

**Minutes of 1365th Meeting of the
Town Planning Board held on 4.9.2026**

Present

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

Chairperson

Mr Stephen L.H. Liu

Vice-chairperson

Ms Sandy H.Y. Wong

Mr Daniel K.S. Lau

Mr Vincent K.Y. Ho

Mr Ben S.S. Lui

Mr Timothy K.W. Ma

Professor Bernadette W.S. Tsui

Ms Kelly Y.S. Chan

Dr C.M. Cheng

Mr Daniel K.W. Chung

Dr Tony C.M. Ip

Mr Rocky L.K. Poon

Professor B.S. Tang

Professor Simon K.L. Wong

Mr Simon Y.S. Wong

Mr Eric C.B. Chan

Professor Janet K.Y. Chan

Mr Vincent K.C. Cheung

Professor Herbert P.K. Chia

Dr Chris K.T. Lam

Dr Kelvin K.Y. Leung

Mr Wilson H.K. Shum

Mr Gary X.Y. Zhang

Chief Traffic Engineer/New Territories East
Transport Department
Mr K.L. Wong (a.m.)

Chief Traffic Engineer/Kowloon
Transport Department
Mr K.M. Wong (p.m.)

Chief Engineer (Works)
Home Affairs Department
Mr Bond C.P. Chow

Principal Environmental Protection Officer (Territory South)
Environmental Protection Department
Ms Marlene Y.H. Ho

Director of Lands
Mr Maurice K.W. Loo

Director of Planning
Mr C.K. Yip

Deputy Director of Planning/District
Ms Donna Y.P. Tam

Secretary

Absent with Apologies

Mr Ryan M.K. Ip

Mr Derrick S.M. Yip

In Attendance

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

Chief Town Planner/Town Planning Board
Ms Katy C.W. Fung (p.m.)

Senior Town Planner/Town Planning Board
Ms Joan S.Y. So (a.m.)
Mr Jeff K.C. Ho (p.m.)

Agenda Item 1

[Open Meeting]

Confirmation of Minutes of the 1364th Meeting

[The item was conducted in Cantonese.]

1. The draft minutes of the 1364th meeting held on 21.8.2026 were confirmed without amendment.

Agenda Item 2

[Open Meeting]

Matters Arising

[The item was conducted in Cantonese.]

Hearing Arrangement for Consideration of Representations on Draft Outline Zoning Plan

2. The Secretary reported that the item was to seek Members' agreement on the hearing arrangement for consideration of representations in respect of the draft Fanling North Outline Zoning Plan (OZP) No. S/FLN/5. The Secretary briefly introduced that on 22.5.2026, the draft OZP was exhibited for public inspection under section 5 of the Town Planning Ordinance. During the 2-month exhibition period, two valid representations were received. In view of the similar nature of the representations, the hearing of the representations was recommended to be considered by the full Town Planning Board (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 in the hearing session. Consideration of the representations by the full Board was tentatively scheduled for October 2026.

3. The Board agreed to the hearing arrangement in paragraph 2 above.

Sai Kung and Islands District

Agenda Item 3

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Representations in respect of the Draft Sai Kung Town Outline Zoning Plan No. S/SK-SKT/7

(TPB Paper No. 11071)

[The item was conducted in Cantonese and English.]

4. The Secretary reported that the amendments incorporated in the draft Sai Kung Town Outline Zoning Plan (OZP) involved, among others, rezoning of a site at Sha Ha, Sai Kung to take forward the decision of the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board/TPB) on a section 12A (s.12A) application (No. Y/SK-SKT/4), with Arup Hong Kong Limited (Arup) being the consultant of the applicants. The following Members had declared interests on the item:

Dr Tony C.M. Ip - having past business dealings with Arup; and

Mr Vincent K.C. Cheung - his close relative living in Sai Kung Town.

5. As Dr Tony C.M. Ip had no involvement in the s.12A application, and the residence of Mr Vincent K.C. Cheung's close relative had no direct view of the amendment item sites on the OZP, Members agreed that they could stay in the meeting.

[Messrs Vincent K.Y. Ho and Ben S.S. Lui and Professor Simon K.L. Wong joined the meeting at this point.]

Presentation and Question Sessions

6. The Chairperson said that notification had been given to the representers inviting them to attend the hearing, but other than the representer who was present at the hearing, the rest had either indicated not to attend or made no reply. As reasonable notice had been given to the representers, Members agreed to proceed with the hearing of the representations in their

absence.

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

PlanD

Mr Ernest C.M. Fung - District Planning Officer/Sai Kung and Islands

Ms Tammy S.N. Kong - Senior Town Planner/Sai Kung and Islands
(STP/SKIs)

Mr Jackin H.Y. Yip - Town Planner/Sai Kung and Islands

Representer

R5 – Mary Mulvihill

Ms Mary Mulvihill - Representer

8. The Chairperson extended a welcome and briefly explained the procedures of the hearing. She said that PlanD's representatives would be invited to brief Members on the representations. The representer would then be invited to make an oral submission. To ensure efficient operation of the hearing, the representer would be allotted 10 minutes for making presentation. There was a timer device to alert the representer 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 had completed her oral submission. Members could direct their questions to PlanD's representatives and/or the representer. After the Q&A session, PlanD's representatives and the representer would be invited to leave the meeting. The Board would then deliberate on the representations in closed meeting and would inform the representers of the Board's decision in due course.

9. The Chairperson then invited PlanD's representatives to brief Members on the representations. With the aid of a PowerPoint presentation, Ms Tammy S.N. Kong, STP/SKIs, PlanD briefed Members on the representations, including the background of the amendment

items on the draft OZP, the grounds/views of the representers, government responses and PlanD's views on the representations as detailed in TPB Paper No. 11071 (the Paper). The amendment items included:

- (a) Item A – rezoning of a site at Sha Ha from “Village Type Development” (“V”) to “Residential (Group B) 6” (“R(B)6”) subject to a maximum plot ratio of 1.5 and maximum building heights (BHs) of 3 storeys in the eastern part and 10 storeys in the western part (both excluding basements), and the requirement on provision of a public vehicle park to take forward a s.12A application (No. Y/SK-SKT/4) partially agreed by RNTPC of the Board;
- (b) Item B – rezoning of a site at Tai Mong Tsai Road from “Comprehensive Development Area (2)” to “R(B)7” subject to a maximum gross floor area of 23,145m² and a maximum BH of 8 storeys (excluding basements) to reflect a completed residential development;
- (c) Item C1 – rezoning of four strips of land at Hiram's Highway and Hong Ting Road from “Green Belt” (“GB”) and areas shown as ‘Road’ to “Residential (Group E) 1” (“R(E)1”) to rationalise the zoning boundaries;
- (d) Item C2 – rezoning of a site at the junction of Chui Tong Road and Hong Nin Path from “GB”, “R(E)1” and an area shown as ‘Road’ to “Open Space” to reflect the existing as-built condition; and
- (e) Item C3 – rezoning of two pieces of land occupied by Hong Ting Road, Hong Nin Path and near Hiram's Highway from “R(E)1” and “GB” to areas shown as ‘Road’ to reflect the existing road alignments.

10. There were also amendments to the Notes of the OZP in relation to the above rezonings, amendments to the covering Notes, as well as other amendments to the Notes including those to align with the latest Master Schedule of Notes to Statutory Plans.

11. The Chairperson then invited the representer to elaborate on her representation.

R5 – Mary Mulvihill

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

Item A

- (a) the rezoning of Item A Site from “V” to “R(B)6” for private residential development was inappropriate. Under the prevailing Small House (SH) policy, Sha Ha villagers would be diverted to apply for SH developments in other villages within the same Heung, which might attract objections from local villagers;
- (b) despite the inclusion of government land and its location in the rural area, the proposed development offered no community benefits, such as provision of bicycle parking facilities, and failed to address the existing deficit of community facilities in the district. With reference to the government, institution and community facilities table (GIC table) in the Paper, there were shortfalls in community facilities in the district. Having regard to the existing population and the new population intake, further pressure would be placed on local services. Item A Site should therefore accommodate community facilities;
- (c) with regard to the stepped BH profile, the views of R1 to R4, which were based on their local knowledge, were supported. If a BH restriction of 3 storeys at the waterfront side of Item A Site, covering about 66% of the “R(B)6” zone, was considered in line with the established principle of having low-rise developments along waterfront sites, it meant that the remaining 34% of the “R(B)6” zone, with a BH restriction of 10 storeys, did not comply with that principle. Developments between Tai Mong Tsai Road and the shoreline should be restricted to 3 storeys to preserve views for both residents and visitors;

- (d) developments of this kind were eroding the elements that made Hong Kong attractive to talent, namely rare low-density living and scenic seclusion within minutes of a major financial centre. Locations such as Sai Kung that offered such a setting were being altered by the “wall effect”. With the Northern Metropolis under construction, visitors coming to Sai Kung for the scenic waterfront would instead be confronted by concrete walls rather than open views of the coastline, and the same was observed in neighbourhoods where the “GB” sites had been rezoned and lost;
- (e) the applicants of the proposed development at Item A Site had not sent a representative to the hearing, in contrast to the position at the RNTPC meeting, at which the applicants had been represented by consultants. Similar to an earlier meeting in June this year, there appeared to be a new trend of developers not sending representatives to answer questions at the hearing. PlanD would be required to answer questions regarding the proposed development. That might undermine PlanD’s required neutrality as the executive arm of the Board. There were concerns over propriety and procedure, and whether the applicants assumed that the OZP approval was guaranteed. Given the curtailment of public participation in the planning process, the attendance of the applicants at the hearing should be made mandatory. Members should enquire whether any steps had been taken to invite the applicants to attend;

Item B

- (f) Item B was a housekeeping amendment;

Items C1 to C3

- (g) the rezoning of “GB” sites was objected to, as the concerned strips of land should be conserved in order to achieve the general planning intention of the “GB” zone, enhance environmental quality, preserve landscape features and provide a buffer function;

- (h) while Item C2 reflected the existing sitting-out area under the management and maintenance of the Highways Department, the facility should be assigned a name so that it could be shown on the map;

