

1. The meeting was resumed at 9:15 a.m. on 26.10.2016.
2. The following Members and the Secretary were present at the resumed meeting:

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

Chairman

Professor S.C. Wong

Vice-Chairman

Mr Lincoln L.H. Huang

Mr Ivan C.S. Fu

Mr Sunny L.K. Ho

Mr Dominic K.K. Lam

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Wilson Y.W. Fung

Mr Alex T.H. Lai

Professor T.S. Liu

Ms Sandy H.Y. Wong

Mr Franklin Yu

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

Principal Environmental Protection Officer (Regional Assessment)  
Environmental Protection Department  
Mr Louis P.L. Chan

Assistant Director/Regional 3, Lands Department  
Mr Edwin W.K. Chan

**Agenda Item 1 (Continued)**

[Open Meeting (Presentation and Question Sessions only)]

**Presentation and Question Sessions (Continued)**

3. The Chairman said that the meeting was a continuation of the hearing of the representations and comments in respect of the draft Tsing Yi Outline Zoning Plan (Tsing Yi OZP) No. S/TY/27 commenced on 25.10.2016.

4. The Secretary said that Members' declaration of interests as shown on the PowerPoint were reported on the first hearing session on 25.10.2016 (Paragraphs 4 and 5 of the minutes of 25.10.2016). No further declaration of interests had been received from Members since then.

5. The following government's representatives, further representers, representers, commenters and their representatives were invited to the meeting at this point:

**Government representatives**

*Planning Department (PlanD)*

- Mr Lawrence Y.C. Chau - District Planning Officer/Tsuen Wan & West Kowloon (DPO/TWK)
- Miss Annie H.Y. Wong - Town Planner/Kwai Tsing 1(TP/KT1)

*Housing Department (HD)*

- Ms Emily W.M. IP - Planning Officer
- Ms May S. S. Yeung - Architect (A)
- Mr Chow Kwok Sang - Civil Engineer (CE)

*Transport Department (TD)*

- Mr Patrick K.H. Ho - Senior Engineer/Kwai Tsing (SE/KT)

**Further Representers, Representers, Commenters and their Representatives**

R270 – 謝和軒

R274 – Leung Yiu Cho Joe

R281 – Chan Lai Lai

R286 – 范佩敏

R287 – 何兆堅

R291 – To Yee Lok Enoch

R293 – Chan Mei Kuk

R302 – Kan Hon Bun

R306 – Wong Yuen Ming

R589/ C342 – Chau Man Hon

C263 – 周祐賢

Mr Chau Man Hon

- Representer, Commenter and representative of Further Representer, Representatives and Commenter

F47 – Kwok Kam Cheong

F1352 – 曾德君

F1742 – 黃俊軒

F1838 – 呂永國

F2027 – 梁美嫦

F2104 – Ip Kwun Mo

F2154 – 黃順清

F2160 – 何靜儀

R432 – Tse Pui Ling

R913 – 雷美心

R926 – Sung Ka On

R948 – 曹嘉莉

Mr Wong Chun Hin

- Further Representer and representative of Further Representatives and Representatives

F67 – 余明全

F1182 – Lam Siu Wah

F1236 – 龍月笑

F1243 – Chan Shek On

F1244 – Chan Wing Ka

F1374 – Chung Ping Wai

F1378 – Poon Yan Yin Janice

F1388 – 梁芷瑩

F1581 – Ho Chun Man

Mr Chan Sze Ming - Further Representers' representative

F72 – 丘練昌

F1647 – 莊志強

F1752 – 崔燕玲

F1205 – 梁健望

F1670 – 吳小雲

F1684 – Yim Wai Chong

F1737 – Kao Tat Man

F1936 – Chong Wai Fan Joline

F2092 – 曾泰源

F2133 – 鄧裕源

F2147 – 鄧侃堯

R307 – 鍾慧芳

R315 – Liu Siu Hung Terence

R316 – Chan Wing Yan

R326 – Lau Yin Ming Candy

Ms Chong Wai Fan Joline - Further Representer and representative of  
Further Representers and Representers

F83 – Chan Wai Kuen

F84 – Kong Yiu Wing

F92 – Leung Kai Tung

F93 – Chan Kai Ho

F97 – Chan Pui Fai

R209/ C207 – 吳偉慈

R269/ C204 – 梁繼宗

R317/ C203 – Kwong Yuen Ching Cora

R444/ C206 – 梁繼耀

R548/ C205 – 鄺耀榮

R627/ C210 – 白錦雲

R695 / C211 – 梁婉儀

C209 – 陳偉權

Ms Kwong Yuen Ching Cora - Representer, Commenter and representative of Further Representers, Representers and Commenter (Attend only)

