

**Minutes of 1101st Meeting of the
Town Planning Board held on 11.12.2015**

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

Ms Anita W.T. Ma

Dr W.K. Yau

Dr Wilton W.T. Fok

Mr Ivan C. S. Fu

Mr Sunny L.K. Ho

Mr Lincoln L.H. Huang

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

Chief Engineer (Works), Home Affairs Department

Mr Martin W.C. Kwan

Principal Environmental Protection Officer (Metro Assessment)

Environmental Protection Department

Mr Ken Y.K. Wong

Deputy Director of Lands (General)

Mr Jeff Y.T. Lam

Director of Planning

Mr K.K. Ling

Deputy Director of Planning/District

Mr Raymond K.W. Lee

Secretary

Absent with Apologies

Mr Laurence L.J. Li

Ms Bonnie J.Y. Chan

Professor K.C. Chau

Mr H.W. Cheung

Ms Janice W.M. Lai

Principal Assistant Secretary (Transport) 3

Transport and Housing Bureau

Miss Winnie M.W. Wong

In Attendance

Assistant Director of Planning/Board

Miss Fiona S.Y. Lung

Chief Town Planner/Town Planning Board

Mr Louis K.H. Kau (a.m.)

Ms Lily Y.M. Yam (p.m.)

Senior Town Planner/Town Planning Board

Ms Wendy W.L. Li (a.m.)

Mr K.K. Lee (p.m.)

Agenda Item 1

[Open meeting]

Confirmation of Minutes of the 1100th meeting held on 27.11.2015

[The meeting was conducted in Cantonese.]

1. The minutes of the 1100th meeting held on 27.11.2015 were confirmed without amendments.

Agenda Item 2

Matters Arising

[The meeting was conducted in Cantonese]

(i) Town Planning Appeal Decision Received

Town Planning Appeal No. 14 of 2014

Proposed House (New Territories Exempted House (NTEH) – Small House) in
“Green Belt” Zone, Government land in D.D. 27, Sha Lan, Tai Po

(Application No. A/NE-TK/507)

[Open Meeting]

2. The Secretary reported that the subject appeal was against the Town Planning Board’s (the Board) decision to reject on review an application (No. A/NE-TK/507) for a proposed house (New Territories Exempted House (NTEH) – Small House) at a site zoned “Green Belt” (“GB”) on the Ting Kok Outline Zoning Plan (OZP).

3. The appeal was heard by the Town Planning Appeal Board (TPAB) on 15.9.2015. On 19.11.2015, the TPAB dismissed the appeal mainly on the following grounds:

- (a) the proposed development was not in line with the planning intention of the “GB” zone and there was a lack of justification to warrant a departure from the general presumption against development within the “GB” zone;

- (b) it did not comply with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ and the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories in that the proposed development would involve cutting of slopes and site formation works that would cause adverse landscape impact on the surrounding areas. The approval of the application would encourage similar applications in the “GB” zone and the cumulative impacts would result in a general degradation of the environment and landscape quality of the area; and

- (c) as the proposed house footprint covered the entire appeal site, there was no space to implement any landscape planting within the appeal site boundary. The area required for the site formation works and the implementation of landscape proposal would be more than double of the existing appeal site area, which would have adverse impacts on the existing surrounding environment and landscape resources.

4. A copy of the Summary of Appeal and the TPAB’s decision were sent to Members for reference on 10.12.2015.

(ii) Town Planning Appeal Received

Town Planning Appeal No. 10 of 2015

Proposed Hotel in “Residential (Group A)” Zone, 209-219 Wan Chai Road,

Hong Kong

(Application No. A/H5/402)

[Open Meeting]

5. The Secretary reported that a Notice of Appeal was received by the Appeal Board Panel (Town Planning) on 23.11.2015 against the decision of the Town Planning Board (the Board) on 11.9.2015 to reject on review an application (No. A/H5/402) for a proposed hotel development at a site zoned “Residential (Group A)” (“R(A)”) on the draft Wan Chai Outline Zoning Plan No. S/H5/27.

6. The application was rejected by the Board for the following reasons:
- (a) the proposed hotel development, with a plot ratio of 14.997, was considered excessive and incompatible with the development density and building bulk within the “R(A)” zone; and
 - (b) the approval of the application would set an undesirable precedent for similar hotel developments within the “R(A)” zone.
7. The hearing date of the appeal was yet to be fixed. The Secretary would act on behalf of the Board in dealing with the appeal in the usual manner.

(iii) Town Planning Appeal No. 11 of 2015

Proposed School (Kindergarten and Nursery) with Ancillary Staff Quarters in “Residential (Group C) 3” zone, 4 Derby Road, Kowloon Tong, Kowloon
(Application No. A/K18/311)

[Open Meeting]

8. The Secretary reported that a Notice of Appeal was received by the Appeal Board Panel (Town Planning) on 23.11.2015 against the decision of the Town Planning Board (the Board) on 11.9.2015 to reject on review an application (No. A/K18/311) for a proposed school (kindergarten and nursery) with ancillary staff quarters at 4 Derby Road, Kowloon Tong, Kowloon. The site was zoned “Residential (Group C)3” (“R(C)3”) on the approved Kowloon Tong Outline Zoning Plan No. S/K18/19.

9. The Secretary said that the Chairman and Ms Christina M. Lee had declared direct interests on the item. The Chairman had a family member studying in Kowloon Tong and Ms Lee and her close relative owned some properties and/ parking spaces in Kowloon Tong. As the current item was to report the new appeal received in respect of the rejected review application, Members agreed that both the Chairman and Ms Christina M. Lee could stay at the meeting. Members agreed and noted that Ms Lee had yet to arrive at the meeting. The Secretary went on to say that the application was rejected by the Board for the following reasons:

- (a) the proposed development was located on Derby Road/Chester Road with narrow width and busy traffic at school peak hours. It had not been demonstrated that the traffic impact of the proposed development on the area was acceptable. Besides, there were uncertainties on the implementability and enforceability of the traffic mitigation measures proposed by the applicant; and
- (b) the traffic congestion problem in the area was already serious at school peak hours. The approval of the application would set an undesirable precedent for similar applications in the area. The cumulative effect of approving such similar applications would aggravate the traffic congestion problem of the area at school peak hours.

10. The hearing date of the appeal was yet to be fixed. The Secretary would act on behalf of the Board in dealing with the appeal in the usual manner.

(iv) Abandonment of Town Planning Appeal

Town Planning Appeal No. 9 of 2015 (9/15)

Temporary Open Storage of Construction Materials and Miscellaneous Items for a Period of 3 Years in “Agriculture” Zone, Lot 1922 (Part) in D.D. 118, Sung Shan New Village, Yuen Long

(Application No. A/YL-TT/348)

[Open Meeting]

11. The Secretary reported that an appeal had been abandoned by the appellant on his own accord. The Town Planning Appeal No. 9/15 was received by the Appeal Board Panel (Town Planning) (ABP) on 19.8.2015 against the decision of the Town Planning Board on 26.6.2015 to reject on review an application for temporary open storage of construction materials and miscellaneous items for a period of 3 years at a site zoned “Agriculture” on the Tai Tong Outline Zoning Plan.

12. The appeal was abandoned by the Appellant on 30.11.2015. On 4.12.2015, the ABP formally confirmed that the appeal was abandoned in accordance with Regulation 7(1) of the Town Planning (Appeals) Regulations of the Town Planning Ordinance.

(v) Abandonment of Town Planning Appeal

Town Planning Appeal No. 4 of 2015 (4/15)

Proposed House (New Territories Exempted House (NTEH) - Small House) in
“Agriculture” Zone, Lots 672 S.H, 673 RP & 674 S.A in D.D. 15, Shan Liu, Tai
Po

(Application No. A/NE-TK/509)

[Open Meeting]

13. The Secretary reported that an appeal had been abandoned by the appellant on his own accord. The Town Planning Appeal No. 4/15 was received by the Appeal Board Panel (Town Planning) (ABP) on 20.1.2015 against the decision of the Town Planning Board on 7.11.2014 to reject on review an application (No. A/NE-TK/509) for a proposed house ((NTEH) - Small House) at a site zoned “Agriculture” (“AGR”) on the Ting Kok Outline Zoning Plan.

14. The appeal was abandoned by the Appellant on 7.12.2015. On 7.12.2015, the ABP formally confirmed that the appeal was abandoned in accordance with Regulation 7(1) of the Town Planning (Appeals) Regulations of the Town Planning Ordinance.

(vi) Appeal Statistics

[Open Meeting]

15. The Secretary reported that as at 8.12.2015, the appeal statistics was as follows:

Allowed	:	34
Dismissed	:	139
Abandoned/Withdrawn/Invalid	:	190
Yet to be Heard	:	14
Decision Outstanding	:	2
Total	:	379

- (vii) Clarification of the Representation in respect of Draft Ma Tau Kok Outline Zoning Plan No. S/K10/21

[Open Meeting]

16. The Secretary reported that a representer (R116) attended the hearing meeting on 27.11.2015 in respect of the representations on the draft Ma Tau Kok Outline Zoning Plan No. S/K10/21, but did not make any oral submission during the meeting. The representer sent an email on the same day after the meeting clarifying that she did not object to and had no comment on Amendment Item C, i.e. the rezoning of a site at the junction of Ma Tau Wai Road and Ma Hang Chung Road from “Government, Institution or Community” to “Residential (Group A)”. Members noted the clarification made by R116 on Amendment Item C.

- (viii) Approval of Draft Plans

[Open Meeting]

17. The Secretary reported that on 1.12.2015, the Chief Executive in Council approved the following draft plans under section 9(1)(a) of the Town Planning Ordinance:

- (a) Stanley Outline Zoning Plan (OZP) (renumbered as S/H19/12);
- (b) Sha Tin OZP (renumbered as S/ST/32);
- (c) Tseung Kwan O OZP (renumbered as S/TKO/22); and
- (d) So Kwun Wat OZP (renumbered as S/TM-SKW/13).

18. The approval of the above plans was notified in the Gazette on 11.12.2015.

- (ix) Reference Back of Approved Plan

[Open Meeting]

19. The Secretary reported that on 1.12.2015, the Chief Executive in Council referred the approved Tsz Wan Shan, Diamond Hill & San Po Kong Outline Zoning Plan No.

S/K11/27 to the Town Planning Board for amendment under section 12(1)(b)(ii) of the Town Planning Ordinance, and the reference back of the said plan was notified in the Gazette on 11.12.2015.

Fanling, Sheung Shui & Yuen Long East District

Agenda Item 3

[Open Meeting]

Consideration of Representations and Comment in respect of the Draft Kam Tin South Outline Zoning Plan No. S/YL-KTS/12
(TPB Paper No. 10043)

[The meeting was conducted in Cantonese.]

Declaration of Interests

20. The Secretary reported that only representations concerning Amendment Items A1 to A6 on the draft Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/12 were received and the following Members had declared direct interests on the item concerning Amendment Items A1-A6 for having business dealings/affiliation with Henderson Land Development Co. Limited (Henderson) which was the mother company of Super Asset Development Limited (R55), or affiliation with the MTR Corporation Limited (MTRCL) (Amendment Items A1 to A5 were related to two West Rail sites currently managed by MTRCL):

Mr Ivan C.S. Fu]	having current business dealings with
Mr Patrick H.T. Lau]	Henderson and MTRCL
Ms Janice W.M. Lai		

21. In addition, the following Members had declared remote or indirect interests on the item for having affiliation with Henderson and/or MTRCL:

- Mr Dominic K.K. Lam - having past business dealings with MTRCL and Henderson

- Professor S.C. Wong - being an employee of the University of Hong Kong (HKU) which received donation from a family member of the Chairman of Henderson; and the Chair Professor and Head of Department of Civil Engineering of HKU where MTRCL had sponsored some activities of the Department

- Dr Wilton W.T. Fok - being employees of HKU which received donation from a family member of the Chairman of Henderson

Mr H.F. Leung

- Mr Roger Luk - being a Member of Council (Mr Luk) or employees (Professor Ho and Professor Chau) of the Chinese University of Hong Kong (CUHK) which received donation from a family member of the Chairman of Henderson

Professor P.P. Ho

Professor K.C. Chau

- Mr Peter K.T. Yuen - being a member of the Board of Governors of the Hong Kong Arts Centre which received a donation from an Executive Director of Henderson

- Dr W.K. Yau - being a director of a non-government organisation that received a donation from a family member of the Chairman of Henderson

Ms Christina M. Lee - being the Secretary-General of the Hong Kong Metropolitan Sports Events Association which had obtained sponsorship from Henderson

22. Members agreed that those Members having direct interest should be invited to leave the meeting temporarily for this item and those who had declared remote or indirect interests could stay at the meeting. Members noted that Ms Janice W.M. Lai had tendered apologies for being unable to attend the meeting and Mr Patrick H.T. Lau had not yet arrived to join the meeting.

[Mr Ivan C.S. Fu left the meeting at this point.]

Presentation and Question Sessions

23. The Chairman said that sufficient notice had been given to the representers and commenters inviting them to the hearing, but 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 Town Planning Board (the Board) should proceed with the hearing of the representations and comment in their absence.

24. The following government representatives, representers, commenters and representers'/commenters' representatives should be invited to the meeting:

Ms Maggie M.Y. Chin - District Planning Officer/Fanling, Sheung Shui & Yuen Long East (DPO/FS&YLE), Planning Department (PlanD)

Mr Kepler S.Y. Yuen - Senior Town Planner/Yuen Long East 2 (STP/YLE2), PlanD

- Miss Yvonne Y.T. Leong - Town Planner/Yuen Long East 5, PlanD
- Mr F.K. Cheung - Engineer/Yuen Long East (E/YLE), Transport Department (TD)
- Mr Thomas K.H. Sze - Senior Engineer/Technical Services 1 (SE/TS1), Railway Development Office (RDO), Highway Department (HyD)
- Mr John C.H. Cho - Engineer/Technical Services 1 (E/TS1), RDO, HyD

R21 - Pat Heung Rural Committee

- Mr Tang Sui Man - Representer's representative

R23 - Lai Wai Hung (Yuen Long District Council (YLDC) Member)

- Mr Lai Wai Hung - Representer
- Ms Lee Man Ping - Representer's representative

R35/C5 – 劉瑋權

R36/C6 – 麥美鳳

R37/C7 – Lau Ka Lim

R38/C8 – Lau Ka Yan

C3 – Chu Suk Fun

C4 – Wong Bak Luck

C27 – Keness Lau

C28 – 李佩瑩

C39 – 吳小姐

C42 - Ryan Lam

C44 – Land Justice League

C73 – Chau Miu Ling

C82 – Mok Wai Man

C105 – 楊以超

C116 – Kelly Tang

C120 – Fung Kwun Sum

C121 – Luk Kit Ling

C133 – 曾瑞明

C135 – Chan Sze Chung

C136 – Sushan Chan

C142 – Ngan Yuk Ying

C144 – Ching Hang Ying

C147 – Hui Tsz Wan Alison

C150 – K.K. Kwok

C154 – Shek Wai Him Vivian

C155 – Jinno Neko

C-158 – Wong Kok Wai

C163 – Choi Suet Wah

C173 – Gawain Lo

C175 – Chow Suk Fun

C180 – 梁佩筠

C181 – Janet Cheng

C187 – Ng Chun Wing Miffy

C197 – Keon Lee

C199 – Mak Shing Fung

C202 – Jasmine Cheung

C204 – Dennis Mak

C206 – Lau Ka Shing

C207 – Stella Choi

C208 – 陳小玲

C209 – Saffron Ko

C214 – Simon Wong

C216 – Gigi Chan

C217 – Frango Tsang

C218 – Micky Chau

C220 – Josie Chau

C222 – Chau Ping Kwong

C223 – Tanya Hart

C226 – 朱凱迪

C245 – 張民昇

C250 – Li Moon Lok

C251 – Tang Ming Chun

C254 – 李葉開

C257 – Tsang Lok Yan

C258 – 張智健

C277 – Anthony

C283 – Debby Chan

C284 – Chan Ka Wai

C285 – Tang Sze Yan

C291 – Ng Wai Man

C296 – Terence Chan

C304 – Fong Oi Ning

C311 – 陳智亮

C318 – Jason Cheung

C325 – Mak Siu Lin

C330 – Wendy Wo

Mr Chong Lap Pan (Land Justice League)]	Representers' and Commenters'
Mr Chu Hoi Dick (Land Justice League)]	representatives
Miss Yuen Kaising (Land Justice League)]	
Mr Tam Kai Hei (Land Justice League)]	
Mr Au Kwok Kuen (Land Justice League)]	
Mr Lee Tai Shing (Land Justice League)]	
Mr Kwok Man Ho (Land Justice League)]	
Mr Chow Sung Ming (Land Justice League)]	

R54 - Masterplan Limited

Mr Ian Brownlee]	Representer's representatives
Ms Anna Wong]	

R55 – Super Asset Development Limited

Ms Veronica Luk] Representer's representatives
Mr Phill Black]

C21 – 八鄉錦上路發展關注組村代表/水流田村村代表

Mr Choi Yuet Wing] Commenter's representatives
Mr Woo Man Chi]
Mr Kwok Wing Cheung]
Mr Tsang Ah Loi]
Mr Choi Wun Pun]
Mr Choi Wun Ki]
Mr Choy Chi Wai]

C24 - Lai Wai Hung (YLDC Member)

Mr Lai Wing Tim - Commenter's representative

C114 – Yu Chi Kin

Mr Yu Chi Kin - Commenter

C171- Chan Hoi Shan, Chimmy

Ms Chan Hoi Shan, Chimmy - Commenter

C219 – Maria Ko

Ms Maria Ko - Commenter

C227 - 鍾嘉詠

Mr Wong Yu Wing (香港有機生活社社長) - Commenter's representative

C312 – Kwong Yu Plastics FTY Limited

Mr Benson Poon] Commenter's representatives
Mr Ian Brownlee]
Mr William Chan]

25. The Chairman extended a welcome and explained the procedures of the hearing. He then invited DPO/FS&YLE to brief Members on the background of the representations and comments.

26. With the aid of a PowerPoint presentation, Mr Kepler S.Y. Yuen, STP/YLE2, made the following main points as detailed in the Paper:

Background

- (a) on 29.5.2015, the draft Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/12 (the Plan) was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). The amendments mainly involved rezoning of two West Rail sites (i.e. the Kam Sheung Road Station (KSRS) Site and Pat Heung Maintenance Centre (PHMC) Site for commercial/residential development (Amendment Items A1 to A6), an existing electricity sub-station site (Amendment Item B) and a site for commercial development (Amendment Items C1 and C2). A total of 55 valid representations and 330 valid comments on representations were received. All the representations were related to Amendment Items A1 to A6. On 13.11.2015, the Board decided to consider all the representations and comments collectively in one group;

Representation Sites and Their Surroundings

- (b) the KSRS Site was currently occupied by the KSRS with a public transport interchange, bicycle parking and a park-and-ride facility, the existing MTR Kam Tin Building and adjoining areas. Extensive areas zoned “Agriculture” (“AGR”) and “Conservation Area” (“CA”) were located to the west of the KSRS site across Tsing Long Highway. The PHMC Site was currently occupied by PHMC and railway tracks, located to the immediate south of the KSRS;
- (c) for the KSRS Site (with an site area of 10.64 ha), the amendments (Amendment Items A1 & A6) entailed rezoning of two areas shown as

‘Railway’ and adjoining land zoned “AGR” respectively to “Other Specified Uses” (“OU”) annotated “Railway Station and Public Transport Interchange with Commercial/Residential Development”, with stipulation of building height restriction (i.e. 69mPD). The estimated number of flats arising from the KSRS Site were about 2,700 and the estimated population was about 6,600;

- (d) for the PHMC Site, the amendments (Amendment Items A2 to A5) entailed rezoning of an area shown as ‘Railway’ and adjoining land zoned “AGR” to “OU” annotated “Railway Depot with Commercial/Residential Development”, with stipulation of building height restriction for Area (a) (i.e. 109 mPD). The estimated number of flats arising from the PHMC Site were about 6,060 and the estimated population was about 14,800;

Consultation

- (e) prior to the submission of the proposed amendments to the draft Kam Tin South OZP No. S/YL-KTS/11 for consideration by the Rural and New Town Planning Committee (RNTPC) of the Board, the Kam Tin and Pat Heung Rural Committees (RCs) and the YLDC were consulted on the proposed rezoning of the two West Rail sites on 13.4.2015, 15.4.2015 and 21.4.2015 respectively;

Grounds of Representations and Responses

- (f) the major grounds of the representations and the responses to the grounds of representations, as detailed in paragraphs 3.2 and 5.3 of the Paper respectively, were highlighted as follows:

Supportive Representations R1 (part) and R54(part)

- (i) R1(part) supported in principle the increase in land supply for housing development in Kam Tin South;

(ii) R54(part) supported the rezoning of non-development railway sites and adjacent land parcel/strips to allow for residential/commercial development and the proposed zoning which would enable housing production in a relatively shorter timeframe;

(iii) the response to the above grounds was:

- PlanD noted the grounds of the supporting representations;

Adverse Representations (R1 (part), R2 to R53, R54(part) and R55)

Impacts on Existing Transport Infrastructure (R1(part), R2 to R49, R52 and R53)

(iv) the existing road network in the area was highly congested, namely Kam Sheung Road and Kam Tin Road, affecting road safety. The two West Rail sites, which would have a population of about 21,400 persons (about 8,700 flats) upon development, would aggravate the traffic problem;

(v) Kam Sheung Road and Kam Tin Road should be widened/upgraded to four lanes, and the overall road network in Kam Tin and Pat Heung districts should be improved;

(vi) in view of substantial future developments in the Northwest New Territories (NWNT), the increased carrying capacity associated with the “East-West Corridor” would be offset by the increased population;

(vii) the responses to the above grounds were:

- as demonstrated by the Traffic Impact Assessment (TIA)

conducted for the West Rail sites, all major road links and junctions would operate within capacity with the implementation of the proposed road improvement measures. The Government would review the effectiveness of the proposed road improvement works and implement the necessary improvement works to tie in with the population in-take. The widening works for sections of Kam Tin Road would be under review;

- TD advised that since the traffic generated by the proposed development would mainly route through trunk roads including Route 3 (Tai Lam Tunnel), San Tin Highway and Yuen Long Highway, there would be no major traffic impact on the local roads;
- according to RDO of HyD, with the proposed increase in the number of train compartments from 7 to 8 and train frequency of the “East-West Corridor”, the ultimate carrying capacity of the West Rail Line (WRL) could be increased by 60%;
- upon completion of the new railway projects, including the Northern Link (NOL) and Tuen Mun South Extension, the WRL service would be able to meet the demands during the peak hours from the KSRS Site to Tsuen Wan West Station;

Inadequate Supporting/Community Facilities (R1(Part), R27 to R49, R52 and R53)

- (viii) there were insufficient community facilities (e.g. recreational and medical related) to support the future population. More job opportunities, cultural and recreational facilities and green space should be provided to create a balanced community;

(ix) the response to the above grounds was:

- adequate GIC facilities including kindergarten, primary school and secondary school would be provided at the two West Rail sites to serve the need of the future population. Besides, two primary schools near the KSRS Site were being planned;
- the provision of hospital facilities was on a regional basis and would need to be carefully planned by the relevant authorities/bureaux;
- although there would be a deficit of about 0.55 ha of district open space, there would be a surplus of about 1.62 ha of local open space in the Kam Tin South area, self contained local open space (minimum 1m² per person) would be provided within the development sites in accordance with the Hong Kong Planning Standards & Guidelines (HKPSG);
- a local shopping centre and a district shopping centre would be provided at the PHMC Site and the KSRS Site respectively, generating new job opportunities. The Hung Shui Kiu New Development Area near Kam Tin and Pat Heung would also generate about 150,000 jobs;

Environmental and Ecological Concerns (R27 to R50)

- (x) the proposed residential development would give rise to adverse ecological, environmental, air and sewerage impacts as well as ‘wall-effect’;
- (xi) the existing village-type rural environment would be lost;

(xii) the responses to the above grounds were:

- the Environmental Protection Department (EPD) considered that no insurmountable problem was envisaged in respect of the proposed development at the West Rail Sites with the adoption of proper design and mitigation measures. The Yuen Long Sewage Treatment Works would have adequate capacity to cater for the proposed development;
- the two West Rail sites were mostly urbanized/disturbed area of minimal ecological value. The Agriculture, Fisheries and Conservation Department (AFCD) had no objection from the nature conservation point of view;
- according to the findings of the Air Ventilation Assessment (AVA), the proposed medium density development would have minimal impact to the local wind environment with implementation of appropriate wind enhancement measures. Notwithstanding that, a quantitative AVA was required for each of the KSRS and PHMC Sites at the detailed design stage;
- the building height for the PHMC Site was capped at 109 mPD whereas the proposed development at the KSRS Site and neighbouring potential housing sites were subject to lower building heights, providing a transition in height for better integration with the existing low-rise village development in the periphery. Visual corridors and building gaps would also be provided to improve visual permeability;
- as set out in the Explanatory Statement (ES) of the Plan, the respective developer(s) would be required to ascertain the impacts on various technical aspects induced by the

proposed development at the KSRS and PHMC Sites and to implement the appropriate mitigation measures;

