departments/personnel office;
- (d) the waiting time for co-working space was generally around three to six months. One-month's notice was usually required for the booking of conference facility which had a maximum capacity of 300 persons only;
- (e) HKCMCL reviewed the tenancy profile of its Arcade tenants regularly, and was in the process of introducing different I&T related elements into different levels of the arcade. The process might take longer than one would wish as HKCMCL would need to honor the existing tenancy contracts to allow non-I&T related shops to continue their operation until the end of the contract. Besides, some F&B outlets and convenient stores were being added to cater for the needs of its tenants and the local community;
- (f) while digital applications could be programmed in the virtual environment, physical space for other parts of the development cycle and certain activities was still required. The recent coronavirus pandemic demonstrated that virtual environment could not completely replace physical space as human beings were accustomed to certain level of physical interaction and direct face-to-face exchange;
- (g) large scale events, which fostered face-to-face exchanges among participants and in turn create collaboration opportunities and synergy effects, could not be conducted without sufficient physical space;

- (h) Cyberport had a good relationship with SDC and the local community, and held regular activities to connect with the community. Cyberport also screened free movie shows every weekend for the local community to enjoy. Opportunity was also taken to showcase the applications developed by its startups. Cyberport had transformed the atrium of its Arcade in 2019 into an E-Sports arena for holding digital entertainment and E-Sports activities to help the community embrace I&T;
- (i) while he had no statistics on the age profile of Cyberport's working population in hand, many of them were in their 30s; and
- (j) HKCMCL was wholly owned by the Government, and its Board of directors were appointed by the Government. Cyberport's daily operation was self-financed primarily based on rental income.

46. Mr Wong Kam Fai supplemented that while software applications could be developed in virtual space, physical space was still required for prototype testing and market trial.

47. Ms Wong Lai Fong Yvonne, R7, as the Vice-President of Internet Professional Association (iProA), supplemented that iProA jointly organized the Global ICT Summit with Cyberport in 2004, bringing in top I&T professionals of the world to Hong Kong. In 2014, iProA and Cyberport cooperated again to organize the first Internet Finance Forum when there was no such concept as FinTech. Now, there were two FinTech companies in Cyberport which had been granted the virtual banking licence. The synergy effects of such events should not be underestimated, and physical space was required to hold such events. Face-to-face interaction was always a more effective form of communication than message-texting.

#### Cyberport 5

48. Some Members raised the following questions to the government representatives and Representer R6:

- (a) the timeframe for completion of the Cyberport 5 development;

- (b) the financing model for the Cyberport 5 development;
- (c) whether HKCMCL had considered reducing the height of the above-ground portion of the building, or extending the footprint of the building southwards into the adjacent waterfront park, or using more of the northern portion of the site given the local community's concerns were on the visual impact due to its height;
- (d) elaboration on the design concept of the indicative development scheme;
- (e) impact of the recent coronavirus pandemic on Cyberport 5, and whether changes to the proposed development was necessary;
- (f) the Government's estimates on the virtual and physical space demand of the I&T sector;
- (g) whether Cyberport's floorspace had been fully utilized or not; and
- (h) noting the flexibility of co-working space and the success in running a co-working facility in Tsuen Wan, whether HKCMCL had considered the off-site expansion option.

49. In response, Ms Eva Y.L. Yam made the following main points :

- (a) upon the completion of the plan-making procedures, HKCMCL would proceed with the detailed design, and consult the SDC and the Legislative Council (LegCo). ITB would then apply for funding approval of the Cyberport 5 development (about HK\$5.05 billion) and the Waterfront Park development (about HK\$0.54 billion) from the LegCo Finance Committee. The whole project was scheduled for completion in 2024 at the earliest;
- (b) the I&T sector was less adversely affected than other sectors by the recent coronavirus pandemic. In fact, the epidemic had brought about opportunities for some elements of the IT sector. ITB considered that the Cyberport expansion project should go ahead as originally planned. In the

long run, ITB saw increasing opportunity for I&T development with increasing demand on I&T applications. It was also ITB's policy objective for I&T to be a driver of economic development and to inject new momentum into Hong Kong's economy. Diversification of Hong Kong's economy was very important. Another important function of Cyberport was to create more opportunities for the youth; and

- (c) while she had no exact figures in hand, there was a strong demand for land in Hong Kong for I&T development.

50. In response, Mr Yan King Shun made the following main points :

- (a) HKCMCL was aware of the local's concerns on the visual aspect of the Cyberport 5 development and had tried to balance such visual concerns against the demand of floorspace for I&T development. Lowering the BH of Cyberport 5 without a reduction in floorspace would inevitably result in a reduction of public open space. The current indicative scheme had adopted a terraced design and employed abundance of greening to minimize visual impacts;
- (b) while the recent coronavirus pandemic might have some short-term negative economic impacts on Cyberport, he also saw positive effects like increased demand for training, I&T development and Cyberport's startup services. The net effect was still a big unknown. The education sector, for example, had been less proactive in embracing I&T in the past, but had no choice under the coronavirus pandemic other than improving its facilities to enable the offering of home/online-learning. Food delivery also benefited from the coronavirus pandemic. All those would lead to a more vibrant I&T sector;
- (c) Cyberport 5 would have a total gross floor area (GFA) of about 66,000 m<sup>2</sup>, 43,000 m<sup>2</sup> of which would be digital tech space, including office and co-working space to accommodate some 850 I&T enterprises, startups and related companies. That amount of floorspace would be needed to meet the long-term demand as Hong Kong had been lagging behind other Asian

cities in developing I&T and Cyberport had also been turning down around 500 applications on average for admission into its incubation programme in recent years. The remaining 22,500 m<sup>2</sup> was for essential facilities, including conference venue, data services platform (for sandbox and conducting cybersecurity training, etc.), and supporting F&B and retail facilities. HKCMCL would like to have more floorspace to meet the demands but the current proposal was considered optimal given the community's concerns on visual impact; and

- (d) HKCMCL had a total of eight co-working facilities, seven of which were in Cyberport Pokfulam campus while the remaining one was in Tsuen Wan (SS8). The utilization of SS8 had reached over 90% in less than one year. In fact, utilization of all the digital tech space, including office and co-working spaces in Cyberport had been above 90% over the past few years. It should also be noted that the opening of SS8 capitalized on the many E-Sports developers scattered around Tsuen Wan's industrial buildings and created a digital entertainment community in the area.

51. In response, Mr Louis K.H. Kau advised that the northern portion of Site A1 was triangular in shape and constrained by the presence of two drainage reserves. It was HKCMCL's design intention to avoid encroaching or affecting the reserves. It was noted that part of the Cyberport 5 building was cantilevered over another drainage reserve at the southern portion of Site A1. Perhaps similar design could be considered at the detailed design stage for the northern portion of Site A1 if it would not affect the efficiency of spatial planning.

#### Cyberport Waterfront Park

52. The Chairperson and some Members raised the following questions to the government representatives and Representer R6 :

- (a) whether further reduction in the area of the "O" zone would result in inadequate overall district or local open space provisions for Pok Fu Lam;
- (b) in what way would the long-term management contract enable HKCMCL to better manage the Cyberport Waterfront Park;

- (c) any proposal(s) for the Cyberport Waterfront Park development;
- (d) noting the rare large waterfront site, the long waterfrontage, and the good water quality off the coast of Cyberport, whether water sports and swimming were allowable, and whether water-related I&T facilities could be incorporated into the waterfront park;
- (e) connectivity of the waterfront park; and
- (f) whether HKCMCL had enough expertise to maintain the waterfront park.

53. In response, Mr Louis K.H. Kau made the following main points :

- (a) there was about 13 ha surplus of open space provision on the OZP according to the requirements of the Hong Kong Planning Standards and Guidelines (HKPSG). That said, the existing temporary park was highly patronized by the general public, and therefore it would be desirable to maintain the existing amount of open space provision as far as possible;
- (b) in view of the land reservation for the previously proposed Route 7, HKCMCL was only given temporary management responsibility over the Cyberport Waterfront Park and hence, HKCMCL could not plan for long-term facility improvements in the park. With the rezoning of land to “Open Space” (“O”) for permanent open space development, HKCMCL could provide permanent facilities in the park. HKCMCL was committed to taking up management and maintenance responsibilities of the enhanced Cyberport Waterfront Park;
- (c) minimization of visual impacts on nearby existing developments was one of the design objectives of the Cyberport 5 development. For better visual permeability, the layout of the proposed building had been so designed as to maintain a view corridor along Information Crescent;

- (d) as shown in Drawing H-1 of the Paper, a conceptual landscape design had been submitted for the waterfront park, which would be further refined subject to HKCML's detailed design;
- (e) while there was no prohibition on swimming and water sports in the waters off Cyberport, there was a substantial level difference between the land and the water, and additional facilities might be required to facilitate swimmers' access; and
- (f) the existing temporary park had two entrances, one in the north connecting the Cyberport Promenade and the Cyberport Digiplayground with the Arcade, and the other in the south connecting to Cyberport Road. Upon completion of Cyberport 5, an additional at-grade entrance would be provided. Existing development in the vicinity of Cyberport Road had limited opportunity to provide more entrances to the Cyberport Waterfront Park.