F194 – Yeung Sui Kiu

F197 – Leung Ma Lee

F198 – 黃少梅

F199 – 梁迪

F200 – 梁德

F202 – 鄧雨喬

F203 – 鄧晴熙

F204 – 黃潔

R414/ C213 – 黃裕美

Ms Wong Yu Mei - Representer, Commenter and Further Representers' representative

6. The Chairman extended a welcome and explained the procedure of the hearing. He said that the representatives of PlanD would first brief Members on the background, and the further representers/representers/commenters or their representatives would be invited to make oral submissions. He said that to ensure the efficient operation of the meeting, each further representer/representer/commenters or their representatives would be allotted 10 minutes for their oral submission. The further representers/representers/commenters had been informed about the arrangement before the meeting. There was a timer device to alert the further representers/representers/commenters or their representatives two minutes before the allotted time was to expire and when the allotted time limit was up. After the oral submission, there would be a Question and Answer (Q&A) session in which Members could direct their questions to government representatives or further representers/representers/

commenters or their representatives. After the Q&A session, the meeting on the day would be adjourned. After hearing all the oral submissions from the further representers/representers/commenters or their representatives who attended the meeting, the Board would deliberate on the further representations in closed meeting, and inform the further representers/representers/commenters of the Board's decision in due course.

7. The Chairman then invited the representative of PlanD to brief Members on the further representations.

8. With the aid of a PowerPoint presentation, Mr Lawrence Y.C. Chau, DPO/TWK, repeated the presentations which were made in the morning session of the meeting on 25.10.2016 as recorded in paragraph 11 of the minutes of 25.10.2016.

[Mr Franklin Yu arrived to join this session of the meeting at this point.]

F39 – Chau Yau Yin

R270 – 謝和軒

R274 – Leung Yiu Cho Joe

R281 – Chan Lai Lai

R286 – 范佩敏

R287 – 何兆堅

R291 – To Yee Lok Enoch

R293 – Chan Mei Kuk

R302 – Kan Hon Bun

R306 – Wong Yuen Ming

R589/ C342 – Chau Man Hon

C263 – 周祐賢

9. With the aid of the visualizer, Mr Chau Man Hon made the following main points:

- (a) he requested to have a verbatim record of his oral submission;
- (b) proposed Amendment Item A to rezone the northern portion of the “Residential (Group A)4” (“R(A)4”) zone to “Open Space” (“O”) zone on

the draft Tsing Yi OZP No. S/TY/27 was welcome. However, the remaining “R(A)4” zone for the proposed Public Rental Housing (PRH) development should also be rezoned to “O” so as to maintain its original function of being a buffer zone for Mayfair Gardens and Cheung Ching Estate arising from the construction of Container Terminal No. 9 (CT9). Residential development within the buffer zone should be avoided;

- (c) the Board played an important role in the town planning of Hong Kong, and should ensure that the land in Hong Kong was efficiently used and people could have a comfortable place to live and work in. However, under the current term, the Government blindly grasped sites for housing use and injected PRH block in dense built-up areas, irrespective of the suitability of the sites, so as to boost the public housing land supply. The Board should perform its gate-keeper role to ensure the shortage problem of PRH supply could be resolved in the long term, instead of using an ad hoc approach;
- (d) the site at Tsing Hung Road was not suitable for people to live in, but the Government planned to build several PRH blocks there. The site was once committed to be a buffer for Cheung Ching Estate/Mayfair Gardens against the glare, noise, air and other impacts of CT9. He hoped that the Board could understand the facts of the case after hearing the residents’ views and would not be misled by the Government, as well as to respect the previous commitment of the Legislative Council (LegCo), and to act fairly for the residents;
- (e) when CT9 development was proposed, it had received strong objections from various stakeholders including LegCo members. To make the CT9 development acceptable, and as a compensation to the residents, the site was recommended to be an environmental buffer between Mayfair Gardens/Cheung Ching Estate and the industrial uses of CT9. The CT9 study also stated that Tsing Yi south was in lack of open space and the open space use at the original representation site could meet the local need. Over the years, the Government developed the Tsing Yi South area as recommended in the CT9 study and the industrial land was developed into

logistic centres, and the original representation site was zoned as “O”. The Board should not hastily rezone the site to residential use at the moment;