Loss of Agricultural Land (R27 to R49 and R51)

(xiii) inclusion of “AGR” zone for the proposed residential development would result in further loss of agricultural land;

(xiv) the responses to the above ground were:

- the three pieces of “AGR” land under Amendment Items A3 to A5 were for minor zoning boundary adjustments to reflect the lot boundary of the PHMC Site. As for the land under Amendment Item A6, which was a piece of vacant Government land, a great portion of it had already been paved. There would be no significant impact on agricultural use in the area arising from the rezoning amendments;
- as the agricultural rehabilitation potential of the land under Amendment Items A3 to A6 was low, AFCD had no strong view on the rezoning amendments from the agricultural development point of view;

Lack of Public Consultation (R25)

(xv) no public consultation on the proposal had been conducted;

(xvi) the responses to the above ground were:

- the rezoning proposals were to take forward the recommendations of the land use review for Kam Tin South and Pat Heung (the LUR) for which public consultations with the YLDC, Kam Tin RC, Pat Heung

RC, key YLDC members, local farmers, villagers, green groups and concern groups had been conducted between April and December 2014. The Kam Tin RC, Pat Heung RC and the YLDC were also consulted on 13.4.2015, 15.4.2015 and 21.4.2015 respectively on the proposed amendments to the OZP for the two West Rail sites;

- the statutory and administrative procedures in consulting the public on the proposed zoning amendments had been duly followed. The exhibition of the Plan for public inspection and the provisions for submission of representations/comments formed part of the statutory consultation process under the Ordinance;

Piecemeal Development (R54(Part) and R55)

(xvii) the proposed amendments were piecemeal and had only covered the two West Rail sites. Sites well served by existing infrastructure and/or readily developable should be included in the first development phase for speedy housing production;

(xviii) the response to the above ground was:

- in view of the infrastructure constraints, the two West Rail sites out of the 14 potential housing sites identified under the LUR were rezoned first to meet pressing housing needs. The remaining potential housing sites under the LUR would be subject to further study on provision of supporting infrastructure;

Low Development Densities Proposed (R54(Part))

(xix) the proposed development intensities (with a maximum plot ratio (PR) of 3) for the two West Rail sites were too low. The

catchment area of Transit Oriented Development (TOD), i.e. 500m radius to the east of the railway line, had been ignored;

(xx) the responses to the above ground were:

- development in the area were subject to various development constraints including limited infrastructure capacities, Shek Kong Airfield Height Restriction (SKAHR), environmental implications and ecological considerations. The proposed development intensity had been worked out after taking into account the above and land use compatibility with the surrounding rural settlements;
- further increase in PR at the PHMC Site was constrained by structural loading problem due to the existing Electrical Multiple Unit (EMU) Maintenance Building and the requirements of the Sustainable Building Design Guidelines and urban design requirements;

Building Height Restrictions (R54(Part))

(xxi) the SKAHR was the major constraint to development. It was unreasonable that the need to comply with the SKAHR was not stated in the statutory Notes of the OZP, but the non-statutory ES instead;

(xxii) the response to the above ground was:

- the OZP was to indicate the broad land-use zonings and transport networks for the Kam Tin South area. In formulating the building height restrictions for the development proposals, due regard had been given to the SKAHR, AVA, HKPSG and Urban Design Guidelines for

Hong Kong. The ES was prepared for the purpose of assisting an understanding of the planning context and requirements of the Plan as a whole;

Earlier Comments on the LUR Not Considered (R54(Part))

(xxiii) a comprehensive review on the LUR previously submitted to PlanD with an alternative development proposal for a significant increase of more than 50% in flat production had not been considered;

(xxiv) the response to the above ground was:

- the previous alternative proposal submitted by R54 in October 2014 was similar to the proposal submitted under the representation by R54 in terms of development concept and scale of development. The preceding responses provided in respect of various grounds of representations (i.e. piecemeal development, low development densities proposed and building height restrictions) were relevant for not taking forward the alternative proposal;

Representers' Proposals and Responses

(g) the representers' proposals and the responses to the representers' proposals, as detailed in paragraphs 3.3 and 5.4 of the Paper respectively, were highlighted as follows:

Larger Area for Phase 1 Development (R54)

(i) the KSRS and adjacent land were excellent locations for mixed use development based on TOD concept. The mixed use development would help create a focal point or activity node to

provide vitality, vibrancy and diversity to the area. The area within 500m from the KSRS Site should be included in the first phase of the development and be rezoned to “OU” annotated “Mixed Use” (“OU(Mixed Use)”);

(ii) the response to the above proposal was:

- the two West Rail sites were rezoned first as the proposed development was technically viable, without the need for major infrastructure improvement works nor land resumption/clearance of private land. Technical assessments for other potential housing sites were required to confirm technical feasibility;

Rezoning of ‘CDA’ Site (R55)

(iii) the existing “Comprehensive Development Area” (“CDA”) zone near the KSRS Site was readily developable. It was proposed to rezone the two private land parcels within the “CDA” zone to “Residential (Group A)” (“R(A)”) zone with a PR of 2.1;

(iv) the response to the above proposal was:

- the “CDA” site was not related to the current zoning amendment items. The proposal to rezone the “CDA” site could be considered by the Board based on individual merits through the section 12A planning application process;

Higher Development Densities of West Rail Sites (R54)

(v) a PR of 5 and 6 (inclusive of a non-domestic PR of 1 in both cases) for the KSRS and PHMC Sites respectively should be applied;

(vi) the response to the above proposal was:

- the proposed increase of PR from 3 to 5 / 6 for the two West Rail sites would have to be examined in a holistic context, balancing the need for efficient use of land resources and public aspiration for a quality living environment in the area. The proposed relaxation of PR restrictions was not substantiated by any technical assessments;

PHMC Site for Public Housing (R54)

(vii) the PHMC Site was the best location for public housing as it was readily available and, on completion of the rezoning process, the site could be allocated to the Housing Department for immediate development;

(viii) the response to the above proposal was:

- the PHMC Site was not a potential public housing site under the public housing development strategy. As the future development at the PHMC Site would be subject to interface problems with the life-long operation of a railway depot, it was considered appropriate for the MTRCL to undertake the concerned construction and engineering works;

Height Restrictions for the Proposed Development (R54)

(ix) the building height restriction for the PHMC site should be shown on the OZP in accordance with the height bands of the SKAHR, so as to clearly indicate the stepped height profile and give

certainty to the future developer;

- (x) the response to the above proposal was:
- the maximum building height restriction for Area (a) of the PHMC Site was set at 109mPD, which was in line with the SKAHR. The approach of adopting the maximum height limit of SKAHR for the PHMC site instead of establishing 6 sub-zones with individual building height restrictions in accordance with the SKAHR was to allow more flexibility;

Compliance with SKAHR to be Stated under Remarks (R54)

- (xi) the Remarks of the Notes of the OZP should be amended to clearly state that the SKAHR would need to be complied with and that the building height included rooftop structures. The minor relaxation clause should not be imposed;

- (xii) the response to the above proposal was:
- it had already been stipulated in the ES that the planning scheme area of the OZP fell within the area affected by the height restriction of the Shek Kong Airfield and details should be referred to the plan of the SKAHR prepared by the Lands Department (LandsD);

Comments on Representations and Responses to Comments

- (h) all the commenters either objected to the supportive representations or supported the adverse representations regarding the proposed development at the two West Rail sites or the associated zoning amendments. The grounds of comments were largely similar to those raised in the adverse representations. The major grounds not covered in the adverse representations were highlighted as follows:

Keeping the Open Space and Flea Market (C7, C9, C10, C20, C25 to C298, C301 to C305, C308, C309, C313, C314, C316 to C319, C321 to C326, C328 and C330)

- (i) the open area in front of the KSRS Site was an important public space for the local residents. The existing flea market at the KSRS Site provided an outlet for selling agricultural products and leisure activities. Both should be retained;
- (ii) the responses to the above ground were:
 - the open area was not a public open space managed by the Leisure and Cultural Services Department. According to the proposed development scheme of the KSRS development, a plaza with footbridge connected to Kam Tin rural township would be provided to serve as a local focal point;
 - the flea market, which fell within the KSRS site, was subject to a temporary planning permission (MTRCL as the applicant) with validity up to 26.11.2016. The need for reprovisioning the flea market could be considered at the detailed design stage of the development;

Alternative Sites (C1 to C8, C11 to C16, C320 and C327)

- (iii) the Fanling Golf Course and the Chief Executive's lodge (Fanling Lodge) were suitable alternative sites for residential development/public housing development. They had no existing residents, agricultural activities nor building height restrictions;

Response

(iv) the response to the above ground was:

- the development opportunities and constraints of the Fanling Golf Course and Fanling Lodge were being examined under the Preliminary Feasibility Study on Developing the New Territories North commenced in January 2014;

[Ms Anita W.T. Ma arrived to join the meeting at this point.]

Benefiting MTRCL (C19)

(v) land at the two West Rail sites was owned by the Government but not MTRCL. However, the LUR was conducted by PlanD with MTRCL's assistance. MTRCL had taken up the two West Rail sites without any competition;

(vi) the responses to the above grounds were:

- West Rail property development projects were taken forward by the West Rail Property Development Limited, a company jointly founded by the Government and the Kowloon-Canton Railway Corporation for the purpose of developing the West Rail property sites. MTRCL was the agent for implementing such projects;
- MTRCL had examined the possible use of the concerned sites and undertook various technical assessments. In reviewing the proposal submitted by MTRCL, the Government had considered the potential of those areas adjoining the railway line for development to meet the housing demand. In this regard, PlanD completed the LUR with technical support from MTRCL;

PlanD's Views

- (i) PlanD noted the supportive views of R1 (part) and R54 (part); and did not support R2 to R53 and R55 and the remaining parts of R1 and R54 and considered that the Plan should not be amended to meet the representations.

27. The Chairman then invited the representers, commenters and their representatives to elaborate on their representations and comments. He said that to ensure the efficient operation of the meeting, each representer/commenter or their representatives would be allotted 10 minutes for making oral submission. The representers and commenters had been informed about the arrangement before the meeting. There was a timer device to alert the representers/commenters and their representatives two minutes before the allotted time was to expire, and when the allotted time limit was up.

R21 - Pat Heung RC

28. Mr Tang Sui Man, the Chairman of the Pat Heung RC, made the following main points:

- (a) the two West Rail sites would generate a total of over 8,000 residential units. However, the local roads, in particular Kam Sheung Road, were already highly congested. On 8.7.2015, the Pat Heung RC had a detailed discussion on the traffic problems in the districts of Kam Tin and Pat Heung. The Pat Heung village representatives expressed strong dissatisfaction over the traffic improvement measures proposed by the Government;
- (b) the Pat Heung RC subsequently wrote to the Transport and Housing Bureau (THB) on 10.7.2015, requesting that the public roads in Kam Tin, Pat Heung, Sheung Shui and Tai Po be widened and that the work of PlanD, TD and the Civil Engineering and Development Department (CEDD) be coordinated;

- (c) on 23.7.2015, Pat Heung RC had indicated to PlanD its support for the proposed amendments concerning the two West Rail sites provided that the road network in the districts of Kam Tin and Pat Heung would be suitably improved. The traffic improvement measures recommended in the TIA such as partial widening of Kam Tin Road and Kam Sheung Road were insufficient to resolve the traffic problems arising from the proposed development;
- (d) the Pat Heung RC agreed that bus lay-bys would help relieve traffic congestion along Kam Sheung Road. It was noted that TD had completed the initial design work for the five proposed bus lay-bys on 13.11.2015 and the feasibility of the initial design was being examined. Notwithstanding this, the Government was strongly requested to give funding and proceed to the full widening of roads in the districts of Kam Tin and Pat Heung, especially Kam Sheung Road; and
- (e) the requests of the villagers in Pat Heung should not be ignored.

[Actual speaking time: 5 minutes]

R23 - Lai Wai Hung (YLDC Member)

29. Mr Lai Wai Hung, a YLDC member, tabled a letter at the meeting and made the following main points:

- (a) comprehensive widening of Kam Sheung Road should take place before there was any large-scale development in the Pat Heung area. He would maintain his objection to the proposed development until full widening of Kam Sheung Road was agreed by the Government;
- (b) a motion was passed at the YLDC on 24.6.2014 and 21.4.2015 respectively, urging the Government to confirm the widening of Kam Sheung Road, before consulting the YLDC on any major housing proposals for the area. PlanD, however, went ahead with the

submission of the zoning amendments to the RNTPC on 8.5.2015, ignoring the views of the YLDC;

- (c) Pat Heung villagers had long been adversely affected by the traffic and road safety problems at Kam Sheung Road, which had led to the petition by about 100 to 200 villagers at the North Point Government Offices shortly before the subject hearing started;
- (d) Kam Sheung Road was a sub-standard road built in the 60s. Being a narrow and unsafe road, it could no longer cater for the traffic demands of the existing developments. The surrounding area of Kam Sheung Road was a major plain and a large number of Small Houses were being built there. The lack of lay-bys along Kam Sheung Road and the presence of heavy vehicles had also resulted in the frequent overtaking of vehicles by crossing the line, leading to accidents. The rate of accidents had been on the rise and on average a person was killed on Kam Sheung Road every year in the past three years. From 2012 to the first six months of 2015, there was a total of 256 traffic accidents on Kam Sheung Road with an average of about two accidents every week, and two accidents in 2014 were fatal ones. The most recent fatal accident took place on 23.9.2015;
- (e) as Kam Sheung Road was next to the KSRS and PHMC Sites, the future 26,000 residents of the proposed development would use it to go to Tai Po, Sha Tin, Tsuen Wan and other urban areas, thereby exacerbating the existing traffic problems. Members should take into account the traffic and road safety problems seriously in the consideration of the concerned amendment items of the Plan;
- (f) he was unsure if the Government had assessed the traffic impact associated with the existing shops and workshops along Kam Sheung Road. The several proposed bus lay-bys put forth by TD would not be able to address the issue. The section of Kam Sheung Road between Yuen Kong Tsuen and Sheung Tsuen was mostly in need of

improvement. Both the Secretary for Development and the Secretary for Transport and Housing were previously invited to take a site visit to Kam Sheung Road to better understand the traffic conditions but they declined to attend;

- (g) due to the lack of drainage system along Kam Sheung Road, flooding was frequent and had affected the nearby villages;
- (h) the lack of resources had been used as an excuse by the Government for postponing the road widening project. The project could be carried out in phases and the cost would not be too high. The Government might only need to widen 10m each of the two sides of Kam Sheung Road; and
- (i) Members should listen to the views of the local community and request the Government to comprehensively widen Kam Sheung Road before agreeing with the amendments to the OZP.

[Actual speaking time: 6 minutes]

R54 - Masterplan Limited

30. With the aid of a PowerPoint presentation, Mr Ian Brownlee made the following main points:

- (a) property development at the KSRS and PHMC Sites was supported, and should be proceeded at the earliest;
- (b) insufficient information had been provided so far in support of the amendment items shown on the Plan. Members had a duty to enquire, to challenge and to ask for alternatives and to clearly understand the options and the implications;

- (c) the developable land within the LUR was being underutilized and that the Higher Density Option (HDO) submitted by the representer in October 2014, involving an increase in flat production from 33,700 to around 51,000 units and population from 90,000 to about 140,000, was not considered by PlanD;
- (d) the RNTPC Paper (No. 6/15) for the proposed amendments to the approved Kam Tin South OZP No. S/YL-KTS/11 had stated that the public/locals had no particular comment on the development parameters such as PR, gross floor area (GFA) and building height and the proposed development of the individual potential housing sites under the LUR. This was not factually correct since the representer had already submitted the HDO to PlanD as stated above;
- (e) the shortage of developable land was a territorial issue. To meet the annual target of 48,000 units for the coming 10 years as set out in the Long Term Housing Strategy, country parks might need to be developed. The opportunity to save the country parks would be lost if the development intensity of the developable areas was not maximized;
- (f) there had been ad hoc examples of unsuitable sites being rezoned for housing development. In the case of Ma On Shan, a narrow strip of land adjacent to a heavily trafficked road near Tai Shui Hang Station was rezoned for public housing development at a total PR of 5.8. For Tuen Mun East which was not served by any mass transport facility, a site originally zoned for community use that was also well grown with mature trees was rezoned for housing development. The PRs adopted for Tuen Mun East were mainly 3 to 4. For Kam Tin South with a major transport node, the proposed maximum PR under the LUR was only 3. Hence, inconsistent planning approaches had been adopted;

- (g) PlanD had used infrastructural constraints and urban design considerations to justify the proposed low development densities for Kam Tin South. However, paragraph 2.2 of the Paper had stated “no insurmountable problem for the development proposals of the 14 potential housing sites subject to the provision of adequate infrastructure” in respect of the LUR. Infrastructural constraints should therefore be the reason to plan for infrastructural improvements, not for supporting low density developments;

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

- (h) the KSRS would be the terminus station of the NOL in future, rendering the area around KSRS the most significant site in the whole of the New Territories and should be treated as the prime potential development site for the production of flats. More specifically, Kam Tin South should be positioned as a New Town at a major transport node;
- (i) consistent with the Government’s policy of using railway as the backbone of development, the design concept of TOD i.e. high density mixed development within 500m from major transport node such as railway station and transport interchange should be adopted. Within the 500m of the KSRS Site, integrated planning for mixed use development in the vicinity of the station to create a vibrant activity node for the Kam Tin South district was proposed. The 500m catchment area should also be included in Phase 1 development of Kam Tin South and be rezoned to “OU(Mixed Use)” accordingly;
- (j) PRs of 2.25 and 1.32 had been imposed for the KSRS Site and PHMC Site respectively based on the maximum domestic and non-domestic GFAs permissible under the Notes of the Plan. Both sites were however stated as having a PR of 3 in the Paper. On the other hand, the achievable PR of 4 under the building height restriction of 69mPD had been unnecessarily reduced under the LUR to PRs of 0.8, 1.5, 2.1

and 3. No alternatives had been presented to the Board for a decision other than those of low PRs;

- (k) the capacities of the existing infrastructural facilities should be upgraded to support the New Town development of Kam Tin South with a target population of 140,000 instead of the current 90,000 under the LUR. Other areas within the LUR should be reconsidered for higher density developments and built up to the maximum height permitted by the SKAHR. The PRs of the Alternative Option proposed under the representation would range from 2.5 to 6 and the estimated future population would be increased by 52%. With the adoption of the TOD concept, the domestic GFA for the KSRS Site should be increased from 186,234m² to 319,692m² (i.e. increasing domestic PR to 4). Since the PHMC Site could accommodate taller buildings as its maximum height restriction was set at 109mPD, it should be planned for public housing of higher development intensity by increasing the domestic GFA from 422,340m² to 708,900m² (i.e. increasing the domestic PR to 5); and

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

- (l) PlanD should be requested to present a comprehensive picture with proper assessment of impact of different population thresholds and that the representer's proposals should be made to the Plan to address the shortage of development land in the territory.

[Actual speaking time: 15 minutes]

R55 – Super Asset Development Limited

31. With the aid of a PowerPoint presentation, Ms Veronica Luk made the following main points:

- (a) she represented the land owner of Lot No. 2160RP in D.D.106 located within the “CDA” zone near the KSRS Site;
- (b) apart from the KSRS and PHMC Sites, the rezoning process for the remaining 12 potential housing sites of the LUR including the subject “CDA” site should be speeded up to meet the demand for housing;
- (c) the PR of the subject “CDA” site was proposed to be increased from 0.4 to 2.1 under the LUR. The land owner considered that there was scope to further increase the PR for more flat production;
- (d) the development of the subject “CDA” site would be in line with the government policy for rail-based development and that the “CDA” site, involving two land owners only, was ready for early implementation of the residential development. That was similar to the KSRS and PHMC Sites in terms of the TOD concept and early development as no land resumption was involved;
- (e) preliminary technical and environmental assessments had confirmed that the proposed development schemes on the potential housing sites including the subject “CDA” site were feasible, as stated in the previous TPB Paper No. 9590 when the LUR was submitted to the Board for consideration. In view of that and the requirement for the submission of Master Layout Plan (MLP) and technical assessments under s. 16 for the future residential development on the “CDA” site, it would be logical to have included the “CDA” site as one of the amendment items of the Plan;
- (f) the “CDA” site was divided into Areas (a) and (b), the latter was overgrown with trees and vegetation. No building development was allowed in Area (b), which should be designated as a landscape area for public use. Area (a), on the other hand, was split into two areas by Kam Wui Road and two separate lots, including the one owned by the presenter;

- (g) the lot of the representer was a house lot and a MLP under lease for the development of 52 houses of 2 storeys at the subject lot was approved by LandsD in 2010. However, as no government department was willing to take up the long-term management of the landscaped area of Area (b), planning applications for MLP for the lot of the representer were rejected by the Board;
- (h) a large site reduction factor of 40% had been adopted for the subject “CDA” site with a proposed PR of 2.1 under the LUR. The site reduction factor should be reduced to 23% as only road areas within the “CDA” site should be discounted for GFA calculation and flat production would be increased by 130, while keeping the PR of 2.1. The two lots should be rezoned to “R(A)” and based on the maximum GFA permitted under a PR of 2.1, the net PR for each lot would be 3, which was equivalent to the PR of the KSRS and PHMC Sites;
- (i) the amendments to the “CDA” site to take forward the LUR’s recommendation (i.e. PR 2.1 and a building height restriction of 69 mPD) should be included as the amendment items of the Plan; and
- (j) the existing Areas (a) and (b) should be reviewed with the objective of optimizing land accountable for plot ratio calculation to maximize flat production.

[Actual speaking time: 12 minutes]

C21 – 八鄉錦上路發展關注組村代表/水流田村村代表

32. Mr Choi Yuet Wing tabled a letter at the meeting and made the following main points:

- (a) a motion was passed at the Pat Heung RC on 15.4.2015, urging the Government to confirm the widening of Kam Sheung Road, before consulting the Pat Heung RC on any major housing proposals in the Kam Tin South and Pat Heung area. However, on 23.7.2015, the Pat Heung RC submitted its support to the amendment items of the Plan to the Board. 「八鄉錦上路發展關注組」 was therefore set up by the village representatives of the villages in Kam Sheung Road area, with the view to protecting the interests of the local villagers;
- (b) Kam Sheung Road was built in the 60s. The increase in the local population surrounding Kam Sheung Road had led to busy traffic on the road and rising traffic accidents. There were a total of 256 traffic accidents on Kam Sheung Road from 2012 to the first six months of 2015. Three were fatal accidents in the last two years alone. Since some cases were unreported, the figures quoted might not truly reflect the actual situation concerning traffic accidents. The most recent fatal accident took place on 23.9.2015. The existing local residents were therefore concerned about their own safety in using Kam Sheung Road;
- (c) the proposed development with 8,700 residential units would aggravate the existing problems of traffic congestion and road safety on Kam Sheung Road. Kam Sheung Road would not be able to cope with the increase in traffic. Agreeing with the large-scale housing proposals in Kam Tin South in the absence of the supporting infrastructure would put the lives of villagers at risk; and
- (d) Members should consider the needs of the local community and request the Government to comprehensively widen Kam Sheung Road before agreeing with the amendments to the OZP. If there was no confirmation from the Government on the widening of Kam Sheung Road, the proposed amendments to the OZP should be refused.

[Actual speaking time: 5 minutes]

C114 – Yu Chi Kin

33. Mr Yu Chi Yin made the following main points:

- (a) he objected to the amendment items of the Plan;
- (b) the vicinity of Kam Sheung Road was rural in character and many families of Hong Kong visited the area in their spare time or at weekends. Not only would the new blocks of residential and commercial developments as proposed under the Plan not be compatible with the existing rural character, they would also become an eyesore and adversely affect the visual quality of the area;
- (c) the local residents would find it more difficult to get on to a train during morning peak hours even though more stations would be added to the WRL including the Tuen Mun South Extension and Hung Shui Kiu Station in future. Technical failures on train services had been more frequent recently and more delays would likely be the result, causing inconvenience to the residents; and
- (d) Members should pay attention to whether there would be sufficient infrastructural support for the proposed developments under the Plan.

