

**Minutes of 1307th Meeting of the
Town Planning Board held on 17.11.2023**

Present

Permanent Secretary for Development
(Planning and Lands)
Ms Doris P.L. Ho

Chairperson

Mr Lincoln L.H. Huang

Vice-chairperson

Mr Stephen L.H. Liu

Dr C.H. Hau

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr Stanley T.S. Choi

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Mr K.W. Leung

Professor John C.Y. Ng

Mr Ricky W.Y. Yu

Professor Roger C.K. Chan

Mrs Vivian K.F. Cheung

Mr Ben S.S. Lui

Mr Timothy K.W. Ma

Professor Bernadette W.S. Tsui

Chief Engineer (Traffic Survey and Support)
Transport Department
Mr W.H. Poon

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

Assistant Director (Environmental Assessment)
Environmental Protection Department
Mr Terence S.W. Tsang

Director of Planning
Mr Ivan M.K. Chung

Director of Lands
Mr Andrew C.W. Lai

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

Secretary

Absent with Apologies

Mr Wilson Y.W. Fung

Miss Winnie W.M. Ng

Professor Jonathan W.C. Wong

Dr Venus Y.H. Lun

Dr Conrad T.C. Wong

Mr Vincent K.Y. Ho

Mr K.L. Wong

In Attendance

Assistant Director of Planning/Board
Ms Caroline T.Y. Tang

Chief Town Planner/Town Planning Board
Ms Josephine Y.M. Lo (a.m.)
Ms Johanna W.Y. Cheng (p.m.)

Senior Town Planner/Town Planning Board
Ms Bonnie K.C. Lee (a.m.)
Mr Kelvin K.H. Chan (p.m.)

Agenda Item 1

[Open Meeting]

Confirmation of Minutes of the 1306th Meeting held on 3.11.2023

[The item was conducted in Cantonese.]

1. The draft minutes of the 1306th meeting held on 3.11.2023 were confirmed without amendment.

Agenda Item 2

[Open Meeting]

Matters Arising

[The item was conducted in Cantonese.]

(i) Approval of Draft Outline Zoning Plans

2. The Secretary reported that the Chief Executive in Council approved the draft Wan Chai North Outline Zoning Plan (OZP) (renumbered as S/H25/6) and the draft Tsuen Wan West OZP (renumbered as S/TWW/21) under section 9(1)(a) of the Town Planning Ordinance on 7.11.2023 and 14.11.2023 respectively. The approval of the OZPs was notified in the Gazette on 17.11.2023 and 24.11.2023 respectively.

(ii) Reference Back of Approved Urban Renewal Authority Development Scheme Plan

3. The Secretary reported that on 30.10.2023, the Secretary for Development referred the approved Urban Renewal Authority Kwun Tong Town Centre – Main Site Development Scheme Plan (DSP) No. S/K14S/URA1/2 to the Town Planning Board for amendment under section 12(1A)(a)(ii) of the Town Planning Ordinance. The reference back of the DSP was notified in the Gazette on 10.11.2023.

(iii) Hearing Arrangements for Consideration of Representations and Comments on Draft Outline Zoning Plan and Further Representations on Proposed Amendments to Draft Urban Renewal Authority Development Scheme Plans

4. The Secretary reported that the item was to seek Members' agreement on the hearing arrangements for consideration of (i) representations and comments on the draft Shau Kei Wan Outline Zoning Plan (OZP) No. S/H9/19; and (ii) further representations on the proposed amendments to the draft Urban Renewal Authority (URA) Ming Lun Street/Ma Tau Kok Road Development Scheme Plan (DSP) No. S/K22/URA1/1 and the draft URA To Kwa Wan Road/Ma Tau Kok Road DSP No. S/K22/URA2/1.

5. The Secretary reported that the amendments on the draft Shau Kei Wan OZP involved proposed public housing developments to be developed by the Hong Kong Housing Society (HKHS) and the Hong Kong Housing Authority (HKHA) respectively, and proposed redevelopment of the Salvation Army Shau Kei Wan Community Day Rehabilitation Service Centre. The proposed public housing development under HKHA was supported by an engineering feasibility study conducted by the Civil Engineering and Development Department (CEDD) and the proposed redevelopment of the Salvation Army Shau Kei Wan Community Day Rehabilitation Service Centre was supported by technical assessments conducted by Ove Arup & Partners Hong Kong Limited (ARUP). HKHS (R1) had submitted a representation on the draft OZP. The following Members had declared interests on the item:

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| Mr Ivan M.K. Chung
<i>(as Director of Planning)</i> | - being an ex-officio member of the Supervisory Board of HKHS; |
| Mr Andrew C.W. Lai
<i>(as Director of Lands)</i> | - being an ex-officio member of the Supervisory Board of HKHS and a member of HKHA; |
| Mr Paul Y.K. Au
<i>(as the Chief Engineer (Works), Home Affairs Department)</i> | - being a representative of the Director of Home Affairs who was a member of the Strategic Planning Committee and the Subsidised Housing Committee of HKHA; |

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| Mr Franklin Yu | - | being a member of the Building Committee and the Tender Committee of HKHA; and his firm having current business dealings with ARUP; |
| Mr Daniel K.S. Lau |] | being a member of HKHS; |
| Ms Lilian S.K. Law |] | |
| Dr Conrad T.C. Wong | - | having current business dealings with HKHS and HKHA; |
| Mr Timothy K.W. Ma | - | being a member of the Supervisory Board of HKHS; |
| Mr K.L. Wong | - | being a member and the former Chief Executive Officer of HKHS; and |
| Dr C.H. Hau | - | conducting contract research projects with CEDD; being a member of a focus group of CEDD on the study related to the Kau Yi Chau Artificial Islands; and being an honorary professional adviser on wetland conservation and biodiversity enhancement associated with the development of New Territories North of CEDD. |

6. The Secretary reported that the two DSPs submitted by URA involved a site at Ming Lun Street/Ma Tau Kok Road (Site KC-018) and another site at To Kwa Wan Road/Ma Tau Kok Road (Site KC-019) in Ma Tau Kok/Kowloon City. Representations (R244 of KC-018 and R3 of KC-019) had been submitted by the Hong Kong and China Gas Company Limited, a subsidiary of Henderson Land Development Company Limited (HLD), for both DSPs. A representation (R2 of KC-019) had been submitted by Kum Shing Group Limited (Kum Shing) for the draft DSP No. S/K22/URA2/1. URA (C1 of both KC-018 and KC-019) had also submitted comments for both DSPs. The following Members had declared interests on the item:

- Mr Ivan M.K. Chung] being a non-executive director of the URA Board
(as Director of Planning) and a member of its Committee;
- Mr Andrew C.W. Lai]
(as Director of Lands)
- Mr Timothy K.W. Ma - being a member of the Land, Rehousing &
Compensation Committee and Development
Project Objection Consideration Committee of
URA; and being a director of the Board of the
Urban Renewal Fund (URF);
- Dr Conrad T.C. Wong - having current business dealings with URA; his
companies owning four properties in Ma Tau
Kok; his close relative owning a property in
Kowloon City; and Build King – Kum Shing
Joint Venture was a client of his firm;
- Mr Lincoln L.H. Huang - being a former Vice-chairman of the Appeal
Board Panel of URA;
- Mr Ben S.S. Lui - being a former Executive Director of URA;
- Mr Ricky W.Y. Yu]
Mr Wilson Y.W. Fung] being a former director of the Board of URF;
Ms Lilian S.K. Law]
- Mr K.L. Wong - being a former Chief Executive Officer of HKHS
who previously had discussion with the
Development Bureau on the use of a site to the
immediate north of Site KC-019 for dedicated
rehousing estate development by HKHS;

- Miss Winnie W.M. Ng - her company owning two properties in Ma Tau Kok;
- Dr C.H. Hau - being an employee of the University of Hong Kong (HKU) which had received donation from a family member of the Chairman of HLD before, and having past business dealings with HLD;
- Mr Stephen L.H. Liu - being a former member of the Council of the Hong Kong Polytechnic University which had obtained sponsorship from HLD before;
- Professor Bernadette W.S. Tsui - being a former employee of HKU which had received donation from HLD before; and
- Mr Vincent K.Y. Ho - having current business dealings with HLD.

7. As the item for seeking the Town Planning Board (the Board)'s agreement on the hearing arrangements for the respective OZP/DSP was procedural in nature, all Members who had declared interests could stay in the meeting. The Board also noted that some of those Members had tendered apologies for being unable to attend the meeting.

8. The Secretary introduced the details as below:

- (a) the draft Shau Kei Wan OZP was exhibited on 23.6.2023 under section 5 of the pre-amended Town Planning Ordinance (the pre-amended Ordinance) and the amendments mainly involved rezoning of: (i) the site of A Kung Ngam Village and its adjacent areas from "Open Space" ("O"), "Green Belt", "Other Specified Uses" annotated "Business" ("OU(B)"), "Other Specified Uses" annotated "Comprehensive Recreational Development Area" and areas shown as 'Road' to "Residential (Group A) 6" ("R(A)6"); (ii) a site to the north of Ming Wah Dai Ha from "O", "R(A)" and "Government, Institution or Community" ("G/IC") to "R(A)5"; (iii) a site at 5 A Kung Ngam Village Road from "OU(B)" to "OU(B)1"; and (iv) a site at 456 Shau Kei Wan Road

from “G/IC”, “O” and an area shown as ‘Road’ to “G/IC(1)”. During the two-month exhibition period of the draft OZP, four valid representations were received. The valid representations were subsequently published for three weeks and six valid comments were received. In view of the similar nature of the representations and comments, the hearing of the valid representations and comments was recommended to be considered by the full Board collectively in one group. To ensure efficiency of the hearing, a maximum of 10 minutes presentation time would be allotted to each representer/commenter in the hearing session. Consideration of the representations and comments by the full Board was tentatively scheduled for January/February 2024;

