

**Minutes of 1101st Meeting of the
Town Planning Board held on 11.3.2016**

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 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

Mr Sunny L.K. Ho

Mr Dominic K.K. Lam

Ms Christina M. Lee

Mr H.F. Leung

Mr Stephen H.B. Yau

Mr F.C. Chan

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

Director of Lands

Ms Bernadette H.H. Linn

Director of Planning

Mr K.K. Ling

Deputy Director of Planning/District

Mr Raymond K.W. Lee

Secretary

Absent with Apologies

Professor P.P. Ho

Mr Laurence L.J. Li

Ms Bonnie J.Y. Chan

Professor K.C. Chau

Mr H.W. Cheung

Dr Wilton W.T. Fok

Mr Ivan C. S. Fu

Mr Lincoln L.H. Huang

Ms Janice W.M. Lai

Mr Patrick H.T. Lau

Mr David Y.T. Lui

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

Senior Town Planner/Town Planning Board
Ms Wendy W.L. Li

Agenda Item 1

[Open Meeting]

Confirmation of Minutes of the 1101st meeting held on 28.1.2016

[The meeting was conducted in Cantonese.]

1. The minutes of the 1101st meeting held on 28.1.2016 were confirmed without amendments.

Agenda Item 2

Matters Arising

[The meeting was conducted in Cantonese]

- (i) Letters Submitted by Land Justice League (Arising from the Consideration of the Representations and Comments in respect of the Draft Kam Tin South Outline Zoning Plan No. S/YL-KTS/12)

[Open Meeting]

2. The Secretary reported that three submissions from Land Justice League (the Group), one of which was received via email on 10.3.2016 and the remaining two just before the meeting, were tabled at the meeting for Members' reference. Two submissions were identical letters, both reiterating the Group's request for additional hearing sessions for the remaining speaking time of about 600 minutes for making oral submissions in respect of the draft Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/12, and deferment of the deliberation session. The Secretary continued to report that on 28.1.2016, Members had considered the Group's similar request to reschedule the hearing session of 28.1.2016 to a date to be agreed by the Group. At that meeting, Members agreed that reasonable notification of the meeting particulars had been given to the Group and the hearing session on 28.1.2016 would not be rescheduled. The Group had been informed that its request was not entertained and the hearing session had been completed. The remaining submission involved further information submitted by the Group mainly on grounds for opposing the amendments to the draft Kam Tin South OZP, which were largely reiterations of and

elaborations to those grounds presented by the Group at the hearing sessions on 11.12.2015 and 28.1.2016. Members noted the Group's further submissions and agreed with the Board's previous decision on the Group's request. The reply to those letters to be issued by the Secretariat of the Board should be in accordance with the Board's decision made on 28.1.2016. A Member added that the reasons for the Board's decision made on 28.1.2016 should be set out clearly in the replies. Members agreed.

3. Having received similar email from the Group, a Member asked whether any email received from representers and commenters by individual Member should be disclosed to the Board in future. In response, the Secretary said that any representation/comment/further representation on the OZPs must be made within the statutory time limit under the Town Planning Ordinance (the Ordinance). Representations/comments/further representations which were made after the expiry of their respective statutory time limits should be treated as not having been made in accordance with the Ordinance. Should Members receive written submissions from representers and commenters, they might pass the information to the Secretariat of the Board, if they were not sure how such information should be handled. The Vice-Chairman shared his own experience in handling such kind of information and considered that any information received outside the formal channel should generally be disregarded. Three Members shared the same views.

Agenda Item 3

[Closed Meeting (Deliberation)]

Consideration of Representations and Comments 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.]

Deliberation Session

4. The Chairman said that the representations and comments in respect of the draft Kam Tin South (KTS) Outline Zoning Plan (OZP) No. S/YL-KTS/12 had been heard on

11.12.2015 and 28.1.2016 and the draft minutes of the meetings had been confirmed on 15.1.2016 and 11.3.2016 respectively. He also said that the video recordings of the hearing sessions had been issued to Members on 21.12.2015 and 26.2.2016 respectively.