[Actual speaking time: 3 minutes]

R35/C5 – 劉瑋權

R36/C6 – 麥美鳳

R37/C7 – Lau Ka Lim

R38/C8 – Lau Ka Yan

C3 – Chu Suk Fun

C4 – Wong Bak Luck

C27 – Keness Lau

C28 – 李佩瑩

C39 – 吳小姐

C42 - Ryan Lam

C44 – Land Justice League

C73 – Chau Miu Ling

C82 – Mok Wai Man

C105 – 楊以超

C116 – Kelly Tang

C120 – Fung Kwun Sum

C121 – Luk Kit Ling

C133 – 曾瑞明

C135 – Chan Sze Chung

C136 – Sushan Chan

C142 – Ngan Yuk Ying

C144 – Ching Hang Ying

C147 – Hui Tsz Wan Alison

C150 – K.K. Kwok

C154 – Shek Wai Him Vivian

C155 – Jinno Neko

C-158 – Wong Kok Wai

C163 –Choi Suet Wah

C173 – Gawain Lo

C175 – Chow Suk Fun

C180 – 梁佩筠

C181 – Janet Cheng

C187 - Ng Chun Wing Miffy

C197 – Keon Lee

C199 – Mak Shing Fung

C202 – Jasmine Cheung

C204 – Dennis Mak

C206– Lau Ka Shing

C207 – Stella Choi

C208 – 陳小玲

C209 – Saffron Ko

C214 – Simon Wong

C216 – Gigi Chan

C217 – Frango Tsang

C218 – Micky Chau

C220 – Josie Chau

C222 – Chau Ping Kwong

C223 – Tanya Hart

C226 – 朱凱迪

C245 – 張民昇

C250 – Li Moon Lok

C251 – Tang Ming Chun

C254 – 李葉開

C257 – Tsang Lok Yan

C258 – 張智健

C277 – Anthony

C283 – Debby Chan

C284 – Chan Ka Wai

C285 – Tang Sze Yan

C291 – Ng Wai Man

C296 – Terence Chan

C304 – Fong Oi Ning

C311 – 陳智亮

C318 – Jason Cheung

C325 – Mak Siu Lin

C330 – Wendy Wo

34. Mr Chong Lap Pan said that the oral submission by Land Justice League (the Group), representing 4 representers and 65 commenters, would comprise several parts and the first part would be made by Mr Chu Hoi Dick on the imbalance between urban and rural developments. With the aid of a PowerPoint presentation, Mr Chu made the following main points:

- (a) he lived in the area near Kam Sheung Road;

- (b) the local residents and villagers living near Kam Sheung Road were first aware of the LUR in 2012. There was a general lack of detailed information at that time except that there was a plan showing an area surrounding the two West Rail sites which was marked in a red dotted line i.e. the area of the LUR and 15,000 residential units would be provided within such area. No information was provided as to the implications of the proposals on the neighbouring areas outside the area of the LUR. A gathering was held on 18.3.2012 to exchange views and concerns amongst the residents of Pat Heung and Kam Tin;
- (c) the details of the 14 potential housing sites under the LUR were released to the public in 2014. PlanD and MTRCL did not address the concerns of the affected parties such as villagers within and outside the area of the LUR. Many of the area affected by the 14 potential housing sites were certified organic farms. Over half of the certified organic farms in Hong Kong were in fact located in Pat Heung and Kam Tin. One large organic farm was located to the southwest of the KSRS Site. PlanD did not provide information as to whether the farm would need to be relocated or not;
- (d) the existing villagers near the West Rail sites would be asked to move out from their homes and PlanD had not considered the impact on the villagers in drawing up the amendments of the Plan. Some of the farms located outside the area of the LUR had already been forced to relocate as the landowners and investors considered the development potential of their land would be increased due to the proposed development at the West Rail sites;
- (e) as the area of the LUR was set for redevelopment, illegal dumping of construction wastes on agricultural land in the areas of Pat Heung and Kam Tin had become more serious. Manpower in PlanD for undertaking enforcement actions against illegal dumping was however limited and the affected land could not be reinstated timely;

- (f) as for the existing agricultural lands in the neighbouring areas outside the Plan, many of them were zoned “AGR” and “CA”. These lands should be protected and the agricultural activities should be revitalised. However, resources had been devoted to urban development, and not for rural development, causing an imbalance between the two. Back in the 1950s, when the Tai Lam Chung Reservoir was built to supply water for the urban areas, other reservoirs were constructed in parallel to supply water for the agricultural land in Pat Heung and Kam Tin to allow for the continuation of the agricultural activities. That strategy had however not been adopted by the current Government; and

- (g) by presenting the proposed developments at the West Rail sites as an individual development project under the Plan rather than treating them as part of a New Town development, the actual implications of the proposed development on the neighbouring areas including villagers and farms had been artificially minimized. The marking of an area for development (「圈地式發展」) with adverse impacts on the neighbouring areas should not be adopted. Instead, the co-existence of urban and rural developments (「城鄉共生模式」) should be promoted.

35. Mr Chong said that the next part of the oral submission would be made by local farmers, and that Mr Wong Yu Wing, a local farmer would start first. Mr Wong made the following main points:

- (a) he was the officer-in-charge of the Hong Kong Organic Association (HKOA) and the owner of Au Law Organic Farm;

- (b) he grew up in a farm and had a strong attachment to farming. He started his organic farm in Kam Tin five years ago. His produce had been popular and the farm had progressively expanded in operation;

- (c) in view of the increasing demand for organic produce for consumption locally, the number of local farmers in Hong Kong engaging in the

organic farming business had been on the rise. The new farmers had been active in promoting local agriculture and marketing with the use of on-line direct sale and delivery services;

- (d) it was the intention that the self-sufficiency rate in agriculture in Hong Kong be increased from the current 2% to 10% in the next 5 or 10 years. That could be achievable as there was plenty agricultural land left idle in Hong Kong, including the area surrounding the West Rail sites;
- (e) HKOA had in fact been promoting agricultural rehabilitation, through the identification of fallow agricultural land, though it was a time consuming process. Agricultural lands were largely owned by indigenous villagers, developers and the Government. There was a long waiting list for renting agricultural lands from the Government, and it was difficult to rent land from indigenous villagers, as some might have migrated to overseas and they usually considered renting out of agricultural lands to farmers not a profitable option. Although over 4,000 hectares of land had been zoned for agricultural purposes, many was not directly accessible to farmers; and
- (f) there should be planning for agriculture and the needs of farmers should be catered for. The Government was currently reviewing the agricultural policy. Members should convey the views of local farmers to the Government so that a balance could be struck between development and agriculture and that agricultural land would be protected.

36. Mr Chong said that as some of local farmers could not attend the hearing, their views would be read out by a representative of the Group. Miss Chan Hoi Shan read out the views of two farmers, which were summarised as follows:

- (a) agricultural land should be used for agricultural purposes. Any unauthorised change of use of agricultural land should be liable to a high fine. If agricultural land had been left idle, the owner should be

required to pay land tax;

- (b) assistance should be provided to farmers for their relocation and agricultural rehabilitation if their land was resumed for Government projects; and
- (c) farmers had been forced to leave their farms in Kam Tin due to high rents charged by the owners anticipating that the area was set for redevelopment, thereby adversely affecting the livelihood of farmers. Members should consider ways to release more agricultural land to individual farmers for farming purposes to meet their needs.

37. Mr Chong indicated that as Miss Chan herself was a local resident in Kam Tin, she would also like to express her own views as a resident. Miss Chan made the following main points:

- (a) renting of agricultural land was a problematic task. The areas along Kam Sheung Road were largely occupied by scrap yards and village houses. There was limited agricultural land that was accessible. Members should pay a visit to the area along Kam Sheung Road. Even the owners of land located on the nearby hillside were reluctant to lease out their land as they were waiting for resumption or purchase of land by the Government/developers;
- (b) the farmer would need to know the land owner personally before he could have a chance to rent a piece of agricultural land. In the past, the rent of the first year of tenancy of agricultural land would be waived as the land would need to be prepared for farming. That had changed recently as full rent was required to be paid from day one of the tenancy for agricultural purpose, aggravating the difficulty being faced by farmers;
- (c) with the increasing awareness on healthy diets, the number of people wanting to become farmers had increased. Many had approached

AFCD for land for farming. Many were told that no land was available and there were 200 people on the waiting list of AFCD. Abandoned agricultural land was however plentiful in Pat Heung. That situation could not have existed in other countries that valued the importance of self sufficiency of food supply. In Japan, for example, roof tops of Grade A office buildings had been used for farming. Hong Kong residents had no choice but to consume produce from other countries, and be affected by contamination, shortages and high prices of produce from other countries;

- (d) the concept of 'sustainable agriculture', which advocated low carbon living, should be adopted. Under such concept, farming would be carried out in each district and farmers would provide the residents of each district the fresh vegetables, so as to minimise carbon dioxide emissions from transporting vegetables. The residents/consumers could visit the local farms, fostering communications between farmers and residents/consumers. A similar kind of programme had commenced in Pat Heung and vegetables were being delivered to the residents direct from local farms and exchange of views between farmers and residents had been established; and
- (e) urbanisation of Pat Heung would damage the local environment and lead to the demise of villages. Pat Heung should maintain its rural character. Rural living was a life style and should not be forgone at the expense of urban development. Members should visit the area to understand better the situation.

38. Mr Chong indicated that another local resident, Ms Maria Ko, would like to give views. Ms Ko made the following main points:

- (a) she was a university student at the Department of Social Work 30 years ago. Her teacher had warned her about the impact of drawing a line on a plan, which might have a devastating effect on the lives of many people. She now understood the teaching of her teacher as she was a

victim under the Plan;

- (b) Members should be aware that what they had in their hands could be the weapons which would affect the lives of other people;
- (c) she doubted whether Members were aware of the strong ties and uniqueness of the rural communities in Kam Tin. Rural dwellers had strong attachment to their land and would live on the same land for their whole lives;
- (d) rural living was a healthy way of living and many elderly in Kam Tin were free from sickness, thereby reducing the amount of resources spent on public health care; and
- (e) Members should consider their role in helping the disadvantaged in the community. Considerations should be given to keeping the local communities intact. Greenery, social harmony and strong community ties should be valued and protected.

39. Mr Chong said that he would present his views on the housing shortage issue which had been the justification for developing the West Rail sites. He made the following main points:

- (a) the shortage of housing was not due to the lack of land. Rather, it was due to the misallocation of land resources;
- (b) the Government's justification for building more housing units to combat the increasing property prices so as to enhance affordability of housing units was unfounded. According to the figures provided by the Census and Statistics Department, while the numbers of permanent households and residential units were on the rise in the last 10 years, the gap between the two had become wider i.e. there were more flats than households. A report by the Bauhinia Foundation Research Centre in 2014 had indicated no correlation between the amount of newly

completed private residential units and property prices;

- (c) the provision of more public housing would not address the housing shortage issue, as the public housing was mostly built outside the urban areas, making them unsuitable for people who would need to commute daily to the urban areas for work. Rather than providing public housing in the urban areas, the Government had kept the urban areas for the development of luxury flats and other uses. For example, out of 320 hectares of land in the Kai Tak Development, housing took up 11% of the total area, within which only 9 hectares (2.8%) were for the development of public housing; and
- (d) to address the housing shortage problems, urban areas should be developed first for public housing. Being outside the urban areas, the area around Kam Sheung Road including the West Rail sites and the surrounding agricultural land should not be developed. Rural areas including the local farmers and villagers should not be sacrificed to address the housing problem. The land within the urban areas should be optimised as far as possible to address the overall housing problem of Hong Kong.

40. Mr Chong said that the development of new towns in the rural area would give rise to other problems on infrastructure, the details of which would be presented by Miss Yuen Kaising. Miss Yuen made the following main points:

- (a) the railway transport infrastructure in the Kam Tin South and Pat Heung area would not be able to accommodate the future residents arising from the proposed development at the West Rail sites. The WRL had already reached 99% of its capacity. The situation would be further aggravated upon the full development of the Kam Tin South and Pat Heung area including the public housing sites as proposed under the LUR, with a total population of about 90,000;

- (b) the planning of WRL was made in 1994, more than 20 years ago. MTRCL had only proposed measures such as the increase in train compartments and train frequency at peak hours to enhance its services. Relying on railway as the backbone of transportation for the development was no longer appropriate. It was doubtful if the needs of the future local residents in the next 5 or 10 years could be met by WRL. The introduction of Hung Shui Kiu Station and inclusion of KSRS as part of NOL would only increase the loading of WRL, further exacerbating the problem;
- (c) there was a lack of a comprehensive transport infrastructure system to cope with continuous developments in Hong Kong. The transfer of population from the urban areas to rural areas would only create a vicious cycle. To reduce the need for commuting, adequate job opportunities should be provided locally in the Kam Tin South and Pat Heung area;
- (d) without drastic improvement in infrastructure, the area of Kam Sheung Road and Pat Heung, currently serving as a buffer area between the urban area and the countryside, would likely be transformed into another satellite town, just for night-time accommodation of the residents; and
- (e) expansion of urbanisation into the rural areas should not continue. Without proper planning of public transport infrastructure, Kam Tin South should not be developed.

41. Mr Chu said that he would make further points in respect of agriculture. With the aid of a PowerPoint presentation, Mr Chu made the following main points:

- (a) there were signs of revitalisation in the agriculture activities in the Kam Tin and Pat Heung area. In 2011, more than 200 farms were located in the area. As for certified organic farms, there were 57 such farms in the area in 2014, constituting about 45% of the total number of certified

organic farms in Hong Kong;

- (b) the Kam Tin and Pat Heung area as a whole possessed great potential for agricultural rehabilitation. A total of about 700 hectares of agricultural land were zoned “AGR” within the planning scheme areas covered by the four OZPs, including Kam Tin South, Kam Tin North, Pat Heung and Shek Kong. Currently, about 10% of them was under farming while the majority was left idle;

[Professor Eddie C.M. Hui left the meeting at this point.]

- (c) the Government should not neglect the need for agriculture in the pursuit of housing development. The Chief Executive had in fact visited the farms in Pat Heung previously, and that agriculture policy was under review;
- (d) the Group took the initiative to collect the views of the local farmers in the Kam Tin and Pat Heung area, after PlanD’s submission of the LUR to the Board for consideration in April 2014. Based on the views collected, a number of major proposals for the Plan had been devised for Members’ consideration:
 - (i) a protection zoning for agriculture should be included in the Plan, and following the example of the North East New Territories (NENT) New Development Areas (NDAs), the new zoning could be similar to the “Agriculture(1)” designated for the area to the north of Long Valley Nature Park for added protection of agricultural land, and that agricultural rehabilitation should be facilitated in the area similar to Kwu Tung South which was identified as having potential for agricultural rehabilitation and resite for the affected farmers in the NDAs;

- (ii) as the Kam Tin and Pat Heung area was an important agricultural district in Hong Kong, the Government should consider ways to sustain agriculture in the area. An area within the Plan should be designated for the development of an agriculture development centre, which could provide education and staff training for the agriculture industry and tourism/farming related activities; and
- (iii) proper assistance to the farmers affected by the amendments to the Plan should be provided, so as to facilitate continuation of farming elsewhere. In the NENT NDAs, the Government had urged the land owners not to force out the existing users indiscriminately and that they should be compensated by the land owners in accordance with the compensations set by the Government. That should be followed when implementing the Plan.

[Actual speaking time: 75 minutes]

42. Upon enquiry by the Chairman, Mr Chong said that two more oral submissions would be made by Messrs Tam Kai Hei and Chow Sung Ming respectively, requiring more than one hour in total. In response, the Chairman said that taking into account the number of items that had already been scheduled for consideration by the Board on the same day, the remaining oral submissions could not be accommodated at the current hearing and would need to be heard by the Board separately on another day to be arranged. He said that the Group had previously indicated to the Board's Secretariat that only about 20 minutes would be required for the oral submission, and flexibility had already been allowed for the additional time of 55 minutes this morning, totaling 75 minutes, for the Group. There might nevertheless be room to accommodate further a short oral submission by the Group.

43. Mr Tam Kai Hei said that the Group was entitled to have at least 300 minutes to give oral submissions given the number of authorisations from representers/commenters received by the Group. The Chairman explained that the Board would hear the remaining oral submissions by the Group on another day for the aforementioned reason and the Group's right to be heard would not be deprived. He added that after oral submissions by the

remaining commenters who had already registered to make oral submission at the meeting, there would still be a question and answer (Q&A) session for the Item and other agenda items. The deliberation would only be made after hearing the Group's remaining oral submissions on another day to be arranged. This was the practice adopted by the Board if the hearing of representations and comments of the OZP could not be completed in one single day.

44. Mr Tam considered that the oral submissions by the Group should be made in one go and expressed his dissatisfaction regarding the arrangement in respect of the meeting agenda where only the morning session was set aside for the Item. The Chairman reiterated that the allotted time for the Group was worked out by the Secretariat in consultation with the Group before the hearing and to arrange another day for the hearing would not deprive the Group's right to be heard. In response to Mr Tam's query on the attendance of Members in the next hearing, the Chairman said that Members would be provided with the record of the meeting to prepare for the deliberation of the representations and comments of the Plan.

45. Mr Tam indicated his intention to make a 10-minute oral submission at the current hearing and that Mr Chow Sung Ming had no objection to attending the hearing on another day to make his oral submission. The Chairman thanked Messrs Tam and Chow for their cooperation. Mr Au Kwok Kuen said that since the Group had more than 60 authorizations, they were entitled to have at least 600 minutes for making oral submissions. He requested that the aforesaid be put on record under the minutes of the meeting. Mr Tam said that he would make his oral submission after the oral submissions of the two remaining commenters.

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

[Ms Julia M.K. Lau and Mr Clarence W.C. Leung left the meeting at this point.]

C24 - Lai Wai Hung (YLDC Member)

46. Mr Lai Wing Tim made the following main points:

- (a) he was the village representative of Sheung Tsuen and a member of 「八鄉錦上路發展關注組」, which included all village representatives of the areas of Kam Sheung Road and Pat Heung South;
- (b) local residents could no longer tolerate the adverse traffic conditions of Kam Sheung Road. School children would need to take buses very early (i.e. 7 a.m.) to arrive at school in Yuen Long on time every morning due to traffic congestion. Increasing bus services would not address the problem. Apart from traffic congestion, problems of road safety and flooding had become more serious. Any increase in the population of the area as a result of the proposed development at the West Rail sites would cause major traffic problem. Widening of Kam Sheung Road was a must;
- (c) Members should not be misled by the information provided by government departments. While the YLDC and Pat Heung RC had stressed the importance of Kam Sheung Road from the traffic perspective in relation to the LUR back in April 2014, the documents for the amendment items of the Plan had failed to mention the need for widening of Kam Sheung Road. PlanD's representative at the presentation earlier had said twice that there was no evidence to support the widening of Kam Sheung Road to four lanes. However, the request of the local residents was only to widen Kam Sheung Road, which did not necessarily involve widening the entire road to four lanes. The Government had so far made no improvement to Kam Sheung Road, other than providing lip service;
- (d) some improvement measures for Kam Sheung Road had been proposed by the Homes Affairs Department (HAD), which were agreed by the Chairman of the Pat Heung RC who lived near Wang Tai Shan, not Kam Sheung Road. Those measures were not responding to the request of the local residents for Kam Sheung Road and had led to the formation of the 「八鄉錦上路發展關注組」; and

- (e) Members should take into account the concerns of the local residents and request the Government to widen Kam Sheung Road with a firm timetable before agreeing to the amendments to the OZP. If there was no confirmation from the Government on such road widening, the proposed amendments to the OZP should be refused.

[Actual speaking time: 7 minutes]

[Dr C.P. Lau left the meeting at this point.]

C312 – Kwong Yu Plastics FTY Limited

47. With the aid of a PowerPoint presentation, Mr Benson Poon made the following main points:

- (a) he represented one of the two land owners of the private lots located within the “CDA” site near the KSRS Site. The respective areas owned by the land owners were generally defined as Sites 1 and 2 for easy reference;
- (b) the proposal of the presenter (R55) i.e. the landowner of the private lot at Site 1 for inclusion of the “CDA” site as an amendment item under the Plan was supported;
- (c) the incorporation of the “CDA” site as part of the current amendment item was in line with the concept of TOD and the recommendations of the LUR. Amendment Item A1 did not fulfil the policy intent for TOD nor the need for increasing housing supply. According to the Policy Address 2015, housing supply in the New Territories should be increased and the development of the KSRS Site as a residential node should be based on TOD. In terms of timing, the aforesaid incorporation would represent a quicker option in comparison with the submission of a s.12A rezoning application to rezone the “CDA”

site, which could be submitted only after the approval of the Plan by the Chief Executive in Council;

- (d) although the “CDA” zone was designated in 2007, the low development intensity permitted under the zone had not provided enough incentive for the developers. There was in fact sufficient infrastructure in and around the “CDA” site to justify a higher density development;
- (e) to facilitate early implementation of the residential development to increase housing supply, Sites 1 and 2 should be rezoned to “R(A)” with a PR of 4. This would be comparable to the PR of 6 for the residential developments on top of MTR stations in New Towns. By applying the same PR to both sites, a compatible and optimal urban design of Sites 1 and 2 could be achieved under a fair and equitable approach, while respecting the planning intention of the “CDA” zone. For the non-developable area of the “CDA” site where the existing natural landscape would be maintained for public use, it would be unaffected by the proposals;
- (f) C312 was the original owner of the portion of government land in Site 2, and had been in negotiation with LandsD to recover ownership of that portion of land, which was not used for public roads or drains. The future development should therefore include that portion of land;
- (g) the height restrictions under the Plan were outdated and should be systematically reviewed in the light of the current and future operational need of the Shek Kong Airfield. If the SKAHR could be relaxed, the development intensities of the KSRS and PHMC Sites under Amendment Items A1 and A2 and other sites including the subject “CDA” site could be increased. The maximum 69mPD height restriction on the subject “CDA” site should be increased accordingly. The relevant infrastructure should also progressively be made available and upgraded to accommodate the increased

development intensity in time by the Government; and

- (h) the proposals as stated above should be treated as alternative amendments to the Plan and be incorporated accordingly.

[Actual speaking time: 9 minutes]

48. The Group representing 4 representers and 65 commenters set out in paragraph 24 above continued its presentation. With the aid of a PowerPoint presentation, Mr Tam Kai Hei made the following main points:

- (a) as the amendment items of the Plan were pivotal in bringing changes to the Kam Tin South and Pat Heung area, sufficient time should be allowed for the Group with at least 60 authorisations of representers/commenters to put forth their grounds;
- (b) according to the TPB Paper No. 9590 on the LUR (the LUR Paper) considered by the Board on 11.4.2014, the Kam Tin South and Pat Heung area would be developed into a suburban township. However, he had several observations that were contrary to such development concept. The population of Kam Tin and Pat Heung was currently about 28,000. Upon full development of the potential housing sites under the LUR, including the two West Rail sites and a number of public and private housing sites, the planned population could reach 92,800. The future total population would therefore be about 120,000, accounting for 46% of the existing population of Fanling and Sheung Shui. Based on the area of the potential housing sites (i.e. about 110 ha) and a population of 92,800, the number of people per square kilometre would be more than 80,000, which was denser than that of Kwun Tong. The building heights adopted for a number of the potential housing sites in the LUR including the two West Rail sites, ranging from 17 to 26 storeys, were also beyond the maximum building height of 12 storeys recommended for rural residential density zone 1 (RR1) under Chapter 2 of the HKPSG on Residential Densities;

- (c) it appeared that the LUR was in fact for a new town development and the Government had introduced the development proposals in an incremental or piecemeal manner to avoid public attention. If the current amendment items were the first development phase of a new town, a series of large-scale public consultations to be led by the Development Bureau should be undertaken. Full details of the development proposals should be provided and that funding should be sought from the Legislative Council (LegCo);
- (d) the LUR was completed by PlanD with the assistance of MTRCL, as stated under paragraph 3 of the LUR Paper. MTRCL, being a profit making enterprise which could directly profit from the planning of the Kam Tin South and Pat Heung area, should not have been involved in the drafting of the LUR. In the LUR, PlanD should have stated the respective parts that were originated from the Government and MTRCL. If the LUR was mainly drafted by MTRCL, it would not be appropriate for the Board to use the LUR as a reference in considering the amendment items of the Plan;
- (e) the subject Paper had stated that the LUR was to follow the 2013 Policy Address of the Chief Executive to increase the supply of housing land and to take forward the planning for residential development at the two West Rail sites. The Policy Address should however only be one of the considerations for the LUR. It should first be ascertained if the existing population of the Kam Tin South and Pat Heung area was provided with sufficient Government, institution or community (GIC) facilities. Then, various development options for the two West Rail sites should be explored. The LUR Paper should provide such information;
- (f) to facilitate public understanding of the background of the KSRS Site, the relevant documents associated with the previous planning of the site when the Chief Executive in Council approved the WRL in 1998

should be made available;

- (g) the WRL with train compartments of 7 cars and 20 trains per hour was currently operating at 99% of its capacity, carrying 34,600 passengers per hour. Upon the addition of one compartment shortly in the year 2016 and the ultimate increase of trains per hour to 28, the WRL at 100% capacity could carry 55,918 passengers per hour. Hence, when compared with the current situation, an additional 21,318 passengers per hour could potentially be accommodated by the WRL due to the improvements in the number of train compartments and train frequency. However, the improvements would not be able to accommodate the future population along the WRL, including those of the Hung Shui Kiu NDA, the potential development areas in Yuen Long South and other zoning amendments in the Yuen Long and Tuen Mun districts, totalling at least 300,000. Hon. Michael P.S. Tien, a LegCo Member, had estimated that the passengers using WRL during rush hours would increase to 92,569 per hour in the year 2030; and
- (h) in view of the above, high-density residential developments should be located in urban areas and the subject amendment items should not be allowed.