Amendments to the Covering Notes of the OZP

- (i) there was strong objection to the proposed amendment to the covering Notes to allow the provision, maintenance or repair of small unmanned aircraft (SUA) take-off and landing facilities, as it would allow commercial activities by SUA to take place in parks and public areas, generating noise pollution, creating safety hazards and giving rise to privacy concerns. Schools were also identified as an area of concern. Hong Kong was not aligned with Chinese Mainland, which had tightened restrictions on where drones might be operated. As business operators and legislators were promoting the low-altitude economy, the Government was perceived as disregarding the potential issues, including public security. Members had a duty to raise issues not fully addressed by government departments. When asked whether the amendments in respect of SUA take-off and landing facilities had been made to the covering Notes of other OZPs, the answer had been in the affirmative, with the additional information that such amendments had already been made to 10 other OZPs. This suggested that Members were following precedent rather than assessing the implications for individual OZPs in the light of their particular characteristics;

Amendments to the Notes of the OZP

- (j) there was objection to the incorporation of 'Government Use' under Column 1 of the Notes for the "Other Specified Uses" annotated "Pier" zone as the types of 'Government Use' allowed should be specified. The amendment was broad in scope and could potentially allow a wide range of government facilities at ferry piers;
- (k) there was objection to the incorporation of 'Flat' under Column 2 of the Notes for the "Commercial" and "Government, Institution or Community" ("G/IC")

zones as the residential element in such developments would turn out to be the major use, thereby undermining the planning intention of these zones. It was an amendment of expediency;

- (l) there was objection to the incorporation of 'Government Refuse Collection Point' ('Government RCP') and 'Public Convenience' under Column 1 of the Notes for the "V" zone as it would remove public scrutiny of the location and design of such facilities;
- (m) there was objection to the incorporation of 'Field Study/Education/Visitor Centre' under Column 2 of the Notes for the "V" zone as it would further encourage abuse of the SH policy and could be used to justify commercial operations under the guise of service centres;

Others

- (n) it was disappointing that local residents had not attended the hearing, and the well-resourced developer had obtained what it sought;
- (o) with reference to the minutes of a previous TPB meeting, which indicated that the Board's role at the representation stage was mainly to consider whether the representations should be upheld in revising the proposed amendments to the OZP, the Board was invited to adopt a wider scope of consideration at the representation stage. Since the amendment of the Town Planning Ordinance in September 2023, there had been no statutory provision for the public to comment on s.12A applications, such that the representation stage was the first and only opportunity for the public to express views. There was accordingly a need for the schemes to be scrutinised and for concerns not fully addressed to be evaluated; and
- (p) as pointed out in an article in a local newspaper, the Board should adopt binding microclimate regulations similar to those in Singapore.

13. As the presentations of PlanD's representative and the representer had been completed, the meeting proceeded to the Q&A session. The Chairperson explained that Members would raise questions to the representer and/or PlanD's representatives to answer. The Q&A session should not be taken as an occasion for the attendees to direct questions to the Board or for cross-examination between parties. The Chairperson then invited questions from Members.

14. As Members had no questions to raise, the Chairperson said that the hearing procedures for the presentation and Q&A sessions had been completed. The Chairperson thanked the representer and PlanD's representatives for attending the meeting. The Board would deliberate on the representations in closed meeting and would inform the representers of the Board's decision in due course. The representer and PlanD's representatives left the meeting at this point.

Deliberation Session

15. At the invitation of the Chairperson to clarify whether the zoning amendment had been Government-initiated and the general arrangement for taking an agreed s.12A application forward to the zoning amendment stage, Mr C.K. Yip, Director of Planning, explained that where a zoning amendment was Government-initiated with policy support, PlanD would submit the proposal directly to the relevant Planning Committee (PC) for consideration, as in the case of rezoning "GB" sites for public housing developments. In the case of a private development, the applicant would first submit a s.12A application for consideration by PC. If the application was agreed, the corresponding zoning amendment to the OZP would then be submitted to PC for consideration. Following the PC's agreement, the draft OZP incorporating the amendment(s) would be gazetted and the representations received, if any, would be heard by the Board. The amendment at Item A Site had followed the latter route, and was not Government-initiated.

Item A

16. Members generally supported Item A and noted the following:

- (a) there were essentially two height bands in the vicinity, i.e. the WM Hotel to the

south of Item A Site, comprising 3-storey blocks, and the neighbouring “Comprehensive Development Area (1)” (“CDA(1)”) site, where a residential development of 4 to 10 storeys had been approved. The stepped BH restrictions of 3 storeys and 10 storeys, without an intermediate height band of 6 or 7 storeys, proposed by the applicants had made reference to those two bands with a view to optimising the development potential of the site. A maximum BH of 3 storeys was proposed for the eastern portion of Item A Site facing the sea, accounting for about two-thirds of the site area, which was in line with the established principle of having low-rise developments along waterfront sites and was compatible with the BH of the WM Hotel; whilst a maximum BH of 10 storeys was proposed for the western portion, accounting for about one-third of the site area, which was compatible with the approved residential development on the adjacent “CDA(1)” site. The stepping ran in an east-west direction rather than north-south, so as to produce a stepped profile in relation to the sea. The concept had been agreed by RNTPC when the s.12A application was considered;

- (b) according to available information, the developer of Item A Site was not the same as that of the “CDA(1)” site. From planning perspective, it was the planning considerations that mattered when determining the appropriate BH restrictions to be imposed, and the effect on the views enjoyed by an individual private development (such as whether the sea views of the future buildings of the “CDA(1)” site would be blocked by the buildings on Item A Site) was not a material consideration; and
- (c) as regards R5’s concern that the applicants of the s.12A application at Item A Site did not attend the hearing, under the Town Planning Ordinance, the Board would hold a meeting to hear and consider the representations received in respect of the OZP, and the persons who made the representations would be invited to attend the hearing. Neither the developer nor the applicants of the s.12A application had submitted a representation. The Board was not in a position to invite person who had not made a representation to the hearing. The reason for not submitting a representation was a matter for their own consideration and judgment.

Items C1 to C3

17. As regards Items C1 to C3, Members noted that the items involving the rezoning of “GB” sites were mainly to reflect the existing uses. The areas concerned were mainly roadside slopes, and the existing trees thereon would not be disturbed and the existing site conditions would not be affected. No ecological or landscape impact was anticipated from the zoning amendments. It was common for the zonings on the OZP to be drawn on a broad-brush basis at the early planning stage, when the detailed design of the developments was not yet known. Following implementation, the zoning boundaries would be rationalised to reflect the completed developments. The amendments were technical in nature and similar exercises had been carried out on other plans.

Amendments to the Covering Notes of the OZP

18. Members noted that the covering Notes of the OZP had been amended to allow the provision, maintenance or repair of SUA take-off and landing facilities on land falling within the boundaries of the OZP, except where the uses or developments were specified in Column 2 of the Notes of individual zones. The amendment would complement the Government’s policy to foster the development of the low-altitude economy. Such facilities were not large structures and no significant impact was anticipated. The operations of SUAs, including the permitted weight and flight routes, would be governed by the Small Unmanned Aircraft Order (Cap. 448G) and monitored by the Civil Aviation Department.

Amendments to the Notes of the OZP

19. Regarding the incorporation of ‘Government RCP’ under Column 1 of the Notes for the “V” zone, Members noted that RCP was a common village facility found within the “V” zone. Under the current practice, the relevant government departments, such as the Food and Environmental Hygiene Department, would conduct assessments and consult the concerned residents and village representatives on the proposed provision of government RCP and its design. As a consultation and site selection mechanism was already in place, streamlined procedures could be adopted to avoid duplicative work through the planning application process.

Provision of Community Facilities and Presentation of GIC Table

20. Noting the concern raised by R5 on the provision of community facilities, a Member considered that it was not entirely practical to assess the long-term, district-wide provision standards against a small area or by reference to an individual site. Hong Kong had fared better than many other cities in terms of having clear and published standards and references for the provision of community facilities. The Member suggested that it might be useful to invite a group of Members to take part in the discussions on enhancing the GIC table for future reference if necessary.

Time Horizon of the Assessment on Provision of GIC Facilities

21. On the reference years and timeframe adopted in assessing the provision of community facilities in the GIC table, some Members had the following views and suggestions:

- (a) the provision requirement shown in the GIC table was derived from the ultimate planned population, whereas the existing population was substantially smaller. The resulting figure did not reflect the actual demand at present, and the deficit so derived was to a large extent notional. The use of the term “shortfall” was also questionable, as the figure did not denote a genuine deficiency in service provision to the existing community, but rather the difference between the ultimate requirement and the facilities delivered to date;
- (b) in new development areas, the planned population might not be reached for some decades. As a general principle, community facilities should not be provided ahead of demand so as to avoid over-provision, save for certain major facilities which, by their nature and scale, would serve both existing needs and the needs of the future population. The appropriate approach was to deliver facilities progressively in line with population intake. To this end, the GIC table should set out the existing provision against the existing population, which would show whether the current needs had been met and whether the delivery of facilities was in fact keeping pace;

- (c) taking the Northern Metropolis as an example, where an additional population of about one million was expected by 2035, the assessment should identify the requirement for community facilities arising over that period, with corresponding data presented for each of the four major development zones (from west to east). Consistent with the Government's infrastructure-led approach, the programming of community facilities should be better aligned with the timing of the targeted population intake; and
- (d) the term "planned provision" carried no time dimension, such that it was not apparent by reference to which period the figure had been assessed. A qualifier such as "long-term" or "future" should be added to make clear that the figures did not relate to the present position. The reference year might even be expressed as a fixed year (for example, 2030 to be moved forward in due course to 2035), rather than as a rolling horizon of "5 years" or "10 years", as this would be more easily understood and would avoid recurring disputes over the figures.

22. The Secretary explained that the GIC table assessed the requirement for GIC facilities against the ultimate planned population on a District Council (DC) area basis, in accordance with the Hong Kong Planning Standards and Guidelines. As population intake was gradual and development horizons were long, facilities were implemented in stages, and deficits frequently appeared because the current provision did not necessarily keep pace with the requirement generated by the ultimate planned population. It would be useful for the GIC table to show the existing provision against the existing population. At the same time, planning had to look ahead to the future population, and an assessment covering both the existing and the planned population, and both the existing and committed/planned facilities, would give a more meaningful analysis. The format of the GIC table was currently under review by PlanD. Consideration was being given to adjusting the population basis, having regard to the limited practical meaning of the ultimate population figure, and to shortening the assessment horizon so as to compare the facilities planned to be provided over, say, the coming 10 years against the requirement arising over the same period, which would yield a more meaningful figure. Members' views and suggestions would be suitably taken into account in enhancing the information presented in the GIC table.

