

**Minutes of 1121st Meeting of the
Town Planning Board held on 23.9.2016**

Present

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

Chairman

Professor S.C. Wong

Vice-Chairman

Mr Lincoln L.H. Huang

Dr Wilton W.T. Fok

Mr Ivan C.S. Fu

Ms Janice W.M. Lai

Mr Patrick H.T. Lau

Mr Stephen H.B. Yau

Dr F.C. Chan

Mr David Y.T. Lui

Dr Frankie W.C. Yeung

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr Lawrence W.C. Poon

Mr K.K. Cheung

Mr Wilson Y.W. Fung

Dr C.H. Hau

Mr Alex T.H. Lai

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Professor T.S. Liu

Miss Winnie W.M. Ng

Ms Sandy H.Y. Wong

Mr Franklin Yu

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

Deputy Director of Environmental Protection (1)
Environmental Protection Department
Mr C.W. Tse

Chief Traffic Engineer/New Territories West
Transport Department
Mr Samson S.S. Lam

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 H.W. Cheung

Professor K.C. Chau

Mr Sunny L.K. Ho

Mr Dominic K.K. Lam

Ms Christina M. Lee

Mr H.F. Leung

Mr Thomas O.S. Ho

Mr T.Y. Ip

In Attendance

Assistant Director of Planning/Board

Miss Fiona S.Y. Lung

Chief Town Planner/Town Planning Board

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

Mr Louis K.H. Kau (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 1120th meeting held on 2.9.2016

[The meeting was conducted in Cantonese.]

1. The minutes of the 1120th meeting held on 2.9.2016 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. 5 of 2015

Temporary Open Storage of Containers for Storage for a Period of 3 years in “Agriculture” zone, Lots 490 to 493 in D.D. 117, Tai Tong, Yuen Long, New Territories

(Application No. A/YL-TT/334)

[Open Meeting]

2. The Secretary reported that the subject appeal was against the Town Planning Board (the Board)’s decision to reject on review an application (No. A/YL-TT/334) for a proposed temporary open storage of containers at a site zoned “Agriculture” (“AGR”) on the Tai Tong Outline Zoning Plan (OZP) (the appeal site).

3. The appeal was heard by the Town Planning Appeal Board (TPAB) on 24.2.2016 and 21.6.2016. On 5.9.2016, the TPAB dismissed the appeal mainly on the following grounds:

- (a) the appeal site possessed potential for agricultural rehabilitation and was suitable for agricultural use;

- (b) the open storage use was not in line with the planning intention of the “AGR” zone which was intended primarily to retain and safeguard good quality agricultural land for agricultural purposes;
- (c) there were areas zoned “Open Storage” near the appeal site on the OZP. It was not difficult for the appellant to find a suitable site for storage use;
- (d) the proposed development did not comply with the Town Planning Board Guidelines No. 13E for ‘Application for Open storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance’ in that there was no previous planning approval granted for open storage use, and there were adverse departmental comments on the application; and
- (e) the cumulative impact of approving such application would result in a loss of arable agricultural land to the east of the appeal site and deviate from the planning intention of the “AGR” zone. There were no special or unique circumstances and justifications to warrant the approval of the application.

4. Members noted the decision of the TPAB on the application.

(ii) Town Planning Appeal Decision Received

Town Planning Appeal No. 8 of 2015

Proposed House (New Territories Exempted House (NTEH) - Small House) in “Agriculture” and “Village Type Development” zones, Lots 873 S.B and 875 S.C in D.D. 9, Yuen Leng Village, Tai Po
(Application No. A/NE-KLH/483)

[Open Meeting]

5. The Secretary reported that the subject appeal was against the Town Planning Board (the Board)’s decision to reject on review an application (No. A/NE-KLH/483) for a proposed house (NTEH – Small House) at a site zoned “Agriculture” and “Village Type Development” (“V”) on the Kau Lung Hang Outline Zoning Plan (the appeal site).

6. The appeal was heard by the Town Planning Appeal Board (TPAB) on 4.7.2016. On 1.9.2016, the TPAB dismissed the appeal by the verdict of 3-2. The main reasons for the decision were as follows:

- (a) the appeal site was located within the Water Gathering Ground (WGG). A previous application at the appeal site submitted by the same appellant was approved by the Board as there was a planned public sewerage system to be implemented by the Government. Subsequently, the sewerage system was degazetted by the Government and there was no existing nor planned sewerage system in the area. The appellant proposed to use septic tank/soakaway system but there was no submission based on professional advice from the appellant to demonstrate that the proposed development would not cause adverse impact to the water quality within the WGG. Concerned government departments including the Environmental Protection Department and Water Supplies Department did not support the application on that aspect; and
- (b) the majority of the footprints of the proposed Small Houses approved by the Board after the Government's degazette of the planned sewerage system fell within the "V" zone, which was apparently different from that proposed by the appellant. By comparison, only 11% of the footprint of the proposed Small House at the appeal site fell within the "V" zone.

7. Members noted the decision of the TPAB on the application.

(iii) Abandonment of Town Planning Appeal

Town Planning Appeal No, 11 of 2014 (11/14)
Proposed Hotel in "Residential (Group A)7" Zone,
291-295 Queen's Road West, Sai Ying Pun
(Application No. A/H3/418)

[Open Meeting]

8. The Secretary reported that the subject appeal had been abandoned by the appellant of his own accord. Town Planning Appeal No. 11/2014 was received by the Town Planning Appeal Board (TPAB) on 17.11.2014 against the decision of the Town Planning Board on 5.9.2014 to reject on review an application (No. A/H3/418) for a proposed hotel in “Residential (Group A)7” zone on the approved Sai Ying Pun & Sheung Wan Outline Zoning Plan.

9. The appeal was abandoned by the appellant on 31.8.2016. On 1.9.2016, the TPAB formally confirmed that the appeal was abandoned in accordance with Regulation 7(1) of the Town Planning (Appeals) Regulations of the Town Planning Ordinance.

(iv) Appeal Statistics
[Open Meeting]

10. The Secretary reported that as at 20.9.2016, the appeal statistics was as follows:

Allowed	:	35
Dismissed	:	147
Abandoned/Withdrawn/Invalid	:	194
Yet to be Heard	:	11
Decision Outstanding	:	1
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Total	:	388

(v) Approval of Draft Plans
[Open Meeting]

11. The Secretary reported that on 30.8.2016, the Chief Executive in Council approved the draft Kam Tin South Outline Zoning Plan (OZP) No. S/YL-KTS/12 and the draft Po Toi Islands OZP No. S/I-PTI/1 under section 9(1)(a) of the Town Planning Ordinance. Upon approval, the OZPs were renumbered as S/YL-KTS/13 and S/I-PTI/2 respectively and the approvals were notified in the Gazette on 9.9.2016.

(vi) Reference Back of Approved Plan

[Open Meeting]

12. The Secretary reported that on 30.8.2016, the Chief Executive in Council referred the approved Sai Ying Pun & Sheung Wan Outline Zoning Plan (OZP) No. S/H3/29 to the Board for amendment under section 12(1)(b)(ii) of the Town Planning Ordinance. The reference back of the OZP was notified in the Gazette on 9.9.2016.

(vii) [Confidential Item. Closed Meeting]

13. This item was recorded under confidential cover.

14. The Secretary suggested that a procedural matter (i.e. Agenda 11) could be dealt with first to allow early follow-up action by the Secretariat. Members agreed.

Procedural Matter

Agenda Item 11

[Open Meeting]

Information Note and Hearing Arrangement for Consideration of Further Representations on Proposed Amendment to the Draft Tsing Yi Outline Zoning Plan No. S/TY/27 Arising from the Consideration of Representations and Comments made on the Draft Tsing Yi OZP No. S/TY/27

(TPB Paper No. 10179)

[The item was conducted in Cantonese.]

15. The Secretary reported that that the proposed amendment (Item A) to the draft Tsing Yi Outline Zoning Plan (OZP) No. S/TY/27 arising from the consideration of representations and comments on the draft OZP was related to a proposed public rental housing (PRH) development to be undertaken by the Housing Department (HD), which was

the executive arm of the Hong Kong Housing Authority (HKHA). AECOM Asia Company Limited (AECOM) and Mott MacDonald Hong Kong Limited (MMHK) were the consultants of HD. The following Members had declared interests on the item:

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|---|---|---|
| Mr H.F. Leung | - | being a member of the Tender Committee of HKHA |
| Mr Jeff Y.T. Lam
<i>(as Deputy Director of Lands)</i> | - | being a representative of the Director of Lands who was a member of HKHA |
| Mr K.K. Ling
<i>(as Director of Planning)</i> | - | being a member of the Strategic Planning Committee (SPC) and Building Committee 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 SPC and the Subsidised Housing Committee of HKHA |
| Ms Janice W.M. Lai |] | having current business dealings with HKHA |
| Mr Patrick H.T. Lau |] | and AECOM |
| Dr C.H. Hau |] | |
| Mr Thomas O.S. Ho | - | having current business dealings with HKHA and past business dealings with AECOM |
| Mr Stephen L.H. Liu | - | having current business dealings with HKHA |
| Mr Ivan C.S. Fu | - | having past business dealings with HKHA and current business dealing with AECOM |
| Mr Dominic K.K. Lam |] | having past business dealings with HKHA, |
| Mr Franklin Yu |] | AECOM and MMHK |

- Dr Lawrence W.C. Poon - his spouse being an employee of HD but not involved in planning work
- Professor S.C. Wong - being the Chair Professor and Head of the Department of Civil Engineering of the University of Hong Kong where AECOM had business dealings with some colleagues and had sponsored some activities of the Department before
(*The Vice-chairman*)

16. As the item involved a procedural matter only, Members agreed that the above Members should be allowed to stay in the meeting. Members noted that Mr H.F. Leung, Mr Thomas O.S. Ho and Mr Dominic K.K. Lam had tendered apologies for being unable to attend the meeting while Mr Ivan C.S. Fu, Dr Lawrence W.C. Poon and Mr Jeff Y.T. Lam had yet to arrive at the meeting.

17. The Secretary briefly introduced the Paper. On 7.8.2015, the draft Tsing Yi OZP No. S/TY/27 was exhibited for public inspection under section 5 of the Town Planning Ordinance. The amendments included the rezoning of a site between Tsing Yi Road and Tsing Hung Road from “Open Space” (“O”) and areas shown as ‘Road’ to “Residential (Group A)4” (“R(A)4”) for a proposed PRH development, and other zoning amendments to reflect the existing uses. A total of 961 representations and 350 comments were received.

18. After consideration of the representations and comments on 20.5.2016 and 17.6.2016, the Town Planning Board (the Board) decided to partially uphold the adverse representations by rezoning the northern portion of the “R(A)4” zone back to “O”. The proposed amendment to the draft Tsing Yi OZP No. S/TY/27 to rezone the northern portion of the “R(A)4” zone to “O” (Amendment Item A) was exhibited for public inspection on 22.7.2016. Upon expiry of the three-week exhibition period, a total of 2,476 further representations (FRs) submitted by concern groups, district councillors and individual members of the public were received.

The FRs

19. The majority of the FRs (F77 to F2449) welcomed the proposed amendment but expressed strong grievances against the Board's decision of not rezoning the entire "R(A)4" zone to "O". Some FRs (F1 to F76) supported the proposed amendment and proposed to rezone the remaining part of "R(A)4" to "O". Some FRs (F2450 to F2476) opposed the proposed amendment and considered that the entire "R(A)4" site should be rezoned back to "O" instead of only rezoning part of it.

20. Among the FRs, 237 of them (i.e. F73 to F76, F2220 to F2449 and F2474 to F2476) were representers or commenters who had made representations/comments on which the proposed amendment had been made. It was recommended that the abovementioned 237 FRs should be considered invalid and be treated as not having been made. The remaining 2,239 FRs (i.e. F1 to F72, F77 to F2219 and F2450 to F2473) would be submitted to the Board for consideration. Members agreed.

Meeting Arrangements

21. As the representations and comments were considered by the full Board, it was considered more appropriate for the full Board to hear the FRs. As a total of 2,239 valid FRs were received, separate hearing sessions would be necessary. In circumstances where a large number of further representers, original representers and commenters would like to make oral submissions to the Board, it was recommended to allot a maximum of 10 minutes presentation time to each further representer, original representer and commenter in the hearing session, in order to ensure efficiency of the hearing.

22. As the subject of FRs was related to the proposed amendment regarding the rezoning of the "R(A)4" site to "O", it was suggested to consider the FRs collectively in one group. Consideration of the FRs by the full Board was tentatively scheduled for late October and early November 2016. The original representers and commenters who had made representations/ comments on which the proposed amendment had been made and the further representers F1 to F72, F77 to F2219 and F2450 to F2473 would be invited to the hearing.

23. After deliberation, the Board agreed that:
- (a) F73 to F76, F2220 to F2449 and F2474 to F2476 were considered invalid;
 - (b) the valid FRs should be considered by the Board itself; and
 - (c) the Chairman would, in liaison with the Secretary, decided on the need to impose a 10-minute presentation time for each representor, commenter and further representor, taking into account the number of representors, commenters and further representors who would attend the hearing.

Tsuen Wan & West Kowloon District

Agenda Item 3

[Open Meeting]

Consideration of Representations and Comments in respect of the Draft Cheung Sha Wan Outline Zoning Plan No. S/K5/36
(TPB Paper No. 10168)

[The meeting was conducted in Cantonese and English.]

24. The Secretary reported that the amendments to the draft Cheung Sha Wan Outline Zoning Plan (OZP) No. S/K5/36 involved the rezoning of two government sites for business/commercial development. An Air Ventilation Assessment (AVA) Initial Study had been conducted for the proposed commercial development at the Cheung Shun Street site and Ove Arup & Partners Hong Kong Limited (ARUP) was the AVA consultant commissioned by the Planning Department (PlanD). The following Members had declared interests on the item:

Mr Ivan C.S. Fu] having current business dealings with
Mr Patrick H.T. Lau] ARUP

Mr Alex T.H. Lai] their firm having current business
Mr K.K. Cheung] dealings with ARUP

Professor S.C. Wong - being an engineering consultant of
(*Vice-chairman*) ARUP and the Chair Professor and
Head of Department of Civil
Engineering of the University of Hong
Kong where ARUP had sponsored
some activities of the Department
before

Mr Dominic K.K. Lam] having past business dealings with
Mr Franklin Yu] ARUP

25. Members noted that Mr Dominic K.K. Lam had tendered apologies for being unable to attend the meeting while Mr Ivan C.S. Fu had yet to arrive at the meeting. Since Professor S.C. Wong, Mr Patrick H.T. Lau, Mr Alex T.H. Lai and Mr K.K. Cheung had no involvement in the AVA Initial Study and the interest of Mr Franklin Yu was indirect, Members agreed that they could stay at the meeting.

Presentation and Question Sessions

26. The Chairman said that reasonable 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, Members agreed to proceed with the hearing of the representations and comments in their absence.

27. The following government representatives, representers, representers' representatives and commenter should be invited to the meeting:

Government representatives

Mr Lawrence Y.C. Chau	-	District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK), PlanD
Mr Philip Chum	-	Senior Town Planner/Sham Shui Po (STP/SSP), PlanD
Mr MS Ng	-	TP/SSP 2, PlanD
Mr Paul C.Y. Lee	-	Engineer/Planning West 1, Transport Department (TD)
Mr Henry Au	-	AVA Consultant, ARUP

Representers, Representers' representatives and Commenter

R1 – Calvin Fung (Chairman of the Incorporated Owners of Lai Po Garden)

Calvin Fung	-	Representer
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R2 – Horace Tse

Horace Tse	-	Representer
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R3 – Chum Tak Shing (Sham Shui Po District Council Member) (SSPDC Member)

Chum Tak Shing	-	Representer
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R4 – Mr Yuen Hoi-man (SSPDC Member)

R8 – Sin Wing On

R11 – Ho Kit Yee

R14 – Leung Chiu Hung

R26 – Li Sui On

Jason Lau - Representers' representative

R12 – Patti Lam

Patti Lam - Representer

R15 – Ng Siu Fai

R16 – Leung Chu Wah

R17- Leung Sze Ki

Leung Chu Wah - Representer and Representers' representative

R18 – Tang Fung Ling

Tang Fung Ling - Representer (*Attending only*)

R19 – Tung Pui Yan

C2 – Sung Wai Kit, Chris

Sung Wai Kit, Chris - Commenter and Representer's representative

R20 – Mary Mulvihill

R23 – Melanie Moore

Mary Mulvihill - Representer and Representer's representative

28. The Chairman extended a welcome and briefly explained the procedures of the hearing as follows:

- (a) DPO/TWK would first brief Members on the background;
- (b) the representers, representers' representatives and commenter would then be invited to make oral submissions in turn according to their representation/comment numbers. To ensure the efficient operation of

the meeting, each representer/commenter or his representative would be allotted 10 minutes for making oral submission;

- (c) there was a timer device to alert the representers, representers' representatives and commenter 2 minutes before the allotted time was to expire, and when the allotted time limit was up;
- (d) a question and answer (Q&A) session would be held after the attending representers, representers' representatives and commenter had completed their oral submissions. Members could direct their questions to PlanD's representatives or the representers, representers' representatives or commenter;
- (e) after the Q&A session, the representers, representers' representatives and commenter and PlanD's representatives would be invited to leave the meeting; and
- (f) the Town Planning Board (the Board) would deliberate on the representations in their absence and would inform the representers/commenters of the Board's decision in due course.

29. With the aid of a PowerPoint presentation, Mr Lawrence Y.C. Chau, DPO/TWK, made the following main points as detailed in the Paper:

Background

- (a) on 11.3.2016, the draft Cheung Sha Wan South OZP No. S/K5/36 (the draft OZP) was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance);
- (b) the amendments mainly involved the rezoning of two underutilised government sites (i.e. one at the junction of Yu Chau West Street and Wing Hong Street (Site A) and another at Cheung Shun Street (Site B)) for business/commercial development;

- (c) a total of 26 representations and two comments on the representations were received. The 26 representations (R1 to R26) were submitted by a Legislative Council (LegCo) Member (R5), SSPDC members (i.e. R3 & R4), the Chairman of the Incorporated Owners (IO) of Lai Po (R1), the Central and Western Concern Group (CWCG) (R6) and private individuals. Two were supportive (R1 and R2), one was both supportive and adverse (R3), while the remaining 23 were adverse;
- (d) out of those 10 representations relating to Amendment Item A, two representations (R1 and R3(part)) supported and eight representations (R6(part), R7(part) and R20(part) to R25(part)) from the CWCG and private individuals opposed it. There were 24 representations (R3(part), R4, R5, R6(part), R7(part), R8 to R19, R20(part) to R25(part) and R26) opposing Amendment Item B, which were submitted by a LegCo Member, two SSPDC members, CWCG, local residents nearby and individuals. One representation (R2) from an individual supported Amendment (d) to the Notes of the OZP in respect of ‘Art Studio (excluding those involving direct provision of services or goods)’ and ‘Place of Recreation, Sports or Culture’ uses in the “Other Specified Uses” annotated “Business” (“OU(B)”) and “Residential (Group E)” (“R(E)”) zones;
- (e) for the two comments on representations received, one comment (C1) was from another LegCo Member who opposed Amendment Items A and B on the grounds of adverse impact on the provision of community facilities. Another comment (C2) was from an individual who opposed Amendment Item B on similar grounds as put forward by those adverse representations;
- (f) on 5.8.2016, the Board decided to consider all the representations and comments collectively in one group;

Representation Sites/Amendment Items

Site A

- (g) Site A was located at the northeastern fringe of the Cheung Sha Wan Industrial/Business Area (CSWIBA), which was predominantly surrounded by high to medium-rise industrial, industrial-office and commercial buildings zoned “OU(B)” on the OZP. It had an area of about 0.29 ha and was partly occupied by the Yu Chau West Street Cooked Food Hawker Bazaar (CFHB), Wing Hong Street Temporary Refuse Collection Point (RCP) and a temporary works area;
- (h) in view of its low utilisation rate and the availability of eateries nearby to meet the need of workers in the area, the Food and Environmental Hygiene Department (FEHD) confirmed that there was no need to maintain the operation of CFHB, and had no objection to the release of the CFHB site for other uses. However, as the Wing Hong Street Temporary RCP was currently handling a large volume of municipal waste, and there was no alternative site available within the catchment area for reprovisioning, FEHD had requested a permanent RCP to be included in the future development of the site;
- (i) the amendments for Site A entailed the followings:
- the rezoning of the site from “Government, Institution or Community” (“G/IC”) to “OU” annotated “OU(B)5”) with stipulation of building height (BH) restriction (i.e. 130mPD) on the OZP (Amendment Item A); and
 - corresponding amendments to the Notes of the OZP, including incorporation of a maximum plot ratio (PR) of 12 and the requirement for the provision of a Government RCP into the “OU(B)5” zone;

Site B

- (j) Site B was located at the southwestern fringe of the CSWIBA. With an

area of about 0.423 ha, it was being occupied by a temporary open-air fee-paying public car park;

(k) in order to meet the economic needs of the territory, Site B was proposed to be rezoned to “Commercial(6)” (“C(6)”), the planning intention of which was primarily for commercial developments;

(l) the amendments for Site B entailed the followings:

- rezoning of the site from “G/IC” to “C(6)” with stipulation of BH restriction (i.e. 120mPD) and designation of a 15m-wide non-building area (NBA) (as recommended in the AVA Initial Study commissioned for the proposed commercial development) on the OZP (Amendment Item B); and
- corresponding amendments to the Notes of the OZP, including incorporation of a PR restriction of 12, the provision of a public car park with a minimum of 85 public parking spaces for private cars/light goods vehicles, a minimum setback of 4m from the boundary of the site abutting Cheung Shun Street and a minor relaxation clause for the NBA, into the “C(6)” zone;

Amendment (d) to the Notes of the OZP

(m) the amendments to the Notes of the OZP Item (d) entailed incorporation of ‘Art Studio (excluding those involving direct provision of services or goods)’ as Column 1 use in Schedule II of the “OU(B)” and “R(E)” zones, with corresponding amendment to replace ‘Place of Recreation, Sports or Culture’ use under Column 2 by ‘Place of Recreation, Sports or Culture (not elsewhere specified)’;

Consultation

(n) prior to the submission of the proposed amendments to the draft Cheung

Sha Wan OZP No. S/K5/36 for consideration by the Metro Planning Committee (MPC) of the Board, the SSPDC was consulted on 23.6.2015, 25.8.2015 and 2.2.2016 for Amendment Item A and 2.2.2016 for Amendment Item B;

- (o) on 2.2.2016, the SSPDC passed two motions. For the motion in respect of Amendment Item A, the SSPDC requested PlanD and FEHD to promise and undertake for early diversion of the wastes from Cheung Wah Street RCP to Wing Hong Street RCP or other RCPs, in order to achieve the permanent closure of Cheung Wah Street RCP at Lai Bo Garden. As for Amendment Item B, as the SSPDC was concerned about the possible impacts of air ventilation, parking space provision, light pollution, traffic as well as community and public facilities brought by the proposed amendment on the nearby residents and stakeholders, it requested the Government to withdraw the proposed amendment and to conduct a comprehensive consultation exercise with the stakeholders;
- (p) the draft Cheung Sha Wan OZP No. S/K5/36, incorporating the zoning amendments, was published for exhibition on 11.3.2016 for two months. After gazetting, the SSPDC was consulted again on the OZP amendments at its meeting held on 12.4.2016;

Grounds of Representations and Responses

- (q) 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 and R3(part))

- (i) the new RCP with large handling capacity at Site A would gradually replace the existing Cheung Wah Street RCP at Lai Bo Garden; and

- (ii) one floor of the new development was proposed for government use for eating place or cooked food centre (CFC), thereby allowing business continuation of the affected licensed hawkers of the existing CFC at the site;
- (iii) the responses to the above grounds were:
- noted the supportive views;
 - as the catchment areas of the existing Cheung Wah Street RCP and the proposed permanent RCP at Site A were different, the Cheung Wah Street RCP could not be replaced by the future permanent RCP at Site A;
 - according to FEHD, it was unnecessary to reserve one floor within the proposed development for government use as CFC since all the affected licensed hawkers of Yu Chau CFHB at the site had no intention to continue their food business after demolition of the existing bazaar;

Adverse Representations

*Oppose Amendment Item A & Amendment (c) to the Notes of the OZP
(R6, R7, R20 to R25)*

Tree Preservation & Recreation

- (iv) there were existing trees within Site A and vegetated slopes along part of the site's northern and eastern boundaries. Site A was ideal for low-rise active recreational use for the enjoyment of occupiers of both residential and commercial developments. It would help to mitigate the wall effect faced by the buildings to its south as well as providing visual and spatial relief to the area;

(v) the response to the above ground was:

- according to the pre-land sale tree surveys conducted by the Lands Department (LandsD), there were 40 trees on the site. No significant trees or trees listed in the Register of Old & Valuable Trees had been identified. Most of the trees were common species, such as *Macaranga tanarius var. tomentosa*, *Aleurites moluccana* etc. The Chief Town Planner/Urban Design & Landscape (CTP/UD&L), PlanD opined that for any type of development, the existing trees within the site and vegetated slopes should be preserved as far as practicable according to land lease conditions. Should any trees be affected by the development, application to relevant departments for approval was required (e.g. under the Lands Administration Office Practice Note No. 7/2007 and 7/2007A - Tree Preservation and Tree Removal Application for Building Development in Private Project);

Shadow Impact

(vi) the proposed building of 130mPD would cast a shadow on the adjacent rest garden and have wall effect on the amenity;

(vii) the response to the above ground was:

- the site was located to the west of the Wing Hong Street Rest Garden (WHSRG). The proposed building might cast shadow on the west side of the WHSRG in the afternoons. However, it was not unusual for a rest garden in urban area, with building/buildings developed right next to open space. As there was a slope separating the rest garden and the future building, significant and direct effect on the WHSRG was not envisaged;

Provision of GIC Facilities

- (viii) there was currently a lack of GIC facilities in the district. In view of the future population increase in the area, further reduction in land for GIC use would aggravate the shortage problem;
- (ix) the response to the above ground was:
- according to the Hong Kong Planning Standards and Guidelines (HKPSG) and the planned population for the Cheung Sha Wan area, except for one sports centre and 130 secondary school classrooms, there was no deficit of GIC provision in the OZP area. With an area of about 0.29 ha, Site A was too small for sports centre or secondary school development. The facilities in deficit were to be assessed on a wider district basis by the relevant departments and the shortfalls could be addressed by the provision in the adjoining areas. Concerned government departments had no objection to the rezoning amendment;

Provision of Open Space

- (x) there was a shortfall of district open space (DO) and local open space (LO) by 13.04 ha and 5.29 ha in Cheung Sha Wan respectively. More recreational spaces should be provided instead;
- (xi) the responses to the above ground were:
- as an early developed urban district with limited vacant land for open space development, there had been some shortfall of open space in Cheung Sha Wan. However,

the SSP District as a whole had a surplus of about 9.09 ha of DO and 10.5 ha of LO as per the HKPSG requirements;