[Actual speaking time: 15 minutes]

[Mr H.F. Leung and Mr Frankie W.C. Yeung left the meeting at this point.]

49. As the presentations from PlanD's representatives, representers, commenters and their representatives for the current hearing session had been completed, the Chairman invited questions from Members.

50. The Vice-chairman asked if further information could be provided on the traffic impact of the proposed development at the West Rail sites on local roads including Kam Sheung Road and if the TIA had assessed the traffic impact arising from other planned developments in the Kam Tin South and Pat Heung area in the long run. In response, with

the aid of a visualiser, Mr F.K. Cheung, E/YLE, TD, said that according to the TIA of the LUR, the traffic flow arising from the proposed development at the West Rail sites was estimated to be around 1,500 passenger car unit per hour (pcu/hr) and that the majority of the future residents of the proposed development would commute to/from Kowloon via Route 3 (Tai Lam Tunnel) during peak hours. Some would commute to/from the Northern District, Tuen Mun and Yuen Long via San Tin Highway or Yuen Long Highway. As such, there would be no major traffic impact on the local roads including Kam Sheung Road. The TIA had also assessed the potential traffic impact of the known long-term developments in the neighbouring areas, namely the other 12 potential housing sites under the LUR. At present, Kam Sheung Road was about 6.3m wide, which was below the standard width of 7.3m for a single two-lane carriageway. Nonetheless, the current design of Kam Sheung Road could accommodate 1,400 vehicles/hour (equivalent to 1,800 pcu/hr). The TIA had examined two development scenarios, one concerned the proposed development at the West Rail sites and three other potential housing sites while the other was with all the 14 potential housing sites. According to the TIA, for the scenario without any improvement measures and assuming all 14 potential housing sites developed, the traffic flow on Kam Sheung Road would amount to 1,290 vehicles/hour and its volume-to-capacity (V/C) ratio would be about 0.9 during peak hours, which was considered acceptable in traffic terms.

51. In response to the Vice-Chairman's enquiry on whether TD would propose to improve or widen Kam Sheung Road based on the current rate of accidents occurred on Kam Sheung Road, Mr. Cheung said that TD had conducted a review on the causes of accidents on Kam Sheung Road based on the latest one-year period and stressed that improvement measures should be devised according to the cause of each accident. According to the results, out of the 47 traffic accidents on Kam Sheung Road last year, only 16 of them might be related to the limited road width and caused by overtaking of vehicles and rear-end collisions. As such, provision of bus lay-bys or widening at junction, etc., should be sufficient to address the problem.

52. Ms Maggie M.Y. Chin, DPO/FS&YLE, supplemented that the TIA had studied the performance of the local road network with implementation of the proposed development at the two West Rail sites. To cater for the traffic generated by the additional population of the proposed development, the TIA had proposed several local road widening and major junction improvement works. The TIA had concluded that all major road links and

junctions would operate within capacity with the implementation of the proposed road improvement measures and no insurmountable traffic impact was envisaged due to the proposed development. In response to Vice-chairman's further enquiry, she said that in the TIA, it was assumed that about 60% of the future population of the proposed housing developments under the LUR would commute to/from work or school by using the rail service.

53. The Vice-chairman asked how the overall railway infrastructure could cope with the proposed and neighbouring developments as well as other major developments such as NDAs along the railway lines. Mr Thomas K.H Sze, SE/TS1, RDO of HyD, said that MTRCL had already adopted measures to enhance the services of WRL, including better platform management to ensure more even distribution of passengers at platforms or on trains as well as increasing train frequency when necessary at peak hours, such as the introduction of one additional train service from Tin Shui Wai to Hung Hom, to cope with the demands of passengers between stations. He went on to say that for the medium term, the Tai Wai to Hung Hom section of the Shatin to Central Link (SCL) currently under construction, the WRL and the Ma On Shan Line would form the "East-West Corridor". Under the SCL project, the signalling system of the WRL would be improved, new train cars would be procured and existing trains would be modified. The trains of the WRL would gradually be changed from 7-car to 8-car. After all the purchased and modified trains were in service, the "East-West Corridor" could provide services at an hourly frequency of 24 at each direction with 8-car trains. The carrying capacity of the WRL would then increase by 37% over the current 7-car trains operating at an hourly frequency of 20. The "East-West Corridor" could ultimately reach an hourly frequency of 28 at each direction, with 8-car trains. The carrying capacity of the WRL would then increase by 60% over the current 7-car trains operating at an hourly frequency of 20. He added that according to the Railway Development Strategy (RDS) 2014, there would be seven new railway projects, including NOL, Tuen Mun South Extension and Hung Shui Kiu Station within a design horizon up to 2031. The relevant consultancy study of the RDS 2014 had taken into account the latest known development parameters of future developments and concluded that upon completion of these new railway projects, WRL would still be able to meet the demand of passengers. In response to a Member's enquiry on the basis of the 60% increase of WRL's capacity, he said that it was calculated taking into account the addition of train compartments from 7 cars to 8 cars and increase in train frequency from the current 20 trains

per hour to 28 trains per hour.

[Mr Stephen H.B. Yau left the meeting at this point.]

54. A Member enquired about (a) the relationship between the potential housing sites under the LUR and the two West Rail sites, (b) if there would be a need for widening Kam Sheung Road should all the potential housing sites be developed and (c) whether there was a timetable for the development of the potential housing sites. With the aid of a PowerPoint presentation, Ms Chin said that the objective of the LUR was to identify suitable sites for public and private housing developments in the Kam Tin South and Pat Heung area to meet future development needs of Hong Kong. A total of 14 potential housing sites including the two West Rail sites were identified under the LUR. In view of the infrastructural constraints, particularly the capacity of the sewage treatment facilities, the 14 potential housing sites would need to be implemented by phases. To meet the pressing demand for housing supply, the two West Rail sites were rezoned first as the proposed development was technically viable and no major infrastructure improvement works would be required. The remaining potential housing sites under the LUR would be subject to further studies on provision of supporting infrastructure, including transport infrastructure. The development timetable for these potential housing sites would hinge on the progress of the further studies. The TIA conducted under the LUR and endorsed by TD had demonstrated that the proposed development at the two West Rail sites would have minimal impact on Kam Sheung Road. The TIA also concluded that upon full development of all 14 potential housing sites, some improvement works to a number of existing junctions such as Kam Sheung Road/Pat Heung Road and Kam Tin Road/Kam Sheung Road as well as widening at sections of Kam Tin Road and Kam Sheung Road to a standard 7.3m wide single two-lane carriageway with 2m footpath along both sides would be required.

55. The same Member asked if “Government, Institution or Community” (“G/IC”) sites had been reserved alongside the potential housing sites. Ms Chin said that various GIC facilities would be provided to serve the planned population of the 14 potential housing sites and the local community, including a sport centre, clinic, post office, primary and secondary schools. The provision of GIC facilities would tie in with the population intake. Some GIC facilities would be provided in respective housing sites or individual “G/IC” sites. For the two West Rail sites, adequate GIC facilities including kindergarten, primary school and

secondary school would be provided within the sites to serve the population in the proposed development. Besides, about 40,000m² and 3,000m² floor areas at the KSRS and PHMC Sites respectively would be set aside for accommodating retail facilities to serve the residents in the district. The existing public transport interchange, bicycle parking and a park-and-ride facility at the KSRS Site would also be re-provisioned as part of the proposed development for the convenience of the existing and future residents.

56. A Member asked whether the commercial floor areas of over 43,000m² and GIC facilities at the two West Rail sites would attract more traffic to the area leading to congestion on local roads namely Kam Sheung Road and Kam Tin Road. In response, Mr Cheung said that the 1,500 pcu/hr indicated in the TIA of the LUR had already included the traffic flow arising from the commercial floor spaces of the proposed development at the West Rail sites. Furthermore, commercial facilities would have different traffic pattern, as shops were usually not in business during the morning peak hours. The same Member said that buses stopping at bus stops along the road would be one of the causes for the traffic congestion problem along Kam Sheung Road. In response, Mr Cheung said that provision of bus lay-bys would help address the problem without the need to have a comprehensive widening of Kam Sheung Road.

57. As Members had no further question to raise, the Chairman said that the hearing procedures for the current hearing session had been completed and the Board would not deliberate on the representations and comments until the hearing of the Group's remaining oral submissions had been completed. He then thanked the representers, commenters and their representatives and the government representatives for attending the hearing. They all left the meeting at this point.

[Mr Lincoln L.H. Huang left the meeting temporarily at this point.]

Fanling, Sheung Shui & Yuen Long East District

Agenda Item 4

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/YL-KTS/672

Proposed Temporary Site Office, Car Park and Open Storage of Precast Units Related to the Central – Wan Chai Bypass – Tunnel (Slip Road 8 Section) Construction in “Other Specified Uses” annotated “Rural Use” zone, Lots 509 (Part), 510, 514 (Part) and 515 RP (part) in D.D. 106, Kam Po Road, Pat Heung, Yuen Long
(TPB Paper No. 10044)

[The item was conducted in Cantonese.]

Presentation and Question Sessions

58. The following representative of the Planning Department (PlanD) was invited to the meeting at this point:

Ms Maggie M.Y. Chin	-	District Planning Officer/Fanling, Sheung Shui & Yuen Long East (DPO/FS&YLE), PlanD
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59. The Chairman extended a welcome and informed the meeting that the applicant had decided not to attend the hearing. As sufficient notice had been given to the applicant to invite him to attend the meeting, Members agreed to proceed with the hearing in the absence of the applicant. He then invited DPO/FS&YLE to brief Members on the review application.

60. With the aid of a PowerPoint presentation, Ms Maggie M.Y. Chin, DPO/FS&YLE, presented the review application and covered the following main points as detailed in the Paper:

- (a) the applicant sought planning permission for a temporary site office, car park and open storage of precast units related to the Central – Wan Chai

Bypass – Tunnel (Slip Road 8 Section) construction on the application site (the Site), which fell within an area zoned “Other Specified Uses” annotated “Rural Use” (“OU(RU)”) on the Approved Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/12;

- (b) on 4.9.2015, the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board) decided to reject the application and the reasons were that the proposed development was not in line with the planning intention of the “OU(RU)” zone which was for the preservation of the character of the rural area; the application did not comply with the TPB Guidelines No. 13E on ‘Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance’ (TPB PG-No.13E) in that the development was not compatible with the rural character of the Site and its surrounding areas with residential dwellings and agricultural activities; and the approval of the application would have set an undesirable precedent for similar applications within this part of the “OU(RU)” zone;
- (c) the applicant had not submitted any written justifications in support of the review application;
- (d) the previous and similar applications were detailed in paragraphs 3.8 to 3.18 of the Paper ;
- (e) departmental comments – comments from the relevant government departments were detailed in paragraph 4 of the Paper and summarised below:
 - (i) DEP did not support the application as there were sensitive receivers, i.e. residential dwellings in the vicinity of the Site (about 20m to the east) and environmental nuisance was expected; and
 - (ii) other concerned departments had no objection to or no adverse comments on the application;

- (f) public comments – a total of four public comments were received from the chairman of Kam Tin Rural Committee, a local resident and two members of the general public respectively, objecting to or having adverse comments on the review application. The main grounds of objection were that the applied use would result in noise and environmental pollution as well as traffic congestion for the surrounding areas and the proposed development was not in line with the planning intention of “OU(RU)” zone as it would result in a degradation of the brownfield site; and

- (g) PlanD’s views - PlanD did not support the review application based on the planning considerations and assessments as set out in paragraph 7 of the Paper. The applicant had not submitted any written justifications in support of the review application. Since the last rejection of the application by the RNTPC, there had been no major change in the planning circumstances for the Site and the surrounding area. The planning considerations and assessment for the rejected application remained valid, namely the proposed development was not in line with the planning intention of the “OU(RU)” zone, the application did not comply with TPB PG-No.13E and the approval of the application would have set an undesirable precedent for similar application within this part of the “OU(RU)” zone resulting in a general degradation of the rural character of the area.

61. As the presentation from PlanD’s representative had been completed, the Chairman invited questions from Members. As Members had no question, the Chairman said that the hearing procedure for the review application had been completed. He then thanked Ms Chin for attending the meeting. Ms Chin left the meeting at this point.

Deliberation

62. A Member considered that as there was no change in the planning circumstances warranting favourable consideration since the rejection of the planning application by the RNTPC, there was no basis to approve the review application. The Vice-Chairman noted

that the Site fell within one of the potential housing sites as identified in the land use review for Kam Tin South and Pat Heung (the LUR) previously considered by the Board and asked if this could be a rejection ground for the review application. A Member added that approvals of temporary uses in an area identified for redevelopment might slow down the overall redevelopment pace and were undesirable. In response, Mr K.K. Ling, Director of Planning, said that the concerned potential housing site in the LUR would still be subject to a further study in view of the infrastructural constraints of the area and there was no programme to take forward the development of that particular potential housing site at this stage. In this regard, he said that the current zoning of the Site (i.e. “OU(RU)” zone) on the OZP should be the basis for assessing the review application.

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

- “(a) the proposed development is not in line with the planning intention of the “Other Specified Uses” annotated “Rural Use” (“OU(RU)”) zone which is for the preservation of the character of the rural area. Uses or developments compatible with the rural landscape, such as passive recreation uses and a selected range of rural uses, may be allowed on application to the Town Planning Board, with a view to upgrading or improving the area or providing support to the local communities. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis;

- (b) the application does not comply with the Town Planning Board Guidelines No. 13E on ‘Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance’ (TPB PG-No.13E) in that the development is not compatible with the rural character of the site and its surrounding areas with residential dwellings and agricultural activities, there is no previous planning approval for open storage use granted at the site and there is adverse comment from the relevant department; and

- (c) the approval of the application would set an undesirable precedent for similar applications within this part of the “OU(RU)” zone. The cumulative effect of approving such application would result in a general degradation of the rural character of the area.”

[The meeting was adjourned for a lunch break at 1:15 p.m.]

64. The meeting was resumed at 2:45 p.m.

65. The following Members and the Secretary were present at the resumed meeting:

Mr Michael W.L. Wong Chairman

Mr Stanley Y.F. Wong Vice-chairman

Mr Roger K.H. Luk

Professor P.P. Ho

Dr W.K. Yau

Dr Wilton W.T. Fok

Mr Sunny L.K. Ho

Mr Lincoln L.H. Huang

Mr Dominic K.K. Lam

Mr Patrick H.T. Lau

Ms Christina M. Lee

Mr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Principal Environmental Protection Officer (Metro Assessment)

Environmental Protection Department

Mr Ken Y.K. Wong

Deputy Director of Lands (General)
Mr Jeff Y.T. Lam

Director of Planning
Mr K.K. Ling

Sai Kung and Islands District

Agenda Item 5

[Open Meeting]

Consideration of the Draft Tung Chung Extension Area Outline Zoning Plan No. S/I-TCE/C and Tung Chung Valley Outline Zoning Plan No. S/I-TCV/C and Proposed Amendments to the Approved Tung Chung Town Centre Area Outline Zoning Plan No. S/I-TCTC/20 (TPB Paper No. 10045)

[The item was conducted in Cantonese.]

Declaration of Interest

66. The Secretary reported that the draft Tung Chung Extension Area Outline Zoning Plan (OZP) No. S/I-TCE/C and the proposed amendments to the approved Tung Chung Town Centre Area OZP No. S/I-TCTC/20 involved zoning of sites for proposed public housing developments 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
(as Director of Planning) | - | being a member of the Strategic Planning Committee and the Building Committee of HKHA |
| Mr Jeff Y.T. Lam
(as Deputy Director (General),
Lands Department) | - | being a representative of the Director of Lands who was a member of HKHA |
| Mr Martin W.C. Kwan
(as Chief Engineer (Works),
Home Affairs Department) | - | 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 |
| 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 |

67. The Secretary said that according to the procedure and practice adopted by the Town Planning Board (the Board), as the proposed public housing sites were the subjects of proposal on new OZP or amendment to OZP proposed by the Planning Department (PlanD), the interests of the above Members on the item only needed to be recorded and the above Members could be allowed to stay in the meeting. Members also noted that Ms Janice W.M. Lai had tendered apologies for not being able to attend the meeting, and Ms Julia M.K. Lau, Mr H.F. Leung, Mr Martin W.C. Kwan, Mr Ivan C.S. Fu, Dr Lawrence W.C. Poon and Ms

Christina M. Lee had already left the meeting.

Presentation and Question Sessions

68. The following government representatives were invited to the meeting:

- | | |
|----------------------|---|
| Ms Donna Y.P. Tam | - District Planning Officer/Sai Kung and Islands (DPO/SKIs), PlanD |
| Ms Amy M.Y. Wu | - Senior Town Planner/Islands 2, PlanD |
| Mr W.C. Lui | - Town Planner/New Plans, PlanD |
| Miss Vicki Y.Y. Au | - Town Planner/Islands 2, PlanD |
| Mr David K.C. Lo | - Chief Engineer/Islands (CE/Is), Civil Engineering and Development Department (CEDD) |
| Mr Kenneth C.P. Wong | - Senior Engineer 9 (Islands Division), CEDD |

69. The Chairman extended a welcome and invited DPO/SKIs to brief Members on the Paper. With the aid of a PowerPoint presentation, Ms Donna Y.P. Tam, DPO/SKIs, briefed Members on the two new draft OZPs for Tung Chung Extension Area and Tung Chung Valley and the proposed amendments to the approved Tung Chung Town Centre Area OZP as detailed in the Paper and covered the following main points:

Background

- (a) the Tung Chung New Town Extension Study (the Tung Chung Study) was jointly commissioned by CEDD and PlanD in 2012 with the overall objective to extend Tung Chung into a distinct community and propose a development plan which could meet housing, social, economic, environmental and local needs. Three stages of public engagement were

conducted from 2012 to 2014;

- (b) during Stage 3 Public Engagement (PE3) on the draft Recommended Outline Development Plan (RODP) on future land uses of the proposed New Town extension in Tung Chung East (TCE) and Tung Chung West (TCW) formulated under the Tung Chung Study, more than 4,000 public comments were received. Taking into account the public and departmental comments as well as planning and engineering considerations, the RODP had been revised and finalised;
- (c) based on the RODP, two new OZPs covering the New Town extension areas in TCE and TCW were prepared to incorporate the land use proposals and to provide development guidance and statutory planning control on future developments. In parallel, amendments to the Tung Chung Town Centre Area OZP were required to incorporate the land use proposals in the RODP relevant to the existing town centre area and its extension and to reflect the latest development proposals and as-built developments in the town centre area;

The RODP under the Tung Chung Study

- (d) the RODP formulated under Tung Chung Study had the following key features which had been incorporated in the three OZPs as appropriate:
 - (i) Optimisation of Development Potential – the development potential of the Tung Chung New Town extension had been optimised, taking into account various constraints and considerations. TCE and TCW would be served by two new railway stations on the Tung Chung Line. To capitalise on the enhanced accessibility to mass public transport, the sites within 500m of the proposed railway stations would have higher plot ratios (PRs). For TCE, a “Metro Core Area” with housing, office and retail facilities was proposed to function as the key centre for the entire TCE. For TCW, two residential sites for public

housing and three commercial sites serving TCW were proposed near the proposed railway station at TCW and/or along Tung Chung Road;

- (ii) Housing Mix Ratio – the housing mix ratio of 60 (public) : 40 (private) recommended by the Long Term Housing Strategy Steering Committee and accepted by the Government was adopted. The public to private housing ratio for the newly proposed developments in the New Town extension would be 63:37 and the overall housing mix upon full development in the whole New Town will be largely the same;
- (iii) Regional Commercial Hub – the proposed commercial developments in TCE and the North Commercial District in the Hong Kong International Airport had been planned to be complementary with each other. A regional office node with a gross floor area (GFA) of about 500,000m² for office use at the “Metro Core Area” in TCE and its adjoining area was planned. GFAs of about 163,000m² and 164,000m² for regional retail uses and local retail uses respectively would be provided in the New Town extension area. A hotel with a GFA of about 50,000m² (about 1,000 rooms) with retail, dining and tourism-associated facilities would be provided in TCE. It was estimated that more than 40,000 jobs (including those created by local retails) would be created from the proposed commercial developments;
- (iv) Balance between Conservation and Development in TCW – taking into account the public concerns and environmental considerations, the originally proposed 14 ha reclamation in Tung Chung Bay in the early phase of the Tung Chung Study would not be pursued. As TCW was characterised by its rural and natural setting, conservation zonings such as “Conservation Area” (“CA”), “Coastal Protection Area” (“CPA”) and “Green Belt” (“GB”) were proposed at various locations, taking into account the ecological

function and environmental conditions of the area. Development sites were identified in areas with more convenient accessibility to public transport and with less impact on the existing natural environment, including the area near the existing town centre and the future town park. Some low-rise, low-density residential developments were proposed in land pockets in Tung Chung Valley. A polder scheme with stormwater attenuation and treatment ponds was proposed in Tung Chung Valley to control the water quality of Tung Chung Stream and prevent flooding risk to the developments along the Stream. Sections of Tung Chung Stream would be developed as a river park for environmental enhancement and amenity use;

- (v) Transportation and Connectivity – two new railway stations, one at TCE and the other at TCW, were proposed to serve the New Town extension. The road network was designed to minimise vehicular traffic going through the residential clusters. Comprehensive pedestrian network incorporated into the Linear Park system in TCE would link up the “Metro Core Area” with the waterfront, the existing town centre and all the key public facilities. A cycling network with cycle tracks and cycle parks would be provided to encourage cycling within the New Town; and
- (vi) Building Height Strategy – stepped building height (BH) profile was adopted by which BHs were gradually reduced from the mountain backdrop in the south to the waterfront area in the north. It would create a distinctive outline of a varied urban environment and respect the current setting of the mountain and the sea;

Statutory Plans for Tung Chung New Town

Tung Chung Extension Area OZP

- (e) the draft Tung Chung Extension Area OZP (about 216.67 ha) would

mainly cover the TCE New Town extension area on reclamation, the reclamation area for the proposed Road P1 (Tung Chung – Tai Ho Section) and the proposed Tai Ho Interchange in accordance with the RODP. The area to the north of Ying Hei Road which mainly comprised Tung Chung Areas 52 to 56 currently covered by the Tung Chung Town Centre Area OZP would be excised from that OZP and incorporated within the new Tung Chung Extension Area OZP;

- (f) the land use zoning proposals in the draft Tung Chung Extension Area OZP were summarised as follows:
- (i) “Other Specified Uses” (“OU”) – about 10.81 ha of land were zoned “OU” and reserved for specified uses including the TCE railway station, commercial and residential development cum public transport interchange (PTI) to the north of the planned TCE railway station in the “Metro Core Area”, marina club, boat repairing and commercial facilities associated with marina development in the northern part of the planning scheme area, and petrol filling station. The “Metro Core Area” was located adjacent to the proposed railway station in TCE. It would become a landmark in the New Town and provide a major office node on Lantau complementary with the commercial uses to be provided in the adjacent areas;
 - (ii) “Commercial” (“C”) – five sites with a total area of about 7.38 ha were zoned “C” and intended primarily for commercial developments, including three sites adjacent to the “Metro Core Area” with maximum PRs of 9 to 9.5, a site at the waterfront for hotel development with a maximum PR of 3, and a site to the north of Tung Chung Waterfront Road for hotel development with a maximum PR of 5;
 - (iii) “Residential (Group A)” (“R(A)”) – about 42.03 ha of land closer to the proposed railway station were zoned “R(A)” and intended

primarily for high-density residential developments with commercial uses permitted on the lower floors. The “R(A)” sites would be subject to a maximum domestic PR of 5 (for “R(A)”) or maximum PRs ranging from 5.4 to 6.9 (for “R(A)1” to “R(A)5”), and maximum BHs ranging from 90mPD to 140mPD;

