

**Minutes of 1097th Meeting of the
Town Planning Board held on 30.10.2015**

Present

Permanent Secretary for Development
(Planning and Lands)
Mr Michael W.L. Wong

Chairman

Mr Stanley Y.F. Wong

Vice-Chairman

Mr Roger K.H. Luk

Professor S.C. Wong

Professor P.P. Ho

Professor Eddie C.M. Hui

Dr C.P. Lau

Ms Julia M.K. Lau

Mr Clarence W.C. Leung

Dr W.K. Yau

Professor K.C. Chau

Dr Wilton W.T. Fok

Mr Ivan C.S. Fu

Mr Lincoln L.H. Huang

Ms Janice W.M. Lai

Mr Dominic K.K. Lam

Mr Patrick H.T. Lau

Ms Christina M. Lee

Mr H.F. Leung

Mr Stephen H.B. Yau

Mr F.C. Chan

Mr David Y.T. Lui

Mr Frankie W.C. Yeung

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr Lawrence W.C. Poon

Deputy Director of Environmental Protection
Mr C.W. Tse

Principal Assistant Secretary (Transport) 3
Transport and Housing Bureau
Miss Winnie M.W. Wong

Chief Engineer (Works)
Home Affairs Department
Mr Martin W.C. Kwan

Assistant Director (Regional 3)
Lands Department
Mr Edwin W.K. Chan

Director of Planning
Mr K.K. Ling

Deputy Director of Planning/District
Ms Christine K.C. Tse

Secretary

Absent with Apologies

Mr Laurence L.J. Li

Ms Anita W.T. Ma

Ms Bonnie J.Y. Chan

Mr H.W. Cheung

Mr Sunny L.K. Ho

In Attendance

Assistant Director of Planning/Board
Miss Fiona S.Y. Lung

Chief Town Planner/Town Planning Board
Ms Lily Y.M. Yam

Senior Town Planner/Town Planning Board
Mr K.K. Lee

Agenda Item 1

[Open Meeting]

Confirmation of Minutes of the 1096th Meeting held on 16.10.2015

[The item was conducted in Cantonese.]

1. The Secretary reported that paragraph 112 of the draft minutes should be revised to include the declaration of interest from Mr Martin W.C. Kwan, Chief Engineer (Works), Home Affairs Department, as a representative of the Director of Home Affairs who was a member of the Strategic Planning Committee and Subsidised Housing Committee of the Hong Kong Housing Authority.

2. The meeting agreed that the minutes of the 1096th meeting held on 16.10.2015 were confirmed subject to the incorporation of the amendment.

[Mr C.W. Tse, Mr Ivan C.S. Fu, Mr Lincoln L.H. Huang, Mr Patrick H.T. Lau, Mr H.F. Leung and Ms Christina M. Lee arrived to join the meeting at this point.]

Agenda Item 2

[Open Meeting]

Matters Arising

[The item was conducted in Cantonese.]

(i) **Judicial Review Application against the Town Planning Board in respect of the Draft Tuen Mun Outline Zoning Plan No. S/TM/32 (HCAL 23/2015)**

3. The Secretary reported that the following Members had declared interests on the item for having business dealings/affiliation with the Hong Kong Housing Authority (HKHA)/Housing Department (HD) since four representation sites in Tuen Mun North were to facilitate public housing developments by HKHA; and/or MTR Corporation Limited (MTRCL) (R57); and/or Henderson Land Development Company Limited (Henderson) which was the mother company of the Hong Kong and China Gas Company Limited (R59);

and/or Wheelock Properties Limited (Wheelock) which was the mother company of Wascott Property Limited (R1565); and/or Sun Hung Kai Properties Limited (Sun Hung Kai) which was the mother company of Pacific Good Investment Limited and Main Channel Limited (R5) and Fill Year Limited (R1566), or owning property in Tuen Mun:

- Mr Stanley Y.F. Wong
(Vice-chairman) - being a member of HKHA and its Strategic Planning Committee and Chairman of its Subsidised Housing Committee

- Ms Julia M.K. Lau - being a member of HKHA and its Commercial Properties Committee and Tender Committee and having business dealings with Sun Hung Kai

- Professor P.P. Ho - being a member of the Building Committee of HKHA; and being an employee of the Chinese University of Hong Kong (CUHK) which received donation before from a family member of the Chairman of Henderson; and Wheelock had financially sponsored the School of Architecture of the CUHK, of which he was the Director of the MSc Programme in Architectural Conservation and Design

- Mr H.F. Leung - being a member of the Tender Committee of HKHA; and being employee of the University of Hong Kong (HKU) which received donation before from a family member of the Chairman of Henderson

- Mr K.K. Ling
(as Director of Planning) - being a member of the Strategic Planning Committee and the Building Committee of HKHA

- Mr Martin W.C. Kwan
*(as Chief Engineer
(Works), Home Affairs
Department)*
- Dr Lawrence W.C. Poon
- Mr Dominic K.K. Lam
Mr Ivan C.S. Fu
Mr Patrick H.T. Lau
- Ms Janice W.M. Lai
- Ms Christina M. Lee
- Professor S.C. Wong
- Dr Wilton W.T. Fok
- Mr Roger K.H. Luk
Professor K.C. Chau
- being a representative of the Director of Home Affairs who was a member of the Strategic Planning Committee and the Subsidised Housing Committee of HKHA
 - his spouse being an employee of HD but was not involved in planning work
 -] having business dealings with HKHA, MTRCL, Henderson, Sun Hung Kai and Wheelock
 -]]
 - having business dealings with HKHA, MTRCL, Henderson and Sun Hung Kai
 - being the Secretary-General of the Hong Kong Metropolitan Sports Events Association that had obtained sponsorship before from Henderson and Sun Hung Kai
 - being an employee of HKU which received donation before from a family member of the Chairman of Henderson; and being the Chair Professor and Head of Department of Civil Engineering of HKU which had obtained sponsorship before from Sun Hung Kai
 - being an employee of HKU which received donation before from a family member of the Chairman of Henderson
 -] being a Member of Council (Mr Luk) or an
 -] employee (Professor Chau) of CUHK which received donation before from a family member of

the Chairman of Henderson

- Dr W.K. Yau - being the director of a non-government organisation that had received a private donation before from a family member of the Chairman of Henderson; and being the operation agent of a community building lighting and energy improvement project which had obtained sponsorship before from Sun Hung Kai
- Mr Peter K.T. Yuen - being a member of the Board of Governors of the Hong Kong Arts Centre which received donation before from an Executive Director of Henderson
- Dr C.P. Lau - owning a flat at Kwun Tsing Road, So Kwun Wat

4. As the item was to report the granting of leave for a judicial review (JR) application, Members agreed that the above Members who had declared interests could stay at the meeting. Members also noted that Ms Julia M.K. Lau, Ms Janice W.M. Lai and Dr Wilton W.T. Fok had not yet arrived to join the meeting.

5. The Secretary reported that on 6.2.2015, a JR was lodged by a member of the public, Hon Lai Ying, against the Town Planning Board (the Board) and the Lands Department (LandsD) in respect of (i) the decision of the Board to approve the Tuen Mun Outline Zoning Plan (OZP) No. S/TM/32; and (ii) the validity of LandsD's Practice Note No. 7/2007 on 'Tree Preservation and Tree Removal Application for Building Development in Private Projects'. The applicant was a resident of Tuen Mun and a voluntary worker of Green Sense.

6. The main ground of the JR application was the procedural unfairness arising from issues related to long sitting hours, insufficient inquiry into information produced by representers and Members' attendance.

7. The applicant sought relief from the Court (i) to quash the Board's decision in respect of the Tuen Mun OZP; (ii) to order the Board to improve the meeting procedure; and (iii) to order the Government to amend the said Practice Note No. 7/2007.

8. On 20.10.2015, the Court of First Instance granted leave for the JR application. LandsD had ceased to be a respondent while Wascott Property Limited and Green Sense had been named as the interested parties of the JR. The hearing date of the JR had not yet been fixed.

9. Members noted that leave had been granted for the JR application and agreed that the Secretary should represent the Board in all matters relating to the JR in the usual manner.

(ii) Judicial Review Application against the Chief Executive in Council and the Town Planning Board in respect of the Hoi Ha, Pak Lap and So Lo Pun Outline Zoning Plans (HCAL 28/2015)

10. The Secretary reported that on 18.2.2015, a JR application was lodged by Chan Ka Lam against (i) the decision of the Chief Executive in Council (CE in C) to approve the draft Hoi Ha Outline Zoning Plan (OZP), the draft Pak Lap OZP and the draft So Lo Pun OZP ("the 3 draft OZPs"); and (ii) the decision of the Board to submit the 3 draft OZPs to the CE in C for approval. The applicant was a founding member of the Save Our Country Parks Alliance and an employee of Designing Hong Kong which was a representer and commenter in respect of the 3 draft OZPs.

11. The main grounds of the JR application were summarised as follows:

- (a) the Board had not considered or assessed the available evidence including excessive size and wrong location of the "Village Type Development" zones; inadequate zoning for conservation; breach of the Country Park Enclave (CPE) policy; environmental, visual, traffic and drainage impacts and cumulative impacts of development; and carrying capacity of the country parks;

- (b) the CE in C could not reasonably come to the conclusion to approve the 3 draft OZPs; and
- (c) the 3 draft OZPs were flawed on Wednesbury reasonableness grounds for:
 - (i) failure to take into account relevant considerations including the statutory purpose and duties, and special conservation, landscape and aesthetic value of the CPEs;
 - (ii) taken into account irrelevant considerations including Small House demand, development potential and management difficulties;
 - (iii) relied on erred fact of unverified Small House demand estimates; and
 - (iv) illogical reasoning.

12. The applicant sought relief from the Court (i) to quash the decisions of the CE in C and the Board; (ii) to direct the CE in C to refuse to approve the 3 draft OZPs and/or refer them to the Board for further consideration and amendment or to replace them with new plans; and (iii) to direct the Board to further consider and amend the 3 draft OZPs and/or to replace them with new plans.

13. On 20.10.2015, the Court of First Instance granted leave for the JR application. The hearing date of the JR had not yet been fixed.

14. Members noted that leave had been granted for the JR application and agreed that the Secretary should represent the Board in all matters relating to the JR in the usual manner.

Urban Design and Landscape Section

Agenda Item 3

[Open Meeting]

Planning and Design Study on
the Redevelopment of Queensway Plaza, Admiralty – Feasibility Study
Revised Recommended Development Scheme
(TPB Paper No. 10025)

[The item was conducted in Cantonese and English.]

Declaration of Interest

15. The following Members had declared interests in the item:

Professor S.C. Wong] having business dealings with Ove Arup &
Professor P.P. Ho] Partners Hong Kong Ltd (Arup) which was the
Mr Ivan C.S. Fu] consultant of the Planning and Design Study on
Mr Dominic K.K. Lam] the Redevelopment of Queensway Plaza,
Mr Patrick H.T. Lau] Admiralty – Feasibility Study (the Study)

16. As this item was only a briefing to Members on the Study, Members agreed that the above Members who had declared interests could stay in the meeting.

Presentation and Question Sessions

17. The following representatives from the Planning Department (PlanD) and the study consultant were invited to the meeting:

Ms Sally Fong	- Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD
Ms Carmen Chu] Representatives of Arup
Ms Theresa Yeung]

Mr Ray Tang]
Mr Christoforos Romanos]
Mr Matthew Gevers]
Mr Mathew Fung]

18. The Chairman extended a welcome and invited the study team to brief Members on the Study.

19. Ms Sally Fong, CTP/UD&L, said that on 9.1.2015, Members' views were sought on the Recommended Development Scheme (RDS) formulated under the Study. Having taken into account Members' comments given at the meeting, as well as comments received from the Central and Western District Council and relevant government bureaux/departments and the findings of the relevant technical assessments, a number of amendments had been made to the RDS. The study team would brief Members on the major amendments and enhancements to the RDS and the way forward. She then invited the consultant to present the Revised RDS to Members.

20. With the aid of a Powerpoint presentation, Mr Christoforos Romanos made the following main points as detailed in the Paper:

Study Objective

- (a) the Study was to investigate the planning, architectural and engineering feasibility in redeveloping the study site for commercial uses, including Grade A office and retail uses, and to make recommendations to upgrade the existing public realm with convenient pedestrian connections to Central and Wan Chai;

Background

- (b) on 9.1.2015, the study team reported to the Board on the two initial options and the RDS. The major concerns/comments received included:
 - (i) the proposed building height (BH) of 203mPD was too high;

- (ii) careful design of the public open space (POS) was required;
- (iii) pedestrian connectivity with surrounding areas should be enhanced;
- (iv) the use of sustainable and green building design; and
- (v) possible adverse traffic and air ventilation impacts;

The Revised RDS

- (c) the Revised RDS envisaged the development of a commercial tower for Grade A office atop a five-storey retail/dining podium (including a landscape podium deck) and five levels of basement within the site, with a non-domestic gross floor area (GFA) of 93,300 m², which was equivalent to a plot ratio (PR) of 15;
- (d) the major amendments/enhancements to the RDS and the key design features were:
 - (i) BH – the BH was reduced from 203mPD (at main roof level) to 200mPD (including roof-top structures) to respect the ‘20% building free zone’ of the ridgeline on Hong Kong Island and safeguard the views to the Victoria Peak ridgeline from the strategic viewing point at Tsim Sha Tsui;

[Dr Wilton W.T. Fok arrived to join the meeting at this point.]