Geographical Basis of the Assessment on Provision of GIC Facilities

23. On the geographical basis adopted for the assessment of facility provision in the GIC table, some Members expressed the following views and suggestions:

- (a) it might be preferable to compare facility provision on a territory-wide basis so as to reveal the average position, since assessment on a district basis might introduce bias, in that the planning of one area could appear inadequate while the adjoining area appeared adequate, as illustrated by the situation encountered in Tuen Mun District and at Hung Shui Kiu. The apparent variance was very large, and the fundamental issue was the geographical basis on which the average should properly be taken; and
- (b) while the DC boundary provided a convenient basis for presentation, it could not reflect the service planning boundaries adopted by all government departments. Those adopted by the Social Welfare Department and the Hospital Authority did not correspond to the 18 administrative districts, with the result that facilities serving the area concerned might not be fully reflected in district-based figures. Taking hospital services as an example, maternity provision was not confined to a single district and the new hospital at Kai Tak served a wide catchment. It was therefore suggested that those categories of facilities which were planned on a broader basis might be better presented in a separate table or category, with local facilities continuing to be presented on a district basis. Alternatively, a remark should be added to distinguish facilities planned on a territory-wide basis from those assessed on a district basis. The remarks should, however, be kept to a minimum and focused on the key message.

24. The Secretary explained that the adoption of the DC boundary in the GIC table had been carefully considered. As individual government departments adopted different boundaries for service planning purposes, the DC boundary provided a common and practical basis which corresponded broadly with the way in which the departments planned and assessed demand for their facilities. A territory-wide average would not reflect the local situation, as community facilities, such as social welfare facilities and open space, were intended primarily to serve local

residents. Taking Sai Kung as an example, the DC area was very large and substantially rural, with facilities deliberately located where the population was concentrated, such as Tseung Kwan O and Sai Kung Town Centre. Neither a territory-wide average nor an assessment confined to individual parts of the district would reflect how residents were in fact served. While a separate table showing the position within individual OZP scheme areas was available, the DC boundary was adopted for general presentation purposes as it provided a more realistic and meaningful reflection of district demand. In enhancing the GIC table, suitable remarks would be included to define the service area of the applicable facility.

25. The Chairperson supplemented that in reviewing the GIC table, PlanD would consider how best to reflect the existing position, the future requirement and the appropriate geographical basis of assessment. Members would be briefed on the proposed revisions at an appropriate juncture, expected to be within the next few months.

Conclusion

26. The Chairperson concluded that Members generally supported the OZP amendments, and agreed that the OZP should not be amended to meet the adverse representations. All grounds of the representations had been addressed by the departmental responses as detailed in the Paper, as well as the presentation made by PlanD at the meeting.

27. After deliberation, the Town Planning Board (the Board) noted the view of **R5 (part)** on Item B, and decided not to uphold R1 to R5 (part) and agreed that the draft Sai Kung Town Outline Zoning Plan (OZP) should not be amended to meet the representations for the following reasons:

“Item A

- (a) Item A is to take forward a partially agreed section 12A application (No. Y/SK-SKT/4) for proposed residential development with a public vehicle park at the site. Various technical assessments have been conducted by the applicants to ascertain that the proposed development with the proposed mitigation and design measures implemented will be acceptable from, amongst others, visual, traffic and environmental perspectives, on which relevant government

bureaux/departments (B/Ds) had no objection or no adverse comment **(R1 to R5)**;

- (b) with the stepped building height (BH) restrictions of maximum BHs of 3 storeys in the eastern part and 10 storeys in the western part stipulated on the Sai Kung Town OZP for the “Residential (Group B) 6” zone, the proposed development is considered not incompatible with the existing and planned developments of the area and would achieve an overall stepped BH profile descending from the inland area towards the waterfront **(R1 to R5)**;
- (c) with the rezoning of Item A Site, the remaining land available for Small House development in the “Village Type Development” (“V”) zone of Sha Ha is still sufficient to cater for both outstanding Small House application and 10-year Small House demand forecast. Item A Site is rezoned to facilitate better utilisation of land and help address acute housing shortfall in the territory with the provision of public parking facilities in the district **(R5)**;

Items C1 to C3

- (d) Items C1 to C3 are mainly to rationalise the zoning boundaries and to reflect the as-built conditions and road alignment of these sites. The “Open Space” zoning is to reflect an existing sitting-out area at Item C2 Site which is under the management and maintenance of the Highways Department **(R5)**;

Amendments to the Notes (a)

- (e) allowing provision, maintenance or repair of small unmanned aircraft take-off and landing facilities under the covering Notes of the OZP is to facilitate the low-altitude economy development. Any proposals for the aforesaid uses will be governed by other legislation in Hong Kong, and follow the relevant requirements and guidelines set out by relevant government B/Ds and regulatory authorities **(R5)**;

Amendments to the Notes (f)

- (f) the amendment to the Notes for the “Other Specified Uses” annotated “Pier” zone is intended to allow flexibility for provision of supporting/ancillary uses within the piers. The concerned sites are Government land. Any proposed development is subject to approval from relevant B/Ds and compliance with relevant legislation and other Government requirements (**R5**); and

Amendments to the Notes (k) and (l)

- (g) the incorporation of ‘Government Refuse Collection Point’ and ‘Public Convenience’ under Column 1 and ‘Field Study/Education/Visitor Centre’ under Column 2 of the Notes for the “V” zone is in line with the Master Schedule of Notes to Statutory Plans promulgated by the Board. The provisions of these facilities will follow the relevant established government procedures and/or require planning permission from the Board (**R5**).”

28. 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) of the Town Planning Ordinance to the Chief Executive in Council for approval.

[The meeting was adjourned for a 15-minute break.]

Tuen Mun and Yuen Long West District

Agenda Item 4

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/YL-LFS/585

Filling and Excavation of Land for Permitted Agricultural Use in “Green Belt” Zone,

Lot 1236 S.B in D.D. 129, Lau Fau Shan, Yuen Long

(TPB Paper No. 11072)

[The item was conducted in Cantonese.]

Presentation and Question Sessions

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

Mr Raymond H.F. Au - District Planning Officer/Tuen Mun and Yuen Long West (DPO/TMYLW)

Mr Eric C.Y. Chiu - Senior Town Planner/Tuen Mun and Yuen Long West (STP/TMYLW)

Mr Wilfred K.H. Chu - Town Planner/Tuen Mun and Yuen Long West

30. The Chairperson extended a welcome and informed Members that the applicants had indicated that they would not attend the meeting. She then invited PlanD’s representatives to brief Members on the review application.

31. With the aid of a PowerPoint presentation, Mr Eric C.Y. Chiu, STP/TMYLW, PlanD briefed Members on the background of the review application including the application site (the Site) and the surrounding area, the applicants’ proposal and justifications, the consideration of the application by the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board/TPB), departmental and public comments, and the planning considerations and

assessments as detailed in TPB Paper No. 11072 (the Paper). As there had been no major change in planning circumstances since the consideration of the section 16 application, PlanD maintained its previous view of not supporting the application.

32. As the presentations of PlanD's representative had been completed, the Chairperson invited questions from Members.

Letter of Approval for Agricultural Structures

33. Noting that an application for a Letter of Approval (LoA) for agricultural structures concerning the Site had been made but subsequently withdrawn, a Member enquired whether an LoA was required and about the relevant application procedure. In response, Mr Raymond H.F. Au, DPO/TMYLW, PlanD said that an owner who wished to erect agricultural structures, such as greenhouses, livestock sheds, hatcheries, fish ponds and store rooms, was required to apply for an LoA and a Certificate of Exemption. The Agriculture, Fisheries and Conservation Department (AFCD) and the Lands Department (LandsD) would assess the applications with regard to relevant considerations, including the need for the structure, and its height, materials and intended use.

Filling of Land and Fill Materials

34. Noting that AFCD had no comment on the application, and referring to the two similar applications, one involving filling with soil suitable for agricultural use which had been approved and the other involving hard-paving which had been rejected, a Member raised the following questions:

- (a) whether AFCD had offered any comment on the necessity of the filling of land for the intended agricultural use; and
- (b) whether the applicants had expressly stated that the filled area would be hard-paved.

35. In response, Mr Raymond H.F. Au, DPO/TMYLW, PlanD, with the aid of a PowerPoint slide, made the following points:

- (a) AFCD had not offered any specific comment on the necessity of the proposed land filling for the intended agricultural use. Site inspections conducted by PlanD revealed that the western portion of the Site, shown on the applicants' layout plan as an orchard area and a grass area, was in fact overgrown with weeds and showed no sign of cultivation. During the site inspection, one of the applicants had confirmed that there was no active farming activity at that portion but indicated an intention to do so; and
- (b) the current application expressly stated that cement would be used for the filling. As regards the two similar applications, the approved one (No. A/YL-LFS/382) involved replacing the leftover soil on-site with soil suitable for cultivation and RNTPC considered that the applicant had demonstrated a genuine need for the land filling works. The other application (No. A/YL-LFS/434), which involved concrete paving of about a quarter of the application site for erection of structures, was rejected mainly on the grounds that the applicant failed to justify the need for the proposed filling of land and adverse landscape impact was anticipated. That said, each application should be considered on its own individual merits having regard to the specific proposal concerned.

Water Tank

36. A Member enquired whether the existing water tank was located at a relatively high or low level within the Site, taking the view that a tank intended for irrigation would not logically be located at a low level, and whether koi were kept in the tank. In response, Mr Raymond H.F. Au, DPO/TMYLW, PlanD, with the aid of a PowerPoint slide, said that the water tank was situated at a relatively downward location from the site entrance and was therefore not at a high level. Both koi and turtles were observed in the tank during site inspection.

37. As there were no further questions from Members, the Chairperson said that the presentation and question sessions for the review application had been completed. The Board would deliberate on the review application and would inform the applicants of the Board's decision in due course. The Chairperson thanked PlanD's representatives for attending the meeting. They left the meeting at this point.

Deliberation Session

Justifications for the Review Application

38. Members agreed with PlanD's recommendation to reject the application on review, considering that the justifications put forth by the applicants in support of the review application were not convincing. A Member considered that the extent of paving of the long access path of about 8m in width was excessive; and development within the "GB" zone, even for agricultural purposes, should proceed on the basis of minimum disturbance. It had not been demonstrated that the layout of the structures claimed to serve the farm had been designed to minimise disturbance to the "GB" zone. If pedestrian access was required, it could be provided in a more natural form.