- (iv) “Residential (Group B)” (“R(B)”) – about 17 ha of land closer to the waterfront were zoned “R(B)” and intended primarily for medium-density residential developments where commercial uses serving the residential neighbourhood might be permitted. The “R(B)” sites would be subject to maximum PRs ranging from 2.5 to 3.9 and maximum BHs ranging from 45mPD to 70mPD;
- (v) “Open Space” (“O”) – about 27.12 ha of land were zoned “O” and intended primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of the local residents as well as the general public. The “O” zone covered a Central Green of about 5 ha which served as a major focus and activity node in the central part of the planning scheme area. Linear Parks were also planned in north-south and east-west directions through the planning scheme area to provide pedestrian corridors and visual corridors, and to connect with the existing pedestrian spine network in town centre area;
- (vi) “Government, Institution or Community” (“G/IC”) – about 21.47 ha of land were zoned “G/IC” and intended primarily for the provision of government, institution or community (GIC) facilities serving the needs of the local residents and/or a wider district, region or the territory. The planned GIC uses included primary and secondary schools, post-secondary institution and other educational uses, sports centre, sports ground, clinic and utilities facilities. Moreover, a site near the future Tai Ho Interchange in the eastern part of the planning scheme area was reserved for a possible cycle park; and

- (vii) “GB” – about 20.32 ha of land in the southern fringe of the planning scheme area covering the foothills of Por Kai Shan adjoining the Lantau North (Extension) Country Park were zoned “GB” to preserve the existing topography and natural vegetation;

Tung Chung Valley OZP

- (g) the draft Tung Chung Valley OZP (about 168.27 ha) would cover majority of the TCW New Town extension area in Tung Chung Valley which was rural and natural in character with Tung Chung Stream in the planning scheme area having high ecological value. The area was largely designated for conservation purpose under the “GB”, “CA” and “CPA” zonings. Some low-rise, low-density residential developments would be allowed in the less environmentally sensitive land pockets and the existing recognised villages within the planning scheme area would be zoned “Village Type Development” (“V”);
- (h) Tung Chung Valley had been designated as a Development Permission Area (DPA) and covered by the draft Tung Chung Valley DPA Plan No. DPA/I-TCV/1 gazetted on 21.8.2015 for providing interim planning control with a view to avoiding further proliferation of undesirable uses and degradation of the natural environment and rural character within Tung Chung Valley area. During the exhibition of the draft DPA Plan, a total of 652 representations were received; and up to the moment, 12 comments on the representations were received. The grounds and proposals of the representations and comments and the government responses had been summarised in the Paper. The views of the representations and comments had been taken into account and incorporated into the draft Tung Chung Valley OZP where appropriate;
- (i) on 27.11.2015, the Board noted that a new Tung Chung Valley OZP, if agreed by the Board, would be exhibited under section 5 of the Ordinance. The Tung Chung Valley DPA Plan would then cease to be effective and the plan-making process of the DPA plan would not be proceeded further;

- (j) Tung Chung Valley was characterised by a rural ambience adjoining the transitional area of the urbanised Tung Chung town centre. The natural landscape of the area consisted of woodland, shrubland, grassland, wetland, mangroves, abandoned farmland and scenic coastline. The tributaries of Tung Chung Stream, an Ecologically Important Stream (EIS), flew from the uphill area to Tung Chung Bay through the area. There were farmlands in the area where agricultural activities once flourished. The farmlands were mainly covered by unmanaged orchards. Except some scattered pockets of active farmlands, other farmlands were mostly fallow and covered with vegetation;
- (k) the land use zoning proposals in the draft Tung Chung Valley OZP were summarised as follows:
- (i) “C” – about 1.18 ha of land to the north of Yu Tung Road near the proposed railway station in TCW were zoned “C” for commercial developments including a local shopping centre serving the immediate neighbourhood. The sites would be subject to maximum PRs of 2 to 3 and maximum BHs ranging from 20mPD to 35mPD’;
 - (ii) “Residential (Group C)” (“R(C)”) – seven sites of relatively low ecological value with a total area of about 19.31 ha were zoned “R(C)” and intended primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood might be permitted. The sites would be subject to a maximum PR of 1 or 1.5 and maximum BHs ranging from 20mPD to 55mPD;
 - (iii) “G/IC” – about 2.39 ha of land were zoned “G/IC” for the provision of various GIC facilities, including Hau Wong Temple (Grade 2 historic building) at Sha Tsui Tau, the Entrance Gate, Shek Mun Kap (Grade 3 historic building) to the north of Shek Mun Kap Village and Lo Hon Monastery near Shek Pik Au;

[Ms Christina M. Lee arrived to join the meeting at this point.]

- (iv) “V” – about 14.59 ha of land were zoned “V” to reflect the six existing recognised villages in the planning scheme area, namely Ngau Au, Lam Che, Nim Yuen, Shek Lau Po, Mok Ka and Shek Mun Kap. The boundaries of the “V” zones were drawn taking into account the village ‘environs’, existing village clusters, local topography, site characteristics, Small House demand forecasts and outstanding Small House applications;
- (v) “OU” – about 8.45 ha of land were zoned “OU” which included the areas planned for the development of “River Park”, “Stormwater Attenuation and Treatment Ponds” and “Polder”. The river park was intended to protect and retain the existing natural landscape, ecological or topographic features of the area for preservation, educational and research purposes and to separate sensitive natural environment of Tung Chung Stream from the adverse effects of development. The stormwater attenuation and treatment ponds to be provided along Tung Chung Stream were to remove pollutants generated within development areas and to mitigate flood risk along Tung Chung Stream. The provision of polders along Tung Chung Stream was for flooding mitigation purpose;
- (vi) “O” – about 3 ha of land were zoned “O”. The “O” zone included the existing open area and recreational facilities in front of and around Hau Wong Temple and its nearby waterfront area, which was intended to provide an open space allowing public enjoyment of Tung Chung Bay;
- (vii) “CA” – about 54.63 ha of land, including the buffer area along Tung Chung Stream and the mature woodlands near Ngau Au and Shek Mun Kap, were zoned “CA” for protecting and retaining the existing natural landscape and ecological or topographical features;

- (viii) “CPA” – the mudflat, mangrove and natural shoreline at the estuary of Tung Chung Bay of about 6.49 ha were zoned “CPA” for providing a buffer area to avoid encroachment and adverse impact of development on the coastal area and both sides of Tung Chung Stream near the outlet; and
- (ix) “GB” – the natural vegetated areas consisting of streamcourses, the dense woodlands on some hillslopes, the relatively young woodlands developed from abandoned agricultural land and the existing burial grounds with a total area of about 51.93 ha were zoned “GB” for preserving the existing natural landscape;

Amendments to the Tung Chung Town Centre Area OZP

- (l) the proposed amendments to the approved Tung Chung Town Centre Area OZP No. S/I-TCTC/20 were mainly related to the extension of the planning scheme boundary to include the existing and planned developments and the proposed developments areas under the Tung Chung Study and amendments to the land use zonings on the basis of the RODP;
- (m) the proposed amendments to the approved Tung Chung Town Centre Area OZP were summarised as follows:
 - (i) Amendment Item A1 was to extend the planning scheme boundary to include an area of about 138.05 ha to the west and southwest of the existing town centre area within the planning scheme boundary of the Tung Chung Town Centre Area OZP to reflect the existing developments and incorporate land use proposals in the RODP as follows:

Residential Zone

- the existing public housing development of Yat Tung Estate

with 25 housing blocks was proposed to be zoned “R(A)” with a maximum domestic PR of 5 to reflect its existing development intensity;

- the public housing development under construction in Area 39 was proposed to be zoned “R(A)1” with a maximum domestic PR of 6 and a BH of 130mPD in accordance with the development parameters of the endorsed Planning Brief;
- a site in Area 42 along Tung Chung Road was proposed to be zoned “R(A)2” with a maximum PR of 6.4 and a BH of 130mPD for public housing development;
- a site in Area 46 along Tung Chung Road was proposed to be zoned “R(A)3” with a maximum PR of 5.4 and a BH of 140mPD for public housing development;
- a site in Area 33 to the west of Yat Tung Estate was proposed to be zoned “R(B)2” with a maximum PR of 3.5 and a BH of 70mPD for private residential development;

“V” Zone

- the recognised villages of Chek Lap Kok San Tsuen, Sheung Ling Pei Village, Ha Ling Pei, Wong Ka Wai and Lung Tseng Tau Village, which were not previously covered by the OZP, were proposed to be zoned “V”;

“G/IC” Zone

- 11 sites were proposed to be zoned “G/IC” to reflect the existing and planned GIC uses;

“O” Zone

- the existing Chung Wai Street Children’s Playground was proposed to be zoned “O” to reflect the existing open space use;

“GB” Zone

- the woodlands and areas adjoining Lantau North (Extension) Country Park and the Fong Yuen area in Area 43 covering a natural habitat were proposed to be zoned “GB” to preserve the existing topography and natural vegetation at the fringe of the new town;

“CA” Zone

- Wong Lung Hang (an EIS) and its riparian zones (30m buffer) and the dense, mature woodland to the south of Sheung Ling Pei Village were proposed to be zoned “CA” to reflect and preserve their high ecological value;
- (ii) Amendment Items A2, A3, B1, B2 and B3 were related to the adjustment of the planning scheme boundary of the OZP, which included the inclusion of the existing slope areas adjoining but not covered by the Country Park (about 3.01 ha) and the existing pier and jetty (about 0.19 ha) into the planning scheme area; and excision of the existing sea area in Tung Chung Bay (about 8.38 ha), some areas within the Country Park (about 6.47 ha) and the area north of Ying Hei Road (about 37.28 ha) (for incorporation into the new Tung Chung Extension Area OZP) from the planning scheme area;
- (iii) Amendment Item C involved the proposed rezoning of an area of about 28.4 ha to the east of Yat Tung Estate from “O”, “R(A)” and

area shown as 'Road' to "R(B)1", "R(B)3", "V", "O" and other land use zonings, as appropriate, to reflect the land use proposals in the RODP:

Town Park

- majority of the area in Area 29A was proposed to be zoned "O" for the future town park development;

Proposed Private Housing Sites

- a site in Area 23 adjoining the proposed town park was proposed to be zoned "R(B)1" with a maximum PR of 4 and a BH of 75mPD for medium-density residential development. A kindergarten and other GIC facilities as required by the Government were to be provided within the future development;
- a site in Area 48 to the west of the "R(B)1" zone across Tung Chung Road North near Ma Wan Chung was proposed to be zoned "R(B)3" on the OZP with a maximum PR of 2 and a BH of 55mPD for medium-density residential development;

Existing Villages and the Adjoining Areas

- the recognised villages of Wong Nei Uk Village and Ma Wan Chung Village were proposed to be zoned "V" to reflect the existing village cluster and land reserved for village expansion;
- the existing village cluster in Area 34 at the outfall of Ma Wan Chung, though not a recognised village, was proposed to be zoned "V" to reflect the existing village type developments and conserve its traditional character;

- the existing car parking site to the northwest of Area 34 at Ma Wan Chung, a site in Area 24A partly intended for improvement works for the revitalisation of Ma Wan Chung Village and partly reserved for unforeseen GIC uses, and the site covering an existing sewerage pumping station in Area 24B were proposed to be zoned “G/IC” to reflect the existing GIC uses and land use proposals under the RODP;
- (iv) Amendment Items D1 to D2, E1 to E2, F1 to F2, G1 to G2, H1 to H2 and J were related to the proposed rezoning of various “Comprehensive Development Area” (“CDA”) sites on the current OZP to appropriate land use zones to reflect the completed residential and commercial developments, which included the rezoning of Tung Chung Crescent, Seaview Crescent, Coastal Skyline and Caribbean Coast to “R(A)4”, “R(A)5”, “R(A)6” and “R(A)7” respectively, and the rezoning of the existing commercial and retail centre of Citygates to “C(2)” and Tung Chung Railway Station to “OU” annotated “Railway Station”;
- (v) Amendment Item K was related to the proposed rezoning of the open PTI site abutting the Tung Chung Railway Station, which was no longer required for the planned government offices use, from “G/IC” to “C(3)” with a maximum PR of 5 and a BH of 100mPD for a commercial development to complement with the commercial developments proposed in TCE in the RODP; and

[Mr Philip S.L. Kan arrived to join the meeting at this point.]

- (vi) Amendment Items L, M1 to M3, N1 to N2, P, Q1 to Q2 and R1 to R3 were mainly related to zoning boundary adjustments to reflect the existing situation, as-built condition, local topography and land status;

Land Use Proposals for the 3 OZPs

- (n) a summary of the land use proposals in the three OZPs was provided in Table 1 of the Paper;

Consultation

- (o) the comments received from the relevant government bureaux and departments on the three draft OZPs had been incorporated into the OZPs as appropriate;
- (p) subject to the Board's agreement, the Islands District Council and Tung Chung Rural Committee would be consulted on the three draft OZPs during their exhibition period; and

Decision Sought

- (q) Members were invited to agree to the recommendations set out in paragraph 13 of the Paper.

70. The Chairman then invited questions and comments from Members.

71. Noting a high proportion of about 63% of public housing was planned in Tung Chung New Town, the Vice-chairman asked whether the concerns of the public housing residents on employment opportunities and the high travelling cost to go to work outside the district, had been taken into account and if there were measures to address the concerns. In response, Ms Donna Tam, DPO/SKIs, said that the provision of local employment opportunities and transport support were the major concerns of the residents in the consultation of the Tung Chung Study. As such, various types of local and regional commercial developments were proposed in the New Town extension under the Tung Chung Study with a view to providing different types of job opportunities. It was estimated in the Tung Chung Study that the proposed commercial developments could altogether create more than 40,000 jobs of different skill requirements. Moreover, there would be new jobs from the future North Commercial District and Three-Runway System of the airport and the

boundary crossing facilities of the Hong Kong-Zhuhai-Macau Bridge (HZMB). A “G/IC” site had been reserved in Area 137 in TCE for development of a post-secondary institution, which could provide training to the young people on the skills required for the specialised jobs relating to airport operation. Efforts had also been made to improve the internal connectivity of the New Town, including the provision of public transport services from different parts of the New Town to the two new railways stations in TCE and TCW and the development of better road and cycle track networks throughout the New Town.

72. In response to a Member’s question on how the conservation of Tung Chung Stream could be sustained given the presence of existing village houses and proposed housing developments in the area, Ms Donna Tam said that a buffer zone of about 20m to 30m in width under “CA” zoning had been designated on both sides of Tung Chung Stream on the Tung Chung Valley OZP where developments would be strictly controlled. Apart from the existing village houses in the recognised villages, only the less environmentally-sensitive areas suitable for housing developments were zoned “R(C)” on the OZP for low-rise, low-density residential development compatible with the rural setting.

73. A Member appreciated the current proposal of not pursuing the originally proposed reclamation in Tung Chung Bay but keeping the coastal area of Tung Chung Bay publicly accessible. This Member considered that the provision of cycle tracks throughout the New Town could improve the mobility of the local residents for working within the New Town, but was concerned about whether proper cycle parking facilities would be provided accordingly. In response, Mr David K.C. Lo, CE/Is, CEDD, said that cycling routes extending to the TCE and Tung Chung Valley areas of over 10 km were proposed. While cycle parks would be provided in major PTIs within the district, the provision of cycle parking facilities in other locations would be examined in the detailed design stage.

[Professor P.P. Ho returned to join the meeting at this point.]

74. In response to a Member question on whether there were measures to improve connectivity with Yat Tung Estate which was currently an isolated area, Ms Donna Tam said that while Yat Tung Estate was currently not well connected to the town centre area of Tung Chung, a new railway station to the immediate southwest of Yat Tung Estate had been proposed, which would greatly improve the mobility of the residents. Moreover, there

would be local commercial facilities planned next to the new railway station to provide more choices to the residents. New social welfare facilities would also be provided within the proposed public housing developments and planned “G/IC” sites to serve the local residents.

75. A Member considered that the jobs in the airport and the future boundary crossing facilities of HZMB might not match with the skills of the public housing residents of Tung Chung at large, and the current two-way commuting problem between Tung Chung/airport and the urban area would exacerbate. In response, Ms Donna Tam said that while the planned public to private housing ratio for Tung Chung would be about 63:37, the proportion of the public housing units for sale and rental purposes had not yet been determined. In any case, it was expected that there would be employment opportunities in the proposed commercial developments within the district.

76. A Member was of the view that the airport was in lack of lower-skill workers. However, the Tung Chung residents might not prefer to work in the airport due to inadequate transport services between Tung Chung and the airport, particularly for those who worked in the night shift. In response, Ms Donna Tam said that road infrastructure and PTIs had been planned to facilitate the future provision of transport services for residents. During implementation of the development areas, the relevant departments including TD would take into account the local residents’ views in the planning of the public transport services.

77. After deliberation, Members agreed:

- (a) that the draft Tung Chung Extension Area OZP No. S/I-TCE/C (to be renumbered as S/I-TCE/1) and its Notes (at Annexes I and II of Appendix A of the Paper respectively) were suitable for public exhibition under section 5 of the Town Planning Ordinance (the Ordinance);
- (b) that the draft Tung Chung Valley OZP No. S/I-TCV/C (to be renumbered as S/I-TCV/1) and its Notes (at Annexes II and III of Appendix B of the Paper respectively) were suitable for public exhibition under section 5 of the Ordinance;

- (c) to the proposed amendments to the approved Tung Chung Town Centre Area OZP No. S/I-TCTC/20, and that the draft Tung Chung Town Centre Area OZP No. S/I-TCTC/20D (to be renumbered as S/I-TCTC/21) and its Notes (at Annexes II and III of Appendix C of the Paper respectively) were suitable for exhibition for public exhibition under section 5 of the Ordinance; and
- (d) that the Explanatory Statements (ESs) of the two new draft Tung Chung Extension Area and Tung Chung Valley OZPs (at Annex III of Appendix A and Annex IV of Appendix B of the Paper respectively) and the revised ES of the draft Tung Chung Town Centre Area OZP (at Annex IV of Appendix C of the Paper) were an expression of the Board's planning intention and objectives for various land uses of the OZPs.

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

79. The Chairman thanked the government representatives for their presentation and they left the meeting at this point.

Agenda Item 6

[Open Meeting]

Proposed Amendments to the Draft Po Toi Islands Outline Zoning Plan No. S/I-PTI/1 Arising from the Consideration of Representations and Comments on Outline Zoning Plan No. S/I-PTI/1

(TPB Paper No. 10057)

[The item was conducted in Cantonese.]

80. Ms Donna Y.P. Tam, District Planning Officer/Sai Kung and Islands (DPO/SKIs), Planning Department (PlanD) was invited to the meeting at this point.

81. The Chairman extended a welcome and invited DPO/SKIs to brief Members on the Paper. With the aid of a PowerPoint presentation, Mr Donna Y.P. Tam made a presentation and covered the following main points as detailed in the Paper:

Background

- (a) on 27.2.2015, the draft Po Toi Islands Outline Zoning Plan (OZP) No. S/I-PTI/1 was exhibited for public inspection under section 5 of the Ordinance. A total of 813 representations and 1,462 comments were received;
- (b) after giving consideration to the representations and comments on 5.11.2015, the Town Planning Board (the Board) decided to partially uphold some of the representations (R3(part), R4(part), R11 to R16, R18 to R38, R41, R42, R44 to R647, R649 to R707, R709 to R721, R727 and R757 to R789) by reducing the area of the “Residential (Group D)” (“R(D)”) zone to take into account in-situ physical features, conservation value of trees and vegetation, compatibility with the surrounding land uses as well as the planning intention for the area as appropriate;

Conditions of the “R(D)” Zone

- (c) the planning intention of the “R(D)” zone was to cover the existing temporary structures/houses to facilitate improvement and upgrading of them to permanent buildings;
- (d) the “R(D)” zone on the OZP was located to the southwest of Po Toi Village outside its village ‘environs’ (‘VE’) and at the foothill, with its gradient increasing from the west to the east. There were existing one to two-storey temporary structures, most of which were occupied while some were ruins. All the private lots within the “R(D)” zone were with building entitlements;

- (e) the Director of Agriculture, Fisheries and Conservation (DAFC) advised that there were about 10 mature trees of common species in the “R(D)” zone. While the trees were situated among the village structures in a rural setting, they could serve as foraging/roosting grounds to various birds. In particular, a group of trees were located near the coastal area;

Proposed Amendments to the Draft OZP

- (f) taking into account the site conditions and locations of the trees, the following amendments to the draft OZP were proposed:
 - (i) Amendment Item A1 – rezoning the south-western portion of the “R(D)” zone (about 0.06 ha), which was dominated by mature trees with some temporary structures along the coast, to “Coastal Protection Area” (“CPA”); and
 - (ii) Amendment Item A2 – rezoning of the eastern portion of the “R(D)” zone (about 0.25 ha), which was covered by several temporary structures and vegetation with no significant conservation value, to “Green Belt” (“GB”);
- (g) the remaining portion of the “R(D)” zone (about 0.17 ha), which was mainly covered by private land with building entitlements, would be retained as “R(D)” to facilitate redevelopment, upgrading and improvement of the existing building structures; and
- (h) upon Members’ agreement to the proposed amendments to the draft OZP, the proposed amendments would be published under section 6C(2) of the Ordinance for public inspection.

82. The Chairman then invited questions and comments from Members.

83. A Member noted that after rezoning the eastern portion of the “R(D)” zone to “GB”, the “Government, Institution or Community” (“G/IC”) zone to the east would become

surrounded by conservation zones and isolated. In response, Ms Donna Tam, DPO/SKIs, said that the “G/IC” zoning was to reflect an existing school. While the zoning of the existing access roads leading to the school would be changed from “R(D)” to “GB”, the use of the access roads would not be affected.

84. In response to a Member’s question on whether the rezoning proposal would affect the existing houses within the proposed “GB” zone, Ms Donna Tam said that all the structures within the proposed “GB” zone were temporary structures without building entitlement, and those private land with building entitlements would remain to be zoned as “R(D)”.

85. After deliberation, Members agreed that:

- (a) the proposed amendments to the draft Po Toi Islands OZP No. S/I-PTI/1 as shown at Annex I of the Paper were suitable for publication for public inspection in accordance with section 6C(2) of the Ordinance; and
- (b) the proposed revisions to the Explanatory Statement of the draft Po Toi Islands OZP No. S/I-PTI/1 at Annex II of the Paper was suitable for publication together with the draft OZP.

86. The Chairman thanked DPO/SKIs for her presentation and she left the meeting at this point.

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

[Mr Roger K.H. Luk left the meeting and Mr F.C. Chan left the meeting temporarily at this point.]

Kowloon District

Agenda Item 7

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/K14/723

Proposed Hotel in “Other Specified Uses” annotated “Business” Zone,

11 Tai Yip Street, Kwun Tong, Kowloon

(TPB Paper No. 10046)

[The item was conducted in Cantonese.]

Declaration of Interest

87. Mr Philip S.L. Kan declared an interest on the item as Mr Tony Seeto of IW Management Services Limited (i.e. the applicant’s representative) was his friend but they had not seen each other for a long time. As Mr Kan had no involvement in the application, Members agreed that he could stay in the meeting.

Presentation and Question Sessions

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

Mr Tom C.K. Yip - District Planning Officer/Kowloon (DPO/K), PlanD

IW Management Services Limited

Mr Tony Seeto] Applicant’s representatives

Ms Elizabeth Shing]

Ms Ivy Ma]

Mr William Wong]

89. The Chairman extended a welcome and explained the procedure of the review hearing. He then invited DPO/K to brief Members on the review application.

90. With the aid of a PowerPoint presentation, Mr Tom Yip, DPO/K, presented the review application and covered the following main points as detailed in the Paper:

- (a) the applicant sought planning permission for a proposed hotel development which involved wholesale conversion of an existing 13-storey industrial building at the application site (the site). The site was zoned “Other Specified Uses” annotated “Business” (“OU(B)”) on the approved Kwun Tong (South) Outline Zoning Plan (OZP) No. S/K14S/20 currently in force and was subject to a maximum plot ratio (PR) of 12 and a maximum building height (BH) of 100mPD, or the PR and height of the existing building, whichever was the greater;

[Mr Dominic K.K. Lam arrived to join the meeting at this point.]