- the site was located within an industrial/business area away from residential developments. As the WHSRG located to the immediate east of the site would continue to serve as recreational space in the area, developing the site for open space purpose was considered unnecessary. LCSD had no objection to the rezoning amendment;

Relocation of RCP

(xii) the Wing Hong Street Temporary RCP should be relocated from Site A to Site B;

(xiii) the response to the above ground was:

- relocation of the Wing Hong Street Temporary RCP at Site A to Site B was not desirable as the catchment area it would serve would be different from the one at the current site. Being further away from the catchment of Cheung Wah Street RCP at Lai Bo Garden, a RCP at Site B would not be able to help relieve the waste loading on the Cheung Wah Street RCP;

Light Pollution

(xiv) the amendment would aggravate the problem of light pollution;

(xv) the response to the above ground was:

- as the surrounding areas were mainly of industrial/business uses, light pollution should not be a major concern. Positive actions would continue to be taken by the

Government in handling complaints against external lighting installations. Upon receipt of complaints, the Environmental Protection Department (EPD) would relay the complainants' concerns and requests to the persons responsible for the lighting installations in question, and advise them to refer to the Guidelines on Industry Best Practices for External Lighting Installations and take appropriate mitigation measures. The Environment Bureau (ENB) would also invite the responsible persons to sign up to the Charter on External Lighting and pledge to switch-off external lighting of decorative, promotional and advertising;

Air Ventilation

(xvi) there would be adverse impact on air ventilation;

(xvii) the response to the above ground was:

- according to the AVA Expert Evaluation (AVA EE) for the Cheung Sha Wan Area (2010), Site A did not fall within any key wind corridors. The proposal also did not fall into the categories in which an AVA was required in accordance with the Joint Housing, Planning and Lands Bureau/Environment, Transport and Works Bureau Technical Circular No. 1/06 on AVA. As such, no significant adverse air ventilation impact from the rezoning amendment was anticipated;

Adverse Representations

Oppose Amendment Item B & Amendments (a) and (b) to the Notes of the OZP (R3(part) to R26)

Air Ventilation & Odour Problem

- (xviii) the current rezoning for commercial development with a BH of 120mPD at Site B deviated from the suggestions of the previous AVA conducted in 2010, which suggested, amongst others, that the maximum BH for developments along Cheung Shun Street should be 60mPD and Cheung Sha Wan Police Station and the adjoining site should be maintained as “G/IC”. The proposed development at Site B would adversely affect the air ventilation in the area;
- (xix) at present, the RCP and public toilet in Cheung Shun Street opposite the site did not pose an odour problem to the community due to the existing air ventilation situation. According to the AVA report conducted (in 2015/2016) for Site B, the conditions of the two proposed scenarios were worse than the baseline condition. Assessments on the wind environment (e.g. with special test points) should be conducted to confirm that the proposed development would not result in local accumulation of odour before proceeding with the rezoning;
- (xx) the responses to the above grounds were:
- based on the AVA EE for the Cheung Sha Wan Area (2010), Cheung Shun Street (adjacent to Site B) and Cheung Yee Street were air paths in the CSWIBA. It was recommended to maintain the “Open Space” (“O”) and “G/IC” sites at Lai Chi Kok Road. It was also suggested that if developments along Cheung Shun Street could not be restricted to the recommended maximum BH of 60mPD, the resultant adverse air ventilation could be reduced by widening the road spacing of the street. Air ventilation could also be improved if podia were made permeable;

- taking the above into account and to assess the potential impact of the rezoning, PlanD had commissioned an AVA Initial Study using computational fluid dynamics (CFD), which was completed in March 2016. Under the Initial Study, a proposed scenario was formulated based on a commercial development with a building setback of about 4m along the northern boundary of the site to allow for wider road spacing along Cheung Shun Street and incorporating a 15m-wide NBA along the eastern boundary to facilitate the wind flow into Cheung Shun Street. The proposed scenario had been assessed against the baseline scenario. According to the Initial Study, as the annual and summer prevailing winds would be mainly coming from northeast and east directions, and east, east-southeast, south-southwest and southwest directions respectively, it was concluded that the proposed commercial development at the site would not significantly affect the overall wind performance;
- regarding the potential odour problem, FEHD advised that ventilation and odour control systems had been installed in the subject RCP and the adjacent public toilet. According to the results of the AVA Initial Study, under both the annual and summer wind conditions, the ventilation performance of the two test points closest to the Cheung Shun Street RCP and public toilet were similar in the proposed scenario B (commercial building of 120mPD with mitigation measures) and the baseline scenario. Any significant adverse impact on the localized ventilation performance at that particular area due to the proposed development was not anticipated;

Noise Impact

- (xxi) the proposed building of 120mPD would deflect the traffic noise of the heavily trafficked West Kowloon Corridor / Lai Chi Kok Road to the nearby residential developments, thereby causing insurmountable noise impact as those completed residential developments could not install noise mitigation measures;
- (xxii) the response to the above ground was:
- as the subject development was not directly opposite Banyan Garden and One West Kowloon, significant increase in noise level due to reflection from the proposed development was not anticipated;

Light Pollution

- (xxiii) long-term exposure to light might cause serious health problems. Recent commercial towers in the area had already caused disturbance to nearby residents due to their strong lights and sign boards at night. The reflective materials used in those buildings also reflected sunlight onto the street, causing discomfort to pedestrians. There was a lack of regulation on light pollution and the Charter on External Lighting could not resolve the problem;
- (xxiv) there should be regulations to prohibit any designs or potential source for light pollution such as the use of light at night time and material for commercial buildings. The land sale conditions should specify measures to mitigate light pollution (e.g. compulsory switching off of unnecessary lightings at non-business hours, installation of gadgets to avoid strong reflection of lights and forbidding the use of flickering or hue-changing lighting installations on the side facing residential

building);

(xxv) the responses to the above ground were:

- the subject development was not directly fronting the residential developments to the south of Lai Chi Kok Road;
- the response to light pollution regarding Amendment Item A was relevant. The Government supported measures to minimise the problems of energy wastage and light nuisance arising from external lighting, as set out in the Guidelines on Industry Best Practices for External Lighting Installations;
- according to LandsD, the land sales conditions in general would only reflect the planned development parameters, instead of the daily operation and building installation of the proposed development;

Blockage of Sky Light & Impact on Privacy

(xxvi) the proposed commercial building of 120mPD high would face directly to Tower 2 of One West Kowloon with Lai Chi Kok Road in between. It would impose complete blockade of sky light along Lai Chi Kok Road and affect the day lighting for the relatively low-rise buildings nearby. The BH of 120mPD would also infringe on the privacy of residents of One West Kowloon;

(xxvii) the response to the above ground was:

- the subject development located at Lai Chi Kok Road was mainly surrounded by non-residential uses. With a distance of about 50m away, it was not directly fronting onto One West Kowloon. It was considered that the blockage of sunlight along Lai Chi Kok Road, visual impact of the

proposed commercial development and impact on the privacy of residents of One West Kowloon would be insignificant/minimal;

Telecommunication System at Cheung Sha Wan Police Station

(xxviii) there was a high-powered radio base station at the adjoining Cheung Sha Wan Police Station. The proposed building might interfere with the telecommunication system of the police station or its strong radio signals might pose health hazard to the future users of the proposed building;

(xxix) the response to the above ground was:

- the Commissioner of Police had no adverse comment on the rezoning amendment. There was no evidence that there would be health hazard caused by the telecommunication system of the police station to future users of the proposed development;

Sustainable Building Design

(xxx) the land sale conditions should require the proposed development to follow the Sustainable Building Design Guidelines proposed by the Council for Sustainable Development;

(xxxii) the response to the above ground was:

- the Buildings Department's Practice Notes for Authorised Persons (PNAP) APP-151 on Building Design to Foster a Quality and Sustainable Built Environment and PNAP APP-152 on Sustainable Building Design Guidelines were applicable to the subject site. Moreover, depending on applicability, relevant provisions on building separation, building setback and coverage of greenery provision might

be stipulated in the land sale conditions of Site B, where appropriate;

GIC Facilities

(xxxii) there was a lack of GIC facilities such as wet market, sports centre, library, youth centre in the district. There was a growing number of young and new families in the area especially at the four major residential estates south of the site. The community facilities in the district were far away from those residential estates;

(xxxiii) the responses to the above ground were:

- sports centre facilities would be provided in the planned government complex within the comprehensive public housing development at Northwest Kowloon Reclamation Site 6 in SSP near the residential areas south of Site B. The proposed development would also incorporate a child care centre and a neighbourhood elderly centre subject to availability of funding. Concerned departments had no objection to the rezoning amendment;
- as for the wet market, FEHD would take into consideration the HKPSG, the actual situation of the area, views of the stakeholders, as well as other relevant factors to consider whether a new wet market should be developed;

Cheung Sha Wan Temporary Cooked Food Market (CSWTCFM)

(xxxiv) the rezoning would affect the opportunity to relocate the CSWTCFM within the “O” zone north of the Site B to a nearby location. Relocation of the CSWTCFM to Site B or swapping the “O” zone with the site for the proposed commercial development should be considered;

(xxxv) the responses to the above ground were:

- there was no requirement to retain the subject “G/IC” zone to reprovision / provide facilities such as cooked food centre, RCP, wet market, and relevant government departments have no objection to the rezoning amendment;
- the “O” zone to the north of the site was currently occupied by Cheung Sha Wan Road / Cheung Shun Street Playground, CSWTFCM, and Cheung Shun Street RCP / Public Toilet. Moreover, Site B was fronting and adjoining Lai Chi Kok Road near the West Kowloon Corridor. As such, it was not desirable to provide an open space at the site in view of noise and nuisances caused by the heavy traffic;

Relocation of RCP

(xxxvi) to relocate the RCP from Site A to Site B;

(xxxvii) the response to the above ground was:

- the response to RCP relocation regarding Amendment Item A was relevant;

Open Space

(xxxviii) there was a shortfall of DO and LO by 13.04 ha and 5.29 ha (in Cheung Sha Wan) respectively. Considerations should be given to providing more recreational spaces;

(xxxix) the response to the above ground was:

- the responses to open space shortfall regarding Amendment Item A and those to the proposed swapping of the site with the “O” zone to the north of Site B were relevant;

Parking Spaces

- (xl) parking spaces were very limited in the area. As exemplified by the high usage rate of the current temporary open air car park, the demand for parking space remained very high. The additional requirement “to provide a minimum of 85 public car parking spaces”, was still insufficient to meet the huge demand in the area. The number of car parking spaces should be increased to 300-500;
- (xli) the response to the above ground was:
- the demand and supply of car parking spaces in the area had been closely monitored by TD. During the construction phase of the proposed development, temporary parking spaces would also be provided at vacant land nearby;

Assessment on Demand for Commercial Floor Space

- (xlii) evaluation on the demand for commercial land might not be accurate, e.g. over-estimation of the need for commercial land;
- (xliii) within the area, old and dilapidated industrial buildings were gradually being transformed into commercial buildings. The Government had not provided figures to show how much commercial floor space was left vacant or in shortage to support the plan to increase commercial space;
- (xliv) the responses to the above grounds were:
- there was continued demand for more floor space for economic activities including land/space for commercial facilities to sustain Hong Kong’s economic development and

to provide new employment opportunities;

- based on the statistics from the Rating and Valuation Department, the total internal floor area of private commercial and private office stock had only recorded a modest increase of 15% over the past decade, while Hong Kong's gross domestic product (GDP) per capita had risen by about 40% in real terms. Between 2005 and 2015, the vacancy rate of private commercial stock also continued to decline from 10.3% to 7.7%. During the same period, the annual rental and price indices of private offices stock had increased significantly from 96.4 to 226.7 and from 133 to 448.9 respectively. All these reflected a strong demand for commercial and office spaces;
- the Government had adopted a multi-pronged approach to ensure that land supply in the short, medium and long terms would cater for economic developments;

Procedural Matter

(xlv) the rezoning had been hastily put forward to the SSPDC. In taking forward the rezoning amendments the Government had ignored the request of the SSPDC to withdraw the proposed amendment and conduct a comprehensive consultation exercise with the stakeholders in the local community;

(xlvi) the responses to the above ground were:

- in processing the zoning amendments, PlanD had followed the established procedures including departmental consultation, DC consultation, TPB submission, and gazetting under the Ordinance. Prior to the submission of the proposed zoning amendments to the Metro Planning

Committee (MPC), the SSPDC was consulted on the recommendation on the zoning amendments on 2.2.2016. The views collected were incorporated into the MPC paper to facilitate MPC's consideration of the rezoning proposal. The draft Cheung Sha Wan OZP No. S/K5/36 incorporating the zoning amendments was then published for exhibition on 11.3.2016. After gazetting, the SSPDC was again consulted on the OZP amendments at its meeting held on 12.4.2016;

- the public had been consulted on the rezoning proposal in accordance with the statutory provisions under the Ordinance, including the exhibition of the OZP for public inspection. The statutory and administrative procedures in consulting the public on the zoning amendments had been duly followed;

Supportive Representation

Amendment (d) to the Notes of the OZP (R2)

(xlvii) amendments to the Notes of the OZP in respect of 'Art Studio' and 'Place of Recreation, Sports or Culture' uses were supported;

(xlviii) clarifications on the following were required:

- detailed definition of 'Art Studio (excluding those involving direct provision of services of goods)' should be provided; and
- painting, design, stage arts, stage production, opera and opera rehearsal, dance training, calligraphy, etc. should be permitted under Column 1 of Schedule II for the "OU(B)" and "R(E)" zones;

(xlix) the responses to the above ground were:

- noted the supportive view;
- according to the Definitions of Terms Used in Statutory Plans (DoTs), ‘Art Studio’ meant any premises purely used as a working place for the creation of paintings, sculptures, pottery and other pictures or objects which were the subject of art and as a venue for rehearsal for art performance;
- the incorporation of ‘Art Studio (excluding those involving direct provision of services or goods)’ in the “Industrial”, “OU(B)” and “R(E)” zones of OZPs was to support art development and provide greater flexibility in the use of industrial and industrial-office buildings. However, art studio uses or activities, which involved direct provision of services or goods, such as hobby classes and venue for rehearsal for art performance, were excluded, so as to address the key concern on fire safety;

Representers’ Proposals and Responses

(r) the representers’ proposals and the responses to the representers’ proposals, as detailed in paragraphs 3.25, 3.2.6 5.3.5 and 5.3.6 of the Paper respectively, were highlighted as follows:

Site A (R21 to R25)

- (i) to retain the “G/IC” zone at Site A;
- (ii) the response to the above proposal was:
 - rezoning of Site A to “OU(B)” was appropriate in view of better utilization of land resources, compatibility with the

surrounding land uses, which were dominated by industrial, industrial-office and commercial uses, and no insurmountable adverse impacts arising from the proposed development as stated in the responses to the representations above;

Site B (R5, R11, R14 to R25)

- (iii) to retain the “G/IC” zone at Site B;
- (iv) to restrict the maximum BH of Site B to 60mPD;
- (v) the responses to the above proposals were:
 - PlanD would from time to time undertake review on the land use planning of the OZPs with a view to optimising the use of precious land resource. Taking into account its locality and site characteristics, Site B was proposed to be rezoned with a view to satisfying the demand for commercial land and provision of employment opportunities. There were no insurmountable adverse impacts of the proposed development as stated in the responses to the representations above;
 - the proposed BH of 120mPD for the site was in keeping with the BHs of the surrounding industrial/business developments. It would not have adverse visual, air ventilation and other impacts on the surrounding areas;

Comments on Representations and Responses to Comments

- (s) as the views of the commenters (C1 and C2) were similar to those of the adverse representations, the responses to the respective grounds of adverse representations were relevant;

PlanD's Views

- (t) PlanD noted the supportive views of R1, R3(part) and R2; and did not support R3 (part), R4 to R26 and considered that the draft OZP should not be amended to meet the representations.

30. The Chairman then invited the representers, representers' representatives and commenter to elaborate on their representations and comment.

R1 – Calvin Fung (Chairman of the Incorporated Owners of Lai Po Garden)

31. Mr Calvin Fung made the following main points:

- (a) he represented the IO of Lai Po Garden;
- (b) he supported Amendment Item A, on the condition that the new RCP to be reprovisioned at Site A would replace the public RCP at Lai Po Garden i.e. Cheung Wah Street RCP;
- (c) the residents of Lai Po Garden and those of the neighbouring areas had long been affected by the nuisances generated by the Cheung Wah Street RCP. FEHD's response that Cheung Wah Street RCP could not be closed down in spite of the upcoming RCP at Site A as the catchment area of the new RCP would not be able to cover the nearby catchment area of Cheung Wah Street RCP was both disappointing and irrational;
- (d) FEHD had ignored the fact that the provision of a public RCP within a private residential development was a design flaw as both uses were incompatible. Moreover, rather than as an individual facility separated from the residential portion of Lai Po Garden, the RCP was an integrated part of Lai Po Garden in terms of design, taking up its public space. Being an open and unhygienic facility, the RCP had adversely

and directly affected the residents living above/near it;

- (e) the Government and the developer had formed a Deed of Mutual Covenant (DMC) some 20 years ago in respect of Lai Po Garden. Aside from the requirement for the provision of a public RCP at Lai Po Garden, the DMC stipulated no management fee for the RCP. That was highly unreasonable. Only a nominal rate of ten cents per foot as management fee for the RCP was secured after more than 10 years of requests by the residents of Lai Po Garden. Such problem should not be repeated in any future private property development where a public facility was to be provided;
- (f) the residents of Lai Po Garden welcomed Amendment Item A and hoped that it would result in the closing down of the Cheung Wah Street RCP. Over the past ten years, the residents had liaised with the SSPDC and requested FEHD to close down the Cheung Wah Street RCP. The SSPDC had all along fully supported such request and a motion had been passed by the SSPDC, urging PlanD and the FEHD to re-provision the Wing Hong Street RCP at Site A so as to achieve the permanent closure of Cheung Wah Street RCP. As the new RCP at Site A was located in the business/commercial and industrial area, it would have less impact on the local residents than the subject RCP, which was outdated in terms of daily operation and capacity. The new RCP should be equipped with better design to minimise impact on the neighbouring users and maximise the capacity in handling refuse. He hoped that SSPDC's motion could be realized;
- (g) residents of Lai Po Garden could no longer tolerate the severe nuisances emanated from the RCP. The residents had faced on-going problems concerning the RCP in terms of environmental hygiene, structural safety and soaring service charges. Their concerns should not be ignored; and
- (h) he hoped Members of the Board would render support to his views.

R2 – Horace Tse

32. Mr Horace Tse made the following main points:

- (a) the Paper had provided responses to his query on the definition of ‘Art Studio’ which was submitted as part of his representation;
- (b) he supported the amendments to the Notes of the OZP (i.e. Item (d)), which entailed incorporation of ‘Art Studio (excluding those involving direct provision of services or goods)’ as Column 1 use in Schedule II of the “OU(B)” and “R(E)” zones. In doing so, industrial/office (I-O) buildings could have art studios without the need to apply for planning permission, thereby helping to meet Hong Kong’s increasing demand for art studios. Many artists were in fact using I-O buildings for their creative work; and
- (c) allowing art studios as an always permitted use in I-O buildings would bring about positive contributions to the overall development of Hong Kong, including its creative industry, youth employment and business start-ups, etc and better utilisation of I-O buildings. Plan D should speed up incorporating similar amendments to other OZPs covering other districts.

R4 – Mr Yuen Hoi-man (SSPDC Member)

R8 – Sin Wing On

R11 – Ho Kit Yee

R14 –Leung Chiu Hung

R26 – Li Sui On

33. Mr Jason Lau made the following main points:

- (a) he represented a number of representers, including the Chairman of the IO of Liberte and a member of the IO of Banyan Garden;

- (b) he opposed the rezoning of Site B from “G/IC” to “C(6)” with stipulation of BH restriction of 120mPD mainly on the grounds that the new commercial building would aggravate light pollution, the lack of GIC and parking facilities in the Cheung Sha Wan district, the issue for reprovisioning of the nearby CSWTFCM was not yet resolved, public consultation conducted by the Government was insincere and that the findings of the AVA Initial Study were questionable;

Light Pollution

- (c) at present, there were no laws in Hong Kong to regulate light pollution. The Guidelines on Industry Best Practices for External Lighting Installations and Charter on External Lighting as mentioned by PlanD’s representative in his presentation did not have any legal effect. Many new or redeveloped commercial and industrial buildings were the source of severe light pollution. In past rezoning or redevelopment proposals, the Government had not considered light pollution nor incorporated the related conditions to address light pollution. As a result, strong and neon lights had been installed at those buildings, causing nuisances to the residents living near them;
- (d) the commercial buildings, one at Cheung Shun Street (i.e. Maxim’s Centre) to the northeast of Site B and another (i.e. at D2 Place) at Lai Chi Kok Road, had received numerous complaints from local residents on light pollution which had not yet been addressed. In response to PlanD’s ground that Site B was not directly fronting the residential developments to the south of Lai Chi Kok Road, it should be pointed out that although Maxim’s Centre was more directly fronting Banyan Garden, the neighbouring Liberte and One West Kowloon to the east and west of Banyan Garden respectively were still affected. Many residents of Liberte and One West Kowloon had lodged complaints against the light pollution caused by Maxim’s Centre;

- (e) it could be envisaged that light pollution from the new commercial building at Site B would affect the residents living at One West Kowloon, Banyan Garden and Liberte. The land sale conditions of Site B should specify detailed measures to mitigate light pollution so as to minimise adverse impact on the local residents. The measures should regulate the length of time for lighting and the degree of light flickering that could be allowed, etc;

GIC Facilities

- (f) while Site B was located at the fringe of the industrial/business area in SSP, it was in the locality of the four major residential estates south of the site (commonly known as the West Kowloon Four-Little Dragon Estates) and Hoi Lai Estate. It had been stated in a report by the Central Policy Unit that there was a serious lack of GIC facilities in the western part of SSP covering West Kowloon Four-Little Dragon Estates and Hoi Lai Estate. The facilities that were lacking included wet market, sports centre, library, youth centre and nurseries. In view of the growing number of young and new families in the area, there was an urgent need to provide such GIC facilities;
- (g) Site B was the only remaining ‘G/IC’ site pending development in the district. Opportunity to provide the desperately needed GIC facilities at the site would be lost if the amendment was allowed. That was unfair to the local residents. Should the rezoning be permitted, the future commercial development at Site B should be required to allocate spaces for the various GIC facilities and those run by the non-governmental organisations (NGOs) for serving the local population;

Parking Spaces

- (h) parking spaces were very limited in the area covering the “West Kowloon Four-Little Dragon Estates” and Hoi Lai Estate. Most often,

residents would need to wait for one year before they could rent the parking spaces. Illegal parking was also severe in the area. The 85 public car parking spaces to be provided at Site B was far less than the 300 parking spaces currently provided by the temporary car park at Site B. The car park at Hing Wah Street, previously providing 200 parking spaces, had been resumed and converted into a park. As such, a substantial number of parking spaces should be provided at the future development on Site B to compensate for the loss of parking spaces and to alleviate illegal parking in the area;

Reprovisioning of CSWTCFM

- (i) the CSWTCFM zoned “O” north of Site B was sub-standard without any upgrading for years. The planning for Site B should be conducted holistically with the CSWTCFM, e.g. relocation of the CSWTCFM to Site B or swapping the “O” zone with Site B for the proposed commercial development should be considered. The Government had not consulted the relevant stakeholders including those of CSWTCFM for the rezoning of Site B;

Consultation

- (j) for the DC meeting held in early February 2016, PlanD only provided the SSPDC the details on Amendment Item B a week before such meeting. A motion was passed by SSPDC requesting for a longer consultation period for the item. PlanD had however ignored such request and submitted the proposed amendments to the Board for consideration on 19.2.2016. That was highly unsatisfactory;
- (k) the findings of the AVA Initial Study were only available in April 2016, two months after the SSPDC was consulted. Questions were raised on whether that was in line with the proper procedures and on the transparency of the procedures;

AVA Initial Study's Findings

- (l) the current rezoning for commercial development with a BH of 120mPD at Site B deviated from the recommendation of the previous AVA conducted in 2010. The previous AVA recommended that, inter alia, the buildings along Cheung Shun Street should be 13 storeys (60mPD) and that the "G/IC" sites including Site B should be maintained, so as to allow adequate air ventilation going into the inland area of Cheung Sha Wan from Mei Foo, and to alleviate the significant air ventilation problem in the area. Site B should be maintained as a 'G/IC' site and the maximum BH should be kept at 13 storeys;
- (m) the "West Kowloon Four-Little Dragon Estates" had blocked the south-westerly winds from the sea. The previous AVA also recommended that Cheung Shun Street should be maintained as the major wind corridor with road spacing of 15m. Under the current amendment, Cheung Shun Street only had a road spacing of 10 m; and
- (n) the current AVA Initial Study had exaggerated the merits of the scenarios A and B with the BH of 120mPD as the baseline scenario adopted was a worse-case scenario with poor building design and disposition. Moreover, the AVA Initial Study had not taken into account the odour accumulation problem generated by the polluting uses in the vicinity of Site B, including the RCP and public toilet in Cheung Shun Street opposite the site and the new RCP to be reprovisioned at Site A. Under the AVA Initial Study, the RCP and public toilet were within the test points of 36-41 and 43-45 respectively and that air ventilation at those test points were shown to be worsened as a result of the Amendment Item B. In accordance with the Technical Circular No 1/06 on AVA where special test points might be positioned in areas where special localised problems were likely to appear, test points should be set up at the RCP and public toilet in Cheung Shun Street and the new RCP at Site A and a comprehensive AVA should be conducted accordingly. The development for Site B

should only proceed if the findings of the comprehensive AVA were favourable.

R3 – Chum Tak Shing (SSPDC Member)

34. Mr Chum Tak Shing made the following main points:

- (a) the SSPDC and he as a SSDC member had all along been in favour of maximising land utilisation. Site A was partly occupied by Yu Chau West Street CFHB and Wing Hong Street Temporary RCP. Since Site A was underutilised, he supported Amendment Item A;
- (b) nonetheless, over the past 10 years or so, the SSPDC and he himself had discussed whether Site A should be developed by the Government for GIC use such as Government offices in line with its zoning. However, the government departments had not been responsive nor willing to take up the site, and the lack of financial resources had been cited as a reason;
- (c) the current RCP at Site A was substandard and was in need of upgrading. Similarly, the residents of Lai Po Garden had been adversely affected by the Cheung Wah Street RCP on a daily basis, which was located about 50m away from the Wing Hong Street Temporary RCP and was also substandard. Members should pay a visit to the RCP so as to understand the extent of nuisances the RCP had inflicted on the residents;
- (i) Hong Kong currently had eight public RCPs located within private residential developments. In the past ten years, five of those RCPs had been the subject of complaints, the details of which could be found in LegCo papers. That was largely due to the increasing population over the years and the amount of refuse those RCPs had to deal with was beyond their design capacity. The Cheung Wah Street RCP at Lai Po Garden had been in use for more than 20 years and could no longer

accommodate the refuse it collected. The RCP had also been poorly managed and that had attracted media attention. The de-odouring system put in by FEHD for the RCP had not been effective;

- (j) taking into account the short distance between the Cheung Wah Street RCP and Wing Hong Street Temporary RCP, the possibility of reducing the amount of refuse going into the Cheung Wah Street RCP by transferring them to Wing Hong Street RCP should be explored. It was envisaged that the Cheung Wah Street RCP would be easier to manage as a result. The Cheung Wah Street RCP could specialise in dealing with dry waste such as furniture, rather than wet waste such as food waste, given its proximity to residential units. SSPDC and he himself had approached FEHD and that a general consensus had been reached on that proposed direction. The new RCP at Site A should be modern in its design and its capacity should be maximised to accommodate more refuse;
- (k) Cheung Wah Street RCP should be replaced and closed down in the long run. For the time being, once the development was confirmed to proceed at Site A, FEHD or PlanD should arrange for the gradual decrease in refuse being transported to the Cheung Wah Street RCP and the introduction of changes to the type of wastes being handled by the Cheung Wah Street RCP, for the benefits of the residents and the community; and
- (l) the population in the district of SSP would increase from 380,000 to half a million in the coming years, in which young families would make up a great portion of the population. In view of the increasing need for GIC facilities in the area including nurseries for children and medical centres, Site B should be maintained as a "G/IC" site for providing such facilities. Many existing industrial buildings in SSP had already been converted to commercial use. In that regard, he objected to the rezoning of Site B from "G/IC" to "C(6)".