54. In response, Mr Yan King Shun made the following main points :

- (a) under the previous temporary annual management contract, it would be difficult for a self-financing organization like HKCMCL to justify the provision of permanent facilities in the temporary park. With a long-term management contract and about HK\$0.4 billion government funding for the permanent park development, upgrading of park facilities would be possible. HKCMCL was also keen on showcasing in the park the matured Smart Living applications of companies in the Cyberport community; and
- (b) HKCMCL had already started to retrofit the existing Cyberport buildings and the Arcade with smart facilities. The management of Cyberport's facilities was outsourced to a contractor, and the latest contract had included new requirements on the use of digital applications.

[Dr Lawrence K.C. Li arrived to join the meeting during the Q&A session.]

[Mr Stephen L.H. Liu left the meeting during the Q&A session.]

55. As Members had no further questions to raise, the Chairperson said that the hearing procedures for the first session had been completed. The Board would deliberate the representations/comments in closed meeting in a separate session after all the hearing sessions were completed and would inform the representers/commenters of the Board's decision in due course. The Chairperson thanked the representers and their representatives of the first session for attending the meeting. They left the meeting at this point.

[The meeting was adjourned for a break at 2:15 p.m.]

56. The meeting was resumed at 2:45 p.m.

57. The following Members and the Secretary were present in the afternoon session:

Permanent Secretary for Development  
(Planning and Lands)  
Ms Bernadette H.H. Linn

Chairperson

Mr Lincoln L.H. Huang

Mr Wilson Y.W. Fung

Mr Peter K.T. Yuen

Dr Lawrence W.C. Poon

Mr K.K. Cheung

Dr C.H. Hau

Mr Alex T.H. Lai

Dr Lawrence K.C. Li

Professor T.S. Liu

Ms Sandy H.Y. Wong

Mr Stanley T.S. Choi

Mr L.T. Kwok

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Mr K.W. Leung

Professor John C.Y. Ng

Dr Jeanne C.Y. Ng

Professor Jonathan W.C. Wong

Mr Ricky W.Y. Yu

Dr Roger C.K. Chan

Dr Venus Y.H. Lun

Mr C.H. Tse

Mr Conrad T.C. Wong

Deputy Director of Environmental Protection (1),  
Environmental Protection Department  
Mr Elvis W.K. Au

Assistant Director (Regional 3)  
Lands Department  
Mr Alan K.L. Lo

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

Chief Traffic Engineer (Hong Kong)  
Transport Department  
Mr M.K. Cheung

Director of Planning  
Mr Raymond K.W. Lee

[Mr L.T. Kwok arrived to join the meeting at this point.]

#### **Agenda Item 4**

Presentation and Question Sessions (Continued)

[Open Meeting]

58. The following government representatives, representers, commenters and their representatives of the second session were invited to the meeting at this point:

#### **Government representatives**

*Planning Department (PlanD)*

Mr Louis K.H. Kau - District Planning Officer/Hong Kong  
(DPO/HK)

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

*Innovation and Technology Bureau (ITB)*

Ms Eva Y.L. Yam - Principal Assistant Secretary for Innovation  
and Technology (3) (PAS(IT)3)

Ms Salina K.T. Mak - Assistant Secretary for Innovation and  
Technology (3A) (AS(IT)3A)

*Transport Department (TD)*

Mr Ivan K.F. Cheung - Senior Engineer, Traffic Engineering (HK)  
Division (SE, TE/HK)

**Representers/Commenters or their representatives**

R101 – Ronald Taylor

Mr Ronald Taylor - Representer

R102 – Paul Zimmerman

R103 – The Incorporated Owners of Scenic Villas

R197 – Hon Hing Tong Patricia

R211 – 呂定昌

R223 – Gershon Dorfman

R273 – Knight, Stephen John

R294 – Frances Ho

R299 – Claire Goodchild

R317 – Lim, Ching Yee Julie

R320 – Wong Chi Hung

R333 – Rittner, Gunther Siegfried

R342 – Farmer, Nigel Laurence

R383 – Hsu, Calvin James

R414 – Liu, Frederick Thomas

R440 – Birkett, Pamela Mary

R601 – Budge, John Robertson

R737 – Birkett, Stephen Scott

R753 – Reading, Graeme John

Mr Paul Zimmerman - Representer and Representers' representative

R105 – Island South Property Management Limited

Ms Ng Wing Han ] Representers' representatives

Mr Shek Long Yin ]

Ms Hui Lam Ying ]

Ms Wong Ka Yan ]

R115 – Paul Tao

Mr Paul Tao - Representer

R161/C32 – Mary Mulvihill

Ms Mary Mulvihill - Representer and Commenter

R258 – Konn, David Simon

Mr Konn, David Simon - Representer

R471 – David Thomas Gibb

Mr David Thomas Gibb - Representer

R487 – Jennifer Wes Saran

Ms Jennifer Wes Saran - Representer

R734 – Krieger, Lionel John

Mr Krieger, Lionel John - Representer

C1 – Hong Kong Cyberport Management Company Limited (HKCMCL)

Mr Yan King Shun ] Commenter and Commenter's

Mr Lo Chi Heng ] Representatives

Mr Cheng Hay Wing Howard Brain ]

Mr Chan Cho Sing Joel	]
Mr MacDonald Alan Forbes	]
Ms Cheung Lai Yung Oliver	]
Mr Lo Lam Steve	]

59. The Chairperson extended a welcome. She informed the representers, commenters and their representatives that the hearing had been split into two sessions. She then briefly explained the procedures of the hearing. The representers, commenters or their representatives would be invited to make oral submissions in turn according to their representation and comment number. To ensure the efficient operation of the meeting, each representer, commenter or their representative would be allotted 10 minutes for making oral submission. There was a timer device to alert the representers, commenters or their representatives two minutes before the allotted time was to expire, and when the allotted time limit was up. A Q&A session would be held after all attending representers, commenters or their representatives had completed their oral submissions. Members could direct their questions to government representatives, representers, commenters or their representatives. After the Q&A session, the representers, commenters or their representatives and the government representatives would be invited to leave the meeting upon completion of all the Q&A sessions. The Board would deliberate on all the representations and comments in their absence and inform the representers and commenters of the Board's decision in due course.

R101 – Ronald Taylor

60. With the aid of a PowerPoint presentation, Mr Ronald Taylor made the following main points:

- (a) he, who retired after designing infrastructure in Hong Kong and elsewhere since 1975, had practical experience and ability to identify issues before they arose. Regarding the TPB Paper No. 10653 (the Paper) inferring that he supported the proposed amendment related to Item C1, he noted the clarification made in the presentation of PlanD in the morning session of the hearing that while the principle of rezoning of the area under Item C1 was supported, it was premature to rezone the site for proposed school development in the absence of a traffic impact assessment (TIA);

- (b) without a TIA indicating that both overall and local traffic impacts would be acceptable, it was premature to propose a zoning for school at Representation Site C1 (Site C1). The area was already congested due to the existing schools and it should not be the project proponent's responsibility to manage the traffic impact in the land allocation stage. The Board should not agree to the proposed amendment at Site C1 until the traffic viability was demonstrated and "Open Space" ("O") zone should hence be maintained for the uses of waterfront promenade and beach;
- (c) the TIA for Cyberport expansion was deficient in that the planning horizon was too short to cover only 3 years after completion of the proposed development and the study area was too small which did not assess a larger area as covered in the previous TIA of the original Cyberport development nor the critical junctions of Pok Fu Lam Road outside the Queen Mary Hospital. Besides, the new population of Wah Fu Estate Redevelopment and the effects on removing the Pok Fu Lam Moratorium (PFLM) were not considered in the TIA;
- (d) the Transport Planning and Design Manual required road junctions along primary distributor roads to have high capacity. While Pok Fu Lam Road was a primary distributor, the TIA revealed that the capacity at the junctions of Shek Pai Wan Road and Victoria Road would be low. A traffic improvement measure at the junction was proposed by changing the middle lane road marking of the proposed access road of a proposed public housing site from straightforward movement (to Victoria Road) to left turn (to Shek Pai Wan Road) and right turn (to Pok Fu Lam Road) movements only. As demonstrated at the junction of Pok Fu Lam Road, Mount Davis Road and Smithfield which was designed and operated similar to the proposed measure, such proposal was unsafe and drivers would be confused;
- (e) in association with the above proposed improvement measure, traffic from Kai Lung Wan to Victoria Road would be diverted through housing estates in the area which was not suitable and against accepted planning principles;

- (f) for the junction of Victoria Road and Sha Wan Drive (J2), the green time of the proposed traffic signals would be only about 25% of the total time and major flows of traffic along Victoria Road would be handled at separate stages of the traffic signals. The effect would be worse than a traffic light working for a single lane at road works. Alternatively, a mini-roundabout should be proposed to keep traffic moving and improve journey times;
- (g) same as J2, the lack of green time and separate stages of the traffic signals for major flows on Victoria Road were the main concern at the junction of Victoria Road and Sandy Bay Road. Road widening and the provision of a mini-roundabout should be proposed instead; and
- (h) in view of the above, the TIA failed to demonstrate the traffic impacts from the proposed Cyberport expansion were acceptable. The Board should require a competent TIA to support the proposed Cyberport expansion.