- (b) the proposed hotel had a total gross floor area (GFA) of about 3,745.78 m² (PR of 9.68) excluding hotel back-of-house, electrical and mechanical and ancillary parking facilities, a site coverage of about 60% and a BH of 51.8mPD and 13 storeys providing 96 guestrooms;
- (c) the site was abutting Tai Yip Street on one side and a back lane on the other side. The back lane served as a one-way public carriageway where traffic would enter from the eastern end of Tai Yip Street and exit at its western end;
- (d) it was proposed at the section 16 stage that 2 private car parking spaces (including 1 disabled car parking space), 1 loading and unloading (L/UL) bay of 8m (L) x 3.5m (W) for mixed use of heavy goods vehicle (HGV) and light goods vehicle (LGV), and 1 taxi/private car lay-by would be provided for the hotel;
- (e) on 21.8.2015, the Metro Planning Committee (MPC) of the Town Planning Board (the Board) rejected the application and the reasons were:

- (i) the proposed hotel was not in line with the Town Planning Board Guidelines No. 22D (TPB PG-No. 22D) for development within “OU(B)” zone in that the proposed number and size of parking and L/UL spaces could not fulfil the requirements of the Hong Kong Planning Standards and Guidelines (HKPSG);
 - (ii) the layout of the proposed parking and L/UL spaces was unsatisfactory; and
 - (iii) approval of the application would set an undesirable precedent for similar applications for hotel development without provision of adequate and acceptable parking and L/UL spaces, the cumulative impacts of which might result in adverse traffic implications on the road network in the Kwun Tong Business Area;
- (f) on 21.9.2015, the applicant applied for a review of the RNTPC’s decision to reject the application. To support the review application, the applicant had provided detailed responses to the comments of the Transport Department (TD), which were summarised as follows:
- (i) a L/UL bay for HGV/LGV of 12m (L) x 3m (W) was assigned and indicated on the revised Ground Floor Layout Plan (shown at Drawing R-1 of the Paper). A motorcycle parking space had been added and the dimensions of the car parking space had been adjusted to meet the required standards;
 - (ii) a revised swept path analysis for HGV and all vehicles entering and leaving the building was provided to respond to TD’s query on the technical feasibility of the proposed layout of parking spaces and L/UL bay; and
 - (iii) a parking management system was designed to effectively manage the parking and traffic flow at the site, including advance notification to the hotel operator of the use of the L/UL bay, proper

guidance by the hotel staff on the use of the L/UL bay and car parking spaces, and restricted hours and duration of use for the L/UL bay;

- (g) departmental comments – the departmental comments were summarised in paragraph 5 of the Paper. TD had no comment on the revised provision of parking and L/UL facilities. Other concerned departments, including the Energizing Kowloon East Office (EKEO), Highways Department, Buildings Department and Fire Services Department, had no objection to or adverse comment on the review application;
- (h) public comment – one supportive comment on the review application was received from the Chairman of Kwun Tong Central Area Committee without giving reasons; and
- (i) PlanD's view – PlanD had no objection to the review application based on the planning considerations and assessments set out in paragraph 7 of the Paper. The proposed hotel use was generally in line with the planning intention of the "OU(B)" zone which was to encourage development of new buildings or redevelopment/conversion of the whole building for commercial and clean industrial uses. The proposed PR of 9.68 and BH of 51.8mPD did not exceed the PR restriction of 12 and the BH restriction of 100mPD on the OZP. The application was rejected by MPC at the section 16 stage on traffic grounds, i.e. the size, layout and provision of the parking spaces and L/UL bay for the proposed hotel development were unsatisfactory. The applicant had submitted relevant information in the review application to address the concerns, including revising the layout of the car park on the G/F of the development, submitting a revised swept path analysis to demonstrate that the proposed layout was feasible in traffic terms, adjusting the size and dimensions of the car parking spaces and L/UL bay to meet TD's requirement, addition of one motorcycle parking space as requested by TD, and submission of a parking management system to manage the traffic flow of the site. While the provision of lay-bys for taxi/private car was still below the standard under

HKPSG by one space, TD, after considering the submission made by the applicant at the review stage, had no adverse comment on the application.

91. The Chairman then invited the applicant's representatives to elaborate on the review application. Mr Tony Seeto made the following main points:

- (a) he was happy to see that TD had no adverse comment on the review application as their previous concerns on the layout and provision of the parking spaces and L/UL bays for the proposed hotel had been addressed;
- (b) he and his wife would put their best efforts to implement and operate the proposed hotel, the target customers of which were the middle-level executives and IT professionals. They fully supported the government's initiative to transform Kowloon East into the second central business district of Hong Kong. Their market analysis revealed that there was still a demand for hotel guestrooms in Kwun Tong. The subject project for wholesale conversion of an industrial building to a hotel was their second project in the area. After their first hotel project at Wai Yip Street was approved by the MPC in end 2013, they had actively implement the conversion works and the hotel was expected to open shortly in March 2016;

[Mr F.C. Chan returned to join the meeting at this point.]

- (c) the EKEO had advised them to consider incorporating design with industrial culture elements in the wholesale conversion of the building. They would take EKEO's advice and ask their architect to follow up accordingly; and
- (d) as the scale of their proposed hotel was small, he hoped the Board would approve their application.

92. As the presentations of DPO/K and the applicant's representative had been completed, the Chairman invited questions from Members.

93. In response to the Chairman's question on whether the rejection reasons of the subject planning application at the section 16 stage had been fully addressed, Mr Tom Yip, DPO/K, said that as the applicant had submitted relevant information in the review application to address TD's previous concerns on the size, layout and provision of the parking spaces and L/UL bay for the proposed hotel, which was considered acceptable to TD, the rejection reasons at the section 16 stage on traffic grounds had been resolved.

94. A Member noted that the size of the parking and L/UL area had been changed and asked whether the number of parking spaces and L/UL bays had also been changed. In response, Mr Tom Yip said that as compared with the section 16 stage, the dimensions of the two proposed private car parking spaces and the proposed L/UL bay had been increased and one motorcycle parking space had been added to meet TD's requirements. In response to the same Member's question on how the proposed parking management system would be implemented by the hotel operator, Mr Tony Seeto said that the system was mainly used to control the delivery of goods to the hotel by requiring the goods vehicles to give advance notification to the hotel. As the scale of the hotel was small and its target customers were mainly individual business travellers, it was not expected that there would be tour coaches transporting guests to the hotel. Instead, most of them would come to the hotel by public transport as the Ngau Tau Kok MTR Station was not far away from the site.

95. The Vice-chairman asked if the applicant could share with Members why they decided to pursue the wholesale conversion of the existing industrial building to a hotel, rather than to other types of commercial use such as office or retail. In response, Mr Tony Seeto said that they had considered that if the subject industrial building was converted to an office building, they might not be able to compete with other consortia which were more resourceful and experienced in the office market. Moreover, noting that many existing industrial buildings had been converted or redeveloped to office buildings in Kwun Tong, there existed business opportunities for the development of hotels to serve the business travellers. They intended to operate the building as a boutique hotel as they could better control the operating cost.

96. A Member asked if the applicant had any business plan to sell the hotel building after the wholesale conversion works. In response, Mr Tony Seeto said that they had no such plan at the moment as they intended to operate the hotel themselves. They wished to build up their own boutique hotel brand targeting at business travellers of the professional and middle-management level.

97. Whilst noting that the size, layout and dimensions of the parking spaces and L/UL bay of the proposed hotel were accepted by TD, a Member asked whether TD had concern on the use of back lane for access to the site as the width of the back lane might not be adequate to allow access by HGV and long tour coaches. In response, Mr Tom Yip, DPO/K, said that TD had considered the supplementary information submitted by the applicant in a holistic manner, including the revised swept path analysis, and accepted that the width of the middle communal portion of the back lane could allow the access of goods vehicles and small tour coaches from Tai Yip Street.

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

Deliberation

99. Members agreed that as the applicant had addressed TD's concerns on the size, layout and provision of the parking spaces and L/UL bay for the proposed hotel, the review application could be approved.

100. After deliberation, the Board decided to approve the application, on the terms of the application as submitted to the Board. The permission should be valid until 11.12.2019, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- “(a) the design and provision of parking facilities, loading/unloading spaces, lay-bys, vehicular access and internal driveway for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the provision of water supplies for fire-fighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board;
- (c) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the Town Planning Board;
- (d) the submission of a revised Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
- (e) the implementation of the local sewerage upgrading/sewerage connection works identified in the revised Sewerage Impact Assessment in condition (d) above to the satisfaction of the Director of Drainage Services or of the Town Planning Board.”

101. The Board also agreed to advise the applicant to note the advisory clauses as set out at Annex F of the Paper.

[Mr Sunny L.K. Ho left the meeting at this point.]

Sha Tin, Tai Po and North District

Agenda Item 8

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/NE-TK/559

Proposed House (New Territories Exempted House – Small House)

in “Green Belt” Zone, Government Land (near Lot 393) in D.D. 28, Lung Mei Village, Tai Po (TPB Paper No. 10048)

[The item was conducted in Cantonese.]

Presentation and Question Sessions

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

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

Mr Chan Hing Yau] Applicant’s representatives

Ms Ng Sau Lan Sheila]

103. The Chairman extended a welcome and explained the procedure of the review hearing. He then invited DPO/STN to brief Members on the review application.

104. With the aid of a PowerPoint presentation, Mr C.K. Soh, DPO/STN, presented the review application and covered the following main points as detailed in the Paper:

- (a) the applicant, an indigenous villager of Lung Mei Village, sought planning permission to build a New Territories Exempted House (NTEH) – Small House on the application site (the site), which fell within the “Green Belt” (“GB”) zone on the approved Ting Kok Outline Zoning Plan (OZP) No. S/NE-TK/19 currently in force;

- (b) on 18.9.2015, the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board) rejected the application and the reasons were:
- (i) the proposed development was not in line with the planning intention of the “GB” zone which was primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There was a general presumption against development within this zone;
 - (ii) the proposed development did not comply with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ (TPB PG-No. 10) in that the proposed development would involve clearance of existing natural vegetation and affect the existing natural landscape of the surrounding environment;
 - (iii) the proposed development did not comply with the Interim Criteria for consideration of application for NTEH/Small House in New Territories (the Interim Criteria) in that the proposed development would cause adverse landscape impacts on the surrounding areas; and
 - (iv) land was still available within the “Village Type Development” (“V”) zone of Lung Mei, Tai Mei Tuk and Wong Chuk Tsuen which was primarily intended for Small House development. It was considered more appropriate to concentrate the proposed Small House development within “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services;
- (c) on 13.10.2015, the applicant applied for a review of the RNTPC’s decision to reject the application. The applicant’s justifications were:

- (i) there were many similar applications approved by the Board within the same “GB” zone in the vicinity of the site;
 - (ii) there were already landscape and sewage impacts from many completed houses and the houses under construction nearby;
 - (iii) the natural vegetation surrounding the site had already been affected by nearby construction activities. The site was only covered with weeds and there was no clearance of existing natural vegetation;
 - (iv) the “V” zone of Lung Mei was not sufficient to cater for the Small House demand. The applicant could not find other suitable sites;
 - (v) there were already Small Houses completed immediately next to the site, allowing a more economical provision of infrastructure and services; and
 - (vi) many concerned government departments had no objection to the application;
- (d) the site was a piece of government land situated at the bottom of a natural hillside covered with some grass, weeds and a tree group with climbers at the northern portion. It was accessible via a local track off Ting Kok Road. The surrounding areas were mainly rural in character. To the immediate north of the site was dense woodland forming a natural backdrop to the area. To the immediate southwest and east of the site, there were a number of approved planning applications for Small Houses, of which the construction or Small House grants were at advanced stage;
- (e) previous application – the site was not the subject of any previous application;

- (f) similar applications – there were 47 similar planning applications for Small House development within the same “GB” zone since the first promulgation of the Interim Criteria on 24.11.2000. 29 applications were approved with conditions between 2002 and 2013 mainly on the considerations that the proposed Small Houses fell mostly within the village ‘environs’ (‘VE’); there was a general shortage of land to meet the demand for Small House development in the “V” zone of the concerned village; and the proposed developments would have no significant adverse impact on the surrounding areas. The other 18 applications were rejected by RNTPC or the Board on review between 2009 to 2015 mainly for reasons of being not in line with the planning intention of “GB” zone; and/or not complying with the Interim Criteria and TPB PG-No. 10 in that the proposed Small House would cause adverse landscape and/or water quality impacts on the surrounding areas. For the last 3 rejected applications (No. A/NE-TK/555, 557 and 558), they were also rejected for the reason that land was still available within the “V” zone of Lung Mei, Tai Mei Tuk and Wong Chuk Tsuen which was primarily intended for Small House developments;
- (g) planning intention – the planning intention of the “GB” zone was primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There was a general presumption against development within this zone;
- (h) departmental comments – the departmental comments were summarised in paragraph 5 of the Paper. Relevant departments maintained their previous views on the application. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD had reservation on the application from the landscape planning point of view. The site was located next to existing woodland which contained diverse plant species including mature native trees and undergrowth forming a unique backdrop to the area. An existing mature native tree, *Pterospermum heterare* (翻白葉樹), was found on a gentle slope at the northwest corner of the site,

and there was a group of mature trees, *Macaranga tanarius* (血桐), along the northern site boundary. It was very likely that the existing trees within and near the site would be affected by the construction of the Small House and the associated site formation works. The Director of Agriculture, Fisheries and Conservation (DAFC) advised that the site was partly covered with grasses and partly covered with trees near a wooded hill slope. Development of the Small House and related infrastructure would require felling of trees in “GB” zone and affect the wooded slope. While the proposed development was not in line with the planning intention of the “GB” zone, he had no strong view on the application if there was no alternative site in the area;

- (i) public comments – two public comments on the review application were received from Designing Hong Kong Limited and an individual, objecting to the application mainly for reasons of being not in line with TPB PG-No. 10 and the Interim Criteria as the proposed development would involve vegetation clearance and cause adverse landscape impact on the surrounding area; and
- (j) PlanD’s view – PlanD did not support the review application based on the planning considerations and assessments set out in paragraph 7 of the Paper, which were summarised below:
 - (i) the site was a piece of government land at the bottom of a natural hillside at the fringe of Lung Mei Village, which fell entirely within “GB” zone. DAFC considered that the proposed development and related infrastructure would require felling of trees in “GB” zone and affect the wooded slope. CTP/UD&L of PlanD had reservation on the application and considered that it was very likely that the existing trees within and near the site (including the rooting system and the tree crown) would be affected by the construction of the Small House and the associated site formation works;

- (ii) although there were 29 similar applications approved between 2002 and 2013 and some of the approved cases were located near the site and under construction or at advanced stage of land grant/land exchange, the approval of those similar applications in earlier years would not be appropriate to be used as justification for the current application. It should be noted that the sites of those approved applications were situated at relatively flat area away from the slope and woodland. Moreover, 18 similar applications were rejected between 2009 and 2015 on the grounds of adverse landscape impact, among others;
- (iii) about 3.33 ha of land, equivalent to about 133 Small House sites, was still available within the “V” zone for Small House development and capable to meet the outstanding 61 Small House applications; and
- (iv) as there had been no material change in planning circumstances for the site and its surrounding areas since the rejection of the application, there was no strong planning justification to warrant a departure from the RNTPC’s previous decision.

105. The Chairman then invited the applicant’s representatives to elaborate on the review application.

106. Ms Ng Sau Lan Sheila said that although the planning application was rejected by the RNTPC on landscape ground, they did not envisage any adverse landscape impact arising from the proposed Small House development. Their site inspection revealed that there were already some Small House developments in the vicinity of the site which would affect the landscape of the area, and their proposed Small House was not the only one which would create the so-called adverse landscape impact as alleged by the Government. As the site was only covered with weeds, no extensive clearance of vegetation would be involved.

107. Mr Chan Hing Yau went on to say that although the Government had pointed out that land was available within the “V” zone for Small House development, most of the

identified available land as marked on Plan R-2b of the Paper could not be utilised for development as they were required to serve as emergency vehicular access or occupied by drainage works.

108. As the presentations of DPO/STN and the applicant's representatives had been completed, the Chairman invited questions from Members.

109. A Member noted from Plan R-2a of the Paper that a number of planning applications for Small House developments had been approved by the RNTPC in the vicinity of the site before, in particular the one (Application No. A/NE-TK/425) located to the immediate east of the site. The Member enquired the progress of implementation of the approved Small House under Application No. A/NE-TK/425 and the different considerations between the subject application and Application No. A/NE-TK/425. In response, Mr C.K. Soh, DPO/STN, said that those approved Small Houses as shown in green on Plan R-2a of the Paper were granted or to be granted with building licence by the Lands Department and some of them were under construction. For those approved Small Houses to the southwest of the site, they all fell on private land and were situated at relatively flat area away from the slope and woodland. Application No. A/NE-TK/425 to the immediate east of the site was approved by the RNTPC in 2013 mainly on the consideration that over 50% of the Small House footprint was within the "VE" and there was a general shortage of land to meet the Small House demand, which comprised the outstanding Small House applications and the 10-year demand forecast, in the "V" zone. In comparison with other approved applications, the site was closer to the slope and with denser vegetation. As land was still available within the "V" zone after meeting the outstanding Small House applications in the subject case and the proposed Small House development would create adverse landscape impact, it was recommended to reject the application.

110. In response to a Member's enquiry, Mr C.K. Soh said that the site photos on Plan R-4 of the Paper showed the latest conditions of the site.

111. As the applicant's representatives had no further comments to make and Members had no further questions to raise, the Chairman informed the applicant's representatives that the hearing procedure for the review application had been completed. The Board would further deliberate on the review application in their absence and inform the

applicant of the Board's decision in due course. The Chairman thanked the applicant's representatives and DPO/STN for attending the meeting. They left the meeting at this point.

Deliberation

112. A Member said that although Plan R-2a of the Paper showed that some applications for Small House developments were approved by the RNTPC in the vicinity of the site between 2009 and 2013, Plan R-1a showed that other similar applications to the west of the site within the same "GB" zone were rejected by the RNTPC or the Board between 2013 and 2015. The rejection of the subject review application would be consistent with the RNTPC/Board's recent practice to take a more cautious approach in the consideration of planning applications for Small House developments.

113. Mr K.K. Ling, Director of Planning, supplemented that the RNTPC had adopted a more cautious approach in the consideration of planning applications for Small House development in recent years. While the Small House demand comprised the number of outstanding Small House applications and the 10-year demand forecast, in considering whether there was a general shortage of land within "V" zone in meeting the demand for Small House development, more weighing would be put on the former against land available within the "V" zone for Small House development.

114. A Member said that when the subject application was considered by the RNTPC at the section 16 stage, it was noted that the subject site fell entirely outside the "V" zone while the site under Application No. A/NE-TK/425 fell partly within the "V" and partly within the "GB" zone. As land was still available within the "V" zone for Small House development, it was not desirable to allow the development of more Small Houses in the adjoining "GB" zone.

115. The Vice-chairman expressed concern on traffic impact that might be generated by the proposed development, given that there was already traffic congestion in the area which was only served by a single, heavily loaded Ting Kok Road. The Chairman remarked that the provision of an additional Small House would unlikely generate adverse traffic impact in the area, though the cumulative impact should be taken into account.

116. 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.

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

- “(a) the proposed development is not in line with the planning intention of the “Green Belt” (“GB”) zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone;
- (b) the proposed development does not comply with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ in that the proposed development would involve clearance of existing natural vegetation and affect the existing natural landscape on the surrounding environment;
- (c) the proposed development does not comply with the Interim Criteria for consideration of application for New Territories Exempted House/Small House in New Territories in that the proposed development would cause adverse landscape impacts on the surrounding areas; and
- (d) land is still available within the “Village Type Development” (“V”) zone of Lung Mei, Tai Mei Tuk and Wong Chuk Tsuen which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

[Mr David Y.T. Lui left the meeting and Mr F.C. Chan left the meeting temporarily at this point.]

Agenda Item 9

[Open Meeting]

Request for Deferment of Review of Application No. A/NE-TK/557

Proposed House (New Territories Exempted House – Small House) in “Green Belt” Zone,
Lot 99 RP and Adjoining Government Land in D.D. 28, Lung Mei Village, Tai Po
(TPB Paper No. 10049)

[The items were conducted in Cantonese.]

118. The Secretary reported that on 24.11.2015, the applicant’s representative wrote to the Secretary of the Town Planning Board (the Board) and requested the Board to defer making a decision on the review application for 3 months to allow time for them to prepare the required material to support the review application. This was the first request from the applicant for deferment of the review application.

119. 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 applicant needed more time to support his application, the deferment period was not indefinite and the deferment would not affect the interests of other relevant parties. However, a deferment of two months, instead of three months as requested by the applicant, was recommended to tally with the general practice as stated in TPB PG-No. 33.

120. After deliberation, the Board agreed to defer a decision on the review application for two months, instead of three months as requested by the applicant, pending the submission of further information by the applicant. 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 applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Board’s consideration. The Board also agreed to advise the applicant 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.

Tuen Mun and Yuen Long West District

Agenda Item 10

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/YL-TYST/745

Proposed Shop and Services in “Industrial” Zone,

Lots 1278 RP, 1284 S.A and 2024 in D.D. 121 and Adjoining Government Land,

9 Ping Tong Street East, Yuen Long

(TPB Paper No. 10051)

[The item was conducted in Cantonese and English.]

Declaration of Interest

121. The Secretary reported that Townland Consultants Limited (Townland) and MVA Hong Kong Limited (MVA) were consultants of the applicant and the following Members had declared interests on the item:

Mr Dominic K.K. Lam] having business dealings with Townland and MVA

Mr Patrick H.T. Lau]

Professor P.P. Ho - having business dealings with Townland

Ms Julia M.K. Lau] having business dealings with MVA

Mr Ivan C.S. Fu]

122. Members noted that the above Members had no involvement in the application and agreed that their interests were indirect and they could stay in the meeting. Members also noted that Ms Julia M.K. Lau and Mr Ivan C.S. Fu had already left the meeting and Mr Patrick H.T. Lau had not yet arrived to join the meeting.

Presentation and Question Sessions

123. The following representatives 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

Ms Bonita K.K. Ho - Senior Town Planning/Yuen Long West 1, PlanD

WYTAK Limited

Mr Hung Hak Hip Peter] Applicant's representatives

Ms Lee Shuk Yi]

Townland Consultants Limited

Ms Keren Seddon]

Ms Cindy Tsang]

Ms Delius Wong]

Ms Gladys Leung]

Quartect & Partners

Mr Joseph Kung]

124. 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.

125. 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 wholesale conversion of an existing industrial building (i.e. Hop Hing Building) and the adjoining lots within the application site (the site) for shop and services and garden uses. The site fell within an area zoned "Industrial" ("I") on the approved Tong

Yan San Tsuen Outline Zoning Plan (OZP) No. S/YL-TYST/10;

- (b) the site comprised an existing 3-storey industrial building which was currently used for production of edible oil products and four adjoining land parcels to the east which were occupied by associated oil storage tanks. The proposed wholesale conversion of the existing building would not involve changes to the existing development parameters, including gross floor area (GFA), building height (BH) and building bulk. The eastern part of the site was proposed to be converted into a garden and shuttle bus pick-up/drop-off and parking area with peripheral landscaping and public amenity;
- (c) on 4.9.2015, the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board) rejected the application and the reasons were:
 - (i) the planning intention of the “I” zone was primarily for general industrial uses to ensure an adequate supply of industrial floor space to meet demand from production-oriented industries. The site was located in San Hei Tsuen Industrial Area in Tong Yan San Tsuen which was an active industrial area and should be retained for industrial use. No strong planning justification had been given in the submission for a departure from the planning intention; and
 - (ii) the approval of the application would set an undesirable precedent for similar applications for wholesale conversion of existing buildings within “I” zone. The cumulative effect of approving such similar applications would result in a loss of industrial floor space in the area;
- (d) on 29.9.2015, 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 application – there was no similar application for wholesale conversion for shop and services use in the subject “I” zone;
- (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-General of Trade and Industry (DG of TI) had reservation on the application as the 2014 Area Assessments of Industrial Land in the Territories (2014 Area Assessments) had already revealed that the total industrial stock in Hong Kong would not be able to meet the future demand for industrial uses and the approval of the application would further deplete industrial land. Besides, the site was not covered by rezoning proposals under the 2014 Area Assessments. Other government departments had no objection to or adverse comment on the review application;

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

- (h) public comments – one public comment on the review application was received from a Yuen Long District Council Member raising objection to the application mainly on traffic ground. Three public comments were received at the section 16 stage, including a commenter objecting to the application on traffic grounds, another commenter opining that resources should instead be invested into other industries such as creative/manufacturing industries, and the Hong Kong and China Gas Company Limited commenting that a risk assessment was required to evaluate the risk and to determine the necessary mitigation measures given that the proposed development was in close vicinity to an existing high pressure pipeline; 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 site was located in San Hei Tsuen Industrial Area in Tong Yan San Tsuen which was an active industrial area and should be retained for industrial use;
 - (ii) the 2014 Area Assessments revealed that there was a decline in the vacancy rate of the industrial buildings in the subject "I" zone when compared with that in 2009. In view of the very low vacancy rate and its high usage for warehouse and storage uses (about 95% of GFA), the 2014 Area Assessments recommended to retain the subject "I" zone for the time being;
 - (iii) DG of TI had reservation on the application in view of the possible depletion of industrial land in the area;
 - (iv) the proposed converted building for shop and services use was not incompatible with the adjacent land uses which mainly consisted of industrial use and residential developments;
 - (v) the planning criteria in the Town Planning Board Guidelines No. 25D on Use/Development within "I" Zone (TPB PG-No. 25D) were applicable to the application in that the applicant had not demonstrated that there was a genuine need for the proposed use under application; and
 - (vi) as there was no similar application for shop and services use within the same "I" zone, the approval of the application would set an undesirable precedent resulting in a loss of industrial floor space in the area.