- (f) the paper submitted to the Metro Planning Committee (MPC) of the Board in 1991 in relation to, among others, the proposed rezoning of the original representation site to “O” stated that the open space was to provide active and passive recreational facilities for Tsing Yi residents as well as to serve as a buffer area between Mayfair Gardens/Cheung Ching Estate and CT9 development. The residents of Cheung Ching Estate and Mayfair Gardens did not object to CT9 development on the basis that the open space would be provided as buffer. Over the past 20 years, the buffer had effectively filtered the glare and noise pollution in the area. The Government should not change its original plan to use the open space at the site for residential use;
- (g) in the LegCo meeting on 20.11.1991, the then Secretary for Planning, Environment and Lands, as quoted from the minutes, said that ‘this land -- the land where the oil terminals are now sited --- will be developed with industrial buildings of varying heights so as to provide a buffer between the two residential estates and the container terminals and their traffic.’ With reference to the aerial photo taken in 1991 in the visualizer, there was a large buffer zone, including the original representation site, between the then oil depot and Mayfair Gardens/Cheung Ching Estate;
- (h) paragraph 3.3.2 in Chapter 9 of the Hong Kong Planning Standards and Guidelines (HKPSG) stated that ‘Acceptable uses in the buffer area include godowns, cold storages, carparks, amenity areas and open spaces. There are some constraints for active open space uses. Other less sensitive uses such as commercial and government/institutional facilities can also be considered. However, these uses should be comparatively low-rise, air-conditioned and the distance between buildings and the industrial sites should exceed 30m’;



- (i) according to Appendix 2.1 Definition of Environmental Terms in Chapter 9 of HKPSG, sensitive uses meant 'land uses which ... are susceptible to the influence of residuals or physical changes generated by polluting uses. Examples included residential areas.... Buffer area is an area of land separating incompatible land uses, being of sufficient extent to minimise the potential conflict between them. These areas might contain non-sensitive structures or uses';
- (j) all the above indicated that residential use was not an acceptable use in the buffer zone. He asked why the Government proposed residential development in the buffer zone and whether HKPSG needed to be followed in the land use planning of Hong Kong;
- (k) the Government's proposal of building high-density residential development in the buffer zone of the world's busiest container terminal would be an international joke. He requested the Board to exercise their professional judgement and conscience and not to place PRH residents in an undesirable environment, subject to glare, noise and air pollution, just to meet the current term Government's housing target;
- (l) at the hearing session for the Tsing Yi OZP No. S/TY/27 held on 21 and 26 April 2016, Members asked about the glare and noise impacts on the proposed PRH development. The government representative responded that the distance between Mayfair Gardens/Cheung Ching Estate and the CT9 remained unchanged and therefore the original representation site could still serve as a buffer area for the nearby residential developments. However, the buffer zone would be developed into PRH blocks instead of open space. No specific glare impact mitigation measures would be provided in the PRH development, and the residents needed to use their own means to resolve the glare impact. He asked whether it meant that the proposed PRH blocks were to be used as a glare shield and noise barrier for others;
- (m) according to medical research, glare pollution had four health impacts on human which included (i) sleep deprivation - it might lead to neurasthenia;

- (ii) increasing the cancer risk - exposure to strong nocturnal light would suppress the secretion of melatonin (a chemical suppressing cancer development); (iii) increasing the rate of getting short-sight in children from 10% to 30%; and (iv) emotional problem – it was the consequence of upsetting the biological clock of infants under strong light;
- (n) according to the government representatives, the lease of CT9 required the provision of landscaping in the original representation site. The proposed tree felling at the site for PRH development would then violate the lease requirement. At the Board's meeting on 26.4.2016, in response to a Member's question on why the site, which was an environmental buffer, was rezoned to residential use, the government representatives said that it was due to the strong housing demand in the community. Even so, the Government should not ignore the adverse impacts, HKPSG requirements and its previous commitment to the local residents. A lot of land in Hong Kong could be used for housing development, but was not pursued due to the land resumption problem, long development time and local objections. The Government therefore chose the sites where the local residents had no time, money, power and social status to fight against the proposed developments; and
- (o) in sum, according to the CT9 study, Tsing Yi South was in lack of public open space (POS). The open space planned at the original representation site was an environmental buffer for the nearby residential developments against the impact of CT9 as promised by the Government. The Government should follow HKPSG in the land use planning of Hong Kong. The whole original representation site, instead of only the northern portion, should be reverted to "O" zone. Lastly, the Board should perform its gatekeeper role to uphold the good planning of Hong Kong and make decision for the benefits of the powerless residents like them as well as to set good examples.