- (b) on 15.9.2023, the Board considered the representations and comments in respect of the two draft DSPs and agreed to propose amendment to both DSPs, i.e. revision to the Remarks for the “R(A)” zone to amend the plot ratio restrictions thereof (the proposed amendment), to partially meet three representations of KC-018 and one representation of KC-019;
- (c) on 13.10.2023, the proposed amendment to the draft DSP No. S/K22/URA1/1 (KC-018) was exhibited under section 6C(2) of the pre-amended Ordinance. During the first three weeks of the exhibition period, 39 further representations (FRs) were received. After consolidating multiple submissions made by the same further representer, 38 FRs were received, of which (i) one FR with the identity information missing and/or incomplete did not comply with the requirements specified in the Town Planning Board Guidelines No. 29B (TPB PG-No. 29B) and such FR should be treated as not having been made pursuant to sections 6D(2)(b) and 6D(3)(b) of the pre-amended Ordinance; and (ii) three FRs were submitted by the representers who had made representations after consideration of which the proposed amendment was proposed and such FRs should be considered invalid pursuant to section 6D(1) of the pre-amended Ordinance. Hence, 34 valid FRs would be submitted to the Board for consideration;
- (d) on 13.10.2023, the proposed amendment to the draft DSP No. S/K22/URA2/1

(KC-019) was exhibited under section 6C(2) of the pre-amended Ordinance. During the first three weeks of the exhibition period, 41 FRs were received. After consolidating multiple submissions made by the same further representer, 40 FRs were received, of which one FR with the identity information missing and/or incomplete did not comply with the requirements specified in TPB PG-No. 29B and such FR should be treated as not having been made pursuant to sections 6D(2)(b) and 6D(3)(b) of the pre-amended Ordinance. Hence, 39 valid FRs would be submitted to the Board for consideration;

- (e) as the representations and comments in respect of the two DSPs were considered by the full Board collectively throughout the hearing and deliberation sessions, it was appropriate for the full Board itself to consider the FRs without resorting to the appointment of Representation Hearing Committee. In view of similar nature of the FRs of both DSPs, the hearing of the FRs of both DSPs would be conducted in one go; and
- (f) the further representers and the representers/commenters who had made the representations or comments after consideration of which the amendment was proposed (i.e. related representers/related commenters) would be invited to the meeting. To ensure efficiency of the hearing, it was recommended to allot a maximum of 10 minutes presentation time to each further representer/related representer/related commenter in the hearing session. Consideration of the FRs by the full Board was tentatively scheduled for 15 December 2023.

9. After deliberation, the Board agreed to the respective hearing arrangements in paragraph 8 above.

Tsuen Wan and West Kowloon District

Agenda Item 3

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Representation and Comments in respect of the Draft Tsuen Wan Outline Zoning Plan No. S/TW/36

(TPB Paper No. 10937)

[The item was conducted in Cantonese and English.]

10. The Secretary reported that the draft Tsuen Wan Outline Zoning Plan (OZP) involved rezoning of a site at the upper section of Lo Wai Road from “Green Belt” (“GB”) to “Government, Institution or Community (10)” (“G/IC(10)”) for a proposed private columbarium development. Mr Stanley T.S. Choi had declared an interest on the item for his spouse being a director of a company which owned properties in Tsuen Wan. Members agreed that as the properties of Mr Stanley T.S. Choi’s spouse had no direct view of the amendment site, he could stay in the meeting.

Presentation and Question Sessions

11. The following government representatives, representer/commenter and commenter’s representative were invited to the meeting at this point:

Planning Department (PlanD)’s Representatives

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| Mr Derek P.K. Tse | - District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK) |
| Mr Michael K.K. Cheung | - Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK) |

Representer/Commenter and Commenter’s Representative

R1/C2 – Mary Mulvihill

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| Ms Mary Mulvihill | - Representer and Commenter |
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C1 – Longest Profit (Hong Kong) Limited (長興(香港)有限公司)

Case Design International Limited

- Mr Li Chi Ming, Eric

- Commenter's Representative

12. The Chairperson extended a welcome. She then briefly explained the procedures of the hearing. She said that PlanD's representatives would be invited to brief Members on the representation and comments. The representer/commenter and the commenter's representative would then be invited to make oral submissions. To ensure efficient operation of the hearing, each representer, commenter and commenter's representative would be allotted 10 minutes for making presentation. There was a timer device to alert the representer/commenter and the commenter's representative 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 the representer/commenter and the commenter's representative had completed their oral submissions. Members could direct their questions to the government representatives or the representer/commenter and the commenter's representative. After the Q&A session, the government representatives, the representer/commenter and the commenter's representative would be invited to leave the meeting. The Town Planning Board (the Board) would then deliberate on the representation and comments in their absence and inform the representer and commenters of the Board's decision in due course.

13. The Chairperson invited PlanD's representatives to brief Members on the representation and comments. With the aid of a PowerPoint presentation, Mr Michael K.K. Cheung, STP/TWK, briefed Members on the representation and comments, including the background of the draft OZP, the grounds/views of the representer and commenters and PlanD's views on the representation and comments as detailed in TPB Paper No. 10937 (the Paper). The amendment to the draft OZP (i.e. Item A) was to take forward the decision of the Metro Planning Committee (MPC) to partially agree to a s.12A application (No. Y/TW/15) (the s.12A Application) on 25.6.2021 for rezoning a site at the upper section of Lo Wai Road (the Site) from "GB" to "G/IC(10)" to facilitate a proposed private columbarium development.

14. The Chairperson then invited the representer/commenter and the commenter's representative to elaborate on their representation/comments.

R1/C2 – Mary Mulvihill

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

- (a) she opposed Item A;
- (b) it was noted that there was an existing two-storey unauthorised structure, with ancillary facilities in the open area including statues, toilets and an incinerator for burning of paper offerings, used for an unauthorised columbarium on the Site. While the regularisation of the unauthorised columbarium was not pursued by the operator, the applicant of the s.12A Application claimed that the ashes stored in the columbarium had been returned to eligible claimants and those unclaimed had been delivered to the temporary ashes storage facility, and no ash was currently stored within the structure on site. The applicant also claimed that in view of the need to complete the handover of the unclaimed ashes and the Food and Environmental Hygiene Department's disposal procedure, the existing unauthorised structures on site had not been demolished. That was contradictory to the applicant's claim that no ash was currently stored within the structure on site. It was considered that the next appropriate step should be the demolition of the unauthorised structure, not granting approval for a new columbarium on the Site;
- (c) in relation to traffic aspect, the applicant of the s.12A Application proposed crowd control arrangements including closing the columbarium during festival days and their shadow periods (i.e. the two weekends before and after the festival days), adopting a mandatory 'visit-by-appointment' scheme and limiting selling of niches to not more than 500 per year. Despite those measures, the incremental increase in the number of niches sold annually would attract more worshippers, causing adverse cumulative traffic impact on the surroundings;
- (d) she concurred with the views of some MPC Members who did not support the s.12A Application that it was a case of 'build first, apply later' involving

unauthorised uses/structures under the planning, building and land regimes. Approval of such case would set an undesirable precedent for similar columbarium developments implemented without complying with the relevant regulations/ordinances. She also shared the view of a MPC Member that the applicant's procrastination of not dealing with the illegal building and land matters pertaining to the Site was not desirable and there was a need for timely enforcement actions;

- (e) it was noted that PlanD conducted a land use review in 2003 and recommended to rezone a number of long-established religious institutions and elderly homes in Fu Yung Shan area to various "G/IC" subzones. However, the Site was not included in that rezoning exercise. It implied that the columbarium on the Site had all along lacked historical legitimacy;
- (f) the Site was the subject of a previous s.12A application (No. Y/TW/9) which was rejected by MPC on 17.2.2017 (the 2017 decision). The following considerations/departmental comments in respect of the 2017 decision were applicable for rejecting the current zoning amendment:
 - (i) the District Lands Officer/Tsuen Wan and Kwai Tsing advised that the proposed columbarium use was in breach of the lease and the applicant's proposal of widening an existing access road on government land would affect the existing and planned public works. It was not appropriate to impose the proposed operational management measures in the lease conditions as those measures were not enforceable under lease;
 - (ii) the Commissioner for Transport (C for T) had reservation on the application and the proposed traffic management measures, given that the existing traffic flow during festive periods exceeded the design capacity of Lo Wai Road, and the traffic impact arising from the proposed columbarium would further aggravate the traffic condition of the road. The Commissioner of Police considered C for T's comments vital in processing the application and that traffic would

continue to be a key concern. The applicant failed to demonstrate that the proposed traffic management measures were practical, implementable and enforceable. Some Tsuen Wan District Council members also raised concerns on the traffic problem of Lo Wai Road. There was the possibility for an incremental increase in traffic because at least 500 niches would be sold out each year, and it was doubtful why C for T changed his stance of not objecting to the proposed columbarium under the s.12A Application; and

(iii) the conversion and renovation of the existing structure on the Site for columbarium use involved unauthorised building works subject to enforcement action by the Building Authority (BA). The applicant's representative had confirmed that no professional was engaged for such conversion and renovation works;

(g) despite the fact that there were a proposed large-scale residential development and a proposed expansion of an existing Residential Care Home for the Elderly nearby, it was doubtful why the above land, traffic and building matters could be resolved in such an instant and relevant departments had no adverse comment on the s.12A Application; and

(h) it was noted that there was a statement in the relevant MPC and TPB papers that due to the traffic constraint of the Site, the applicant had reduced the proposed number of niches from 12,000 niches in the previous applications to 3,000 niches since 2016. However, there was no information in the MPC/TPB papers on the limit of the ultimate number of niches in the proposed columbarium. The proposed 3,000 niches might be the first step in the process and the operator would get his own way step by step to achieve the intended target of 12,000 niches. Approval of the draft OZP would encourage the operator to proceed further to achieve his aim ultimately.

16. Ms Mary Mulvihill, R1/C2, raised her enquiry on applications for extension of time for compliance with approval conditions related to s.16 applications for animal boarding establishments. The Chairperson said that as the matter was not relevant to her representation

in respect of the draft OZP, PlanD would separately follow up on her enquiry and report to the Board in due course.

[Ms Sandy H.Y. Wong joined the meeting during R1/C2's presentation.]

C1 – Longest Profit (Hong Kong) Limited (長興(香港)有限公司)

17. Mr Li Chi Ming, Eric made the following main points:

- (a) the unauthorised structure had existed on the Site since the 1960s; and
- (b) approval for demolition of the unauthorised structure had been obtained from BA. It was anticipated that the demolition works would be completed within the next two or three months.