Lease Enforcement

39. Noting that the Buildings Department could register a notice or order against the title of a property in respect of unauthorised building works, and that the applicants claimed that filling of land had already taken place before they purchased the land, a Member enquired whether similar registration action could be taken under the land lease for illegal land filling or similar works. At the invitation of the Chairperson, Mr Maurice K.W. Loo, Director of Lands (D of Lands), explained that landfilling per se on agricultural lots generally would not constitute a breach of the land lease, whereas the erection of unauthorised structures would breach the lease conditions. LandsD received a considerable number of reports of breaches of lease conditions each year, and had been adopting a risk-based approach in handling such cases. Under the normal procedure, LandsD would issue a warning letter to the lessee requiring rectification of the lease breach within a specified period, and in the event of non-compliance, LandsD would register the warning letter at the Land Registry. Based on the information available, he could not confirm whether a breach had been identified and a warning letter had been issued for this case.

40. As regards the Member's concern on whether a land transaction could still proceed when a breach had been registered against the land title and the land owner had not rectified the breach, Mr Maurice K.W. Loo, D of Lands, said that the Government had no power to prevent a purchaser from acquiring the land. Registration of the warning letter served to give notice of the situation and, where a prospective purchaser proceeded with the purchase with that knowledge, it

would be a matter of his own consideration.

Planning Enforcement

41. The Chairperson invited the Secretary to supplement on the planning enforcement action taken by PlanD in respect of the Site. The Secretary said that Enforcement Notice (EN) issued by PlanD would be registered in the Land Registry, such that a purchaser conducting a land search would be aware of the planning enforcement action concerning the land. Regarding the Site, the applicants claimed that the filling of land had been carried out by the previous owner before their purchase, and that they had to carry out works to fill up the area concerned. According to PlanD's record, filling of land had indeed taken place before the applicants' purchase, and PlanD had issued EN to the previous land owner requiring discontinuation of the unauthorised development, followed by a Reinstatement Notice (RN). As the previous land owner had reinstated the Site, the enforcement action had been completed. Hence the previous planning enforcement case was no longer active by the time the applicants purchased the land. After the purchase, however, extensive works had been carried out involving clearance of vegetation and paving. PlanD had taken another enforcement action accordingly and, following the issue of EN and RN and rounds of prosecution actions, the applicants had carried out reinstatement works recently.

42. As regards a Member's concern on whether an applicant could submit planning applications from time to time, and whether a planning application would have any implication for the enforcement action, in particular whether it might be relied upon as a defence against enforcement action, Mr C.K. Yip, Director of Planning, said that planning applications and planning enforcement were two separate regimes under the Town Planning Ordinance (the Ordinance) and should be dealt with separately. The primary considerations in determining a planning application were the applicant's justifications, departmental comments and the planning assessment, while whether enforcement action was being taken was not a direct consideration. For cases involving "destroy first, apply later" activities, the Board would take as its baseline the condition of the site before the destruction rather than after it. On the other hand, the Planning Authority would continue to take forward the enforcement and prosecution actions against unauthorised development in accordance with the Ordinance as appropriate.

43. After deliberation, the Town Planning Board decided to reject the application for the following reason:

“the applied/proposed filling and excavation of land is not in line with the planning intention of the “Green Belt” zone and the Town Planning Board Guidelines for Application for Development within Green Belt Zone under Section 16 of the Town Planning Ordinance (TPB PG-No. 10) in that there are no exceptional circumstances or very strong planning grounds in the submission to justify the need for the filling and excavation of land and a departure from the planning intention.”

[The meeting was adjourned for a break at 10:55 a.m.]

[Messrs K.L. Wong and Vincent K.Y. Ho, Dr Chris K.T. Lam and Dr Tony C.M. Ip left the meeting during the break.]

44. The meeting was resumed at 1:35 p.m.

45. 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 Stephen L.H. Liu

Vice-chairperson

Ms Sandy H.Y. Wong

Mr Daniel K.S. Lau

Mr Ben S.S. Lui

Mr Timothy K.W. Ma

Professor Bernadette W.S. Tsui

Dr C.M. Cheng

Mr Rocky L.K. Poon

Professor B.S. Tang

Professor Simon K.L. Wong

Mr Simon Y.S. Wong

Mr Eric C.B. Chan

Professor Janet K.Y. Chan

Mr Vincent K.C. Cheung

Professor Herbert P.K. Chia

Dr Kelvin K.Y. Leung

Mr Wilson H.K. Shum

Mr Gary X.Y. Zhang

Chief Traffic Engineer (Kowloon)
Transport Department
Mr K.M. Wong

Chief Engineer (Works)

Home Affairs Department
Mr Bond C.P. Chow

Principal Environmental Protection Officer (Territory South)
Environmental Protection Department
Ms Marlene Y.H. Ho

Director of Lands
Mr Maurice K.W. Loo

Director of Planning
Mr C.K. Yip

[Mr K.M. Wong joined the meeting at this point]

Tsuen Wan and West Kowloon District

Agenda Item 5

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/K1/272

Proposed Minor Relaxation of Plot Ratio and Building Height Restrictions for Permitted Hotel Use in “Commercial (6)” Zone, 16 Kimberley Road, Tsim Sha Tsui, Kowloon

(TPB Paper No. 11073)

[The item was conducted in Cantonese.]

46. The Secretary reported that the application site (the Site) was located in Tsim Sha Tsui (TST). The applicant, Far Union Investment Limited, was a subsidiary of Henderson Land Development Company Limited (HLD). P & T Architects Limited (P&T) and Generation-One Advisory Limited (Generation-One) were two of the consultants of the applicant. The following Members had declared interests on the item:

Dr Tony C.M. Ip	-	having current business dealings with P&T;
Dr Chris K.T. Lam	-	being a personal friend of the director of Generation-One;
Mr Vincent K.Y. Ho	]	having current business dealings with HLD;
Professor Herbert P.K. Chia		
Mr Vincent K.C. Cheung	-	negotiating a tenancy agreement with HLD; and
Mr Gary X.Y. Zhang	-	co-owning with spouse a property in TST.

47. Members noted that Dr Tony C.M. Ip, Dr Chris K.T. Lam and Mr Vincent K.Y. Ho had left the meeting. As the property of Mr Gary X.Y. Zhang had no direct view of the Site, Members agreed that he could stay in the meeting. As the interests of Professor Herbert P.K. Chia and Mr Vincent K.C. Cheung were considered direct, Members agreed that they should be invited to leave the meeting temporarily for the item.

[Professor Herbert P.K. Chia and Mr Vincent K.C. Cheung left the meeting at this point.]

Presentation and Question Sessions

48. The following representatives of the Planning Department (PlanD) and the applicant's representatives were invited to the meeting at this point:

PlanD

- | | |
|----------------------|--|
| Mr Steven Y.H. Siu | - District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK) |
| Mr Kervis W.C. Chan | - Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK) |
| Mr George Y. N. Choi | - Town Planner/Tsuen Wan and West Kowloon |

Applicant's Representatives

Far Union Investment Limited – Applicant

Dr Owen Yue

Ms Alison Ip

Generation-One Advisory Limited

Mr Edward Lau Kwok Fan

Mr Matthew Ng

49. The Chairperson extended a welcome and explained the procedures of the review hearing. To ensure smooth and efficient conduct of the meeting, a time limit of 15 minutes was set for presentation of the applicant's representatives. She then invited PlanD's representatives to brief Members on the review application.

50. With the aid of a PowerPoint presentation, Mr Kervis W.C. Chan, STP/TWK, PlanD briefed Members on the background of the review application including the Site and the surrounding areas, the applicant's proposal and justifications, the consideration of the application by the Metro Planning Committee (MPC) of the Town Planning Board (the Board/TPB), departmental and public comments, and the planning considerations and assessments as detailed in TPB Paper No. 11073 (the Paper). The application was to seek planning permission for minor relaxation of plot ratio (PR) and building height (BH) restrictions for a proposed development for permitted hotel use at the Site, which fell within an area zoned "Commercial (6)". Given that the applicant had not submitted major new grounds and/or proposals to address MPC's concerns and there were no major changes in planning circumstances since the consideration of the application by the MPC on 8.5.2026, PlanD did not support the review application.

[Ms Sandy H.Y. Wong joined, and Messrs Wilson H.K. Shum and Gary X.Y. Zhang left the meeting during PlanD's presentation.]

51. The Chairperson then invited the applicant's representatives to elaborate on the review application.

52. With the aid of a PowerPoint presentation, Mr Edward Lau Kwok Fan, the applicant's representative, made the following main points:

Introduction

- (a) Members' valuable comments on the section 16 (s.16) application raised at the MPC meeting were appreciated, and the comments had been studied in detail. The applicant welcomed the opportunity to elaborate on their justifications at the review hearing;

Proposed Design Measures

- (b) the application sought planning permission for minor relaxation of PR restriction from 12 to 15 and BH restriction from 110 metres above Principal Datum (mPD) to 140mPD for a proposed hotel development at the Site. To

improve the urban design and streetscape environment around the Site, the applicant had proposed a number of design measures, including a voluntary building setback of 2.8m in width in addition to the 1.5m-wide non-building area required under the TST Outline Zoning Plan (OZP), and vertical greening;

- (c) with regard to MPC Members' concern about the floor-to-floor height (FTFH) of about 4m for the proposed conference and function facilities, the applicant had reviewed the design for the facilities and found that a FTFH of about 4m for conference and function facilities was commonly adopted by other hotels in Hong Kong, with some hotels, such as Four Seasons Hong Kong and Cordis, Hong Kong, having a FTFH of up to 7m for such facilities. To accommodate a reasonable scale of conference and function facilities to meet the tourism needs, a corresponding increase in the overall BH of the proposed development was necessary;
- (d) the application was supported by the Commissioner for Tourism (C for Tourism), while other government departments, including PlanD, had no adverse comment on or objection to the s.16 application;

Traffic and Pedestrian Safety

- (e) with regard to MPC Members' concerns about pedestrian accessibility and potential vehicular/pedestrian conflicts at the ingress/egress of the Site, a vehicular run-in/out at the Site at the same level with the pavement (the levelled run-in/out) was proposed, which would form a continuous and uniform pedestrian walkway across the vehicular access to allow pedestrians to traverse the vehicular access more comfortably with improved connectivity. The proposed levelled run-in/out would comply with the standards of relevant government departments, including the Highways Department;
- (f) the applicant was also prepared to study further measures to improve the traffic arrangement at the junction of Kimberley Road and Nathan Road to meet the requirements of the Transport Department (TD);