R12 – Patty Lam

35. Ms Patty Lam made the following main points:

- (a) she was the Chairman of the Owners' Committee (OC) of One West Kowloon and her property was located in Tower 2 of One West Kowloon;
- (b) referring to the Site Plan (Plan H-2b of the Paper) showing the location of Site B and the surrounding developments/uses, she said that she would like to convey to the Board the views of the local residents. Before she proceeded to elaborate on the details of their views, she made the following remarks:
 - the representative of PlanD in his presentation earlier had indicated that the concerned government departments, including LCSD, the Police and Social Welfare Department (SWD), had all rendered support to Amendment Item B. To the local residents, it could be interpreted as government departments supporting their own proposals;
 - on the other hand, the 24 adverse representations which were submitted by the public against Amendment Item B included a LegCo Member and SSPDC members, representatives of IO/OCs and local residents, represented the interests of local residents;
 - she added that the consultation was only among government departments. The residents including herself were disappointed with the responses to their grounds of representations;

Views of Local Residents

- (c) the proposed commercial building of over 30 storeys (120mPD) at Site B, if implemented, would put the local residents to serious light pollution. Amongst the residential developments across Lai Chi Kok Road (namely, One West Kowloon, Banyan Garden, Liberte and The Pacifica), Tower 2 of One West Kowloon would be mostly affected by the rezoning given its proximity to Site B. Lai Chi Kok Road, sandwiched between Site B and the aforesaid residential developments, was only 50m wide, which was equivalent to the length of a standard swimming pool;
- (d) with reference to a photo showing Maxim's Centre at night and the same Site Plan, she said that although the commercial building of Maxim's Centre was located more than 50m away from the residential developments, the residents could see the strong lights of the commercial building from their apartments, which usually lasted until mid-night or 1 a.m. in the morning,. PlanD's response to the local residents' concerns on light pollution that the proposed commercial building at Site B was not directly fronting the residential developments to the south of Lai Chi Kok Road was questionable;
- (e) rather than for commercial use, Site B should be maintained as a "G/IC" site to provide GIC facilities for the local community that could be run by charitable organisations such as St. James' Settlement and Chinese YMCA of Hong Kong;
- (f) as reflected in the AVA Initial Study, sacrifices would need to be made to make way for the rezoning at Site B, as the air ventilation conditions would be worsened as a result of the new commercial building and that mitigation measures such as the imposition of NBA and building setback to alleviate the conditions were required. That was considered unsatisfactory as the environment of the district should be improved for the benefits of the residents and that the Government should safeguard their welfare;

- (g) while the OC and residents of One West Kowloon welcomed optimisation of valuable land resources, they considered that the needs of the residents living in the residential estates across Lai Chi Kok Road should be met, including good ventilation, freedom to enjoy sunlight from their homes and adequate level of GIC provision; and
- (h) Members should give due consideration to the views of the local residents.

R15 – Ng Siu Fai

R16 – Leung Chu Wah

R17 – Leung Sze Ki

36. Mr Leung Chu Wah made the following main points:

- (a) he would like to put forth his views on Amendment Item B from the perspective of a local resident;
- (b) he resided with his family at Tower 1 of Banyan Garden. His family was composed of two grandparants, a mother, a father and a child. Such family composition was similar to many families living in Banyan Garden, Liberte and The Pacifica;
- (c) many children from the residential estates i.e. the “West Kowloon Four-Little Dragon Estates” needed to travel further to the SSP district and Kowloon Tong to attend schools daily. For many elderly, they also had to visit markets daily to buy produce and the nearest markets were located in Po On Road and Pei Ho Street in SSP or in Mei Foo, which were some distance away;
- (d) to better serve the children and elderly of the community, Site B should be reserved as a “G/IC” site to provide various GIC facilities e.g. nurseries, educational establishments and a market. In fact, although the “West Kowloon Four-Little Dragon Estates” had their own

clubhouse and recreational facilities, there was no market near them. Hoi Lai Estate had no recreational facilities nor a market to serve the residents;

- (e) while PlanD's representative had repeatedly stated that there was no deficit of GIC provision in the Cheung Sha Wan area, the facilities were however located in the SSP district. The basis for SWD's agreement for releasing the "G/IC" site was also unclear. PlanD's representative did not mention the opposing views of the SSPDC and as such the adverse views of the local residents had been totally ignored. The reason for using Site B for commercial purposes and not GIC uses had not been properly explained; and
- (f) he hoped that Members would pay particular attention to the needs of the elderly and children in considering the draft OZP.

R20 – Mary Mulvihill

R23 – Melanie Moore

37. Ms Mary Mulvihill made the following main points:

- (a) she did not receive the Paper one week before the hearing. She was subsequently advised by the Secretariat of the Board that the Paper was available at the Board's website. Due to the sheer volume of the electronic file provided online, the Paper could not be read fully. Since the public had the right to have access to such information, the public should be given an option to receive the hard copy as per their wishes;
- (b) while she supported the green initiative to reduce paper usage, in order to safeguard the public access to information, not until all the past TPB papers were available on the Board's website (e.g. online library) at all times, the public should not be offered to view TPB papers online only. The gists of planning applications, which were available at the Board's

website, were also considered unsatisfactory, as the names of the applicants were not disclosed. All the submissions of planning applications should be available online for the convenience of the public;

- (c) according to paragraph 2.1 of the Paper, it was stated that upon review, the concerned bureaux/departments agreed that the two “G/IC” sites (i.e. Sites A and B) were no longer required and could be released for private development. However, there was no mentioning of the members of the public including local residents who would be affected by the draft OZP. The opposing views of the SSPDC members, in particular against Amendment Item B, were also not stated;
- (d) the Government had bypassed the people who would be affected by the amendments;

Unsatisfactory Government Responses

Site A

- (e) most of the 40 trees at Site A were regarded by the Government as common species and none was listed in the Register of Old and Valuable Trees, and hence they were disposable. That neglected the fact that the trees might have been there for years and were beloved by the local community;
- (f) there was uncertainty in PlanD’s response that the proposed building at Site A might cast a shadow on the west side of the WHSRG. There was no basis for such uncertainty since it involved a question on fact;
- (g) the new RCP at Site A should provide adequate recycling facilities;

Site B

- (h) she resided opposite to the commercial development named The ONE in Tsim Sha Shui, which had curtain walls that bounced off and magnified noise. The Government's response that the proposed commercial development at Site B would not induce significant noise impact on the neighbouring residential development was without grounds;
- (i) as Site B was located only 50m away from the residential estates to the south of Lai Chi Kok Road, the residents would be affected by the new high-rise development at the site, including the amount of sky light/sunlight and privacy they currently enjoyed. Taking into account the great number of residents living near Site B, the Government's responses that the residents would not be adversely affected were unreasonable and that the Government's claim was without any supporting technical data/findings;

Sites A & B

- (j) since the local community was in need of many GIC facilities such as those for the elderly and in view of the aging population in general, the Government's response that there was no deficit of GIC provision in the OZP area in accordance with the requirements of the HKPSG was unreasonable. Child care services and study rooms were also required for the growing population. DC members had set up offices in containers due to the soaring rents, and the lack of "G/IC" sites had led to limited polling stations in the recent election. The two "G/IC" sites should be maintained;
- (k) the elderly residents and young children in the area would have to travel to SSP to enjoy open space. The LO should be locally and easily accessible;
- (l) other than external lightings, internal lights of eating establishments within commercial buildings were also the source of light pollution.

Most modern eating establishments had no curtains/blinds. There were no laws to ensure minimal light pollution impact from such establishments. It was likely that the local residents residing near Sites A & B would face similar problems in the future;

- (m) the government's response that there would be no adverse impact on air ventilation due to the proposed high-rise development at Site A/B was unconvincing, which was not supported by the findings of the previous AVA;
- (n) the need for commercial use should not outweigh the adverse impact that commercial developments would bring about to the local area. As a better alternative, brownfield sites in Tuen Mun and Yuen Long should be considered for commercial related or industrial uses, which would in turn create job opportunities for the low-income areas; and
- (o) government departments should take into consideration public sentiments/aspirations in formulating the various development proposals. Members were requested to be mindful of the long-term impacts of the proposed high-rise developments on the local community in considering the draft OZP.

R19 – Tung Pui Yan

C2 – Sung Wai Kit, Chris

38. Mr Sung Wai Kit made the following main points:

- (a) he was a resident of Tower 1 of Banyan Garden;
- (b) he strongly opposed Amendment Item B due to a number of reasons:

Strong Opposing Views

- by referring to the views expressed by Dr Hon Priscilla Leung (R5),

he said that in February 2016, despite strong objections from SSPDC, the Government had included Site B into the land sale programme of 2016/17 before agreement had been obtained from the Board for rezoning the site from “G/IC” to “C(6)”. That was an attempt to bypass the Board and the plan-making procedures;

- after SSPDC passed a motion requesting the Government to withdraw Amendment Item B, two LegCo Members (R5) and Dr Hon Wong Pik-wan and SSPDC member Mr Yuen Hoi-man (R4) had convened two local consultation forums, which were attended by a total of 60 or 70 residents. The residents had all unanimously objected to the amendment item, and presented a petition at the SSPDC to PlanD, urging for the withdrawal of the proposal for Site B. A total of 24 adverse representations against the amendment item had been submitted to the Board, including R5 who represented the business sector. Despite the strong opposing views, the Government still pushed ahead the proposal;

Lack of Justification for Commercial Use

- the Government had cited that the total internal floor area of private commercial and private office stock had only recorded a modest increase of 15% over the past decade, while Hong Kong’s GDP per capita had risen by about 40% in real terms. However, whether there was a relationship between commercial/office stock and GDP was in doubt. The figures on vacancy rate of private commercial stock were quoted to be declining from 10.3% to 7.7% between 2005 and 2015, which was not considered a marked decline in his view;
- he had previously conveyed to PlanD that no figures on the vacancy rates of industrial/I-O buildings in the Cheung Sha Wan district had been provided to support the Government’s stance that there was a need for commercial floor space. Referring to a summary table

shown on the visualiser, he stated that it listed out all the existing industrial and I-O buildings in the Cheung Sha Wan district. Out of the 68 industrial buildings, two-third of them had the potential for conversion to provide commercial floor space. By converting 3 or 4 of the industrial buildings each year, sufficient commercial floor space could be released into the market to meet the demand for the next 20 years or so. There was no justification to take away the “G/IC” site which should be reserved for GIC uses serving the local community;

[Dr Wilton W.T. Fok left the meeting temporarily at this point.]

Light Pollution

- commercial buildings operated daily and the local residents had already been adversely affected by the light pollution caused by Maxim’s Centre. A new commercial building at Site B with strong /neon lights and reflective glass walls would induce light pollution to One West Kowloon, Banyan Garden and Liberte on a daily basis. The Charter on External Lighting was not legally binding, thereby having little impact on addressing the light pollution issue. Essentially, there were no laws to regulate light pollution. Referring to a plan he prepared as shown on the visualiser, he said that Tower 2 of One West Kowloon, Towers 1 and 8 of Banyan Garden were directly facing Site B and as such would be seriously affected, and PlanD’s presentation had not covered that point adequately;

- referring to a photograph taken at his residence looking out to Site B as shown on the visualiser, he said that the distance between Tower 1 of One West Kowloon and Site B was very close and Members could pay a visit to the area if in doubt;

[Mr K.K. Ling left the meeting temporarily at this point.]

Inadequate Parking

- many local residents had to wait over a year for a parking space. The temporary public car park at Site B had high usage and currently provided over 200 parking spaces, including those for lorries. The private car parking spaces to be provided at Site B was 85, less than half of the current level of provision. That would lead to more illegal on-street parking and increase in rental for parking spaces. PlanD's response that they would liaise with LandsD and the Police to find land under short term tenancy for more parking spaces was unsatisfactory, as the area was already highly developed and it would be problematic, if not impossible, to find additional land for parking;

Swapping with CSWTCFM

- he had previously suggested the swapping of the "O" zone where the CSWTCFM was located with Site B for the proposed commercial development. That would allow for the integration of the cooked food centre into the future development at Site B and would have less impact on the local residents given the "O" zone was further away from the residential developments than Site B. The swapping proposal could result in a win-win for all parties. Should PlanD have consulted them earlier, there would not be the need for the residents to lodge representations; and
- Members were requested to consider not agreeing to Amendment Item B and PlanD should consult all stakeholders concerned on the swapping proposal.

[Miss Winnie W.M. Ng arrived to join the meeting at this point.]

39. As the presentations from PlanD's representatives, representatives, representatives' representatives, and commenter for the hearing session had been completed, the Chairman invited questions from Members.

Demand for Commercial Floor Space

40. Upon a Member's enquiry on the availability of figures to justify the demand for commercial floor space in the Cheung Sha Wan district, Mr Lawrence Y.C. Chau, DPO/TWK, referred to a slide in the PowerPoint and said that the CSWIBA had evolved over the past 10 years and about 14 industrial/I-O buildings had been redeveloped/converted into commercial buildings. According to the 2014 Area Assessments of Industrial Land in the Territory (2014 Area Assessments) conducted by PlanD, the vacancy rate of buildings in the CSWIBA had declined from 6.5% in 2009 to 4.1% in 2014.

Light Pollution

41. A Member enquired whether there was any mechanism to ensure strict adherence by the future developer(s) relating to the Charter on External Lighting. Mr Lawrence Y.C. Chau said that compliance with the Charter on External Lighting was not a compulsory requirement. Nonetheless, other than the Charter on External Lighting, the Government would approach the owners and responsible persons to encourage minimisation of light pollution by making reference to the Guidelines on Industry Best Practices for External Lighting Installations. In response to another Member's enquiry, Mr Chau said he was not aware of Government's plans to introduce compulsory measures for compliance by the stakeholders to address the problem of light pollution.

42. A Member asked if the future land sale conditions could incorporate restrictions to regulate light pollution, such as prohibiting the use of reflective glass walls and external lights on façade. Mr Chau said that LandsD had initially indicated that the land sale conditions were to mainly govern the development parameters of the future development and not specific measures concerning operation of the building such as light installations.

GIC Facilities

43. A Member asked if DPO/TWK could provide further information on GIC facilities in response to the concerns of the local residents that there were no sufficient GIC facilities in their local area. With the aid of a slide in the PowerPoint indicating GIC facilities in the neighbouring area of Site B, Mr Lawrence Y.C. Chau said that SWD was seeking funding for the provision of a child care centre and a neighbourhood elderly centre at the proposed commercial development at Site B. An area to the south of the “West Kowloon Four-Little Dragon Estates” and Hoi Lai Estate was the Northwest Kowloon Reclamation Site 6 where a planned comprehensive public housing development was located, which would provide a wide range of GIC facilities such as a public library, sports centre, children and youth centre, centre for children with special needs and a wet market for serving the local residents. The planned comprehensive public housing development was scheduled for completion in phases by 2020.

44. A Member asked if Mr Leung Chu Wah (R16 and R15/R17’s representative) would consider the GIC facilities to be provided at the comprehensive public housing development adequate in meeting the needs of the local residents. Mr Leung said that he could not provide his views in the absence of information on those GIC facilities. The Chairman then asked if Mr Jason Lau (Representative of R4, R8, R11, R14 and R26) could share his views on the same question. In response, Mr Lau said that as far as he was aware, some of the GIC facilities including a market would be provided at the public housing development by 2018. However, there would be two housing estates located there and he doubted that the market, which was of small scale, could serve the two estates, let alone the “West Kowloon Four-Little Dragon Estates” and Hoi Lai Estate. He supplemented that the “West Kowloon Four-Little Dragon Estates” were located at the fringes of the district and according to SWD, it was beyond the service area of the proposed integrated family services centres. In view of the large number of residents at the “West Kowloon Four-Little Dragon Estates”, there was a severe shortage of a wide range of recreational facilities for the residents and more sports facilities should be provided.

45. A Member enquired whether other “G/IC” sites in the local area that were yet to be developed and could be available for GIC uses in the future, including, for example, the “G/IC” site located to the south of Site B which was occupied by Hoi Lai Temporary Garden. In reply, Mr Chau said that apart from the site occupied by Hoi Lai Temporary Garden which was reserved for the development of a school for those with special needs and another

“G/IC” site of extensive size to the southeast of Site B which was reserved for the development of a sports ground/stadium, there were other “G/IC” sites on the OZPs covering the district that were not yet earmarked for specified GIC uses.

Site A

RCPs

46. A Member asked if DPO/TWK could provide information on the new RCP at Site A and the current condition of the Cheung Wah Street RCP at Lai Po Garden. In response, referring to the slides in PowerPoint, Mr Lawrence Y.C. Chau said that the new RCP at Site A would be of a modern design and be separated from the rest of the future development in terms of entrance, driveway, passageway, sewerage system, ventilation, etc so as not to create nuisance to other users, an example of which was the Tanner Road RCP located inside Island Place Tower in North Point. As for the Cheung Wah Street RCP, he said that it was completed in early 1990s and it was not fully separated from the residential portion of Lai Po Garden. Driveway and sewerage system were essentially under shared use.

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

47. A Member asked DPO/TWK to clarify on how the catchment areas of the Wing Hong Street Temporary RCP at Site A and the Cheung Wah Street RCP were defined by FEHD. In response, Mr Lawrence Y.C. Chau showed the two catchment areas on the PowerPoint and said that PlanD and FEHD had held meetings with SSPDC members and local residents, and FEHD had explained in details how the catchment areas were delineated. While new residential estates had their own refuse collection facilities, for the older urban areas with individual residential buildings, the refuse was usually transported to the Government RCP which needed to serve an area within a distance of 500m, as specified in Chapter 9 of the HKPSG. As the distance between the two RCPs was about 500m, there were some overlapping areas that were served by the two RCPs. The residents in the overlapping areas had the option to choose which RCP they would use for disposing of their refuse. In response to a Member’s enquiry, Mr Chau said that the new RCP at Site A would be about 750m².

Tree Survey

48. The same Member asked if a tree survey had been conducted for Site A where there was a large number of trees. Mr Lawrence Y.C. Chau said that according to the pre-land sale tree survey conducted by LandsD, there were 40 trees on Site A. No significant trees or trees listed in the Register of Old & Valuable Trees had been identified. Most of the trees were common species, such as *Macaranga tanarius var. tomentosa* and *Aleurites moluccana* etc, which were of good condition. Should any trees be affected by the development, application to relevant departments for approval was required (e.g. under the Lands Administration Office Practice Note No. 7/2007 and 7/2007A - Tree Preservation and Tree Removal Application for Building Development in Private Project). The future developer would need to minimise tree felling as far as possible under the Practice Notes. A Member enquired whether pre-land sale tree survey was enclosed with the Paper. Mr Chau said that while the tree survey was not attached to the Paper, the main findings of the survey had been provided as stated in the Paper. The Chairman said that the Secretariat could look into whether such survey could be provided to the Members for reference in future.

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

Site B

Swapping Proposal

49. A Member asked DPO/TWK if the swapping proposal involving the CSWTFCM and Site B as suggested by Mr Sung Wai Kit (C2 and R19's representative) had been considered by the Government. In response, Mr Lawrence Y.C. Chau said that the subject "O" site comprised two portions, the eastern portion was currently occupied by the Cheung Sha Wan Road/Cheung Shun Street Playground and Cheung Shun Street RCP/Public Toilet, while its western portion accommodated CSWTFCM, which was a temporary use. According to FEHD, similar to many cooked food centres throughout Hong Kong, the usage rate of the CSWTFCM was low. Having considered that Site B was fronting and adjoining Lai Chi Kok Road near the West Kowloon Corridor, which was subject to noise and nuisances caused by the heavy traffic, the proposed open space use at

Site B was considered not desirable. A Member asked if suitable design measures such as the installation of noise barrier along Lai Chi Kok Road could help ameliorate the noise problem. Mr Chau said that the concerned departments did not consider it appropriate to have open space use in close proximity to such a busy road and did not support the swapping proposal. Upon the same Member's enquiry, Mr Chau said that should the "O" site no longer be occupied by the CSWTFCM, the site would be used as an open space in line with the planning intention of the "O" zone.

AVA

50. A Member asked if DPO/TWK could further elaborate on the key findings on the AVA Initial Study in comparison with the earlier AVA, which were the subject of concerns of the representers and commenters. In response, Mr Lawrence Y.C. Chau said that AVA EE for the whole Cheung Sha Wan OZP area to facilitate the imposition of BHs was conducted in 2010. Under the AVA EE, both Cheung Shun Street (adjacent to Site B) and Cheung Yee Street were air paths in the CSWIBA, and the "O" and "G/IC" sites at Lai Chi Kok Road were recommended to be retained. However, the AVA EE suggested that if developments along Cheung Shun Street could not be kept to the maximum BH of 60mPD, the resultant adverse air ventilation could be reduced by the introduction of mitigation measures (e.g. widening road spacing, permeable podia, etc). Subsequently, the AVA Initial Study using CFD was completed in March 2016, where a proposed scenario (Scenario B) formulated based on a commercial development with mitigation measures, namely a building setback of about 4m along the site's northern boundary to achieve wider road spacing along Cheung Shun Street and incorporation of a 15m-wide NBA along the eastern boundary to facilitate wind flow into Cheung Shun Street, was found to result in a better wind performance than the baseline scenario, as shown in higher site and local velocity ratios.

Parking Demand

51. The Vice-chairman asked the basis for requiring 85 public car parking spaces to be provided within the proposed development at Site B and if the local demand for parking spaces could be met by the proposed provision. In reply, Mr Paul Lee, Engineer/Planning West 1, TD, said that TD had mainly taken into account the usage rate of the current car park

at Site B and the existing provision for on-street public parking along Cheung Yee Street and Cheung Shun Street in formulating the public car parking spaces requirement. Besides the 85 public car parking spaces, parking spaces serving the development itself in accordance with the HKPSG would also be provided at Site A. He supplemented that to maintain the supply of parking spaces during construction of the proposed development, TD had liaised with LandsD in the identification of land under short-term tenancy for such purpose, and a site in the area was under review by LandsD for use as a temporary car park.

BH

52. Upon a Member's enquiry on the proposed commercial building at Site B, Mr Lawrence Y.C. Chau said that the Notes of the OZP for "C(6)" did not specify any site coverage restriction, which would be subject to the control under the Building (Planning) Regulations (B(P)R) under the Building Ordinance (BO). There were a building set-back requirement and NBA incorporated in the Notes for the "C(6)" zone covering the site on the OZP. It was envisaged that the future development on the Site would not give rise to adverse impact on the neighbouring areas. In response to further enquiry from the same Member, Mr Chau said that the site coverage for Site A would also be subject to the control of the B(P)R, and that the public facilities at both sites (i.e. RCP at Site A and public car parking spaces at Site B) were both accountable for gross floor area (GFA) calculation.

Other Issue

53. Upon a Member's enquiry, Mr Lawrence Y.C. Chau clarified that for fire safety reason, only art studios not involving direct provision of services and goods, were always permitted in existing industrial or I-O buildings in "OU(B)" and "R(E)" zones.

54. Members had no further question to raise. The Chairman said that the hearing procedure 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.

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

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

Deliberation

55. The Secretary said that Miss Winnie W.M. Ng and Dr Frankie W.C. Yeung joined the hearing after the presentations of government representatives, representers/representers' representatives or commenter, Members agreed that they could stay at the meeting but should refrain from participating in the deliberation.

56. Dr C.H. Hau declared an interest on the item as he was the Vice-Chairman of The Conservancy Association and its office was located in the vicinity of the representation site under Amendment Item A. The office did not have a direct view of the site. Members agreed that the interest of Dr C.H. Hau was indirect and he could continue to stay at the meeting.

Site A

57. A Member considered that taking into account the grievances of the residents of Lai Po Garden arising from the Cheung Wah Street RCP, the condition of which was unsatisfactory, FEHD should seriously consider whether the new RCP at Site A could be enlarged or designed at a higher standard to cover the catchment area of the Cheung Wah Street RCP or whether there would be any other means to improve the Cheung Wah Street RCP. A number of Members shared the view and considered that the handling capacity of the new RCP at Site A should be maximised as far as possible with the use of new and modern machinery and green technology. The proposed RCP had the potential to serve as a regional RCP providing services to a wider area. The Vice-Chairman added that when the opportunity arose, FEHD, in planning for RCP in the area, should give priority to the need of reducing the catchment area of the Cheung Wah Street RCP, which should preferably be closed down in the long run.

58. A Member said that overseas experience in dehydrating the household refuse should be introduced into Hong Kong for reducing the amount of refuse and eliminating nuisances for the benefits of the residents or other users. The relevant government departments including FEHD should be requested to look into the techniques adopted by the

overseas countries for implementation, especially in the future New Development Areas. Another Member said that, as far as he understood, such techniques were introduced to Hong Kong before but the trial scheme was not successful due to poor handling of refuse by the concerned residents. Mr C.W. Tse, Deputy Director of Environmental Protection (1), Environmental Protection Department (EPD), said that EPD had accorded great importance to the collection, sorting and treatment of refuse and had been active in trying out and researching new/innovative techniques. Human behavior and habits were some of the practical problems they encountered in their earlier attempt to introduce change.

59. Members generally supported the rezoning amendment from “G/IC” to “OU(B)5” for Site A and noted that the zoning amendment and corresponding amendments to the Notes of the OZP would not prevent the upgrading/improvement to the new RCP at Site A. The Secretary supplemented that the statutory Notes for “OU(B)5” had stipulated the requirement for the provision of a public RCP. The Chairman said that Members’ views on the design aspect of the future RCP, including the need to maximising its handling capacity and the need to minimise the existing Cheung Wah Street RCP, could be conveyed to the relevant bureaux and departments. The relevant bureaux and departments could also be requested to expedite the follow-up actions to address the concerns of the local residents. Members agreed.