5. The Secretary said that during the consideration of representations and comments in respect of the KTS OZP, only representations concerning Amendment Items A1 to A6 on the OZP were received, and the following Members had declared direct interests in the item for having business dealings with Henderson Land Development Co. Limited (Henderson) which was the mother company of Super Asset Development Limited (R55), or the MTR Corporation Limited (MTRCL) (which managed the two West Rail (WR) sites):

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

6. In addition, the following Members had declared remote or indirect interests in the items for having affiliation with Henderson and/or MTRCL:

Mr Dominic K.K. Lam	-	having past business dealings with MTRCL and Henderson
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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
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Dr Wilton W.T. Fok	-	being employees of HKU which received donation from a family member of the Chairman of Henderson
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| Mr H.F. Leung | - | being an employee of HKU which received donation from a family member of the Chairman of Henderson; and a convenor of the Railway Objections Hearing Panel |
| Mr Roger Luk |] | being a Member of Council (Mr Luk) or |
| Professor P.P. Ho |] | employees (Professor Ho and Professor |
| Professor K.C. Chau |] | Chau) of the Chinese University of Hong Kong (CUHK) which received donation from a family member of the Chairman of Henderson |
| 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 |

7. Members noted that Mr Ivan C.S. Fu, Mr Patrick H.T. Lau, Ms Janice W.M. Lai, Dr Wilton W.T. Fok, Professor P.P. Ho and Professor K.C. Chau had tendered apologies for being unable to attend the meeting. Members agreed that those Members who had declared remote or indirect interests could stay at the meeting.

8. To facilitate deliberation, the Secretary briefly recapped the background information of the representations and comments in respect of the draft KTS OZP:

- (a) on 29.5.2015, the draft KTS OZP was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). A total of 55 valid representations and 330 valid comments on representations were received;
- (b) the amendments mainly involved rezoning of two WR sites (i.e. the Kam Sheung Road Station (KSRS) Site and Pat Heung Maintenance Centre (PHMC) Site for commercial/residential development;
- (c) for the KSRS site (with a site area of 10.64 ha), the amendments (Amendment Items A1 & A6) entailed rezoning of two areas mainly shown as 'Railway' to "Other Specified Uses" ("OU") annotated "Railway Station and Public Transport Interchange with Commercial/Residential Development", with stipulation of building height (BH) restriction (i.e. 69mPD); and
- (d) for the PHMC site (with a site area of 32.18 ha), the amendments (Amendment Items A2 to A5) entailed rezoning of an area mainly shown as 'Railway' to "OU" annotated "Railway Depot with Commercial/Residential Development", with stipulation of BH restriction for Area (a) (i.e. 109 mPD).

Supportive Representations

(R1 (part) and R54(part))

9. The Secretary recapitulated that the representers in support of the proposed amendments had made the following major points in their written and oral submissions:

- (a) the increase in land supply for housing development in KTS was supported in principle; and
- (b) the rezoning of non-development railway sites and adjacent land parcel/strips to allow for residential/commercial development was

supported.

10. Members noted the above supportive grounds.

Adverse Representations and Comments

(R1 (part), R2 to R53, R54(part), R55 and C1 to C330)

11. Based on the nature of the concerns raised by the representers and commenters, the Secretary suggested and the meeting agreed that the discussion would be grouped under five main aspects, which covered (a) land supply/land use review (LUR), (b) technical issues, (c) restrictions on OZP, (d) other issues, and (e) proposals. The Chairman said that Members should feel free to raise other topics they considered appropriate during the discussion.