18. As the presentations of government representatives, the representer/commenter and the commenter's representative had been completed, the meeting proceeded to the Q&A session. The Chairperson explained that Members would raise questions to the representer/commenter and the commenter's representative and/or the government representatives. 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.

19. Members had no questions to raise. The Chairperson said that the hearing procedures for the presentation and Q&A sessions had been completed. The Board would further deliberate on the representation and comments in closed meeting and inform the representer and commenters of the Board's decision in due course. The Chairperson thanked the representer/commenter and the commenter's representative and the government representatives for attending the meeting. They left the meeting at this point.

Deliberation Session

20. The Chairperson remarked that Item A was to take forward the decision of MPC on the s.12A Application and Members generally agreed with the amendment to the draft OZP.

21. After deliberation, the Board decided not to uphold R1 and agreed that the draft OZP should not be amended to meet the representation for the following reason:

“the amendment Item A is to take forward the application No. Y/TW/15 under section 12A of the pre-amended Town Planning Ordinance partially agreed by the Metro Planning Committee of the Town Planning Board (the Board), on the consideration that the proposed use is not incompatible with the surrounding areas containing a temple/monastery cluster covered by various “Government, Institution or Community” (“G/IC”) subzones in Fu Yung Shan area. The “G/IC(10)” zoning of the amendment item is considered appropriate with ‘Columbarium’ use stipulated under Column 2 of the zone such that the development details and other technical aspects of the proposed columbarium would be subject to the scrutiny of the Board upon planning application under section 16 of the Town Planning Ordinance.”

22. The Board also agreed that the draft OZP, together with its Notes and updated Explanatory Statement, was suitable for submission under section 8(1)(a) and 29(8) of the Town Planning Ordinance to the Chief Executive in Council for approval.

Kowloon District

Agenda Item 4

[Open Meeting (Presentation and Question Sessions only)]

Proposed Amendments to the Approved Urban Renewal Authority Kwun Tong Town Centre Development Scheme Plan – Main Site No. S/K14S/URA1/2
(TPB Paper No. 10938)

[The item was conducted in Cantonese.]

23. The Secretary reported that the Approved Urban Renewal Authority (URA) Kwun Tong Town Centre (KTTC) Development Scheme Plan No. S/K14S/URA1/2 (the DSP) involved a site in Kwun Tong and the proposed amendments to the DSP were to take forward URA’s latest development proposals. The following Members had declared interests on the item:

- Mr Ivan M.K. Chung] being a non-executive director of the URA Board
(*as Director of Planning*) and a member of its Committee;
- Mr Andrew C.W. Lai]
(*as Director of Lands*)
- Mr Timothy K.W. Ma - being a member of the Land, Rehousing &
Compensation Committee and Development
Project Objection Consideration Committee of
URA; and being a director of the Board of the
Urban Renewal Fund (URF);
- Dr Conrad T.C. Wong - having current business dealings with URA;
- Mr Lincoln L.H. Huang - being a former Vice-chairman of the Appeal Board
Panel of URA;
- Mr Ben S.S. Lui - being a former Executive Director of URA; and
- Mr Ricky W.Y. Yu]
Mr Wilson Y.W. Fung] being a former director of the Board of URF.
Ms Lilian S.K. Law]

24. Members noted that Mr Wilson Y.W. Fung and Dr Conrad T.C. Wong had tendered apologies for being unable to attend the meeting. As the interests of Messrs Ivan M.K. Chung, Andrew C.W. Lai and Timothy K.W. Ma were direct, Members agreed that they should be invited to leave the meeting temporarily for the item. Members also agreed that as the interest of Mr Lincoln L.H. Huang was indirect, and Messrs Ricky W.Y. Yu and Ben S.S. Lui and Ms Lilian S.K. Law had no involvement in the DSP, they could stay in the meeting.

[Messrs Ivan M.K. Chung, Andrew C.W. Lai and Timothy K.W. Ma left the meeting temporarily at this point.]

Presentation and Question Sessions

25. The following representatives of the Planning Department (PlanD) and URA were invited to the meeting at this point:

PlanD's Representatives

Ms Vivian M.F. Lai	- District Planning Officer/Kowloon (DPO/K)
Mr Steven Y.H. Siu	- Senior Town Planner/Kowloon (STP/K)
Ms Charlotte P.S. Ng	- Town Planner/Kowloon

URA's Representatives

Mr Lawrence C.K. Mak	- Director
Mr Mike Y.F. Kwan	- General Manager
Ms Y.T. Li	- Senior Manager
Ms Clarice N.S. Ho	- Manager

26. The Chairperson extended a welcome and explained the procedures of the meeting. She then invited the representatives of PlanD and URA to brief Members on TPB Paper No. 10938 (the Paper).

Draft DSP

27. With the aid of a PowerPoint presentation, Mr Steven Y.H. Siu, STP/K, PlanD briefed Members on the proposed amendments to the approved DSP as detailed in the Paper, including the background of the KTTC redevelopment project, the development progress of the five development areas (DAs) (i.e. DAs 1 to 5) of KTTC, the proposed development at DAs 4 and 5 (the Site), as well as the proposed zonings and key development parameters for DAs 2 to 5. The proposed amendments were as follows:

- (a) Amendment Item A – to rezone a site (about 2.46 ha) to the north of Kwun Tong Road (i.e. the Site) from “Comprehensive Development Area (1)” (“CDA(1)”) to “Other Specified Uses” annotated “Mixed Use” (“OU(MU)”) with building height (BH) restrictions of 30/100/360mPD to facilitate a mixed development; and

- (b) Amendment Item B – to rezone a site (about 2.18 ha) to the south of Mut Wah Street from “CDA(1)” to “Residential (Group A)” (“R(A)”) with BH restriction of 180mPD to reflect the completed development.

28. With the aid of a PowerPoint presentation, Mr Lawrence C.K. Mak, URA’s representative, explained that the purpose of the proposed amendments to the DSP was to enhance the development proposals for the Site. URA had been repackaging the development concept for the Site from a purely commercial development towards a high-density mixed-use “Vertical City” development, notably to introduce domestic use in the development mix with a view to optimising the development potential of the Site in response to changing market needs (the Proposed Scheme). The “Vertical City” development would not only strengthen the role of the Site as the town centre of Kwun Tong, but also bring about planning gains to the community. The concept had gained increasing global attention and there were examples of vertical cities worldwide. Hong Kong, being an international city, should have its “Vertical City” development to promote an international living/working/playing lifestyle that was on par with other major cities. KTTC was considered suitable for the pilot development of such kind in view of its strategic location.

29. With the aid of a PowerPoint presentation, Mr Mike Y.F. Kwan, URA’s representative, made the following main points:

- (a) the KTTC, also known as Project K7, was the largest and most complicated redevelopment project ever undertaken by URA to date. It comprised five DAs. Developments at DAs 1 to 3 had been completed while developments at DAs 4 and 5, i.e. the Site, had yet to commence. The Site was the subject of the proposed amendments to the DSP under consideration;
- (b) a residential development, namely Park Metropolitan, and a public clinic complex, namely Kwun Tong Community Health Centre Building, were completed at DA 1. A composite development comprising a residential development cum commercial facilities, namely Grand Central, with a two-level public transport interchange, a hawker bazaar and a refuse collection point, was completed at DAs 2 and 3. For the Site, a s.16 application (No.

A/K14/819) submitted by URA was approved with conditions by the Metro Planning Committee (MPC) of the Town Planning Board (the Board) in September 2022 to allow built-in flexibility over the actual non-domestic gross floor areas (GFAs) within specified ranges (i.e. “floating parameters”) for office, hotel and retail uses (the Approved Scheme) while maintaining the development parameters (i.e. a maximum total GFA of 201,220m² and a maximum BH of 285mPD) in previous approved schemes. However, since the unsuccessful tendering of the commercial development at the Site in early 2023, URA had been exploring ways to enhance the development proposals for the Site;

- (c) URA had been repackaging the development concept for the Site from a purely commercial development towards a high-density mixed-use “Vertical City” development. “Vertical City” was a development concept where different land-use functions of a city such as living, working, playing, wellness, community, connectivity, etc. were amalgamated and developed vertically through high-rise buildings. The objectives of “Vertical City” development were:
 - (i) promoting flexible land uses to meet changing circumstances/needs for visionary planning;
 - (ii) advancing ‘single site, multiple use’ to enhance resilience to market changes;
 - (iii) creating a modern and international living/working/playing lifestyle that was on par with other major cities; and
 - (iv) bringing environmental enhancement to the community;
- (d) the concept of “Vertical City” development had gained increasing global attention. There were examples of “Vertical City” developments in both developed and developing countries around the world, such as Burj Khalifa in Dubai (BH of 828m and built in 2010), Lotte World Tower in Seoul (BH

of 555m and built in 2017), Landmark 81 in Ho Chi Minh City (BH of 470m and built in 2018), Autograph Tower in Jakarta (BH of 383m and built in 2022), MahaNakhon in Bangkok (BH of 314m and built in 2016), The Shard in London (BH of 310m and built in 2012) and 35 Hudson Yards in New York (BH of 305m and built in 2019). Those developments showcased a mix of land uses such as residential, retail, office, hotel and community facilities, and observation decks were often provided. In the early days, “Vertical City” developments were mainly found in North American countries for purely office use, with steel as the most popular construction material for such high-rise buildings. In recent decades, “Vertical City” developments were becoming more prevalent in Asian countries for mixed uses with composite as the most frequently used construction material. While there was currently no “Vertical City” development in the Greater Bay Area, ‘composite developments’ with high-rise commercial/office tower cum a high-rise residential tower within the same site were found in Guangzhou and Zhuhai. Piloting the concept of “Vertical City” development in Hong Kong could help catch up with the international development trend;

- (e) the proposed “Vertical City” development at the Site could strengthen KTTC’s role in supporting Kowloon East as the second Core Business District (CBD2) of Hong Kong. The proposed development in the form of a landmark tower could denote the significance of KTTC, and contribute as part of the notable landmarks visible across the Victoria Harbour, together with International Finance Centre in Central and International Commerce Centre in West Kowloon, to enhance the cityscape of Hong Kong;
- (f) while not all sites were suitable for “Vertical City” development, the Site possessed the following elements which made it a suitable one:
 - (i) the Site was strategically located within the centre of KTTC, with Kwun Tong residential area located to its north and Kwun Tong business area located to its south. The Site, situated in the transition area, was suitable for high-density, vertically-integrated and mixed-use development;