R102 – Paul Zimmerman

R103 – The Incorporated Owners of Scenic Villas

R197 – Hon Hing Tong Patricia

R211 – 呂定昌

R223 – Gershon Dorfman

R273 – Knight, Stephen John

R294 – Frances Ho

R299 – Claire Goodchild

R317 – Lim, Ching Yee Julie

R320 – Wong Chi Hung

R333 – Rittner, Gunther Siegfried

R342 – Farmer, Nigel Laurence

R383 – Hsu, Calvin James

R414 – Liu, Frederick Thomas

R440 – Birkett, Pamela Mary

R601 – Budge, John Robertson

R737 – Birkett, Stephen Scott

R753 – Reading, Graeme John

61. With the aid of a PowerPoint presentation, Mr Paul Zimmerman made the following main points:

- (a) he was the Vice-chairman of the Southern District Council (SDC) and the DC Member of the constituency of Pok Fu Lam. There were over 600 residents submitting representations in respect of the Outline Zoning Plan (OZP) involving both supportive and objecting grounds. The main concerns included the loss of open space, the utilisation of offices in Cyberport, visual and traffic impacts;
- (b) the residents supported the removal of Route 7 from the Plan and the formalisation of the Cyberport Waterfront Park (the Park) as an open space. The Park was popular and became a valuable place for the community of Hong Kong. In the survey on the aspirations of the Cyberport expansion, the respondents opted for facility improvements in the Park and maintaining the current activities allowed in the Park including walking their dogs, rollerblading, cycling, flying kites and resting on the lawn. The proposed Cyberport expansion which would result in the loss of some open space was objected to and Representation Site A1 (Site A1) should be zoned as “O”;
- (c) noting that HKCMCL would undertake the design, construction, maintenance and management responsibilities of the Park under the expansion proposal, the Board was requested to keep the development control of the Park through the established mechanism of requiring submission of a master layout plan (MLP) by the project proponent which had been adopted for the original Cyberport development;
- (d) the claim by HKCMCL that the occupancy rate of the office space was over 90% was questionable. The low rent or rent-free policy could cause an abuse of use of the office space. According to the photos taken in his recent site visit to Cyberport, it was observed that some office space was vacated and some was not actively or properly used. There was office space used for

storage or leased to sector unrelated to information technology (IT). Given that Cyberport had not properly optimised the utilisation of its office space, the proposed expansion was not justified;

- (e) in 1999, the Board agreed to amend the Explanatory Statement (ES) of the Plan to provide guidance for the then Secretary for Information Technology and Broadcasting (SITB) in revising the design of the Cyberport development to minimise its possible adverse visual impact on the nearby residential development. According to a paper submitted by the Administration to the Information Technology and Broadcasting Panel and the Planning, Lands and Works Panel of the Legislative Council (LegCo) for the meeting on 29.4.1999 and the minutes of the Information Technology and Broadcasting Panel meeting held on 8.5.2000, the Administration had reduced the building heights (BHs) of the Cyberport development to ensure that the visual corridors of the neighbouring buildings were reasonably preserved and the majority of residents in Baguio Villa could continue to enjoy the sea view;
- (f) taking account of such history and the Urban Design Guidelines specifying that descending and varying BH profile along the waterfront was encouraged, there was objection to the proposed BH of 65mPD for Cyberport 5. The Board was urged to keep the promise of preserving the visual corridors of Baguio Villas through the control of MLP. Also, the BH of the Arcade and IT Corridor ranging from 39mPD to 45mPD should be adopted as the reference height to determine the BH of Cyberport 5 rather than making reference to the maximum BH restriction of 85mPD as stipulated on the Plan;
- (g) the proposed car parking spaces and drop-off area on ground level were objected to as the proposed access road to Cyberport 5 would intrude into the Park. The existing underground vehicular access and service lane should be used for such purpose;
- (h) the Arcade failed to offer the needed services and convenience to the residents. The Board was therefore requested to amend the zoning and MLP

of Cyberport to ensure that the Arcade would operate as a mall meeting local needs;

- (i) promoting continuous pedestrian connectivity along the coast of Pok Fu Lam as stated in the ES of the Plan was supported. That would facilitate the provision of a complete Hong Kong Island Coastal Trail. There were five sections of missing links along the Coastal Trail and four of them would be constructed by the relevant government departments or via the District Minor Works of DCs. For the missing link at Pok Fu Lam, the Board was requested to designate all the land along the waterfront between the Park and Villa Cecil, including the strip of land along the University of Hong Kong (HKU) Stanley Ho Sports Centre Complex, as a public waterfront promenade. The Board had designated similar waterfront promenade in other areas in the territory through the zoning of “Comprehensive Development Area (1)” (“CDA(1)”) at Yau Tong Industrial Area, “CDA” at Yau Tong Bay, “O” at Kai Tak and “Other Specified Uses” annotated “Sea View Promenade” at Repulse Bay;
- (j) the proposed school development at Sandy Bay (Item C1) was objected to on traffic grounds. There were many schools in the Pok Fu Lam area including the four schools situated at Sandy Bay Road which were using the same road as the proposed school. The area was congested in the morning due to school traffic and the public transport service was insufficient. The traffic issue should be dealt with during the OZP amendment stage but not deferring to the stage when the project proponent took up the proposed school development in future; and
- (k) in view of the Wah Fu Estate Redevelopment, the redevelopment of Queen Mary Hospital, the HKU expansion at Sassoon Road, and the proposed Cyberport expansion, the overall traffic impact on the Pok Fu Lam area for the design year 2035 should be assessed with suitable road improvement measures proposed.

R105 – Island South Property Management Limited

62. Ms Ng Wing Han represented the property management agency of Residence Bel-Air. Residents of Residence Bel-Air had concerns on Items A1 and A2 on traffic grounds. There was no information provided by the project proponent about the measures to tackle the traffic issues during the construction and operation stages of Cyberport 5. It was expected that the traffic would become worse as the construction of Cyberport 5 together with Wah Fu Estate Redevelopment would be carried out at the same time. Prior to any commencement of the construction of the development in the area, the road network and transport system should be improved. In addition, the facilities at the Park should be enhanced.

R115 – Paul Tao

63. Mr Paul Tao made the following main points:

- (a) he owned an apartment in Baguio Villa and frequently visited the Park and the Arcade at Cyberport;
- (b) he objected to Item A1. The proposed gross floor area (GFA) of 66,000m<sup>2</sup> for Cyberport 5 development was considered unnecessary. Unless the GFA was reduced, adverse visual impact would be imposed by the massive development with BH of 65mPD at the waterfront location;
- (c) only two-third of the proposed GFA (i.e. 43,500m<sup>2</sup>) was designated for office use while the remaining GFA was for multi-function hall, data services platform, food and beverage (F&B) outlets. Accommodating these facilities at a full harbour-view building was not justified. The Arcade, which was more than half vacant, would be used for these facilities;
- (d) given that the Le Meridien Cyberport Hotel (the Hotel) was underutilised and there was other supply of hotel rooms in Wong Chuk Hang, Ocean Park and Kennedy Town nearby, the Hotel at Cyberport should be partly or wholly converted to house the non-office facilities;

- (e) the office space occupancy rate of 97% as claimed by HKCMCL was misleading and not transparent. It was observed that the current tenants included listed companies and equity firms which were not related to the innovation and technology (I&T) industry. HKCMCL should disclose more details of the tenants, especially the rental information, in order to justify that public money was not used to subsidise those highly profitable firms;
- (f) the current office buildings at Cyberport were not efficiently utilised such as the huge reception lobby of the 4-storey high Cyberport 2 building which was a waste of space. The Cyberport 5 building should be carefully designed to make good use of the space; and
- (g) to be accountable for spending public money on the expansion project, HKCMCL should conduct an in-depth study to intensify the uses of the existing buildings, so that the mass and BH of the proposed Cyberport 5 could be reduced to a low-rise building for office use only. HKCMCL should showcase a clever, efficient and responsible design at the prime waterfront location.

