MPC Paper No. Y/K1/2
For Consideration by the
Metro Planning Committee
on 4.8.2006

APPLICATION FOR AMENDMENT OF PLAN UNDER SECTION 12A OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. Y/K1/2

Applicant	Designing Hong Kong Harbour District represented by Masterplan Limited
Plans	Draft Tsim Sha Tsui Outline Zoning Plan No. S/K1/21 and Approved Hung Hom OZP No. S/K9/18 (the OZPs)
Application Site	Kowloon Permanent Pier (KPP) No. 91, Kowloon Inland Lot (KIL) No. 11077 (Part) and Adjoining Land Vested in KCRC, KCRC Freight Pier, Hung Hom
Site Area	About 23,200m^2
Leases	KPP No. 91 (about 9,549m^2 or 41.2% of the Site) Granted to KCRC for non-industrial (excluding godown) purposes and for an open cargo handling area with a lease term up to 30.6.2047 KCRC Vested Land (about 7,500m^2 or 32.3% of the Site) Vested in KCRC under the KCRC Ordinance for railway and railway related purposes KIL No. 11077 (Part) (about 6,151m^2 or 26.5% of the Site) Granted to KCRC for a freight yard extension with ancillary storage purpose below an elevated podium and non-industrial (excluding godown and petrol filling station) purposes above the podium with a lease term up to 30.6.2047
Zonings	Draft Tsim Sha Tsui OZP No. S/K1/21 "Other Specified Uses" ("OU") annotated "Kowloon Canton Railway Terminus, Bus Terminus, Multi-storey Car Park, Indoor Stadium, Commercial Facilities and KCRC Pier" Approved Hung Hom OZP No. S/K9/18 "OU" annotated "Commercial Development and Freight Yard"
Proposed Amendments	"OU" annotated "Waterfront Related Commercial and Leisure Uses" subject to a maximum plot ratio of 1.5, a maximum building height of 4 storeys and a maximum site coverage of 40%

1. The Proposal

1.1 On 4.5.2006, Designing Hong Kong Harbour District (the applicant) represented by Masterplan Limited submitted an application for proposed amendments to the draft Tsim Sha Tsui OZP No. S/K1/21 and the approved Hung Hom OZP No. S/K9/18 (the OZPs) to rezone a site at Hung Hom KCRC Freight Pier (the Site) from "OU" annotated "Kowloon Canton Railway Terminus, Bus Terminus, Multi-storey Car Park, Indoor Stadium, Commercial Facilities and KCRC Pier" and "OU" annotated "Commercial Development and Freight Yard" to "OU" annotated "Waterfront Related Commercial and Leisure Uses" to facilitate its redevelopment into a focus of entertainment, leisure and waterfront retail and restaurant activities on the Kowloon waterfront (**Plans Z-1** to **Z-4**).

1.2 In support of the application, the applicant has submitted the following documents:

(a)	Application form received on 4.5.2006	**(Attachment I)**
(b)	Supplementary planning statement	**(Attachment Ia)**
(c)	Letter dated 28.4.2006	**(Attachment Ib)**
(d)	Letter dated 9.5.2006 confirming no development proposal for the Site, the area of the proposed public plaza and the area of KCRC Vested Land	**(Attachment Ic)**
(e)	Letter dated 23.6.2006 providing responses to comments from concerned departments	**(Attachment Id)**

1.3 The applicant indicates that there is no specific development proposal. However, there is a conceptual proposal in the submission comprising hotel, residential or office development associated with commercial and leisure uses (**Drawing Z-1**) with a maximum plot ratio of 1.5, a maximum GFA of about 34,800m^2, a maximum building height of 4 storeys and a maximum site coverage of 40%. A public plaza with an area of about 2,000m^2 is also proposed. The applicant proposes that the Site be developed as a pedestrian area without any parking facilities but service and emergency access from existing Hung Luen Road would be provided. An extract of the proposed 'Planning Intention', 'Explanatory Statement' and 'Notes' for the proposed "OU" annotated "Waterfront Related Commercial and Leisure Uses" zone from the Supplementary Planning Statement is at **Attachment II**.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are summarised as follows:

In Line with Planning Statements and Policies related to the Harbour

(a) Principles No. 3 to 8 of the Harbour-front Enhancement Committee's (HEC's) Harbour Planning Principles (Appendix 1 of **Attachment Ia**) are directly relevant to the Site. The existing zoning and long term use of the Site have not been recently reviewed and taken through the process of public engagement. The existing zoning does not address the need to maximize opportunities for public

enjoyment on the waterfront and does not provide for, or permit, ample unrestricted and convenient visual and physical access to and along the harbour-front. The zoning of the Site needs to be reviewed.