Land Supply / LUR

12. The Secretary recapitulated that some representers and commenters had made the following major points in their written and oral submissions:

Land Supply/Piecemeal Development

- (a) the LUR was for a new town development but the Government had introduced the development proposals in an incremental or piecemeal manner to avoid public attention;
- (b) the proposed amendments were piecemeal and had only covered the two WR sites. Sites well served by the existing infrastructure and/or readily developable should be included in the first development phase for speedy housing production;
- (c) the estimated housing demand which was derived from the population projection might not be accurate if the Government had over-estimated the future population. The crux of the housing problem was not related to

inadequate housing supply but uneven allocation of flats;

- (d) the LUR was completed by PlanD with the assistance of MTRCL. 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 was not appropriate for the Board to use the LUR as a reference in considering the amendment items on the OZP;

Alternative Sources of Land Supply

- (e) the utilisation of brownfield sites was not adopted as an option to meet the pressing demand for increasing housing land supply. The Government should have first explored the use of brownfield sites;
- (f) the Fanling Golf Course and the Chief Executive's lodge in Fanling (Fanling Lodge) were suitable alternative sites for residential/public housing development as there were no existing residents, agricultural activities nor BH restrictions;

Alternative Proposal Ignored

- (g) 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 (R54);

Lack of Public Consultation

- (h) 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 have been undertaken; and
- (i) no public consultation on the proposal had been conducted.

13. Members then went through the following responses of the relevant government departments given during PlanD's presentation, and/or in answering Member's enquiries at the hearing, and/or set out in the Paper:

Land Supply / Piecemeal Development

- (a) under the LUR, the KTS and Pat Heung area were considered suitable for development into a suburban township (rather than a new town development). In view of the infrastructure constraints, the 14 potential housing sites identified under the LUR would be implemented by phases. To meet the pressing demand for housing supply, the two WR sites were rezoned first as the proposed development on the sites were technically viable, no major infrastructure improvement works would be required for the proposed development and no land resumption/clearance of private land would be involved. The remaining potential housing sites under the LUR would be subject to further study, particularly in terms of provision of supporting infrastructures;
- (b) the concerns on housing problems were noted. The proposed amendments on the OZP would facilitate flat production to meet the pressing need for housing;
- (c) the proposed amendments concerned the two WR sites. WR property development projects were taken forward by the West Rail Property Development, a company jointly founded by the Government and KCRC for the purpose of developing the WR 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 March 2014, PlanD completed the LUR with technical support from MTRCL;

Alternative Sources of Land Supply

- (d) the proposed use of brownfield sites as an alternative source of land supply was noted and would be looked into in other planning studies. The proposed amendments to the OZP would facilitate flat production to meet the pressing need for housing;
- (e) 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 (NTN Study), commenced in January 2014;

Alternative Proposal Ignored

- (f) the previous alternative proposal submitted by R54 was similar to the proposal submitted under the representation by R54 in terms of development concept and scale of development. The responses to the alternative proposal were similar to those summarised under the topics 'piecemeal development', 'development density' and 'BH restrictions';

Lack of Public Consultation

- (g) the rezoning proposals were to take forward the recommendations of the LUR for which public consultations with the Yuen Long District Council (YLDC), Kam Tin Rural Committee (RC), Pat Heung RC, key YLDC members, local farmers, 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 WR sites; and
- (h) the statutory and administrative procedures in consulting the public on the proposed zoning amendments had been duly followed. The exhibition of the OZP for public inspection and the provisions for submission of representations/comments form part of the statutory consultation process

under the Ordinance.

14. Upon the Chairman's enquiry on whether phased development such as the approach adopted for the current case was a common approach in land use planning, Mr K.K. Ling, Director of Planning, answered in the affirmative. He further said that, apart from taking the opportunity to better utilize the valuable land resources atop the railway station and depot, a holistic approach had been adopted to explore the development potential of its adjoining areas so as to capitalize the strategic advantage of areas in proximity to the rail network. Having considered the infrastructural capacity/constraints of the area, the two WR sites, being technically feasible, were rezoned in the first phase so as to help speed up the supply of housing units.