- (ii) POS Design – the previous elevated plaza and terraced POS design was changed to an indoor atrium space (about 600 m²) to act as a focal point at the intersection of pedestrian routes and a place for ad-hoc functions. A more generous at-grade open space (about 1,600 m²) along Tamar Street and around MTR Admiralty Station Exit C1 adjacent to United Centre was proposed. The design

would integrate with the Old and Valuable Tree (OVT) to be preserved in-situ. A deck-level open space (elevated park) (about 500 m²) would be provided at the site, which would be integrated with the enhanced rooftop garden (about 1,900 m²) above the retained Queensway Walkway. A minimum of 30% greenery would be required for the POS;

- (iii) Public Realm – podium setbacks of 15m along Tamar Street, 7.5m from United Centre and 5.5m from Drake Street were proposed to preserve major view corridors, facilitate pedestrian circulation and respect the Sustainable Building Design (SBD) Guidelines. Streetscape enhancements were proposed on the Landscape Master Plan to improve the pedestrian environment;

[Ms Janice W.M. Lai arrived to join the meeting at this point.]

- (iv) Pedestrian Connectivity – pedestrian connectivity with the surrounding developments through the existing walkways would be maintained, including the connection to the west via the existing Queensway Walkway and to the east through the existing East Walkway along Drake Street. A new footbridge connecting the future development with Tamar Footbridge was proposed for complementing the pedestrian connection between the hinterland and the new harbourfront. The pedestrian connections on the ground level adjacent to Tamar Street and MTR Station Exit C1 would be improved through the at-grade POS. New vertical connection points between the MTR Station and the main elevated walkway level would be provided. A 24-hour pedestrian access would be reserved on the ground floor (G/F) and upper ground level 1 (UG1) (i.e. the elevated walkway level) of the future development;

[Mr Clarence W.C. Leung arrived to join the meeting at this point.]

- (v) Queensway Walkway – the existing Queensway Walkway would be preserved for retail/dining and public passageway, with enhancements to its rooftop garden and the exterior of its retained structure;
- (vi) “Green Link” – the rooftop of the existing East Walkway was proposed to be refurbished as a green roof to create a visual green corridor connecting Harcourt Garden via the elevated park within the site to the Queensway Walkway rooftop garden;
- (vii) Transport Facilities and Temporary Traffic Arrangement – all existing public transport facilities, including bus routes, green minibus routes and taxi stand, would be retained within the site. Vehicular traffic and elevated pedestrian circulation would be maintained during construction stage through temporary traffic arrangement;

[Ms Julia M.K. Lau arrived to join the meeting at this point.]

- (viii) In-situ Re-provisioning of Refuse Collection Point (RCP) – an area of 594 m² had been reserved at the ground level of the proposed redevelopment for in-situ re-provisioning of the RCP;
- (ix) Green Building Design – the future development would be required to obtain at least Gold (i.e. the second highest) rating under the Hong Kong Building Environmental Assessment Method (BEAM) Plus and/or the Leadership in Energy and Environmental Design (LEED) certification of the U.S. Green Building Council;

Further Works

- (e) an engineering feasibility study for the proposed footbridge linking the Tamar footbridge and an archaeological impact assessment to identify appropriate mitigation measures were recommended to be carried out

prior to redevelopment of the site;

Planning and Design Brief (PDB)

- (f) to guide the design and development of the site upon future land sale, a PDB setting out major requirements on urban design, landscaping, open space provision, pedestrian connection and temporary traffic arrangement had been formulated under the Study. The requirements would be incorporated into the land sale conditions as appropriate; and

Way Forward

- (g) at present, the majority of the site was designated as 'Road', with a small portion zoned "Open Space" and "Commercial" on the approved Central District Outline Zoning Plan (OZP) No. S/H4/14. Amendments to the land use zonings on the OZP would be required to facilitate implementation of the redevelopment proposal, which would be submitted to the Metro Planning Committee of the Board for consideration in due course.

21. As the presentation by the study team had been completed, the Chairman invited questions and comments from Members on the Revised RDS.

22. A Member expressed appreciation to the improvements made in the Revised RDS, in particular the replacement of the previously proposed terraced POS, and raised the following questions:

- (a) concerning the possible 'canyon' effect along Drake Street, whether further information was available on the potential air ventilation impact of the proposed development along Drake Street;
- (b) whether assessment work had been done to ascertain if the loading of Queensway Walkway could allow the greening proposals on its rooftop, including the planting of large trees;

- (c) how the rooftop garden of Queensway Walkway would be linked to the existing pedestrian circulation routes and to the elevated park within the development to form the 'Green Link'.

23. In response, Ms Sally Fong and Ms Carmen Chu made the following main points:

- (a) the annual prevailing wind of the site was mainly from the northeast while the prevailing wind during summer months was mainly from the southwest. As the size of the podium had been reduced with wider setback along Tamar Street when comparing with the previous scheme, the Revised RDS would facilitate better wind penetration to Drake Street. Besides, the previous proposal to widen the East Walkway would not be pursued owing to the limited space available on the rooftop for open space purpose, the potential adverse impact on the wind environment of Drake Street was avoided;
- (b) as the foundation of Queensway Walkway was sitting on top of the MTR Station box, the loading capacity of the Walkway portion had been considered during the early design stage of the scheme. In past discussions, the Mass Transport Railway Corporation Limited (MTRCL) had raised concern on any changes and uncertainties brought about by the dismantling and construction works associated with the redevelopment of Queensway Walkway to the operation of MTR. To address the loading and related concerns, the Study had proposed to retain the existing structure of the Queensway Walkway. As the rooftop of Queensway Walkway was a POS but was not popular due to inconvenient pedestrian connection, the Study proposed to enhance the design of the rooftop garden for public enjoyment with improvements to pedestrian connection; and
- (c) the Revised RDS proposed a comprehensive pedestrian circulation network within the site and connecting to the immediate surroundings. On the ground level, the development would be horizontally connected with the bus terminus as well as Harcourt Garden to its east. The

elevated walkway level (UG1) of the development would be vertically connected to the concourse level of MTR Admiralty Station at Basement 2 (B2) and the upper levels of the commercial tower. It would also be connected to Pacific Place to its south via the existing elevated covered walkway, and to Admiralty Centre and Harcourt Garden to its east via the existing elevated East Walkway. With the opening of the MTR South Island Line (East) (SIL(E)) by end 2016, MTR Admiralty Station would be expanded with enhanced underground connection to Harcourt Garden. Vertical connection between UG1 and the rooftop garden of Queensway Walkway would also be improved with the installation of new escalators.

24. Noting that there might be an assembly of a large number of people at Central Government Offices (CGO) on some special occasions, a Member asked whether people using the proposed footbridge that would link up the development with the existing Tamar Footbridge had to go inside the development or they could access the proposed footbridge from the street. In response, Ms Sally Fong said that while the proposed footbridge linking the development and Tamar Footbridge was to be accessed via the future development, the access route would form part of a 24-hour pedestrian access covering the G/F and UG1 levels of the development, which would be opened for public use at all times.

25. Two Members raised the following questions and comments:

- (a) whether there was scope to further reduce the BH of the proposed commercial tower, noting that a BH of only 185mPD was proposed in one of the development options presented to the Board last time;
- (b) apart from the assessment with regard to the ridgeline, whether the visual impact of the proposed high-rise commercial tower as compared with the surrounding developments had been assessed;
- (c) noting the current proposal was to retain all existing public transport facilities within the site, elaboration was required on how the current chaotic traffic conditions in the surrounding streets of the site could be improved in the planning of the proposed development. As the site was

unique in that it was the merging point of all modes of public transport in a main commercial area, there might be a need to examine in greater detail the feasibility of the proposed traffic improvement measures;

(d) the currently proposed atrium space was appreciated for it could help concentrate and disperse people from and to different directions. Opportunity should be taken to reinforce the quality and role of the space as a focal point to connect Admiralty with Central and Wan Chai, and with the future SIL(E) Station; and

(e) the feasibility for different greening options on the rooftop garden of Queensway Walkway should be examined. As there were existing green spaces in the surrounding of the development, including Tamar Park and the waterfront promenade to the north, Chater Garden, Statue Square and other open spaces to the west, Hong Kong Park to the south and Harcourt Garden to the east, the POS of the development should be well linked with those existing green spaces.

26. In response, Ms Sally Fong, Ms Carmen Chu and Mr Christoforos Romanos made the following main points:

(a) the BH of 203mPD under the previous RDS referred to the height at the main roof level of the building. Considering that roof-top structures such as E&M facilities and architectural features might sometimes account for a considerable height, in order to ensure that the proposed development would not intrude into the '20% building free zone' of the ridgeline on Hong Kong Island, the currently proposed BH of 200mPD would include the height of all roof-top structures. As envisaged in the indicative scheme under the Revised RDS, the tower height had in fact been reduced from the previous 203mPD by about 13m to 190mPD at main roof level, which would allow 10m to accommodate roof-top structures. Although a BH of 185mPD was proposed under Option B during option formulation stage, that option entailed a building with a larger footprint and relocation of the OVT. While the building footprint under the Revised RDS would

be chamfered at its south-western corner to give a more open vista to the site when viewed from the south and allow in-situ preservation of the OVT, the BH would reach 190mPD at main roof level to accommodate the proposed GFA under PR 15;

- (b) the Revised RDS would provide a more direct and smooth north-south linkage between Pacific Place/Hong Kong Park area and CGO/Tamar Park area through the proposed footbridge that connected the development with the Tamar Footbridge at the same level. While the existing east-west passage through Queensway Walkway and East Walkway would be maintained for pedestrian circulation between Central and Wan Chai, connection to the east would be further improved through an enhanced footbridge under the SIL(E) project, which would connect United Centre with Harcourt Garden and would be further extended to Wan Chai North. The pedestrian traffic arising from the enhanced footbridges had been taken into account in the design of the widths of the walkways within the development. Upon commissioning of SIL(E) by end 2016, the underground walkway network of the MTR Station would be extended to connect Harcourt Garden, in addition to the current exits at United Centre, Admiralty Centre, Pacific Place and Lippo Centre;
- (c) the study team had been working closely with the Transport Department (TD) to improve the vehicular circulation at the streets around the development. TD had already reverted the circulating direction of taxis, which had greatly improved the traffic flow of Drake Street. At Rodney Street to the east of the site, a long lay-by would be provided upon commissioning of SIL(E) for vehicles arriving from Harcourt Road from the east to drop off their passengers and then depart to Queensway to the east without entering Drake Street. Similarly, another lay-by would be provided at Tamar Street to the west of the site, with the width of the pavement along Tamar Street widened, for vehicles arriving from Queensway from the west to drop off their passengers and then depart to Harcourt Road and Connaught Road Central to the west without entering Drake Street; and

- (d) one of the key design elements of the Revised RDS was to connect the major open spaces in the area through the elevated walkway system, which would link Hong Kong Park to Tamar Park and the waterfront along the north-south direction, and Chater Garden to Harcourt Garden along the east-west direction. Besides, a visual green link would be formed by the rooftop garden of Queensway Walkway, the elevated park of the development and green roof of East Walkway in the east-west direction.

27. Two Members raised the following questions and comments:

- (a) noting that the footprint of the proposed tower would be reduced to create a better vista under the Revised RDS and that a taller tower would result due to the need to fully accommodate a PR of 15, whether consideration had been given to adopting a lower PR so that the resultant BH would be lower and become more comparable to the heights of the surrounding buildings. The future developer might be required to apply for minor relaxation of PR if he could work out a scheme which would not increase the overall BH and maintain all the setback requirements; and
- (b) although podium setbacks were proposed, the proposed tower was sited very close to its neighbouring buildings, resulting in a congested urban environment. As shown from the perspectives on Plan 3a of the Paper, Tower 1 of Admiralty Centre would be totally concealed by the proposed tower when viewed from the south.

