

**Confirmed Minutes of 307<sup>th</sup> Meeting of the  
Metro Planning Committee held on 15.7.2005**

**Present**

Director of Planning  
Mr. Bosco C.K. Fung

Chairman

Dr. Rebecca L.H. Chiu

Mrs. Angelina P.L. Lee

Mr. S.L. Ng

Dr. Greg C.Y. Wong

Mr. Tony W.C. Tse

Mr. Nelson W.Y. Chan

Mr. Leslie H.C. Chen

Professor Bernard V.W.F. Lim

Mr. Daniel B.M. To

Mr. Stanley Y.F. Wong

Ms. Sylvia S.F. Yau

Assistant Commissioner for Transport (Urban),  
Transport Department  
Mr. Lawrence Kwan

Assistant Director (Environmental Assessment and Noise),  
Environmental Protection Department  
Mr. Elvis W.K. Au

Deputy Director of Planning/District  
Mr. Raymond T.L. Chiu

Secretary

**Absent with Apologies**

Dr. Peter K.K. Wong

Dr. Alex S.K. Chan

Mr. K.G. McKinnell

Dr. Pamela R. Rogers

Mr. Erwin A. Hardy

Professor N.K. Leung

Assistant Director(2), Home Affairs Department  
Mr. Patrick Li

Deputy Director (General), Lands Department  
Mr. J.S. Corrigall

**In Attendance**

Assistant Director of Planning/Board  
Mr. P.Y. Tam

Chief Town Planner/Town Planning Board  
Mr. C.T. Ling

Town Planner/Town Planning Board  
Mr. Philip K.S. Chang

## Opening Remarks

1. With part of the agenda items open for public viewing, the Chairman remarked that this was the historic first open meeting of the Metro Planning Committee after the commencement of the Town Planning (Amendment) Ordinance 2004 on 10.6.2005.

## **Agenda Item 1**

### Confirmation of the Draft Minutes of the 306<sup>th</sup> MPC Meeting held on 24.6.2005

[Open Meeting (whole agenda item)]

2. The draft minutes of the 306<sup>th</sup> MPC meeting held on 24.6.2005 were confirmed without amendments.

[Mr. Elvis W.K. Au arrived to join the meeting at this point/]

## **Agenda Item 2**

### Matters Arising

[Open Meeting (whole agenda item)]

#### **(i) Town Planning Appeals Received**

- (a) Town Planning Appeal No. 12 of 2005 (12/05)  
Proposed House Development in “Green Belt” Zone  
Various Lots and Adjoining Government Land in DD 233,  
Ha Yeung, Sai Kung  
(Application No. A/DPA/SK-CWBS/4)

3. The Secretary reported that the Town Planning Appeal Board (TPAB) on 2.7.2005 received an appeal against the decision of the Board (on 22.4.2005) to reject on review an application for a proposed house development on a site zoned “Green Belt” (“GB”) on the Clear Water Bay Peninsula South Development Permission Area Plan. The hearing date of the appeal was yet to be fixed.

- (b) Town Planning Appeal No. 13 of 2005 (13/05)  
Temporary Open Storage of Construction Materials and Machinery  
for a Period of 3 Years in “Comprehensive Development Area” Zone,  
Lots 1711(Part), 1712(Part), 1716A(Part), 1717(Part), 1718, 1719(Part),  
1720(Part), 1721(Part), 1722, 1723(Part), 1724(Part), 1725RP(Part), 1726(Part),  
1728RP(Part), 1729(Part), 1731A(Part), 1732A(Part)  
in DD 104 and Adjoining Government Land,  
Chuk Yau Road, Ngau Tam Mei, Yuen Long  
(Application No. A/YL-NTM/174)
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4. The Secretary reported that the TPAB on 4.7.2005 received an appeal against the decision of the Board (on 22.4.2005) to reject on review an application (No. A/YL-NTM/174) for temporary open storage of construction materials and machinery for a period of 3 years at a site zoned “Comprehensive Development Area” on the Ngau Tam Mei Outline Zoning Plan. The hearing date of the appeal was yet to be fixed.

- (c) Town Planning Appeal No. 14 of 2005 (14/05)  
Proposed House (New Territories Exempted House) (Small House)  
in “Comprehensive Development Area (1)”, “Green Belt” and  
“Village Type Development” Zones,  
Lots 208B3 in DD 11, Lau Hang, Fung Yuen, Tai Po  
(Application No. A/TP/341)
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5. The Secretary reported that the TPAB on 4.7.2005 received an appeal against the decision of the Board (on 22.4.2005) to reject on review an application for a New Territories Exempted House (NTEH) (Small House) on a site zoned “Comprehensive Development Area (1)”, “Green Belt” and “Village Type Development” (“V”) zones on the Tai Po Outline Zoning Plan. The hearing date of the appeal was yet to be fixed.