(b) The present zoning and use of the Site are not in line with the Board's Vision for the Harbour (Appendix 2 of **Attachment Ia**) in that they do not provide any access for the public to the Harbour, do not maintain visual access to the harbour-front and do not constitute to the provision of a network of open space and pedestrian links along the harbour-front. The current uses of the Site are in conflict with the aim to maintain a safe and efficient harbour. Whilst other container handling facilities are available in the western harbour and at the River Trade Terminal in Tuen Mun, the other public objectives now override the need to operate a container facility on the Site. The other goals relating to innovative building design, vibrancy and provision of tourist and retail facilities can be achieved under the proposed zoning.

(c) The development permitted by the current zoning is completely in conflict with the Hong Kong Planning Standards and Guidelines' (HKPSG) Urban Design Guidelines (Appendix 3 of **Attachment Ia**) in that it could provide a solid wall of high rise development along the waterfront; does not provide for a continuous promenade and public access to the waterfront; will not provide larger open space area where social gatherings could take place and there is little suitable open space area in the vicinity and will not provide visual permeability.

Over-intensive Development not Appropriate

(d) The public has continually raised objection to the appearance of tall, over-developed sites, particularly those along the waterfront. The Board has been introducing limits to reduce and control building height. There is also a growing concern that there are not enough green areas and open space around buildings. The development controls imposed on the Site are no longer in line with public expectations on waterfront sites. However, no other suitable alternative zoning has been put forward to provide a more appropriate form of control.

Government's Harbour Plan Study

(e) The Government's Harbour Plan Study (Appendix 4 of **Attachment Ia**) identifies the Site as a desirable place for the 'introduction of new facilities and attractions which will ensure diversification and strengthening of established tourism core'. The principles of giving tourism/recreation uses which can benefit from waterfront access priority in the Inner Harbour and providing continuity of waterfront promenades to link tourism clusters in the Harbour Planning Framework are relevant to the Site. The KCRC freight yard was considered a major incompatible use. In the long term every effort should be made to terminate its use for container handling and the International Mail Centre (IMC) may also be relocated in future. Removal of these uses would offer an opportunity for continuity of the promenade between Tsim Sha Tsui East and Hung Hom Reclamation and for a major tourism-related development.

Freight Yard Jetty Site – Built Features

(f) According to the Development Concept as shown in the Harbour Plan Study (Figure 4 of **Attachment Ia**), restaurants and cafes up to 2 floors and a maximum height of 15mPD were proposed along the jetty. Apart from a lighthouse feature, the end of the jetty should form an open viewing platform. The water basin to the east of the jetty could accommodate indoor attractions such as aquarium and exhibit gallery, in building on stilts with a maximum height of 25mPD. The marine basin created by the angle of the jetty could contain a water feature and a moored boat attraction. The proposed rezoning helps to bring into effect some of the proposals included in the Harbour Plan Study. The physical context provided by the height of the new residential building and the flyover at the northern edge of the Site would permit development of buildings greater than 2 storeys in height. A height of 4 storeys is considered more appropriate. Some hotel, residential or office development associated with the commercial and leisure uses would help achieve a level of vibrancy and activity, similar to other international waterfronts.

3. Compliance with the "Owner's Consent/Notification" Requirements

The applicant is not a "current land owner" but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the "Owner's Consent/Notification" Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31) by giving notification to KCRC to which the Site was granted/vested. Detailed information would be deposited at the meeting for Members' inspection.

4. Previous Application

The western part of the Site was the subject of a previous rezoning request (No. Z/K1/7) which was proposed to be rezoned from "OU" annotated "Kowloon Canton Railway Terminus, Bus Terminus, Multi-storey Car park, Indoor Stadium, Commercial Facilities and KCRC Pier", "Government, Institution or Community" and 'Road' to "OU" annotated "Mass Transportation Centre Comprehensive Development" submitted by KCRC to facilitate its proposed development of an International China Trade Hub (ICTH) comprising office, retail, hotel, residential, exhibition and trading, showroom, sales outlet and arbitration centre uses, together with a harbour cruise terminal and heliport (**Plan Z-1**). The rezoning request was rejected by the Metro Planning Committee (the Committee) of the Board on 19.11.2004 mainly for the reasons of no policy support for the proposed ICTH or for additional exhibition space which formed a major part of the proposed development; excessive scale/size and insufficient justifications for the proposed scale of development, its visual intrusiveness to the waterfront and the surrounding inland areas; and insufficient information to demonstrate no adverse traffic, visual, environmental, sewerage, drainage, water supply and marine impacts.