- (ii) the Site was highly accessible to public transport services. It was located adjacent to the Kwun Tong MTR Station and there were over 80 bus routes to/from different parts of Hong Kong serving KTTC; and
 - (iii) the Site with an area of about 25,000m² was sizable enough for a landmark and high-density mixed-use development. Considerable area could also be allocated for providing at-grade public open space (POS) and multi-level outdoor communal spaces for public enjoyment;
- (g) with a view to developing the Site for a high-density mixed-use “Vertical City” development, it was proposed to rezone the Site from “CDA(1)” to “OU(MU)” and introduce domestic use in the proposed development. The key development parameters under the Proposed Scheme were as follows:
- (i) the maximum total GFA for the Site would be increased by about 33% from 201,220m² under the Approved Scheme to 268,300m² (accountable GFA of about 251,100m²) under the Proposed Scheme;
 - (ii) the maximum GFA for domestic use was 110,100m²;
 - (iii) the maximum GFA for non-domestic uses was 153,700m²;
 - (iv) the maximum BH would be increased by about 25% from 285mPD under the Approved Scheme to 360mPD under the Proposed Scheme; and
 - (v) in keeping with the Approved Scheme, about 8,600m² of GFA for government, institution and community (GIC) facilities would be provided within the Site including a district office, an early education and training centre, a post office, government offices and the Environmental Protection Department (EPD)’s air quality monitoring station. With a view to enhancing the planning gains, URA had been

exploring the possibility of providing additional GFA for provision of new GIC facilities, with the aim to double the provision to a total GFA of up to 17,200m² to meet the acute demand for GIC facilities in the local community. The additional GIC facilities, such as health/medical and social welfare facilities, would be timely confirmed subject to liaison/agreement with and confirmation of usage and funding from the relevant bureaux/departments (B/Ds) for subsequent land grant preparation;

- (h) key planning and design merits committed under the Approved Scheme would be retained, for example, the iconic egg-shaped GIC building at the southwestern corner of the Site, provision of a landmark tower, provision of an observation deck at the top floor of the landmark tower, and provision of at-grade POS of not less than 7,200m², etc.;
- (i) in addition to the provision of at-grade POS of not less than 7,200m² as an additional planning gain and to embrace the “Vertical City” concept, multi-level outdoor communal spaces of not less than 4,000m² would be introduced under the Proposed Scheme. The outdoor communal spaces would comprise a mix of uncovered and open-sided spaces, with a combination of hard and soft landscaping elements, as well as passive and active features, providing a wide range of experiences for visitors, from quiet contemplation areas to more active recreational spaces, to promote dynamic and vibrant environment and create opportunities for social interaction, recreation and community engagement. The various forms of the outdoor communal spaces, including cascading landscaped terraces, sky gardens and amenity areas situated across different levels, would create a network that would integrate the indoor uses and outdoor environment seamlessly. Reference had been made to the vertically-integrated multi-level communal spaces in Parco Shibuya in Japan and Pan Pacific Orchard in Singapore;
- (j) to accommodate the additional GFA, the committed BHs of 285mPD in the high zone and 75mPD in the mid zone under the Approved Scheme would need to be increased. To maintain the stepped BH profile, three height bands

were proposed under the Proposed Scheme, including a BH of 360mPD in the high zone for the landmark tower at the southeastern corner of the Site, a BH of 100mPD in the mid zone for the cascading GIC-cum-commercial block along the southern boundary of the Site and a BH of 30mPD in the low zone to maintain reasonable distance from DAs 2 and 3 (i.e. Grand Central) along the northern boundary of the Site;

- (k) URA consulted the Kwun Tong District Council (KTDC) on the Proposed Scheme on 7.3.2023 and 4.7.2023. KTDC members generally welcomed the Proposed Scheme and urged for early implementation of the redevelopment project. URA also consulted the Panel on Development of Legislative Council (LegCo) on 25.7.2023. LegCo members generally supported the introduction of domestic use and the development of the landmark tower with a BH of 360mPD to strengthen the positioning of KTTC as the town centre of Kwun Tong; and
- (l) subject to the approval of the Chief Executive in Council of the proposed amendments to the DSP in the second quarter of 2024, land grant preparation would be carried out accordingly. It was targeted to restart the tendering exercise for the proposed development of the Site in end 2024. Since “Vertical City” development was a relatively new development concept in Hong Kong, a cautious and pragmatic implementation approach should be adopted and hence, the proposed development of the Site was targeted for completion in 2033.

30. With the aid of a PowerPoint presentation, Mr Steven Y.H. Siu, STP/K, PlanD continued to brief Members on the planning considerations and technical assessments for the Site as well as the proposed amendments to the DSP in respect of the Site and DAs 2 and 3, as detailed in paragraphs 5 and 6 of the Paper respectively.

[The meeting was adjourned for a 5-minute break.]

31. As the presentations of the representatives of PlanD and URA had been completed, the meeting proceeded to the question and answer session. The Chairperson reminded

Members that according to the Town Planning Board Guidelines No. 29C, the Board's decision on the DSP would be kept confidential for three to four weeks after the meeting at which the DSP was considered under the provisions of the Urban Renewal Authority Ordinance and would be released when the DSP was published under section 5 of the Town Planning Ordinance. Members were reminded to exercise due care when asking questions in the open session of the meeting so as to avoid inadvertent divulgence of their views on the proposed amendments to the DSP to the public. She then invited questions from Members.

Proposed Increase in GFA and BH

32. The Vice-chairperson and some Members asked about the considerations and reasons for increasing the maximum total GFA from 201,220m² to 268,300m² (+ 67,080m²) and the maximum BH from 285mPD to 360mPD in the Proposed Scheme.

33. In response, with the aid of some PowerPoint slides, Messrs Lawrence C.K. Mak and Mr Mike Y.F. Kwan, URA's representatives, made the following main points:

- (a) with a view to optimising the development potential of the Site and having taken into account the infrastructural capacity, in particular the traffic and sewerage capacities, it was considered technically feasible to increase the maximum total GFA by about 67,000m² to 268,300m², i.e. a plot ratio of about 11.8, under the Proposed Scheme. The increase in total GFA could create a critical mass to sustain the proposed development from the economic and financial viability points of view; and
- (b) to accommodate the additional GFA, the BHs of 285mPD and 75mPD under the Approved Scheme would need to be increased correspondingly. Notwithstanding the increase, to respect the BH profile of the previously approved Master Layout Plans, three height bands, including a high zone with a BH of 360mPD (increased from 285mPD), a mid zone with a BH of 100mPD (increased from 70mPD) and a low zone with a BH of 30mPD, were proposed in the Proposed Scheme. The magnitude of the proposed increase in maximum BHs of the landmark tower in the high zone (about +26%) and the GIC-cum-commercial block in the mid zone (about +33%) was generally

in proportion to the proposed increase in the total GFA. Besides, for the proposed BH of the landmark tower, reference had been made to the standard floor-to-floor heights (FTFHs) commonly adopted in developments in Hong Kong, including 3.5m for residential/hotel floors, 4.2m to 5m for office/commercial uses, 4.5m for GIC uses and 5m for communal spaces/refuge floors. The proposed FTFHs were considered reasonable and appropriate. Different BH scenarios such as 320mPD, 360mPD and 400mPD had been considered and examined in the study process and the proposed BH of 360mPD was considered most appropriate having balanced the considerations on urban design and visual impacts and functional requirements.

34. To supplement, Mr Steven Y.H. Siu, STP/K, PlanD said that, as stated in Footnote [7] on page 6 of the Paper, the maximum GFA was determined based on various factors including infrastructural (such as traffic and sewerage) capacities, findings of the noise impact assessment, as well as other urban design considerations such as provision of at-grade POS and BH profile of the surrounding areas.

POS and Multi-level Outdoor Communal Spaces

35. While noting that not less than 7,200m² of at-grade POS and not less than 4,000m² of multi-level outdoor communal spaces would be provided under the Proposed Scheme, some Members considered that the provision of POS and communal spaces might not be adequate and some of those spaces were exposed to railway/traffic noise and dust from MTR Kwun Tong Line and Kwun Tong Road, which was undesirable. In that regard, the Vice-chairperson and some Members asked whether it was possible to provide more POS and communal spaces and enhance/refine the design of the POS and multi-level outdoor communal spaces in the Proposed Scheme, and whether the 4,000m² multi-level outdoor communal spaces would be merely an aggregate of many piecemeal and scattered communal spaces.

36. In response, with the aid of some PowerPoint slides, Messrs Lawrence C.K. Mak and Mike Y.F. Kwan, URA's representatives, made the following main points:

- (a) in keeping with the design elements of the Approved Scheme including a landmark tower at the southeastern corner of the Site, an iconic egg-shaped building at the southwestern corner of the Site and the cascading design of the GIC-cum-commercial block along the southern boundary of the Site, and having regard to the site coverage and BH of the proposed building bulks as well as other relevant considerations on visual and air ventilation perspectives, the provision of not less than 7,200m² at-grade POS and not less than 4,000m² outdoor communal spaces was considered appropriate;

At-grade POS

- (b) with the proposed at-grade POS of 7,200m² and the existing at-grade POS of about 2,400 m² in DAs 2 and 3, a total of about 9,600m² at-grade POS would be provided in KTTC as a whole;
- (c) part of the proposed at-grade POS in the Proposed Scheme would be dedicated for re-provisioning part of the Yue Man Square Rest Garden (YMSRG). When compared with the original YMSRG, which was located at the roadside and exposed to railway/traffic noise and dust, the re-provisioned YMSRG would be located in the northern part of the Site which was further away from Kwun Tong Road, and hence the re-provisioned YMSRG would be in a more desirable setting;

Multi-level Outdoor Communal Spaces

- (d) to embrace the “Vertical City” concept, due regard had been given to maximising the opportunity to provide multi-level outdoor communal spaces. Not less than 4,000m² of outdoor communal spaces would be provided at different levels of the proposed development. According to the air quality impact assessment conducted for the Proposed Scheme, air quality would be better at higher levels, and hence outdoor communal spaces were proposed at the mid-to-high levels at about 100mPD or above;

- (e) some podiums/roof areas at the landmark tower would be required for provision of local open spaces for the future residents in accordance with the requirements of the Hong Kong Planning Standards and Guidelines (HKPSG), and the roof area of the egg-shaped building would be required for EPD's air quality monitoring station, Hence, podium/roof areas available for the purpose of communal space would be limited;
- (f) each outdoor communal space was of considerable size, making it functionally viable. The largest outdoor communal space was proposed on the podium deck of the landmark tower; and
- (g) notwithstanding the above, Members' suggestion of providing more open spaces or communal spaces would be further explored at the detailed design stage.