(ii) **Abandonment of Town Planning Appeal**

Town Planning Appeal No. 3 of 2005  
Temporary Open Storage of Vehicle Parts, Used Tyres and Vehicles  
For a Period of 1 Year in “Agriculture” zone  
Lots 2185(Part), 2186(Part) and 2249(Part) in DD 116,  
Tai Tong, Yuen Long  
(Application No. A/YL-TT/160)

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6. The Secretary reported that the TPAB received the subject appeal on 1.3.2005 against the decision of the Board (on 10.12.2004) to reject on review an application for a temporary open storage of vehicle parts, used tyres and vehicles for a period of 1 year at a site zoned “Agriculture” (“AGR”) on the draft Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/11. On 30.6.2005, the appeal was abandoned by the appellant of his own accord. On 5.7.2005, TPAB formally confirmed that the appeal was abandoned in accordance with Regulation 7(1) of the Town Planning (Appeals) Regulations.

(iii) **Appeal Statistics**

7. The Secretary also reported that as at 15.7.2005, 21 cases were yet to be heard by the TPAB. Details of the appeal statistics were as follows :

Allowed	:	12
Dismissed	:	80
Abandoned/Withdrawn/Invalid	:	108
Yet to be Heard	:	21
Decision Outstanding	:	3
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		224

## **Hong Kong District**

[Ms. Christine K.C. Tse, District Planning Officer/Hong Kong (DPO/HK), and Mr. C.S. Chan, Senior Town Planner/Hong Kong (STP/HK), were invited to the meeting at this point.]

### **Agenda Item 3**

Proposed Amendments to the  
Approved Jardine's Lookout and Wong Nai Chung Gap Outline Zoning Plan No. S/H13/9  
(MPC Paper No. 21/05)

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[Open Meeting (whole agenda item)]

### **Presentation Session**

8. Mr. C.S. Chan, STP/HK, covered the following aspects as detailed in the Paper:
  - (a) background to proposed amendments to the Notes of the subject approved Outline Zoning Plan (OZP);
  - (b) the proposed amendments; and
  - (c) local views and departmental comments.

### **Discussion Session**

[Mrs. Angelina P.L. Lee and Mr. Nelson W.Y. Chan arrived to join the meeting during the discussion session.]

9. Major questions and comments raised by Members were as follows:
  - (a) whether the proposed amendments to include 'School' and 'Social Welfare Facility' ('SWF') as Column 2 uses would also apply to the Notes for the "C" zone of other OZPs; and

- (b) whether the views received upon consultation with the Wan Chai District Council (WCDC) would be reported to the Committee.

10. In reply, Ms. Christine K.C. Tse, DPO/HK, made the following points:

- (a) for “C” zone that primarily covered local shopping centres, the uses listed under Column 1 and Column 2 were relatively limited compared with those of the conventional “C” zone. The proposed amendments were to provide flexibility to accommodate potential demand for school and social welfare facilities in future. The suitability to include these uses as Column 2 uses for other “C” zones of similar nature would be considered upon review of the respective OZPs; and
- (b) pending the meeting schedule of the WCDC, consultation would be made either before or during the exhibition period of the draft OZP. WCDC could submit its views during the exhibition period to the Board for consideration.

11. The Secretary added that in the Master Schedule of Notes, ‘school’ and ‘SWF’ were both Column 1 uses under the “C” zone for commercial areas other than local neighbourhood commercial centres.

12. After deliberation, the Committee decided to :

- (a) agree to the proposed amendments to the approved Jardine’s Lookout & Wong Nai Chung Gap Outline Zoning Plan (OZP) No. S/H13/9 as stated in paragraph 4 of the Paper and that the draft OZP No. S/H13/9A at Attachment II(A) (to be renumbered to S/H13/10 upon gazetting) and its Notes at Attachment II(B) were suitable for gazetting under section 5 of the Ordinance; and
- (b) adopt the revised Explanatory Statement (ES) at Attachment II(C) as an

expression of the planning intentions and objectives for various land use zonings of the Plan and the ES would be published together with the Plan.

[The Chairman thanked Ms. Christine K.C. Tse, DPO/HK, and Mr. C.S. Chan, STP/HK, for their attendance to answer Members' enquiries. Ms. Tse and Mr. Chan left the meeting at this point.]

### **Tsuen Wan and West Kowloon District**

[Mr. Michael C.T. Ma, District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK), and Mrs. Alice Mak, Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK), were invited to the meeting at this point.]