Planning Gains

- (g) while noting Members' main concerns were whether there were sufficient planning gains to support the application, Members should also take into account that the proposed redevelopment at the Site could enhance public space and street environment of the TST core area, and that consistency and fairness in applying prevailing government policies and planning initiatives should be ensured in view of the Site's similarities with the surrounding areas;
- (h) the Town Planning Ordinance (the Ordinance) clearly stated that Hong Kong's town planning system was to promote the health, safety, convenience and general welfare of the community, which reflected the spirit and legislative intent of the Ordinance. Apart from the proposed building setback and vertical greening, certain planning gains had in fact already been realised through the redevelopment project with the demolition of the original building (i.e. Champagne Court Block B), which might not be readily visualised. Members might recall that Champagne Court Block B was heavily associated with vice activities, including allegations of it being a hub for prostitution and organised crime. With consolidation of fragmented ownership and site clearance, such illegal activities were removed. The Site would be replaced by a modern hotel development, which aligned with the spirit of the Ordinance to promote a healthy community and improve the surrounding environment;

Urban Renewal

- (i) the proposed redevelopment would help promote urban renewal and the wider development of the area. The associated planning gains were not confined to the Site but would also benefit the TST area and Hong Kong as a whole;
- (j) building ageing in old districts of Hong Kong had become increasingly acute. The number of buildings aged 50 years or more was projected to increase to about 14,000 by 2030 and close to 22,000 by 2040. This would impose significant maintenance and financial burden on owners and adversely affect the overall vitality of the community. Recently, the Government launched the

Bonus Plot Ratio Pilot Scheme (the Pilot Scheme) with Joint Practice Note No. 9 issued and facilitated cross-district Transfer of Plot Ratio (TPR) through the promulgation of the revised Town Planning Board Guidelines No. 43A for Application for Transfer of Plot Ratio under Section 16 of the Town Planning Ordinance;

- (k) in recent rounds of consultations on ‘The First Five-Year Plan for Economic and Social Development of the Hong Kong Special Administrative Region (2026-2030)’, the Government emphasised the importance of proceeding urban renewal having regard to community needs and sustainable development objectives; pursuing old district renewal and reshaping urban space through a dual-track strategy of redevelopment and revitalisation, and accelerating land development and old district renewal and enhancing land use efficiency and the sustainability of housing supply;
- (l) as reported in the news, according to the spokesperson of the Board on 21.8.2026, the pace of building ageing was much faster than that of urban redevelopment and the number of financially viable redevelopment projects was limited these days, hence there was a need to take more innovative and bolder policy measures to expedite urban redevelopment. The proposed redevelopment would be a more innovative approach to expediting urban renewal through the proposed relaxation of PR and BH restrictions, and could act as a catalyst for redevelopment for the area;
- (m) with reference to the eligibility criteria under the Pilot Scheme including building age of 50 years or more and a site area of not less than 700m², Champagne Court Block B had a building age of 69 years and the site area was about 1,141m². Located at the core area of TST and in proximity to Yau Ma Tei (YMT) and Mong Kok (MK), the Site met the Pilot Scheme’s criteria for old district redevelopment in terms of building age and site area even though it fell outside the seven designated areas targeted by the Pilot Scheme;

Planning of the Yau Tsim Mong (YTM) District

- (n) TST, YMT and MK were all under the purview of the YTM District Council. The planning considerations should not be confined to the extent of individual statutory plans. For instance, the planning of the Northern Metropolis was not based on the boundaries of outline zoning plans but the boundaries of the Yuen Long and North District Councils;
- (o) in the District Study for YMT and MK (Yau Mong Study), the Urban Renewal Authority (URA) had studied the challenges faced by YMT and MK areas including high density, high building age, insufficient residual PR as an incentive for redevelopment and a slow pace of redevelopment. Similar challenges also existed in the TST area. URA's then-managing director, Mr Wai Chi Sing, had remarked that YMT and MK had been selected due to their high population density and concentration of aged buildings, which posed typical difficulties for urban renewal in the territory. Solutions identified in the Yau Mong Study for those two areas should be conducive to addressing redevelopment issues in other old areas;
- (p) to take forward the recommendations of the Yau Mong Study, the YMT OZP was amended in 2024 with the PR restriction of 12 removed for sites zoned "Commercial" ("C") along Nathan Road, i.e. the permissible non-domestic PR could be up to 15 per the First Schedule of the Building (Planning) Regulations. The BH restriction along the Nathan Road commercial spine had also been relaxed from 110mPD to 140mPD. Such relaxation of development parameters had helped foster the status of Nathan Road as the primary commercial spine and encourage urban renewal. Situated within the same District Council, TST as a core tourism area should be treated equally with regard to the same urban renewal opportunities. For the sake of consistency and fairness, the development restrictions of the "C" zones along Nathan Road covered by the MK and YMT OZPs should also be applicable to the Site as the Site was located only about 400m from YMT and along the Nathan Road corridor. Besides, as briefed by PlanD, the commercial building located to the southwest of the Site was subject to a BH restriction of 156mPD and the hotel

developments in the locality were about 146mPD in height. The proposed redevelopment was considered compatible with the developments in the vicinity;

Tourism and Economic Benefits

- (q) the occupancy rate of the hotels in TST was about 88% in 2025. Based on the latest economic figures, each visitor could bring about \$5,000 of economic benefit per day. The 159 guestrooms provided under the proposed hotel development could generate about \$700,000 of economic benefit annually, excluding the additional benefits arising from the proposed conference, function and other facilities. The proposed hotel facilities complemented the overall tourism development objectives of Hong Kong;
- (r) the West Kowloon Cultural District and the waterfront area of TST were relatively more vibrant than the area of the Site. The proposed redevelopment could act as a catalyst for revitalisation and help rejuvenate the area; and

Conclusion

- (s) approval of the application would not only endorse a redevelopment proposal but also provide a positive demonstration of urban renewal in Hong Kong. Having regard to the principles of consistency and fairness in considering the proposed redevelopment at the Site in comparison with the surrounding areas (such as YMT and MK), Members were invited to approve the review application.

[Professor Simon K.L. Wong left the meeting during presentation of the applicant's representative.]

53. The Secretary reported that Mr Gary X.Y. Zhang had declared an interest on the item for having current business dealings with HLD. Members noted that Mr Gary X. Y. Zhang had left the meeting.

54. As the presentations of PlanD's representative and the applicant's representative had been completed, the Chairperson invited questions from Members.

Proposed Hotel Development

55. Two Members asked the following questions:

- (a) the increase in the number of hotel guestrooms as a result of the application compared with the scheme based on the restrictions of the TST OZP (the OZP-compliant scheme);
- (b) the positioning or class of the proposed hotel development; and
- (c) noting that there would be a loss of 34 to 49 guestrooms under the OZP-compliant scheme, whether the applicant would consider reducing the floor space for function room facilities so as to provide more guestrooms, if the application was not approved.

56. In response, Mr Edward Lau Kwok Fan, the applicant's representative, made the following main points:

- (a) the OZP-compliant scheme provided 99 guestrooms, whereas the current proposal with the proposed minor relaxation of PR and BH restrictions would provide about 159 guestrooms, i.e. an increase of 60 guestrooms or over 50% compared with the OZP-compliant scheme;
- (b) the proposed hotel would be positioned as a six-star boutique hotel. In addition to guestrooms, the proposed hotel development would also provide a larger floor space for conference and exhibition facilities, which would also benefit tourism development; and

- (c) Hong Kong had received about 2.5 million Meetings, Incentives, Conventions and Exhibitions (MICE) visitors in 2025, of which about 1.43 million were high-spending visitors staying overnight. The figure of MICE visitors had increased by 7% compared with the previous year and was on an increasing trend. Many existing hotels in Hong Kong had not been designed to provide large-scale conference or exhibition facilities, and the proposed hotel development could fill or supplement the gap in the market. The additional 60 guestrooms could accommodate about 43,800 additional visitors per year, which would be of significance to the tourism industry. The proposed hotel could contribute to the tourism industry of Hong Kong through the provision of guestrooms and MICE facilities.

57. In response to a Member's enquiry about whether the applicant had conducted any market research to substantiate the demand for function rooms in Hong Kong, Dr Owen Yue, the applicant's representative, said that the proposed proportions of guestrooms, conference and function rooms and food and beverage (F&B) facilities had been designed having regard to the analysis of market demand, locational factor, etc. It was assessed that the proposed hotel with about half of the gross floor area (GFA) for the relevant commercial, conference and function facilities and the other half for guestrooms was commercially viable.

58. On the development of the MICE industry in Hong Kong, a Member expressed that with the four floors of MICE facilities, the proposed hotel would contribute to the development of the MICE industry. Given the boutique hotel positioning, the hotel tariffs and the services would be competitive.

Planning and Design Merits

59. A Member raised the following questions:

- (a) noting from some drawings (Drawings A-13 and A-14 of Annex A of the Paper) that the proposed green walls were located at the sides of the proposed hotel, how the proposed vertical greening could be maintained in the long term;

- (b) whether the proposed building setback could accommodate other uses for public enjoyment, such as seating or rest areas; and
- (c) whether there were any planning gains other than the proposed building setback and vertical greening, so as to bring wider community benefit.

60. In response, Mr Edward Lau Kwok Fan and Dr Owen Yue, the applicant's representatives, made the following main points:

- (a) the applicant would properly maintain the associated facilities including the vertical greening;
- (b) subject to detailed design, small-scale seating or resting area could be considered within the setback area; and
- (c) to address MPC Members' concern about potential vehicular/pedestrian conflict, the applicant had refined the design of the vehicular ingress/egress by providing a levelled run-in/out to ensure a continuous and safe pedestrian walkway. The building setback with canopy would improve the pedestrian environment along Kimberley Road. The planning gains associated with the proposed hotel development were not confined to physical design features. Champagne Court Block B had been associated with vice activities. Demolition of the building with removal of such activities should also be considered a planning gain. Upon completion, the proposed hotel development could serve as a catalyst for urban renewal, setting a good example for the rejuvenation and urban renewal of this part of the TST area. The applicant was in liaison with TD on possible measures such as adjusting the location of the pedestrian refuge island at the junction of Kimberley Road and Nathan Road to provide more space for vehicular movements to ease the problem of queuing back to Nathan Road. Nevertheless, it was not straightforward and required further study and discussion with TD, and the applicant would follow up the traffic matters with TD.