126. The Chairman then invited the applicant's representatives to elaborate on the review application. With the aid of a PowerPoint presentation, Ms Keren Seddon made a presentation covering the following main points:

- (a) the site was located at the fringe of San Hei Tsuen Industrial Area adjacent to a cycle track leading to Yuen Long town centre. Its western part was an existing industrial building (i.e. Hop Hing Building) for manufacturing of edible oil and its eastern part was occupied by the associated oil tank farm. The study area of the Planning and Engineering Study for Housing Sites in Yuen Long South (YLS Study) was located immediately south to the site;
- (b) San Hei Tsuen Industrial Area was surrounded by a mix of uses including residential, green belt, open space, government, institution or community and village type development zones. However, there was no commercial zone in the vicinity;
- (c) apart from industrial, workshop, storage and some temporary uses, there were village houses within San Hei Tsuen Industrial Area, two of which were situated to the immediate east and west of the site. Besides, there was a local restaurant at the junction of San Hi Tsuen Street and Tong Yan San Tsuen Road in the industrial area. To the immediate east of the industrial area were some low-density residential developments and community uses. While the existence of an industrial/residential (I/R) interface problem was apparent and had been mentioned in the 2014 Area Assessments for San Hei Tseun/Tong Yan San Tsuen conducted by PlanD (an extract of which was in Appendix IV of RNTPC Paper No. A/YL-TYST/745A), such problem was not mentioned in the main text of the Paper;
- (d) while the 2014 Area Assessments recommended that to help address the existing and potential I/R interface problems, the San Hei Tseun/Tong Yan San Tsuen area should be retained as "I" for the time being and take account of the possible changing local circumstances arising from the

forthcoming recommendations of the YLS Study and the Hung Shui Kiu New Development Area Study. If there was already an opportunity to resolve the I/R interface problem, there was no need to wait for the results of the studies and the Board should consider the merits of the subject application;

- (e) the applicant sought to convert the existing 3-storey building for shop and services use. The proposed use was not incompatible with the adjacent land uses. The proposal could mitigate the I/R interface problem as referred to in the 2014 Area Assessments. There would be no change to the existing building bulk including the existing GFA, BH and main roof level. The proposed landscaped garden and integrated cycle track rest areas with an area of about 1,132 m² and vertical greening on the building façade would help improve the environment and had received positive comments from the Chief Town Planner/Urban Design and Landscape (CTP/UD&L) of PlanD. There was also no objection from the Transport Department (TD), the Highways Department and the Police on the use of the existing access to the site and provision of shuttle bus services for the Mainland shoppers;
- (f) the proposed conversion of the building would be implemented in accordance with the Revitalisation Policy Measures for Old Industrial Buildings (April 2010) which aimed to optimise the use of obsolete industrial premises to meet the society's changing needs by facilitating wholesale conversion and redevelopment of old industrial buildings;
- (g) the proposal had the merits of meeting regional needs by taking pressure off conflicts arising from Mainland shoppers and reducing local concerns with regard to existing regional centres, and providing an alternative, convenient commercial outlet with shuttle bus services. At the district level, it would help meet the existing commercial needs and future demand from Yuen Long South. At the local level, it would serve the local communities by addressing the problem of extremely limited commercial facilities and services in the area and meeting the existing

retail demand from workers or residents;

[Mr F.C. Chan returned to join the meeting at this point.]

- (h) the traffic impact assessment submitted with the application concluded that there would be no undesirable traffic impact on local roads, and the sewerage impact assessment confirmed that there would be no unacceptable sewerage impact on the existing sewerage system. Relevant government departments had no objection to the results of the assessments;
- (i) except the reservation, but not objection, made by DG of TI on the application regarding the loss of industrial land, all other departments consulted had no objection to or adverse comment on the application. CTP/UD&L of PlanD had positive comments on the benefits of the proposed development with public planning gains. The approval conditions required by some departments were all acceptable to the applicant;
- (j) it was noted that the RNTPC only rejected the application at the section 16 stage with two grounds, namely the departure from the planning intention of the “I” zone as San Hei Tsuen Industrial Area was an active industrial area, and the setting of an undesirable precedent resulting in a loss of industrial floor space in the area. The application was not rejected on urban design, technical or other planning grounds;
- (k) the main concerns of the first rejection reason were the planning intention of the “I” zone and that San Hei Tsuen Industrial Area in Tong Yan San Tsuen was an active industrial area. As regards the planning intention, PlanD had made reference to TPB PG-No. 25D which listed out a number of main planning criteria. For those criteria relevant to the consideration of the proposed development:

- (i) Criterion (a) required that “any proposal for the development of office building should demonstrate that there is a shortfall in the provision of office and other commercial floor space to serve the industrial activities in the area, and there are no suitable alternative sites to accommodate the proposed office building in the vicinity”. In that regard, San Hei Tsuen Industrial Area was short of office and commercial floor space and there was only one local restaurant in the vicinity;
- (ii) Criterion (b) required that “the location of the proposed office building should be easily accessible to public transport facilities, in particular railway stations, to minimise the potential traffic generation”. The site was indeed within walking distance from the Light Rail Tong Fong Tsuen Stop. Minibus services to Yuen Long were also available at Tong Yan San Tsuen Road. In addition, there was proposed shuttle bus service in the development to serve the Mainland shoppers;
- (iii) Criterion (c) stated that “favorable consideration may be given to proposed office development on sites within the part of an industrial area requiring renewal or restructuring, and the proposed development will induce significant improvement to the general amenity and environment of the area, or will alleviate existing interface problems by providing an environmental buffer between existing industrial and residential or other environmentally sensitive uses, such as school and community facilities”. In that regard, the proposed development would provide a landscaped garden and integrated cycle track rest areas and vertical greening on the building façade to enhance the existing environment. It would also alleviate the existing I/R interface problem as identified in the 2014 Area Assessments; and
- (iv) Criterion (d) required that “there should be an adequate provision of parking and loading/unloading facilities within the site in

accordance with the Hong Kong Planning Standards and Guidelines (HKPSG) and to the satisfaction of TD”. In that regard, the TIA submitted at the section 16 stage had demonstrated that the proposed internal transport facilities would be provided in accordance with the HKPSG and it was acceptable to TD;

- (l) PlanD relied on the results of the 2014 Area Assessments to argue that the industrial building in San Hei Tsuen Industrial Area had a very low vacancy rate. Indeed, unlike other flatted factories in the urban area, most of the industrial buildings in San Hei Tsuen were under single ownership. In the applicant’s case, they manufactured edible oil on the site but they were unable to lease out their underutilised floor space to other industrial users due to the need to maintain a hygienic condition in their manufacturing process and for safety concerns. The low vacancy rate for their building as reflected in the 2014 Area Assessments only meant that the industrial floor space within the site was actively managed by the applicant but not representing the actual usage. The applicant considered that the high industrial usage in San Hei Tsuen was a myth, at least for the subject site;
- (m) with the proposed wholesale conversion, there was an opportunity to address the existing I/R interface problem identified in the 2014 Area Assessments immediately while safeguarding the future use of the site beyond the lifetime of the existing building;
- (n) it was obvious that the planning intention of the “I” zone did not preclude the proposed shop and service use. As such, the first rejection reason was invalid; and
- (o) the main concerns of the second rejection reason were that the approval of the application would set an undesirable precedent for similar applications and that the cumulative effect of approval of such applications would result in a loss of industrial floor space. Indeed, there were already precedent cases of approving wholesale conversion of existing industrial

buildings to shop and services use by the Board in Kwai Chung and Sheung Shui districts under Applications No. A/KC/361, A/KC/409, A/FSS/208 and A/FSS/209 before. It should be noted that the setting of precedent should not be a major issue in the granting of planning permission as each application should be considered on its individual merits. For the subject application, it had abundant merits that warranted the Board's favourable consideration, while PlanD only relied on DG of TI's concern on the loss of industrial land to recommend rejection of the application.

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

128. In response to a Member question on the current state of the subject industrial building, Ms Keren Seddon said that the building was still being used for manufacturing of edible oil although it was underutilised.

[Mr Patrick H.T. Lau arrived to join the meeting at this point.]

129. The Vice-chairman asked if the Hop Hing Group (i.e. the operator of the site) would continue their production of edible oil in Hong Kong, or they already had a plan to move their production line outside Hong Kong such that the site at San Hei Tsuen could be released for other uses. In response, Ms Lee Shuk Yi said that Hop Hing was the only manufacturer of edible oil in Hong Kong and they had no current plan to move their production line completely away from Hong Kong.

130. The Vice-chairman said that if Hop Hing would remain their production line in Hong Kong, they might need to find another similar site in another "T" zone to continue their production should the subject application be approved and the building be converted to shop and services use. Given the generally high occupancy rate of industrial land in Hong Kong nowadays, he wondered if the company could identify another suitable site to replace the site at San Hei Tsuen. In response, Mr Joseph Kung said that the Hop Hing Group had been active in finding alternative industrial sites for their manufacturing business as the location of the subject building at San Hei Tsuen did not suit the logistics strategy of the company. For

bulk transportation of their edible oil products, sea transport was more preferable. As such, the company was looking for sites with marine access, e.g. those in Tseung Kwan O Industrial Estate or sites owned by them in other locations, to relocate their plant. Since the subject building was not fully utilised by the company, they decided to explore opportunities to change it to other uses.

131. In response to a Member's question on whether the industrial buildings in San Hei Tsuen Industrial Area were predominately used for warehouse and storage uses, Mr David Lam, DPO/TM&YLW said that based on the findings of the 2014 Area Assessments, the overall vacancy rate of the 19 surveyed industrial buildings in San Hei Tsuen/Tong Yan San Tsuen was 0.1%, with most of the floor space being occupied for warehouse/storage use and some for manufacturing/workshop use.

132. In response to a Member's question on why the applicant considered that the utilisation rate of the subject industrial building as low, Mr Joseph Kung said that while the three floors of the building were partly occupied for manufacturing, storage, office and car parking uses, about 40% of the GFA of the building were vacant. Most of the edible oil was stored in the oil tanks to the east of the building. The company had no intention to lease out their vacant floor space to other users as they needed to maintain a hygienic manufacturing environment for their oil products.

133. The same Member asked whether the utilisation rate of the site as a store was also low and whether transportation issue was a concern if the site could be used for storage purpose. In response, Mr Joseph Kung said that the company manufactured different edible oil products in Hong Kong and the Mainland. The oil tanks of the site were in use for bulk storage of the oil products before they were bottled or packaged for sale, and the production line in the building was active.

134. In response to a Member's question on the timeframe for reviewing the "I" zoning for the San Hei Tsuen Industrial Area, Mr David Lam said that while the 2014 Area Assessments recommended that the San Hei Tseun/Tong Yan San Tsuen area should be retained as "I" for the time being pending the recommendations of the YLS Study, the subject planning application for change of use would be assessed on the basis of the current planning intention on the OZP, the relevant Town Planning Board Guidelines and site circumstances.

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

Deliberation

136. Taking the view that the Government's policy initiative was aimed to support revitalisation of industrial buildings and that the planning permission for the proposed change of use would only last for the lifetime of the existing building, a Member considered that the review application could be approved with conditions.

137. The Vice-chairman considered that although revitalisation of industrial buildings was a policy initiative of the Government, other relevant planning considerations should be taken into account in assessing whether the change of use of an existing industrial building could be allowed. The current proposal of the applicant to convert the existing industrial building to shop and services use might not be in line with the planning intention of the subject "I" zone under the OZP, in particular when the overall vacancy rate of the industrial buildings within the zone was very low. Since the general vacancy rate of industrial buildings in Hong Kong was also low, it might not be easy for the applicant to find another suitable industrial building to relocate their production if they intended to continue their manufacturing business in Hong Kong. It should also be noted that unlike Kowloon East, San Hei Tsuen was not a location targeted by the Government for revitalisation of industrial buildings. If the subject application was approved, the Board might not have justifiable reason to reject other similar applications for change of use within the same "I" zone. As such, the Vice-chairman did not support the review application.

138. Mr K.K. Ling, Director of Planning, said that the applicant's representatives had put forth a number of benefits of the proposed shop and services use to the Board, and there was no dispute that shop and services use should comparatively be more environmentally desirable than industrial use. The site was located in the subject "I" zone which was

characterised by a cluster of low-density industrial buildings designed for special industrial or storage purposes. As the provision of such type of industrial premises was not abundant in Hong Kong and the stock was depleting, careful consideration should be given as to whether the current industrial use of the building should be allowed to change.

139. A Member supported PlanD's recommendation of not approving the review application as there was already a clear land use pattern for mainly warehouse and storage use in the subject "I" zone. If the proposed shop and service use which was intended to serve the Mainland shoppers was allowed on the site, the character of the whole industrial area would change and issues such as land use compatibility and shoppers' safety would arise. The revitalisation of industrial buildings should be implemented on an area-wide basis rather than on individual sites in a piecemeal manner and without thorough planning. The future use of the site could be reviewed upon completion of the YLS Study when the long-term land use recommendations of the surrounding areas became clear.

140. Mr K.K. Ling supplemented that it was generally the recommendations of the land use studies, such as the YLS Study, to phase out the brownfield sites in the study areas for more efficient land use, and the "I" and "Open Storage" zones on the OZPs were the suitable areas to accommodate the affected uses from the displaced brownfield sites. As such, the Board should be prudent in considering any proposal for change of use in the existing "I" zones.

141. The Member who earlier indicated support to the application considered that the special character of the subject "I" zone should be a relevant consideration in the subject review. Taking into account the character of the subject "I" zone, the Member was of the view that the subject review application should not be approved.

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

- “(a) the planning intention of the “Industrial” (“I”) zone is primarily for general industrial uses to ensure an adequate supply of industrial floor space to meet demand from production-oriented industries. The site is located in San Hei Tsuen Industrial Area in Tong Yan San Tsuen which is an active

industrial area and should be retained for industrial use. No strong planning justification has been given in the submission for a departure from the planning intention; and

- (b) the approval of the application would set an undesirable precedent for similar applications for wholesale conversion of existing buildings within “I” zone. The cumulative effect of approving such similar applications would result in a loss of industrial floor space in the area.”

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

[Mr Lincoln L.H. Huang and Ms Christina M. Lee left the meeting at this point.]

Agenda Item 11

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/TM/450

Proposed Columbarium (within a Religious Institution

or extension of existing Columbarium only) in “Green Belt” Zone,

Section A and Section B of Lot 294 and Lot 351 (Part) in D.D. 376, Tuen Mun

(TPB Paper No. 10052)

[The item was conducted in Cantonese.]

Declaration of Interest

143. The Secretary reported that as Shing Po Shing Tong was the applicant and LWK & Partners (HK) Limited (LWK), Townland Consultants Limited (Townland), RHK Surveyors Limited (RHK) and CKM Asia Limited (CKM) were its consultants, the following Members had declared interests on the item:

Mr Ivan C.S. Fu - being a director and shareholder of LWK, and having business dealings with Shing Po Shing Tong

- Mr Laurence L.J. Li - having business dealings with LWK
- Professor P.P. Ho - having business dealings with Townland and CKM
- Mr Dominic K.K. Lam] having business dealings with Townland
Mr Patrick H.T. Lau]
- Mr H.F. Leung - working in the Department of Real Estate and Construction of the University of Hong Kong, which had received a donation from RHK before

144. Members noted that Mr Ivan C.S. Fu and Mr H.F. Leung had already left the meeting and Mr Laurence L.J. Li had tendered apologies for being unable to attend the meeting. Members also noted that Professor P.P. Ho, Mr Dominic K.K. Lam and Mr Patrick H.T. Lau had no involvement in the application and agreed that they could stay in the meeting.

Presentation and Question Sessions

145. The following representatives of the Government 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), Planning Department (PlanD)
- Ms Jessica Y.C. Ho - Senior Town Planning/Tuen Mun 1, PlanD
- Mr Yip Wai Shing, Dicken - OC District Traffic Team, Hong Kong Police Force (HKPF)
- Mr Wong Wai Man - Senior Engineer/Special Duties (SE/SD), Transport Department (TD)

Shing Po Shing Tong

Mr Tsang Ho Kwan] Applicant's representatives

Eminence Consulting & Management Co. Ltd.

Mr Edwin Tso Wai Cheung]

Townland Consultants Limited

Ms Cindy Tsang]

Mr Vincent Lau]

Mr Todd Wan Tou Wei]

H.W. Wai (International) Limited

Mr Wai Hing Wah]

CKM Asia Limited

Mr Chin Kim Meng]

Far East Consulting Engineering Limited

Mr Lai Cheuk Ngai]

146. 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.

147. 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 a columbarium with not more than 2,580 niches (of which not more than 570 would be double-urn niches) within an existing 2-storey building at the south-western fringe of the application site (the site) which was part of the complex of Sam Shing Temple. The site fell within an area zoned "Green Belt" ("GB") on the approved Tuen Mun Outline Zoning Plan (OZP) No. S/TM/33 currently in force;

- (b) the site was located on a hill slope bounded by Tuen Mun Road and Castle Peak Road – Castle Peak Bay, and was accessible via two flights of staircases on slopes linking to the footpaths to its north and west;
- (c) on 12.9.2014, the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board) rejected the application and the reasons were:
 - (i) the columbarium use was not in line with the Town Planning Board Guidelines No. 10 (TPB PG-No. 10) in that the applied use involved a new development through building conversion for columbarium use. There was a general presumption against development in “GB” zone. There was no strong planning justification for a departure from the planning intention;
 - (ii) the applicant failed to demonstrate that the use would not have adverse traffic and pedestrian circulation impacts on the area. The narrow staircases would be a potential hazard to the heavy pedestrian flows;
 - (iii) the means of escape of the premises for columbarium use were not satisfactory and no solid proposal of enhanced fire safety provisions was provided in the submission; and
 - (iv) approval of the application would set an undesirable precedent for similar applications in the “GB” zone, generating adverse cumulative impacts on traffic and pedestrian circulation in the local area;
- (d) on 15.10.2014, the applicant applied for a review of the RNTPC’s decision to reject the application. The applicant’s justifications were summarised in paragraph 3 of the Paper. He would leave the details to be presented by the applicant’s representatives;

- (e) previous application – the site was not the subject of any previous application;
- (f) similar application – there was no similar application for columbarium within the same “GB” zone;
- (g) departmental comments – the departmental comments were summarised in paragraph 5 of the Paper:
 - (i) the Commissioner for Transport (C for T) advised that the parking facilities identified by the applicant in the vicinity and the proposed pick-up and drop-off points at Sam Shing Street were acceptable. For the internal footpaths or staircases outside public roads, he was not in a position to offer comments. The applicant should submit a CMP to the satisfaction of the Commissioner of Police (C of P) and C for T on a regular basis prior to the festival events and their shadow periods, and the CMP should be subject to periodical review;
 - (ii) C of P advised that it was not clear how the survey on the capacity of the staircases was conducted. The capacity of the footpath and potential effects on road safety and the management and condition of the staircases remained of concern. Regarding car parking, while temporary or permanent car parks were available, there would be traffic congestion caused by illegal and/or roadside parking when the car parks became full. The applicant should explain how they would deter illegal parking in the vicinity. Moreover, the effectiveness of the proposed CMP was doubtful; and
 - (iii) the Director of Fire Services (D of FS) noted that Sam Shing Temple was located in an uphill position which was only accessible via footpaths and two flights of steps. As there was no

solid proposal of enhanced fire safety provisions from the applicant, it was premature to determine whether the proposed non-provision of EVA for the columbarium was acceptable. The fire safety of the columbarium could not be ascertained at the present stage;

- (h) public comments – the public comments received were summarised in paragraph 6 of the Paper. A total of 1,196 public comments were received during the publication of the review application and the further information, of which 1,070 supported and 126 objected to the review application. On the other hand, there were 2,001 public comments received at the section 16 stage, of which 846 supported, 1,121 objected and 34 being neutral to the application; and
- (i) PlanD's view – PlanD did not support the review application based on the planning considerations and assessments set out in paragraph 7 of the Paper, which were summarised below:
 - (i) C of P still had concerns over the traffic congestion arising from illegal and/or roadside parking of the columbarium and the pedestrian safety on the use of the two narrow staircases to access the columbarium on a hill slope, and had doubts on the effectiveness of the proposed CMP;
 - (ii) D of FS considered it premature to determine whether the proposed non-provision of EVA for the columbarium was acceptable as no solid proposal of enhanced fire safety provisions had been provided by the applicant. The fire safety of the columbarium could not be ascertained at the present stage;
 - (iii) the application premises involved a new development, which did not comply with TPB PG-No. 10; and
 - (iv) approval of the application would set an undesirable precedent for similar applications.

148. The Chairman then invited the applicant's representatives to elaborate on the review application. With the aid of a PowerPoint presentation, Ms Cindy Tsang, Mr Tsang Ho Kwan, Mr Chin Kim Meng, Mr Wai Hing Wah and Mr Edwin Tso Wai Cheung made a presentation covering the following main points:

The Application and the Site

- (a) the applicant, Shing Po Shing Tong, sought planning permission to expand an existing columbarium within the complex of Sam Shing Temple which was zoned "GB" on the OZP. The temple was located on a hill slope without direct vehicular access. It was accessible by two staircases linking to the footpaths to its north and west connecting to Castle Peak Road – Castle Peak Bay. The Sam Shing Temple complex comprised three main buildings, among others, namely the Main Temple (also known as Shing Miu), Tai Shu Hall and Hau Shi Tong. The applied columbarium would be confined to the 2-storey Hau Shi Tong building at the south-western fringe of the temple complex;

History of Sam Shing Temple

- (b) the Main Temple (Shing Miu) was first built on the site in around 1920 and was worshipped by the indigenous villagers of Castle Peak Bay and local fishermen. The temple was in place before the gazettal of the first OZP in 1983. There had been no further encroachment onto the "GB" zone since the zoning was imposed;
- (c) Sam Shing Temple had been a final resting place for its founders, elders, abbots and followers since its inception. The cremated remains of some martyrs of the warfare against Japanese occupation were also placed in the temple. In some cases, the cremated remains of the followers were placed in a communal funerary urn, such as that located within a crypt under the main altar within the Main Temple whereas ancestral tablets of the followers were placed in the side hall for worship. The cremated

remains of followers were also placed within individual linen pouches, such as those currently stored in the application premises of Tai Shu Hall;

- (d) in the late 1930s, the temple extended its religious services within its own lot to construct a 2-storey building, named Ching Lun Villa, to provide a resting place and basic accommodation for long-distance followers and worshippers. That was one of the latest additions to the temple prior to World War II. By the 1970s, as there was no more need to provide short-term accommodation to long-distance visitors, the building of Ching Lun Villa was renamed to Hau Shi Tong and was used for housing ancestral tablets and cremated human remains as per the ancestral practice found in the Main Temple and Tai Shu Hall. As time passed, the building of Hau Shi Tong deteriorated and was in need of major repair and renovation. As such, renovations were made in 2011 and 2012 to provide proper niches to house the cremated remains of deceased followers;

Proposed Expansion of the Existing Columbarium

- (e) prior to the gazettal of first OZP and until 2011, there were approximately 200 niches and 266 ancestral tablets accommodated on the two floors of Hau Shi Tong. After renovation of the building in 2011 and 2012, Hau Shi Tong was provided with places to accommodate not more than 2,580 niches (or not more than 3,150 urns). The proposal only involved expansion of the existing columbarium use within the Hau Shi Tong building without changing the development parameters of the building. The applicant was willing to rectify any unauthorised building works;

Response to Rejection Reason (a)

- (f) rejection reason (a) at the section 16 stage was related to the columbarium use being not in line with TPB PG-No. 10 in that the applied use involved a new development through building conversion for columbarium use. Indeed, the proposed columbarium development was contained within the

existing 2-storey building of Hau Shi Tong with no encroachment onto the surrounding “GB” zone. As such, it would not have adverse impact on the integrity of the “GB” zone. The application fulfilled the principles and intention of TPB-PG No. 10 for development within the “GB” zone;

Response to Rejection Reason (b)

- (g) rejection reason (b) was related to the columbarium’s adverse traffic and pedestrian circulation impacts on the area and the potential hazard to heavy pedestrian flows owing to the narrow staircases. It should be noted that TD had no comment on the review application from the traffic point of view. Noting the Police had concerns on the footpath and staircases, parking facilities and CMP, the responses were as follows:
- (i) a video taken in the evening of 26.4.2015 when a religious event of the temple was held demonstrated that the western staircase was capable to accommodate an entry of about 1,300 to 1,400 persons per hour to the temple. On the other hand, it was estimated that the peak attendance to the columbarium during Ching Ming and Chung Yeung Festivals was only 334 visitors per hour. The staircases should be able to accommodate the pedestrian circulation of the columbarium adequately;
 - (ii) as regards the Police’s concern on illegal or roadside parking, TD considered the parking facilities identified in the vicinity by the applicant acceptable;
 - (iii) for the CMP, the applicant would arrange marshall staff at strategic locations to guide and assist visitors coming to and leaving the columbarium in a one-way direction during Ching Ming and Chung Yeung festival periods. In case of emergency at the temple complex, the applicant would implement a contingency plan by stopping visitors from entering the temple and allowing visitors to leave the temple complex via the two staircases;

Response to Rejection Reason (c)

- (h) rejection reason (c) was related to the unsatisfactory means of escape of the premises for columbarium use and the lack of solid proposal of enhanced fire safety provisions. In that regard, as the site was located uphill and there was no vehicular access to the site, the applicant would seek exemption on EVA requirements under the Code of Practice for Fire Safety in Building 2011 from the Buildings Department (BD), which should normally be acceptable. A fire engineering approach would be proposed to BD in addressing the means of escape, means of access for firefighting and rescue and fire resistant construction issues. Other fire safety provisions, such as a water tank and pump system for the fire service installations, directional signs, designation of an ultimate place of safety, would also be provided. All the fire safety details would be addressed at the general building plan submission stage;

Response to Rejection Reason (d)

- (i) rejection reason (d) was related to the setting of undesirable precedent for similar applications. Indeed, as columbarium use had existed on the site prior to the gazettal of the first OZP, the precedent issue was not valid. The application was to seek planning permission for extension of an existing columbarium use within an existing building. It should be noted that each case was to be considered on its individual merits.