### **Agenda Item 4**

Proposed Amendments to the  
Approved Cheung Sha Wan Outline Zoning Plan No. S/K5/27  
(MPC Paper No. 20/05)

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[Open Meeting (whole agenda item)]

### **Declaration of Interests**

13. The following Members declared interests in this item as one of the amendment items concerned an Urban Renewal Authority (URA) development scheme area (DSA) :

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| Mr. Bosco C.K. Fung<br>as the Director of Planning | - being a non-executive director of the<br>URA |
| Mrs. Angelina P.L. Lee                             | - having current business dealing with<br>URA  |
| Dr. Greg C.Y. Wong                                 | - having current business dealing with<br>URA  |
| Mr. Tony W.C. Tse                                  | - being an ex-employee of the URA              |



14. As matters concerning the draft Development Scheme Plan for the URA DSA had been deliberated by the Board on 8.7.2005 and would not be the subject of discussion, the Committee considered the interests of the above Members as indirect and insubstantial, and therefore agreed that they should remain to participate in the consideration of the proposed amendments.

#### Presentation Session

15. Mrs. Alice Mak, STP/TWK, covered the following major aspects detailed in the Paper:

- (a) background to the proposed amendments to the subject approved Outline Zoning Plan (OZP);
- (b) the proposed amendment items shown on the Plan and Notes; and
- (c) local views and departmental comments.

[Professor Bernard V.W.F. Lim arrived to join the meeting during the discussion session.]

#### Discussion Session

16. Major questions and comments raised by Members were as follows:

#### Item B5 - Proposed rezoning of a residential/church/retail development from “Government, Institution or Community” (“G/IC”) to “Residential (Group A)5” (“R(A)5”)

- (a) the proposed rezoning of various residential cum GIC developments from “G/IC” to different “R(A)” sub-zones under Amendment Items B1 to B4 had included the requirement of various GIC facilities in the respective Notes in accordance with schemes previously approved by the Board. For the sake of consistency, whether the requirement for the provision of a church should also be stipulated in the Notes for

the “R(A)5” zone which covered the existing residential cum church development (i.e. the Foursquare Mansion);

- (b) unless the planning intention was to provide a usual “R(A)” type residential development and the provision of a church was not absolutely necessary, the requirement of a church should still be clearly specified in the Notes of the “R(A)5” sub-zone;
- (c) similarly as above, with respect to the “R(A)4” sub-zone, since customer service centre was a kind of ‘Shop and Services’ use which was always permitted on the lowest three floors of a building within the “R(A)” zone, it might not be necessary to stipulate the requirement for an ancillary customer service centre for the electricity sub-station (ESS) under Item B4;
- (d) it might be difficult to ascertain the requirement of a church or religious institution as such requirement would vary for various religious followers for various reasons. As long as the statutory OZP allowed flexibility for church use within the “R(A)” zone, it would be up to the church to decide whether it wanted to remain at its present location. However, as for general GIC facilities serving a wider community, it would be important to stipulate relevant requirements in the Notes;
- (e) whether existing GIC facilities should be maintained upon redevelopment of the existing buildings through stipulation of the requirements on the statutory OZP.

Item A3 – Proposed Rezoning of Tze Yeung Tung (TYT) Temple from “Green Belt” to “G/IC(3)”

- (f) whilst rezoning to regularise the two existing temples north of Ching Cheung Road, namely Fuk Tak Buddhist Association and Wong Tai Sin Yuen Ching Kwok (WTS Yuen Ching Kwok), was generally supported, it might not be appropriate to do the same for the Tze Yeung Tung (TYT) Temple as it was developed without planning permission; and
- (g) rezoning of the TYT Temple might give a wrong impression to the community that unauthorised development would eventually be regularised on the OZP.

17. In reply, Mr. Michael C.T. Ma, DPO/TWK made the following points:

Item B(5)

- (a) unlike other GIC facilities, there was no planning standard for the provision of church/religious institution, i.e. it was not prescribed as a requirement under the Hong Kong Planning Standards and Guidelines (HKPSG) based on which site reservation for GIC facilities was made;
- (b) the present residential cum church use of the site was developed upon obtaining planning permission from the Board by the lot owner in 1989. Provision of a church within the “R(A)5” site was not a government requirement;
- (c) the inclusion of 'Religious Institution' under Column 1 in the Notes for “R(A)” zone had already allowed for the provision of a church upon redevelopment of the “R(A)5” site in future;
- (d) since the future need of a church at the subject site could not be ascertained at this stage, it was not unreasonable to allow flexibility for the lot owner to decide if a church was still needed upon its

redevelopment;

Item A(3)