5. Similar Application

There is no similar application in the vicinity of the Site for proposed waterfront related commercial and leisure uses.

6. <u>The Site and Its Surrounding Areas</u> (Plans Z-1 and Z-2 and Photos on Plan Z-3 and Z-4)

6.1 The Site :

(a) straddles the "OU" annotated "Kowloon Canton Railway Terminus, Bus Terminus, Multi-storey Car Park, Indoor Stadium, Commercial Facilities and KCRC Pier" zone of the draft Tsim Sha Tsui OZP and the "OU" annotated "Commercial Development and Freight Yard" zone of the approved Hung Hom OZP; and

(b) is currently used as a freight pier for loading and unloading of containers and cargo handling with ancillary container storage use.

6.2 The surrounding areas have the following characteristics:

(a) to the immediate east of the Site is Harbour Front Horizon All-Suite Hotel;

(b) to its north across Hom Hom Bypass are Harbour Plaza Metropolis and KCRC Freight Terminal, and further to the north is Hong Kong Coliseum; and

(c) to its immediate south is the Victoria Harbour.

7. **<u>Planning Intentions</u>**

According to the OZPs, the areas zoned "OU" annotated "Kowloon Canton Railway Terminus, Bus Terminus, Multi-storey Car Park, Indoor Stadium, Commercial Facilities and KCRC Pier" and "OU" annotated "Commercial Development and Freight Yard" are primarily to provide/reserve land for specific purposes and uses.

8. **<u>Comments from the Relevant Government Departments</u>**

8.1 The following Government departments have been consulted and their views on the application are summarised as follows:

<u>Policy Dimension</u>

8.1.1 Comments of the Secretary for Economic Development and Labour (SEDL) :

The current cargo handling activities at the KCRC freight pier is part and parcel of KCRC's railway freight services. As such, he does not support the proposed rezoning of the Site to "OU" annotated Waterfront Related Commercial and Leisure Uses" from port and logistics development angle.

8.1.2 Comments of the Secretary for Environment, Transport and Works (SETW):

The Site has encroached upon the land which has been granted/vested to KCRC for its cargo-handling activities. The application, if approved, may affect KCRC's existing rail freight business since KCRC has been using the Site for handling rail-sea inter-modal freight operation. He considers KCRC's views should be taken into account in the deliberation of the application.

Strategic Planning Aspect

8.1.3 Comments of the Chief Town Planner/Strategic Planning, Planning Department (CTP/SP, PlanD):

(a) the Hong Kong 2030 Study envisions a Victoria Harbour which is attractive, vibrant, accessible and symbolic of Hong Kong. He supports any proposals that would help achieve this planning vision; and

(b) the pier as well as the freight yard located to its north form part of the rail-based cargo handling operation in Hong Kong. Although the Hung Hom freight yard does not account for a major share of cargo handling volume in Hong Kong, it provides an alternative to the more common road-based cargo handling activities. If the pier is turned to other commercial uses, it implies that the cargoes coming to Hong Kong by rail would need to be shuttled by trucks to the Kwai Chung container terminals or other destinations.

8.1.4 Comments of the Chief Town Planner/Sub-regional, Planning Department (CTP/SR, PlanD):

(a) the intention of the proposed rezoning of the Site for waterfront related commercial and leisure uses is appreciated, as it would help improve the waterfront area and enhance the accessibility of the area for public enjoyment. However, as the Site currently functions as part and parcel of KCRC freight yard, its future use and appropriate development form, including building height and plot ratio, could not be considered in isolation. Rather, the future development of the Site, together with the whole waterfront area in Hung Hom including, amongst others, the International Mail Centre (IMC) and the KCRC freight yard should be considered in an integrated manner. Any redevelopment to take place at the Site should actively promote integration with adjacent development areas, enhancing the vibrancy and vitality of the waterfront area in Hung Hom; and

(b) in the submission, the applicant has made reference to the 2003 "Planning Study on the Harbour and its Waterfront Areas". It should be noted that the recommendations of the Study are subject to review. In this regard, a consultancy study would be

undertaken later in 2006 to review the planned land uses and development parameters of the Hung Hom waterfront area including the Site.