28. In response, Ms Sally Fong made the following main points:

- (a) the tower height of 190mPD at main roof level or BH of 200mPD (including roof-top structures) under the Revised RDS was comparable to the BH of the adjacent Lippo Centre, which was 187mPD at main roof level;

- (b) given the location of the site in the Central Business District, it was considered justified to optimise the development intensity of the site. The Revised RDS demonstrated that the site could be developed up to PR 15 despite the various site constraints and design requirements. The proposed development was not incompatible with the surrounding areas; and
- (c) as revealed in the indicative scheme, with the proposed setback from Drake Street, the separation between the proposed development and Tower 1 of Admiralty Centre was over 15m at the podium level and about 25m at the tower level.

[Mr David Y.T. Lui arrived to join the meeting at this point.]

29. Two Members raised the following questions and comments:

- (a) noting that the reprovisioned RCP would be located close to the taxi stand, whether there were design measures to mitigate the possible nuisance of the RCP on the taxi passengers and pedestrians;
- (b) whether there were measures to protect the OVT on-site and ensure that it could grow healthily during and after the construction of the development; and
- (c) it would not be attractive to the public if only a lawn was provided on the rooftop garden of Queensway Walkway. It would be more interesting if trees could be planted to create a three-dimensional green space. Further study was required on the loading of the rooftop to ascertain the size of trees that could be planted.

30. In response, Ms Sally Fong and Ms Carmen Chu made the following main points:

- (a) the requirement for in-situ preservation of the OVT would be set out in the PDB for incorporation into the future land sale conditions. The

developer would then be required under the land sale conditions to submit and implement proposals for preservation of the OVT;

- (b) the initial design of the rooftop garden of Queensway Walkway was shown on the Landscape Master Plan in Plan 5 of the Paper. The rooftop was structurally sound for use as a POS with landscape and planting as it was designed for such function. However, it might not be a desirable location for growing of large trees as it was surrounded by high-rise buildings which might affect penetration of sunlight. While the future developer might submit a Landscape Master Plan with a different landscape design under the lease, if the proposed landscape elements would put extra loading onto the rooftop, approval from the Building Authority would be required; and
- (c) the Food and Environmental Hygiene Department had advised that refuse collection vehicles might only go to the RCP during non-rush hours, e.g. 2 p.m. to 4 p.m. or after 7 p.m. It was noted that the existing RCP on the site with about 10 vehicular trips per day was not causing apparent nuisance to the adjacent taxi stand.

31. Mr K.K. Ling, Director of Planning, noted that the study team did not propose to alter the structure of Queensway Walkway foundation which was linked with the structure of the MTR Station box, and considered that it was pragmatic not to further increase the structural loading of the Queensway Walkway which might affect the safe operation of MTR and delay the implementation of the proposed development.

32. A Member asked whether flexibility would be allowed under the land sale conditions for the future developer to come up with innovative designs and solutions to address the issues identified in the Revised RDS.

33. In response, Ms Sally Fong said that certain requirements of the Revised RDS, e.g. podium setbacks, in-situ preservation of the OVT and re-provisioning of the RCP, would be set out in the PDB for incorporation into the land sale conditions. The future developer would be required to submit Master Layout Plan and Landscape Master Plan to LandsD for

approval under the lease. Flexibility for innovative design could be catered for throughout the process.

34. A Member considered that the fundamental design principles of the Revised RDS, e.g. the provision of setbacks at different sides of the site, should be stipulated in the land sale conditions. Otherwise, it would be a waste of the efforts made by the study team to come up with such a comprehensive scheme.

35. The Chairman concluded the discussion and asked the study team to take into account Members' views in taking forward the proposed development. He thanked the representatives of PlanD and the study consultant for attending the meeting to brief Members on the Study and answer Members' questions. They left the meeting at this point.

[The meeting was adjourned for a break of 5 minutes.]

[Mr Frankie W.C. Yeung arrived to join the meeting and Dr W.K. Yau left the meeting temporarily at this point.]

Sha Tin, Tai Po and North District

Agenda Item 4

[Open Meeting (Presentation and Question Sessions)]

Consideration of Representations and Comments in respect of the
Draft Yung Shue O Outline Zoning Plan No. S/NE-YSO/1
(TPB Paper No. 10020)

[The item was conducted in Cantonese.]

Declaration of Interest

36. Dr W.K. Yau had declared an interest in the item as he was a member of Tai Po District Council (TPDC), which had submitted a representation (R7) on the draft Outline Zoning Plan (OZP). Members noted that Dr Yau had left the meeting temporarily.

Presentation and Question Sessions

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

38. The following government representatives, representers' representatives and commenters were invited to the meeting at this point:

Mr C.K. Soh - District Planning Officer/Shu Tin, Tai Po and North (DPO/STN), Planning Department (PlanD)

Mr David Y.M. Ng - Senior Town Planner/Country Park Enclaves 1, PlanD

Mr Cary P.H. Ho - Senior Nature Conservation Officer (South), Agriculture, Fisheries and Conservation Department (AFCD)

R1 – World Wide Fund for Nature Hong Kong

Mr Andrew Chan - Representer's representative

R3 – The Hong Kong Bird Watching Society

Ms Woo Ming Chuan - Representer's representative

R4 – Kadoorie Farm and Botanic Garden Corporation

Dr Chiu Sein Tuck] Representer's representatives

Mr Nip Hin Ming]

R8 – Trueprofit Company Limited

Mr Chan Kim On] Representer's representatives

Mr Kelvin Chan]

Mr Sing Yau Sang]
Ms Bessy Ho]
Ms Law Ning Ka]

C2 – 方母有(榕樹澳村代表)

Mr Fong Mo Yau Amin - Commenter

C3 – 成有生(榕樹澳居民代表)

Mr Sing Yau Sang - Commenter

39. The Chairman extended a welcome and explained the procedures of the hearing. He then invited DPO/STN to brief Members on the background to the representations.

40. Mr C.K. Soh, DPO/STN, said that three replacement pages (pp.8, 10 and 12) of the Paper had been sent to Members before the meeting, and a replacement page (p.6) was tabled at the meeting.

41. With the aid of a Powerpoint presentation, Mr C.K. Soh made the following main points as detailed in the Paper:

Background

- (a) on 24.4.2015, the draft Yung Shue O OZP No. S/NE-YSO/1 (the Plan) was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). A total of eight representations and three comments on the representations were received. On 25.9.2015, the Town Planning Board (the Board) decided to consider the representations and comments collectively in one group;

Local Consultation

- (b) Sai Kung North Rural Committee (SKNRC) and TPDC were consulted on the gazetted draft OZP on 4.5.2015 and 13.5.2015 respectively. SKNRC objected to the Plan as the “Village Type Development” (“V”) zone was

insufficient to meet the Small House demand, and proposed to incorporate land within the permitted burial ground adjoining the northeast of Yung Shue O Village into “V” zone should the permitted burial ground be deleted. TPDC respected the opinions of SKNRC and did not support the Plan;

The Planning Scheme Area

- (c) the Area, with a total area of about 33.72 ha, was surrounded by Sai Kung West Country Park to its north, east and south, and Three Fathoms Cove to its west where extensive fish farms were located. It was accessible by hiking trails and a paved single-lane restricted road branching off from Sai Sha Road;
- (d) the Area was a Priority Site for Enhanced Conservation under the New Nature Conservation Policy (NNCP). An Ecologically Important Stream (EIS) running in a east to west direction lied in the southern part of the Area. There were two areas of permitted burial ground at the north-eastern and southern fringes of the Area;
- (e) the Area comprised mainly woodlands, shrublands, grasslands, marshes, mangroves, streams, and inhabited village houses. At the fringe were steep slopes covered with woodland vegetation. The rest of Yung Shue O valley was relatively flat. The upper level of Yung Shue O valley had been developed into Yung Shue O Village, which was the only recognised village in the Area with about 100 village houses;

General Planning Intention of the Area

- (f) the general planning intention of the Area was to protect its high conservation and landscape value which complemented the overall naturalness and the landscape beauty of the surrounding Sai Kung West Country Park, and to consolidate village development to avoid undesirable disturbances to its natural environment and rural setting;

The Representations and Comments

- (g) of the eight representations received, six (R1 to R6) were submitted by green/concern groups and an individual. While R1 supported the general planning intention of the OZP, R1 to R6 raised concerns on the need to better protect the ecologically sensitive areas and natural habitats of Yung Shue O;
- (h) the other two representations (R7 and R8) were submitted by TPDC and a land owner. They objected to the OZP for reasons including insufficient “V” zone;
- (i) the three comments on the representations were submitted by SKNRC (C1) and the Village Representative (VR)/Residents Representative (RR) of Yung Shue O Village (C2 and C3). Their views were similar to R7 and R8;

Grounds and Proposals of Representations and Responses

- (j) the main grounds and proposals of the representations and the responses to the grounds and proposals were summarised as follows:

Ecological Importance of the Area

- (i) Yung Shue O was identified as one of the twelve Priority Sites for Enhanced Conservation under the NNCP. Its natural habitats supported populations of rare species of plants, birds and butterflies. The massive areas along the stream were important habitats of diverse butterfly species, including rare and very rare butterflies (R1 to R4);
- (ii) the EIS and the important and sensitive butterfly habitats were not of high conservation and ecological value. Their conservation value was questionable (R7);

Responses

- the Area was natural and rural in character and had high ecological, landscape and scenic value. In drawing up the OZP, special attention had been given to protect the ecological and landscape significance of the Area having regard to the wider natural system of the adjoining Sai Kung West Country Park. Environmentally sensitive areas and areas with high landscape value including natural and hillside woodlands, EIS and other stream courses, low-lying fallow agricultural land with freshwater marsh, as well as backshore and coastal vegetation along the coastal and the estuarine area were covered by conservation zonings (i.e. “Green Belt (“GB”) and “Coastal Protection Area (“CPA”)”) under which there was a general presumption against development;

Adverse Environmental Impacts from Small House Development

- (iii) as the current public sewerage and sewage treatment facility could only serve the existing village cluster and there was no plan to extend the sewerage system outside the village, untreated sewage from the septic tank and soakaway (STS) systems of new Small Houses might contaminate the Area, cause pollution and affect the ecologically and environmentally sensitive areas (R1, R3 and R5);
- (iv) the demand for provision of additional infrastructure and the carrying capacity of the Area as a whole should be assessed (R5);

Responses

- wastewater generated from Small Houses should be properly treated for disposal in compliance with the Water Protection Control Ordinance requirement and conveyed to the communal sewerage system (i.e. soakaway trenches) at Yung

Shue O Village as far as possible;

- should on-site STS systems be used, the design and construction of the on-site STS systems for any development proposals need to comply with the relevant standards and regulations, such as the Environmental Protection Department (EPD)'s Practice Note for Professional Person (ProPECC PN) 5/93 on 'Drainage Plans subject to Comment by EPD';
- the Board had already taken into account all relevant planning considerations, including the advice of the relevant government departments and public views, in the preparation of the OZP. The Lands Department (LandsD) when processing Small House applications would consult the concerned departments to ensure that all relevant departments would have adequate opportunity to review and comment on the applications;

Designation of "V" Zone

- (v) the proposed "V" zone was too small and could not cater for Small House demand. The Plan had deprived the villagers' right for development and was unable to strike a balance between enhancing nature conservation and meeting villagers' needs (R7 and R8);
- (vi) the Small House policy had continuously been abused and the future Small House demands were neither verified nor justified (R5);

Proposals on Expanding the "V" Zone

- (vii) the ex-burial ground to the north-western part of the village cluster should be rezoned from "GB" to "V" zone, and the "V" zone

boundary should be drawn in accordance with the village 'environs' ('VE') (R7);

- (viii) an additional area of about 5.8 ha, mainly to the north and west of the village, should be rezoned from "GB" to "V". The expanded "V" zone, with a total area of 9.05 ha, of which 6.87 ha would be available for new Small House developments, was capable to accommodate about 276 Small Houses (R8);

Proposals on Confining the "V" Zone

- (ix) the north-western part of the proposed "V" zone was adjacent to a stream and the area between the stream and the existing village cluster was still vegetated. The "V" zone should not encroach onto the riparian zone of the stream. The upper tributary of the EIS which was located inside the eastern part of the "V" zone should be excluded from the "V" zone (R4 and R5);
- (x) the "V" zone should be confined to existing village settlements, built structures/building lots and approved Small House sites only (R4 and R5);

Responses

- Yung Shue O Village was the only recognised village in the Area. There was a need to designate "V" zone at suitable locations to meet the Small House demand of local villages after delineating areas that had to be conserved;
- an incremental approach had been adopted for designating "V" zone for Small House development in that the land area of "V" zone would not fully meet the land requirement of Small House demand at the outset with an aim to confining such development at suitable location adjacent to existing

village cluster for more orderly development pattern, efficient use of land and provision of infrastructure and services;