- (d) the Board had previously regularised temples that were in existence without planning permission. For example, upon completion of a land use review and consultation with relevant departments, the monasteries/temples which had been in existence for decades at the Fu Yung Shan area, Tsuen Wan were rezoned (in 2003) to reflected their uses on site. Some of these temples had been in existence without planning permission;
- (e) as requested by Members during the consideration of the redevelopment proposal for WTS Yuen Ching Kwok in February 2004, Planning Department had carried out a land use review for the temples north of Ching Cheung Road. Although planning permission was not sought for the TYT Temple, the need to retain this long-established temple was confirmed upon consultation with relevant departments; and
- (f) the proposed rezoning of the TYT temple from “Green Belt” to “G/IC” would also put the temple under proper planning control as the development potential of the site would be limited to the form and height of the existing building.

18. With respect to Item B(5), the Chairman remarked that church/religious institution should be distinguished from general GIC facilities which were provided in accordance with HKPSG to serve the community. Although the history of the site might be relevant, assessment on the need to include a specific GIC facility as a requirement in the Notes of the OZP should primarily be considered in a planning context.

19. With respect to Item A(3), the Chairman explained that the process of

regularising existing land use through rezoning reflected a conceptual change in the Board's plan making approach, from a broad-brush land use zoning approach with emphasis in flexibility in the 80s and 90s, to a more site-specific zoning designation approach in recent years in response to the general community aspiration for clearer zoning and certainty.

20. In response to the Chairman's question regarding the rezoning of the site covering the Sheng Kung Hui (SKH) Religious Education Resource Centre and the SKH Church under Item C2, Mr. Michael C.T. Ma said that the proposed rezoning from "R(A)" to "G/IC" was appropriate as it would better reflect the exiting developments and the planning intention for the site having regard to the lease conditions which restricted the uses of the site to church and clinic. The Chairman noted that since flat was a Column 2 use under the "G/IC" zone, the option of residential development upon redevelopment was still open to the lot owner by way of planning application.

21. After deliberation, the Committee decided to :

- (a) agree to the proposed amendments to the approved Cheung Sha Wan Outline Zoning Plan (OZP) No. S/K5/27 and its Notes as mentioned in paragraphs 5 and 6 of the Paper respectively;
- (b) agree that the draft amendment Cheung Sha Wan OZP at Annex B (to be renumbered as No. S/K5/28 upon exhibition) and its Notes at Annex C were suitable for publication under section 5 of the Ordinance;
- (c) adopt the revised Explanatory Statement (ES) at Annex D as an expression of the planning intention and objectives of the Board for the various land use zones on the draft amendment Cheung Sha Wan OZP; and
- (d) agree that the revised ES at Annex D was suitable for exhibition for public inspection together with the draft amendment Cheung Sha Wan OZP.

## **Agenda Item 5**

Proposed Amendments to the

Approved Tsuen Wan West Outline Zoning Plan No. S/TWW/14

(MPC Paper No. 22/05)

[Open Meeting (whole agenda item)]

22. Mr. Michael C.T. Ma, DPO/TWK, covered the following major aspects detailed in the Paper:

- (a) background to the proposed amendments to the subject approved Outline Zoning Plan (OZP);
- (b) the amendment items shown on the Plan and the Notes; and
- (c) local views and departmental comments.

## **Discussion Session**

23. In response to a Member's question regarding the proposed zoning boundary under Item E of the Paper, Mr. Michael C.T. Ma said that the amendment was proposed in view of the discrepancies between the zoning boundaries of the "Village Type Development" and "Residential (Group D)" zones and the as-built conditions.

24. The Chairman remarked that the proposed amendments to the Tsuen Wan West OZP were mainly technical in nature.

25. After deliberation, the Committee decided to :

- (a) agree to the proposed amendments to the approved Tsuen Wan West Outline Zoning Plan (OZP) No. S/TWW/14 and its Notes as mentioned in paragraphs 4 and 5 of the Paper respectively;
- (b) agree that the draft amendment Tsuen Wan West OZP at Annex B (to be

renumbered to draft Tsuen Wan West OZP No. S/TWW/15 upon exhibition) and its Notes at Annex C were suitable for publication under section 5 of the Ordinance;

- (c) adopt the revised Explanatory Statement (ES) at Annex D as an explanation of the planning intention and objectives of the Board for the various land use zones on the draft amendment Tsuen Wan West OZP; and
- (d) agree that the revised ES at Annex D was suitable for exhibition together with the draft amendment Tsuen Wan West OZP.

[Ms. Sylvia S.F. Yau left and Dr. Rebecca L.H. Chiu left the meeting temporarily at this point.]