Land Administration

8.1.5 Comments of the District Lands Officer/Kowloon West, Lands Department (DLO/KW, LandsD):

(a) the Site covers those areas held under KPP No. 91, KIL No. 11077(Part) and area vested in KCRC under the KCRC Ordinance. Both KPP No. 91 and KIL No. 11077 were granted to KCRC by private treaty grants (PTGs) in connection with the operation of the railway. There are specific user restriction, cessation of user and absolute prohibition on alienation imposed under the leases for KPP No. 91 and the freight yard underneath the podium of commercial development at KIL No.11077. For the area vested under the KCRC Ordinance, it was intended and also granted for railway and railway related purposes. As the area covered by the Site was granted to KCRC by PTG (with policy endorsement) and under Ordinance, any deviation from the originally intended use would have policy implications;

(b) if the above mentioned area can be released for users other than those originally intended, the released area should be returned to Government to decide for their disposal. Whilst paragraph 5.3 of the Supplementary Planning Statement (**Attachment Ia**) mentions that 'this form of use is considered to no longer be appropriate in this location ....', the application does not address the necessity of the existing railway facilities. Therefore consideration should also be given on the likelihood of the request from KCRC for reprovisioning/relocation of the displaced railway facilities. Detailed assessment may have to be taken/verified by the relevant authority; and

(c) paragraph 8.2 of the Supplementary Planning Statement (**Attachment Ia**) states that 'the implementation of the envisaged development would require negotiations with the Lands Department to permit the proposed form of development. At that time the detailed requirements from Government Departments could be included in the lease conditions'. Subject to policy consideration and the area returned to Government for disposal, he would not be in a position to negotiate the terms. Further complication is expected for KIL No. 11077 which has been in multiple ownership, as the legal capacity has to be demonstrated and justified for any modification of lease conditions in order to effect the proposed change of use in addition to the policy and site returned issues.

Traffic

8.1.6 Comments of the Assistant Commissioner for Transport/Urban, Transport Department (AC for T/U, TD):

He has no in-principle objection to the application. However, the applicant should take into account the following traffic issues in finalizing his proposal, should the application be approved:

(a) as no parking facilities would be proposed within the Site as mentioned in paragraph 8.3 of the Supplementary Planning Statement (**Attachment Ia**), detailed traffic impact assessment (TIA) should be submitted to substantiate that there would be adequate traffic facilities to address the vehicular and pedestrian/visitor flows to be generated by the potential developments within the Site; and

(b) should adverse traffic impact be identified in the TIA, adequate parking and loading/unloading facilities should be provided within the Site, in particular those for coaches as tourist attractions. Arrangements for the accesses of vehicular and pedestrian/visitor flows to the Site should be explored.

8.1.7 Comments of the Chief Highway Engineer/Kowloon, Highways Department (CHE/K, HyD):

(a) he has no objection to the application; and

(b) while the detailed arrangement of the proposed development is not provided in the submission, he has the following comments from highways maintenance point of view on the proposed development underneath the adjoining existing highway structures of Hung Hom Bypass:

(i) adequate vertical and horizontal clearance from the existing highway structures must be provided to facilitate his inspection and maintenance of the highway structures. The clearance should not be less than 2m; and

(ii) inspection and maintenance access to the existing highway structures must be maintained.

Railway Development

8.1.8 Comments of the Chief Engineer/Railway Planning(2), Highways Department (CE/RP(2), HyD):

(a) the KCRC Pier will be required for the construction works of the Shatin to Central Link (SCL). According to the current plan, the pier will serve as a barging point and works area for the SCL works during the SCL construction period (possibly between 2008 and 2014); and

(b) he has no objection to the application provided that the SCL works are not to be affected.