Site B

60. A Member said that light pollution had been the subject of concerns of the representers and through careful design of the future buildings, the concerns of the residents could be addressed. Special design considerations such as placing only back-of-house facilities and prohibiting the use of flashy advertisement signs along the southeastern façade of the building to avoid affecting those residential developments, and the possibility of including those design criteria into the future sale conditions could be explored. Another Member added that specifications on façade design and lighting could be considered for incorporation into the sale conditions to address the concerns on light pollution. A Member said that the design of building facades was subject to the approval of the Buildings Department.

61. The Chairman noted that under current government policy, while there were no legislations to control light pollution, the relevant stakeholders were encouraged to comply with the Charter on External Lighting and the Guidelines on Industry Best Practices for External Lighting Installations. Mr C.W. Tse supplemented that as light pollution was a subjective matter depending on the perception of the receiver, public consensus on the imposition of light pollution control legislations for mandatory compliance had not been obtained in consultations conducted by EPD before. He said that nonetheless positive actions would continue to be taken by the Government in handling complaints against external lighting installations with reference to the Guidelines on Industry Best Practices for External Lighting Installations and the Charter on External Lighting, and so far, the owners/responsible persons had been cooperative. A Member said that although light pollution was a subjective issue, strong lights were generally not acceptable in residential areas. The Member considered that some standard criteria on distance and degree of illumination to assess whether there was light pollution could be formulated by the relevant bureaux and departments. A Member said that the external environment would significantly affect the measurement of light pollution and that light, unlike noise, did not involve a single point source and could not be readily measured in a practical sense.

62. A Member considered that unlike commercial buildings in Causeway Bay and Tsim Sha Tsui which were visited by tourists or had high pedestrian flow at night, Site B was located in the Cheung Sha Wan area. The future owner might have little incentive to illuminate the building at night which could incur high costs. The Member considered that light pollution should not be a major concern for Site B.

63. A Member considered that for the sale conditions for Site B if the amendment was agreed by the Board, whether some conditions could be imposed for requiring a basement car park to accommodate the 85 public car parking spaces, as that would free up space on the ground and first floors for the provision of GIC facilities that were more suitable to be accommodated at lower floors and operated commercially to serve children and elderly. To provide incentive, the basement car park could be excluded from GFA calculation. The Chairman noted that there was no current government policy to exclude public car park from GFA calculation, but Members' views on basement car park could be conveyed to the relevant bureaux and departments for consideration. As for the GIC facilities that were commercially operated such as early education centres and clinics, he said that they were

always permitted uses under the “C” zone. A Member said that from energy saving point of view, basement car park would utilise a greater amount of energy for lighting and ventilation and whether it was appropriate for the subject site should be carefully considered.

64. The Vice-chairman said that currently some GFA incentives would be given to new buildings if they satisfied certain criteria on being a green building. That would in turn help minimise energy consumption. In view that there were many I-O and commercial buildings neighbouring Site B, he considered the “C” zoning of Site B not incompatible with the nearby developments from the land use perspective.

65. A Member said that the justifications provided for not swapping the “C” zone at Site B with the “O” zone to its north were not very strong. The Chairman reminded that the “O” zone was currently partly occupied by a playground and keeping the remaining portion as “O” would allow an integrated open space development.

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

66. A Member said that as the representers considered that there was a lack of GIC facilities despite planned GIC facilities in the comprehensive public housing development to the south, the Government should be urged to review the provision of GIC facilities to address the shortfall, if any. The Chairman said that HKPSG had been adopted in assessing whether the area had a deficit in GIC facilities, and as explained by PlanD in the Paper and at the presentation, there was no deficit in the area covered by draft OZP. Another Member supplemented that there were a number “G/IC” sites that were yet to be designated for any permanent uses on the OZPs, and taking into account the need to maximize utilization of valuable land resources, the rezoning of the two “G/IC” sites (i.e. Sites A and B) for non-GIC uses on the draft OZP was supported.

67. The Vice-chairman added that in terms of accessibility, Site B, if remained for G/IC use, with connection to the south by a footbridge only, was less accessible to the residents than those planned GIC facilities at the Northwest Kowloon Reclamation Site 6. He said that the Board should relay the concerns of the local residents that the proposed facilities might not be able to meet their needs to the concerned government departments for consideration. Another Member suggested that the government departments should also

consider the need of the local residents including those living in the “West Kowloon Four-Little Dragon Estates” and Hoi Lai Garden in the planning of the GIC facilities within the comprehensive public housing development at the Northwest Kowloon Reclamation Site 6 and better connectivity between the GIC facilities and the residents should be provided. Members agreed.

68. A Member considered that dissemination of information to the local residents should be enhanced as some residents were unaware of the planned GIC facilities to the south of the “West Kowloon Four-Little Dragon Estates”, and suggested that the Government should enhance the way in which it disseminated the relevant information to the public such as the development parameters and details of the planned GIC facilities. Members agreed to convey the above view to the relevant bureaux and departments.

69. Members generally supported the zoning amendment from “G/IC” to “C(6)” for Site B. Members also agreed that their views on light pollution, basement car park, provision of GIC facilities at the Northwest Kowloon Reclamation Site 6 and dissemination of information should be conveyed to the relevant bureaux and departments for consideration.

70. After deliberation, the Board agreed to note the supportive views of Representations No. R1 and R3 (part) to Item A, and supportive views of R2 to Amendment Item (d) to the Notes of the draft OZP. The Board also decided not to uphold Representations No. R4 to R26 and the remaining part of R3 and not to propose any amendment to the draft OZP to meet the representations and the reasons were:

- “(a) land suitable for development in Hong Kong is scarce and there is a pressing need for increasing land for development. Rezoning of “Government, Institution or Community” (“G/IC”) sites is one of the multi-pronged approaches to meet development needs. As Sites A and B are suitable for business and commercial developments respectively which are compatible with the surrounding land uses, it is considered appropriate to rezone the sites for such uses to meet market demand;

- (b) the zoning amendments would not generate unacceptable impacts in terms of environment, air ventilation, visual, traffic and infrastructure to the surrounding areas;
- (c) sufficient land has been reserved for the provision of open space and GIC facilities in Cheung Sha Wan / Sham Shui Po. There is no need to retain the sites for open space and GIC development;
- (d) the statutory and administrative procedures in consulting the public on the proposed zoning amendments have been duly followed. The exhibition of Outline Zoning Plan for public inspection and the provisions for submission of representations / comments form part of the statutory consultation process under the Town Planning Ordinance;

Amendment Items A and B

- (e) relocation of the proposed refuse collection point (RCP) at Site A to Site B is considered not desirable, as it will only serve a catchment area different from that of the one located at Site A and would not be able to help relieve the waste loading on the Cheung Wah Street RCP at Lai Bo Garden (R20 to R24);
- (f) there are established mechanisms and guidelines such as the Guidelines on Industry Best Practices for External Lighting Installations, the Charter on External Lighting to minimise the impacts of the lighting installations on the residents in the vicinity (R4, R5, R7, R8, R11, R12, R14 to R19, R25, R26);

Amendment Item B

- (g) to meet the parking demand of the area, there will be a total of 85 public car parking spaces to be provided within the proposed development at the site. During the construction period, temporary parking spaces will also be provided at nearby vacant sites (R3 to R5, R9, R14 to R18); and

- (h) the proposed maximum building height (BH) of 120mPD for the site is considered appropriate, in keeping with the BH of the surrounding industrial / business developments. It would not cause any adverse visual, air ventilation and other impacts on the surrounding areas (R11).”

[Mr K.K. Ling returned to join the meeting at this point.]

Agenda Item 4

[Open Meeting]

Hung Shui Kiu New Development Area - Revised Recommended Outline Development Plan
(TPB Paper No. 10174)

[The meeting was conducted in English and Cantonese.]

71. The Secretary reported that as AECOM Asia Co. Limited (AECOM) and Urbis Limited (Urbis) were the consultants of the Hung Shui Kiu New Development Area (HSK NDA) Planning and Engineering Study (the Study), the following Members had declared interests on the item:

- | | | |
|---------------------|---|---|
| Ms Janice W.M. Lai | - | having current business dealings with AECOM and Urbis, and her spouse’s company owning two pieces of land in Ha Tsuen within the Study Area |
| Mr Ivan C.S. Fu | - | having current business dealings with AECOM and Urbis |
| Mr Patrick H.T. Lau |] | having current business dealings with AECOM |
| Dr C.H. Hau |] | |
| Mr Thomas O.S. Ho | - | his company having current business dealings |

with Urbis and past business dealings with AECOM

Professor S.C. Wong
(Vice-chairman)

- being the Chair Professor and Head of Department of Civil Engineering of HKU where AECOM had business dealings with some colleagues and had sponsored some activities of the Department before

Mr Dominic K.K. Lam

- having past business dealings with AECOM

Mr Franklin Yu

- having past business dealings with AECOM and Urbis

72. As the item was only a briefing to Members, the meeting agreed that the above Members who had declared interests could stay in the meeting and participate in the discussion. Members noted that Mr Thomas O.S. Ho and Mr Dominic K.K. Lam had tendered apologies for being unable to attend the meeting while Mr Ivan C.S. Fu had yet to arrive at the meeting.

Presentation and Question Sessions

73. The following government representatives and consultants of the Study were invited to the meeting:

Ms Amy Y.M. Cheung - Assistant Director of Planning/Territorial,
Planning Department (AD/T, PlanD)

Ms April K.Y. Kun - Chief Town Planner/Studies and Research
(CTP/SR), PlanD

Mr Ambrose S.Y. Cheong - Deputy Project Manager (New Territories

West), Civil Engineering and Development
Department (DPM/NTW, CEDD)

- Mr Tony K.L. Cheung - Chief Engineer/NTW3 (CE/NTW3), CEDD
- Mr Igor Ho - Representative of AECOM
- Mr Alan Macdonald - Representative of Urbis

74. The Chairman extended a welcome and invited the study team to brief Members on the Paper.

75. Ms Amy Y.M. Cheung, AD/T, said that the purpose of the briefing was to provide Members with information on the HSK NDA Revised Recommended Outline Development Plan (Revised RODP) under the Study as promulgated in early September 2016. The Study was jointly commissioned by CEDD and PlanD, which had adopted a three-stage community engagement (CE) programme over the past few years for collecting public views and incorporating them into the planning and design of the HSK NDA. The Revised RODP would form the basis for the amendments to the relevant OZPs to be followed. HSK NDA was located in the North West New Territories (NWNT) comprising a large tract of brownfield sites. The Revised RODP would result in the transformation of about 190 ha brownfield sites into a New Town that would accommodate about 218,000 residents and provide about 150,000 new employment opportunities. Specifically, the HSK NDA would serve as a “Regional Economic and Civic Hub” for the NWNT, providing solution spaces to meet the surging demand for various economic land uses. Such positioning would set it apart from the previous generations of new towns. She then invited Mr Alan Macdonald, the study consultant, to brief Members on the Revised RODP.

76. With the aid of a Powerpoint presentation, Mr Alan Macdonald made the following main points as detailed in the Paper:

Background

- (a) the Study was to establish a planning and development framework for the

HSK NDA to meet the medium to long term housing, economic and other land use needs of Hong Kong;

- (b) the Board was consulted on 19.11.2010, 26.7.2013 and 26.6.2015 in the Stages 1, 2 and 3 CE respectively. At the last meeting of 26.6.2015, Members had a number of comments/questions on various aspects of the RODP, including the strategic role of HSK NDA and NDA as a model for the new generation new town; types of housing/employment opportunities; relocation and consolidation of brownfield operations, and supporting infrastructure for the special industries; social integration of existing villages and future developments; design of the town park and provision of open space; transport linkages/green transport system, pedestrian and cycling networks; and implementation mechanism;
- (c) the development proposals for the NDA had been revised, taking into consideration Members' and other public views, as well as the results of the detailed planning and technical assessments including the Environmental Impact Assessment (EIA);

Major Public Views in CE3

- (d) the major public views collected during CE3 were summarised as follows:
 - given the strategic location of the HSK NDA, the NDA would foster economic sustainability of Hong Kong. The HSK NDA was not planned with sufficient civic facilities to tie in with its positioning as the "Regional Economic and Civic Hub" for the NWNT;
 - there should be more mixed developments near the proposed HSK Station to sustain economic activities in the NDA. More commercial activities should be provided in the northern part of the NDA to serve both groups of residents in the NDA and the Tin Shui Wai (TSW) New Town;

- while some supported the proposed housing mix of the HSK NDA, some considered the proportion of public housing should be higher than that of private housing. There were also views that more private housing should be provided;
- some requested for more commercial and GIC facilities (e.g. market and small-scale production workshop/community production centre). There was suggestion that the Government should ensure timely site provision for various community facilities and infrastructure in tandem with the population intake of the NDA;
- some suggested that the density, building height and mixed-use developments in the “Regional Economic and Civic Hub” should be reconsidered to provide more commercial and residential developments. Other suggestions included the provision of a continuous riverside promenade throughout the HSK NDA, and the need for considering the fung shui lanes of Ha Tsuen in the planning of the NDA;
- there were concerns on the handling capacity of the current West Rail Line (WRL) and that the proposed HSK Station would negatively impact on the WRL. Suggestions included retaining or depressing the existing Tin Ying Road, and widening Lau Fau Shan Road, improving the alignment of the Green Transit Corridor (GTC) for the convenience of villagers to travel between the railway stations and other areas. Comments on issues relating to the implementation of the NDA project as well as clearance, rehousing and relocation were also received;

Revised RODP

- (e) key changes to the RODP pursuant to CE3 included improving the planning layout, improving provision of commercial and GIC facilities,

enhancing natural and landscape resources and improving connectivity and accessibility. The key development parameters of the NDA under the Revised RODP were largely the same as those of the RODP as summarised below: -

Total NDA Area (ha)	714
Development Area (ha)	441
Total Population	218,000 (including population from existing and committed developments of 42,000)
No. of New Flats	About 60,100
Housing Mix	Public 51% : Private 49% Public 69% : Private 31% (together with TSW)
Employment Opportunities	About 150,000
Economic GFA (m²)	Total Commercial Floor Area : 2 million (about) Total Industrial and Special Industrial Uses Floor Area : 4.3 million (about)
Plot Ratio (PR)	Maximum domestic PR : 6 Maximum non-domestic PR : 9.5

- (f) major proposals of the Revised RODP were highlighted as follows:

Positioning of the NDA

- (i) the HSK NDA would serve as a “Regional Economic and Civic Hub” for the NWNT and create about 150,000 new employment opportunities, bringing jobs closer to residents and would help address the imbalance in the spatial distribution of population and jobs in the territory. As the next generation new town, the NDA would accommodate about 218,000 residents, including 176,000 new population, upon full development. Together with TSW, Yuen Long, Tuen Mun New Towns, and the Yuen Long South

development under planning, a major new town development cluster in the western part of the territory would be formed;

Planning and Urban Design Framework

- (ii) to create a distinctive townscape character and develop a coherent and legible urban structure, key activity nodes and residential communities of different intensities were planned with regard to the existing context and landscape resources;
- (iii) to promote compact city concept, developments of higher density were clustered around the railway stations with a maximum PR for pure commercial and mixed commercial / residential zones up to 9.5 and 7 respectively. The development intensities would descend towards the Lau Fau Shan and Deep Bay areas with a maximum PR of 2.5 to 3.5 for residential zones in the northern part of the NDA;
- (iv) to maintain views and air ventilation, principal visual and air corridors would be maximised through the introduction of green open spaces, amenity strips and pedestrian streets;

Catalyst for Economic Growth and Job Creation

- (v) the town centre was planned around the proposed HSK Station to form the “Regional Economic and Civic Hub”, which would be buttressed by two anchor developments, with one (3.5 ha) for office/hotel/retail uses and the other one (4.3 ha) for commercial/residential uses. Each of the two anchor sites should be able to provide a critical mass of shop and service uses (GFA of about 100,000m²), and planned with such facilities as public transport interchange (PTI) and public carpark;
- (vi) the “District Commercial Node” around the existing West Rail

TSW Station, together with a hospital, would be the secondary node of the NDA. The proposed developments around the two stations would generate respective commercial GFA of about 1.1 million m² and 0.6 million m²;

- (vii) the “Logistics, Enterprise and Technology Quarter” at the northwestern part of the NDA would become another major employment cluster in the NDA. About 37 ha of land had been reserved for modern logistics facilities and about 9 ha was designated for the Enterprise and Technology Park to accommodate a variety of innovation and technology uses. Moreover, an industrial zone of about 13 ha in area was planned at the western fringe of the NDA for modern industries and general industrial uses;
- (viii) about 24 ha of land at the northern fringe of the Quarter was reserved for port back-up, storage and workshop uses, including proposed multi-storey buildings for accommodating some of the affected brownfield operations. The area would have direct access to strategic highways, minimising movements of heavy vehicular traffic within the NDA;

A Supportive Community

- (ix) the planning for the NDA was people-oriented. The requirements of the surrounding areas including TSW had been taken into account in the provision of GIC facilities. A series of civic elements and a wide range of GIC facilities would be provided in the HSK NDA to support the future residents living within and near the NDA, creating a family-friendly and age-friendly community;
- (x) the development programme of the NDA would ensure timely site provision for the community facilities in tandem with the

population intake;

Optimising Transport Infrastructure and Improving Mobility

- (xi) the proposed HSK Station would help enhance the accessibility of the NDA. The progressive enhancement of the West Rail service through enhancement of the signalling system to increase train frequency and addition of train compartments in the years ahead would generally be able to meet the demand of NDA and other new developments in the NWNT region;
- (xii) the large provision of diversified employment opportunities within the NDA would provide the working population of the NWNT with employment opportunities close to their homes, reducing the external traffic between the region and urban area. Moreover, as an additional external transport linkage for the NDA, the Tuen Mun Western Bypass which would connect Tuen Mun Area 40 with Tsing Tin Road in Tuen Mun and the Kong Sham Western Highway by tunnel is under planning;
- (xiii) a Green Transit Corridor (GTC) would be introduced in the NDA to provide rapid intra-district transport service. The GTC would include highly efficient Environmentally Friendly Transport Services (EFTS), pedestrian walkways and cycle tracks to support the internal movement between the development clusters;
- (xiv) new primary and district distributors to facilitate east-west and north-south movements within the NDA would be provided to enhance the internal connectivity of the NDA. A comprehensive local road network, cycle tracks, pedestrian walkways and pedestrian streets would also be provided to facilitate internal vehicular and pedestrian movements;

A Smart and Green City for Living, Working and Doing Business

- (xv) the NDA would be a green city adopting a sustainable and energy saving strategy in respect of town planning, urban design, transportation and green infrastructure to achieve efficiency, carbon emission reduction and sustainable living. The majority of the population, key economic activities and community facilities would be concentrated within walking distance of mass transit and public transport nodes;
- (xvi) green mobility was also promoted within the NDA through the introduction of the GTC and a comprehensive cycle track and pedestrian walkway network;
- (xvii) to promote sustainable use of water, reusing reclaimed water and harvested rainwater for non-potable purposes such as toilet flushing and plant irrigation would be explored;
- (xviii) a series of other green initiatives including the provision of community green station for environmental education and collection of recyclables from the local community; revitalisation of the existing river channel system; and promotion of energy efficient buildings and installations would also be pursued;

Implementation Arrangements

- (g) to ensure timely and orderly implementation of the HSK NDA, the Government was considering the Enhanced Conventional New Town approach (ECNTA) as the implementation mode for the HSK NDA;
- (h) about 1,600 households would unavoidably be affected by the NDA project. To help maintain the social fabric of the existing communities, a local rehousing site had been reserved on the Revised RODP;

- (i) some 190 ha of brownfield sites and 7 ha of active farmland would be affected by the project. About 24 ha of land in the northern fringe of the HSK NDA had been reserved for the consolidation of some of the affected brownfield operations. To assist the farmers affected by the project, the Government would actively pursue the special agricultural land rehabilitation scheme by providing proactive and priority assistance in matching of farmers and agricultural land owners;
- (j) suitable arrangements concerning the affectees including details of compensation and rehousing arrangements for the HSK NDA would be announced in due course;

Tentative Implementation Programme

- (k) a detailed implementation programme with phasing and packaging of works for the NDA project was being formulated;
- (l) the EIA report of the Study had been submitted for approval under the EIA Ordinance and the decision on the EIA might be available around end 2016. The amendments to the relevant OZPs would be based on the Revised RODP and the statutory amendment process would proceed within 2017;
- (m) subject to resources availability, part of the works would be undertaken as Advance Works Package and its detailed design was scheduled to commence in 2017. Construction works were tentatively scheduled to commence in 2019 for the first population intake expected in 2024; and
- (n) the whole HSK NDA project was expected to be completed by 2037/38.

77. As the presentation by the study team had been completed, the Chairman invited questions and comments from Members. The Chairman noted that arising from the Revised RODP, the Board would be consulted on the forthcoming proposed amendments to the relevant OZPs under the statutory plan-making process. Members were welcome to provide

views on the Revised RODP, which would form the basis for preparing the OZPs.

78. Some Members raised the following questions and comments:

Heritage Preservation

- (a) being a rural village settlement with history dated back a few hundred years ago, Ha Tsuen possessed unique local culture, as reflected by its declared monuments and temple. Whether the planning of the HSK NDA would preserve the existing heritage and local culture;
- (b) whether sufficient spaces had been reserved in the NDA for cultural/festival celebrations and parade by the villagers. Whether a museum would be provided in the NDA in the long run, which would serve as a venue for the urban dwellers to gain more knowledge on preservation of local heritage;
- (c) the Chinese character of 'Ha' used locally was slightly different from the one used on the Revised RODP. Consideration should be given to revising it, so as to respect the local culture;

Cultural Centre

- (d) whether any cultural centre for art performance would be provided within the HSK NDA. Any cultural centre should be equipped with suitable transport arrangements to enhance accessibility;

Logistics Industry/Brownfield Operations

- (e) there were areas of the NDA planned for logistics, port back-up, storage and workshop uses. Those areas could help accommodate other existing uses of similar nature such as logistics and related uses that were located elsewhere i.e. outside the NDA and were in need of relocation. In doing so, those areas could then be used for more

compatible or needed developments e.g. public housing;

- (f) whether the existing brownfield operators could be successfully relocated to the planned area under the HSK NDA. The NDA proposals had included multi-storey buildings for accommodating some of the affected brownfield operations. Whether there were details available as to the number of storeys and floor height of the proposed multi-storey buildings, affordability of the new premises to the existing operators, financial arrangements (e.g. public-private partnership approach) and if the logistics and construction sectors had been approached accordingly for views on those aspects. Feasibility studies on the proposals, if any, should take into account innovative technology of the logistics industry;

Implementation Details

- (g) whether information could be provided as to the mode of implementation for the HSK NDA i.e. the ECNTA. To reduce disparity in the spatial distribution of population and jobs, the first phase of the residential and commercial developments should be centred around the proposed HSK Station;

Planning for the Elderly

- (h) taking into account the aging population, whether the planning vision/principles adopted for the HSK NDA had embodied elderly friendly concept to cater for the needs of the elderly;

Other Issues

- (i) consideration should be given to rezoning a number of small size “Green Belt” (“GB”) sites to “Local Open Space” (LOS) for better management. Unlike open spaces, “GB” sites usually were not under proper management;

- (j) whether the proposed eco trail on the Revised RODP had any particular ecological value and that the egretty near Sam Sang Tsuen might no longer exist with future developments in the area; and
- (k) whether the documents on HSK NDA could include some details on bio-diversity to enhance its coverage.

79. In response, Ms Amy Y.M. Cheung, Ms April K.Y. Kun, Mr Alan Macdonald, Mr Ambrose S.Y. Cheong and Mr Igor Ho made the following responses to Members' questions and comments:

Heritage Preservation

- (a) the heritage aspect of the NDA had been extensively considered. The local villagers/residents had been thoroughly engaged in preparing the proposals for the NDA. All the declared monuments and graded historic buildings would be preserved under the plan. 'Feng Shui' lanes had also been preserved on the Revised RODP;
- (b) taking into account the views of local villagers, the proposed open space in front of Ha Tsuen Shi had been expanded under the Revised RODP, which in conjunction with the existing neighbouring open area, would allow for holding cultural performance/festival celebrations of a large scale. A heritage trail had also been proposed as shown on the Revised RODP linking up the open space and places of historical interest and would connect with the proposed eco trail up to Ling To Monastery in the west;
- (c) the Chinese character of 'Ha' would be revised accordingly on the related documents and plans at the next stage of the Study;

Cultural Centre

- (d) the HSK NDA would serve as a “Regional Economic and Civic Hub” for the NWNT. On a regional and district basis, civic facilities cum a Regional Plaza had been planned at the town centre near the proposed HSK Station. On the Revised RODP, the government site for building those civic facilities had been enlarged to accommodate a performance venue. In addition, the planned government complex to the north of HSK NDA would provide more related facilities for serving the local residents;

Logistics Industry/Brownfield Operations

- (e) under the Revised RODP, about 24 ha of land was reserved for port back-up, storage and workshop uses. The intention was to accommodate some of the affected brownfield operations in multi-storey buildings in a land efficient manner. However, recognizing that not all the operations could be accommodated within buildings, a portion of the reserved land would allow for storage in an open air condition. The area would have direct access to strategic highways, minimising movements of heavy vehicular traffic within the NDA;
- (f) the survey seeking information on the nature and operation mode of the existing brownfield operations in the Study Area had been completed with preliminary findings. Feasibility studies, aiming to examine the design requirements for multi-storey buildings in accommodating the brownfield operations, feasibility of the proposal and the related financial arrangements, had commenced for completion by mid 2018. Another study commissioned by the CEDD concerning the overall land use requirements of the construction industry was in progress. In the meantime, appropriate alternative arrangements were being considered for accommodating the brownfield operators affected by the implementation of the HSK NDA if permanent accommodation was not provided in time;

Implementation Details

- (g) with a view to achieving timely and orderly implementation of the HSK NDA, the Government was considering adopting the ECNTA as the primary mode for implementing the NDA proposals. Such mode was being pursued in the implementation of the Kwu Tung North and Fanling North NDAs. If adopted for the HSK NDA, the Government would take the lead in implementation, and would resume private land for development according to the planned uses in the NDA and development schedule. Subject to meeting the specified criteria, developers and landowners could apply to the Government for in-situ land exchange;

Planning for the Elderly

- (h) the planning for various supporting facilities had been made in accordance with the Hong Kong Planning Standards and Guidelines and advice of relevant government bureaux/departments. A series of civic elements and a wide range of GIC facilities including those for the elderly would be provided in the HSK NDA to support the future residents living within and near the NDA. The planning vision was to create a family-friendly and age-friendly community;

Other Issues

- (i) the “GB” sites were mainly vegetated knolls and the main purpose was to preserve the vegetation under the “GB” zone;
- (j) the LOS and the “GB” near San Sang San Tsuen on the Revised RODP were proposed mainly to protect the existing egrettery in-situ taking into account the comments from green group; and
- (k) the study team had given due consideration to bio-diversity in examining and evaluating the landscape resources and ecological

features in the Study Area. The study team would consider elaborating further details on biodiversity in the related documents for the HSK NDA.

80. The Chairman concluded the discussion and asked the study team to take into account Members' views in the planning of the HSK NDA. He thanked the government representatives and the study consultants for attending the meeting to brief Members on the Study and answer Members' questions. They left the meeting at this point.