R161/C32 – Mary Mulvihill

64. With the aid of visualiser, Ms Mary Mulvihill made the following main points:

- (a) the hearing was divided into two sessions and two agendas with the attendance of the two sessions should be released. Besides, she expressed concern on having two meetings of the Board within a week as there was insufficient time for Members and the public to read and digest the documents which involved plenty of information and data and were issued only one week prior to the meeting;
- (b) it was unacceptable that the waterfront area at the Cyberport was planned for a curtain wall building. The waterfront area should be zoned “O” or “Government, Institution or Community” (“G/IC”) to reflect its prime harbourfront location. Similar to other waterfront areas such as the

waterfront along Tsim Sha Tsui East and Hung Hom, and the Kwun Tong Promenade and taking the relevant harbour planning guidelines into consideration, the facilities along the waterfront should be limited to F&B and recreational uses;

- (c) the proposed Cyberport 5 deprived the community of having an open panorama view along the waterfront and the light pollution at night time would affect the enjoyment of the harbour view. Structures along the waterfront should be low-rise with BH of 15m for supporting facilities such as cafes, kiosks; and 25m for tourist attractions such as festival market and museum;
- (d) the I&T industry should help find solutions to tackle the health, climate change and other pressing issues, especially under the current situation for fighting against the coronavirus. However, Cyberport focused on promoting E-sports which might trigger more violence within communities and lead to a risk of increasing aggressive human behaviour. The only benefit was to create employment opportunities but there were issues of addiction, stress on the body and impact on the health of people due to long hours spent crouching over a digital screen;
- (e) Pok Fu Lam district had extensive traffic issues. The Government should consider to relocate I&T hub of Cyberport to the New Territories where many young people and families resided. The population in the New Territories was increasing. Jobs should be provided close to where they lived thereby reducing the long commuting time for work. A comprehensive development with offices, co-working space, conference venues and data services platform with specific operational requirements that created a favourable and suitable I&T ecosystem for technology companies and startups should be located in the New Territories or a new town. Brownfield and degraded sites could be used for science and technology park. The provision of the I&T hub in the New Territories was in line with the planning for the Guangdong-Hong Kong-Macao Greater Bay Area;

- (f) there was no justification to support the Cyberport 5 development as the Arcade was empty and companies were taking advantages of the lower rental rate;
- (g) strong objection to Item C1 for rezoning the site to “G/IC” for school development was raised. International schools were facing a strong decline in demand in Hong Kong. School should not be built for the privileged class but should be built to provide a quality, affordable and equitable education that would benefit the people of Hong Kong; and
- (h) other amendment items on the Plan, including Items A2, B1 and B2 zoned as “O”, Items C2, C3, C4 and C5 zoned as “G/IC” to provide basic community services, Item D zoned as “Green Belt” and Item E regarding the excision of sea areas along Sandy Bay and Waterfall Bay, were supported.

R258 – Konn, David Simon

65. Mr David Simon Konn made the following main points:

- (a) he was a resident in Pok Fu Lam;
- (b) the Park was the treasure for all Hong Kong people, not just for Pok Fu Lam residents;
- (c) it was observed that only 20% of the Arcade was occupied and the business of some tenants were not in the I&T industry. Those tenants might have taken the advantage of enjoying the subsidised rents. Cyberport should carefully screen their tenants before leasing and the atrium of the Arcade should be for office use instead of selling non-technology related products such as second hand carpet; and
- (d) the minutes of the Metro Planning Committee meeting on 6.9.2019 for proposed amendments to the Plan stated that ‘minor relaxation of GFA restriction might be considered by the Board on application under section 16

of the Town Planning Ordinance (the Ordinance)'. The Board should not approve any of such applications since minor relaxation was absolutely unnecessary.

R471 – David Thomas Gibb

66. Mr David Thomas Gibb made the following main points:

- (a) he was a resident of Aegean Terrace of Sassoon Road;
- (b) the proposed Cyberport 5 would destroy the unobstructed view of the Park and the waterfront from his residence;
- (c) the management of Cyberport was poor. The community space in Cyberport became less attractive due to the empty cinema and underutilised retail floors. Also, 40% of the solar panels were ineffectively installed around trees where no direct sunlight could actually be penetrated onto the panels;
- (d) about a thousand trees would be fell in the Cyberport 5 development including 60 trees newly planted in March 2020. As the tree compensation ratio was one to one, planting all those trees along the waterfront would reduce the air flow and create a hot humid environment; and
- (e) there was only one vehicular access road serving the area and parking was operated near capacity. Traffic issue was thus a concern. It was questionable whether office space was still needed as work-from-home had become a trend these days and a I&T hub was developed in Shenzhen providing the needed facilities and service. The budget of \$5.5 billion should be used for other projects, such as the provision of public housing, to provide a better living to the people of Hong Kong and bring benefits to the community.

R487 – Jennifer Wes Saran

67. Ms Jennifer Wes Saran made the following main points:

- (a) she had been a resident of Baguio Villa for over 25 years and worked in the intelligent communications business for 40 years and the IT industry for more than 25 years;
- (b) the occupancy rate of the Cyberport was low and lots of empty office space could be found. People visited Cyberport to enjoy the Park and shopping at the supermarket only. Expansion of Cyberport was therefore not necessary. The Government should consider spending the tax payers' money more wisely instead of for the Cyberport 5 development;
- (c) unlike Shenzhen, Hong Kong was not a I&T mega. The development of Cyberport 5 was not justified. Pok Fu Lam was not an ideal place for I&T startups to develop their business as the location was far from the urban area. Young people in the I&T industry would develop applications and programmes at home and they would rather seek for low interest loan from the Government to develop their own business. It was pointless to spend \$5.5 billion to provide offices with sea view for I&T people to stimulate their creative ideas. Even a garage could be a workspace for famous tech startups such as Microsoft; and
- (d) there was no requirement of MLP submission to control the proposed design of Cyberport 5. The view from Baguio Villa towards Lantau Island would be obstructed by the proposed development with BH of 65mPD.

R734 – Krieger, Lionel John

68. Mr Lionel John Krieger made the following main points:

- (a) he was a chief executive of a company engaged with government projects from the mid-1980s and a resident of Sassoon Road for the last 11 years in retirement;
- (b) to facilitate the understanding of the details of the development intensity and the scheme to be approved under the Plan, the Board should request the submission of detailed architectural drawings including elevations and photomontages from various vantage points together with the MLP for consideration. Members could then have a more comprehensive illustration on the proposal. Some roof top structures, including electrical and mechanical engineering and fire services facilities which were usually located at the roof top, were not shown in the current photomontages of Cyberport 5; and
- (c) although the proposed development was not a designated project requiring Environmental Impact Assessment (EIA) Report under the EIA Ordinance, the project proponent should make reference to the methodology for consulting the affected public for obtaining the environmental permit during the design and construction of the development. Taking the MTR South Island Line project as an example, a liaison group had been set up to meet various stakeholders monthly to review the design and construction of the project. It was suggested that the consultation requirement be included in the implementation of the project, so that residents of Baguio Villa and other stakeholders considered as sensitive receivers could have a chance to contribute to the proposed development.

C1 – Hong Kong Cyberport Management Company Limited

69. Mr Lo Chi Heng, Project Director of Cyberport 5, and Mr Yan King Shun, CEO of HKCMCL made the following main points:

- (a) the Cyberport 5 development might have little impact on some private views. However, as set out in the relevant Town Planning Board Guidelines on visual impact assessment, in the highly developed context of Hong Kong, it

was not practical to protect private views without stifling development opportunity and balancing other relevant considerations. According to the visual impact assessment of the Cyberport 5 development, the impacts in most of the selected public viewpoints were insubstantial to moderate. Besides, the proposed development would not affect the ridgeline when viewing from East Lamma Channel. To mitigate the possible visual impact, a number of measures had been proposed including the provision of a central corridor on ground floor, provision of open communal garden, adoption of stepped height profile in the building design, provision of additional trees, plantings on podium, terraces and sky gardens, and vertical greening;

- (b) on traffic aspect, as the traffic generated would be in the reverse direction of the current traffic flow at the peak hours according to the TIA, the proposed development would not induce insurmountable traffic impact after implementation of improvement works at four road junctions (i.e. Junction of Pok Fu Lam Road and Sassoon Road; Junction of Victoria Road and Sha Wan Drive; Junction of Pok Fu Lam Road, Shek Pai Wan Road and Victoria Road; and Junction of Victoria Road and Sandy Bay Road) to alleviate traffic burden. Besides, discussion with the transport operators would be undertaken to review the frequencies of franchised bus and minibus services and the carrying capacity of the minibuses to cater for the additional demand arising from the development. Cyberport would provide special bus services during large-scale events, consolidate routings of shuttle bus services for employees and increase the frequencies of the services;
- (c) the development of Cyberport 5 and enhancement to the Park would improve the area for the enjoyment of the public;
- (d) various design options had been explored and the current proposed scheme was the optimum that could maximise the area of the at-grade public open space. Part of the ground floor of Cyberport 5 would be made available as a covered public space and the suggestions of opening up the podium and the sky garden of Cyberport 5 as viewing platforms would be considered. The public space to be provided in the future would be comparable to the existing

space. In addition, around 90 trees would be affected but none of them was in the Register of Old and Valuable Tree. The implementation of compensatory tree planting would be in a ratio of one to one. Also, sufficient distance between buildings would be reserved to enhance the air ventilation of the area;