Environmental

8.1.9 Comments of the Director of Environmental Protection (DEP):

(a) while the applicant indicates that there is no specific development proposal, it is noted that the conceptual proposal may comprise hotel, residential or office development with associated commercial and leisure uses and 'flat' is one of the Column 2 uses in his proposed Notes for the proposed zone;

(b) since the Site is bounded by Hung Hom Bypass Flyover to the immediate north, the road traffic noise level at any of the proposed 'flat' at a height with direct line-of-sight to the traffic flow on the flyover, would likely exceed the relevant road traffic noise standard of 70dB(A) as stipulated in the HKPSG. Moreover, noise from trains manoeuvring on the open air railways to the immediate north of the Site would also have the potential of imposing adverse noise impact on any proposed 'flat' use if there is direct line-of-sight between them, in particular, during night time;

(c) according to paragraph 2.3.3, Chapter 9 of HKPSG, 'the basic role of planning against noise is to provide an environment whereby noise impacts on sensitive uses are maintained at acceptable levels ....' In view of the potential noise issues mentioned above and in the absence of any specific development proposal that satisfies the HKPSG environmental planning principles, he cannot support the rezoning application; and

(d) having regard to the above said HKPSG environmental planning principles, he does not agree to the inclusion of and reliance on any condition requiring 'submission to DEP'.

Building Matters

8.1.10 Comments of the Chief Building Surveyor/Rail and Licensing, Buildings Department (CBS/Rail & Lic., BD):

(a) he has no in-principle objection to the application subject to the full compliance with the Buildings Ordinance at formal building plan submission stage;

(b) the Hung Hom By-pass projects over part of the Site and the piers of which encroach upon the Site. He reserves his comments on the delineation of the site area; and

(c) the applicant has stated in paragraph 8.3 of the Supplementary Planning Statement (**Attachment Ia**) that the Site will be provided with service and emergency access from the existing Hung Luen Road. However, such access is not available at present, he would reserve his comments on the access and the site classification.

Water Supply

8.1.11 Comments of the Chief Engineer/Development (2), Water Supplies Department (CE/D(2), WSD):

Since the applicant has neither provided specific development proposals nor the development parameters for the Site, he is not able to offer comments on the application from water supply planning point of view at this stage. To demonstrate the sustainability of the development, the applicant shall conduct a water supply impact assessment for his comments and agreement. The water supply impact assessment shall include but not limited to, carrying out a hydraulic network analysis for the trunk transfer facilities and distribution networks, evaluating the technical feasibility and cost-benefit analysis for various water supply options, assessing the capital and recurrent cost implication and formulating the implementation programme for the proposed water supply facilities.

Tourism

8.1.12 Comments of the Commissioner for Tourism (C for Tourism):

He has no comment on the application as the Site falls outside the Tsim Sha Tsui Promenade Beautification Project championed by the Tourism Commission.

Marine

8.1.13 Comments of the Director of Marine (D of M):

He does not have any general comment on the application. However, he would be pleased to offer his comments when there is specific development proposal.

Visual and Landscape

8.1.14 Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

(a) the proposed rezoning of the Site to waterfront related commercial and leisure uses is generally in line with the principles of the Urban Design Guidelines in the HKPSG, specifically, to allow functional diversity at waterfront sites by reserving it for cultural, tourism-related, recreational and retail

activities. However, he has reservation on the rezoning application as there is insufficient information in the submission to justify the proposed conceptual development parameters. Should the Site be rezoned, continuous pedestrian access should be reserved along the entire waterfront, and not just 'at least 70%' as proposed in the application. The proposal to leave the end of the pier relatively open is agreeable; and

(b) his Landscape Unit has no comment from landscape planning perspective.

District Officers' Comments

8.1.15 Comments of the District Officer (Yau Tsim Mong) (DO(YTM)):

He has not received any comments from the concerned members of the Yau Tsim Mong South Area Committee.

8.1.16 Comments of the District Officer (Kolwoon City) (DO(KC)):

As the Site is situated in the Yau Tsim Mong district, he has no specific comment on the application.

8.2 The following departments have no objection to the application:

(a) Director of Fire Services; and
(b) Commissioner of Police (Kowloon City District Commander).

8.3 The following departments have no comment on the application:

(a) Chief Town Planner/Transport Studies & Central Data, Planning Department;
(b) Chief Engineer/Mainland South, Drainage Services Department;
(c) Commissioner of Police (Yau Tsim District Commander);
(d) Project Manager (Kowloon), Civil Engineering and Development Department; and
(e) Director of Leisure and Cultural Services.