[The meeting was adjourned for a lunch break at 2:00 p.m.]

[Ms Janice W.M. Lai, Dr Wilton W.T. Fok and Mr Patrick H.T. Lau left the meeting at this point.]

81. The meeting was resumed at 2:50 p.m.

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

Mr Michael W.L. Wong

Chairman

Professor S.C. Wong

Vice-chairman

Mr Lincoln L.H. Huang

Mr Ivan C.S. Fu

Dr F.C. Chan

Mr David Y.T. Lui

Dr Frankie W.C. Yeung

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr Lawrence W.C. Poon

Mr K.K. Cheung

Mr Wilson Y.W. Fung

Dr C.H. Hau

Mr Alex T.H. Lai

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Professor T.S. Liu

Miss Winnie W.M. Ng

Ms Sandy H.Y. Wong

Mr Franklin Yu

Deputy Director of Environmental Protection (1)

Mr C.W. Tse

Chief Traffic Engineer (New Territories West)
Transport Department
Mr Samson S.S. Lam

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

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

Director of Planning
Mr K.K. Ling

[Mr Ivan C.S. Fu, Dr Lawrence W.C. Poon, Dr Lawrence K.C. Li and Mr Jeff Y.T. Lam arrived to join the meeting at this point.]

Sai Kung and Islands District

Agenda Item 5

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/SK-PK/223

Proposed House (New Territories Exempted House – Small House)

in “Agriculture” Zone, Lot 686 S.A in D.D. 221, Sha Kok Mei Village, Sai Kung

(TPB Paper No. 10172)

[The item was conducted in Cantonese.]

Presentation and Question Sessions

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

Ms Donna Y.P. Tam - District Planning Officer/Sai Kung and
Islands (DPO/SKIs), PlanD

Thomas Tsang Surveyors Limited

Mr Tsang Ka Kau]	Applicant's representatives
Mr Yip Chak Yu]	
Mr Lok Wai Man]	
Ms Tsang Wai Ming]	

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

85. With the aid of a PowerPoint presentation, Mr Donna Y.P. Tam, DPO/SKIs, presented the review application and covered the following main points:

- (a) the applicant, an indigenous villager of Sha Kok 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 “Agriculture” (“AGR”) zone on the approved Pak Kong and Sha Kok Mei Outline Zoning Plan (OZP) No. S/SK-PK/11 currently in force;
- (b) on 23.10.2015, 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 “AGR” zone which was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There was no strong planning justification in the current submission for a departure from the planning intention. The applicant failed to demonstrate no adverse impact on the surrounding agricultural land and stream nearby;

- (ii) land was still available within the “Village Type Development” (“V”) zone of Sha Kok Mei where land was primarily intended for Small House development. It was considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for orderly development pattern, efficient use of land and provision of infrastructures and services; and
 - (iii) approval of the application would set an undesirable precedent for other similar applications within the “AGR” zone. The cumulative effect of approving such similar applications would result in the encroachment on the “AGR” zone by development and a general degradation of the rural environment of the area;
- (c) on 23.11.2015, the applicant applied for a review of the RNTPC’s decision to reject the application. Consideration of the review application had been deferred twice at the request of the applicant. The applicant’s justifications for the review application were detailed in paragraph 3 of the Paper and summarised as follows:
- (i) the site was entirely within the village ‘environs’ (‘VE’) of Sha Kok Mei. It was a general understanding that the priority use of the site should be for Small House development by the indigenous villagers. Under the Interim Criteria for Assessment Planning Applications for NTEH/Small House Development in New Territories (the Interim Criteria), sympathetic consideration might be given for the case;
 - (ii) there was no active agricultural activity in the vicinity. The land adjacent to the site had been developed into Small House cluster and the stream had been trained by the Drainage Services Department which had no adverse comments on the proposed development. No intrusion to the surrounding agricultural land was envisaged;

- (iii) the applicant was using his own private land available for building his Small House. He had no other private land within the “V” zone;
 - (iv) there were various factors hindering the use of the available land within the “V” zone for development, including *Tso Tong* or absent owners, accessibility problem, occupation by existing village car parks, access road and open space, slope stability or geotechnical problem, local *fung shui* areas, and land reserved or planned for rural improvement works such as public sewer and emergency vehicular access;
 - (v) a landscaping and site formation proposal cum the impact study on surrounding agriculture land and nearby natural stream had been submitted. The site was about 6m away from the stream course to its north. There was no mature tree or rare species on the site or the surrounding agricultural land. The site level of the existing houses to its south was +17.1mPD and the existing site level was +16.5mPD. No extensive site formation works was required; and
 - (vi) to enhance the visual impact and landscape of the environs, the applicant proposed to use light colour for the external wall of the proposed house to match with the green village environs and to grow seasonal plants within the site;
- (d) the site was a piece of flat land covered with common grass and herbs. It was located within the ‘VE’ of Sha Kok Mei Village and served by a footpath. To the south of the site were clusters of 3-storey village-type houses, and to its north was a stream and an area zoned “Green Belt” (“GB”) which was predominantly rural in character;
- (e) previous application – the site was not the subject of any previous application;

- (f) similar applications – since the promulgation of the latest Interim Criteria in 2007, there were 3 similar applications (No. A/SK-PK/215, 218 and 224) for NTEH within the same “AGR” zone, which were all rejected by the RNTPC on similar grounds as the subject application;
- (g) planning intention – the planning intention of the “AGR” zone was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It was also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes;
- (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 at a lower level to the north of some existing village houses. With reference to the site formation proposal, the level of the site would be increased from +16.5mPD to +17.1mPD. Due to the small area of the site, the proposed site formation level works would likely be extended beyond the application boundary. However, there was no site formation plan to demonstrate the extent of site formation works required. There was no information to demonstrate no adverse impact on surrounding agricultural land and natural stream. The feasibility of the planting proposal was also in doubt due to site constraints. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application as the site had potential for agricultural rehabilitation;
- (i) public comments – three public comments on the review application were received, objecting to the application mainly for reasons of not in line with planning intention of “AGR” zone; adverse impacts on the stream nearby; setting of undesirable precedent leading to degradation of the rural environment; 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) DAFC did not support the application as the site possessed potential for agricultural rehabilitation;
 - (ii) land was still available for Small House development within “V” zone of Sha Kok Mei to meet the outstanding Small House demand. When estimating the amount of land available for Small House development within the “V” zone, land occupied by or reserved for existing village houses, road, footpath, track; tree clusters especially *fung shui* woodland and *Tsz Tong*, etc., was not taken into account;
 - (iii) as no information on the extent of site formation works was submitted by the applicant, the landscape impact incurred by the proposed development could not be fully ascertained. The applicant failed to demonstrate no adverse impact on the surrounding agricultural land and stream nearby;
 - (iv) approval of the application would set an undesirable precedent. The cumulative effect of approving similar applications in the “AGR” zone would result in a general degradation of the rural environment of the area; and
 - (v) 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.

86. The Chairman then invited the applicant's representatives to elaborate on the review application.

87. Before the presentation, Mr Tsang Ka Kau, the applicant's representative, highlighted two typing mistakes of the Paper, including paragraph 5.2.2(d) had repeated paragraph 5.2.2(c) and that the word "Green Belt" in paragraph 2(d) of Annex A should be changed to "Agriculture". With the aid of a PowerPoint presentation, Mr Lok Wai Man, the applicant's representative, then made the following main points:

- (a) he was the Indigenous Inhabitant Representative (IIR) of Sha Kok Mei;
- (b) he had indicated to the Lands Department that the 10-year Small House demand forecast for Sha Kok Mei was about 300; and
- (c) while PlanD estimated that there was sufficient land within the "V" zone of Sha Kok Mei for Small House development, with reference to a site plan, he pointed out that some land within the "V" zone could not be used by the villagers for development, including the land belonged to *Tso Tong*, areas occupied by graves and urn graves, and areas by the side of the river. Those areas should not be taken into account in estimating the amount of land available for Small House development in the "V" zone. Indeed, there was insufficient land in the "V" zone of Sha Kok Mei for the villagers to build their Small Houses.

88. Mr Tsang Ka Kau continued to make the following main points:

- (a) under the Interim Criteria, sympathetic consideration might be given to the subject application as the footprint of the proposed Small House fell within the 'VE' of Sha Kok Mei and there was a general shortage of land in meeting the demand for Small House development in the "V" zone of the village;
- (b) given only a small percentage of land within the OZP was zoned "AGR", agricultural use was not the primary theme of the OZP. Sha Kok Mei was a relatively large village in Sai Kung and it was located close to the Sai Kung township. Agricultural activities were all along inactive in the village. While the site and its surrounding areas had been zoned "AGR"

since the first publication of the OZP in 1994, the site had never been used for agricultural activities over the last two decades since the designation of the “AGR” zoning;

- (c) except CTP/UD&L and DAFC, all relevant government departments had no objection to the application. The intention of DAFC to retain good quality agricultural land was recognised. The comments of Kadoorie Farm and Botanic Garden Corporation at the section 16 application stage regarding the need for Hong Kong to maintain a secure food supply were also respected; and
- (d) however, it was necessary to strike a balance as there was a strong demand for Small House by the villagers. To balance the villagers’ need for Small House development within the ‘VE’ and the need for agricultural land, he proposed to use the rooftop of the proposed Small House for agricultural use, which could be imposed as an approval condition by the Board.

89. As the presentations of DPO/SKIs and the applicant’s representatives had been completed, the Chairman invited questions from Members.

90. A Member asked why the land owned by *Tso Tong* within the “V” zone could not be used for Small House development. In response, Mr Lok Wai Man said that there were about 10 clans of indigenous villagers living in Sha Kok Mei and some areas of land within the “V” zone were owned by the *Tso Tong* of the large clans. Being a common phenomenon in most of the villages in the New Territories, the use of land owned by *Tso Tong* for development was virtually impossible as it required the consent of all members of the clan which might involve hundreds of people.

91. In response to a Member’s question on why a Small House was approved to the immediate southeast of the site within the “AGR” zone, Ms Donna Y.P. Tam said that there were two Small Houses approved by the Board in the 1990s before the promulgation of the Interim Criteria. However, since the promulgation of the latest set of Interim Criteria in 2007, there was no application for Small House development approved in the same “AGR”

zone.

92. In response to a Member's enquiry, Mr Lok Wai Man said that the vacant land within the "V" zone between the south of the site and the north of the existing village cluster was under the ownership of a deceased male villager who did not have descendant to inherit the land. Due to succession problem, the land was left idle and could not be developed.

93. 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/SKIs for attending the meeting. They left the meeting at this point.

Deliberation

94. A Member noted that the IIR of Sha Kok Mei had tried to explain to the Board why some areas of land within the "V" zone could not be used for Small House development. However, there were still various parcels of land available within the "V" zone. Another Member considered that the applicant's difficulty in acquiring a suitable site within the "V" zone for Small House development should not be a valid reason for approving the subject application.

95. The Chairman noted that there was no precedent case supporting the applicant's representative's proposal of using the rooftop of the Small House for agricultural use as a trade-off for approving the Small House development in the "AGR" zone. Members generally agreed this would not be appropriate.

96. As there was no major change in the planning circumstances of the case since its rejection by the RNTPC and there was no new justification provided, Members considered that the application for review should be rejected.

97. 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 “Agriculture” (“AGR”) zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the current submission for a departure from the planning intention. The applicant fails to demonstrate no adverse impact on the surrounding agricultural land and stream nearby;
- (b) land is still available within the “Village Type Development” zone of Sha Kok Mei where land is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for orderly development pattern, efficient use of land and provision of infrastructures and services; and
- (c) approval of the application would set an undesirable precedent for other similar applications within the “AGR” zone. The cumulative effect of approving such similar applications would result in the encroachment on the “AGR” zone by development and a general degradation of the rural environment of the area.”

[Mr Lincoln L.H. Huang returned to join the meeting at this point.]

Sha Tin, Tai Po and North District

Agenda Items 6 to 8

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/NE-LK/103

Proposed House (New Territories Exempted House – Small House)

in “Agriculture” and “Village Type Development” Zones,

Lot 422 S.F in D.D. 75, Nam Chung Cheng Uk, Sha Tau Kok

Review of Application No. A/NE-LK/104

Proposed House (New Territories Exempted House – Small House)

in “Agriculture” and “Village Type Development” Zones,

Lot 422 S.G in D.D. 75, Nam Chung Cheng Uk, Sha Tau Kok

Review of Application No. A/NE-LK/105

Proposed House (New Territories Exempted House – Small House)

in “Agriculture” and “Village Type Development” Zones,

Lot 422 S.H in D.D. 75, Nam Chung Cheng Uk, Sha Tau Kok

(TPB Paper No. 10171)

[The items were conducted in Cantonese.]

98. Members agreed that since the three applications were for the same use, the application sites (the sites) were located adjacent to one another on the same “Agriculture” (“AGR”) and “Village Type Development” (“V”) zones and they were represented by the same representative, the three applications could be considered together.

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

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

Ms Lee Yin Ho - Applicants’ representative

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

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

- (a) the applicants sought planning permission to build a New Territories Exempted House (NTEH) – Small House on each of the sites, which were partly zoned “AGR” and partly zoned “V” on the approved Luk Keng and

Wo Hang Outline Zoning Plan (OZP) No. S/NE-LK/11 currently in force;

- (b) on 27.5.2016, the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board) rejected the applications and the reasons were:
- (i) the proposed development was not in line with the planning intention of the “AGR” zone in the Luk Keng and Wo Hang area which was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There was no strong planning justification in the submission for a departure from the planning intention;
 - (ii) 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 there was no general shortage of land in meeting the demand for Small House development in the “V” zones of Nam Chung Village; and
 - (iii) land was still available within the “V” zones of Nam Chung Village which was primarily intended for Small House development. It was considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services;
- (c) on 24.6.2016, the applicants applied for review of the RNTPC’s decisions to reject the applications. The applicants’ justifications were detailed in paragraph 3 of the Paper and summarised as follows:
- (i) the sites were partly zoned “V” on the OZP. For the portions of the sites zoned “AGR”, they were separated from the existing

agricultural land and fish ponds in the vicinity by an access road and were not suitable for agricultural use;

- (ii) the sites were the only land parcels owned by the applicants for construction of their own Small Houses. The applicants learnt that many indigenous villagers of Nam Chung Cheng Uk were returning to Hong Kong to apply for Small Houses in the same village. The land available within the “V” zone of Nam Chung Cheng Uk would not be sufficient to meet the future Small House demand;
 - (iii) the sites were situated in close proximity to the “V” zone of Nam Chung Cheng Uk. Approval of the current applications would not affect the orderly development pattern of Small Houses, efficient use of land and provision of infrastructures and services within the “V” zone; and
 - (iv) the applicants were aggrieved by the unfounded accusation of one of the public comments raised objection to their applications at the section 16 application stage, saying that they were not indigenous villagers. The Indigenous Inhabitant Representative (IIR) of Nam Chung Cheng Uk provided a support letter indicating that all the applicants were indigenous villagers of the village;
- (d) the sites were mainly vacant, flat and overgrown with shrubs, weeds and some fruit trees. They were located to the immediate east of the “V” zone of Nam Chung Cheng Uk and adjacent to a village road leading to Luk Keng Road to the north. The surrounding areas were of rural landscape character dominated by village houses, temporary domestic structures and active/fallow agricultural land;
- (e) previous application – the sites were not the subject of any previous application;

- (f) similar applications – there were two similar applications (No. A/NE-LK/35 and 44) for Small House development involving one site within the same “AGR” zone since the first promulgation of the Interim Criteria on 24.11.2000. Application No. A/NE-LK/35 was approved with conditions by the RNTPC in 2003 mainly on the considerations that the proposed development was in line with the Interim Criteria in that land available within the “V” zones of Nam Chung Village could not fully meet the future Small House demand, and the concerned government departments in general had no adverse comments. Application No. A/NE-LK/44 involving a change in disposition of the approved Small House under Application No. A/NE-LK/35 was approved by the RNTPC in 2005;
- (g) planning intentions –
- (i) the planning intention of the “AGR” zone was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It was also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes; and
- (ii) the planning intention of the “V” zone was to designate both existing recognised villages and areas of land considered suitable for village expansion. Land within the zone was primarily intended for development of Small Houses by indigenous villagers. It was also intended to concentrate village type development within the zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services;
- (h) departmental comments – the departmental comments were summarised in paragraph 5 of the Paper. Relevant departments maintained their previous views on the applications. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the applications as the sites were connected with other fallow farmland to their north and south

and still possessed potential for agricultural rehabilitation. It was not rare for local farms to locate in the vicinity of the village clusters, and it should not be considered as a major obstacle for rehabilitating the fallow farmland for agricultural use. The Commissioner for Transport had reservation on the applications as Small House development should be confined within the “V” zone. Approval of the applications would set undesirable precedents for similar applications and result in substantial cumulative adverse traffic impact;

- (i) the District Officer (North) (DO(N)) of Home Affairs Department (HAD) had consulted the locals regarding the review applications. The Resident Representative (RR) of Nam Chung and a group of villagers objected to the applications on the grounds that the subject lots had been sold to developers and the applications were not for meeting the housing needs of indigenous villagers; and the proposed developments would affect the *fung shui* and result in adverse impacts on the surrounding area. The IIR of Nam Chung supported the applications as the applicants were indigenous villagers; part of the sites were within the “V” zone; there were practical difficulties for the applicants to identify suitable land within the “V” zone; and approval of the applications would not affect farming activities in the vicinity. The Chairman of Sha Tau Kok District Rural Committee and the incumbent North District Council (NDC) member had no comment on the applications;
- (j) public comments – three public comments on each of the review applications were received. A NDC member supported all the applications as they could provide convenience to the villagers, whereas the Chairman of Sheung Shui District Rural Committee (SSDRC) indicated no comment on the applications. Designing Hong Kong Limited objected to the applications mainly on the grounds of not complying with the Interim Criteria in that there were adequate land in the “V” zone for Small House development; not in line with the planning intention of “AGR” zone; no relevant impact assessment had been submitted; and the setting of undesirable precedents for similar

applications in the area;

- (k) PlanD's view – PlanD did not support the review applications based on the planning considerations and assessments set out in paragraph 7 of the Paper, which were summarised below:
- (i) the proposed Small Houses were not in line with the planning intention of the “AGR” zone which was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes;
 - (ii) DAFC did not agree to the applicants' view that the sites were not suitable for agricultural use as they were connected with other fallow farmland to the north and south, and it was uncommon for local farms to locate in the vicinity of village clusters. The review applications were not supported from the agricultural development point of view as the sites possessed potential for agricultural rehabilitation;
 - (iii) regarding the Interim Criteria, whilst more than 50% of the footprint of the proposed Small Houses fell within the village 'environs' ('VE') of Nam Chung Lo Uk and Nam Chung Cheng Uk, there was no general shortage of land in the “V” zones of Nam Chung Village to meet the future Small House demand. Based on the latest estimate, about 2.28 ha (equivalent to 91 Small House sites) of land was available within the “V” zones of Nam Chung Village to meet the future Small House demand of about 1.98 ha of land (equivalent to 79 Small House sites);
 - (iv) regarding the applicants' difficulties in identifying suitable land in the “V” zone of Nam Chung Village for Small House development, whether private land in the “V” zone could be acquired for Small

House development was a market decision. Moreover, native indigenous villagers could apply to LandsD for Small House grant on government land within the “V” zone; and

- (v) as there had been no material change in planning circumstances for the sites and its surrounding areas since the rejection of the applications by the RNTPC, there was no strong planning justification to warrant a departure from the RNTPC’s previous decisions.

102. As the presentation of DPO/STN had been completed and the applicants’ representative did not make a presentation, the Chairman invited questions from Members.

103. In response to a Member question, Mr C.K. Soh, DPO/STN, said that as advised by DO(N) of HAD, the RR of Nam Chung and a group of villagers objected to the applications whilst the IIR of Nam Chung supported the applications and confirmed that the applicants were indigenous villagers of the village.

104. Noting that there was still a large amount of available land within the “V” zones of Nam Chung for Small House development, a Member asked why the applicant would seek to build their Small Houses on land outside the “V” zone. In response, Ms Lee Yin Ho, the applicants’ representative, said that the applicants were villagers returned from abroad and they were unable to acquire land within the “V” zone.

105. In response to a Member’s question on the timing of the sites being acquired by the applicants, Ms Lee said that the sites were originally owned by the *Tso Tong* of the same clan of the applicants and were subsequently acquired by the applicants. However, she did not know when the applicants acquired the sites.

106. A Member asked whether the proposed Small Houses would be occupied by the applicants themselves or they had already been sold to developers as claimed by other local residents. In response, Ms Lee said that the applicants intended to return to their village for retirement and they would live in the proposed Small Houses with their family members.

107. As the applicants' representative had no further comments to make and Members had no further questions to raise, the Chairman informed the applicants' representative that the hearing procedure for the review applications had been completed. The Board would further deliberate on the review applications in her absence and inform the applicants of the Board's decisions in due course. The Chairman thanked the applicants' representative and DPO/STN for attending the meeting. They left the meeting at this point.

Deliberation

108. While sufficient land within the "V" zones of Nam Chung was still available for Small House development, a Member wondered if the applicants were trying to obtain the planning permissions for building the Small Houses at the fringe of the "V" zone where the land might be cheaper to buy. Without any strong planning justification from the applicants, the Member considered that there was no reason to depart from the RNTPC's previous decisions to reject the applications. Other Members generally concurred.

109. After deliberation, the Board decided to reject the applications on review based on the following reasons for each application:

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the current submission for a departure from the planning intention;
- (b) the proposed development does not comply with the Interim Criteria for Consideration for Application for New Territories Exempted House/Small House in New Territories in that there is no general shortage of land in meeting the demand for Small House development in the “Village Type Development” (“V”) zones of Nam Chung Village; and
- (c) land is still available within the “V” zones of Nam Chung Village which is primarily intended for Small House development. It is considered more

appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services.”

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 9

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Representations and Comments in respect of
Draft Fanling/Sheung Shui Outline Zoning Plan No. S/FSS/21
(TPB Papers No. 10169 and 10170)

[The item was conducted in Cantonese and English.]

110. The Chairman said that on 22.7.2016, the Town Planning Board (the Board) had decided to consider the representations and comments in respect of the draft Fanling/Sheung Shui Outline Zoning Plan (OZP) No. S/FSS/21 collectively in two groups:

- (a) Group 1 – collective hearing of 2 representations (R1 and R2) related to views and proposals pertaining to the “Industrial” (“I”) zone in On Lok Tsuen; and
- (b) Group 2 – collective hearing of 7 representations (R3 to R9) and 226 comments (C1 to C226) related to views and proposals pertaining to the “Residential (Group A)3” (“R(A)3”) and/or “Government, Institution or Community” (“G/IC”) zones in Fanling/Sheung Shui Planning Area 48 (FSS Area 48) and general compensation/rehousing concerns on land resumption.

Group 1

(R1 and R2)

Presentation and Question Sessions

111. The following representatives of the Planning Department (PlanD) and representer of Group 1 were 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

Mr Otto Chan - Senior Town Planner/Fanling, Sheung Shui 1 (STP/FS1), PlanD

R2 – Ng Wing Yuk

Mr Ng Wing Yuk - Representer

112. The Chairman said that reasonable notice had been given to the representers inviting them to attend 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, Members agreed to proceed with the hearing of the representations in their absence.

113. The Chairman extended a welcome and briefly explained the procedures of the hearing as follows:

- (a) DPO/FS&YLE would first brief Members on the background;
- (b) the representer would then be invited to make oral submission which would take about 10 minutes. There was a timer device to alert the representer 2 minutes before the allotted time was to expire, and when the allotted time limit was up;
- (c) a question and answer (Q&A) session would be held after the attending representer of Group 1 had completed his oral submission. Members could direct their questions to PlanD's representatives or the representer;
- (d) after the Q&A session, the representer of Group 1 and PlanD's representatives would be invited to leave the meeting; and

- (e) the Town Planning Board (the Board) would deliberate on the representations in their absence and would inform the representers of the Board's decision in due course.

114. The Chairman then invited DPO/FS&YLE to brief Members on the representations of Group 1.

115. With the aid of a PowerPoint presentation, Ms Maggie M.Y. Chin, DPO/FS&YLE, made the following main points as detailed in TPB Paper No. 10169:

- (a) on 8.1.2016, the Rural and New Town Planning Committee (RNTPC) of the Board considered and agreed with the proposed amendments to the approved Fanling/Sheung Shui OZP No. S/FSS/20 related to the "I" zones in On Lok Tsuen and FSS Area 48;
- (b) on 29.1.2016, the draft Fanling/Sheung Shui OZP No. S/FSS/21 (the Plan) was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). The major amendments incorporated in the OZP included: (i) the rezoning of a site at FSS Area 48 from mainly "I" and partly "GB" to "R(A)3" and "G/IC" to facilitate a public housing development and two proposed primary schools plus other government uses respectively; and (ii) revision to the building height (BH) restriction from 25m to 65m (excluding basements) and other PR/development restrictions in On Lok Tsuen (FSS Areas 25 and 26) under the "I" zone. A total of 9 valid representations and 226 comments were received;
- (c) two representations of Group 1 (R1 and R2) were related to the "I" zone in On Lok Tsuen;

Background

- (d) the On Lok Tsuen Industrial Area (the Area), with an area of about 32.6 ha, was located at the fringe of Fanling New Town and adjacent to Luen Wo Hui, with the Fanling North New Development Area to the north. It was

bounded by Ma Wat River on its southern and eastern sides and Sha Tau Kok Road and Jockey Club Road to its north and west. There were three junctions which provided external vehicular access to On Lok Tsuen. The Area was a major employment node for about 6,500 workers in the North District. Its main uses were logistics and warehouses;

- (e) it was recommended in the 2014 Area Assessments of the Industrial Land in the Territory (the 2014 Area Assessments):
 - (i) to retain the Area as “I” zone to cater for the strong demand for general logistics/warehousing;
 - (ii) to enhance the Area to better utilise the land resources for increasing employment opportunities and job variety;
 - (iii) subject to technical assessment on feasibility, to consider relaxing the existing development restrictions on the OZP to help optimise the utilisation of sites and encourage private redevelopments; and
 - (iv) to consider disposing suitable government sites in the Area for industrial development which might act as a catalyst to encourage more redevelopment of existing industrial buildings by the private sector;
- (f) to take forward the recommendations of the 2014 Area Assessments, a review on the development parameters and framework of local enhancement measures for the Area had been conducted and reported to the RNTPC of the Board on 8.1.2016. The review revealed that the development intensities in the Area were constrained by the existing infrastructure provision, and there should be scope for individual sites to increase development intensities over plot ratio (PR) of 5 subject to detailed technical assessments;

- (g) the key amendments to the OZP pertaining to the Notes for the “I” zone of On Lok Tsuen were:
- (i) revision to the PR restriction from 5 to ‘5 or the PR of the existing building, whichever is the greater’;
 - (ii) revision to the BH restriction from 25m to ‘65m (excluding basements) or the height of the existing building, whichever is the greater’;
 - (iii) incorporation of an exemption clause for public vehicle parks, as required by the Government, to be exempted from PR calculation; and
 - (iv) incorporation of a minor relaxation clause for PR and BH restrictions;

Group 1 Representations and Responses

- (h) the major grounds and proposals of the representations in Group 1 and the responses to the grounds and proposals, as summarised in paragraphs 4.1, 4.2 and 5.6 of TPB Paper No. 10169, were highlighted below:

R1

- (i) R1 supported Amendment Items (d), (e), (g), (h) and (i) to the Notes of the Plan in relation to the revisions to the PR and BH restrictions for the “I” zone of On Lok Tsuen, which would better utilise the limited industrial land resources in the Area;

Response

- the supportive view of R1 was noted;

R2

- (ii) R2 supported the relaxation of the BH restriction from 25m to 65m (excluding basements) for the “I” zone of On Lok Tsuen;

Responses

- the supportive view of R2 on the revision to the BH restriction was noted;
- the relaxation in BH would facilitate building design with reduced site coverage, and thus enhancing the visual/air permeability and street environment as well as providing a greater flexibility in building design for modern industrial uses;

- (iii) R2 objected to retaining the PR restriction for the “I” zone of On Lok Tsuen as 5 or that of the existing building, whichever is the greater. With the relaxation of the BH restriction from 25m to 65m (excluding basements), the PR restriction of 5 should be correspondingly relaxed to 9;

Responses

- the development intensities in the Area were constrained by the existing infrastructure capacity, particularly in terms of traffic, water supply and sewerage. Several road junctions along Sha Tau Kok Road and Jockey Club Road were currently operating close to capacity. The proposed en-bloc increase of PR for On Lok Tsuen would significantly increase the traffic flows and overload the existing road network. The design capacity of the existing water supplies system and sewage treatment was planned to accommodate a PR of 5. Additional demand on water supply system and sewage treatment capacity could only be considered on a

case-by-case basis with detailed technical assessment;

- while an en-bloc increase in PR was not technically feasible at this stage, there was provision for minor relaxation of the PR/BH restrictions under the Plan. Each case would be considered by the Board based on its individual merits;

PlanD's Views

- (i) the supportive views of R1 and R2(part) were noted; and
- (j) PlanD did not support the remaining part of R2 and considered that the Plan should not be amended to meet the representation.