61. While noting that the demolition of Champagne Court Block B and removal of vice activities therein could be considered improvements to the area and the Site was small, a Member said that when MPC considered the s.16 application, Members considered that there were insufficient planning and design merits and made some suggestions, e.g. design refinements such as the re-orientation of the building and the possibility of providing uses/facilities such as an exhibition venue for the benefit of the community. It was expected that the applicant would explore the suggestions/ideas for submission at the review stage, but no such information was currently available. In response, Mr Edward Lau Kwok Fan, the applicant's representative, said that the Site was small and the scope for enhancement was limited. The applicant had already proposed a range of design features and planning gains, including vertical greening, building setback and pedestrian environment improvement, and committed to continuing discussions with TD on the ingress/egress arrangement and suggestion to adjust the pedestrian refuge island as mentioned in paragraph 60(c) above. With a building age of 69 years and a site area of about 1,100m², the redevelopment of the Site met the key criteria under the Pilot Scheme. Moreover, the Site was located close to Nathan Road, which could be considered a natural extension of the Nathan Road commercial spine, along which the PR and BH restrictions of the "C" zones on the YMT OZP had been relaxed. The redevelopment proposal with the proposed minor relaxation of PR and BH restrictions was in line with the Government's policy on urban renewal. The applicant would continue to engage with different stakeholders and refine the design at the detailed design stage.

62. Dr Owen Yue, the applicant's representative, supplemented that the planning and design merits submitted under the s.16 and review applications were proposed having considered all relevant factors and circumstances. The suggested traffic improvement measure mentioned in paragraph 60(c) above required in-depth study and liaison with TD, which was considered premature for incorporation in the application submissions. Further enhancement of design features, such as a more permeable and inviting design of the ground floor lobby so that members of the public could enjoy the improvements brought by the proposed hotel development, could be considered at the building plan submission stage. The applicant welcomed the imposition of relevant approval conditions. He opined that URA's redevelopment projects in the MK and YMT areas had not provided much planning gains, while the proposed hotel development had already provided planning gains as much as possible.

63. A Member remarked that as the Site was a valuable piece of land in TST, consideration should be given not only to the applicant's commercial interests but also to community needs. The applicant should consider improving the project, taking into account Members' views on providing planning gains for the benefit of the community. The applicant's representatives could convey Members' views/suggestions to the directors of the company for consideration. A scheme with Members' views/suggestions incorporated might enhance the prospect of approving the application.

64. In response, Mr Edward Lau Kwok Fan, the applicant's representative, said that the applicant hoped that the proposed redevelopment could have a catalytic effect on spurring urban renewal in the area. Should the application be approved, the proposed redevelopment could become a reference and an inspiration for the surrounding sites (including Champagne Court Block A and other adjoining lots) to pursue redevelopment and renewal. The synergistic effect could extend to the east of Nathan Road as this part of TST, including TST East, was less vibrant compared with the West Kowloon High-speed Rail Terminus and the TST waterfront area. More redevelopment projects like the proposed development were needed to spur rejuvenation in TST.

65. Noting that the applicant had raised some new measures, namely traffic improvement measures and the consideration of providing seating or rest area within the building setback, the Chairperson asked whether the applicant could make more concrete commitments on the improvement measures with implementation details and programme so that Members could consider all the relevant factors. In response, Dr Owen Yue, the applicant's representative, said that the current proposal had balanced the provision of guestrooms and conference and function room facilities. As for the lobby design, the applicant had a track record of delivering high-quality designs. For example, they had invested in and developed a park with excellent quality next to their new office building in Central (the Henderson).

66. With regard to the response of the applicant's representative given in paragraph 62 above, a Member pointed out that it was URA's top priority to provide public facilities such as community uses and public vehicle park as planning gains in redevelopment projects and invited the applicant's representative to elaborate on his response. In response, Dr Owen Yue, the applicant's representative, clarified that there were planning gains in URA's redevelopment projects, however, the recommendations of URA's Yau Mong Study on relaxing the PR restriction

for the “C” zone along Nathan Road had not specified the need for planning gains as justifications.

Microclimate

67. A Member expressed concern about the impact of the proposed hotel development on microclimate. TST had been a distinct urban heat island area, with elevated temperatures during summer. The previous Champagne Court Block B at the Site was about 9 storeys, whereas the proposed hotel development would be about 35 storeys. The proposed voluntary building setback of 2.8m in width was considered small and there was concern about air ventilation at street level. The wind influence range could be about 5 to 10 times the BH, which meant that such influence of the proposed hotel of 140mPD could extend for over 1 kilometre. Air ventilation was directly related to the thermal environment. Reduced wind speeds would generally raise the temperatures of the area, causing an urban heat island effect. Moreover, the Hong Kong Observatory (HKO) was located in the vicinity of the Site and had historically been at a relatively elevated location in TST, but had become relatively lower with the proliferation of tall buildings around it. The temperature recorded at HKO reflected the adverse impacts of global warming and urbanisation. The increase in BHs in the surrounding area over the years had already had effects on wind and temperature in the area. The Member enquired whether any other design measures had been proposed to improve air ventilation and how the proposed design measures would mitigate the urban heat island effect; and whether HKO had been consulted on the application due to the potential impact on HKO’s operation such as its satellite or microwave receivers and transmitters.

68. In response, Dr Owen Yue, the applicant’s representative, made the following main points:

- (a) given the small site area of about 1,100m², the applicant had adjusted the building layout as far as practicable. As compared with the wall effect of the previous Champagne Court Block B together with Block A, the proposed development would be reoriented to face The One, thereby increasing building separation between the proposed hotel and The Mira Hong Kong and improving air ventilation. Moreover, green walls had also been incorporated with a view to mitigating the urban heat island effect; and

- (b) while air ventilation assessment had not been conducted for the proposed hotel development, in some circumstances, wind striking a tall building would result in downwash effect. The airflow would then descend to the ground level, improving air movement at street level.

69. Mr Edward Lau Kwok Fan, the applicant's representative, supplemented that relevant government departments including the Urban Design and Landscape Section of PlanD had no objection to the application and no adverse comment from air ventilation perspective. Moreover, buildings taller than 150mPD already existed in the vicinity of the Site, and there were buildings over 140mPD in the TST area, e.g. The Masterpiece and K11 Art Mall at Hanoi Road at 250mPD and the committed redevelopment at Ocean Centre subject to a BH restriction of 386.7mPD. Regarding HKO, HKO was itself an important monument and had extension plans in recent years. Apart from MICE visitors, visitors would also visit historic monuments in the vicinity, such as HKO. Therefore, provision of additional hotel guestrooms at the Site would enhance the visitor experience and was considered appropriate.

Traffic Improvement Measures

70. A Member remarked that Kimberley Road was often congested, parking was difficult, and pedestrian crossings were unsafe. The applicant should work closely with TD and other government departments to provide practical traffic and pedestrian safety improvements. Collaboration with Mira Place Tower A should be explored. Even if the two sites could not be amalgamated, provision of a pedestrian footbridge could be considered. This would not only improve pedestrian safety but would also be commercially beneficial to the shopping mall (i.e. Mira Place Tower A).

71. In response, Dr Owen Yue, the applicant's representative, made the following main points:

- (a) the applicant had liaised with TD and had preliminarily engaged a traffic consultant to conduct a study. It had been observed that vehicles queuing at the carpark entrance/exit of Mira Place Tower A often caused congestion. The presence of a pedestrian refuge island at the junction of Kimberley Road/Nathan Road made it difficult for vehicles to bypass the queuing

vehicles. In addition, double-parking and taxi queuing also worsened traffic problems. As mentioned in paragraph 60(c) above, the traffic consultant was studying whether the location of the pedestrian refuge island could be adjusted to improve traffic flow and thereby reduce tailbacks. Given the complexity of the exercise, the applicant would continue to follow up with TD. The proposed measures would be beneficial to The Mira Hong Kong, Mira Place Tower A and the neighbourhood; and

- (b) there was already an existing footbridge connecting Mira Place Tower A and The Mira Hong Kong. That said, the pedestrian flow at ground level remained voluminous, given the proximity to Knutsford Terrace. The applicant welcomed approval of the review application with approval conditions requiring the applicant to further liaise with TD for possible traffic improvements. That would be a win-win-win outcome for the mall, hotel and members of the public.

72. Mr Edward Lau Kwok Fan, the applicant's representative, supplemented that the traffic issue could be handled at two stages, i.e. through an approval condition to TD's satisfaction under the current application and through the review by relevant government departments at the building plan submission stage. The applicant was willing to actively explore traffic improvements including the adjustment to the pedestrian refuge island.

73. In response to a Member's enquiry on whether the Traffic Impact Assessment submitted at the s.16 planning application stage was accepted by relevant government departments, Mr Steven Y.H. Siu, DPO/TWK, PlanD said that the Commissioner for Transport had no objection to the application and commented that the building setback proposed by the applicant should be properly managed and maintained by the applicant. The applicant noted and agreed to take up the management and maintenance responsibility of the setback area. Regarding the applicant's representative's suggestion on imposing an approval condition related to the submission and implementation of traffic improvement measures outside the Site, such measures might involve other land lot(s) and government works, which might be beyond the control of the applicant.

74. Mr Edward Lau Kwok Fan, the applicant's representative, supplemented that the applicant had proposed a levelled run-in/out to provide a flat and continuous pedestrian walkway, which would be in compliance with the required design standards of the Highways Department. As for the pedestrian refuge island, the applicant had discussed the matter with TD during the review application stage, and the applicant would continue to follow up on the traffic matters with TD.

Planning Considerations

75. A Member raised the following questions:

- (a) the relevant considerations for application for minor relaxation of PR and BH restrictions, whether planning gain, including benefits for the community, was one of the considerations, and the types of planning gain that the Board would generally consider;
- (b) noting that the applicant considered that there were tall buildings located within a few hundred metres of the Site and that the application should be approved on grounds of fairness and consistency, how TPB ensured that each application was handled fairly and consistently, and whether there were any similar approved applications that the Board should take into account when considering the review application; and
- (c) noting that it was the Government's policy to encourage redevelopment in old districts and hence the promulgation of the Pilot Scheme, whether the Site was eligible for the Pilot Scheme, and if so, whether the Board should attach weight to the policy mandate of the Pilot Scheme in considering the application.