- (e) in addition to the need for expansion of the I&T industry, the aspirations of nearby residents had been taken into account in formulating the proposal of Cyberport 5 development;
- (f) furthermore, as opposed to the views of some representers that I&T development should be left to Shenzhen, Hong Kong used to be the pioneer in innovative technology and researches among the Four Little Dragons in Asia together with Taiwan, South Korea and Singapore. It was all the more important for Hong Kong to continue its I&T development, particularly against the aspiration to develop as an international I&T hub under the Greater Bay Area plan;
- (g) there were misleading reports stating that the office rental level in Cyberport was comparatively lower than market rental in order to attract tenants to justify the expansion. To clarify, it should be noted that there were three types of office spaces at Cyberport. The first category was for office use and the rental was around \$30-40 per sq ft with management fee which was comparable to market rental. The second category was co-working space with rental level comparable to the market but leased under contracts with flexibility, e.g. the term could be renewed monthly. The third category was office space for incubatees, who were required to pay management fee only. Since 2019-20, there were about 130 startups joining the incubation programme each year and due to limited supply, only some of them would be allocated the office space; and
- (h) the occupancy rate was also a concern raised by the public. At the time when a press report was made on the occupancy rate in April 2019, there

were 98 tenants at Cyberport 1 to 3 and the occupancy rate was over 90%.  
Of which 71 were companies in or related to the I&T industry.

70. As the presentation from government representatives, the representers/commenters and their representatives had been completed, the meeting proceeded to the Q&A session. The Chairperson explained that Members would raise questions and the Chairperson would invite the representers/commenters, their representatives and/or the government representatives to answer. The Q&A session should not be taken as an occasion for the attendees to direct questions to the Board or for cross-examination between parties.

71. Before the Q&A session, the Chairperson clarified that whilst the Board's meetings were exempted from the prohibition on group gathering under the Prevention and Control of Disease Ordinance, two sessions of the hearing were arranged to follow the advice of social distancing under the coronavirus pandemic as far as practicable. With regard to the concern raised by R161/C32 that there was insufficient time for both Members and the public to read the relevant papers of the two hearings arranged within the same week, it should be noted that the paper of the hearing held on Wednesday had been made available in the public domain since late January 2020. The hearing was postponed due to the pandemic. Regarding R161/C32's request for releasing the attendance of the representers and commenters prior to the hearing, the Secretariat of the Board would review the arrangement and assess the feasibility taking privacy and other factors into consideration. The Chairperson then invited questions from Members.

[Mr Elvis W.K. Au left the meeting at this point.]

### Cyberport and its Expansion

72. The Chairperson, the Vice-chairperson and some Members raised the following questions:

- (a) the positioning of Cyberport;
- (b) the status of the approved MLP of the Cyberport development and the considerations of requesting the submission of a MLP at that time;

- (c) any restrictions on the Plan for the mix of uses at Cyberport;
- (d) under what circumstance would an office space at Cyberport be considered as occupied;
- (e) the design merits of the Arcade of the existing Cyberport;
- (f) with reference to the planning intention of the existing Cyberport development stated on the Plan, how the proposed Cyberport expansion could blend in with the surrounding neighbourhood;
- (g) the increase of I&T startups over the past few years; and any statistics to justify the demand of office space at the proposed Cyberport 5;
- (h) the expected programme for filling up the new space in Cyberport 5;
- (i) any special design requirements such as high floor to floor height to accommodate operations with special needs at Cyberport 5;
- (j) the details of the proposed data services platform;
- (k) noting from the presentation of some representers that space for setting up cyber laboratories was needed, whether the proposed office space at Cyberport 5 could meet such demand;
- (l) the rationale of proposing commercial GFA at Cyberport 5; and whether the proposed restaurants could be provided at the Arcade instead;
- (m) given the establishment of a co-working space in Tsuen Wan, whether the expansion of Cyberport could be decentralised to other areas of Hong Kong; and the rationale of proposing the expansion at Cyberport but not elsewhere;

- (n) to enhance the efficiency in using the existing premises, whether the Arcade could be converted into co-working space before exploring a new site for expansion;
- (o) noting that there was no requirement for submission of layout plan under the proposed amendments and the conceptual design of Cyberport 5 was subject to change, whether the public would be involved in the detailed design stage; and
- (p) whether the submission of MLP could address the concerns raised by the representers.

73. In response, Mr Louis K.H. Kau, DPO/HK, made the following main points:

- (a) in general, once a permitted use was realised or a permitted development was completed, all planning permissions granted in respect of the site would lapse. Upon the completion of the Cyberport development, the approval of the MLP, which was submitted in the form of planning application, granted by the Board lapsed. At the beginning, in view of the large scale of the development and the brand-new concept for establishing a base for the clustering of creative information service business in Hong Kong, any development within the Cyberport development required submission of information including a comprehensive layout plan to the Board for approval as set out in the Notes of the Plan. It was to ensure the land use compatibility and technical feasibility of the proposal. But if it could be demonstrated that the anticipated issues or impacts could be mitigated under the proposal, submission of a layout plan to the Board for approval might not be required;
- (b) each sub-area of the existing Cyberport development was subject to the BH and GFA restrictions as stipulated in the Notes of “Other Specified Uses” annotated “Cyber-Port” (“OU(Cyber-Port)”) zone of the Plan. There was no “always permitted” uses; nor was there any pre-determined restriction on the mix of uses under the “OU(Cyber-Port)” zone;

- (c) the schedule of uses under “OU(Cyber-Port)(1)” zone was proposed with reference to the preliminary scheme of Cyberport 5. Any development of Cyberport 5 falling under Column 2 uses would require permission from the Board and public consultation would be involved in the statutory planning process. For any amendments to the notional scheme of Cyberport 5 which complied with the restrictions on the Plan, no statutory planning procedure would be triggered and the engagement of the public would be subject to the arrangement by ITB and HKCMCL; and
- (d) taking the site constraints into account, the development control through imposing restrictions on BH, GFA and the minimum area of at-grade open space under the Plan was considered sufficient.

74. In response, Ms Eva Y.L. Yam, PAS(IT)3, made the following main points:

- (a) Cyberport was important in creating a favourable and suitable I&T ecosystem for the development of digital technology companies, in particular startups. In nurturing startups, it was necessary for large technology corporations to be admitted to foster their collaboration with startups, provide guidance and training, and facilitate the financing of startup projects, etc.; and
- (b) with the intention to expand the existing Cyberport, an adjoining site (Item A1) was identified. To make the optimum use of scarce land resources, and taking into account Cyberport’s operational requirements, the need for a critical mass for the ecosystem and the constraints of the surrounding environment, a proposal of about 66,000m<sup>2</sup> GFA was considered reasonable. Amongst the total GFA, there would be about 43,500m<sup>2</sup> GFA for office use, which was about 43% of the existing 100,000m<sup>2</sup> office space.

75. In response, Mr Yan King Shun, representative of C1, made the following main points:

- (a) by maintaining the area of open space as much as possible and enhancing greening in the proposed development, it was believed that the proposed

building structure of Cyberport 5 would blend in well with the environment. Further ideas that could improve the development scheme would be considered in the detailed design stage;

- (b) an office space was regarded as ‘occupied’ when the tenant signed a lease with HKCMCL and used the facilities and services provided at Cyberport and contributing to building networks amongst the users of Cyberport or to the Cyberport ecosystem;
- (c) the Arcade was specially designed. The outlook akin to a spaceship and the use of steel as the construction material was intended to strengthen the association of the concepts of ‘cyber’ and ‘high-tech’;
- (d) there was a rapid growth of I&T companies in the Cyberport community over the past three years. The number of companies in the Cyberport community increased from about 1,200 to about 1,550. As a matter of fact, off-site incubation was launched due to the lack of office space at Cyberport. Though incubatees could attend trainings and use the facilities provided at Cyberport, they did not have office space for their businesses. In the past twelve months, about 300 and 50 requests for the use of co-working space and office space respectively were not acceded to due to the lack of space. For incubation, with applications reaching 600 or 700, only 130 applicants could be admitted each year;
- (e) it was expected that the co-working space and office space would be filled up in as early as three to five years upon commencement of the operation of Cyberport 5;
- (f) large floor plates with heavy load-bearing capacity were required for the data services platform to accommodate special computers and equipment such as those for storage network;
- (g) the proposed data services platform where ‘sandboxes’ would be available to allow the pre-production testing of innovative products, services and business

models in a live environment including digital entertainment, development of smart living products, FinTech, etc.;