Air Ventilation Aspect

37. A Member noted that an air ventilation assessment – initial study using computational fluid dynamics modelling (AVA-IS) was conducted to compare the pedestrian wind environment in the surroundings of the Proposed Scheme with that of the Approved Scheme. The results of the AVA-IS indicated that some civic squares/open spaces nearby would have lower wind velocity ratios under the Proposed Scheme when compared with that of the Approved Scheme, though some mitigation measures such as urban windows design along the Kwun Tong Road façade were proposed under the Proposed Scheme. The Member invited URA to provide more explanations on the results of the AVA-IS and enquired whether it was possible to incorporate more wind enhancement features.

38. In response, with the aid of some PowerPoint slides, Mr Mike Y.F. Kwan, URA's representative, made the following main points:

- (a) the simulation results of the AVA-IS concluded that with the proposed wind enhancement measures/design elements including setback from adjoining roads, building separations and urban windows design along the Kwun Tong Road façade, the pedestrian wind environment in the surrounding areas was

generally comparable between the Approved Scheme and the Proposed Scheme under annual and summer wind conditions. Slightly higher wind velocity ratios were recorded at the immediate vicinity while slightly lower wind velocity ratios were recorded in a few surrounding areas under the Proposed Scheme; and

- (b) as stated in the Explanatory Statement (ES) of the DSP, in the event that the proposed wind enhancement features were not adopted in the future design scheme, further AVA study should be conducted by the project proponent(s) to demonstrate that the wind performance of the eventual development would not be worse than the Proposed Scheme adopted in the AVA-IS conducted in 2023. More and better wind enhancement measures would be further explored at the detailed design stage.

Pedestrian Connectivity

39. Some Members considered that some existing pedestrian connections were already congested and the additional 4,000 population brought by the proposed development might further exacerbate the over-crowded situation. While noting that pedestrian connections between the Site and the surrounding areas were proposed, Members invited URA to provide more details of the proposed measures to enhance pedestrian connectivity.

40. In response, with the aid of some PowerPoint slides, Messrs Lawrence C.K. Mak and Mike Y.F. Kwan, URA's representatives, made the following main points:

- (a) existing and anticipated pedestrian routings had been thoroughly studied in formulating the pedestrian circulation plan for the proposed development, and it was anticipated that pedestrian flows would come from all directions;
- (b) to enhance accessibility, the following main pedestrian connections would be provided at multi-levels to establish a comprehensive pedestrian system:
 - (i) to the north, multi-level pedestrian connections would be provided between the Site and the retail portions of DAs 2 and 3 (Grand

Central), which would further link to existing footbridges connecting with DA 1 (Park Metropolitan) and Mut Wah Street;

- (ii) to the west, there would be a possible subway connection at the Site to connect with the planned subway across Hong Ning Road near Ngau Tau Kok Road. The subway outside the Site would be constructed by the Civil Engineering and Development Department and the design and location(s) of the connection point(s) at the Site would be subject to liaison and agreement with relevant government department(s) at implementation stage; and
- (iii) to the south, elevated connections linking to the two existing footbridges on Kwun Tong Road, i.e. the APM Millennium City footbridge and the Tsun Yip Lane footbridge, were proposed. To improve pedestrian circulation and alleviate the congestion at Exit A of Kwun Tong Station connecting to APM Millennium City, URA had been actively liaising with MTR Corporation Limited on a proposed landscaped deck for replacing the two existing footbridges connecting the station concourse with the Site with a view to providing more direct and effective pedestrian routes and pleasant pedestrian entrance point for the proposed development, and facilitating the diversion of pedestrian flow from Exit A to the less-congested Exit C of Kwun Tong Station.

Traffic Condition and Parking Space Provision

41. A Member raised the following questions:

- (a) whether the traffic condition in the surrounding areas would be worsened with the proposed development; and
- (b) noting that the Site was located in close proximity to MTR Kwun Tong Station and fewer car parking spaces (i.e. 850) were proposed under the

Proposed Scheme when compared with the Approved Scheme (i.e. 900), the considerations for such provision under the Proposed Scheme.

42. In response, with the aid of some PowerPoint slides, Mr Mike Y.F. Kwan, URA's representative, made the following main points:

- (a) according to the traffic impact assessment conducted, major road junctions surrounding the Site, including Hoi Yuen Road Roundabout, would operate at or near capacity in the design year of 2036. A sensitivity test was conducted to compare the junction performance under the Approved Scheme and the different scenarios under the Proposed Scheme, including the worst-case scenario of mixed-use development, in the design year of 2036. Under the Approved Scheme scenario (with more commercial use and no residential use), the design flow to capacity (DFC) at Hoi Yuen Road Roundabout would reach 0.97. Under the Proposed Scheme scenario (with the introduction of residential use and lesser commercial use), the DFC at Hoi Yuen Road Roundabout would slightly be reduced to 0.95. The difference was mainly due to different trip generation patterns of commercial and residential uses. It revealed that the traffic condition at Hoi Yuen Road Roundabout would be slightly better under the Proposed Scheme scenario; and
- (b) car parking provision was specified in a range (about 800 to 900 parking spaces) under the Approved Scheme. The provision of 850 car parking spaces under the Proposed Scheme would generally meet the requirements of HKPSG. The actual provision of car parking spaces would be determined subject to agreement with the Transport Department at the detailed design stage.

Population and Planning Gains for the Community

43. Some Members raised the following questions:

- (a) the number of residential flats under the Proposed Scheme, and the estimated population and the targeted occupants of the proposed residential development;
- (b) noting the changed socio-economic context of Kwun Tong, whether there was any information about the projected demographic composition in the Kwun Tong district and whether the proposed development could bring benefits to the community and meet the needs of its population particularly those with special needs; and
- (c) the planning gains of the proposed “Vertical City” or the redevelopment project itself.

44. In response, with the aid of some PowerPoint slides, Mr Mike Y.F. Kwan, URA’s representative, made the following main points:

- (a) the proposed residential development at the Site would provide about 1,750 flats, contributing to the overall 4,000 flats planned for the entire KTTC redevelopment project. The whole project would accommodate a total population of about 9,000, compared to a population of about 3,000 before redevelopment. The proposed residential development at the Site was for private housing and the property price of which would be determined by the market; and
- (b) apart from the provision of at-grade POS and multi-level outdoor communal spaces as well as the provision of/improvement to pedestrian connections, as an additional planning gain, URA had explored doubling the GFA for provision of GIC facilities to meet the acute local demand. The Social Welfare Department (SWD) had preliminarily confirmed that funding had been secured for the provision of a day care centre for the elderly, a neighbourhood elderly centre, an outreaching programme centre and a co-parenting support centre at the Site. URA would continue to liaise with SWD and other concerned B/Ds on the provision of more social welfare facilities at the Site. Being situated at the central location, the GIC facilities

to be provided at the Site would be more accessible to the public and serve the broader spectrum of users.

45. In response, with the aid of some PowerPoint slides, Ms Vivian M.F. Lai, DPO/K, PlanD and Mr Steven Y.H. Siu, STP/K, PlanD made the following main points:

- (a) there was no information on hand regarding the projected demographic composition. As for the overall provision of GIC facilities in the Kwun Tong South Planning Scheme Area, based on a planned population of about 300,000, including the population of the planned residential development at the Site, the existing and planned provisions of major GIC facilities were generally adequate to meet the demand of the existing and future population, except for some elderly, child care and rehabilitation services/facilities. SWD had adopted a multi-pronged approach with short to long-term strategies to identify suitable sites or premises for the provision of more welfare services to meet the needs in the district. Opportunities would also be taken to provide appropriate social welfare facilities within suitable redevelopment projects;
- (b) about 8,600 m² GFA was reserved for reprovisioning of certain GIC and public transport facilities within the Site to compensate for those affected by the KTTC redevelopment. Apart from the reprovisioning, URA had been exploring the possibility of providing additional GIC facilities at the Site, aiming to double the provision to a total GFA of up to 17,200 m²;
- (c) together with about 22,000 m² GFA for GIC and public transport facilities provided within DAs 1 to 3, the whole KTTC redevelopment would provide up to 40,000 m² GFA for GIC and public transport facilities to serve the community, which was more than the allocation of about 20,000 m² GFA for such facilities at the redevelopment of Sai Ying Street site in Mong Kok;
- (d) the redevelopment project provided a good opportunity to restructure KTTC by consolidating dispersed, obsolete or substandard GIC and public transport facilities in a convenient location with modern/upgraded standards and in a

desirable setting that could bring benefits to the community; and

- (e) before redevelopment, there was about 4,000m² planned POS in KTTC, of which only half had been implemented. The proposed development would provide not less than 7,200m² at-grade POS and not less than 4,000m² outdoor communal spaces. Together with the 2,400m² at-grade POS and the 4,000m² outdoor communal spaces provided in DAs 2 and 3, the whole redevelopment project would provide about 9,600 m² at-grade POS and 8,000 m² outdoor communal spaces. This could greatly enhance the environment of KTTC for public enjoyment.

46. The Chairperson remarked that future occupants of the proposed 1,800 flats would likely be middle-class households with higher consumption power, who could help boost the local economy, such as catering and retail sectors, and in return bring more local employment opportunities. This was also a planning gain for the local community.

47. Noting from paragraph 4.10 of the Paper that a multi-purpose activity centre for community use and floor space designated for social enterprise use for providing a platform to foster social entrepreneurship would be provided at the Site, a Member enquired about the details of such provision.

48. In response, Mr Mike Y.F. Kwan, URA's representative, said that in keeping with the Approved Scheme, a multi-purpose activity centre for community use (with GFA of not less than 1,500m²) and floor space designated for social enterprise use (with GFA of not less than 1,300m²) would be provided at the Site. Such proposal was first advocated in 2007 when drafting the DSP. The multi-purpose activity centre would serve as a hub for community gatherings, cultural events and other community-oriented programs, and the designated floor space for social enterprise would provide a platform to foster social entrepreneurship and for social enterprises to carry out their activities.