116. The Chairman then invited the representer to elaborate on his representation.

R2 – Ng Wing Yuk

117. A script summarising his presentation was provided by Mr Ng Wing Yuk to the Chairman for reference. Mr Ng then made the following main points:

- (a) he was only an ordinary citizen and was not a property owner at On Lok Tsuen;
- (b) he supported PlanD's response in paragraph 5.3.3 of TPB Paper No. 10169 in relation to the relaxation of BH restriction. He also agreed with the response in paragraph 5.3.4 of the same Paper which indicated that the Area was operating close to the capacity of its existing infrastructure;
- (c) based on his observation in 2016, there were about 204 sites in the Area, which could be developed to a PR of 5 (or about 5 storeys in height). About 131 sites had already been developed into 5-storey industrial buildings and were in operation, and about 73 sites had not yet been developed to that intensity;

- (d) there were about 620 storeys of industrial floorspace in the Area in total. Assuming each storey of industrial floorspace would be occupied by 20 persons and generate a vehicular trip rate of 1.5 vehicle per day, the current operating capacity of the Area comprised 12,400 persons and 930 vehicular trips per day. It was estimated that about 400 storeys of industrial floorspace could be developed in those 73 underdeveloped sites. With the same assumptions, the unused operating capacity of the Area arising from those 73 sites should be about 8,000 persons and 600 vehicular trips per day. In other words, the Area was currently operating at about 64.5% of its full infrastructure capacity in terms of traffic, water supply and sewerage; and

- (e) the relaxation of the BH restriction from 25m to 65m was intended to attract more industrial uses to the Area. However, the relaxation of the BH restriction without relaxing the PR restriction correspondingly might hinder the incentive to attract industrial uses to the Area. According to his rough estimation, the efficiency rate of a 5-storey industrial building was about 76%, and that of an industrial building with more storeys would be about 62% only since more floorspace had to be set aside for common areas. A high-rise building would sacrifice its net usable floor area on the upper floors.

118. As the presentation of the representer had been completed, the Chairman invited questions from Members.

119. Mr K.K. Ling, Director of Planning, asked whether Mr Ng Wing Yuk (R2) would agree that a more intensified development of On Lok Tsuen would be subject to traffic constraint as access to the Area was only served by three major road junctions. In response, Mr Ng Wing Yuk said that as On Lok Tsuen was planned as an industrial area at the outset, the roads within the Area should be able to support all the traffic generated by the industrial uses therein. While there might be capacity constraint of the roads outside the industrial area, the development of the industrial area should not be constrained by that. As such, he maintained his proposal of relaxing the PR restriction of the "I" zone from 5 to 9.

120. A Member asked whether the government representative would agree with the argument of Mr Ng that the relaxation of the BH restriction without relaxing the PR restriction correspondingly would not give incentive for redevelopment of the existing industrial buildings in the Area since the efficiency ratio of the new buildings would decrease if they were built to the maximum BH restriction permitted on the OZP. In response, Ms Maggie M.Y. Chin, DPO/FS&YLE, said that the current uses in the Area were predominantly warehouses, car repairing workshops and open storage yards. There were 98 industrial buildings within the Area, most of which were not developed up to the permitted maximum PR of 5. About 40% of the existing industrial buildings were with a PR of 4 or less. If all the sites within the Area were developed at the PR of 5, a total gross floor area (GFA) of about 800,000 m² could be provided. Comparing with the current total GFA of about 530,000 m², the redevelopment of the existing industrial buildings and the development of new buildings on the undeveloped sites in the Area altogether could increase the supply of industrial floorspace by about 50%. While the relaxation of the PR restriction of the whole Area from 5 to 9 might not be feasible technically due to infrastructural constraint, there might be scope for minor relaxation of PR of some areas, say from 5 to 6, with the support of technical assessments.

121. Ms Chin continued to say that to follow up the recommendations of the 2014 Area Assessments, PlanD had formulated a framework of local enhancement measures for On Lok Tsuen, which included enhancing connectivity with the Fanling MTR Station and the neighbouring areas, enhancing pedestrian environment and linkage with the adjacent activity nodes, improving the local cycling network, enhancing leisure space and amenity areas and revitalising Luen Wo Hui to the immediate north of the Area. It was anticipated that with the local enhancement measures and the building design flexibility provided by the relaxation of the BH restriction, some modern industrial-related uses, such as data centre, which required higher headroom could be attracted to the Area and hence more employment opportunities could be created. Moreover, the provision to exempt public vehicle parks, as required by the Government, from PR calculation would facilitate the supply of adequate public vehicle parking spaces to serve the industrial uses in the Area. The Government would also explore the opportunities for disposing suitable government sites in the Area for industrial development, which might act as catalyst to encourage more redevelopment of the existing industrial buildings by the private sector.

[Mr Martin W.C. Kwan returned to join the meeting at this point.]

122. In response to the Chairman's enquiry, Ms Chin said that in Tuen Mun and Kwai Chung, the maximum PR of the "T" zones was 9.5, whilst for the sites for other special industries, the PR was about 2.5 to 5.

123. In response to a Member's enquiry, Ms Chin clarified that each individual site marked 'Single Ownership' on the plan showing the potential redevelopment sites in the Area in the PowerPoint was held by a single owner.

124. As the representer had finished his presentations and Members had no further question to raise, the Chairman said that the hearing procedures for Group 1 had been completed. The Board would deliberate on the representations in the absence of all representers and would inform the representers of the Board's decision in due course. The Chairman thanked the representer of Group 1 and PlanD's representatives for attending the hearing. They left the meeting at this point.

Deliberation Session

125. As background information for Members' reference, the Secretary said that the PR restriction of other "T" zones on the Plan, including the "T" zone in FSS Area 30 near the Sheung Shui MTR Station, was 5.

126. A Member said that the industrial area of On Lok Tsuen was currently underdeveloped and it had the potential for further development. The relaxation of the BH restriction to encourage more redevelopment or new development was appropriate. As explained by DPO/FS&YLE, the PR of the whole Area could not be increased to more than 5 in general due to existing infrastructural constraints. Although R2 proposed to have an en-bloc relaxation of the PR restriction from 5 to 9, his proposal was not supported by any technical assessments. As there was provision in the Notes of the Plan for application for minor relaxation of the PR restriction, which would be considered by the Board on a case-by-case basis, the Member supported PlanD's recommendation of not amending the Plan to meet R2's representation. Other Members agreed.

127. Members noted and agreed that the grounds and proposals of the representations had adequately been responded to in paragraph 5.3 of TPB Paper No. 10169.

128. After deliberation, the Board noted the supportive views of Representations No. R1 and R2(part).

129. The Board also decided not to uphold the remaining part of Representation No. R2, and considered that the Plan should not be amended to meet the representation. The reasons were:

- “ (a) the Area is constrained by the existing infrastructure capacity including traffic, sewerage and water supply. The proposed increase in plot ratio from 5 to 9 is not supported by any technical assessment; and
- (b) there is a provision for minor relaxation of the building height/plot ratio restrictions under the Outline Zoning Plan. Each case would be considered by the Town Planning Board based on its individual merits.”

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

[Mr Ivan C.S. Fu, Dr Frankie W.C. Yeung, Dr Lawrence W.C. Poon, Mr Alex T.H. Lai and Mr Martin W.C. Kwan left the meeting at this point.]

Group 2

(R3 to R9 and C1 to C226)

Declaration of Interests

130. The Secretary reported that one of the representation sites (Amendment Item A) was for a proposed public housing development to be undertaken by the Housing Department (HD), which was the executive arm of the Hong Kong Housing Authority (HKHA). Two of the representers, R3 (City Jet Development Limited) and R7 (Hong Kong and China Gas Company Limited (Towngas)), were subsidiaries of Henderson Land Development Company

Limited (Henderson), and Masterplan Limited was the consultant of R3. The following Members had declared interests in the item:

- | | | |
|--|---|---|
| Mr H.F. Leung | - | being a member of the Tender Committee of HKHA and being employee of the University of Hong Kong (HKU) which had received a donation from a family member of the Chairman of Henderson before |
| Mr K.K. Ling
<i>(as Director of Planning)</i> | - | being a member of the Strategic Planning Committee (SPC) and the Building Committee of HKHA |
| Mr Martin W.C. Kwan
<i>(as Chief Engineer (Works),
Home Affairs Department)</i> | - | being the representative of the Director of Home Affairs who was a member of the SPC and the Subsidised Housing Committee of HKHA |
| Ms Janice W.M. Lai |] | having current business dealings with HKHA and |
| Mr Patrick H.T. Lau |] | Henderson |
| Mr Stephen L.H. Liu |] | |
| Dr C.H. Hau |] | having current business dealings with HKHA |
| Mr Thomas O.S. Ho |] | |
| Mr Ivan C.S. Fu | - | having current business dealings with Henderson and Masterplan and past business dealings with HKHA |
| Mr K.K. Cheung | - | his firm having current business dealings with Towngas |
| Mr Alex T.H. Lai | - | his firm having current business dealings with Towngas but he did not act for Towngas |

- Mr Franklin Yu - having past business dealings with HKHA and Henderson
- Mr Dominic K.K. Lam - having past business dealings with HKHA
- Dr Lawrence W.C. Poon - his spouse being an employee of HD but not involved in planning work
- Professor S.C. Wong] being employees of the Chinese University of Hong
Professor K.C. Chau] Kong (CUHK) or HKU which had received a
Dr Wilton W.T. Fok] donation from a family member of the Chairman of
Henderson before
- Ms Christina M. Lee - being Secretary-General of the Hong Kong
Metropolitan Sports Events Association which had
received sponsorship from Henderson before
- Mr Peter K.T. Yuen - being a Member of the Board of Governors of the
Hong Kong Arts Centre which had received a
donation from an Executive Director of Henderson
before
- Mr Wilson Y.W. Fung - being a Director of the Hong Kong Business
Accountants Association which had obtained
sponsorship from Henderson before
- Dr Lawrence K.C. Li - being the Treasurer of the Hong Kong Polytechnic
University which had obtained sponsorship from
Henderson before

131. Members noted that Mr H.F. Leung, Mr Thomas O.S. Ho, Mr Dominic K.K. Lam, Professor K.C. Chau and Ms Christina M. Lee had tendered apologies for being unable to attend the meeting, and Ms Janice W.M. Lai, Mr Patrick H.T. Lau, Dr Wilton W.T. Fok, Mr Ivan C.S. Fu, Dr Lawrence W.C. Poon, Mr Alex T.H. Lai and Mr Martin W.C. Kwan had already left the meeting.

132. Members considered that the interests of Mr K.K. Ling, Mr Stephen L.H. Liu, Dr C.H. Hau and Mr K.K. Cheung were direct and agreed that they should be invited to leave the meeting temporarily for the item.

133. As the interests of Mr Franklin Yu, Professor S.C. Wong, Mr Peter K.T. Yuen, Mr Wilson Y.W. Fung and Dr Lawrence K.C. Li were remote, Members agreed that they should be allowed to stay at the meeting.

[Mr K.K. Ling, Mr Stephen L.H. Liu, Dr C.H. Hau and Mr K.K. Cheung left the meeting and Mr Jeff Y.T. Lam left the meeting temporarily at this point.]

Presentation and Question Sessions

134. The following representatives of the Planning Department (PlanD) and representers, commenters and representers'/commenters' representatives of Group 2 were invited to the meeting at this point:

Ms Maggie M.Y. Chin - DPO/FS&YLE, PlanD

Mr Otto Chan - STP/FS1, PlanD

R3 – City Jet Development Limited

Mr Owen Yue] Representer's representatives

Ms Alison Ip]

Mr Ian Brownlee]

Ms Cynthia Chan]

Mr Raymond Chau]

Mr Tak Wong]

Mr Alan Pun]

Mr Chris Foot]

Mr Edward Tang]

R4/C2 – Marksworth Limited

C3 – C S Surveyors Limited

C6 – Toco Planning Consultants Limited

C114 – Goh Peter

Mr Peter Goh	-	Commenter and Representer's/Commenters' representative
Mr Lam Kit Leung, Eric]	Representer's/Commenters' representatives
Mr Chan Tat Choi, Ted]	
Mr Daniel Wei]	
Mr Yeung Yun Wing, Ringo]	
Mr Chan Kai On, Anthony]	
Ms Li Cho Yi, Joey]	
Mr Chu Tak Kim]	
Mr Kwan Lok Ping, Denys]	
Mr Au Yeung Siu Leung, Alan]	
Ms Helen Cochrane]	
Mr Chan Kwai Ming, Jonathan]	
Mr Li Shu Ming]	

R7 – The Hong Kong and China Gas Company Limited

Mr Au Ming Tsun	-	Representer's representative
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R8 – Cheng Kit Bing, Stella

Ms Cheng Kit Bing, Stella	-	Representer
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R9 – Pang Kai On

Mr Pang Kai On	-	Representer
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C111 – Lim Ai Luen

Ms Lim Ai Luen	-	Commenter
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C119 – Judith Leung

Ms Judith Leung	-	Commenter
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C139 – Chan Nim Yan Philip

Mr Chan Nim Yan Philip - Commenter

C152 – Lau Ka Fai Joseph

(Please refer to Appendix A for a list of commenters who had authorised C152 as their representative.)

Mr Lau Ka Fai Joseph - Commenter and Commenters' representatives

135. The Chairman said that reasonable notice had been given to the representers and commenters inviting them to attend 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, Members agreed to proceed with the hearing of the representations and comments in their absence.

136. The Chairman extended a welcome and briefly explained the procedures of the hearing as follows:

- (a) DPO/FS&YLE would first brief Members on the background;
- (b) the representers or their representatives would then be invited to make oral submissions in turn according to their representation numbers, followed by the oral submissions by the commenters or their representatives. To ensure efficient operation of the hearing, each representer/commenter or his representative should be allotted 10 minutes for making presentation;
- (c) there was a timer device to alert the representers/commenters or their representatives 2 minutes before the allotted time was to expire, and when the allotted time limit was up;
- (d) a Q&A session would be held after all attending representers/commenters of Group 2 or their representatives had completed their oral submissions. Members could direct their questions to PlanD's representatives, representers/commenters or their representatives;

- (e) after the Q&A session, the representers/commenters of Group 2 and their representatives and PlanD's representatives would be invited to leave the meeting; and
- (f) the Board would then deliberate on the representations in their absence and would inform the representers/commenters of the Board's decision in due course.

137. The Chairman then invited DPO/FS&YLE to brief Members on the representations and comments of Group 2.

138. With the aid of a PowerPoint presentation, Ms Maggie M.Y. Chin, DPO/FS&YLE, made the following main points as detailed in TPB Paper No. 10170:

- (a) on 8.1.2016, the RNTPC of the Board considered and agreed with the proposed amendments to the approved Fanling/Sheung Shui OZP No. S/FSS/20 related to the "I" zones in On Lok Tsuen and FSS Area 48;
- (b) on 29.1.2016, the draft OZP No. S/FSS/21 was exhibited for public inspection under section 5 of the Ordinance. The major amendments incorporated in the OZP included: (i) the rezoning of a site at FSS Area 48 from mainly "I" and partly "GB" to "R(A)3" and "G/IC" to facilitate a public housing development and two proposed primary schools plus other government uses respectively; and (ii) revision to the BH restriction from 25m to 65m (excluding basements) and other PR/development restrictions in On Lok Tsuen (FSS Areas 25 and 26) under the "I" zone. A total of 9 valid representations and 226 comments were received;
- (c) the seven representations and 226 comments of Group 2 (R3 to R9 and C1 to C226) were related to the zoning amendments at FSS Area 48;

Background

- (d) the Area Assessments of 2009 of Industrial Land in the Territory (the 2009 Area Assessments) and the 2014 Area Assessments recommended, amongst others, that the “I” zone in FSS Area 48 had potential for comprehensive residential development which would help upgrade the existing environmental conditions in the area. The site should be rezoned to facilitate residential development thereat upon working out a feasible development option;
- (e) to follow up the recommendations of the Area Assessments, HD had conducted a feasibility study for the FSS Area 48 for public housing development. It was proposed to rezone the major part of the “I” site with a minor portion of “GB”, covering an area of about 4 ha, to “R(A)3” (Amendment Item A) for public housing development subject to a maximum GFA of 178,100m² and a maximum BH of 140mPD. To enhance the visual compatibility of the development with the surroundings, HD would adopt a stepped height profile for the development. Another two sites of about 0.9 ha and 1.2 ha to the east and west of the proposed public housing site respectively were rezoned to “G/IC” (Amendment Items B1 and B2) for the provision of two proposed primary schools as per the advice of the Secretary for Education (S for E) and other government uses;

Group 2 Representations and Responses

- (f) R3 and R4 were submitted by two land owners of FSS Area 48, R7 was submitted by Towngas, and R5, R6, R8 and R9 were submitted by members of the public;
- (g) the major grounds and proposals of the representations in Group 2 and the responses to the grounds and proposals, as summarised in paragraphs 4.1, 4.2 and 6.3 of TPB Paper No. 10170, were highlighted below:

R3

- (i) R3 supported Amendment Item A for the proposed housing development at FSS Area 48 in general;

Response

- the supportive view of R3 on the housing development proposal was noted;

Scope to Increase Development Intensity

- (ii) the development intensity of the proposed public housing development (with a net domestic PR of 6 or a gross domestic PR of 4.5) was too low and had not yet maximised the development potential of the site. There was scope to allow 20% increase of the development intensity from a domestic PR of 6 to 7.2 (i.e. an addition of about 32,880m² in GFA) to allow additional private housing;

Responses

- generally speaking the domestic PR of high-density residential developments in most of the existing New Towns was 5. Increasing development intensity should consider the capacity of infrastructure and other planning factors. The domestic PR for the proposed public housing development at FSS Area 48 had been increased from 5 to 6 together with a non-domestic PR of 0.5 to optimise the development potential of the site. Such development intensity was commensurate with those of the Fanling/Shueng Shui area and other New Towns. The proposed development intensity was worked out taking into account the development constraints, environmental implications and compatibility with the adjacent village

development. Various technical assessments had been undertaken and confirmed that there should be no insurmountable problem for the proposed development. Appropriate building setback, breezeways and air paths had been allowed to optimise air permeability and enhance wind performance;

- the proposed relaxation of PR to 7.2 was not substantiated by technical assessments to ascertain the feasibility and impacts of the proposal. The cumulative impacts of further relaxing the development intensity would result in significant adverse impacts;

Public-Private Housing Mix

- (iii) the proposed development of public housing alone at the site was not in accordance with the public-private housing mix of 60:40 split as set out in the Long Term Housing Strategy. It was desirable to provide both private and public housing at the site to allow a diverse housing type and a balanced community. There was also a strong demand for private housing;

Responses

- according to the Long Term Housing Strategy, the Government would continue to maintain the public/private split of 60:40 for the ten-year period from 2016-17 to 2025-26. Such a ratio was applied to Fanling/Sheung Shui New Town as a whole, and it was not necessary for the 60:40 split be applied to any individual development. The estimated public/private housing split of the existing and planned housing developments in Fanling/Sheung Shui New Town was already 61:39. The site would provide about 4,000 public housing units to meet Hong Kong's short to

medium-term housing needs;

R3's Proposals to Facilitate Private Housing Development

- (iv) R3 owned various lots in FSS Area 48 under the "R(A)3" zone and its land ownership should be respected. R3 proposed to rezone the western part (about 0.67 ha) of the "R(A)3" site to "R(A)4" and to increase the domestic PR by 20% from 6 to 7.2 in order to provide an addition of 544 private housing flats (about 33,000m² GFA);
- (v) R3 submitted an alternative development scheme for a mixed private and public housing development on the site, in which there would be an additional private housing tower at the western part of the site. The Notes of "R(A)" zone and the relevant parts of the Explanatory Statement (ES) of the OZP were also proposed to be revised to reflect the alternative scheme. R3 had also reviewed the technical assessments undertaken by HD for the site and submitted a broad assessment from environmental, visual, air ventilation, traffic and sewerage aspects to demonstrate that its alternative scheme was technically feasible;
- (vi) if the concerned area was rezoned for private housing development, it would avoid the need for land resumption. R3 would implement the housing development and enable efficient land and housing delivery to better achieve the long-term housing targets;

Responses

- the proposed public housing development with a domestic PR of 6 and a non-domestic PR 0.5 was considered appropriate taking into account the development constraints and the findings of various technical assessments;

- R3's alternative scheme entailed an additional residential tower and a large podium footprint that would significantly increase the building mass within the site. The proposed increase in development intensity would exacerbate the visual impact to the surrounding area, in particular to the adjacent low-rise village development. Relevant departments had concerns or adverse comments on the scheme from the traffic, sewage, environmental and landscape aspects;
- the Director of Environmental Protection (DEP) commented that Shek Wu Hui Sewage Treatment Works (SWHSTW) was unable to receive the additional flow from the proposed private development. R3 had not addressed how sewage generated from the proposed private development would be treated and disposed of. Besides, the noise impact assessment (NIA) was unacceptable and failed to demonstrate that the concerned residential development would not be subject to adverse noise impacts;
- the Commissioner for Transport (C for T) commented that the traffic review submitted by R3 failed to demonstrate that Tai Wo Service Road West could cater for the proposed private housing development. The cul-de-sac rearrangement under the alternative scheme would adversely affect the public transportation arrangements for the proposed public housing development and school;
- the Chief Town Planner/Urban Design and Landscape (CTP/UD&L) of PlanD had concern on the provision of landscape and open space in the alternative scheme;

R4

- (vii) R4 opposed the rezoning of its private lots and a small piece of government land from “I” to “G/IC” for school development under Amendment Item B2;

- (viii) R4 purchased the concerned private lots on 17.9.2015 with the intention to develop a proposed automobile dealership centre (ADC) at the site, and had commenced preparation work for building design and land exchange application. The project was targeted for completion by 2018. Amendment Item B2 would jeopardize the development of the ADC as the new “G/IC” zoning would restrict the development right and cause substantial financial loss to the land owner;

Responses

- the 2009 Area Assessments had recommended that the “I” zone at FSS Area 48 had potential for comprehensive residential development and it should be rezoned for residential development upon working out a feasible development option to help upgrade the existing environmental conditions in the area;

- to take forward the recommendation, HD had conducted a feasibility study and recommended the proposed public housing development under Amendment Item A. FSS Area 48 was one of the identified public housing sites submitted to the North District Council (NDC) and the Legislative Council (LegCo) for information in June 2014 and January 2015 respectively, of which the relevant information was available to the public. To support the public housing development and meet the demand of Fanling/Sheung Shui New Town, S for E requested the provision of two primary schools in the area;

Site Not Suitable for School Use

- (ix) the “G/IC” zone under Amendment Item B2 was planned for a reserved primary school at FSS Area 48 to meet the demand of Fanling/Sheung Shui New Town. There was not yet definite programme for the school development. In fact, the planned population of Fanling/Sheung Shui New Town was decreasing, which would affect the demand of primary school places;
- (x) the site was not suitable for school use as it was located along Fanling Highway with high traffic and noise impacts. Majority of the land was under private ownership;
- (xi) R4 had identified three alternative school sites in Fanling/Sheung Shui and two abandoned village schools, namely Wo Him School in Wo Hop Shek Village and Tsung Him School near On Lok Tsuen, for the school use;

Responses

- the “G/IC” site under Amendment Item B2 was intended to provide a primary school to meet the district demand. The school use was compatible with the surrounding existing/planned residential development;
- concerned departments had been consulted and considered that the proposed school development would not cause any insurmountable problems on environmental, traffic, sewerage, drainage and water supplies aspects. In particular, DEP considered that there was no insurmountable noise problem of the site for the school development;
- the alternative sites proposed by R4 were considered not feasible. The proposed site at Castle Peak Road was

currently used as Towngas Fanling West Offtake Station serving the North District, the Water Supplies Department's Fanling Waterworks Depot and various government workshops. Another proposed site at the junction of San Wan Road/Shau Tau Kok Road – Lung Yeuk Tau had been planned for the New Territories East Cultural Centre. For the "G/IC" site at Chi Wah Lane, it had been reserved for the planned police facilities. Regarding the village schools, the Former Tsung Him School was being actively pursued for accommodating an international school, and the Former Wo Him School site with an area of about 1,500m² was too small to accommodate a standalone primary school;

- other vacant "G/IC" sites in Fanling had also been reviewed for school development. However, all vacant "G/IC" sites with sufficient dimension had been planned for designated GIC uses to support the new town development. No suitable alternative "G/IC" site could be identified for the required primary school;

No Prior Consultation

- (xii) there was no prior direct consultation with the land owner on the rezoning amendment;