- (h) different from biotechnology laboratories, office space could be used for setting up I&T laboratories. Some I&T leading corporations used the office space in Cyberport for digital application laboratories and experience centres. The office space was not only for office use but also for research and development units. For example, Amazon Web Services Hong Kong Limited had set up 'Artificial Intelligence of Things (AIoT) Solution Hub' in Cyberport to collaborate with companies and startups that were interested in the application of AIoT in their products or solutions;
- (i) the need to provide digital office space to accommodate I&T companies was the most important consideration when determining the GFA of Cyberport 5. The proposed F&B and other services were to cater for the needs of the estimated 4,000 working population, not for financing the expansion. As reflected by the existing tenants, there were insufficient F&B services at the Arcade to meet the demand at lunch time. The provision of restaurants at Cyberport 5 was therefore considered necessary;
- (j) Smart-Space 8 (SS8) in Tsuen Wan was a co-working space used mainly for digital entertainment startups since there was a cluster of such digital entertainment or E-sports companies in Tsuen Wan. Cyberport took an opportunity to establish SS8 which had become home to those companies and platform for idea exchange. For the development of I&T startups as a whole, it was essential to undertake the expansion in the immediate vicinity of the existing Cyberport rather than locating Cyberport 5 elsewhere;
- (k) prior to the coronavirus pandemic, the Arcade was undergoing transformation to become a digital tech node with experience centres. New shops related to digital entertainment cum E-sports, smart living and smart learning as well as new tenants providing conveniences to the community such as clinic and pet shop were introduced. Through that strategy, the Arcade would become a platform for the application of innovation products and technology of the I&T

companies and startups on the one hand, and provided other supporting facilities for the Cyberport working population on the other. It was thus important to maintain both the complex of the Cyberport and the Arcade; and

- (l) during the DC consultation on 18.7.2019, HKCMCL had committed to set up a community liaison group in due course and maintaining close liaison with SDC on Cyberport expansion project including an update on the detailed design of the Park with enhancements.

76. In response to a Member's enquiry on the considerations of the preliminary design of Cyberport 5, Mr Chan Cho Sing Joel, representative of C1, said that the proposed GFA of 66,000m<sup>2</sup> was derived based on the findings of a commercial viability study for the Cyberport expansion. The bulk of the proposed development had taken account of the public concerns on visual impact and the Harbour Planning Principles. As shown in Drawing H-2b of the Paper, the BHs of Residence Bel-Air and Cyberport 3 and 4 ranged from over 100mPD to 39mPD while the BHs of different portions of Cyberport 5 would vary from 61mPD to 24mPD. Due consideration had been given to the variations of BHs of the existing buildings and the proposed BH for Site A1 was generally in line with the stepped height profile. Moreover, the visual corridor of the waterfront from Baguio Villa was generally preserved. As indicated in the photomontage at the viewpoint from the carpark of Blocks 16 to 18 of Baguio Villa, Cyberport 5 would not be seen because Cyberport 2 which was sandwiched between Cyberport 5 and Baguio Villa would block the view. At the viewpoint from the podium of Blocks 16 to 18 of Baguio Villa (atop the carpark), the southern portion of Cyberport 5 with a lower BH would not be seen while the northern portion with a higher BH would be seen. It should be noted that taking the drainage reserve and small size of the land at the northern side of Site A1 into consideration, the portion with a higher BH had been dispositioned towards the northern edge as far as practicable and the terraced building design with stepped BH had been adopted to minimise the visual impact and allow certain permeability. For the option of extending the site coverage to reduce the BH, some area of the at-grade open space would then be taken up and the vista of the waterfront from the road adjoining the Arcade would be compromised.

77. In response to a Member's query on the source of the photos showing vacated office space at Cyberport, Mr Paul Zimmerman said that the photos of vacated office space included

in his PowerPoint presentation were taken on site by himself a few days before the hearing. However, Mr Yan King Shun disagreed and pointed out that the photo showing the storage of some boxes was from Apple Daily. Mr Paul Zimmerman then clarified that most of the photos presented were taken by himself except the one showing Pacific Century Premium Developments and the one showing the storage of some boxes which was from Apple Daily.

### The I&T Sector

78. In response to a Member's enquiry on the number of I&T startups in Hong Kong, Ms Eva Y.L. Yam said that according to the statistics of InvestHK, there were about 3,184 I&T startups in Hong Kong.

79. Some Members raised the following questions:

- (a) elaboration on the limited involvement of academia in the I&T sector; and
- (b) what the I&T young entrepreneurs needed in order to start their businesses.

80. In response, Mr Yan King Shun made the following main points:

- (a) the limited involvement of academia mentioned in the earlier presentation referred to the degree of application of the I&T technology in the education sector. There were generally entry barriers in adopting technology in teaching in educational institutions and schools. Recently, the coronavirus pandemic which led to the suspension of classes had brought an opportunity for the educational institutions and schools to adopt diversified modes of learning and teaching including e-education platform. Building on their experiences in recent months, it was believed that the adoption of technology in e-learning would be further promoted and developed; and
- (b) capital was needed for young entrepreneurs to start their I&T businesses and HKCMCL assisted in connecting suitable investors with the startups. Besides, in response to the rapid changes in the sector, the duration needed to bring a product or solution to fruition mattered. For any new innovative products or

solutions, it was crucial for startups to have effective time-to-market or go-to-market strategies. The availability of well-established and efficient marketing platform developed by the corporations in the Cyberport for the use by the startups was an example. Furthermore, the awareness of cyber security and copyright amongst the young entrepreneurs should be increased and thus relevant trainings were provided at Cyberport.

### The Park

81. In response to a Member's question on the possible design elements to be incorporated in the Park, Mr Yan King Shun said that the conceptual design of the Park was formulated taking into account the public aspirations collected through consultations with the SDC and the community. The Park would be kept open to the community as far as possible and a 800m waterfront promenade would be provided at the Park. It was noted that the connectivity of the Park to the surroundings was a public concern. Enhancement of the connectivity would be explored in the detailed design stage. For greening, the existing trees would be preserved or replanted and the landscaping would be enhanced. Due regard would be given to the diverse views related to the need of new facilities in the Park.

### Traffic and Transport Issues of Cyberport Expansion

82. Some Members raised the following questions:

- (a) would the public be involved in the process of uplifting the PFLM under the administration of the Lands Department (LandsD); and
- (b) whether the known developments in the Pok Fu Lam area such as Wah Fu Estate Redevelopment should be taken account of in the TIA of the Cyberport expansion.

83. In response, Mr Louis K.H. Kau made the following main points:

- (a) development in the Pok Fu Lam area was subject to the PFLM which was an administrative measure imposed on traffic grounds since 1972 to prohibit

excessive development of the area until there was an overall improvement in the transport network of the area. Partial uplifting of the PFLM for Cyberport 5 would be dealt with separately at the land grant stage by the LandsD and relevant policy bureau. No public consultation would be undertaken in the uplifting process; and

- (b) according to the TIA submitted for Cyberport 5, there would not be insurmountable traffic impact on the road network with the implementation of the necessary road junctions improvement measures in the proximity of Cyberport. In considering the partial uplifting of the PFLM, it was also necessary to demonstrate to the relevant authority that the existing transport infrastructure, together with the recommended improvements of a number of existing junctions, would be capable of coping with the traffic generated from Cyberport 5. The TIA had not included Wah Fu Estate Redevelopment as its details were yet to be available and its redevelopment was beyond the design year of Cyberport 5 (i.e. 2027). For Wah Fu Estate Redevelopment, the Housing Authority (HA) had committed to conduct a series of technical studies including TIA nearer the clearance and redevelopment of Wah Fu Estate, and submit the results to relevant authorities including the TD for approval. The TIA of Wah Fu Estate Redevelopment would take into account the cumulative impact of the redevelopment of Wah Fu Estate and other relevant known developments in its vicinity including Cyberport 5.

#### Visual Impact of Cyberport Expansion

84. Some Members raised the following questions:

- (a) the background of the principle of protecting public views but not private views as stated in the Town Planning Board Guidelines No. 41 on ‘Submission of Visual Impact Assessment for Planning Applications to the Town Planning Board’;
- (b) the details of the amendments to the approved scheme of the original Cyberport development as mentioned in paragraph 2.3 of the Paper; and

- (c) the visual impact of Cyberport 5 on Blocks 16 to 18 of Baguio Villa.

85. In response, Mr Louis K.H. Kau made the following main points:

- (a) there was no legislation in Hong Kong to protect private views. Upon the completion of a study on the 'Urban Design Guidelines for Hong Kong' in 2003, public awareness on urban design concepts and principles in the planning and development process was significantly raised, especially on the attributes of ridgelines and harbourfront protection. Since then, it was recognised that in the highly developed context of Hong Kong, the principle of protecting public views was far more important and had been duly followed;
- (b) according to the MLP approved by the Board under the first application (No. A/H10/30) for the Cyberport development, the approved BH of Cyberport 3 was 49mPD. To address the residents' concerns raised on the visual impact of the approved scheme, the then SITB submitted a revised scheme under application No. A/H10/34. The BH of major portions of Cyberport 3 fronting Blocks 16 to 18 of Baguio Villa was reduced from 49mPD to 39.3mPD while the BH of the remaining portions of Cyberport 3 was increased to about 52.5mPD to maintain the development intensity; and
- (c) with the aid of a fly-through three-dimensional animation of Cyberport expansion, the visual envelope from Blocks 16 to 18 of Baguio Villa was demonstrated. The visual corridor leading to Telegraph Bay would be to the West of Blocks 16 to 18 while Cyberport 5 would be located to the south-west of Blocks 16 to 18.