49. A Member asked whether the proposed development could fulfill the original aspiration of URA to carry out urban renewal project with emphasis on people-oriented approach and promoting social inclusiveness.

50. In response, with the aid of some PowerPoint slides, Mr Lawrence C.K. Mak, URA's representative, said that the whole redevelopment project aimed to facilitate comprehensive redevelopment and restructuring of KTTC to enhance vitality, improve environmental and traffic conditions, restructure the street pattern, promote efficient land uses and provide fit-for-purpose GIC facilities and POS. It would bring along significant benefits to the community and this was the original aspiration of URA in carrying out urban renewal projects.

Mixed Uses on the Same Floor

51. Some Members raised the following questions:

- (a) noting from paragraph 4.3 of the Paper that domestic and non-domestic uses would be allowed to be placed on the same floor and appropriate means would be adopted to physically segregate the domestic and non-domestic uses from each other, the reason and necessity for placing domestic and non-domestic uses on the same floor given the considerable number of levels in the "Vertical City" development; and
- (b) noting from Remarks (6) under the "OU(MU)" zone of the Notes of the DSP (Attachment IV of the Paper) that 'Upon development/redevelopment/conversion of a building to a mixed use development, the residential and non-residential portions within a building shall be physically segregated through appropriate building design. Under exceptional circumstances, relaxation of the requirement for physical segregation may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance', the rationales of incorporating this clause in the Notes and what the term 'exceptional circumstances' referred to.

52. In response, with the aid of some PowerPoint slides, Mr Mike Y.F. Kwan, URA's representative, made the following main points:

- (a) the Proposed Scheme was notional and indicative in nature, and URA had prepared different notional schemes to ascertain various worst-case scenarios for the purpose of technical assessments;

- (b) the southern part of the Site facing the elevated MTR Kwun Tong Line on Kwun Tong Road was subject to severe railway noise problem. According to the railway noise impact assessment conducted, it would not be feasible to have residential use in that south-facing portion below 150mPD of the landmark tower in accordance with the noise control criteria under relevant statutory requirements. Hence, residential use was proposed at the mid-to-high levels of the landmark tower as illustrated in the Proposed Scheme, and a higher BH of 360mPD could allow the accommodation of the intended residential use; and
- (c) it was desirable to allow flexibility in the combination of various types of compatible uses, such as commercial and residential uses, either vertically within a building or horizontally on the same floor to meet changing market needs. For example, residential use could be placed in the landmark tower below 150mPD on the portions not facing the MTR Kwun Tong Line. In any case, physical segregation would be provided between the non-domestic and domestic portions on the same floor to prevent any potential nuisance from the non-domestic uses that might be caused to the residents in the domestic portion.

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

- (a) in preparing/drafting the Notes for the “OU(MU)” zone of the DSP, reference had been made to the Master Schedule of Notes to Statutory Plans (MSN) and the Town Planning Board Planning Guidelines No. 42 for Designation of “OU(MU)” Zone and Application for Development within “OU(MU)” Zone under Section 16 of the Town Planning Ordinance (TPB PG-No. 42);
- (b) according to the MSN for the “OU(MU)” zone, ‘The “OU(MU)” zone is intended primarily for high-density mixed-use developments. Flexibility for the development/redevelopment/conversion of commercial/residential or other uses, or a combination of various types of compatible uses..... is allowed to meet changing market needs. Physical segregation has to be

provided between the non-residential and residential portions within a new/converted building to prevent non-residential uses from causing nuisance to the residents.’; and

- (c) should there be a proposed mixed-use development in the “OU(MU)” zone that could not fulfill the requirement for physical segregation, a s.16 application would be required. The Board would consider each planning application on its individual merits, and due regard would be given to whether the proposed building design, such as the provision of entrances/lift lobbies/staircases, could avoid the possible nuisance and interface problem.

“Vertical City” Development

54. Some Members raised the following questions:

- (a) the need for a “Vertical City” development in Hong Kong and whether the major consideration for developing “Vertical City” in Hong Kong was simply intended to compete with other world cities; and
- (b) noting that “Vertical City” was a relatively new development concept in Hong Kong, whether the proposed “Vertical City” development at the Site would become the pilot scheme for reference of the Government in considering proposed mixed-use developments in other zonings such as “CDA”.

55. In response, with the aid of some PowerPoint slides, Messrs Lawrence C.K. Mak and Mike Y.F. Kwan, URA’s representatives, made the following main points:

- (a) it was not URA’s intention to compete with other major cities with the proposed “Vertical City” development. Indeed, it was a visionary objective to promote an international living/working/playing lifestyle in Hong Kong that was on par with other major cities, catching up with the global development trend; and

- (b) although Hong Kong was well-known for its skyscrapers and bustling urban landscape, implementing the “Vertical City” concept in Hong Kong would still require careful planning and considerations. One of the key challenges would be identifying suitable locations for “Vertical City” development. The Site was considered suitable for the pilot development of “Vertical City” in view of its strategic location with good accessibility to public transport and sizable site area for a high-density landmark development, which could in turn strengthen KTTC’s positioning as a multi-purpose town centre to support the development of CBD2 in Kowloon East.

56. In response, with the aid of some PowerPoint slides, Ms Vivian M.F. Lai, DPO/K, PlanD made the following main points:

- (a) during the development process, the public had generally accepted the major design elements in the proposed development including the provision of an iconic egg-shaped GIC building at the southwestern corner of the Site, cascading building design of the GIC-cum-commercial block along the southern boundary of the Site, the provision of a landmark tower at the southeastern corner of the Site and the provision of at-grade POS along the northern boundary of the Site. With those design commitments, there was limited scope to redistribute the additional GFA horizontally over the Site or in a number of buildings within the Site. The most possible option was to increase the BH of the landmark tower to accommodate the additional GFA; and
- (b) the proposed high-density mixed-use “Vertical City” development at the Site would be a pilot scheme in Hong Kong. In fact, Hong Kong was a compact city and it was common to find mixtures of uses juxtaposing with one another in developments. The Board had issued TPB PG-No. 42 which set out the main planning criteria for the designation of “OU(MU)” zone, which included (i) land use compatibility and existing site conditions; (ii) accessibility and transport capacity; (iii) provision of other infrastructures; and (iv) provision of community facilities. Those planning criteria were applicable when considering whether a site was suitable for mixed-use developments.

57. A Member said that the concept of “Vertical City” development originated in the post-industrialisation era to combat rapid and uncontrollable urban sprawl. There had been suggestion of promoting mixed-use development within a high-rise building in an urbanised area. Some conventional “Vertical City” developments had the problem of incompatible land uses being located together without proper planning control. In view of that, the Member enquired whether the proposed “Vertical City” development had incorporated any smart and sustainable elements in respect of energy conservation, public health, mental well-being and social interaction.

58. In response, with the aid of some PowerPoint slides, Messrs Lawrence C.K. Mak and Mike Y.F. Kwan, URA’s representatives, made the following main points:

- (a) the Site was strategically located at the centre of Kwun Tong and easily accessible by public transport. With the provision of a wide range of community and retail facilities as well as POS/communal spaces at one location, people could access those facilities within a short period of time, which helped minimise the number of commuting trips;
- (b) utility facilities would be installed and concentrated within the Site, reducing the need for extensive land excavation for laying utility facilities over a spatial area;
- (c) emphasis was put on wellness living. POS/communal spaces would create shared space open for the public from all walks of life, encouraging place-making and social gathering; and
- (d) energy-saving elements would be adopted in the proposed development, such as the use of the potential energy of the escalators for other purposes.

59. Noting that the introduction of domestic use into the high-density mixed-use “Vertical City” development was a response to meet the changing market needs, the Vice-chairperson asked whether the proposed amendments to the Approved Scheme would further delay the implementation programme of the redevelopment project.

60. In response, Mr Lawrence C.K. Mak, URA's representative, said that since the unsuccessful tendering for the development of the Site in early 2023, URA had studied the reasons behind and some developers were of the view that the lack of domestic element had made the project less attractive. Hence, to response to the changing market needs and to optimise the development potential of the Site, it was proposed to introduce residential use in the proposed development. It was hoped that with the new development elements and concept, the retendering would be successful to facilitate the early implementation of the project.

Design Details

61. Some Members raised the following questions:

- (a) there was concern on the building façade design of the residential portion of the landmark tower, for example, supporting frames for air conditioners and drying racks on the external walls might affect the outlook of the landmark tower and whether there were any measures to avoid that problem;
- (b) noting that different uses would be placed in different vertical zones within the high-rise building, whether there were any proposals about vertical transportation system; and
- (c) whether there would be more than one landmark tower on the Site.

62. In response, with the aid of some PowerPoint slides, Messrs Lawrence C.K. Mak and Mike Y.F. Kwan, URA's representatives, made the following main points:

- (a) it was believed that the future developers would be capable of designing and constructing an architecturally aesthetic landmark tower, such as with the use of special building materials like Low-E glass;
- (b) vertical transportation system for the proposed landmark building had been explored. Different lift zones for different vertical zones of uses would be arranged with considerations of passengers' travel pattern, peak hour patterns,

capacity handling, average waiting time, etc. The need for double-deck shuttle lifts would also be explored. Reference had been made to the vertical transportation arrangements in high-rise buildings in other cities, e.g. Shanghai Tower; and

- (c) it was clearly stated in paragraph 7.20 of the ES of the DSP that ‘a landmark tower’ with a maximum BH of 360mPD should be provided at the southeastern corner of the Site. URA had no intention to erect more than one landmark tower at the Site.

63. Ms Vivian M.F. Lai, DPO/K, PlanD and Mr Steven Y.H. Siu, STP/K, PlanD supplemented that development agreements would be signed between URA and the future developers under which URA could scrutinise and monitor the design and development of the Site, including the landmark tower.

64. As Members had no further questions to raise, the Chairperson thanked the representatives of PlanD and URA for attending the meeting. They left the meeting at this point.

65. The deliberation session was recorded under confidential cover.

[The meeting was adjourned for lunch break at 1:10 p.m.]