76. In response, Mr Steven Y.H. Siu, DPO/TWK, PlanD, with the aid of some PowerPoint slides, made the following main points:

- (a) for minor relaxation of BH, paragraph 7.5 of the Explanatory Statement (ES) of the OZP set out the relevant criteria for considering such applications. PlanD considered that the application met one of the criteria, i.e. providing better streetscape/good quality street level space, which was a factor that Members could consider in deciding whether to allow the proposed relaxation in BH. For minor relaxation of PR, no specific criteria were set out in the ES of the OZP, and the application would be considered based on the individual merits of each case. The Board had in the past handled various types of applications for minor relaxation of PR restriction, such as the 20% PR increase under the Revitalisation Scheme for Industrial Buildings and PR increase for public housing projects in response to acute public housing demand. Those cases had specific policy backgrounds and policy support. For the current application, C for Tourism supported the application from tourism development perspective. While the ES of the OZP did not explicitly specify what planning gains or design measures should be provided, the majority of past applications for minor relaxation of PR had proposed some form of planning gain and/or design merits, such as building canopies, greening and building setback, etc. The current application had also proposed such measures, which Members could take into consideration;
- (b) as stated in the Notes of the TST OZP, each application for minor relaxation of PR and/or BH restrictions should be considered on its individual merits. In other words, each case should be considered based on its unique circumstances. As such, approval or rejection of the review application would not give rise to any precedent effect for future similar cases; and
- (c) the Site was not eligible for the Pilot Scheme as it fell outside the seven designated areas. While the applicant made reference to the Pilot Scheme in its justifications, PlanD had not accorded any weight to this argument in its consideration and assessment of the application.

77. In response to a Member's enquiry on whether the applicant would be required to pay land premium if TPB approved the proposed increase in PR to 15, Mr Maurice K.W. Loo, Director

of Lands, said that the existing land lease did not stipulate any GFA restriction. Should TPB approve the review application, no lease modification and land premium would be required unless other matters under the lease required modification.

Other Redevelopment Options

78. The Vice-chairperson raised the following questions:

- (a) if the application was rejected, whether the applicant would proceed with the OZP-compliant scheme, i.e. based on a PR restriction of 12 and a BH restriction of 110mPD, and whether the OZP-compliant scheme would be financially viable; and
- (b) noting that the effect of the building setback might be limited to a small pocket space due to the narrow and elongated shape of the Site, whether the applicant had considered the redevelopment option of integrating the Site with The Mira Hong Kong, allowing more flexibility in providing planning/design merits.

79. In response, Dr Owen Yue, the applicant's representative, made the following main points:

- (a) proceeding with the redevelopment under the OZP-compliant scheme was considered not ideal, taking into account financial viability and market considerations; and
- (b) the option of joint development with The Mira Hong Kong had been explored, but was not pursued due to divergent views amongst directors of the company.

80. A Member enquired about the progress of the applicant's acquisition of the adjacent Champagne Court Block A and how the overall development would be handled if Block A could be jointly redeveloped with the Site in future. In response, Dr Owen Yue, the applicant's representative, said that the applicant had approached the owners of Champagne Court Block A but the owners had declined the acquisition proposal at this stage.

The Pilot Scheme

81. A Member enquired whether the Pilot Scheme of granting 20% bonus PR for old district redevelopment required planning application for each project, and whether an established mechanism was already in place. In response, Mr Steven Y.H. Siu, DPO/TWK, PlanD said that the Pilot Scheme under Joint Practice Note No. 9 took effect on 1.9.2026 and applied to seven designated areas as defined in the Schedule to the Land (Compulsory Sale for Redevelopment) (Specification of Lower Percentage) Notice (Cap. 545A), which did not include the TST planning scheme area. For eligible redevelopment sites within the seven designated areas, applicants could either opt for in-situ redevelopment, for which planning application would be required as the intensified development would normally exceed the development parameter(s) stipulated on the OZP; or the encashment option that allowed the 20% bonus PR to be translated into land premium value for offsetting the land premium payable for land transactions, including Government land sale or lease modification (including those in the Northern Metropolis), without the need for seeking planning permission from the Board.

82. As the applicant's representatives had no further points to raise and there were no further questions from Members, the Chairperson informed the applicant's representatives that the hearing procedure of the review application had been completed and the Board would deliberate on the review application in their absence and inform the applicant of the Board's decision in due course. The Chairperson thanked PlanD's representatives and the applicant's representatives for attending the meeting. They left the meeting at this point.

Deliberation Session

83. The Chairperson remarked that two innovative measures, including the Pilot Scheme and enhanced cross-district TPR, were recently launched to give urban redevelopment a further policy push. Although TST was not one of the seven designated areas under Cap. 545A and hence was not eligible under the Pilot Scheme, the Site could nevertheless participate in TPR as a receiving site if relevant criteria were met. Furthermore, it was the Government's policy to encourage redevelopment of old and dilapidated buildings, no matter where they were, from the perspectives of providing homes meeting modern building and fire safety standards and making our city safer. The original building on the Site had an age of 69 years and the Site was subject to site constraints. The current application was an urban redevelopment project following the

removal of an aged dilapidated residential building from the Site. Having considered the applicant's written submissions as well as its representatives' oral submissions at the meeting, the Board could make a decision to approve or reject the review application, or defer a decision on the review application and request the applicant to submit supplementary information such as detailed information on design merits, planning gains and traffic improvement measures for the Board's further consideration. The applicant should make its best endeavours to address the Board's comments, particularly those on the provision of planning and design merits to justify the proposed minor relaxation in PR and BH. If the applicant was unable to provide sufficient supplementary information to the Board's satisfaction, the Board could reject the review application even after deferral. She invited views from Members on the review application.

84. While supporting urban redevelopment/renewal in older urban area in general, some Members considered that the review application should be rejected, and they had the following views/observations:

- (a) while the coverage of the Pilot Scheme might be reviewed and extended in the future, it did not cover TST at this stage. Even if the Site was eligible under the Pilot Scheme, the policy intent was to allow a 20% increase in PR, i.e. 14.4 for the Site, rather than 15 as proposed in the current application. The Yau Mong Study conducted by URA had formulated three scenarios based on a basket of factors including population density, and it did not cover the TST area. As such, consideration of the review application should be based on its individual merits and the applicant's justifications, instead of relying on measures adopted in other areas/districts;
- (b) the PR and BH restrictions in TST had not been set arbitrarily but had been examined comprehensively and formulated taking into account relevant planning considerations, including traffic and infrastructural capacity, environmental conditions, population, development intensity and urban design, etc., of the area. The ES of the OZP had listed the considerations for s.16 applications for minor relaxation of BH restriction, and the applicant should provide sufficient justifications, for instance, clear planning gains, site constraints or other factors, to support the proposed minor relaxation in BH and PR. The applicant cited The One nearby, subject to a BH restriction of

156mPD, as a reference for minor relaxation of BH restriction for the Site on the basis of fairness. This was considered inappropriate as The One was a committed development before the imposition of BH restrictions on the OZP;

- (c) the applicant had submitted the review application shortly after the MPC meeting. A number of concerns/comments of MPC, especially in respect of planning gains that would be beneficial to the community, remained unresolved with no concrete proposals provided by the applicant. While noting that planning and design merits had been proposed and the proposal was technically feasible as demonstrated by the applicant, there was no hard and fast rule on the sufficiency of planning gains. Should the Board approve the review application, there would be considerable increase in economic value as there was no need for the applicant to pay land premium for the additional GFA. To safeguard public interest, the approval of the review application should be well-justified with planning gains for public interest. The applicant could explore, for instance, opening up certain floor(s)/space as a community living room (社區客廳), public activity space, exhibition venue for public use or for other community benefit. For instance, some URA projects provided public space or community facilities. The measures currently proposed by the applicant, such as green walls, building setback and improvement to the pedestrian access, were not sufficient to justify the extent of relaxation in PR and BH sought;
- (d) the urban heat island effect in TST was a significant concern with increasing number of tall buildings particularly near the waterfront. The mitigating effect of the proposed greening on urban heat island effect was limited. The proposed BH would have a significant impact on the surrounding environment from the perspectives of air ventilation and thermal environment;
- (e) a tall building might produce downwash effect, thereby improving ground-level air movement as claimed by the applicant. However, the actual effect would depend on wind direction, wind speed, building bulk and the urban fabric of the area. Conversely, a channel effect could form between tall buildings. Under strong wind conditions, wind speed could be increased between two tall

buildings, affecting pedestrian comfort and safety. Although the applicant mentioned some slight twisting of the proposed hotel, the applicant had not carried out any assessment on air ventilation/microclimate in respect of the proposed development and the proposed mitigation measures. Furthermore, the proposed hotel with PR of 15 and BH of 140mPD on the Site, which was small in area, would form a large slab-like structure and would have adverse impact on the TST cityscape;

- (f) eliminating vice activities from the Site through redevelopment should not be considered as a planning gain as claimed by the applicant. It was the owner's responsibility to ensure that no illegal activities took place within its properties;
- (g) although the applicant had put forward the contribution to the tourism industry and the MICE sector as justifications, the proposed hotel development with only 159 guestrooms was not large in scale. If conference participants had insufficient guestroom accommodation to stay after their conferences, the actual contribution to the tourism industry was questionable. The positioning of the proposed hotel as a six-star hotel was also questionable. The applicant claimed that a substantial number of additional visitors could be brought in, but its estimates did not appear reasonable. Based on an additional 60 guestrooms, a reasonable occupancy rate and length of stay, the actual number of additional visitors generated by a high-end hotel would be unlikely to reach 43,800 per year as claimed by the applicant;
- (h) deferment might convey a false sense of expectation to the applicant. To address Members' concerns, the proposed development should be revamped with major changes as there were insufficient justifications, planning gains and technical assessments in respect of air ventilation/microclimate to support the review application. Even the application was rejected, the applicant could still submit a fresh application with a revised scheme later to address the concerns of the Board. The applicant had already demolished the aged building before the launch of the two innovative measures, which suggested that the OZP-compliant scheme at the current PR and BH restrictions was financially viable, otherwise the applicant would not have made its decision to demolish the

existing functioning building. URA-led redevelopment projects in Kowloon typically had a lower development intensity (PR of around 9) as compared to the application with a PR of 15 sought. If the review application was approved, and taking into account any concessionary GFA that might be obtained through other measures, e.g. Modular Integrated Construction, it could result in a very bulky building on a small site, which would be to the detriment of the TST area; and

- (i) there had been an increasing number of tall buildings around HKO Headquarters, which had potential impact on the operation of HKO. HKO should be consulted on the application.