- the boundaries of the “V” zone for Yung Shue O Village had been drawn up having regard to the ‘VE’, local topography, settlement pattern, Small House demand forecast, areas of ecological importance and other site specific characteristics;
- the Small House demand forecast provided by the Indigenous Inhabitant Representative was only one of the many references in considering the proposed “V” zone. LandsD would verify the status of the applicant at the stage of Small House grant application;
- the overlapping part of the permitted burial ground within the ‘VE’ had been deleted by the District Lands Officer/Tai Po (DLO/TP). That portion of land (about 0.5 ha) to the northeast of the village was mostly hillslope covered by woodland with a very narrow strip of land (about 0.07 ha) being used as a village track and some private gardens on government land;
- the proposed extension areas of the “V” zone to the northeast, north and west of the existing village cluster mainly covered woodland, steep natural terrain and fresh water marshes. Small House development was not supported from the nature conservation and landscape points of view;
- as regards the proposals to confine the “V” zone, the stream adjoining to the north-western boundary of the “V” zone fell within the “GB” zone whilst a tributary at the eastern part of the “V” zone passed through the existing village cluster. The concerned areas were rather shrubby with some roadside

trees and were in proximity to the village cluster. The boundary of the “V” zone had been drawn up mainly to follow the existing site conditions and topographical features whilst the stream tributary to the northwest of the “V” zone had been protected by the “GB” zoning;

Proposals on Designation of “GB(1)”, “Conservation Area” (“CA”) and “CPA” Zones

- (xi) the important butterfly habitats of Yung Shue O were proposed to be designated as “GB(1)”/“CA” (R1, R2 and R4);
- (xii) all EIS and streams, tributaries and their riparian zones were proposed to be designated as “GB(1)”/“CA”/ “CPA” (R1 and R6);
- (xiii) all “GB” areas were proposed to be rezoned to “GB(1)”/“CA” (R3);
- (xiv) the streams, coastal area and areas connected to country park were proposed to be designated as “GB(1)”/“CA” (R5);
- (xv) at least one-third of the coast-facing area of the proposed “GB” zone should be rezoned to “CPA” (R6);
- (xvi) the freshwater marsh and its associated area supporting a protected and rare orchid species *Liparis ferruginea* (鏽色羊耳蒜) were proposed to be rezoned from “GB” to “CA”/“CPA” (R1, R4 and R5);

Responses

- the important and sensitive habitats, areas associated with those habitats, the riparian zones of the streams and coastal area in the Area were mainly zoned as “GB” and “CPA”.

The concerned areas consisted mainly of woodland, shrubland, grassland and freshwater marshes developed from abandoned agricultural land, which were similar to the rest of the habitats in the Area. The “CPA” zone was intended to conserve and protect the coastal features and environment. Extending the “CPA” zone inland to cover extensive areas of terrestrial vegetation was not appropriate. Both “GB” and “CPA” were conservation zonings with a general presumption against development;

- as the planning intention of the “CPA” zone was to conserve, protect and retain the natural coastlines and the sensitive coastal natural environment, it might not be appropriate to rezone an area from “GB” to “CPA” merely for the protection of individual orchid species. Given that “GB” was also a conservation zoning, it should have sufficient protection to the habitat including the orchid species thereat;

Proposals on Amendments to the Notes of the Plan

- (xvii) it was proposed to delete ‘House’ and ‘Small House’ uses from Column 2 and ‘Barbecue Spot’ use from Column 1 of the Notes of the “GB” zone (R5);

Responses

- ‘House (other than rebuilding of New Territories Exempted House (NTEH) or replacement of existing domestic building by NTEH permitted under the covering Notes)’ was a Column 2 use under the “GB” zone requiring planning permission from the Board. There was a general presumption against development within “GB” zone. Each application would be considered by the Board based on its individual merits;

- ‘Barbecue Spot’ referred to facilities operated by the Government and excluded sites that were privately owned and/or commercially operated. The Schedule of Uses for the “GB” zone primarily followed the Master Schedule of Notes to Statutory Plans agreed by the Board. There was no strong justification to amend the Notes of the “GB” zone;

Not Respecting Local Views

- (xviii) in formulating the Plan, local views had not been respected. The consultation exercise was a gesture without much practical use (R7);

Responses

- public views, including those from SKNRC, TPDC and relevant stakeholders (e.g. green/concern groups), had been sought and were reported back to the Board for consideration before gazetting the draft Plan;
- the statutory plan-making process was itself a public consultation process under the Ordinance. The Board would take into account the relevant planning considerations and the representations and comments received before making a decision;

Other Views not Directly Related to the Plan

- (xix) the Area was proposed to be incorporated into the surrounding Sai Kung West Country Park as planning control alone could not fully protect the Area from unauthorised activities such as tree felling and vegetation removal (R3 and R5);

- (xx) the Government should periodically update the ecological data of the Area as that had a bearing on land use planning (R7);

Responses

- designation of country park was under the jurisdiction of the Country and Marine Parks Authority which was outside the purview of the Board. The preparation of statutory plan would not preclude any future designation of country park;
- AFCD had been conducting a territory wide biodiversity survey programme since 2002 to identify and monitor the important components of biodiversity of Hong Kong. The programme continued to provide the most updated ecological data for the use of conservation. The biodiversity survey programme also covered the Area;

Grounds and Proposals of Commenters and Responses

- (k) the three comments received from SKNRC (C1) and the VR/RR of Yung Shue O Village (C2 and C3) were similar to R7 and R8. The responses to the related representations were relevant; and

PlanD's Views

- (l) PlanD noted the supportive views of R1, and did not support the remaining part of R1 and R2 to R8 and considered that no amendment should be made to the OZP to meet the representations.

42. The Chairman then invited the representers' representatives and commenters to elaborate on their representations/comments.

R1 – World Wide Fund for Nature Hong Kong

43. With the aid of a Powerpoint presentation, Mr Andrew Chan made the following main points:

- (a) World Wide Fund for Nature Hong Kong supported the general planning intention of the Plan to protect the high conservation and landscape value of Yung Shue O which complemented the overall naturalness and the landscape beauty of the surrounding Sai Kung West Country Park;
- (b) due to the high ecological value of the Area, some zonings should be enhanced to protect the habitats and species of conservation importance;
- (c) Yung Shue O was one of the twelve Priority Sites for Enhanced Conservation under the NNCP. According to the evaluation under the NNCP, Yung Shue O supported populations of a number of rare species, including the plants of *Liparis ferruginea* (鏽色羊耳蒜) and *Eleocharis spiralis* (螺旋鱗荸薺), the birds of Crested Serpent Eagle (蛇鷲), Lesser Coucal (小鴉鷲), Greater Coucal (褐翅鴉鷲) and Emerald Dove (綠翅金鳩), and the butterflies of Pigmy Scrub Hopper (侏儒鏢弄蝶), Colon Swift (無斑珂弄蝶), Gold Flitter (黃裳腫脈弄蝶) and *Thoressa monastyrskyi* (黑斑陀弄蝶);
- (d) it was noted that the freshwater marsh where the rare orchid species, *Liparis ferruginea* (鏽色羊耳蒜), was located had been zoned “CPA” on the Plan. As the area to the immediate south of that freshwater marsh, which was currently zoned “GB”, was hydrologically connected to the orchid habitat, it was suggested to rezone the area to “CA” or “CPA” to better protect the orchid habitat from habitat loss or water pollution from development;
- (e) according to the regular butterfly survey by Green Power, 127 butterfly species were recorded between 2011 and 2014 in Yung Shue O, including 13 “Rare” and 11 “Very Rare” species, e.g. Common Awl (三斑趾弄蝶),

Beggar Ace (珀酣弄蝶), Broadtail Royal (克灰蝶) and Courtesan (芒蛺蝶). Over half of the butterfly species in Hong Kong were recorded in the Area due to the good quality habitats there providing diverse vegetation and food plants to butterflies. The butterfly hotspot currently zoned “GB” should be rezoned to “GB(1)” or “CA” to better protect them from possible Small House development;

- (f) the streams in Yung Shue O were ecologically important. There was an EIS identified by AFCD in the Area, which supported high diversity of freshwater fishes. The water source from other streams and tributaries were feeding the freshwater marshes including the area where *Liparis ferruginea* (鏽色羊耳蒜) was found. “GB(1)” or “CA” zonings should be designated for the streams and their riparian zones to reflect their high ecological value;
- (g) a paper presented to the LegCo Panel on Environmental Affairs by the Government in 2006 recognised that some degree of operational failure of the STS systems used in village houses was inevitable, which could cause pollution of the environment and potential health hazards to the villagers or the public in the vicinity. If new Small Houses were permitted outside the existing village cluster, the use of STS systems for sewage treatment would contaminate the Area and cause pollution to the ecologically and environmentally sensitive areas; and
- (h) in conclusion, the habitat of the protected orchid species *Liparis ferruginea* (鏽色羊耳蒜) should be protected by a “CA” or “CPA” zoning, the important butterfly habitats should be protected by a “GB(1)” or “CA” zoning, and the EIS, natural streams, tributaries and their associated riparian zones should also be protected by a “GB(1)” or “CA” zoning.

[Mr David Y.T. Lui left the meeting at this point.]

R3 – The Hong Kong Bird Watching Society

44. With the aid of a Powerpoint presentation, Ms Woo Ming Chuan made the following main points:

- (a) Yung Shue O was of high conservation importance. However, the Plan did not provide sufficient protection to the natural environment of the Area. In order to remove the development pressure from Small Houses, areas currently zoned “GB” should be rezoned to “GB(1)” or “CA”;
- (b) the Plan had recognised that the Area formed an integral part of the natural system of the adjoining Sai Kung West Country Park with a wide spectrum of natural habitats. As the general planning intention of the Plan was to protect the high conservation and landscape value of Yung Shue O, conservation zonings should be applied to the Area to reflect such planning intention;
- (c) up to October 2015, the Hong Kong Bird Watching Society had recorded 187 species of birds in Yung Shue O, accounting for over one-third of the total number of bird species in Hong Kong, 58 species of which were of conservation concern. A great number of waterbirds, woodland birds, open country birds and raptors could be seen in Yung Shue O due to the presence of a healthy ecosystem with diverse habitats;
- (d) the woodlands, natural streams and their riparian vegetation in Yung Shue O were important habitats for Brown Fish Owl (*Ketupa zeylonensis* (褐魚鴉)), a species of regional concern under Class II protection in the People’s Republic of China’s List of Wild Animals. That owl species was scarce in Hong Kong and it only fed in undisturbed, unpolluted lowland streams and tidal creeks;
- (e) another rare bird species that could regularly be seen in the mangroves and grassland in the fallow fields of Yung Shue O was Yellow-breasted Bunting (*Emberiza aureola* (禾花雀)), which was a Globally Endangered

species and a species of regional concern. The roost of that bird species was only restricted to open country habitats;

- (f) a mammal species, Leopard Cat (*Prionailurus bengalensis* (豹貓)), was also found in the vegetated area near Jacob's Ladder and the water edge of mangroves in Yung Shue O recently. That species was rated as 'uncommon' in Hong Kong according to AFCD's assessment and was graded a 'vulnerable' status in the China Red Data Book of Endangered Animals;
- (g) the Area was of high ecological value. All habitats in Yung Shue O were of high conservation importance and should be well-protected. However, as the Government had no plan to provide sewerage for areas outside the existing village cluster, any Small House development in the Area outside the current "V" zone would likely lead to water pollution caused by the STS systems of the Small Houses; and
- (h) it was recommended that an "ecosystem approach" should be adopted in the planning of the Area, which should prevent developments in the sensitive habitats and protect the water quality and ecology of the entire river and wetland system in Yung Shue O. Areas currently zoned "GB" should be rezoned to "GB(1)" or "CA" to alleviate the development pressure from Small Houses.