Responses

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

R4's Proposals to Facilitate Development of the Proposed ADC

- (xiii) R4 proposed to rezone a site within the "G/IC" zone under Amendment Item B2 to "Other Specified Uses" ("OU") annotated "Automobile Dealership Centre" ("OU(ADC)"), with the stipulation of a maximum PR of 5 and a maximum BH of 50m (excluding basements) for the development of its proposed ADC, which would be a 8-storey building for driving gallery, workshop, training, car holding area and office uses. A master layout plan and landscape master plan together with broad assessments on the traffic, environmental and sewage aspects had been submitted to support the proposal;
- (xiv) uses including 'Eating Place (Canteen only)', 'Public Vehicle Park (excluding container vehicle)', 'Shop and Services', 'Training Centre', 'Utility Installation for Private Project', 'Vehicle Repair Workshop' and 'Warehouse (excluding Dangerous Goods Godown)' were proposed to be put under Column 1 (i.e. always permitted) of the Notes of the concerned "OU(ADC)" zone;
- (xv) the site with direct frontage along Tai Wo Service Road West and good accessibility to Fanling Highway was suitable for the development of the proposed ADC. The ADC would be compatible with the adjacent village, highway and proposed public housing development. It would create long-term job opportunities for the locals;

Responses

- the proposed ADC was considered not entirely compatible with the existing and planned residential development. Relevant departments had concerns or adverse comments from the traffic, environmental and landscape aspects;

- the Project Manager/New Territories East of Civil Engineering and Development Department (CEDD) commented that the proposed run-in and emergency vehicle access of the proposed ADC would be in conflict with the future realignment of Tai Wo Service Road West. C for T pointed out that R4 had not provided sufficient information to justify the relatively low estimated trip rate (i.e. 97 vehicles per day and 22 passenger car units (pcu) in total during peak hours), and hence its conclusion of no adverse impacts on the traffic networks was unfounded. Besides, the submitted traffic review failed to address the public transport arrangement for the development. The Chief Engineer/Mainland North of Drainage Services Department stated that the sewage impact assessment had not assessed the impacts of all facilities such as water features and water pond, and was considered unacceptable. DEP raised that further assessments would need to be conducted to identify the mitigation measures required to address the environmental concerns arising from the ADC. CTP/UD&L of PlanD also raised concern as the adverse impact of the development on the existing trees was not ascertained in the planning statement;

R5

- (xvi) R5 opposed Amendment Item B2 on the ground that there was a lack of industrial land in Hong Kong. The concerned area should be retained as “I” zone for future development;

Responses

- the 2014 Area Assessments had recommended that available government sites in “I” zone, if considered suitable, might be disposed in the short to medium term to help augment potential industrial land supply. Suitable new industrial

land would be identified, planned and reserved to meet the future demand of the industrial sector in the long term;

- the 2014 Areas Assessments had also made various recommendations to enhance the On Lok Tsuen Industrial Area for better utilising the industrial land resources. Consideration would be given to disposing suitable government sites in On Lok Tsuen for industrial development, which might act as a catalyst to encourage more redevelopment of the existing industrial buildings to meet the demand;
- the economic land requirements and spatial development strategy for various types of industrial uses would be reviewed holistically in the Hong Kong 2030+ Study;

R6

(xvii) R6 opposed the rezoning of the concerned land under Amendment Items A and B1 from “I” and “GB” to “R(A)3” and “G/IC”, and enquired the details of the trees that would be affected;

Responses

- there is no record of rare species and important trees within the area concerned according to the Agriculture, Fisheries and Conservation Department. HD would reserve the concerned area for slope protection/retaining structure and preserve the trees as far as possible. Detailed tree survey would be conducted and appropriate landscape measures would be worked out at the detailed design stage. Unnecessary tree felling would be minimised within the development site and compensatory tree plantings would be maximised when opportunities arose;

R7

(xviii) R7 provided views on Amendment Items A, B1 and B2 from gas safety aspect in view of the existence of a high pressure pipeline at Tai Wo Service Road West nearby. It urged the future developer(s) to conduct a risk assessment for evaluating the potential risk and determining mitigations if required, and to further consult them at design and construction stages of the proposed developments;

Responses

- R7's comments on gas safety were noted. The Director of Electrical and Mechanical Services advised that there was no insurmountable risk problem of the sites for the public housing and school developments;
- a quantitative risk assessment for the existing high pressure gas pipe on the proposed public housing development had been conducted by HD, and sufficient building buffer distance for the underground high pressure town gas pipeline had been reserved in the public housing scheme;
- for the future school development, the project proponents would conduct relevant technical assessments and the relevant departments would be consulted accordingly. The project proponents were advised to liaise with R7 on any possible interface at the implementation stage;

R8 and R9

(xix) R8 and R9 provided comments on compensation and rehousing matters of the North East New Territories (NENT) New Development Areas (NDAs) and urban renewal matters without specifying the related amendment items. They proposed to adopt the development mode of the Urban Renewal Authority (URA) to

conduct urban renewal and provide compensation to the affected residents;

Responses

- the areas of the amendment items fell outside the Kwu Tung North and Fanling North NDAs. For the affected residents, the Government would offer compensation, ex-gratia allowances and/or rehousing arrangements to the eligible affected parties in accordance with the existing policies;

Group 2 Comments and Responses

- (h) all 226 comments (C1 to C226) supported R4's view which opposed Amendment Item B2, of which 12 were submitted by organisations (C1 to C6, C8 to C9, C11, C29 and C32 to C33) including R4, and the remaining 214 were submitted by individuals (C7, C10, C12 to C31 and C34 to C226) who in general represented the employees of BMW Concessionaries (HK) Ltd., car owners of BMW/MINI and individuals;
- (i) the major grounds and proposals of the comments in Group 2 and the responses to the grounds and proposals, as summarised in paragraphs 5.2, 5.3 and 6.4 of TPB Paper No. 10170, were highlighted below:
- (i) C1 supported R4 to set up an ADC and opined that there should be industrial land to accommodate such advance operation of automobile investors and operators in order to sustain the economy and employment market in Hong Kong. C1 also provided further views that other areas could be designated for "G/IC" uses while the subject site should remain as "I" or "OU" zone to facilitate the development of an ADC;
- (ii) C2 to C226 supported R4 and provided views that the proposed ADC with proper environmental measures would increase the

coverage of customer service, upgrade the neighbourhood and provide employment opportunities for the local district. The location of the ADC was also very convenient for the residents of New Territories North and West;

Responses

- the grounds and proposals of the comments were either the same or similar to those of R4. The responses to R4 above were relevant;

PlanD's Views

- (j) the supportive view of R3(part) was noted; and
- (k) PlanD did not support R4 to R9 and the remaining part of R3 and considered that the Plan should not be amended to meet the representations.

139. The Chairman then invited the representers, commenters and their representatives to elaborate on their submissions.

R3 – City Jet Development Limited

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

- (a) R3 had conducted substantial technical assessments to justify the feasibility of its alternative development scheme which was to address the housing problem in Hong Kong but the assessment results were dismissed in one or two sentences by PlanD in TPB Paper No. 10170;
- (b) the site under Amendment Item A was under-utilised when compared with the development intensity set out in the Hong Kong Planning Standards

and Guidelines (HKPSG), in particular the maximum domestic PRs for the main urban areas and new towns had been raised recently. The increase in development intensity of the site for 20% was feasible;

- (c) the two reasons proposed for not upholding R3's representation in paragraphs 8.2(a) and (b) of TPB Paper No. 10170 were not valid reasons as the first one only stated that HD's proposed public housing development at the site was appropriate in development intensity and acceptable, and the second reason only stated that it was not necessary to have the public-private housing mix of 60:40 within an individual development, which was not R3's main argument to justify its proposed private housing development;
- (d) while R3 supported the proposed public housing development at the site, there should be private housing in addition to public housing. R3's alternative development scheme with a slightly higher density could better utilise the site and was technically feasible. Its proposal could better meet the acute shortage of both public and private flats;
- (e) R3 owned the western portion of the site of Amendment Item A. Its private land was immediately available for flat supply. Compared with HD's scheme, the public housing blocks would only be reshuffled to the east to make way for the construction of one private residential block and an access road in R3's alternative scheme. There was not much difference in the layouts of the two schemes. By increasing the net domestic PR of the site by 20% from 6 to 7.2, HD could still be able to achieve the same number of flats as it originally proposed while R3 could provide an addition of 544 private housing flats. The gross PR of the site would only be increased from 4.45 to 5.27 (i.e. +0.82), which was still considered appropriate for the location;
- (f) there was no reason for HD to exclude the slope and road areas from the site area for the purpose of PR calculation, in particular the slope could form part of the landscape area of the proposed development. If the

slope and road areas were included for PR calculation, the PR of the site under HD's scheme should be 4.45 only, which was much below 6;

- (g) the public-private housing ratio for the site was about 85:15 based on R3's alternative scheme, which would contribute to achieving a balanced, healthy and sustainable community. The additional private housing supply was desirable as it would bring the currently estimated housing mix of 61:39 for Fanling/Sheung Shui New Town closer to the target ratio of 60:40 under the Long Term Housing Strategy;
- (h) R3 had reviewed the technical assessments conducted by HD for the public housing scheme, which was the basis of the current zoning amendments, and conducted a full set of technical studies using the same methodologies as HD on the traffic, sewerage, noise, air ventilation and visual impacts of its alternative scheme. The technical studies, which had been included in R3's written submission, concluded that the addition of its proposed number of private housing flats to the site should have no insurmountable problems to the surrounding areas;
- (i) while DEP commented that SWHSTW was unable to receive the additional flow from R3's proposed private development, SWHSTW had reserved a sewage treatment capacity of 2,500m³/day (equivalent to the usage of 12,000 residents and users) for the site upon completion of its Phase 1A expansion in 2023, which was also a pre-condition for population in-take of HD's scheme. Indeed, the demand of HD's scheme for sewage treatment was only about 2,089.5m³/day (equivalent to the usage of 10,000 residents and users) and there would still be a surplus capacity of 410.5 m³/day (equivalent to the usage of 2,000 residents and users). As the demand of R3's proposed private housing development was only about 266m³/day (equivalent to the usage of 1,400 residents and users), SWHSTW would have the spare capacity to accommodate R3's proposed development;
- (j) the traffic impact assessment (TIA) prepared by HD had concluded that all

nearby road junctions would be operating satisfactorily with spare capacity upon completion of the proposed public housing development. As only a relatively small number of flats were added to the site, the TIA conducted by R3 indicated that Tai Wo Service Road West could still be operated within its capacity in 2032;

- (k) C for T commented that the traffic impact of the proposed 'Centre' on the So Kwun Po Road (SKPR) Interchange was underestimated in R3's TIA. However, R3 had no proposal for any 'Centre' in its alternative development scheme for the site. C for T might have mixed up the proposal of R4's ADC with R3's alternative scheme and made the confusing comments. Indeed, the SKPR Interchange was over 3km away from the site and the proposed private housing development would only generate less than 1 passenger car unit per minute (pcu/min) during peak hour. HD's TIA did not consider that the SKPR Interchange was a problematic junction, which was accepted by C for T;
- (l) C for T also considered that the proposed arrangement of public transport facilities in R3's alternative scheme would be a problem. However, R3 only proposed to shift the location of the bus bay-by at Tai Wo Service Road West slightly eastwards and to move the location of the cul-de-sac from the eastern side to western side of the site when comparing with HD's scheme. Such a re-arrangement should be simple and not have any particular technical problem;
- (m) according to HD's NIA, the traffic noise compliance rate of HD's scheme was only 90.9%. However, with the adoption of appropriate noise mitigation measures such as the use of single aspect building design or installation of top-hang type acoustic windows under R3's NIA, the traffic noise compliance rate of HD's public housing flats could be improved from 90.9% to 97.1% and all R3's proposed private housing flats could achieve a 100% compliance rate under R3's alternative development scheme. He wondered why DEP would say that R3's NIA was unacceptable without providing any substantial comments;

- (n) he was not clear about the actual concerns of CTP/UD&L of PlanD, who only said that he had concern on the provision of landscape and open space in R3's alternative development scheme. R3's alternative scheme had only added one residential block on top of the six blocks under HD's scheme. It would maintain the slope greenery of the site and be capable of meeting the HKPSG's requirement of 1m² local open space per person and the greenery requirement of the Buildings Department's Sustainable Building Design Guidelines;
- (o) as regards the visual aspect, the BH of the public housing blocks would be from 103mPD to 136mPD whilst that of R3's proposed private housing block would be 119.5mPD. The proposed BH of the private housing of R3 would be compatible with the stepped BH profile adopted in the site;
- (p) comparing with HD's scheme, the private housing block in R3's alternative scheme would not have any podium and the large podium of HD's supporting/ancillary facilities block would be located further away from Wo Hop Shek Village;
- (q) the air ventilation performance of R3's alternative scheme was comparable to that of HD's scheme as both schemes would have two local air paths of at least 15m wide and a podium of single storey and adopt a stepped BH profile. In R3's alternative scheme, there would be a 22m-wide building separation between the proposed private housing block and the nearest public housing block; and
- (r) the Board was requested to accept R3's proposals of rezoning the western part of the site (about 0.67 ha) from "R(A)3" (for public housing development) to "R(A)4" (for private housing development) and to stipulate a maximum domestic GFA of 33,000m² and a maximum BH of 140mPD in the Notes of the OZP for the proposed "R(A)4" zone.

[Dr Lawrence K.C. Li left the meeting at this point.]

R4/C2 – Marksworth Limited

C3 – C S Surveyors Limited

C6 – Toco Planning Consultants Limited

C114 – Goh Peter

141. With the aid of a PowerPoint presentation, Mr Peter Goh made the following main points:

- (a) he was the Managing Director of Sime Darby Motors which was the parent company of R4;
- (b) Sime Darby Motors had started its automobile dealership business in Hong Kong since 1971 and it represented a number of car brands including BMW, Mini, Rolls-Royce, McLaren, Suzuki, Mitsubishi, Peugeot, Fuso and JAC. In 2015, the turnover of the company was HK\$3.9 billion with the sales of over 7,000 vehicles. It had a total of 18 business locations in Hong Kong and was employing over 1,200 employees. It had already made a total investment of over HK\$5 billion in Hong Kong and was planning to invest a further HK\$1 billion in the next 2 years;
- (c) they currently had 4 facilities for the BMW brand in Hong Kong, which were located at Chai Wan, To Kwa Wan, Tsuen Wan and Sha Tin respectively. They intended to build the proposed ADC for BMW at Fanling to expand their services;
- (d) as their existing facilities were old, not conforming to the latest dealer standards and were operating at full capacity, they decided to have an expansion of their dealership facilities in their strategic growth plan, which was also a condition set by the BMW Company for their dealership. Their plan for developing an ADC for BMW in the New Territories commenced in 2012. They had considered various industrial land and properties in Tseung Kwan O, Tuen Mun, Yuen Long and Fanling for their development, and after 3 years of extensive search for a suitable site,

they purchased the site at FSS Area 48 which was the subject site of Amendment Item B2;

- (e) at the time of purchase, the site was zoned “I” on the then approved Fanling/SheungShui OZP No. S/FSS/20, which permitted the proposed ADC use. The BMW Company had given its consent to develop a flagship dealership centre at the site with the latest design and dealer standards. The proposed ADC would become a showcase design incorporating elements of environmental sustainability with greenery and landscaping adapted to local conditions;
- (f) he showed a number of typical examples of ADCs of different car brands in different countries to illustrate how their proposed ADC would look like. On the contrary, the existing automobile dealership facilities, such as showrooms and after-sale service centres, in Hong Kong were mostly small in size, co-existing with other uses in multi-storey industrial buildings and not providing decent environment to customers;
- (g) compared with the more sophisticated automotive industry and facilities of Singapore, the automotive industry in Hong Kong needed upgrading as some existing facilities were no longer appropriate and not up to modern standards. The motorists and their cars deserved to have better service and facilities, their staff needed to have a better working environment, and their company should be given the opportunities to invest, develop and sustain in order to contribute to the society;
- (h) the Government should seriously consider how to strike a balance between commercial and public interests. While a host of government departments, including the Director-General of Trade and Industry, had been consulted on their representation and proposal, the consultation should not be confined to only government departments if it was to be effective. The business community, such as the Hong Kong Chamber of Commerce and the Motor Trader Association of Hong Kong, should also be consulted on whether their proposal was suitable. Hong Kong was the

freest economy in the world. It should continue to respect private property right and business freedom;

- (i) the site at FSS Area 48 was chosen by R4 for the development of the proposed ADC in view of its location and its zoning as "T". It was purchased for nearly HK\$400 million with the sole intention for construction of the proposed ADC for BMW for R4's own use. The BMW Company had given a mandate for construction of the proposed ADC. A capital budget of HK\$900 million had been approved for the project and their board of directors had offered full commitment to the BMW Company. If the project failed, it could bring about severe repercussions;
- (j) he then showed the building design and layout plans of the proposed ADC in a number of PowerPoint slides;
- (k) the local villagers were supportive of the proposed ADC development and no objection had been lodged. R4 would fully cooperate with CEDD regarding their cycle track, pedestrian footpath and road widening requirements; and
- (l) of the total area of about 667 ha covered by the Fanling/Sheung Shui OZP, 101.72 ha of land had been zoned "G/IC". The ADC development project of R4 only required a site of less than 0.8 ha. He hoped that the Board could accede to R4's proposal and allow the development of the proposed ADC on the site.

142. On the request of Mr Chan Tat Choi, Ted, material was tabled at the meeting to assist his oral submission. With the aid of a PowerPoint presentation, Mr Chan Tat Choi, Ted and Ms Helen Cochrane continued to make the following main points:

- (a) a planning report with technical assessments had been submitted by R4 to demonstrate that the site was suitable for the proposed ADC development. Subsequently, they received comments from government departments

regarding the requirements for road widening, cycle track and noise barrier. They had then set up a team to follow up with the government departments on those requirements;

- (b) while PlanD indicated in TPB Paper No. 10170 that the rezoning of the “I” site was based on the recommendations of the 2009 and 2014 Area Assessments and that the relevant information was accessible by the public, it should be noted that the two studies were broad-brush in nature and they were vague in terms of the timing and location of the rezoning proposals. Before the publication of the amendments to the OZP, R4 was not aware that its land would be rezoned from “I” to “G/IC”. The consultation done by PlanD was inadequate and it was unfair to the land owner. R4’s proposed “OU(ADC)” zoning for its land would not be in conflict with the 2009 and 2014 Area Assessments;
- (c) as regards PlanD’s statement that the designation of the “G/IC” zone for a reserved primary school was based on the advice of S for E and the relevant departments had been consulted and considered that school use would not cause adverse impact on the locality, it should be noted that there was no need to reserve the site for primary school use. With the signification reduction in the births of doubly non-permanent resident children in Hong Kong in 2012 due to a change in government policy, the demand for primary school places would drop significantly in 2018. The proposed primary school at the site might only be operated in 2028 the earliest to tie in with the population in-take of the adjacent public housing site. By then, the population of Hong Kong would require much less primary school places and the proposed primary school might no longer be required;
- (d) while PlanD indicated that no suitable alternative “G/IC” site could be identified for school use in Fanling/Sheung Shui district, the site of Tsung Him School near On Lok Tsuen was considered to be a suitable alternative site as it was zoned “G/IC”, previously used for school, and there was no definite programme or plan to develop the proposed international school

on that site. Besides, there were several schools in the vicinity, which had already been closed down in the past. There were also several sites already reserved for school use in the district;

- (e) while PlanD said that the administrative procedures in consulting the public on the zoning amendments had been duly followed, no formal public consultation or engagement had been conducted with R4 prior to the gazettal of the draft OZP. PlanD's selective consultation was considered inappropriate;
- (f) although PlanD stated that R4 failed to demonstrate that the proposed ADC was technically feasible, R4's own technical assessments indicated that there should be no insurmountable problem associated with the proposed ADC in the environmental, sewerage and traffic aspects. As the proposed ADC was basically a car showroom with storage of vehicle parts, its operation would not cause significant environmental impact on the surrounding areas. A number of environmental mitigation measures would be incorporated in the building design to minimise any possible impacts on the nearby residents. The sewage generated by the proposed ADC was insignificant and could be duly handled by the existing sewage treatment facility. They would fully cooperate with CEDD in addressing their comments on the design of the road and transport facilities. As regards C for T's comments on the low estimated trip generation rate, it was based on the trip generation of the existing comparable ADC facilities, detail surveys and inventory information; and
- (g) as there was no programme and urgency for implementation of the proposed primary school, the site comprising the private land of R4 should not be reserved for school development and designated as "G/IC" on the OZP. On the other hand, R4 had a concrete programme for the proposed ADC development which could be completed in a few years' time. With appropriate building design, the environmental impact caused by the proposed ADC on the neighbourhood should be less than that caused by a primary school. The Board was urged to respect the land ownership of

R4 and rezone the site from “G/IC” to “OU(ADC)”.

R8 – Cheng Kit Bing, Stella

143. Ms Cheng Kit Bing, Stella said that she had no comment on the amendment items of the OZP but was concerned about the development of Shek Wu Hui and the related compensation and rehousing matters.

144. Noting the Chairman’s advice that those matters were not related to the amendments of the OZP, Ms Cheng said that she had no additional point to make.

R9 – Pang Kai On

145. Mr Pang Kai On said that he had no comment on the amendment items of the OZP but he shared the same concerns as R8 on the development of Shek Wu Hui and the related compensation and rehousing matters.

C152 – Lau Ka Fai Joseph

(Please refer to Appendix A for a list of commenters who had authorised C152 as their representative.)

146. With the aid of a PowerPoint presentation, Mr Lau Ka Fai Joseph made the following main points:

- (a) he was the Managing Director of BMW Concessionaires (HK) Limited. He was representing the staff of his company and some car owners of the BMW brand to make the presentation;
- (b) the proposed ADC at Fanling was designed to be the flagship centre of BMW to provide sale and maintenance services to their customers in one location. The proposed ADC building would accommodate a large showroom with areas to showcase 30 new cars at a time to the potential buyers, a maintenance and repair centre with spaces for repairing 35 cars, and a central store of vehicle parts. It would be a sustainable building,

which would minimise energy consumption and blend in well with its surrounding environment;

- (c) they often received opinions from their customers that their existing showrooms and service outlets were not very convenient, long appointment time was required for the servicing, and not spacious enough for customer parking and reception. They were in dire need to develop the proposed ADC to improve their services;
- (d) the proposed ADC would be completed in 2019 to serve mainly the customers of the northern New Territories. It would serve about 1,500 sales customers (i.e. 17% of total 8,800) and 7,200 service customers (i.e. 16% of total 45,000) per year. While C for T queried if R4's estimated trip rate (i.e. 97 vehicles per day and 22 pcu in total during peak hours) was too low, the average number of vehicular trips to the proposed ADC by customers would be less than 30 vehicles per day. The traffic impact would be minimal;
- (e) the location of the proposed ADC was convenient to the potential and existing car owners in the northern New Territories as it could reduce the their travelling time to and from other service centres. It took only about 5 to 20 minutes for the customers to drive from their place to the proposed ADC and 15 to 30 minutes back from the proposed ADC by public transport, whereas it would take about 30 to 45 minutes for them to go to the current nearest centre at Tsuen Wan or Sha Tin and then 45 to 70 minutes back by public transport. Customers would also be benefited from a reduction of appointment time for servicing from about 4 days currently to 3 days in future because of the expanded workshop capacity of the proposed ADC;
- (f) the development of the proposed ADC by R4 was regarded as a commitment to BMW for ensuring the continuity of their dealership in Hong Kong and a reinforcement of job security to their staff;

- (g) there were opinions from their staff that their current working environment was inadequate. For instance, due to the lack of car ramps in some small service centres, car lifts were often used for moving cars from one floor to another, which was time-consuming and affecting their productivity and efficiency. The low headroom of some centres constrained the height that the cars could be lifted for checking and repairing, and was detrimental to the occupational safety and health of the workers. The development of the proposed ADC with purpose-built working spaces and facilities would greatly improve their operational workflow and hence their productivity and efficiency;
- (h) it was expected that the proposed ADC could provide about 300 jobs for Hong Kong, especially for the locals in the surrounding neighbourhoods, and more career development opportunities for their existing staff in the fields of management, sales, service advice, customer service, technician and administration; and
- (i) he wished the Board could allow them to retain the site for development of their proposed ADC which would bring benefits to Hong Kong, the car owners, their staff and the neighbouring areas. They would maintain continuous communication with the locals during the development stage to ensure that their development would be in harmony with the neighbourhood and with minimum disturbance.

147. As the presentations of the representers, commenters and their representatives had been completed, the Chairman invited questions from Members.

148. Noting that Mr Ian Brownlee (representative of R3) had stated that SWHSTW would still have surplus capacity to handle the additional demand arising from R3's proposed private housing development, a Member asked whether the government representative would agree with that statement. In response, Ms Maggie M.Y. Chin, DPO/FS&YLE, said that although there was a plan to expand SWHSTW, its capacity after expansion would only be able to serve the existing and planned developments in Fanling/Sheung Shui district, including all the already planned housing sites. SWHSTW after expansion would have no

spare capacity to serve R3's proposed private housing development which had not been taken into account in SWHSTW's expansion plan.

149. In response to the same Member's question, Mr Brownlee said that as a matter of principle, if there was a need for development in an area, the Government should provide the necessary infrastructural services for that development. As SWHSTW had an expansion plan currently, it should be able to upgrade the capacity to accommodate the demand of their proposed private housing development. Mr Edward Tang (representative of R3) supplemented that upon completion of the Phase 1A expansion for SWHSTW in 2023, there would be a reserved sewage treatment capacity of 2,500m³/day for the site. Based on their sewerage review, the total sewage treatment demand of the site arising from both the proposed public and private housing under R3's alternative scheme would be only about 2,355m³/day, which should be within the reserved capacity.

150. A Member asked how long R4 had searched for a site for its proposed ADC and when the site was purchased. In response, Mr Peter Goh (C114 and representative of R4/C2) said that their plan for developing an ADC started in 2012 and they had been searching for a suitable industrial site throughout Hong Kong extensively for three years. The site at Fanling was purchased in mid-2015 with the transaction completed in September 2015.

151. A Member asked (a) apart from public housing, whether the site under Amendment Item A was also suitable for private housing development; and (b) if the site was used solely for public housing development, how the Government would resume the private land within the site. In response, Ms Chin said that over the past few years, the Government had been active in identifying suitable sites in Hong Kong to meet the acute housing demand of the community. In the 2009 Area Assessments, the "I" zone in FSS Area 48 was recommended as a potential site for comprehensive residential development. In view of the keen demand for public housing in Hong Kong, HD conducted a feasibility study of FSS Area 48 to examine how the site could be optimised for public housing development. FSS Area 48 was also one of the identified public housing sites submitted to NDC and LegCo for information in 2014 and 2015 respectively. The site under Amendment Item A comprised both private land and government land. To pursue the proposed public housing development, the Government would resume the private lots within the site as they were required for a public purpose.

152. The same Member asked (a) while the statutory consultation process under the Ordinance had been followed, whether it was an usual practice for the Government to consult the business community on the proposed amendments to an OZP; (b) noting that a large portion of the site under Amendment Item B2 was purchased by R4 recently, how the Government would resume R4's private land within the site; and (c) noting from TPB Paper No. 10170 that there were already sufficient provisions of primary and secondary schools in Fanling/Sheung Shui, how the two proposed primary schools in FSS Area 48 would account for the surplus primary school provision of the district.