86. In response to a Member's question on whether the Government had promised the residents of Baguio Villa that their private views would be permanently protected, Ms Eva Y.L. Yam said that there was no record to reveal the Government had made such a promise.

Proposed School Development at Sandy Bay (Site C1)

87. The Chairperson and some Members raised the following questions:
- (a) whether the project proponent of the proposed school would conduct a TIA and suggest mitigation measures;
  - (b) the rationale of reserving a school site at Site C1; and
  - (c) any impact on the planning work of the Education Bureau (EDB) if Site C1 was not reserved as a school site.
88. In response, Mr Louis K.H. Kau made the following main points:
- (a) Site C1 was subject to the partial uplifting of the PFLM. In considering the partial uplifting of the PFLM before the land grant, the project proponent should demonstrate to the Executive Council that the existing transport infrastructure, together with the recommended improvements (if any), would be capable of coping with the traffic generated from the proposed school development. The project proponent of the proposed school development would be required to conduct a TIA to ensure that there would be no adverse impact on the local traffic before the commencement of the school development;
  - (b) as advised by EDB, there was a need to reserve part of the Site C1 for school use in order to cater for the long-term educational needs on the Hong Kong Island. The school type was yet to be determined; and
  - (c) Site C1 was reserved for the school use in the long-term. If the site was not reserved for school use, there would not be any immediate impact on the school provision on Hong Kong Island. Yet, the EDB would request PlanD to conduct another round of site search to identify a replacement site.

Waterfront Connectivity

89. Some Members raised the following questions:

- (a) whether the elevated walkway as part of the Coastal Trail between Telegraph Bay and Sandy Bay proposed by a representer would be subject to the Protection of the Harbour Ordinance (PHO);
- (b) whether the development of a continuous waterfront promenade would be allowed under the provisions of the Plan; and
- (c) the government policy related to the provision of waterfront promenade.

90. In response, Mr Louis K.H. Kau made the following main points:

- (a) the waterfront of Pok Fu Lam did not fall within the boundaries of the Victoria Harbour under the PHO;
- (b) the coast of Pok Fu Lam was mainly zoned “O” and “G/IC” and the provision of a continuous open space network with a possible walking trail was always permitted under the zones. Currently, as pointed out by R102, there were proposals of such a walking trail to be implemented through district minor works by the Home Affairs Department. Those proposals would not be affected by the proposed amendments of the sites to “G/IC” zone. Indeed, such intention had been stated in the ES of the Plan that opportunity might be given to explore whether a walking trail could be developed along the planned open space to enhance the connectivity along the coast of Pok Fu Lam; and
- (c) to facilitate the planning and development of Victoria Harbour and the harbourfront area, the Harbour Planning Principles and Guidelines were drawn up to provide guidance for the relevant waterfront development proposals. Maximising opportunities through the planning, development and management of Victoria Harbour and the harbourfront area for public enjoyment was one of

the Principles. However, there was no government policy related to the provision of the Coastal Trail as presented by the representer.

91. As Members had no further questions to raise, the Chairperson said that the hearing procedure for the presentation had been completed. The Board would further deliberate on the representations and comments and inform the representers and commenters of the Board's decision in due course. The Chairperson thanked the representers and commenters and their representatives and the government representatives for attending the meeting. They left the meeting at this point.

[Ms Lilian S.K. Law and Dr Lawrence K.C. Li left the meeting, and Dr Roger C.K. Chan returned to join the meeting during the Q&A session.]

#### Deliberation Session

92. The Chairperson suggested and Members agreed that the deliberation should focus on three aspects, namely the Cyberport expansion under Items A1 and A2; the waterfront connectivity; and the proposed use of "G/IC" site at Sandy Bay under Item C1.

#### *Cyberport Expansion (Items A1 and A2)*

93. The Chairperson said that to plan ahead for the I&T sector, creating capacity was considered essential. While there was space available in Cyberport for its expansion project, the crux of the issue was whether the public interest such as the provision of open space for public enjoyment would be compromised in building capacity for future I&T development. It was noted that according to the requirements specified in the Hong Kong Planning Standards and Guidelines, there was no deficit in the provision of open space in the Pok Fu Lam area even with the Cyberport expansion.

94. Members generally recognised the need of creating capacity for the sustainable development of the I&T sector in Hong Kong, notwithstanding that there were diverse views on the Cyberport expansion. A Member was of view that there was limited open area at the existing Cyberport for further infill development. Another Member considered that the proposed GFA of the Cyberport expansion derived based on the commercial viability study to

accommodate the I&T companies and associated facilities was reasonable, and the expansion was hence supported. Some Members, however, considered that the scale of the proposed expansion and the mix of uses were not yet comprehensively and thoroughly justified, and there would be visual impacts generated by the proposal. A Member pointed out that there was no basis to challenge the proposed GFA of the Cyberport expansion. A Member opined that with reference to the experience in the Mainland, space for convention and exhibition purpose was in the least priority when the scale and mix of uses of the I&T parks were formulated. For the proposed commercial space, some Members had reservation on the scale of the supporting F&B facilities in Cyberport 5 in view of the underutilised Arcade nearby, the utilisation of which could be enhanced through better management. In addition, should the F&B facilities be proposed in the Arcade, the scale and bulk of Cyberport 5 could somewhat be reduced, which might result in a lower BH of the development.

95. Mr Raymond K.W. Lee, the Director of Planning (D of Plan), remarked that Site A1 of about 1.6 ha for the development of Cyberport 5 was subject to a maximum BH of 65mPD, a maximum GFA of 66,000m<sup>2</sup> and the requirement for provision of an at-grade open space of not less than 5,000m<sup>2</sup>. Members should consider whether there were solid grounds that warranted any amendments to the development restrictions under the Plan. It should be noted that the revised MLP submitted by the then SITB after obtaining the first planning permission for the Cyberport development was a design evolution process taking into account public opinions instead of a promise, as claimed by some representers, to protect the views from nearby private residential development.

96. In response to a Member's comments that Wah Fu Estate Redevelopment had not been taken into account in the TIA submitted for the Cyberport expansion, Mr Raymond K.W. Lee, D of Plan, pointed out that the TIA was conducted in accordance with well-established technical requirements and principles. It would not be practicable nor reasonable for the subject project TIA to take account of longer-term developments that were in lack of details and would only be implemented beyond the design year of the subject project. The Chairperson remarked that TD considered the TIA acceptable. In the longer term when the authority responsible for Wah Fu Estate Redevelopment was ready to proceed with detailed planning for the redevelopment project, it would conduct a TIA to assess the cumulative impact of the redevelopment and other relevant known developments in the Pok Fu Lam area including Cyberport 5 then prevailing.

97. Noting the concern of some representers on the future design of Cyberport 5, the Chairperson invited Members' views on the requirement of submitting a layout plan for the Board's scrutiny. Mr Raymond K.W. Lee, D of Plan, pointed out that when there was concern on the design of a development proposal, it was not uncommon for the Board to impose requirement to request the project proponent to submit a layout plan for consideration. If such requirement was incorporated into the Plan, planning application(s) under section 16 of the Ordinance for Cyberport 5 would be required. Three Members considered that a layout plan might not be necessary as the development parameters and requirements under the "OU(Cyber-Port)(1)" zone would provide sufficient guidance and control on the design of Cyberport 5. Under the monitoring of ITB, HKCMCL, which was fully owned by the Government, should be accountable and would not implement a scheme that deviated from the adopted planning and design principles. On the other hand, given that Site A1 was situated at a prime waterfront location and Site A2 was a popular open space for the community at large, some Members had concern as to whether the design of Cyberport 5 would be compatible with the surrounding development and the design of the waterfront park setting. To address this concern, some Members supported that the project proponent should be required to submit a layout plan through a planning application under section 16 of the Ordinance. It was the onus of the project proponent to refine the scheme of the proposed Cyberport expansion and to demonstrate the design merits of the proposal taking into account relevant considerations including but not limited to the surrounding area, site constraints and public aspiration.

98. As Members' views were divided, the meeting agreed to take a vote. A majority of Members considered that the requirement for the project proponent to submit a layout plan to the Board for consideration should be included into the Notes of "OU(Cyber-Port)(1)" zone of the Plan.