66. The meeting was resumed at 2:25 p.m.

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

Permanent Secretary for Development
(Planning and Lands)
Ms Doris P. L. Ho

Chairperson

Mr Lincoln L.H. Huang

Vice-chairperson

Mr Stephen L.H. Liu

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr Stanley T.S. Choi

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Mr K.W. Leung

Professor John C.Y. Ng

Mr Ricky W.Y. Yu

Professor Roger C.K. Chan

Mrs Vivian K.F. Cheung

Mr Ben S.S. Lui

Mr Timothy K.W. Ma

Professor Bernadette W.S. Tsui

Chief Traffic Engineer/Traffic Survey & Support
Transport Department
Mr W.H. Poon

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

Director of Lands
Mr Andrew C.W. Lai

Director of Planning
Mr Ivan M.K. Chung

General

Agenda Item 5

[Open Meeting]

Proposed Amendments to the Town Planning Board Guidelines No. 36B for Class A and Class B Amendments to Approved Development Proposals

(TPB Paper No. 10939)

[The meeting was conducted in Cantonese]

68. The following representatives from the Planning Department (PlanD) were invited to the meeting:

- | | |
|-----------------------|---|
| Ms Johanna W.Y. Cheng | - Chief Town Planner/Town Planning Board (CTP/TPB), PlanD |
| Ms Kitty S.T. Lam | - Senior Town Planner/Town Planning Board, PlanD |
| Ms Sandy S.Y. Yik | - Town Planner/Town Planning Board, PlanD |

69. The Chairperson extended a welcome and invited PlanD's representatives to brief Members on the Paper. With the aid of a PowerPoint presentation, Ms Johanna W.Y. Cheng, CTP/TPB, PlanD briefed Members on the proposed amendments to the Town Planning Board Guidelines No. 36B for Class A and Class B Amendments to Approved Development Proposals (the Guidelines/TPB PG-No. 36B), as detailed in TPB Paper No. 10939 (the Paper).

[Mr Andrew C.W. Lai rejoined the meeting at this point.]

70. As the presentation of PlanD's representative was completed, the Chairperson invited questions and comments from Members.

Category 9 - Provision of Government, institution or community (GIC) facilities

71. The Chairperson and some Members raised the following questions:

- (a) whether there was any section 16A (s.16A) application involving deletion of GIC facilities that was submitted to the Town Planning Board (the Board) for consideration since the last amendment of the Guidelines in 2018;
- (b) since provision of GIC facilities was one of the major concerns of the Board in considering section 16 (s.16) applications, whether the proposed amendment to treat changes in the types, locations, and/or floor area(s) of GIC facilities as agreed by relevant government departments (currently Class B amendments) as Class A amendments (that did not require application) was appropriate;
- (c) under the current Guidelines, if a residential development with provision of a residential care home for the elderly with 100 places was approved at s.16 stage and the applicant subsequently proposed to reduce the provision from 100 places to 50 places as agreed by relevant government departments, such change was a Class B amendment. Whether the above example would become a Class A amendment under the revised Guidelines;
- (d) if the project proponent reduced or deleted the GIC facilities after the development was completed, whether it would be regarded as a Class A amendment;
- (e) whether the phrase “agreed by the relevant government department(s)” in paragraph (a) of Class A amendments in Category 9 was referring to one specific government department or all government departments; and whether there would be situation that one government department agreed to the changes in GIC facilities but the Board did not agree; and
- (f) for agreed section 12A (s.12A) applications, whether the Guidelines would be applicable so that subsequent planning applications to the Board would be

minimised.

72. Ms Johanna W.Y. Cheng, CTP/TPB, PlanD made the following responses with the aid of some PowerPoint slides:

- (a) under the current Guidelines, applications for Class B amendments considered unacceptable by the concerned government department(s) and amendments involving deletion of GIC facilities as initiated by the relevant government department would be submitted to the Board for consideration. Since the last amendment of the Guidelines in 2018, there was no s.16A application involving deletion of GIC facilities as initiated by the relevant government department submitted to the Board for consideration;
- (b) changes in the types, location, and/or floor area(s) of the GIC facilities as agreed by the relevant government departments was proposed as a Class A amendment. The relevant government departments were well aware that provision of GIC facilities was integral to an approved scheme and would carry out the gate-keeping duties in critically assessing any changes in GIC facilities;
- (c) the example mentioned in paragraph 71(c) involved changes in floor area of GIC facilities. If such changes were agreed by the relevant government departments, it would be regarded as a Class A amendment under the proposed amendment. Deletion of GIC facilities, if initiated by the relevant government departments, was also proposed to be a Class A amendment. Based on past experiences, government departments might change their requirements on GIC facilities when the project proponents implemented the proposals some years after obtaining the planning permissions. Given relevant government departments should be in the best position to assess the latest requirements on the provision of GIC facilities, it was proposed that such changes could be considered as a Class A amendment to provide greater flexibility to meet updated demand for GIC facilities;
- (d) once an approved development was completed, the planning permission granted would lapse. As such, if the project proponent changed the provision

of GIC facilities after the development was completed, it would be outside the scope of the Guidelines. In general, for developments that involved land administration processes such as lease modifications, requirements for GIC facilities would likely be included in the lease conditions for control under land administration purview;

- (e) the Social Welfare Department was most often the government department assessing the provision of GIC facilities, especially social welfare facilities. In addition, PlanD would reflect the Board's discussion and Members' concerns, if any, in the planning stage when changes to GIC facilities were being proposed, and a co-ordinated view of the Government would be formed in considering those applications; and
- (f) s.12A applications mainly involved changes in land use zonings on statutory Outline Zoning Plans (OZPs). Whether a subsequent s.16 application was required depended on the zoning restrictions of each land use zone, and whether the proposed development involved Column 1 and/or Column 2 uses. The Guidelines would only be applicable if s.16 planning applications were approved under the new zoning after the s.12A applications.

73. A Member asked whether the Guidelines would be applicable to a previous application at Sham Tseng involving a site reserved for ambulance depot use. Mr Ivan M.K. Chung, Director of Planning, said that that case was a s.12A application and the site was rezoned for residential use without the need for subsequent planning application for residential use. The Guidelines were therefore not applicable.

74. In response to a Member's enquiry on the meaning of the phrase "provided that it is not less than the minimum level of provision stipulated on the extant statutory plan, if applicable" in paragraphs (a) and (b) of Class A amendments of Category 9, the Secretary said that if a minimum level of provision of certain GIC facilities, such as required floor area, was stipulated in the Notes of a particular zone under the OZP, any changes in GIC facilities should not result in the provision being less than that minimum requirement even if the changes were agreed by relevant government departments. Ms Johanna W.Y. Cheng, CTP/TPB, PlanD supplemented

that in principle, Class A amendments should not override the statutory requirements in the OZPs.

75. A Member said that it was important to strike a balance between allowing flexibility and maintaining planning control without compromising the role of the Board. As it was not uncommon for amendments to be made to the approved development proposals at detailed design stage and the proposed amendments to the Guidelines were based on past experiences in administering the current Guidelines, the Member indicated no objection to the proposed amendments.

76. A Member raised concern that the proposed Class A mechanism might be abused. For example, a higher level of GIC facilities might be proposed in s.16 application stage to obtain approval from the Board, and then the relevant government departments might be convinced to reduce the provision of GIC facilities at detailed design stage. The Vice-chairperson and some Members suggested that changes in GIC facilities should remain as a Class B amendment requiring s.16A applications so that PlanD would help to assess the changes, instead of being always permitted as a Class A amendment as proposed.

77. Mr Ivan M.K. Chung, Director of Planning, said that the provision for s.16A applications was added in the Town Planning (Amendment) Ordinance that came into operation in 2005, which replaced the previous administrative arrangement in processing amendments to approved schemes. Changes in the types, locations, and/or floor area(s) of the GIC facilities were all along a Class B amendment in the Guidelines. However, some minor changes at the detailed design stage, such as relocating the GIC facilities from upper floors to lower floors as agreed by relevant government departments, without significant implications also required s.16A application. That might cause delay to the implementation of those developments. Should Members consider that changes in floor area and deletion of GIC facilities needed to be handled more carefully, they could remain as Class B amendments. He also invited Members to consider whether changes in types and locations of GIC facilities as agreed by relevant government department(s) should be regarded as Class A or Class B amendments.

78. Some Members agreed that changes in types and locations of GIC facilities as agreed by relevant government department(s) were less sensitive and might be regarded as a Class A amendment. However, a change in floor area or deletion of GIC facilities was more sensitive

in nature and should remain as a Class B amendment so that PlanD could assess the s.16A application and ensure that the proposal would not significantly deviate from the scheme approved by the Board and that Members' concerns when approving the application were duly considered.

79. The Secretary said that minor changes of floor area agreed by relevant government departments might not have significant impacts, and Members might wish to consider if more flexibility could be given to such changes. A Member suggested imposing a threshold so that certain changes in types and/or floor area of GIC facilities could be categorised as Class A amendment. However, the Chairperson and Members generally considered that it would be difficult to define the threshold for changes in floor area, as well as defining the types of GIC facilities that could be changed under Class A amendments.

80. The Chairperson asked about the number of s.16A applications that involved changes in the types, locations, and/or floor area(s) of the GIC facilities in the past five years. In response, Ms Johanna W.Y. Cheng, CTP/TPB, PlanD said there were two such applications involving changes in location and types of GIC facilities.

81. The Chairperson said that given the small number of s.16A applications involved, it was suggested not to change the existing Class B amendment on provision of GIC facilities, i.e. changes in the types, locations, and/or floor area(s) of the GIC facilities would remain as a Class B amendment. In addition, amendments involving deletion of GIC facilities initiated by the relevant government department would remain as Class B amendment and such s.16A application should be submitted to the Board for consideration following the existing practice. In response to Mr Ivan M.K. Chung, Director of Planning's question, Ms Johanna W.Y. Cheng, CTP/TPB, PlanD said that the corresponding text in paragraph 3 of the current Guidelines should be amended. Furthermore, the Secretary said that corresponding amendments to Category 7 would be made to reflect that changes in GFA of GIC facilities to other non-domestic uses under item (e) should be changed from Class A to Class B amendment.