R4 – Kadoorie Farm and Botanic Garden Corporation

45. With the aid of a Powerpoint presentation, Mr Nip Hin Ming made the following main points:

- (a) Yung Shue O was one of the twelve Priority Sites for Enhanced Conservation under the NNCP. There were butterfly hotspot, EIS, freshwater marshes, mangrove, woodland, link between land and sea, marine fish culture zone and sensitive natural environment in the Area;

- (b) the problems of the Plan included the riparian zone of stream and wooded area being covered by “V” zone, sewage disposal issue, EIS and important butterfly habitat not protected by more restrictive zonings, and the habitat of the rare orchid species not entirely protected by “CPA” zone;
- (c) it was observed that some water courses near the village area of Yung Shue O were heavily polluted by the waste water discharged from Small Houses. Land and water courses were also spoiled by dumping activities associated with the construction of new Small Houses;
- (d) Yung Shue O Marine Fish Culture Zone was in the waters to the immediate west off the Area. It was already stated in the Explanatory Statement of the Shap Sz Heung OZP that storm/waste water discharging into the surrounding waters in Three Fathoms Cove should be strictly controlled in order to prevent the environmental degradation of its marine ecology which would affect the economic activities within the nearby Yung Shue O Marine Fish Culture Zone. The maintenance of the quality of offshore waters and streams to meet appropriate standards for recreational use was also important as Three Fathoms Cove was popular for water-based recreational activities;
- (e) the north-western boundary of the “V” zone was drawn very close to a stream and its riparian zone was covered by the “V” zone. Noting that the existing village cluster was not so close to that stream, he queried why the “V” zone boundary was drawn next to a stream which was still clean and unpolluted, and worried that the stream would be easily polluted by future Small House development as the discharge of sewage into natural watercourses was very common in other villages;
- (f) the Explanatory Statement of the Plan indicated that although public sewerage and sewage treatment facility (i.e. soakaway trenches) had been provided to the existing village clusters in the Area, there were currently no plans to provide sewerage for areas outside the existing village clusters. While wastewater generated from existing and future Small Houses at

Yung Shue O Village should be properly treated for disposal and conveyed to the communal soakaway trenches as far as possible, on-site STS systems would still be used in areas not served by the soakaway trenches, in particular those areas outside the existing village clusters. The STS system itself was a potential source of pollution. The problems associated with the use of STS systems were well recognised by the Government, including the Environmental Protection Department and the Drainage Services Department, on various occasions;

- (g) if the marine and terrestrial natural environment of Yung Shue O was recognised as important and sensitive, he queried why the “V” zone would be designated so close to a stream and larger than the existing village clusters;
- (h) the current “V” zone on the Plan had covered some wooded areas. He hoped that the “V” zone could exclude those wooded areas;
- (i) the current “GB” zoning covering the EIS and the important butterfly habitat was not adequate to protect the sensitive areas. The boggy habitat of the rare orchid species *Liparis ferruginea* (鏽色羊耳蒜) was also not entirely protected by the “CPA” zone. He urged that the riparian zone of the EIS and the important butterfly habitat should be covered with a “GB(1)” or “CA” zoning, and the boggy orchid habitat and the nearby water-logged area to be covered with a “CPA” zoning; and
- (j) country park enclaves, including Yung Shue O, were popular recreational outlets for people. The Board should safeguard the natural environment of the enclaves for public enjoyment.

[Ms Christina M. Lee and Mr Patrick H.T. Lau left the meeting at this point.]

R8 – Trueprofit Company Limited

46. With the aid of a Powerpoint presentation, Mr Chan Kim On made the following main points:

- (a) Trueprofit Company Limited objected to the Plan as the area of the proposed “V” zone was insufficient to reflect the actual Small House demand of the villagers, and the Plan failed to guide the progressive implementation of the NNCP;
- (b) according to paragraph 6.16 and Table 1 of the Paper, about 3.25 ha of land had been zoned “V”, within which about 1.1 ha of land was available to meet new Small House demand providing about 44 Small House sites. The land available could meet about 10.89% of the total Small House demand for 404 houses based on the 2012 forecast, including 14 outstanding Small House applications. There were currently 103 Small Houses in Yung Shue O. Applying the standard of 1 ha of land for 40 Small Houses adopted by PlanD (i.e. 250 m² of land per house), those 103 Small Houses should have already occupied 2.575 ha (i.e. 103 x 250 m²) of land. As such, the remaining area of land available for development was about 6,750 m² (i.e. 3.25 ha – 2.575 ha), which could accommodate only 27 new Small Houses, rather than 44 as indicated in the Paper. PlanD had not taken into account the land area entitled for use by the existing Small Houses in their assessment of available land for development. With 14 Small House applications outstanding, the remaining area of the “V” zone could accommodate only 13 more Small Houses, meeting less than 6.7% of the total Small House demand. That was the main reason why the villagers, SKNRC and TPDC objected to the Plan;
- (c) compared with the Yung Shue O Development Permission Area (DPA) Plan, the area of the “V” zone was increased by only about 3,825 m² in the Plan, which was equivalent to about 15 Small House sites. The villagers considered that the small increase in the size of “V” zone was

unreasonable and could not help balance the development and conservation needs of Yung Shue O. It would only bring about unnecessary confrontation between the villagers and the green groups;

- (d) the villagers were also dissatisfied with PlanD's response in paragraph 6.26 of the Paper that should there be a genuine need to use the land outside the "V" zone for Small House developments, there was provision in the Notes of the Plan to allow for application for Small House development in other zonings under planning application to the Board, with each application being considered on its individual merits. They considered that the requirement to apply for planning permission was disturbing and against the people-oriented planning approach;
- (e) based on the latest Small House demand of Yung Shue O Village, the representer had worked out an alternative "V" zone boundary for consideration by the Board. The representer proposed to extend the "V" zone westwards by about 145m, thereby increasing the area of the "V" zone from 3.25 ha to 9.05 ha. The enlarged "V" zone could accommodate a total of 362 Small Houses, or 259 new Small Houses after deducting the 103 existing Small Houses, which could meet about 64% of the total Small House demand. The proposal of the representer was in line with the incremental approach and was much more reasonable than the current "V" zone on the Plan. The representer would welcome any refinement of their proposed "V" zone boundary by the Board;
- (f) although Yung Shue O was one of the twelve Priority Sites for Enhanced Conservation under the NNCP, the Plan failed to guide the progressive implementation of the NNCP and its objectives. It only zoned the private land outside the "V" zone as "CPA" and "GB". The villagers supported nature conservation as Yung Shue O was their homeland, and they were even more concerned about the conservation of Yung Shue O than any other outsiders; and

- (g) the villagers had previously requested the Government to designate the burial ground of about 7 ha to the northeast of the current “V” zone as “V”. However, their proposal was declined by PlanD. If that burial ground was not changed to “V” zone, the vegetated slope there would soon be spoiled by scattered graves, as in the case of Yim Tin Tsai, which was against the objective of the NNCP and was the result of uncoordinated land use planning.

47. Mr Sing Yau Sang, RR of Yung Shue O Village, who was also a commenter (C3), made the following main points:

- (a) he disagreed with the views of the green groups that the area to the west of Yung Shue O Village was boggy all year round. The area should be wet and dry seasonally, which was not suitable for nurture of wildlife. The habitats there had all gone since around 2000;
- (b) he had never seen any orchid in the Area. The orchid species claimed to have been seen was not verified by AFCD; and
- (c) if flora and fauna in the Area had to be protected, there were also many remarkable people in their village whose way of life and property rights should be respected. He could not agree with the designation of conservation zonings for the private lands in the Area.

C2 – 方母有(榕樹澳村代表)

48. Mr Fong Mo Yau Amin, VR of Yung Shue O Village, made the following main points:

- (a) he supported R8;
- (b) the planning area of Yung Shue O covered an area of about 33.72 ha, with 50.1% being government land and 49.9% private land. 3.25 ha of land was zoned “V”, 0.03 ha zoned “Government, Institution or Community”,

24.51 ha zoned “GB” and 5.93 ha zoned “CPA”. With a significant amount of land designated with conservation zonings, it appeared that the need of people was not given the highest priority in the preparation of the Plan. He wondered why 24.51 ha of land were zoned “GB” instead of being set aside for agricultural use;

- (c) he was surprised to learn from the green groups that there were many rare butterfly and orchid species in the Area despite he had been living in the village since he was born;
- (d) a communal sewerage system was provided for the village some years ago which had greatly improved the environmental conditions of the village. While the Government had indicated that it would implement the second and third stages of the sewerage project, he noted from the Paper that there was currently no plan to provide public sewerage for areas outside the village cluster. If that was true, it would affect the opportunity of the villagers to build new Small Houses. The Government should consider providing public sewerage for the village;
- (e) he explained why the 10-year Small House demand forecast figure was increased drastically from 390 in 2012 to 674 in 2015. In 2012, he considered that the size of the “V” zone had in effect limited the number of Small Houses that could be developed and therefore he quoted the demand figure of 390. Indeed, the clan of the Fong family of Yung Shue O should have more than 700 male villagers; and
- (f) there was not much difference in the size of the “V” zone designated on the previous DPA Plan and the current OZP. As the permitted burial ground previously encroaching upon the north-eastern part of the ‘VE’ had been deleted by LandsD recently, the “V” zone should be expanded to cover that area so as to facilitate the development of Small Houses by villagers.

49. As the presentations from the representers' representatives and commenters were completed, the Chairman invited questions from Members.

50. The Vice-chairman said that as shown in the aerial photo on Plan H-5 of the Paper, the north-western part of the "V" zone might have already been disturbed for development or formed. He asked DPO/STN whether the inclusion of that piece of land in the "V" zone was due to its existing site conditions, and whether some land to the north of the "V" zone could be considered as a substitute.

51. With a photo shown in the Powerpoint, Mr C.K. Soh, DPO/STN, pointed out that that north-western part of the "V" zone which was near a stream was sparsely vegetated and was currently an area for road use and activities of villagers. The stream was not covered by the "V" zone. The boundary of the "V" zone was drawn mainly to accord with the actual site conditions where some boundary fence and human activities already existed. Given that the area was more associated with village activities, rather than functioning as a green belt, the area was included in the "V" zone.

52. In response to a Member's enquiry, Mr C.K. Soh said that the population of the Area was about 320 persons according to the 2011 Census.

53. A Member noted that PlanD had all along adopted the assumption of 1 ha of land for 40 Small Houses in the estimation of land available for Small House development in "V" zone. With the footprint of each Small House being about 65 m², this Member asked if the assumption of 250 m² of land per house was too generous or some buffers had been allowed in the estimation. In response, Mr C.K. Soh said that a comparatively conservative approach had been adopted by PlanD in the estimation of land available for Small House development. The assumption of 250 m² of land per house had made allowance for provision of circulation, landscaping and communal spaces to serve the villagers' basic needs. It was important to allow some buffers in the estimation to ensure that the estimated number of Small Houses could be accommodated within the village area as planned.

54. As Members had no further question to raise, the Chairman said that the hearing procedures had been completed and that the Board would deliberate on the representations and comments in the absence of the representers/commenters and their representatives and

would inform them of the Board's decision in due course. The Chairman thanked the representatives' representatives, commenters and the government representatives for attending the hearing. They all left the meeting at this point.

Deliberation Session

55. The Chairman noted that different views had been presented by the representatives' representatives and commenters, including whether the size of the "V" zone should be extended or reduced, the boundary of the "V" zone was too close to a stream, and specific conservation zonings should be designated for certain areas such as the orchid and butterfly habitats, the streams and their riparian zones.

56. A Member considered that the zonings on the Plan had already addressed the various concerns of the green groups and the villagers. Yung Shue O was an area where some three hundred people were residing in and some habitats with ecological value existed. It was not easy to strike a balance between nature conservation and meeting the villagers' housing need. The Member observed that an incremental approach had been adopted by the Board in designating "V" zones in CPEs. While genuine Small House demand could be met by the "V" zone, there was also a mechanism for planning application should future demand arise. This Member opined that the current zonings on the Plan had struck a good balance and should be maintained.

57. Another Member concurred with the view that there was no need to amend the Plan as most of the viewpoints raised by the representatives and commenters had already been considered by the Board during the preparation of the Plan.

58. The Vice-chairman said that the Plan had already struck a balance between the needs for nature conservation and village development. While he previously had a concern on the proximity between the north-western boundary of the "V" zone and the stream, having noted the actual site conditions from the photos and DPO/STN's explanation, he would accept the current arrangement as any change of the zoning would not help eliminate the human activities currently existed on site. He supported the current zonings on the Plan. Another Member concurred with the Vice-chairman's observation.

59. In view of C2's concern, a Member wondered if the relevant departments could be requested to review the need of the subsequent stages of the communal sewerage project in Yung Shue O Village. The Chairman said that Member's views could be conveyed to the relevant departments for consideration.

60. A Member said that as noted from the site photos presented by R4, the construction sites of Small Houses were very often untidy and polluting. This Member suggested that the relevant departments could be requested to monitor the environmental conditions of the construction sites in village areas. Mr K.K. Ling, Director of Planning, said that as the construction of Small Houses in "V" zone did not involve unauthorised activities, it might be difficult for the departments to take enforcement action merely because the construction sites were untidy. He suggested that the Home Affairs Department could perhaps be asked to liaise with the land owners on good site practice.

61. The Chairman noted that Members generally agreed that the grounds of representations and comments had adequately been responded to in paragraph 6 of the Paper, and that Members considered that there was no need to amend the Plan.