#### *Waterfront Connectivity*

99. With a view to making the waterfront attractive and vibrant, Members acknowledged the public aspiration of enhancing the waterfront connectivity in the Pok Fu Lam area. Mr Raymond K.W. Lee, D of Plan, pointed out that the concept presented by the representer was related to connecting Waterfall Bay, Telegraph Bay and Sandy Bay along the coastline. The

intention to explore whether a walking trail could be developed to enhance pedestrian connectivity along the coast of Pok Fu Lam had been reflected in the ES of the Plan. Such use was always permitted along the coast of Pok Fu Lam which was mainly zoned “O” and “G/IC”. Similar to the four examples of providing waterfront promenade in Hong Kong mentioned by the representer, the development of a walking trail along the planned open space to enhance the waterfront connectivity in the Pok Fu Lam area could be realised when opportunity arose. A Member shared the view that since such provision was always permitted in the relevant land use zones, amendment to the Plan to cater for a continuous waterfront promenade was considered unnecessary. Having noted Members’ support for the enhancement of the waterfront connectivity, the Chairperson suggested and Members agreed that the relevant part of the ES of the Plan could be strengthened to elaborate on the intention.

*Proposed Use of “G/IC” Site at Sandy Bay (Item C1)*

100. Noting the current traffic condition at Sandy Bay, some Members had strong reservation on using Site C1 for school use on traffic grounds and considered that rezoning of the site to “G/IC” could be considered when there was a more imminent school development proposal. Nevertheless, a Member was of view that the site could be rezoned from “O” to “G/IC” with regard to the long-term education needs on Hong Kong Island as requested by the EDB. A Member opined that the site should rather be used for elderly facilities to meet the needs of our aging population. Mr Raymond K.W. Lee, D of Plan, said that there was no plan for implementing an open space at Site C1 despite it was previously zoned “O” on the Plan and there was no deficit in the provision of open space in the Pok Fu Lam area. Rezoning the site from “O” to “G/IC” was in response to EDB’s request. Comparatively speaking, “G/IC” zone would provide more flexibility than “O” zone for exploring alternative GIC uses if Members considered the site not suitable for school use on traffic ground.

101. As Members’ views were divided, the meeting agreed to take a vote. A majority of Members considered that Site C1, being located in the cluster of GIC uses in the area, should be rezoned from “O” to “G/IC” but there should be a clear record that the Board had strong reservation on the proposed school use at the site and alternative GIC use should be explored as appropriate. The ES of the Plan should be suitably revised to reflect Members’ views.

102. Members generally considered that other grounds and proposals of the representations and comments had been addressed by the departmental responses as detailed in the Paper and the presentations and responses made by the government representatives at the meeting.

103. After deliberation, the Board noted the supportive views of Representations No. R1 to R100 and the views of Representation No. R101(part).

104. The Board also decided to partially uphold Representations No. R102 to R104, R106 to R776 and R778 to R780 and considered that the Plan should be amended to partially meet the representations by amending the Notes of the “OU(Cyber-Port)(1)” zone under Item A1 in order to scrutinise the design of the proposed Cyberport expansion. The following paragraph was proposed to be added to the Remarks of the Notes for the “OU(Cyber-Port)(1)” zone:

“For any new development or redevelopment of an existing building, a layout plan shall be submitted for the approval of the Town Planning Board. The layout plan should include the following information:

- (i) the area of the proposed land uses, the nature, position, dimensions, and heights of all buildings (including structures) to be erected on the site;
- (ii) the proposed total gross floor area for various uses and facilities;
- (iii) the details and extent of parking, loading/unloading and public transport facilities, and open space to be provided within the site;
- (iv) the landscape and urban design proposals within the site; and
- (v) such other information as may be required by the Town Planning Board.”

105. The Board also agreed to revise the ES of the Plan with respect to the following zones:

“OU(Cyber-Port)(1)” zone (paragraph 7.8.4 of the ES of the Plan)

- (a) to set out that the proposals of any new development or redevelopment of an existing building should be submitted to the Board for approval in the form of a layout plan to ensure an integrated and compatible layout for the development at the site taking into account the site constraint and surrounding development, etc. The layout plan should set out the proposed mix of land uses, open space, vehicular access, pedestrian circulation and connection, landscaping and tree preservation, etc.;

“O” zone (paragraph 7.7.2 of the ES of the Plan)

- (b) to amend the last sentence to read as “Opportunity may be given to explore whether a walking trail could be developed along this planned open space *and other coastal areas* to enhance pedestrian connectivity along the coast of *Waterfall Bay, Telegraph Bay and Sandy Bay at Pok Fu Lam for public enjoyment*”; and

“G/IC” zone (paragraph 7.6.3 of the ES of the Plan)

- (c) to amend to read as “In order to meet the needs of the Area, sites have been reserved for a divisional police station; *and* a pumping station; ~~and a school~~. *A site at Sandy Bay is reserved for the provision of government, institution and community facilities*”.

106. The amended Plan would be published for further representation under section 6(C)2 of the Town Planning Ordinance (the Ordinance) for three weeks and the Board would consider the further representations, if any, in accordance with the provisions of the Ordinance.

107. Other than the decision mentioned in paragraphs 104 and 105 above, the Board decided not to uphold the remaining views of Representation No. R101, R102 to R104, R106 to R776 and R778 to R780 and the views of Representations No. R105 and R777, and

considered that the Plan should not be amended to meet the representations under Items A1 to E for the following reasons:

*“Cyberport Expansion (Items A1 and A2)”*

- (a) the development of Cyberport 5 and its building height (BH) of 65mPD for the Representation Site A1 is considered appropriate having regard to all relevant factors including the planned BH profile for the area, the need for the proposed Cyberport expansion project, and its visual and air ventilation impacts on the surroundings (**R102 to R104, R106 to R108, R110, R113 to R125, R128 to R130, R132 to R143, R145 to R151, R153 to R160, R162 to R184, R186 to R363, R365 to R776, R778 and R779**);
- (b) further restricting the BH for the Representation Site A1 to 37mPD is not supported as it would significantly affect the development potential of Cyberport 5 to meet the operational requirements of Cyberport (**R189**);
- (c) the parking and loading/unloading facilities for Cyberport 5 will largely be accommodated in basement and their provisions will be in accordance with the requirements specified in the Hong Kong Planning Standards and Guidelines (HKPSG). The access road on ground level serves as an emergency vehicular access for Cyberport 5 and will comply with the requirements as set out by relevant government departments (**R102, R110 to R131, R133 to R160, R162 to R629, R631 to R673 and R675 to R775**);
- (d) the traffic impact assessment for Cyberport 5 is considered acceptable by the Transport Department and it has demonstrated that the Cyberport 5 will not cause unacceptable traffic impact on the road network with the implementation of the necessary junction improvement measures. The details of the proposed junction improvements will be further reviewed at the detailed design stage. As the road improvement works would require gazettal under the Roads (Works, Use and Compensation) Ordinance (Cap. 370), there will be public consultation at that stage (**R101, R102, R105, R106, R110 to R160, R162 to R775 and R777**);

- (e) while Cyberport 5 will affect about 1 ha of existing Cyberport Waterfront Park, the Cyberport expansion project will provide a total of about 5ha of open space for public enjoyment (i.e. the at-grade public open space of 5,000m<sup>2</sup> within Cyberport 5 and the enhanced Cyberport Waterfront Park of about 4.5ha as public open space). Besides, there is no deficit in the overall provision of open space in the area in accordance with the requirements as set out in the HKPSG. Therefore, Cyberport 5 would not affect significantly the provision of open space in the area (**R109, R161, R164, R440 and R780**);

Proposed “Government, Institution or Community” (“G/IC”) Site at Sandy Bay (Item C1)

- (f) The proposed “G/IC” zone for Representation Site C1 is to reflect the as-built condition of the existing sewerage facilities and the long term planning intention of the area for provision of government, institution and community (GIC) facilities. Besides, the site is surrounded by other existing GIC developments, which are also zoned “G/IC” on the Outline Zoning Plan (the Plan). Hence, the “G/IC” zone for the Representation Site C1 is considered appropriate. The concerns on the potential traffic impact of any future development can be dealt with under the established mechanism (**R101 to R104, R106, R112, R129, R132, R137 to R142, R144, R146 to R156, R158 to R315, R317 to R569, R571 to R629, R631, R633 to R763 and R765 to R775**); and

Waterfront Connectivity (Various Items)

- (g) The areas along the coast of Pok Fu Lam are mainly zoned “Open Space” and “G/IC”. As the provision of open space and road (including footbridge) is always permitted on land falling within the boundaries of the Plan, it is considered not necessary to rezone the waterfront areas to “O” for the purpose of providing a continuous waterfront promenade (**R102 to R104, R110 to R132, R134 to R145, R148 to R160, R162 to R375, R377 to R514, R516 to R613 and R615 to R775**).”

**Agenda Item 5**

Any Other Business

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

108. There being no other business, the meeting was closed at 9 p.m.