15. On the concern relating to the involvement of MTRCL in the LUR and whether it was appropriate for the Board to use the LUR as a reference in considering the amendment items of the OZP, the Secretary said that the broad technical assessments conducted by the MTRCL as part of the LUR were thoroughly appraised and scrutinized by the concerned departments. The findings of the assessments, which confirmed the technical feasibility of the two WR sites, were agreed by the departments. The LUR was considered and agreed in principle by the Board in 2014, which formed the basis for the proposed amendments to the KTS OZP.

16. Regarding the utilisation of brownfield sites as an alternative source of land/housing supply as suggested by the representers/commenters, the Secretary said that the Government had at various occasions reaffirmed its commitment to address the issue of brownfield sites. The Government had been actively taking forward various studies/projects which covered the brownfield sites for providing long-term land supply to meet Hong Kong's future housing and economic needs. The Vice-chairman supplemented that brownfield and other alternative sites should not replace other potential sites as a source of housing land supply.

17. A Member said that with the objective of meeting the pressing demand for housing, the cautious approach adopted by the Government (i.e. by only taking forward the two WR sites which were found to be technically feasible first) was supported. The Vice-Chairman considered that taking into account the annual target of the Long Term

Housing Strategy (LTHS) for providing 48,000 units for the coming 10 years, the amendments to the KTS OZP for developing the two WR sites for flat production was appropriate.

18. A Member said that the proposed residential development atop the railway station should be encouraged so as to optimize the use of valuable land resources. Rather than discussing whether there were brownfield or other alternative sites, the Board should focus on whether the two WR sites were suitable for development from the land use perspective.

19. Another Member said that Hong Kong had been renowned for adopting an integrated rail-property development model in its land use planning. It was largely due to the previous economic downturn that the residential development atop the KSRS could not proceed earlier. Sites that would integrate property development with rail-based transport should be given priority. The amendments to the OZP for the two WR sites were supported.

20. Members generally considered that there were no strong reasons from the perspective of land supply and LUR which would necessitate amendment to the draft OZP to meet the representations.

Technical Issues

21. The Secretary recapitulated that some representers and commenters had made the following major points in their written and oral submissions:

Transport Infrastructure

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

- (b) Kam Sheung Road and Kam Tin Road should be widened/upgraded to 4 lanes/10m on each side, and the overall road network in Kam Tin and Pat Heung districts be improved. Road safety problems at Kam Sheung Road would only get worse as a result of the proposed development;
- (c) in view of the substantial future developments in the Northwest New Territories (NWNT), the increased carrying capacity associated with the “East-West Corridor” will be offset by the increased population. The West Rail Line (WRL) has already reached 99% of its capacity;

Environmental and Ecological Concerns

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

22. Members then went through the following responses of the relevant government departments given during PlanD's presentation, and/or in answering Member's enquiries at the hearing, and/or set out in the Paper:

Transport Infrastructure

- (a) the Traffic Impact Assessment (TIA) conducted for the WR sites had concluded that 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;
- (b) the Transport Department (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;

- (c) TD had conducted a review on the causes of accidents on Kam Sheung Road based on the latest one-year period and advised that improvement measures should be devised according to the cause of each accident. Provision of bus lay-bys or widening at junction, etc., should be sufficient to address the problem;
- (d) according to the Railway Development Office (RDO) of the Highway Department (HyD), the “East-West Corridor” would be formed by 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. 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” would ultimately reach an hourly frequency of 28 at each direction, with 8-car trains. The carrying capacity of the WRL would then be increased by 60% over the current 7-car trains operating at an hourly frequency of 20;
- (e) 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 of the passengers;

Environmental and Ecological Concerns

- (f) the Environmental Protection Department (EPD) considered no insurmountable problem in respect of the proposed development at the WR 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;
- (g) the two WR 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;

- (h) according to the findings of the Air Ventilation Assessment (AVA), the proposed medium density development would have minimal impact on the local wind environment with implementation of appropriate wind enhancement measures. Notwithstanding that, a quantitative AVA would be required for each of the KSRS and PHMC sites at the detailed design stage;
- (i) the building height (BH) for the PHMC site was capped at 109mPD whereas the proposed development at the KSRS site and neighbouring potential housing sites were subject to lower BHs, 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; and
- (j) as set out in the Explanatory Statement (ES) of the OZP, 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.