62. After deliberation, the Board agreed to note the supportive view of representation No. R1.

63. The Board decided not to uphold the remaining part of representation No. R1 and representations No. R2 to R8 and considered that the Plan should not be amended to meet the representations. The reasons were:

"Ecological Importance of the Area

- (a) conservation zones, including "Green Belt" ("GB") and "Coastal Protection Area" ("CPA") under which there is a general presumption against development, have been designated to cover areas having ecological and landscape significance to protect the natural environment of the Area and the ecologically linked Sai Kung West Country Park under the statutory planning framework (R1 to R4 and R7);

Designation of “Village Type Development” (“V”) Zone

- (b) “V” zone has been designated at suitable locations to meet Small House demand of indigenous villagers in Yung Shue O, a recognised village within the Area. The boundaries of the “V” zone for the village has been drawn up having regard to the village ‘environs’, local topography, settlement pattern, Small House demand forecast, areas of ecological importance, as well as other site specific characteristics (R4, R5, R7 and R8);
- (c) the stream adjoining the north-western boundary of the proposed “V” zone falls within the “GB” zone whilst a tributary at the eastern part of the proposed “V” zone passes through the existing village cluster. There is no strong justification to exclude the stream from the existing village cluster (R4 and R5);
- (d) the Small House demand forecast is only one of the factors in drawing up the proposed “V” zones and the forecast is subject to variations over time. An incremental approach for designating the “V” zone for Small House development has been adopted with an aim to confining Small House developments at suitable locations (R5);

Adverse Environmental Impacts from Small House Development

- (e) as stated in the Explanatory Statement of the Plan, wastewater generated from existing and future Small Houses should be properly treated for disposal in compliance with the Water Protection Control Ordinance requirement and conveyed to the communal sewerage system (i.e. soakaway trenches) at Yung Shue O Village as far as possible. Should on-site septic tank and soakaway (STS) systems be explored, the design and construction of on-site STS systems for any development proposals/submissions need to comply with the relevant standards and regulations, such as the Environmental Protection Department (EPD)’s Practice Note for Professional Person (ProPECC PN) No. 5/93 on

“Drainage Plans subject to Comment by EPD” (R1, R3 and R5);

- (f) the Lands Department when processing Small House grant applications will consult concerned departments, including EPD, the Agriculture, Fisheries and Conservation Department (AFCD) and the Planning Department, to ensure that all relevant departments would have adequate opportunity to review and comment on the applications (R1, R3 and R5);

Proposed Extension of “V” Zone

- (g) the proposed extension of “V” zone for Small House development, which covers mainly the woodland, steep natural terrain and fresh water marshes, is not supported from the nature conservation and landscape points of view (R7 and R8);

Designation of the Important Butterfly Habitats as “GB(1)”/“Conservation Area” (“CA”), the Freshwater Marsh supporting a Protected and Rare Orchid Species *Liparis ferruginea* as “CA”/“CPA” and Other Ecologically Sensitive Areas, including Ecologically Important Stream, Streams and Coastal Areas as “GB(1)”/“CA”/“CPA”

- (h) the important and sensitive habitats, areas associated with these habitats, the riparian zones of the streams and coastal area in the Area are mainly zoned as “GB” and “CPA”. The “CPA” zone is intended to conserve and protect coastal features and environment. Both “GB” and “CPA” are conservation zonings with a general presumption against development (R1 to R6);

Notes of the Plan

- (i) ‘House (other than rebuilding of New Territories Exempted House (NTEH) or replacement of existing domestic building by NTEH permitted under the covering Notes)’ is a Column 2 use under the “GB” zone requiring planning permission from the Town Planning Board (the Board).

There is a general presumption against development within “GB” zone. Each application will be considered by the Board based on its individual merits and there is no strong justification to delete ‘House’/‘Small House’ from Column 2 uses of “GB” zone (R5);

- (j) ‘Barbecue Spot’ refers to facilities operated by the Government and excludes sites that are privately owned and/or commercially operated. The Schedule of Uses for the “GB” zone primarily follows the Master Schedule of Notes to Statutory Plans. There is no strong justification to amend the Notes of the “GB” zone (R5);

Not Respecting Local Views

- (k) the statutory plan-making process, which involves the exhibition of the Plan for public inspection and the hearing of representations and comments received, is itself a public consultation process under the Town Planning Ordinance. The Board would take into account the relevant planning considerations and the representations and comments received before making a decision (R7);

Other Views not Directly Related to the Plan

Designation of the Area as Country Park

- (l) designation of country park is under the jurisdiction of the Country and Marine Parks Authority governed by the Country Parks Ordinance (Cap. 208) which is outside the purview of the Board. Preparation of the statutory plan would not preclude any future designation of country park (R3 and R5); and

Periodically Updating the Ecological Data of the Area

- (m) AFCD has been conducting a territory-wide biodiversity survey programme since 2002 to identify and monitor the important components

of biodiversity of Hong Kong. The data collected are used for building an ecological database with some of the information freely accessible on the internet. The programme continues to provide the most updated ecological data for the use of conservation (R7).”

[Dr W.K. Yau returned to join the meeting, Ms Janice W.M. Lai left the meeting and Mr Frankie W.C. Yeung left the meeting temporarily at this point.]

Sai Kung and Islands District

Agenda Item 5

[Open Meeting]

Draft Yi O Outline Zoning Plan No. S/I-YO/C – Further Consideration of a New Plan
(TPB Paper No. 10016)

[The item was conducted in Cantonese.]

64. Mr Ivan M.K. Chung, District Planning Officer/Sai Kung and Islands (DPO/SKIs), Planning Department (PlanD) was invited to the meeting at this point.

65. The Chairman extended a welcome and invited DPO/SKIs to brief Members on the Paper. With the aid of a PowerPoint presentation, Mr Ivan M.K. Chung briefed Members on the draft Yi O Outline Zoning Plan (OZP) No. S/I-YO/C as detailed in the Paper and covered the following main points:

Background

- (a) the Yi O area (the Area) was a country park enclave (CPE) surrounded by Lantau North Country Park and Lantau South Country Park to its east, south and west. The Yi O OZP was to replace the approved Yi O Development Permission Area (DPA) Plan which would cease to be effective on 23.11.2015. On 14.8.2015, the Town Planning Board (the Board) gave preliminary consideration to the draft Yi O OZP No.

S/I-YO/B and agreed that the draft OZP was suitable for consultation with Islands District Council (IsDC) and Tai O Rural Committee (TORC);

Consultation with IsDC, TORC and Indigenous Inhabitant Representative of Yi O Village (YOIR)

(b) IsDC were consulted on the draft OZP on 7.9.2015 and 21.9.2015, while TORC was consulted on 15.9.2015. Meetings with YOIR were held on 18.9.2015 and 8.10.2015. The major comments and proposals of IsDC, TORC and YOIR as highlighted in paragraph 3.1 and Plan 2 of the Paper were summarised as follows:

- (i) the “V” zone was too small and should be extended to tally with the village ‘environs’ (‘VE’) to meet the 10-year Small House demand of 145;
- (ii) the “Coastal Protection Area” (“CPA”) zoning was opposed to as it would restrict the development of Yi O. “CPA” zone should be deleted or rezoned to “Agriculture” (“AGR”);
- (iii) the designation of private land as “Green Belt” (“GB”) was opposed to. The private land within “GB” zone should be rezoned to “AGR” as agricultural rehabilitation was being planned by villagers;
- (iv) land should be reserved on the OZP for provision of transport facilities and infrastructure, including a vehicular road connecting Tai O and Yi O and a standard pier at or near the location of the old pier;
- (v) the right of private land owners should be respected. House development should be allowed on house lots and agricultural activities should be allowed on agricultural lots; and

- (vi) the locals should be further consulted on the revised OZP, which should have incorporated their views, prior to submission of the OZP to the Board for further consideration;

Consultation with Green/Concern Groups

- (c) a meeting with the Conservancy Association (CA), World Wide Fund for Nature Hong Kong (WWF-HK), Designing Hong Kong Limited (DHKL), Kadoorie Farm and Botanic Garden Corporation (KFBG), Green Power and Hong Kong Bird Watching Society was held on 9.9.2015. Subsequently, CA, WWF-HK, DHKL and KFBG submitted their comments and proposals on the draft OZP, which were highlighted in paragraph 3.2 of the Paper and summarised as follows:
 - (i) agricultural land in “AGR” zone, especially those within the ‘VE’, should be rezoned to a more restrictive zoning to prohibit new Small House development and protect the ecologically sensitive habitats from development threats while supporting genuine farming activities;
 - (ii) the coastal vegetation and woodland areas within “AGR” zone which were nursery grounds for animals should be rezoned to “CPA” and “GB”/“Conservation Area” (“CA”) respectively to preserve the natural habitats and landscape; and
 - (iii) the main stream to the west of Yi O San Tsuen and its riparian area (30m from both sides) that was currently covered by “AGR” zone should be replaced by a conservation zoning. Shui Lo Cho Stream and its riparian area (30m from both sides) should also be protected by conservation zoning;

PlanD's Responses

- (d) in consultation with departments concerned, PlanD's responses to the comments and proposals were detailed in paragraphs 4.2 and 4.3 of the Paper and summarised as follows:

Responses to IsDC, TORC and YOIR

Request for Expansion of "V" Zone

- (i) the boundaries of "V" zone were drawn up around existing house clusters having regard to existing building structures, 'VE', approved Small House applications, outstanding Small House applications, building lots, local topography, site characteristics and estimated Small House demand;
- (ii) the District Lands Officer/Islands, Lands Department advised that the 10-year forecast for Small House demand for Yi O Village had been revised to 145 in September 2015 as provided by YOIR who had also provided a breakdown of the forecast indicating about 40 to 50 Small House applications to be submitted within 2 years;
- (iii) the feasibility of expanding the "V" zone had been explored. The woodland and sloping areas were considered not suitable. A platform of about 460 m² to the immediate north of the current "V" zone was proposed to be rezoned from "AGR" to "V" with a view to providing suitable land adjoining the village cluster for Small House development. The area of available land within the expanded "V" zone (i.e. 0.33 ha) could allow the development of 13 Small Houses, which could meet 32.5% of the 10-year demand forecast of 40 as provided by YOIR in 2012. That was in line with the incremental approach adopted by the Board in designating "V" zones on new statutory plans. There was also provision under the OZP for planning application for Small House

development in “AGR” and “GB” zones, which would be considered by the Board on individual merits;

Opposition to “CPA” Zoning and Designating Private Land as “GB”

- (iv) the private land within the “CPA” zone covered the natural shore with natural vegetation, whereas the private land within the “GB” zone covered mainly a continuous stretch of woodland. There was no building lot within the “CPA” and “GB” zones. As ‘Agricultural Use’ was always permitted under such zonings, there was no deprivation of the rights of the land owners;

Request for Reservation of Land for Transport Facilities and Infrastructure

- (v) relevant works departments would keep in view the need for infrastructure in future subject to resources availability. Flexibility had been provided in the OZP for carrying out of public works co-ordinated or implemented by the Government;
- (vi) the local’s request for earmarking a pier in the western coast of Yi O was outside the OZP. Yi O Bay was an area with shallow water even at high tide. Concerned departments currently had no plan to build a pier. Departments also had not put forth any request for land reservation for road use or drainage, sewerage and water supply facilities;

Request for Respect of Private Land Right

- (vii) the building lots in the Area had been included in the “V” zone. The remaining private land within the “AGR” zone and other conservation zonings were primarily agricultural lots. As ‘Agricultural Use’ was always permitted under “AGR”, “GB” and “CPA” zonings, there was no deprivation of the rights of the land

owners;

Request for Further Consultation with Locals on the Revised OZP prior to Submission to the Board

- (viii) prior to the preparation of the draft OZP, TORC and YOIR had been consulted and their views had been reported to the Board. After the Board had agreed that the draft OZP was suitable for local consultation, IsDC, TORC and YOIR were consulted. The green/concern groups had also submitted comments on the draft OZP. Should the Board agree to the revised OZP, the relevant stakeholders would be further consulted after the publication of the OZP under section 5 of the Ordinance;

Responses to Green/Concern Groups

Rezoning Agricultural Land in “AGR” Zone to a More Restrictive Zoning

- (ix) the area currently zoned as “AGR” at Yi O San Tsuen was largely a piece of continuous flatland where active farming activities were observed in the vicinity. Each application for Small House development in “AGR” zone would be considered by the Board on its individual merits. The “AGR” zoning for the area was considered appropriate;

Rezoning the Coastal Vegetation and Woodland Areas within “AGR” Zone to “CPA” and “GB”/“CA”

- (x) there were no particular species of conservation importance in the areas marked “coastal vegetation” and “woodland” within the “AGR” zone by the green/concern groups as shown in Plan 3 of the Paper. The private lands within the concerned areas could be rehabilitated for agricultural use as they were close to active farmland. It was appropriate to maintain the “AGR” zoning;

Conservation Zoning for Riparian of Streams and Areas adjoining Country Parks

- (xi) the stream to the southwest of Yi O San Tsuen, which was not an Ecologically Important Stream (EIS), and its western side were already under a “GB” zoning while its eastern side was under an “AGR” zoning. As the abandoned farmland on the eastern side of the stream had good potential for agricultural rehabilitation, the current “AGR” zoning was appropriate. The “GB” zone was not intended for development. Permission from the Board would be required for any diversion of stream or filling of land in the “GB” and “AGR” zones, which might cause adverse environmental impacts on the adjacent areas;

- (xii) the riparian zone of Shui Lo Cho Stream to the northeast of Yi O San Tsuen, which was also not an EIS, was mainly covered with hillside woodland and freshwater marsh. The area was already under a “GB” zoning with a presumption against development;

Land Use Zonings

- (e) except the proposed amendment to rezone about 460 m² of land contiguous to the existing village cluster from “AGR” to “V” as shown on Plan 5 of the Paper, no other zoning amendments to the previous draft OZP No. S/I-YO/B had been proposed. The details of the proposed land use zonings on the draft OZP No. S/I-YO/C were set out in paragraph 4.5 of the Paper; and

Consultation

- (f) after the Board’s agreement to the publication of the draft Yi O OZP under section 5 of the Ordinance, IsDC and TORC would be consulted during the exhibition period of the OZP.