[Post-meeting note: to reflect the decision, Category 7: Item (e) of Class A amendment deleted and Item (c) of Class B Amendment added as "Changes in non-domestic GFA from GIC to other categories of non-domestic uses as set out in Item (b) of the Remarks, which do not exceed 2,000m² or 10% of the approved non-domestic GFA, whichever is the less, that are agreed by

relevant government department(s) and do not result in development exceeding the GFA/plot ratio restrictions, if any, on the extant statutory plan, if applicable”. The text in paragraph 3 of the Guidelines that was originally proposed to be deleted would be kept to read “Notwithstanding paragraph 8 below, for amendments involving deletion of the previously proposed Government, Institution or Community (GIC) facilities from the approved development proposal, even if the deletion is initiated and agreed by the relevant government department and/or the requirement of the GIC facilities is subject to an approval condition, the matter will be submitted to the Board for consideration. If the deletion is not initiated by the relevant government department, a fresh planning application under section 16 of the Ordinance will be required.”]

82. Members agreed that addition of GIC facilities as initiated by the relevant government departments could be a Class A amendment, whilst addition of GIC facilities not initiated by the relevant government departments should be a Class B amendment.

Category 10 - Provision of public open space (POS)

83. In response to the Vice-chairperson’s question, Ms Johanna W.Y. Cheng, CTP/TPB, PlanD said that reduction in total area of POS as agreed by relevant government departments, provided that it was not less than the minimum provision stipulated on the extant statutory plan, was proposed to be a Class A amendment. If reduction in POS was not agreed by relevant government departments, a new s.16 application was required. Members considered that POS was also one of the major planning gains of approved schemes and reduction in total area should remain as a Class B amendment.

[Post-meeting note: to reflect the decision, Category 10: Item (a) of Class B amendment would read “Reduction in total area, provided that it is not less than the minimum level of provision stipulated on the extant statutory plan, if applicable.” and the suggested amendments in Item (b) of Class A amendment would be deleted.]

Category 5 - Building height (BH)

84. A Member enquired about the proposed amendments to the threshold for changes in BH. In response, Ms Johanna W.Y. Cheng, CTP/TPB, PlanD said that basement floor would

normally be counted in determining BH. As the visual impact of basement floors would not be significant, it was proposed that only above ground BH would be used to gauge the percentage change in BH, whilst the thresholds of Class A and B amendments remained unchanged at 10% and 20% respectively.

Category 4 - Building blocks

85. The Vice-chairperson and a Member raised the following questions:

- (a) what would constitute “minor changes in disposition of building blocks”; and
- (b) should minor changes in disposition of building blocks be a Class A amendment, who would determine whether the proposed amendments were minor or not.

86. In response, Ms Johanna W.Y. Cheng, CTP/TPB, PlanD made the following points with the aid of some PowerPoint slides:

- (a) the proposed amendment to item (b) under Class A amendment of Category 4 was that for reduction in number of building block, minor changes in the disposition of other building blocks were allowed, as compared to requiring no change to the other building blocks under the current Guidelines. That proposal was raised by stakeholders being consulted to allow more design flexibility;
- (b) it would be difficult to quantify what constituted minor changes and it would be assessed with reference to the context of individual cases. For example, it would be considered minor if the remaining blocks were in a similar layout and disposition but with wider gaps due to reduction in the number of building blocks. On the other hand, a complete change in the disposition of the other building blocks could not be considered as minor. It involved the exercise of professional judgement; and
- (c) although no s.16A application would be required for Class A amendments,

PlanD colleagues would assess those proposals when vetting general building plans and would exercise professional judgement to determine whether the changes were minor in nature.

87. The Vice-chairperson said that noting PlanD would assess and exercise professional judgement regarding what were considered minor changes to disposition of building blocks, he had no further concern in that regard.

88. A Member said that some minor changes in layout design could be critical and might cause significant impacts, e.g. the size and location of urban windows proposed in building facades. The Secretary said that similar phrase regarding minor changes in disposition of building blocks was already adopted in the current Guidelines. The proposed amendment could allow some flexibility for corresponding minor changes in disposition of building blocks as a result of reduction in number of building blocks, which would obviate the need for s.16A applications under the current Guidelines. Although it would be difficult to quantify or define minor changes, PlanD would make reference to the discussion of the Board in s.16 stage and assess the changes in a careful manner, and would adopt a consistent approach in exercising their professional judgement.

89. A Member suggested that PlanD should prepare information on the number of cases of s.16A applications processed upon promulgation of the revised Guidelines, and report the findings to the Board some time later, say one year, so that Members could monitor the streamlining effect of revising the Guidelines. The Chairperson agreed.

[Mr Stanley T.S. Choi left the meeting during the question and answer session]

90. Members generally agreed to the proposed revisions to TPB PG-No. 36B as detailed in the Paper and suggested amendments to Categories 9 and 10, and corresponding amendments to paragraph 3 of the Guidelines and Category 7 as detailed in paragraphs 81 to 83 above.

91. After deliberation, the Board agreed that the proposed revisions to TPB PG-No. 36B (which would be renumbered to TPB PG-No. 36C) for Class A and Class B Amendments to Approved Development Proposals at Appendix I of the Paper, including the Schedule of Class A and Class B amendments at Annex I, subject to amendments to reflect Members' comments

as detailed in paragraphs 81 to 83 above, could be endorsed. The Board noted that the revised Schedule of Class A and Class B Amendments would be published in the Gazette under section 16A(10) of the Town Planning Ordinance and agreed that the revised TPB PG-No. 36C would also be promulgated and take effect on the same day.

92. Members noted that the Secretariat of the Board would undertake editorial checking and refinement of the Guidelines and the Schedule of Class A and Class B amendments to ensure consistency with the revisions to reflect Members' comments, if appropriate, before publication of the Schedule in the Gazette and promulgation of the Guidelines.

93. The Board also agreed to the corresponding amendment to Town Planning Board Guidelines No. 18A for Submission of Master Layout Plan under Section 4A(2) of the Town Planning Ordinance (which would be renumbered to TPB PG-No. 18B) to update the reference to the subject Guidelines therein as TPB PG-No. 36C upon its promulgation.

94. The Chairperson thanked PlanD's representatives for attending the meeting. They left the meeting at this point.

Agenda Item 6

[Open Meeting]

Proposed Revisions to the Town Planning Board Guidelines No. 5 and Cancellation of Town Planning Board Guidelines No. 2B

(TPB Paper No. 10940)

[The meeting was conducted in Cantonese.]

95. The following representatives from the Planning Department (PlanD) were invited to the meeting:

Ms Fannie F.L. Hung - Chief Town Planner/Town Planning Board
(CTP/TPB), PlanD

Mr Kelvin K.H. Chan - Senior Town Planner/Town Planning Board, PlanD

96. The Chairperson extended a welcome and invited PlanD's representatives to brief Members on the Paper. With the aid of a PowerPoint presentation, Ms Fannie F.L. Hung, CTP/TPB, PlanD briefed Members on the proposed revisions to the Town Planning Board Guidelines No. 5 for Application for Office Development in "Residential (Group A)" Zone under Section 16 of the Town Planning Ordinance (TPB PG-No. 5) and cancellation of the Town Planning Board Guidelines No. 2B for Interim Planning Control on Service Apartment (TPB PG-No. 2B), as detailed in TPB Paper No. 10940 (the Paper).

97. As the presentation of PlanD's representative was completed, the Chairperson invited questions and comments from Members.

TPB PG-No. 5

98. Two Members raised the following questions:

- (a) with a new planning criterion (b) on demand for office space, whether the applicant still needed to provide justifications or market analysis reports to demonstrate the demand for office space in a particular area or district in which the proposed office development was located; and
- (b) given many non-domestic uses were always permitted on the lowest three floors of a building within the "Residential (Group A)" ("R(A)") zone, the reason for promulgating this set of Guidelines specifically for office development within the "R(A)" zone.

99. Ms Fannie F.L. Hung, CTP/TPB, PlanD made the following responses with the aid of some PowerPoint slides:

- (a) paragraph 1.1 of TPB PG-No. 5 promulgated in 1990 mentioned that it was the Board's intention to meet part of the increasing demand for office space through permitting redevelopment of residential buildings within the "R(A)" zone for

office use in districts where there was a demonstrated demand. For the past cases, the applicants would normally include information on office demand as one of the justifications in support of their applications. With the proposed deletion of paragraph 1.1 of the Guidelines, such intention was proposed to be included as one of the planning criteria to facilitate the Board's consideration of the applications; and

- (b) 'Office' was a Column 1 use always permitted on the lowest three floors of a building within the "R(A)" zone. TPB PG-No. 5 was applicable to planning applications for office building or office use above the lowest three floors of a building. The said Guidelines were drawn up some 30 years ago to guide the Board's consideration of planning applications for office use in "R(A)" zone in areas outside the Central Business District to meet part of the office demand. Amendments to the Guidelines were necessary to reflect the changing economic circumstances.

TPB PG-No. 2B

100. A Member raised the following questions:

- (a) given that the term 'Service Apartment' (SA) had been deleted from the Notes of all Outline Zoning Plans (OZPs), what use(s) would the SA type developments be regarded as under statutory plans; and
- (b) whether the SAs currently still in operation would contravene the restrictions of OZPs.

101. Ms Fannie F.L. Hung, CTP/TPB, PlanD made the following responses with the aid of some PowerPoint slides:

- (a) in agreeing to the deletion of the term 'SA' from the Notes of all OZPs in 2000, the Board also decided that SAs to be developed as a part of and/or operated within a hotel establishment would be considered as a 'Hotel' use, whilst other

SAs would be regarded as a 'Flat' use. Future planning applications for SA would be regarded as 'Flat' or 'Hotel' based on the above interpretations; and

- (b) the SAs currently still in operation including those with planning permission obtained could continue to operate and would not contravene the OZP.

102. After deliberation, Members agreed to endorse the draft TPB PG-No. 5A at Annex 1 of the Paper and agreed to cancel TPB PG-No. 2B at Annex 2 of the Paper, as well as the proposed arrangement for promulgation and removal of the concerned Guidelines as mentioned in paragraph 5 of the Paper.

103. The Chairperson thanked PlanD's representatives for attending the meeting. They left the meeting at this point.

Agenda Item 7

[Open Meeting]

Any Other Business

[The meeting was conducted in Cantonese.]

104. There being no other business, the meeting was closed at 3:45 p.m.