23. A Member noted that the residents of the future residential development at the two WR sites would use rail as its main mode of transportation and that 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 did not recommend widening of Kam Sheung Road. This Member considered that there were no strong grounds for disputing the findings and recommendations of the TIA nor TD's advice on the traffic aspect. Mr K.K. Ling, Director of Planning, supplemented that the representers and commenters were more concerned about the traffic impacts arising from development proposals in North West New Territories, including Hung Shui Kiu New Development Area and Yuen Long South. The traffic impacts of these development proposals had been comprehensively examined and through enhancing the carrying capacity of the WR and the provision of a number of strategic roads and road improvement measures/projects, the resultant traffic impact would not be insurmountable. He said that the implementation of

the development proposals would span over a long period of time and the enhancement of WR and the provision of roads and traffic improvement measures/projects would tie in with the population intake. In fact, the proposed development at the PHMC site, which was currently in use, would need to be carried out in phases so as not to affect the railway services.

24. Members generally considered that there were no strong reasons from the perspectives of transport infrastructure and environmental/ecological concerns which would necessitate amendment to the draft OZP to meet the representations.

Restrictions on OZP

25. The Secretary recapitulated that some representers and commenters had made the following major points in their written and oral submissions:

Development Density

- (a) the proposed development intensities (with a maximum plot ratio (PR) of 3) for the two WR 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;
- (b) 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 LTHS, 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;
- (c) based on the maximum Gross Floor Areas (GFAs) permissible under the Notes of the OZP, PRs of 2.25 and 1.32 had been imposed for the KSRS and PHMC sites respectively. Both sites were however stated as having a PR of 3 in the Paper;

Building Height Restrictions

- (d) the Shek Kong Airfield Height Restriction (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; and
- (e) the proposed high-rise developments at the KSRS and PHMC sites, with a maximum BH of 16 storeys and 26 storeys respectively, were not in line with the rural residential density guidelines set out in the Hong Kong Planning Standards and Guidelines (HKPSG) for residential developments in rural areas, which should be a maximum of 12 storeys.

26. Members then went through the following responses of the relevant government departments given during PlanD's presentation, and/or in answering Member's enquiries at the hearing, and/or set out in the Paper:

Development Density

- (a) developments in the area were subject to various development constraints including limited infrastructure capacities, SKAHR, environmental implications and ecological considerations. The proposed development intensity had been worked out taking into account the above constraints and land use compatibility with the surrounding rural settlements;
- (b) 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 (on building gaps) and urban design requirements; and

Building Height Restrictions

- (c) in formulating the BH 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 OZP as a whole.

27. Regarding the concern on the BH restrictions, the Secretary said that it had been stated in the LUR that the KTS and Pat Heung area was considered suitable for development into a suburban township. By making reference to the highest residential density appropriate for commercial centre of rural township in non-urban areas (i.e. a maximum PR of 3.6) as set out in the HKPSG, and considering that the KSRS should be the focal point for development growth, a maximum PR of 3 was proposed for the KSRS and PHMC sites, for which the BHs of 69mPD and 109mPD were formulated, having regard to the SKAHR, AVA and Urban Design Guidelines for Hong Kong.

28. Regarding the alleged PRs of 2.25 and 1.32 for the KSRS site and PHMC site, the Secretary said that an overall PR of 3 for the KSRS and PHMC sites was based on the recommendations of the LUR. It appeared that the PRs of 2.25 and 1.32 as suggested by the representer was derived by dividing the maximum domestic and non-domestic GFAs permissible under the Notes of the OZP by the respective gross site areas of the two sites. The PR of 3 for the two sites was based on a net site area. Besides, the maximum non-domestic GFAs permissible under the OZP had excluded the floor space of the GIC facilities/railway station and associated facilities/covered walkway, which might be disregarded in accordance with the Notes of the OZP.