66. The Chairman invited questions and comments from Members.

67. A Member sought clarification from DPO/SKIs on whether there was an intention to zone private lands in the Area as “AGR” as far as possible in the preparation of the OZP. In response, Mr Ivan Chung said that the designation of various land use zones on the draft OZP was based mainly on the topography of the areas, actual site conditions and other relevant planning considerations. It could be seen from Plan 2 of the Paper, which showed the distribution of private land within the Area, that there was also private land in the “GB” and “CPA” zones. While the “GB” zones covered mainly the woodlands and vegetated slopes, the areas designated as “AGR” were primarily those areas that were close to the village cluster, relatively flat in topography and not covered by woodlands, and where the Agriculture, Fisheries and Conservation Department (AFCD) considered suitable for agricultural activities.

68. The same Member noted that the boundary between the “CPA” and “AGR” zones near the coastal area followed largely the boundary of private lots, and asked if there was any established approach for designating land use zonings for coastal areas in CPEs. This Member also noted that the size of the “AGR” zones designated on the OZP was relatively large. In response, Mr Ivan Chung said that active agricultural rehabilitation activities had been observed near the coastal area to the north of the village cluster of Yi O San Tsuen, which was proposed to be zoned “AGR”. The actual site conditions and the suitability for agricultural use were the main criteria in the designation of “AGR” zones, instead of the land ownership pattern. The mudflat adjoining the “AGR” zone was covered by the “CPA” zoning for conservation.

[Mr Roger K.H. Luk left the meeting at this point.]

69. In response to the enquiry from the Vice-chairman, Mr Ivan Chung said that there was no population in the Area according to the 2011 Census. However, some farmers were working in the Area and they were making use of the existing structures in the village as their sheds. According to the information from LandsD, six Small House grants were approved in the 1980s in the area currently zoned “V”. While none of the approved Small Houses had been built, two of the applicants had recently applied to LandsD to commence the building works.

70. A Member asked whether the subject OZP should put more emphasis on the conservation of the Area instead of designating large areas as “AGR” zones since the Area was a CPE not served by vehicular access and the population was minimal. This Member suggested to reduce the extent of the “AGR” zone on the OZP, and if the representers could justify the need to have a larger “AGR” zone for agricultural rehabilitation, the Board might then consider expanding the “AGR” zone. In response, Mr Ivan Chung said that the intention of the subject OZP was to protect the high conservation and landscape value and rural settings of the Area while allowing village development and agricultural activities at suitable locations. More than 75% of the Area had been designated with conservation zonings of “GB” and “CPA”, including some areas of private land. The areas designated as “AGR” were mainly those where active agricultural rehabilitation activities were being carried out, close to the village cluster and access track, and where AFCD considered as having potential for agricultural rehabilitation. The locals had also indicated their strong desire for carrying out agricultural rehabilitation in the Area during consultations.

71. Mr K.K. Ling, Director of Planning, supplemented that the main considerations in assessing whether an area was suitable for agricultural use would be the local topography, the actual site conditions and the views of AFCD. Whether there were people residing in the area might not be an over-riding factor. In the previous case of So Lo Pun where the population was also not apparent, the Board had rezoned an area from the proposed “GB” zone to “AGR” to meet some further representations after taking into account the local topography, the site conditions and the views of AFCD.

72. A Member pointed out that agricultural activities, if well managed, could contribute to nature conservation and enhance biodiversity. Of the 12 Priority Sites for Enhanced Conservation under AFCD’s New Nature Conservation Policy, most of them were associated with agricultural activities in the past.

73. After deliberation, Members noted the comments from and responses to IsDC, TORC and others on the draft Yi O OZP No. S/I-YO/B in Parts 3 and 4 of the Paper. Members also:

- (a) agreed that the draft Yi O OZP No. S/I-YO/C (to be renumbered as S/I-YO/1 upon gazetting) and its Notes at Annexes I and II of the Paper

respectively were suitable for exhibition for public inspection under section 5 of the Town Planning Ordinance (the Ordinance);

- (b) adopted the Explanatory Statement (ES) at Annex III of the Paper as an expression of the planning intentions and objectives of the Board for various land use zonings of the draft Yi O OZP No. S/I-YO/C; and
- (c) agreed that the ES was suitable for exhibition for public inspection together with the draft OZP and issued under the name of the Board.

74. Members noted that, as a general practice, the Secretariat of the Board would undertake detailed checking and refinement of the draft OZP including the Notes and ES, if appropriate, before its publication under the Ordinance. Any major revision would be submitted for the Board's consideration.

[Mr Clarence W.C. Leung, Dr Wilton W.T. Fok, Mr Stephen H.B. Yau, Miss Winnie M.W. Wong and Mr Martin W.C. Kwan left the meeting at this point.]

Tuen Mun and Yuen Long West District

Agenda Item 6

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/YL-HT/949

Proposed Filling of Pond (by about 1m) for Permitted Agricultural Use

in "Green Belt" and "Recreation" zones, Lots 256 and 281 in D.D. 125, Ha Tsuen, Yuen Long

(TPB Paper No. 10023)

[The item was conducted in Cantonese.]

Declaration of Interest

75. The Secretary reported that Ms Janice W.M. Lai had declared an interest in the

item as her spouse was a shareholder of a company which owned two pieces of land in D.D. 125, Ha Tsuen. Members noted that Ms Lai had already left the meeting.

Presentation and Question Sessions

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

Mr David C.M. Lam - District Planning Officer/Tuen Mun and Yuen Long West (DPO/TM&YLW), PlanD

Mr Tang Kong Chung - Applicant

77. The Chairman extended a welcome and explained the procedure of the review hearing. He then invited DPO/TM&YLW to brief Members on the review application.

78. With the aid of a Powerpoint presentation, Mr David Lam, DPO/TM&YLW, presented the review application and covered the following main points as detailed in the Paper:

- (a) the applicant sought planning permission for proposed filling of ponds (by about 1m) for permitted agricultural use at the application site (the site) which fell almost entirely within the “Green Belt” (“GB”) zone with a minor portion falling within the “Recreation” zone on the approved Ha Tsuen Outline Zoning Plan (OZP) No. S/YL-HT/10;
- (b) there were abandoned ponds with a total area of about 3,040 m² within the site, which were overgrown with vegetation. The applicant proposed to fill the ponds to increase their height from about 7.8mPD to about 8.8mPD for agricultural use;
- (c) on 3.7.2015, the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board) rejected the application and the reasons were:

- (a) the applicant failed to demonstrate that the proposed development would not have adverse ecological and landscape impacts on the surrounding areas; and
- (b) the approval of the application would set an undesirable precedent for similar applications within the “GB” zone. The cumulative effect of approving such similar applications would result in general degradation of the environment of the area;
- (d) on 7.8.2015, the applicant applied for a review of the RNTPC’s decision to reject the application but did not submit any written representation in support of the review;
- (e) previous application – the site was not the subject of any previous application;
- (f) similar applications – there were 3 similar planning applications (No. A/YL-HT/723, 724 and 756) for filling of land for agricultural uses within the same “GB” zone, which were all rejected by RNTPC in 2011 and 2012;
- (g) departmental comments – the departmental comments were summarised in paragraph 4 of the Paper. Relevant departments maintained their previous views on the application. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from the fisheries viewpoint as the ponds might provide potential roosting/foraging habitats for wetland-associated fauna groups/species which were likely to be ecologically important. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD had some reservation on the application from the landscape planning point of view as there were no active agricultural activities found in the proximity and no information provided on the proposed agricultural works. The existing trees might be affected by the filling works but no tree preservation and landscape proposal was provided in the application;

- (h) public comments – during the statutory publication period of the review application, four public comments objecting to the review application were received from World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited and two members of the public. The objection reasons were that the proposed pond filling would have adverse ecological impact and was not compatible with the surrounding land uses, approving the application would set an undesirable precedent, and there were no details on the application including the filling plan and materials and how the proposed organic farming would be operated. Six public comments objecting to the application on similar grounds were received at the s.16 stage; and

- (i) PlanD’s view – PlanD did not support the review application based on the planning considerations and assessments set out in paragraph 6 of the Paper, which were summarised below:
 - (i) the proposed pond filling would involve extensive clearance of existing vegetation. Both DAFC and CTP/UD&L, PlanD objected to and had reservation on the application from the ecological and landscape planning points of view respectively; and

 - (ii) as there was no previous planning approval for filling of ponds for agricultural use at the site and in the same “GB” zone on the OZP, approval of the application would set an undesirable precedent.

[Mr Frankie W.C. Yeung returned to join the meeting at this point.]

79. The Chairman then invited the applicant to elaborate on the review application. Mr Tang Kong Chung made the following main points:

- (a) he was an indigenous villager of Ha Tsuen. As the villagers had told him that they had no land for farming, he wanted to fill the ponds within the site for agricultural use;

- (b) the ponds had been abandoned for over two decades. They were heavily polluted and were breeding ground for mosquitoes. The filling of the ponds could improve the environment; and
- (c) the ponds might eventually be filled for development according to the latest planning of the Government. The approval of the application could facilitate the villagers making use of the site for farming. No fake farming would be involved.

80. As the presentations of DPO/TM&YLW and the applicant had been completed, the Chairman invited questions from Members.

[Professor P.P. Ho left the meeting at this point.]

81. Mr K.K. Ling, Director of Planning, asked if the open storage use to the north of the site was an unauthorised development and whether the site was proposed for any land use under the Hung Shui Kiu (HSK) New Development Area (NDA) Planning and Engineering Study. In response, Mr David Lam, DPO/TM&YLW, said that the yard for open storage of containers and logistic uses to the north of the site was operating with planning permission granted by the RNTPC and it was the only approved open storage use within the same “GB” zone. Under the Recommended Outline Development Plan of the HSK NDA Planning and Engineering Study as shown on Plan R-5 of the Paper, the site was partly proposed for educational use and partly for road. Nevertheless, the future use and development of the site should be subject to the results of the community engagement exercise and technical assessments. As such, the subject application should be assessed based on the planning intention of the prevailing OZP.

82. As the applicant had no further comments to make and Members had no further questions to raise, the Chairman informed the applicant that the hearing procedure for the review application had been completed. The Board would further deliberate on the review application in his absence and inform him of the Board’s decision in due course. The Chairman thanked the applicant and DPO/TM&YLW for attending the meeting. They left the meeting at this point.

Deliberation

83. Members agreed that the applicant had not provided new justifications to support the review. As there was no major change in the planning circumstances of the case since the rejection of the application by the RNTPC, Members agreed that the application for review should be rejected.

84. After deliberation, the Board decided to reject the application on review based on the following reasons:

- “(a) the applicant fails to demonstrate that the proposed development would not have adverse ecological and landscape impacts on the surrounding areas; and
- (b) the approval of the application will set an undesirable precedent for similar applications within the “Green Belt” zone. The cumulative effect of approving such similar applications would result in general degradation of the environment of the area.”

Sha Tin, Tai Po and North District

Agenda Items 7 and 8

[Open Meeting]

Request for Deferment of Review of Application No. A/DPA/NE-TT/26

Proposed House (New Territories Exempted House – Small House)

in Area Designated as “Unspecified Use”, Government land in D.D. 289, Ko Tong, Tai Po

(TPB Paper No. 10021)

Request for Deferment of Review of Application No. A/DPA/NE-TT/27

Proposed House (New Territories Exempted House – Small House)

in Area Designated as “Unspecified Use”, Government land in D.D. 289, Ko Tong, Tai Po

(TPB Paper No. 10022)

[The items were conducted in Cantonese.]

85. The Chairman said that since the two applications were for the same use and the application sites were located next to each other, the two applications would be considered together.