85. While agreeing that the proposed planning gains were insufficient, the Vice-chairperson and some Members considered that the Board could defer a decision on the review application to allow the applicant to supplement further planning gains/design merits, technical assessments on air ventilation/microclimate, and more concrete proposals to ascertain its commitments to implement the proposed planning gains/design merits, and put forward an improved scheme for the Board's further consideration. Members had the following views/observations/suggestions:

- (a) private initiatives for redevelopment of aged dilapidated buildings in old districts were worthy of support, despite some cases falling outside the seven designated areas. The applicant's efforts to pursue redevelopment deserved recognition. Consolidation of fragmented ownership of aged buildings was not easy and the applicant's inability to acquire Champagne Court Block A was understandable. Nevertheless, the current case was not covered by any specific policies nor was it a URA-led redevelopment project. Leaving an aged building of 69 years in its previous state would not be good for the community;
- (b) TST was a core commercial and tourist district, and the proposed hotel development providing guestrooms and conference/exhibition facilities could potentially generate synergy with other developments and rejuvenate the area, and was in line with the Government policy of promoting tourism. Besides, it could potentially contribute to the growth of the MICE industry;

- (c) while the Site was subject to various constraints, including small site area, narrow frontage and being sandwiched between buildings, and hence extensive planning and design merits might not be achievable, the planning and design merits provided by the applicant were insufficient and could not address MPC's comments. For instance, the applicant could explore the use of the refuge floor or converting a function room floor for public space or community facilities. This might not significantly affect the design and usable floor area of the proposed hotel but could bring greater benefits to the community. Besides, the applicant should provide information on the design and maintenance of the proposed vertical greening as requested by MPC. The applicant's proposal to improve the pedestrian and vehicular ingress/egress arrangement was noteworthy, but the implementability of the pedestrian refuge island and other off-site traffic improvement measures remained uncertain at this stage. The applicant should submit supplementary information with sufficient planning and design merits to demonstrate that the minor relaxation in PR and BH sought was justified, otherwise, the application would be rejected;
- (d) although the Site adjoined The One, the proposed BH of 140mPD remained a concern. Moreover, the Site had only one vehicular ingress/egress. Being in a tourist district, Kimberley Road was busy throughout the day, and there were concerns in respect of both the construction stage and the future operation stage;
- (e) the crux of the review application was whether the planning gains/design merits offered by the applicant were sufficient. The applicant's representatives might not be in a position to make immediate commitments on behalf of the directors of the company. Deferment of the review application would be the preferable approach as the views and decision of the Board as recorded in the minutes, could be clearly conveyed to the applicant. If the Board's comments could not be satisfactorily addressed, the Board could reject the review application at a later time. Conversely, if the applicant could indeed put forward additional planning gains/design merits that could benefit both urban renewal in the area and the community, there was a possibility that the review application could be approved. It was suggested that PlanD could follow up with the applicant to

explain the Board's concerns and expectations; and

- (f) if possible, it would be preferable for the Site to be jointly redeveloped with Champagne Court Block A.

86. Two Members considered that if the Board decided to defer a decision on the review application, the Board might consider specifying the expected additional planning gains/design merits in terms of both quality and scale, such as how the proposed hotel development would benefit the tourism industry and the MICE sector, and the applicant could in turn liaise with the Hong Kong Tourism Board, the Culture, Sports and Tourism Bureau or other relevant government bureaux/departments on the provision and needs of MICE facilities for the benefit of Hong Kong. Another two Members opined that it might not be appropriate for the Board to spell out specific suggestions, which might be considered as a checklist by the applicant with the expectation that the review application could be approved if the suggestions in the checklist were fulfilled. If requirements could be listed out clearly, they could be imposed as approval conditions and deferment would in turn not be required. With deferment, the applicant should carefully study the minutes, submit supplementary information on additional planning gains/design merits, suggested improvement measures, etc., and demonstrate its commitments.

87. In response to a Member's enquiry as to whether the applicant could modify the scheme at the section 17 (s.17) review application, Mr C.K. Yip, Director of Planning (D of Plan), said that substantive modifications that would result in material changes to the original scheme would not be processed under the s.17 stage. However, minor refinements or additional planning gains, design merits and/or improvement measures were acceptable.

88. In response to a Member's enquiry on the follow-up work between the options of rejection and deferment, Mr C.K. Yip, D of Plan, said that the applicant would need to prepare for further information to address the concerns of the Board in case of deferment, or might consider seeking appeal if the application was rejected. To supplement, he highlighted that the only rejection reason for the s.16 application was that the applicant failed to demonstrate that there were sufficient planning and design merits to justify the proposed PR and BH relaxation. Generally speaking, when considering whether to reject an application or to defer a decision on an application, the Board would consider whether the Board's concerns were fundamental in nature. For example, if the proposed PR or BH were considered unacceptable, under such circumstances, the

application should be rejected outright. Based on the rejection reason for the s.16 application and the discussion at the Board's meeting on the review application, the key concerns remained insufficient planning gains/design merits to support the minor relaxation in PR and BH sought, with a possibility of being addressed through further submission. Should the Board decide to defer a decision on the application, the Board should set out clearly the issues of concern and the type of information required to be submitted for the Board's consideration. Be it rejection or deferment, the decision of the Board should be well-grounded and well-justified so that it could stand against possible challenges by the applicant or the public.

89. Some Members said that the Government had just rolled out innovative measures to encourage urban renewal. If the Board rejected the review application, the public sentiments might oversimplify the matter and conclude that the Board did not support urban renewal/redevelopment, which would be counter-beneficial to the Government's policy mandate, and give rise to misperception of the Board. In the event of rejection, it was suggested that there was a need to clarify the Board's stance to avoid such misperception from being conjured up by the public, and consideration could be given to issuing a press release to clearly state that the Board supported the Government's policy on urban renewal/redevelopment, and that the rejection/deferral of the current review application was mainly because the applicant had not put forward sufficient planning gains/design merits to support the case. Encouragement of redevelopment in old urban districts did not equate to rubber-stamping applications for urban redevelopment with intensified development intensity. The applicant was advised to put forth concrete planning gains/design merits to address the Board's concerns. The Board would consider each case on its own merits.

90. In response, Mr C.K. Yip, D of Plan, said that press releases issued by the Board were generally for cases that involved strong public interest, attracted significant public attention and required explanations on the reasons for the Board's decision. The approval of the draft Fanling/Sheung Shui Extension Area OZP and the draft San Tin Technopole OZP relating to the golf course site in Fanling for public housing development and the development of San Tin Technopole respectively, were two such examples. In addition, it might not be appropriate for the Board to issue press release to clarify general policy issues of the Government. If the Board decided to defer a decision on the review application, the application would still be under process and hence there was no need to issue a press release. Members in general supported the Government's policy on urban renewal/redevelopment, and the key concern of the current case

was insufficient planning and design merits. The review application had been fully deliberated at the meeting, and Members' views and concerns were recorded in the minutes of meeting. The minutes were open to public inspection and, in the event of media or public enquiries or even judicial proceedings, the Secretariat would reply/provide responses based on the minutes.

91. A Member expressed that the concern on the proposed PR of 15 and building bulk had been raised at the MPC Meeting. In response, Mr C.K. Yip, D of Plan, said that some Members had expressed concern about the proposed PR of 15 at the MPC Meeting, while the rejection reason was on insufficient planning and design merits to justify the proposed minor relaxation in PR and BH. The two matters were interrelated. If sufficient planning and design merits were provided, there was a possibility that the Board would give favourable consideration to the application, as reflected in the discussion and minutes of the MPC meeting.

92. The Chairperson noted that Members were in support of the Government's policy on urban renewal/redevelopment, and concluded that more Members supported deferring a decision on the review application pending submission of supplementary information by the applicant to substantiate the planning gains/design merits and the required technical assessments/details on air ventilation/microclimate. The Chairperson suggested and Members agreed on the following:

- (a) the Board considered that the applicant had not provided sufficient planning and design merits to support the proposed minor relaxation of PR and BH restrictions. Further planning gains/design merits, supported by relevant supplementary information and technical details, should be provided to demonstrate the applicant's commitments to implement these measures through to fruition;
- (b) the supplementary information and technical details should confirm those measures already proposed and committed at the s.16 and s.17 stages, including setback (whether seating or rest area would be provided thereat), non-building area, greenery (including details on the vertical greening), and levelled run-in/out, etc. Moreover, the supplementary information should examine additional planning gains/design merits, including but not limited to exploration of the feasibility of providing seating or rest area within the setback area, traffic improvement measures (including the modification of the pedestrian refuge

island arrangement in consultation with TD), floor space dedicated/provided for community use, how the proposed hotel development would help promote tourism development and the MICE industry, and how the concerns on air ventilation/microclimate/urban heat island effect/pedestrian wind environment could be addressed. Subject to the supplementary information and technical details provided, the Board could impose approval condition(s) as required;

- (c) while the Board decided to defer a decision on the review application, the prospect of approving the review application would hinge on the sufficiency of supplementary information and technical details to be provided by the applicant, including those listed in paragraphs 92(a) and (b) above. The Board would reject the review application if the concerns of the Board could not be addressed; and
- (d) DPO of PlanD was requested to follow up with the applicant to convey Members' views and concerns to the applicant, particularly in respect of the sufficiency of planning gains/design merits.

93. Since the Board decided to defer a decision on the review application, it was considered that there was no need to undertake any follow-up public relations work at this juncture.

94. After deliberation, the Town Planning Board decided to defer a decision on the application on review pending the submission of further information from the applicant as mentioned in paragraphs 92(a) and (b) above.

[Professor Bernadette W.S. Tsui, Messrs Daniel K.S. Lau, Simon Y.S. Wong, Timothy K.W. Ma and Maurice K.W. Loo left the meeting during deliberation.]

Agenda Item 6

[Open Meeting]

Any Other Business

[The item was conducted in Cantonese.]

95. There being no other business, the meeting was closed at 4:30 p.m.