29. A Member considered that the current proposed BH restrictions for the two WR sites would help free up more space on the ground level than a lower BH restriction, and were therefore supported. Mr Ling supplemented that SKAHR was a major consideration in the formulation of the proposed BH restrictions for the two WR sites. Areas within the WR sites would also be allocated for government, institution or community (GIC) facilities including kindergarten, primary school and secondary school to serve the population of the proposed development and the local community at large.

30. Members generally considered that there were no strong reasons from the perspectives of development density and BH restrictions which would necessitate amendment to the draft OZP to meet the representations.

OTHER ISSUES

31. The Secretary recapitulated that some representers and commenters had made the following major points in their written and oral submissions:

Inadequate Supporting / Community Facilities

- (a) community facilities (e.g. recreational and medical related) were insufficient to support the future population. More job opportunities, cultural and recreational facilities and green space should be provided to create a balanced community;
- (b) whether the existing population of the KTS and Pat Heung area was provided with sufficient GIC facilities should be ascertained before various development options for the two WR sites were explored;

Loss of Agricultural Land

- (c) inclusion of the “Agricultural” (“AGR”) zone for the proposed residential development would result in further loss of agricultural land;
- (d) the future 'new town' development in KTS would directly affect 11 existing certified organic farms. The existing open storage yards in the proposed development area were forced to relocate to other nearby agricultural lands resulting in degradation of the rural environment;
- (e) PlanD had not provided information as to whether the large organic farm located in Pat Heung and Kam Tin would need to be relocated or not. Assistance should be provided to farmers for their relocation and agricultural rehabilitation, so as to facilitate continuation of farming elsewhere;

- (f) the future planning for the Pat Heung and Kam Tin area should have focused on agricultural restoration and rehabilitation. An area within the Plan should have been designated for the development of an agricultural development centre. A protection zoning (e.g. “Agricultural (1)”) should have been included in the OZP for land which had been identified as having potential for agricultural rehabilitation and resite for the affected farmers; and

Loss of Open Area & Flea Market

- (g) the existing flea market at the KSRS site provided an outlet for selling agricultural products and leisure activities. The open area in front of the KSRS was an important public space for the local residents. Both should be retained.

32. Members then went through the following responses of the relevant government departments given during PlanD's presentation, and/or in answering Member's enquiries at the hearing, and/or set out in the Paper:

Inadequate Supporting / Community Facilities

- (a) at present, there was generally sufficient provision of GIC facilities in the Planning Scheme Area of KTS, except secondary and primary school classrooms and hospital beds. The proposed development at the two WR sites would provide a 30-classroom secondary school, a 30-classroom primary school and a 9-classroom kindergarten to serve the needs of the future population. The proposed provision of other additional GIC facilities in the area would be further reviewed;
- (b) besides, two primary schools near the KSRS site were being planned. The provision of the GIC facilities would tie in with the population intake;

- (c) for the deficit in hospital beds, their provision was on a regional basis to be carefully planned by the relevant authorities/bureaux;
- (d) there would be a surplus of about 1.62 ha of local open space in the KTS area. Local open space (minimum 1m² per person) would be provided within the two WR sites in accordance with the HKPSG;
- (e) a local shopping centre and a district shopping centre (about 3,000m² and 40,000m² floor areas) would be provided at the two WR sites respectively to serve the residents in the district, generating new job opportunities. The Hung Shui Kiu NDA near Kam Tin and Pat Heung would generate about 150,000 jobs;