153. In response, Ms Chin said that PlanD would follow the established statutory and administrative procedures to consult the public on the proposed amendments to OZPs, which included gazetting of the amendments for public inspection, consultation with the District Council and submission of the representations and comments received to the Board for consideration. For the subject amendments to the OZP, NDC and the Fanling District Rural Committee had been consulted. In addition, a briefing for the New Territories North District Manufacturers' Association of Hong Kong was conducted.

154. Ms Chin continued to say that within the site under Amendment Item B2, there were five private lots owned by R4, four of which were agricultural lots and one was a New Grant lot for manufacturing of timber furniture. When the Government implemented the primary school, it would resume the private lots within the site. The affected land owners and parties would be provided with compensation or rehousing arrangement according to the existing policies. As regards school provision, there were 26 primary schools within Primary School Nets No. 80 (Sheung Shui) and 81 (Fanling), and some of them were not up to the prevailing standards. In addition to the Fanling/Sheung Shui New Town, Primary School Nets No. 80 and 81 covered the extensive rural areas of Fanling and Sheung Shui. There was a shortfall of primary school provision in some rural areas as the population thereat was unable to justify the provision of a primary school. Owing to the new housing development and the increasing number of students in the North District, the Education Bureau (EDB) had confirmed the need for reserving the two "G/IC" sites for primary school development.

155. Noting that the scale of the proposed ADC was rather sizable and serving about 8,700 cars per year and that workshop activities would be carried out in the ADC, the

Vice-chairman asked (a) whether there would be frequent use of heavy goods vehicles in the ADC for transportation of vehicle parts and the cars to be serviced; and (b) whether there would be any insurmountable industrial/residential (I/R) interface problems due to the juxtaposition of the proposed ADC with the proposed public housing development.

156. In response, Mr Lau Ka Fai Joseph (C152) said that the proposed ADC was designed to provide sale services to about 1,500 new cars and after-sale services to about 7,200 cars of the BMW brand each year. All would be private cars. Besides, they would mainly use light goods vehicles of not more than 5.5 tonnes for delivery of vehicle parts to the proposed ADC. The damaged cars of their brand would be towed to the service centre of their company at Sha Tin for repairing and not the proposed ADC at Fanling. As such, heavy goods vehicles would seldom be used at the proposed ADC. The traffic generated by the proposed ADC was similar to that of a typical car park building. Mr Chan Kai On, Anthony (representative of R4/C2), architect of the ADC project, supplemented that the proposed ADC was basically not for industrial use and no heavy machinery would be installed inside the building. Similar to the ADCs in other countries, the proposed ADC would be designed to provide a decent environment to serve its customers.

157. In response to the Vice-chairman's concern on I/R interface, Ms Chin said that those sites currently affected by the amendments to the OZP in FSS Area 48 were brownfield sites. They were intended for a comprehensive residential development with compatible GIC uses so as to upgrade the environmental conditions of the area. To the immediate southwest of R4's proposed ADC site was Wo Hop Shek Village. Although the proposed ADC might not be a conventional industrial operation, it was considered not entirely compatible with the proposed public housing development and Wo Hop Shek Village. Noting that other service centres of R4 in Hong Kong were located in either industrial or business areas, it might be more appropriate for the proposed ADC to be located in industrial or business areas to achieve synergy effect with other comparable uses.

158. A Member asked whether R4 was aware of the Government's a plan to rezone its land from "I" to other uses when it purchased the land recently. In response, Mr Goh said that according to their consultants, the site was zoned "I" and was suitable for the development of their proposed ADC when they purchased the land. They were not aware of the Government's plan to rezone the land for other uses. Mr Chan Tat Choi, Ted

(representative of R4/C2) supplemented that when R4 purchased the site in 2015, the site was zoned “I” on the then prevailing OZP. Noting that the “I” site abutted on Fanling Highway and was near a cemetery, R4 considered it suitable for the proposed ADC development. It was normal that a businessman would not be aware of the Government’s plan for changing the land use zoning if he was not being consulted in advance. Both the 2009 and 2014 Area Assessments were only broad-brush studies and they did not make concrete rezoning proposal for the site. If the Government had a plan to rezone the site, it should consult the affected land owner on the rezoning proposal and respect the land owner’s development right. If R4 had submitted building plans for the proposed ADC to the Buildings Department immediately after it purchased the site when the site was still zoned “I”, that set of building plan should have been approved.

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

159. In response to a Member’s question on the planning history of FSS Area 48, Ms Chin said that the “I” zone in FSS Area 48 was first designated on the Fanling/Sheung Shui OZP in 1987 when the draft OZP No. S/FSS/1 was published. The area was all along occupied by temporary workshops, open storage yards, government depots and squatters until today. The 2009 Area Assessments, which reviewed the overall supply and demand, land use situation and development potential of all industrial land in Hong Kong, were completed by PlanD in 2010. It was recommended in the 2009 Area Assessments that the “I” zone in FSS Area 48 had potential for comprehensive residential development subject to feasibility study. The findings and recommendations of the 2009 Area Assessments had been uploaded to PlanD’s website for public inspection since the completion of the study. The 2014 Area Assessments re-confirmed the recommendation of the 2009 Area Assessments in respect of the “I” zone in FSS Area 48. In 2015, the Government had identified about 150 sites in Hong Kong for housing development and the “I” zone in FSS Area 48 was one of those sites. The identified public housing sites, including the site in FSS Area 48, had been submitted to NDC and LegCo for information in 2014 and 2015 respectively. It should be stressed that the primary consideration of the Government in the planning of FSS Area 48 was the comprehensive land uses of the area and individual land ownership was not a consideration.

160. In response to a Member’s question on whether the “G/IC” site under Amendment Item B2 would be used for primary school purpose, Ms Chin said that

designation of the subject “G/IC” zone arose from the advice of EDB that there was a need to provide a primary school at the site. The implementation of the proposed primary school would be subject to EDB’s programme and resource availability.

161. In response to a Member’s question, Ms Chin said that NDC had been consulted on the subject zoning amendments in FSS Area 48.

162. As the representers/commenters or their representatives had finished their presentations and Members had no further question to raise, the Chairman said that the hearing procedures for Group 2 had been completed. The Board would deliberate on the representations in the absence of all representers/commenters and their representatives and would inform them of the Board’s decision in due course. The Chairman thanked them and PlanD’s representatives for attending the hearing. They all left the meeting at this point.

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

Deliberation Session

163. The Secretary said that Mr Lincoln L.H. Huang had declared an interest in the item as his firm had current business dealings with BMW Concessionaires (HK) Limited which was related to R4. Members noted that Mr Huang had left the meeting during the Q&A session of the item and had not participated in discussion during the Q&A session.

164. Mr Franklin Yu declared an interest in the item at this point as he had past business dealings with Meinherdt Consulting Engineering Limited, one of the consultants of R4, but he was not involved in the case. Members considered that the interest of Mr Yu was remote and agreed that he should be allowed to stay at the meeting.

R3

165. The Chairman noted that R3 supported the proposed housing development on the site under Amendment Item A in general, but considered that the development intensity of the site should be increased to allow the development of one private housing block on the part of the site owned by R3.

166. As background information for Members' reference, Mr C.W. Tse, Deputy Director of Environmental Protection (1), said that all sewage treatment capacities of SWHSTW had already been committed for various planned development projects in the North District and there was no remaining capacity for the proposed private housing development.

167. Members generally had the following views on R3's alternative development scheme involving private housing:

- (a) while the domestic PR of the other housing sites in Fanling/Sheung Shui New Town was 5 in general, the net domestic PR of the subject site had already been increased from 5 to 6. The further intensification of the development on the site would be constrained by infrastructure capacities;
- (b) HD had conducted technical feasibility studies to ascertain that the development intensity of the proposed public housing scheme could be supported by the planned infrastructure and was appropriate;
- (c) even if there was some remaining capacity left, there was no reason why such capacity should be reserved for R3's proposed private housing development;
- (d) the argument of R3's representative that if the site was considered suitable for their proposed private housing development, the Government should provide the required infrastructural services could not be agreed with. If such argument stood, there would never be any infrastructural constraints on any proposed private developments; and
- (e) comparing with HD's scheme at a net domestic PR of 6, the layout of R3's alternative development scheme at a net domestic PR of 7.2 appeared to be more congested and leading to an inferior living environment.

168. A Member considered that it was more appropriate for HD to develop the site solely for public housing but HD should examine if there was scope to further increase the

development intensity of the site, taking into account the infrastructural constraints, in order to supply more public housing flats to the community. In response, the Chairman said that HD would optimise the development potential of a site allocated to it in order to increase the housing supply.

169. Noting that a maximum PR of 8 was permissible in new towns under the HKPSG, a Member asked if it was possible to increase the domestic PR of the site from 6 to 8. Another Member said that reference could be made to the Tseung Kwan O New Town, which was planned for a maximum domestic PR of 8 while in other new towns, such as Tin Shui Wai, the domestic PR was usually around 5. The Member considered that a domestic PR of 5 for new towns was appropriate in terms of achieving a better living environment. Otherwise, it would result in a more congested environment with high-rise buildings in order to achieve a higher PR. The Vice-chairman remarked that if there was scope to further increase the development intensity of the site at a later stage, there was provision for minor relaxation of the PR/GRA restriction on the OZP.

170. The Chairman noted that Members generally did not consider that there was a need to amend the OZP to meet the proposals of R3 for facilitating their proposed private housing development.

R4

171. The Chairman noted that R4 opposed Amendment Item B2 for rezoning its site from “T” to “G/IC”, and proposed to rezone its site from “G/IC” to “OU(ADC)” to facilitate its proposed ADC development.

172. Noting that some Members had asked about the timing of R4’s purchase of a piece of land within the site, the Chairman pointed out that the main focus of the Board would be on the relevant planning considerations, and that the Board would not be in a position to comment on the commercial wisdom underscoring individual transactions. Insofar as the impact of the Board’s decision was concerned, broadly speaking, existing land use would be able to carry on until redevelopment, whereas new land use would have to comply with any new planning/zoning regime determined by the Board. If land resumption for public purposes was to be required, the relevant land owner would be compensated in

accordance with the prevailing land resumption regime which was outside the purview of the Board.

173. Members had the following views on R4's proposal to rezone the site under Amendment Item B2 from "G/IC" to "OU(ADC)":

- (a) the site was located within a planned residential neighbourhood comprising a proposed public housing development and existing village houses and was considered suitable for primary school use in terms of the overall planning of the area;
- (b) EDB had indicated the need for provision of a primary school at the site to serve the district. The site provided an opportunity to re-provision the sub-standard schools in the district;
- (c) the "G/IC" zoning of the site was appropriate and more compatible with the adjacent planned residential use than the proposed "OU" zone for the ADC which involved some workshop activities in its operation; and
- (d) there would be other sites within "I" or business zone for R4 to set up the proposed ADC which would have synergy effect with other similar uses in those areas.

174. A Member added that while the "G/IC" site was considered suitable for primary school use as it was in close proximity to a residential area, if the site was eventually not used for the proposed primary school, there might be scope for it to be used for the proposed ADC.

R5

175. The Chairman noted that R5 opposed Amendment Item B2 on the ground that there was a lack of industrial land in Hong Kong and proposed to retain the original "I" rezoning. Members generally agreed that the current "G/IC" zoning for the site was more appropriate and compatible with the adjoining "R(A)3" zone than "I" zoning, and there was no need to amend the OZP to meet the proposal of R5.

R6

176. The Chairman noted that R6 opposed Amendment Items A and B1 but did not provide specific grounds of objection. While R6 was concerned about the trees to be affected by the zoning amendments, the relevant departments had responded that there was no record of rare species and important trees within the amendment sites and the trees would be preserved as far as possible. Members agreed that there was no need to amend the OZP to meet R6 and the responses to R6 as set out in paragraph 6.3.24 of TPB Paper No. 10170 were adequate.

R7

177. The Chairman noted that R7 (i.e. Towngas) provided views on Amendment Items A, B1 and B2 from gas safety aspect, and the relevant departments had responded that there was no insurmountable risk problem of the sites for the public housing and school developments and the project proponents would liaise with R7 on any possible interface at implementation stage. Members agreed that there was no need to amend the OZP to meet R7 and the responses to R7 as set out in paragraph 6.3.25 of TPB Paper No. 10170 were adequate.

R8 and R9

178. The Chairman noted that R8 and R9 were concerned about compensation and rehousing matters which were not related to the amendment items. Members agreed that R8 and R9 were not related to the amendment items and that there was no need to amend the OZP to meet R8 and R9.

179. Members also agreed that the grounds and proposals of the representations and comments had adequately been responded to in paragraphs 6.3 and 6.4 of TPB Paper No. 10170.

180. After deliberation, the Board noted the supportive view of Representation No. R3(part).

181. The Board also decided not to uphold Representations No. R4 to R9 and the remaining part of Representation No. R3, and considered that the Plan should not be amended to meet the representations. The reasons were:

“For R3

- (a) the proposed development intensity for the public housing development which has been taken into account the relevant development constraints and planning considerations is considered appropriate. Technical assessments have been conducted and confirmed no insurmountable adverse impacts of the proposed development;
- (b) the further intensification of the development on the site would be constrained by infrastructure capacities;
- (c) the proposed overall layout of the housing development in R3’s proposal is more congested and would result in an inferior living environment;
- (d) the public/private split of 60:40 ratio is applied to that of the existing Fanling/Sheung Shui New Town as a whole but it is not necessary that the 60:40 split must be distributed within any individual development;

For R4

- (e) the 2009 and 2014 Area Assessments have recommended the rezoning of the “Industrial” (“I”) zone at Fanling Area 48 for comprehensive residential development. Two primary schools are required to support the public housing development and meet the demand of the district;
- (f) the “Government, Institutional or Community” (“G/IC”) site is intended to provide a primary school to meet the demand of district. The school use is compatible to the surrounding existing/planned residential development;

- (g) the statutory and administrative procedures in consulting the public on the proposed zoning amendments have been duly followed. The exhibition of the Outline Zoning Plan for public inspection and the provision for submission of representations/comments form part of the statutory consultation process under the Town Planning Ordinance;

For R5

- (h) the 2009 and 2014 Area Assessments have recommended the rezoning of the “I” zone at Fanling Area 48 for comprehensive residential development. The 2014 Area Assessments have also recommended short to long-term measures to help augment potential industrial land supply. Economic land requirements and spatial development strategy for industrial uses will be reviewed in the Hong Kong 2030+ Study;
- (i) the “G/IC” zoning for the site is more appropriate and compatible with the adjoining “Residential (Group A)3” zone than “I” zoning;

For R6

- (j) there is no record of rare species and important trees within the site. While the area would be reserved for slope protection/retaining structure, the trees would be preserved as far as possible;

For R7

- (k) there is no insurmountable risk problem of the site for the public housing and school developments. A Quantitative Risk Assessment has been conducted by the Housing Department and sufficient building buffer distance has been reserved in the public housing scheme. Besides, the project proponent will conduct relevant technical assessments for the future school development and the relevant departments will be consulted accordingly. The project proponents are advised to liaise with R7 on any possible interface at implementation stage; and

For R8 and R9

- (1) the concerned area falls outside the Kwu Tung North and Fanling North New Development Areas. For affected residents, the Government will offer compensation, Ex-gratia Allowances and/or rehousing arrangements to the eligible affected parties in accordance with the existing policies.”

[Mr Lincoln L.H. Huang and Mr Jeff Y.T. Lam returned to join the meeting, and Mr Wilson Y.W. Fung, Miss Winnie W.M. Ng and Ms Sandy H.Y. Wong left the meeting at this point.]

Sha Tin, Tai Po and North District

Agenda Item 10

[Open Meeting]

Draft Tai Po Kau Outline Zoning Plan No. S/NE-TPK/B
– Preliminary Consideration of a New Plan
(TPB Paper No. 10173)

[The item was conducted in Cantonese.]

182. The following representatives from the Planning Department (PlanD) were invited to the meeting at this point:

- | | |
|-------------------|--|
| Mr C.K. Soh | - District Planning Officer/Sha Tin, Tai Po and North (DPO/STN), PlanD |
| Ms Channy C. Yang | - Senior Town Planner/Country Park Enclaves (STP/CPE), PlanD |

183. The Chairman extended a welcome and invited DPO/STN to brief Members on the Paper. With the aid of a PowerPoint presentation, Mr C.K. Soh, DPO/STN, briefed Members on the draft Tai Po Kau Outline Zoning Plan (OZP) No. S/NE-TPK/B as detailed in the Paper and covered the following main points:

Background

- (a) on 21.3.2014, the draft Tai Po Kau Development Permission Area (DPA) Plan No. DPA/NE-TPK/1 (the DPA Plan) was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). On 24.2.2015, the draft DPA Plan was approved by the Chief Executive in Council after completion of the plan-making process;
- (b) pursuant to section 20(5) of the Ordinance, the DPA Plan was effective for a period of three years until 21.3.2017. An OZP had to be prepared to replace the DPA Plan in order to maintain statutory planning control over the Tai Po Kau area (the Area) upon expiry of the DPA Plan;
- (c) on 13.6.2016, the Secretary for Development, under the power delegated by the Chief Executive, directed the Town Planning Board (the Board), under section 3(1)(a) of the Ordinance, to prepare an OZP to cover the Area;

Planning Context

- (d) the Area, which comprised two Country Park Enclaves, namely a site near Ngau Wu Tok (about 6.28 ha) and another site near Tai Po Mei (about 5.47 ha), covered a total land area of about 11.75 ha. It was encircled by the Tai Po Kau Nature Reserve (TPKNR) nestled between Sha Tin and Tai Po;
- (e) the site near Ngau Wu Tok comprised well wooded hill slopes located at the southern fringe of the TPKNR and was within the upper indirect water gathering ground (WGG). There was a natural stream running from northwest to southeast through the site. It could be reached by the Tai Po Kau Forest Track which was a restricted vehicular access connecting to Tsung Tsai Yuen along Tai Po Road;
- (f) the site near Tai Po Mei was situated at the eastern fringe of the TPKNR. It was made up of two portions of land mainly comprising well wooded

hill slopes contiguous with the surrounding TPKNR. Several natural streams flow through the major portion of the site largely from west to east. Among the woodland, a number of scattering temporary structures/squatters and parcels of active agricultural land could be found. The site could only be reached by a steep footpath branching off Tai Po Road;

- (g) there were no recognised village and village ‘environs’ (‘VE’) in the Area. Some of the existing temporary structures/squatters were covered by Government Land Licenses restricted to cultivation and temporary structures only. The total population of the Area was estimated to be about 10 persons. 73% of the Area was government land and 27% was private land;
- (h) the TPKNR, covering a total land area of about 460 ha, was designated as a Special Area in 1977 primarily for conserving the native natural habitats therein, where a long-established forest by plantations with more than 100 different species of trees supporting diverse fauna and flora were found. Completely surrounded by the TPKNR, the Area was largely natural in character comprising mainly woodlands and natural streams, with a number of temporary structures/squatters and parcels of active agricultural land scattering amidst the woodlands near Tai Po Mei. The Area had high ecological and landscape value and formed an integral part of the wider natural environment of the Special Area;

Development Proposals Received in the Course of Preparation of the OZP

- (i) since the gazettal of the DPA Plan on 21.3.2014, no planning application in the Area had been received by the Board;
- (j) in the course of preparing the OZP, some views/proposals were received from Kadoorie Farm and Botanic Garden Corporation and an individual in March 2016. They considered that the whole Area should be protected by “Conservation Area” (“CA”) zone. The individual also considered

that 'Agricultural Use' should be put under Column 2 in the Notes of the OZP requiring planning permission from the Board; 'plant nursery' as a permitted use should be excluded from the covering Notes; and government land in the Area should be incorporated into the TPKNR or Country Park;

Land Use Planning Considerations

- (k) in consultation with the Agriculture, Fisheries and Conservation Department (AFCD), it was proposed to designate the whole Area as "CA" zone to reflect the ecological importance of the natural habitats including the mature woodlands and natural streams;
- (l) although there were some temporary structures/squatters and parcels of active agricultural land scattering amidst the woodlands near Tai Po Mei, they were small in scale and did not undermine the overall conservation and landscape value of the Area;
- (m) given that there was no recognised village in the Area, no "V" zone was proposed;

General Planning Intention

- (n) the general planning intention of the Area was to protect its high conservation and landscape value which complemented the overall naturalness and the landscape beauty of the surrounding Special Area;

Land Use Zoning – "CA" (about 11.75 ha)

- (o) the "CA" zoning for the Area was intended to protect and retain the existing natural landscape, ecological or topographical features of the Area for conservation, educational and research purposes and to separate sensitive natural environment such as Country Park from the adverse effects of development. There was a general presumption against

development in the zone;

- (p) the “CA” zone formed an integral part of the wider natural environment of the Special Area. The woodlands were mature and ecologically linked with the surrounding TPKNR. Protected plant species including *Cibotium barometz*, *Pavetta hongkongensis*, *Aquilaria sinensis* and *Ailanthus fordii* could be found in the woodlands. There was a natural stream running across the site near Ngau Wu Tok, where the Hong Kong Paradise Fish (*Macropodus hongkongensis*), a freshwater fish of conservation concern and the Hong Kong Newt (*Paramesotriton hongkongensis*), a protected animal species, were recorded. Several natural streams flew through the major portion of the site near Tai Po Mei with no sign of pollution;

Consultation

- (q) prior to the preparation of the draft OZP, the major stakeholders had been approached for their views/proposals. The draft OZP together with its Notes and Explanatory Statement (ES) as well as the Planning Report had been circulated to the relevant government bureaux and departments for comments. Comments received had been incorporated into the draft OZP, its Notes and ES as well as the Planning Report as appropriate;
- (r) subject to the agreement of the Board, the draft OZP No. S/NE-TPK/B would be submitted to the Sha Tin District Council (STDC), Tai Po District Council (TPDC), Sha Tin Rural Committee (STRC) and Tai Po Rural Committee (TPRC) for consultation. Their comments would be submitted to the Board for further consideration in due course; and

Decision Sought

- (s) Members were invited to agree that the draft Tai Po Kau OZP No. S/NE-TPK/B together with its Notes and ES was suitable for consultation with STDC, TPDC, STRC and TPRC.

184. As the presentation of DPO/STN had been completed, the Chairman invited questions and comments from Members.

185. A Member asked whether consideration had been given to incorporating the Area into the TPKNR or Country Park and what the procedures would be. In response, Mr C.K. Soh, DPO/STN, said that pursuant to the Country Parks Ordinance, only government land could be designated as Special Area. As the Area covering the two sites near Ngau Wu Tok and Tai Po Mei comprised private land, it was not included in the TPKNR which was designated as a Special Area in 1977. The Special Area also fell outside Country Park boundaries. With a view to putting the Area, which was a Country Park Enclave, under statutory planning control and safeguarding its natural environment against any possible unauthorised development, the DPA Plan for the Area was prepared and was to be replaced by the subject OZP.

186. In response to a Member's question on how the population of about 10 persons in the Area was estimated, Mr Soh said that the population of the Area was estimated taking into account the information from the 2011 Population Census and the number of residential structures in the Area.

187. In response to the Chairman's enquiry, Mr Soh said that the finalised draft OZP was scheduled for submission to the Board for further consideration in the first quarter of 2017 after consultation with the relevant District Councils and Rural Committees.

188. After deliberation, the Board agreed that:

- (a) the draft Tai Po Kau OZP No. S/NE-TPK/B (Appendix I of the Paper) together with its Notes (Appendix II of the Paper) was suitable for consultation with STDC, TPDC, STRC and TPRC;
- (b) the ES (Appendix III of the Paper) was suitable to serve as an expression of the planning intentions and objectives of the Board for the land use zoning of the draft Tai Po Kau OZP No. S/NE-TPK/B and the ES should be issued under the name of the Board; and

- (c) the ES (Appendix III of the Paper) was suitable for consultation with STDC, TPDC, STRC and TPRC together with the draft OZP.

Agenda Item 12

[Open Meeting]

Any Other Business

[The item was conducted in Cantonese.]

189. There being no other business, the meeting was closed at 7:20 p.m.

Appendix A
of Minutes of 1121st TPB Meeting

List of commenters who had authorised Mr Lau Ka Fai Joseph (C152)
to attend Agenda Item 9 of the meeting on their behalf

	Draft OZP No. S/FSS/21	Name of Commenter
1.	C58	Leung Kai Ming
2.	C59	Wong Chung Wah
3.	C60	Cheung Chun Hung Alex
4.	C62	Lau Wai Keung Danton
5.	C64	Luk Buck Chung Kevin
6.	C65	Kwong Chung Lok Rex
7.	C66	Lam Pik Lam Betty
8.	C69	Tang I Hang Evan
9.	C71	Wong Chun Bill
10.	C73	Un Yun Hung
11.	C74	Lo Wai Lun
12.	C75	Lai Hok Sum
13.	C76	Tsang Hin Kei
14.	C77	Tang lai Sun
15.	C78	Tam Wai Hung
16.	C79	Chan Ka Ming
17.	C80	Leung Yuk Hei
18.	C81	Chan Ka Long
19.	C82	Cheong Yun Keung
20.	C83	Yim Kin Wah
21.	C84	Ho Chung Wa
22.	C87	Lam Ka Chun Peter
23.	C88	Lo Nga Man
24.	C90	Kam Chi Man
25.	C91	Chan Fu Wing
26.	C92	Wong Chun Wa
27.	C105	So Ming Yau
28.	C106	Ng Man Shan
29.	C107	Foo Cheuk Man Gloria
30.	C108	Hui Kwan Ting

	Draft OZP No. S/FSS/21	Name of Commenter
31.	C109	Tse Hiu Han
32.	C112	Chiu Siu Pik Dibble
33.	C113	Kan May
34.	C115	Lai Kim Chang
35.	C116	Hong Hiu Lee
36.	C117	Li Ho Ming
37.	C118	Leung Chiu Nam Barry
38.	C120	Mak Ka Yau Jamie
39.	C121	Lam Pui Wah
40.	C122	Cheng Suk King
41.	C123	Chan Pui Kwan
42.	C124	Wong Wai Tin
43.	C126	Tam Wai Fai Jacky
44.	C128	Chui Choi Ping
45.	C129	Chan Man Wai
46.	C130	Ip Tai Wai
47.	C131	Ching Yee Ling
48.	C132	Lam Lap Hung
49.	C133	Lam Chi Ming
50.	C135	Cheng Chun Hung
51.	C136	Lam Heung Yan Vivian
52.	C137	Chan Cheuk Nang
53.	C140	Chan Pui Hau Elsie
54.	C141	Lee Yan Yan Anka
55.	C142	Ng Hiu Kwan
56.	C143	Yeung Ho Yan
57.	C145	Chan Chui Shan
58.	C147	Leung Ming Hang
59.	C148	Katherine Ng
60.	C149	Ng Siu Hin
61.	C150	Hau Ka Hau
62.	C151	Kwok Lok Yee

	Draft OZP No. S/FSS/21	Name of Commenter
63.	C181	Wong Tin Po Janice
64.	C186	Yeung Chun Yin Jackson
65.	C187	Wong Hing Cheung
66.	C188	Mui Sin Yuk Anita
67.	C189	Pau Siu Lun
68.	C193	Lee Chi Ho
69.	C194	Leung Ting Wai
70.	C195	Chong Kam Ho
71.	C197	Wong Wing Yi Kammy