Heritage Preservation

- (j) the Main Temple in the site was a Grade 2 historic building. The temple's expenditures over the years had been funded solely by its followers. Over time, the temple was in poor condition and in dire need of major renovations and repairs. The applicant had been proactive in identifying different ways to support renovations and repairs of the temple. The building of Hau Shi Tong was renovated in 2011 and 2012 to upgrade and increase columbarium facilities so as to create a new source of

revenue to support renovations and repairs of the temple and sustain future preservation efforts. It would minimise the need for funding from the Government to preserve the heritage complex;

Policy Support

- (k) the Secretary for Food and Health had pointed out recently that the 160,000 niches planned in Tsang Tsui, Tuen Mun would only be completed in 2019. During the interim period, the provision of the niches would rely on those from the voluntary organisations and religious institutions;

Public Comments

- (l) during the section 16 stage, 2,001 public comments were received, of which 42% were supporting and 2% were neutral to the application. During the section 17 review stage, 1,196 public comments were received, of which 89% were in support of the application. The supporting comments included those from Tuen Mun Rural Committee, Hong Kong and Kowloon Fisherman Association Limited and 3 Tuen Mun District Council members;

Departmental Comments

- (m) except the Police, all government departments had no objection to or adverse comment on the application; and
- (n) on the Police's concerns over the capacity of the staircases leading to the site, the parking facilities proposed to be used and the proposed measures of the CMP, the consultants of the applicant had been trying to contact the Police repeatedly since May 2015 with a view to clarifying with them their misunderstandings regarding the applicant's traffic management proposals, but all were in vain. Indeed, the applicant's proposed CMP was similar to those being adopted in other approved columbarium developments in

Tuen Mun. The applicant was willing to comply with planning conditions to be imposed by the Board requiring the submission and implementation of traffic and crowd management plan to the satisfaction of the Police and TD.

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

150. The Vice-chairman asked: (1) why it was proposed in the CMP to use the western staircase for entering and the northern staircase for leaving the site, noting that the western staircase was generally narrower with its narrowest part of about 1.15m in width only; (2) at which part of the staircase was the video previously shown to Members taken; and (3) when marshalls would be deployed to guide the flow of visitors to the site and how to ensure the effective enforcement of the proposed one-way flow of visitors by the marshalls. In response, Mr Chin Kim Meng said that the video was taken at a narrow part of the western staircase. As the western staircase was located near a bus stop from where most of the visitors would come and was mostly used by visitors in normal days, it was chosen as the entry staircase to the site in the CMP. Similar to the crowd management measures implemented by the Government in cemetery areas, the CMP for the site would be implemented during Ching Ming and Chung Yeung Festivals and their shadow periods (i.e. two weekends before and two weekends after the festivals). The marshalls would use mobile phones or walkie-talkies to communicate among themselves. They would base on the usage level of the circulation routes to regulate the number of visitors in different parts of the routes and prevent the movement of people in opposite directions. The long footpath with an area of about 205 m² at the bottom of the western staircase could serve as a queuing space for visitors to avoid over-crowding of people on the staircase.

151. A Member enquired the total number of niches to be provided at the site and the anticipated volume of visitor flow when all the niches were occupied. In response, Ms Cindy Tsang said that there would be no more than 2,580 niches at the site. Mr Chin Kim Meng supplemented that the estimated peak visitor flow to the site was slightly over 300 visitors per hour. The estimation was made on the basis of the visitor flow data of Fat Yuen Ching Shea (a columbarium in Tuen Mun with 9,160 niches approved in 2012 under Application No. A/TM/398) which had similar characters as the site. As compared with the

flow of visitors participating in the religious event of the temple held in April 2015 shown in the video, which was about 1,400 people per hour, the staircase should have ample capacity to accommodate the estimated peak visitor flow of the columbarium of about 300 visitors per hour.

152. In response to a Member's enquiries on the floor area of the building of Hau Shi Tong and the number of people that could be accommodated within the building, Mr Wai Hing Wah said that the net floor area of G/F of Hau Shi Tong was 30 m² and that of 1/F was 42 m². Under the building code, a space of 2 m² per person should be allowed in the design of new columbarium, which included the circulation space. As the subject columbarium premises was a room without the outside circulation space, it might allow accommodation at a density of about 1 m² per person such that the whole building could accommodate about 70 to 80 people at a time.

153. Given the long history of the temple, a Member asked if any accident had occurred regarding the use of the staircases before, and if affirmative, how the accidents were handled by the temple. The Member also asked why the applicant did not apply for financial assistance from the Government for maintenance of their graded historic building, and if the temple had been registered with the Chinese Temples Committee under the Chinese Temples Ordinance. In response, Mr Edwin Tso Wai Cheung said that for crowd management, the temple would request visitors to the columbarium to make prior appointment during the Ching Ming and Chung Yeung festival periods. People nowadays would not stay long within the columbarium premises for worshipping. As burning of incense and joss papers would not be allowed within the site, it was not expected that many people would gather. The site had an outdoor garden area of about 400 m² which could accommodate some 300 to 400 people. Their marshalls would station on the top and at the bottom of the staircases to control the flow of visitors and stop people from moving in opposite directions. The long footpath at the bottom of the western staircase could also help accommodate some people when the site became crowded. As regards the seeking of financial assistance from the Government, the applicant had not considered such option as the followers of the temple might have concern on whether they could meet the requirements of the Government. The income received from the columbarium was not for profit-making. As regards registration, he had no information at hand on whether the temple had been registered under the Chinese Temples Ordinance.

154. In response to a Member's questions on the time of taking the video which was shown to Members at the meeting and the Police's last comments on the application, Mr Edwin Tso Wai Cheung said the video was taken in an evening of April 2015 when there was a religious ceremony participated by the fishermen of Castle Peak Bay in the temple. There had not been any accident happened in the temple or on the staircases over the years. The video showed that the use of the staircase by a large number of people was smooth and safe. Two first-aid stations, one in the middle part of the western staircase and one in the garden area of the temple, would be set up by the applicant to cater for any emergency. As regards the Police's comments, while they had been trying to contact the Police repeatedly with a view to explaining to them the applicant's proposed traffic and crowd management measures, no response was given by the Police. The Police might still misunderstand their proposals and hence rendering their adverse comments.

155. A Member asked about the number of niches that were occupied in the temple at the moment and the time when the niches were first occupied, and if the applicant had submitted any application for columbarium use on the site before. In response, Ms Cindy Tsang said that it was the first application made by the applicant with a view to rectifying the current columbarium use on the site. Mr Tsang Ho Kwan confirmed that the information contained in paragraph 2.3 of the Paper regarding 637 niches having been sold and 48 niches having been sold and occupied was correct. However, it was difficult to tell when the cremated remains of the elders and followers were first placed in the temple.

156. In response to the same Member's enquiry about the timing when the applicant submitted the review application and further information, Mr David Lam said that the review application was first submitted on 15.10.2014 with further information submitted between May and December 2015. During the period, the Board had acceded to the applicant's requests for deferment three times. The first submission of the review application of 15.10.2014 and the further information received on 7.5.2015 had been published for public comment on 24.10.2014 and 22.5.2015 respectively in accordance with the provisions of the Town Planning Ordinance.

157. In response to a Member's enquiry, Ms Cindy Tsang confirmed that 1/F of the building of Hau Shi Tong was only accessible by one external staircase.

158. As the applicant's representatives had no further comments to make and Members had no further questions to raise, the Chairman informed the applicant's representatives that the hearing procedure for the review application had been completed. The Board would further deliberate on the review application in their absence and inform the applicant of the Board's decision in due course. The Chairman thanked the applicant's representatives and the government representatives for attending the meeting. They left the meeting at this point.

Deliberation

159. In view of the limited floor area of the Hau Shi Tong building and that 1/F of the building could only be accessed via a narrow external staircase, a Member considered that the applicant might have over-estimated the capacity of the building to accommodate 70 people at a time. If people could not enter and leave the columbarium building smoothly, they might have to gather in the garden area, the entry staircase and footpath, causing chaos. The Member had reservation on the review application.

160. A Member considered that the review application could be assessed from two angles. On the one hand, sympathetic consideration could be given to the application as the applicant was a religious institution with a long history and the cremated remains of its elders and followers had been placed in the temple long before the first gazettal of the OZP. On the other hand, the application could be rejected on technical grounds including the small size of the columbarium building, the lack of an EVA and the pedestrian safety problem associated with the use of the narrow staircases for access. It should be noted that if no EVA was provided to the site due to the special site circumstances, BD normally would not accept the development scale as proposed under the subject application which would attract a large number of visitors. On balance, the Board might consider approving the columbarium use only if the scale of the columbarium was significantly reduced so that the need of the temple could be partly met and the extent of the potential danger reduced. Three other Members concurred with the Member's views.

161. A Member considered that the applicant might genuinely wish to address the outstanding technical concerns of the departments by requesting deferment of the consideration of the review application three times to allow more time to liaise with the

concerned departments.

[Dr W.K. Yau left the meeting at this point.]

162. The Vice-chairman said that from the compassionate side, the temple's long history and tradition for housing the cremated remains of its elders and followers might warrant sympathetic consideration of the application by the Board. However, if the temple only wished to preserve its tradition of housing the cremated remains of its elders and followers, it could continue to do so without seeking permission from the Board. It was only due to the wish of the temple to intensify and commercialise the columbarium that it sought planning permission for providing more than 2,000 niches on the site for sale. The Vice-chairman also noted that the Police maintained their adverse comment on the application as the effectiveness of the proposed traffic and crowd management arrangements were still unclear to them. On the issue of whether a columbarium of smaller scale could be allowed, the Vice-chairman opined that it would be difficult for the Board to accept a certain number of niches arbitrarily without the support of any technical assessments. As such, he suggested to reject the review application and let the applicant reconsider and propose a columbarium of reasonable scale with the support of the necessary assessments.

163. Mr K.K. Ling, Director of Planning, said that from the information provided by the applicant, the cremated remains of three groups of people were being placed in the temple, including those of the elders and followers of the temple which were placed in a communal funerary urn, those of the local fishermen and martyrs of the wartime which were placed in pouches, and those of other people which were placed in the 48 niches that had been sold and occupied. It appeared that the proposed total number of 2,572 niches might not have included the cremated remains of the first two groups of people, and it was also unclear whether the descendants of the first two groups would come to worship them. While Members might be sympathetic to the application, it was difficult for the Board to determine the acceptable number of niches for the columbarium without the basis of any technical assessments. He agreed that the review should be rejected and the applicant should take note of Members' concern on the excessive scale of the proposed columbarium. A Member shared the same views and said that the applicant should be advised to present more scientific assessments to the Board should they wish to make a fresh application afterwards.

164. A Member considered that if the applicant was asked to review the scale of the columbarium, they might prepare voluminous assessments to prove that their proposed scale of development was still technically viable. Therefore, if the Board was willing to accept a columbarium of smaller scale on the site, it could approve the review application subject to a certain limit on the number of niches. The Chairman remarked that it might be difficult for the Board to set a limit on the acceptable number of niches without the support of any technical assessments. It should be for the applicant to justify their proposed number of niches and the Board to consider whether their proposal was acceptable.

165. A Member noted that the outstanding concerns of the Police were mainly on the crowd management and pedestrian safety aspects and considered that the applicant should liaise with the Police pragmatically if they would make a fresh application.

166. A Member wondered why the applicant had not made use of the currently available financial assistance from the Government for maintenance of their historic building but claimed to use the revenue from the columbarium for funding the maintenance works. Noting that the temple might not have been registered under the Chinese Temples Ordinance, the Member was concerned about the lack of monitoring on the operation of the columbarium should the Board approve the application in future. Another Member responded that as the ceiling of grant under the Government's maintenance scheme was only \$1 million, the sum might not be sufficient to cover the high maintenance cost of a historic building. Regarding the operation mode, Mr K.K. Ling remarked that PlanD could seek information from the applicant on how they would use the proceeds from the sale of the niches when they made a fresh application. The Secretary also drew Members' attention to the comments of the Secretary of Home Affairs at the section 16 stage that Shing Po Shing Tong (i.e. the applicant) was not a charitable organisation under the Inland Revenue Ordinance and that the proposed facility was not for worship and ancillary use. Moreover, according to BD, there was no record of approval by the Building Authority for the structures existing on the site.

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

167. The Chairman concluded that Members generally considered that the review application should be rejected as the scale of the columbarium was excessive and the pedestrian circulation and fire safety issues were not yet resolved. It would be up to the

applicant to decide whether to submit another application in future and, if so, whether they would wish to reduce the scale of the proposed columbarium development. It would also be up to the applicant to decide how best to deal with issues such as liaison with individual government departments, crowd management, traffic and pedestrian circulation, fire safety and possible unauthorised building works on-site in the process of making such an application.

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

- “(a) the columbarium use is not in line with the Town Planning Board Guidelines No. 10 in that the applied use involves a new development/intensification of use through building conversion for columbarium use. There is a general presumption against development in “Green Belt” (“GB”) zone. There is no strong planning justification for a departure from the planning intention;
- (b) the applicant fails to demonstrate that the use would not have adverse traffic and pedestrian circulation impacts on the area. The narrow staircases would be a potential hazard to the heavy pedestrian flows;
- (c) the means of escape of the premises for columbarium use are not satisfactory and no solid proposal of enhanced fire safety provision is provided in the submission; and
- (d) approval of the application would set an undesirable precedent for similar applications in the “GB” zone, generating adverse cumulative impacts on traffic and pedestrian circulation to the local area.”

[Mr Stanley Y.F. Wong and Dr. Wilton W.T. Fok left the meeting at this point.]

Agenda Item 12

[Open Meeting]

Request for Deferment of Review of Application No. A/YL-TYST/721
Proposed Dangerous Goods Godown in “Industrial (Group D)” Zone,
Lot 1092 S.B ss.7 RP in D.D. 121, Tong Yan San Tsuen Road, Yuen Long
(TPB Paper No. 10050)

[The items were conducted in Cantonese.]

169. The Secretary reported that MVA Hong Kong Limited (MVA) was one of the consultants of the applicant and the following Members had declared interests on the item:

Ms Julia M.K. Lau]	having business dealings with MVA
Mr Ivan C.S. Fu]	
Mr Dominic K.K. Lam]	
Mr Patrick H.T. Lau]	

170. Members noted that the applicant had requested for deferment and agreed that the above Members who had declared interests could stay in the meeting. Members also noted that Ms Julia M.K. Lau and Mr Ivan C.S. Fu had already left the meeting.

171. The Secretary reported that on 30.11.2015, the applicant’s representative wrote to the Secretary of the Town Planning Board (the Board) and requested the Board to defer making a decision on the review application for 2 months to allow time for them to liaise with and prepare further information in response to the concerns of relevant departments, in particular the Transport Department and Lands Department. This was the first request from the applicant for deferment of the review application.

172. 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 applicant 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.

173. After deliberation, the Board agreed to defer a decision on the review application as requested by the applicant pending the submission of further information by the applicant. 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 applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Board's consideration. The Board also agreed to advise the applicant 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 13

[Open Meeting]

Submission of the Draft Chek Keng Outline Zoning Plan No. S/NE-CK/1A under Section 8 of the Town Planning Ordinance to the Chief Executive in Council for Approval
(TPB Paper No. 10053)

[The item was conducted in Cantonese.]

174. The Secretary reported that Dr W.K. Yau had declared an interest on the item as he was a member of Tai Po District Council, which had submitted a representation (R5) on the Outline Zoning Plan (OZP). Members noted that Dr W.K. Yau had already left the meeting.

175. The Secretary briefly introduced the Paper. On 24.4.2015, the draft Chek Keng OZP No. S/NE-CK/1 was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). During the two-month exhibition period, a total of seven representations were received. On 24.7.2015, the representations were published for public comments for three weeks and one comment was received. After giving consideration to the representations and comment under section 6B(1) of the Ordinance on 13.11.2015, 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.

176. After deliberation, the Board:

- (a) agreed that the draft Chek Keng OZP No. S/NE-CK/1A 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 Chek Keng OZP No. S/NE-CK/1A 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 14

[Open Meeting]

Submission of the Draft Yung Shue O Outline Zoning Plan No. S/NE-YSO/1A under Section 8 of the Town Planning Ordinance to the Chief Executive in Council for Approval (TPB Paper No. 10054)

[The item was conducted in Cantonese.]

177. The Secretary reported that Dr W.K. Yau had declared an interest on the item as he was a member of Tai Po District Council, which had submitted a representation (R7) on the Outline Zoning Plan (OZP). Members noted that Dr W.K. Yau had already left the meeting.

178. The Secretary briefly introduced the Paper. On 24.4.2015, the draft Yung Shue O OZP No. S/NE-YSO/1A was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). During the two-month exhibition period, a total of

eight representations were received. On 24.7.2015, the representations were published for public comments for three weeks and three comments were received. After giving consideration to the representations and comments under section 6B(1) of the Ordinance on 30.10.2015, 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.

179. After deliberation, the Board:

- (a) agreed that the draft Yung Shue O OZP No. S/NE-YSO/1A 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 Yung Shue O OZP No. S/NE-YSO/1A 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 15

[Open Meeting]

Submission of the Draft Lung Yeuk Tau and Kwan Tei South Outline Zoning Plan No. S/NE-LYT/16A under Section 8 of the Town Planning Ordinance to the Chief Executive in Council for Approval
(TPB Paper No. 10055)

[The item was conducted in Cantonese.]

180. The Secretary reported that the amendments on the draft Lung Yeuk Tau and Kwan Tei South Outline Zoning Plan (OZP) No. S/NE-LYT/16 were mainly related to the

rezoning of the Queen's Hill site for a proposed housing development by the Housing Department (HD), which was the executive arm of the Hong Kong Housing Authority (HKHA). Besides, one of the amendment items involved an existing electricity substation of the China Light & Power Hong Kong Limited (CLP). 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
(<i>as Director of Planning</i>) | - being a member of the Strategic Planning Committee and the Building Committee of HKHA |
| Mr Jeff Y.T. Lam
(<i>as Deputy Director (General),
Lands Department</i>) | - being a representative of the Director of Lands who was a member of HKHA |
| Mr Martin W.C. Kwan
(<i>as Chief Engineer (Works),
Home Affairs Department</i>) | - being a representative of the Director of Home Affairs who was a member of the Strategic Planning Committee and the Subsidised Housing Committee of HKHA |

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|-----------------------|---|--|
| Mr 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 |
| | | |
| Dr W.K. Yau | - | being a member of the Education Committee and the Energy Resources Education Committee of CLP |
| | | |
| Ms Christina M. Lee | - | being Secretary-General of the Hong Kong Metropolitan Sports Events Association which had obtained sponsorship before from CLP |

181. 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 Ms Janice W.M. Lai had tendered apologies for not being able to attend the meeting, and Mr Stanley Y.F. Wong, Ms Julia M.K. Lau, Professor P.P. Ho, Mr H.F. Leung, Mr Martin W.C. Kwan, Mr Ivan C.S. Fu, Dr Lawrence W.C. Poon, Dr W.K. Yau and Ms Christina M. Lee had already left the meeting.

182. The Secretary briefly introduced the Paper. On 29.5.2015, the draft Lung Yeuk Tau and Kwan Tei South OZP No. S/NE-LYT/16, incorporating amendments to rezone the Queen's Hill site from "Government, Institution or Community (2)" ("G/IC(2)") to "Residential (Group A)" ("R(A)"), "Residential (Group B)" ("R(B)"), "G/IC" and "Open Space" ("O") to facilitate housing, international school and public open space developments, and to rezone a site at the junction of Sha Tau Kok Road and Lung Ma Road from "Residential (Group C)" to "G/IC" for providing government, institution or community facilities to serve the Queen's Hill development, and to add a set of Notes for the "R(A)", "R(B)" and "O" zones, was exhibited for public inspection under section 7 of the Town Planning Ordinance (the Ordinance). During the two-month exhibition period, two

representations were received. On 14.8.2015, the representations were published for public comments for three weeks and no comment was received. After giving consideration to the representations under section 6B(1) of the Ordinance on 13.11.2015, 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.

183. After deliberation, the Board:

- (a) agreed that the draft Lung Yeuk Tau and Kwan Tei South OZP No. S/NE-LYT/16A 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 Lung Yeuk Tau and Kwan Tei South OZP No. S/NE-LYT/16A 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 16

[Open Meeting]

Application to the Chief Executive under Section 8(2) of the Town Planning Ordinance for Extension of Time Limit for Submission of the Draft Po Toi Islands Outline Zoning Plan No. S/I-PTI/1 to the Chief Executive in Council for Approval
(TPB Paper No. 10058)

[The item was conducted in Cantonese.]

184. The Secretary briefly introduced the Paper. On 27.2.2015, the draft Po Toi Islands Outline Zoning Plan (OZP) was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). A total of 813 representations and 1,462 comments were received. After giving consideration to the representations and comments on 5.11.2015, the Town Planning Board (the Board) decided to partially uphold some representations by reducing the area of the “Residential (Group D)” zone. According to the statutory time limit, the draft OZP should be submitted to the Chief Executive in Council (CE in C) for approval on or before 27.1.2016. Taking into account the time required for publication of the proposed amendments and processing of further representation, if any, it was unlikely that the plan-making process could be completed within the 9-month statutory time limit for submission of the draft OZP to the CE in C for approval (i.e. before 27.1.2016). In that regard, there was a need to apply to the Chief Executive (CE) for an extension of the statutory time limit for six months to allow sufficient time to complete the representation consideration process of the draft OZP prior to submission to the CE in C for approval.

185. After deliberation, the Board agreed that the CE’s agreement should be sought under section 8(2) of the Ordinance to extend the time limit for submission of the draft Po Toi Islands OZP No. S/I-PTI/1 to the CE in C for a period of six months from 27.1.2016 to 27.7.2016.

Agenda Item 17

[Confidential Item. Closed Meeting]

186. This item was recorded under confidential cover.

Agenda Item 18

[Open Meeting]

Any Other Business

[The item was conducted in Cantonese.]

187. There being no other business, the meeting was closed at 7:35 p.m.