Loss of Agricultural Land

- (f) land under Amendment Items A3 to A5 (rezoning from “AGR” to “OU” annotated “Railway Depot with Commercial/Residential Development”) was small in area and was related to minor zoning boundary adjustments to reflect the lot boundary of the site. The land under Amendment Item A6 (rezoning from “AGR” to “OU” annotated “Railway Station and Public Transport Interchange with Commercial/Residential Development”), involved a piece of vacant government land, a great portion of which had already been paved. No significant impact on agricultural use in the area would be resulted from the zoning amendments;
- (g) as the agricultural rehabilitation potential of the land under Amendment Items A3 to A6 was low, AFCD had no strong view on the zoning amendments from agricultural development point of view; and

Loss of Open Area & Flea Market

- (h) the flea market, which fell within the KSRS site, was subject to a temporary planning permission (with 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. The open area was not a public open space managed by the Leisure and Cultural Services Department (LCSD). According to the proposed scheme of the KSRS development, a plaza with a footbridge connected to the Kam Tin rural township would be provided to serve as a local focal point.

33. Members generally considered that there were no strong reasons from the perspectives of community facilities, agricultural land and the flea market which would necessitate amendment to the draft OZP to meet the representations.

Proposals

34. The Secretary recapitulated that some representers and a commenter had made the following major points in their written and oral submissions:

Larger Area for Phase I Development (R54&R55)

- (a) 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”;

Rezoning of “CDA” Site (R55 & C312)

- (b) 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)”) with a PR of 2.1 (R55) or 4 (C312). The PR of 4 would be comparable to the PR of 6 for the residential developments on top of MTR Stations in New Towns;

PHMC Site for Public Housing (R54)

- (c) 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;

Higher Development Densities of West Rail Sites (R54)

- (d) 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;

Height Restrictions for the Proposed Development (R54)

- (e) the BH restrictions 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; and

Compliance with SKAHR to be Stated under Remarks (R54)

- (f) the Remarks of the Notes of the OZP should be amended to clearly state that the SKAHR needed to be complied with and that the BH included rooftop structures. The minor relaxation clause should not be imposed.

35. Members then went through the following responses of the relevant government departments given during PlanD's presentation, and/or in answering Member's enquiries at the hearing, and/or set out in the Paper:

Larger Area for Phase I Development (R54&R55)

- (a) the two WR 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 their technical feasibility;

Rezoning of “CDA” Site (R55 & C312)

- (b) 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 under section 12A application process;

PHMC Site for Public Housing (R54)

- (c) 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 more appropriate for MTRCL to address the technical interface issues in undertaking construction and engineering works;

Higher Development Densities of WR Sites (R54)

- (d) the proposed increase of PR from 3 to 5/6 for the two WR 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 the PR restrictions was not substantiated by technical assessments;

Height Restrictions for the Proposed Development (R54)

- (e) the maximum BH 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 individual BH restrictions in accordance with the SKAHR was to allow more flexibility; and

Compliance with SKAHR under Remarks (R54)

- (f) it had already been stipulated in the ES that the planning scheme area of the OZP fell within the area affected by SKAHR and details should be referred to the plan of the SKAHR by the Lands Department.

36. A Member noted that some of the proposals were unrelated to the current amendments to the OZP and there was no strong justification to support the remaining proposals.

37. Members generally considered that there were no strong reasons from the proposals submitted which would necessitate amendment to the draft OZP to meet the representations.

38. Members noted and agreed with the responses to the grounds and proposals of the representations and comments as detailed in paragraphs 5.3 to 5.5 of the Paper as well as those made during the hearing and deliberation sessions. Members also agreed that there were no insurmountable concerns that had not been addressed, which necessitated amendment to the draft OZP to meet the representations.