9. Public Comments Received During Statutory Publication Period

9.1 On 12.5.2006, the application was published for public inspection. During the first three weeks of the statutory public inspection period, which ended on 2.6.2006, one comment from the KCRC was received. The KCRC objects to the application and its reasons of objection are summarised as follows (details of its comments are at **Attachment III**):

(a) the Hung Hom freight yard and its piers are the only rail-sea inter-modal facilities which are vital to support the rail freight and logistics business between HKSAR and the Mainland. The proposed Hung Hom – Dongguan freight through trains to be introduced in 2006 will require

these piers for rail-sea inter-modal freight operation and its related services;

(b) although the 'Planning Study on the Harbour and its Waterfront Areas' (the Harbour Plan Study) identified that KCRC freight yard at Hung Hom would be a desirable place for the introduction of new facilities and attractions for diversification and strengthening of established tourism core, KCRC had raised objection on the grounds that the role and importance of rail freight transport to the community and the international freight movements to HKSAR were not considered and the private/social costs of such usage conversion was not evaluated. For Hung Hom area, the continuity of waterfront promenades to link tourism clusters could only be provided with the relocation of the IMC. The applicant has neither addressed this IMC site nor provided a comprehensive rezoning plan; and

(c) the applicant has not comprehensively considered the issues on future railway expansion such as the SCL, freight operations, accessibility, traffic arrangement, integrated and comprehensive development as a whole of the KCRC Hung Hom site as well as private/social costs of usage conversion. The application would impose constraints to KCRC's proposed Mass Transportation Centre Comprehensive Development in the long term. The rezoning application is not supported as it is not comprehensive and does not meet KCRC's current rail operation needs and future business development plans at KCRC Hung Hom site.

10. Planning Department's Views

10.1 The Site is at a prominent waterfront location and currently being used as a freight pier for loading and unloading of containers and cargo handling with ancillary container storage use. According to the 2003 "Planning Study on the Harbour and its Waterfront Areas", the existing freight yard which is expected to remain *in situ* for the immediate future, is a major incompatible use at this prominent waterfront site. As a long term planning objective, effort should be made to terminate the existing container handling use subject to amongst other things its removal and relocation of the IMC in order to enhance the overall waterfront environment in the area.

10.2 For the following reasons, however, Planning Department does not support the application:

(a) given the prominent waterfront location of the Site, its future use and appropriate development form, including building height and plot ratio, together with the whole waterfront area in Hung Hom, including, amongst others, the IMC and the KCRC freight yard should be considered in an integrated manner. SEDL points out that the current cargo handling activities at KCRC freight pier is part and parcel of KCRC's railway freight services. Therefore, he does not support the application from port and logistics development angle. As advised by RDO, HyD, the pier would be required as a barging point and works area for the future

construction of the proposed SCL, which is scheduled tentatively between 2008 and 2014. There is insufficient information in the submission to demonstrate that the proposed development would not have adverse impact on existing freight operations and future construction of SCL. It is therefore premature to agree to the conceptual land use restructuring proposal as suggested in the current application at this juncture; and

(b) no detailed proposal and technical submissions have been given in the submission. In this regard, DEP does not support the application as any proposed residential development may be subject to adverse noise impact from the road traffic along the Hung Hom Bypass Flyover and from trains manoeuvring on the open air railways to the immediate north of the Site. CTP/UD&L, PlanD has reservation on the application as there is insufficient information to justify the proposed conceptual development parameters of the Site. TD and WSD also consider that TIA and water supply impact assessment would be required to substantiate the proposed development. There is therefore insufficient information in the submission to demonstrate that the broad conceptual development parameters are acceptable in environmental, traffic, visual and water supply terms.

10.3 Should the Committee decide to agree to the subject application, reference back of the approved Hung Hom OZP under Section 9 of the Ordinance will be made. The amendments to the draft Tsim Sha Tsui OZP and approved Hung Hom OZP will then be submitted to the Committee for approval prior to gazetting under Sections 7 and 5 of the Ordinance respectively.

10.4 Should the Committee decide not to agree to the subject application, the following reasons are suggested for Members' consideration:

(a) there is insufficient information in the submission to demonstrate that the proposed development would not have adverse impact on existing freight operations and future construction of SCL; and

(b) there is insufficient information in the submission to demonstrate that the broad conceptual development parameters are acceptable in environmental, traffic, visual and water supply terms.

11. Decision Sought

The Committee is invited to consider the application and decide whether to agree or not to agree to the application.

12. Attachments

Attachment I	Application Form received on 4.5.2006
Attachment Ia	Supplementary Planning Statement
Attachment Ib	Applicant's Letter dated 28.4.2006
Attachment Ic	Applicant's Letter dated 9.5.2006
Attachment Id	Applicant's Letter dated 23.6.2006