86. The Secretary reported that on 15.10.2015 and 16.10.2015, the applicants of Applications No. A/DPA/NE-TT/27 and A/DPA/NE-TT/26 wrote to the Secretary of the Board and requested the Board to defer making a decision on the review applications respectively for 2 months to allow time for them to prepare technical documents, such as environmental impact assessment and tree appraisal, for addressing departmental comments on the review applications. This was the first request from the applicants for deferment of the review applications.

87. Members noted that the justifications for deferment met the criteria for deferment as set out in the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications (TPB PG-No. 33) in that the applicants needed more time to address departmental comments, the deferment period was not indefinite and the deferment would not affect the interests of other relevant parties.

88. After deliberation, the Board agreed to defer a decision on the review applications as requested by the applicants pending the submission of further information by the applicants. The Board also agreed that the review application should be submitted for its consideration within three months upon receipt of the further submission from the applicants. If the further information submitted by the applicants was not substantial and could be processed within a shorter time, the applications could be submitted to an earlier meeting for the Board's consideration. The Board also agreed to advise the applicants that the Board had allowed a period of two months for preparation of the submission of further information, and no further deferment would be granted unless under very special circumstances.

Procedural Matters

Agenda Item 9

[Open Meeting]

Submission of the Draft Kwun Tong (North) Outline Zoning Plan No. S/K14N/14A under Section 8 of the Town Planning Ordinance to the Chief Executive in Council for Approval (TPB Paper No. 10024)

[The item was conducted in Cantonese.]

89. The Secretary reported that one of the amendment items (i.e. Amendment Item A) of the Outline Zoning Plan (OZP) was for a proposed Home Ownership Scheme development undertaken by the Housing Department (HD), which was the executive arm of the Hong Kong Housing Authority (HKHA). The following Members had declared interests on the item:

- | | |
|--|--|
| Mr Stanley Y.F. Wong
(<i>Vice-chairman</i>) | - being a member of HKHA and its Strategic Planning Committee and Chairman of its Subsidised Housing Committee |
| Ms Julia M.K. Lau | - being a member of HKHA and its Commercial Properties Committee and Tender Committee |
| Professor P.P. Ho | - being a member of the Building Committee of HKHA |
| Mr H.F. Leung | - being a member of the Tender Committee of HKHA |
| Mr K.K. Ling
(<i>as Director of Planning</i>) | - being a member of the Strategic Planning Committee and the Building Committee of HKHA |

Mr Martin W.C. Kwan - being a representative of the Director of Home
(as Chief Engineer (Works), Affairs who was a member of the Strategic
Home Affairs Department) Planning Committee and the Subsidised Housing
Committee of HKHA

Mr Ivan C.S. Fu] having business dealings with HKHA
Ms Janice W.M. Lai]
Mr Dominic K.K. Lam]
Mr Patrick H.T. Lau]

Dr Lawrence W.C. Poon - his spouse being an employee of HD but not
involved in planning work

90. As the item was procedural in nature, Members agreed that the above Members who had declared interest could stay in the meeting. Members also noted that Professor P.P. Ho, Mr Martin W.C. Kwan, Ms Janice W.M. Lai and Mr Patrick H.T. Lau had already left the meeting.

91. The Secretary briefly introduced the Paper. On 26.6.2015, the draft Kwun Tong (North) OZP No. S/K14N/14, incorporating amendments to rezone the Anderson Road Quarry to the northeast of Anderson Road from “Other Specified Uses” (“OU”) annotated “Mining and Quarrying” to mainly “Residential (Group A)8”, “Residential (Group B)1” (“R(B)1”) to “R(B)4”, “Commercial (1)” (“C(1)”), “C(2)”, “Government, Institution or Community (2)”, “Open Space”, “Green Belt” and various “OU” zones and areas shown as ‘Road’, was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). Upon expiry of the two-month exhibition period, no representation was received. As the plan-making process had been completed, the draft OZP was ready for submission to the Chief Executive in Council (CE in C) for approval.

92. After deliberation, the Town Planning Board (the Board):

- (a) agreed that the draft Kwun Tong (North) OZP No. S/K14N/14A and its Notes at Annexes I and II of the Paper respectively were suitable for

submission under section 8 of the Ordinance to the CE in C for approval;

- (b) endorsed the updated Explanatory Statement (ES) for the draft Kwun Tong (North) OZP No. S/K14N/14A at Annex III of the Paper as an expression of the planning intention and objectives of the Board for the various land-use zonings on the draft OZP and issued under the name of the Board; and
- (c) agreed that the updated ES was suitable for submission to the CE in C together with the draft OZP.

Agenda Item 10

[Open Meeting]

Submission of the Draft Ma On Shan Outline Zoning Plan No. S/MOS/21A under Section 8 of the Town Planning Ordinance to the Chief Executive in Council for Approval
(TPB Paper No. 10026)

[The item was conducted in Cantonese.]

93. The Secretary reported that Representation No. R3 was submitted by Crown Treasure Investments Limited (a subsidiary of Cheung Kong Holdings Limited) (Cheung Kong), Representation No. R4 was submitted by Loyal Pioneer Limited (a subsidiary of Chun Wo Development Holdings Limited (Chun Wo) and China City Construction (International) Co., Limited), and Representation No. R699 was submitted by MTR Corporation Limited (MTRCL). Moreover, one of the amendment items (i.e. Amendment Item B) of the Outline Zoning Plan (OZP) was for a proposed public housing development undertaken by the Housing Department (HD), which was the executive arm of the Hong Kong Housing Authority (HKHA). The following Members had declared interests on the item:

Mr Stanley Y.F. Wong (<i>Vice-chairman</i>)	- being a member of HKHA and its Strategic Planning Committee and Chairman of its Subsidised Housing Committee
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- Ms Julia M.K. Lau - being a member of HKHA and its Commercial Properties Committee and Tender Committee
- Professor P.P. Ho - having business dealings with Cheung Kong, and being a member of the Building Committee of HKHA
- Mr Ivan C.S. Fu] having business dealings with Cheung Kong,
Mr Patrick H.T. Lau] MTRCL and HKHA
- Mr H.F. Leung - having business dealings with Chun Wo, and being a member of the Tender Committee of HKHA
- Mr Dominic K.K. Lam - having business dealings with Chun Wo, MTRCL and HKHA, and his spouse owning two flats at Marbella
- Ms Janice W.M. Lai - having business dealings with MTRCL and HKHA
- Ms Christina M. Lee - having business dealings with Chun Wo and being Secretary-General of the Hong Kong Metropolitan Sports Events Association which had received sponsorship before from Chun Wo
- Mr K.K. Ling - being a member of the Strategic Planning
(*as Director of Planning*) Committee and the Building Committee of HKHA
- Mr Martin W.C. Kwan - being a representative of the Director of Home
(*as Chief Engineer (Works),* Affairs who was a member of the Strategic
Home Affairs Department) Planning Committee and the Subsidised Housing Committee of HKHA

Dr Lawrence W.C. Poon - his spouse being an employee of HD but not involved in planning work, and owning a flat in Ma On Shan

Mr Clarence W.C. Leung - owning a property at Double Cove in Wu Kai Sha

94. As the item was procedural in nature, Members agreed that the above Members who had declared interest could stay in the meeting. Members also noted that Professor P.P. Ho, Mr Patrick H.T. Lau, Ms Janice W.M. Lai, Ms Christina M. Lee, Mr Martin W.C. Kwan and Mr Clarence W.C. Leung had already left the meeting.

95. The Secretary briefly introduced the Paper. On 27.3.2015, the draft Ma On Shan OZP No. S/MOS/21, incorporating amendments to rezone a site to the east of Yiu Sha Road from “Government, Institution or Community” to “Residential (Group C)3” for private housing development and a site at Hang Kin Street from “Open Space” and an area shown as ‘Road’ to “Residential (Group A)10” for public housing development, was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). During the two-month exhibition period, a total of 699 representations were received. On 19.6.2015, the representations were published for public comments for three weeks and a total of 25 comments were received. After giving consideration to the representations and comments under section 6B(1) of the Ordinance on 25.9.2015, the Town Planning Board (the Board) decided not to propose any amendment to the draft OZP to meet the representations. As the representation consideration process had been completed, the draft OZP was ready for submission to the Chief Executive in Council (CE in C) for approval.

96. After deliberation, the Board:

- (a) agreed that the draft Ma On Shan OZP No. S/MOS/21A and its Notes at Annexes I and II of the Paper respectively were suitable for submission under section 8 of the Ordinance to the CE in C for approval;
- (b) endorsed the updated Explanatory Statement (ES) for the draft Ma On Shan OZP No. S/MOS/21A at Annex III of the Paper as an expression of

the planning intention and objectives of the Board for the various land-use zonings on the draft OZP and issued under the name of the Board; and

- (c) agreed that the updated ES was suitable for submission to the CE in C together with the draft OZP.

Agenda Item 11

[Open Meeting]

Submission of the Draft Sha Tin Outline Zoning Plan No. S/ST/31A under Section 8 of the Town Planning Ordinance to the Chief Executive in Council for Approval
(TPB Paper No. 10027)

[The item was conducted in Cantonese.]

97. The Secretary reported that one of the amendment items (i.e. Amendment Item A1) of the Outline Zoning Plan (OZP) was for a proposed public housing development undertaken by the Housing Department (HD), which was the executive arm of the Hong Kong Housing Authority (HKHA). The following Members had declared interests on the item:

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| Mr Stanley Y.F. Wong
(<i>Vice-chairman</i>) | - being a member of HKHA and its Strategic Planning Committee and Chairman of its Subsidised Housing Committee |
| Ms Julia M.K. Lau | - being a member of HKHA and its Commercial Properties Committee and Tender Committee |
| Professor P.P. Ho | - being a member of the Building Committee of HKHA |
| Mr H.F. Leung | - being a member of the Tender Committee of HKHA |

- Mr K.K. Ling - being a member of the Strategic Planning
(as Director of Planning) Committee and the Building Committee of
HKHA
- Mr Martin W.C. Kwan - being a representative of the Director of Home
(as Chief Engineer (Works), Affairs who was a member of the Strategic
Home Affairs Department) Planning Committee and the Subsidised Housing
Committee of HKHA
- Mr Ivan C.S. Fu] having business dealings with HKHA
- Ms Janice W.M. Lai]
- Mr Dominic K.K. Lam]
- Mr Patrick H.T. Lau]
- Dr Lawrence W.C. Poon - his spouse being an employee of HD but not
involved in planning work, and his family
members living in Sha Tin
- Mr Clarence W.C. Leung - his spouse owning a flat in Fo Tan
- Mr Frankie W.C. Yeung - owning a flat with spouse at Sui Wo Road
- Professor K.C. Chau - owning a flat at Royal Ascot
- Professor Eddie C.M. Hui - owning a flat at City One Shatin
- Ms Christina M. Lee - her spouse owning a flat at Mei Tin Road, Tai
Wai

98. As the item was procedural in nature, Members agreed that the above Members who had declared interest could stay in the meeting. Members also noted that Professor P.P. Ho, Mr Martin W.C. Kwan, Ms Janice W.M. Lai, Mr Patrick H.T. Lau, Mr Clarence W.C. Leung and Ms Christina M. Lee had already left the meeting.

99. The Secretary briefly introduced the Paper. On 17.4.2015, the draft Sha Tin OZP No. S/ST/31, incorporating amendments to rezone a site at Au Pui Wan Street from “Industrial” (“I”) to “Residential (Group A)5” and a site to the northeast of Shan Mei Street from “I” to “Other Specified Uses” annotated “Petrol Filling Station” to facilitate public housing development; and three sites at Lai Ping Road, To Shek and Tai Po Road from “Green Belt” to “Residential (Group B)2” (“R(B)2”) and “R(B)3” for private residential developments; and other amendments to the Notes of the OZP, was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). During the two-month exhibition period, one valid representation was received. On 3.7.2015, the representation was published for public comments for three weeks and a total of three valid comments were received. After giving consideration to the representation and comments under section 6B(1) of the Ordinance on 11.9.2015, the Town Planning Board (the Board) decided not to propose any amendment to the draft OZP to meet the representation. As the representation consideration process had been completed, the draft OZP was ready for submission to the Chief Executive in Council (CE in C) for approval.

100. After deliberation, the Board:

- (a) agreed that the draft Sha Tin OZP No. S/ST/31A and its Notes at Annexes I and II of the Paper respectively were suitable for submission under section 8 of the Ordinance to the CE in C for approval;
- (b) endorsed the updated Explanatory Statement (ES) for the draft Sha Tin OZP No. S/ST/31A at Annex III of the Paper as an expression of the planning intention and objectives of the Board for the various land-use zonings on the draft OZP and issued under the name of the Board; and
- (c) agreed that the updated ES was suitable for submission to the CE in C together with the draft OZP.

Agenda Item 12

[Open Meeting]

Any Other Business

[The item was conducted in Cantonese.]

101. There being no other business, the meeting was closed at 12:55 p.m.