39. After deliberation, the Board agreed to note the supportive views of Representations No. R1(part) and R54 (part).

40. The Board decided not to uphold Representations No. R2 to R53 and R55 and the remaining part of Representations No. R1 and R54, and considered that the draft KTS OZP (the Plan) should not be amended to meet the representations for the following reasons:

For all Representations (**R1 to R55**)

- “(a) land suitable for development in Hong Kong is scarce and there is a need for optimizing the use of land available to meet the pressing demand for housing land. Rezoning the West Rail Kam Sheung Road Station (KSRS) and Pat Heung Maintenance Centre (PHMC) sites for residential development is one of the measures as announced in the Chief Executive 2013 Policy Address to increase the supply of housing land in short to medium term;
- (b) a comprehensive land use review with various technical assessments has been conducted to formulate a comprehensive planning and urban design

framework to optimizing the opportunities offered by the KSRS and the surrounding natural and landscape features and to create a quality and green living environment and socially integrated communities. Major government, institution or community facilities are generally sufficient to meet the demand of the proposed development;

- (c) various technical assessments have been conducted for the proposed amendment items to ascertain the feasibility of the housing development proposals. The proposed residential development under the zoning amendments would not generate unacceptable impacts in terms of traffic, ecological, environmental, landscape, infrastructure, air ventilation and visual impacts on the surrounding areas;

Transport infrastructure

(For **R1 (part) to R49, R52 and R53**)

- (d) according to the Traffic Impact Assessment for the proposed development, all major road links and junctions will operate within capacity with the implementation of the proposed improvement measures and no insurmountable traffic impact is envisaged due to the proposed developments. There is no strong justification to widen the whole stretch of Kam Tin Road and Kam Sheung Road to 4-lane road;
- (e) with the implementation of 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) will be increased by 60%. Upon completion of the three new railway projects, i.e. Northern Link and Kwu Tung Station, Tuen Mun South Extension and Hung Shui Kiu Station, the WRL service will be able to meet the demand during the peak hours of the WRL;

Agricultural land

(For **R27 to R49 and R51**)

- (f) the four “Agriculture” sites involved in the amendment items are within the lot boundary of the PHMC or an existing pedestrian pavement for the KSRS site. The rezoning of these sites is to reflect the existing railway-related use. There is no loss of existing agricultural land;

Public consultation

(For **R25**)

- (g) the Land Use Review is a district-based land use zoning review. Public consultation including briefings for Kam Tin Rural Committee, Pat Heung Rural Committee, Yuen Long District Council, local farmers, villagers, green groups and concerned groups has been conducted. The statutory and administrative procedures in consulting the public on the proposed zoning amendments have also been duly followed. The exhibition of the Plan for public inspection and the provisions for submission of representations/comments form part of the statutory consultation process under the Town Planning Ordinance;

Phase 1 development

(For **R54(part)** and **R55**)

- (h) to meet the pressing demand for housing supply, the two West Rail sites are rezoned first as the proposed developments on the sites are technically viable, no major infrastructure improvement works would be required for the proposed developments and no land resumption/clearance of private land would be involved. Technical assessments for other potential housing sites are required to confirm their technical feasibility;

Development intensity

(For **R54(part)**)

- (i) a plot ratio of 3 for the proposed developments is considered appropriate taking into account the development constraints and the findings of various

technical assessments. Further increase in development intensity in the area will be subject to further technical assessments as appropriate;

Building height restrictions

(For **R54(part)**)

- (j) the building height restriction for Area (a) of the PHMC site is set at 109 mPD, which is in line with the Shek Hong Airfield Height Restriction. The restriction is considered appropriate to provide design flexibility;
- (k) as there is an existing mechanism to administer the height restriction of the Shek Kong Airfield, there is no need to stipulate such restriction in the Remarks of the Outline Zoning Plan; and

PHMC site for public housing

(For **R54(part)**)

- (l) the “Other Specified Use” zone for the PHMC site is intended primarily to provide land for railway depot with commercial/residential development. As the future development at the site will be subject to interface problems with the life-long operation of a railway depot, it is considered appropriate for the MTR Corporation Limited to undertake the concerned construction and engineering works. The site is not a potential public housing site under the public housing development strategy.”

- 41. The meeting was adjourned at about 12:45 p.m.