F47 – Kwok Kam Cheong

F1352 – 曾德君

F1742 – 黃俊軒

F1838 – 呂永國

F2027 – 梁美嫦

F2104 – Ip Kwun Mo

F2154 – 黃順清

F2160 – 何靜儀

R432 – Tse Pui Ling

R913 – 雷美心

R926 – Sung Ka On

R948 – 曹嘉莉

10. With the aid of a PowerPoint presentation and video clip, Mr Wong Chun Hin made the following main points:

- (a) he was a member of the Owners' Corporation (OC) of Mayfair Gardens. He recognized that Hong Kong was in lack of housing land supply, but considered that the Government should develop PRH at suitable site to meet the need, and should not rezone inappropriate site for PRH or other residential uses. Otherwise, residents were moved from a poor environment (such as subdivided flats) to another poor environment (with noise and glare pollution) which would have long-term adverse impacts on their health. The Tsing Hung Road site would not provide a comfortable home they wished for. Inappropriate rezoning would lead to a lot of complaints from the future PRH residents which would incur substantial Government's resource to handle the complaints;
- (b) proposed Amendment Item A to rezone the northern portion of the "R(A)4" zone to "O" zone on the draft Tsing Yi OZP No. S/TY/27 was welcome. However, the remaining "R(A)4" zone for the proposed PRH development should also be rezoned to "O" so as to maintain its original function of being a buffer zone for Mayfair

Gardens and Cheung Ching Estate arising from the construction of CT9;

*Noise Impact*

- (c) the site was close to CT9 and the 24-hour operating logistic centre. It would be subject to long-term noise impact. As recorded in a paper submitted to the Panel on Economic Services of LegCo in 1996, in planning the CT9 development, the Government would provide acoustic windows and air-conditioners for the flats of Cheung Ching Estate to abate such noise impact. The site, being closer to CT9 than Cheung Ching Estate, was subject to higher noise impact. Such noise impact issue had been discussed several times in the District Council (DC) and he would not further elaborate the concern at the current hearing;
- (d) the proposed use of acoustic windows/balcony at the PRH development could not resolve the problem as the residents could not open the windows due to the noise nuisance;

*Glare Impact*

- (e) he showed a photograph taken from his flat at 1 am to demonstrate the light impact of CT9 at night time. Regarding the glare impact, the Government's response in the Paper said that 'At present, there is no standard or guideline under HKPSG in respect of glare. At the detailed design stage, HD will try to minimize the possible glare impact from Container Terminal 9 through building disposition and design as far as practical.' Such response was irresponsible. There were already discussions about imposing legislation to regulate the glare impact, and it should not preclude such legislation would come into effect in the future. If so, it would then be impossible for either CT9 or the future PRH residents to relocate elsewhere. Also, the absence of standards/guidelines did not mean that the problem was resolved. It was well known that glare impact had adverse

physiological and psychological effect on human health. No residents would like to live in an environment subject to strong lights every night;

- (f) a discussion paper submitted to the Panel on Environmental Affairs Subcommittee of LegCo regarding the impact of air, noise and light pollution on public health (LegCo paper No. CB(1)381/12-13(01)) stated that (i) possible health effects of light pollution, if any, might include glare, nuisance and sleep problems; and (ii) exposure to excessive light at night may disturb people's rest and sleep and might cause annoyance or nuisance in some individuals. Some individuals who were affected by excessive light for a prolonged period of time might also feel distressed;
- (g) the paper submitted by the Department of Community Medicine, School of Public Health of the University of Hong Kong (LegCo paper No. CB(1)406/12-13(01)) stated that 'light pollution disrupts our body clocks. We should be aware .... clearly regard nocturnal lighting in the built environment as a public health issue. Many studies show that the resetting of body clocks and the use of intense blue-white light as opposed to yellow light (from low pressure sodium lamps) may be associated with changes in the function of the brain, heart and endocrine (hormone) glands - and with sleep deprivation, depression, heart disease, and cancer in occupational groups working night shifts. ....Disruption of body clocks (the "circadian clock") affects the normal physiology of all species. In humans it can affect 10% to 15% of our genes so there is considerable potential for this to cause adverse health effects';

#### *Traffic Problem*

- (h) he showed a video clip recorded by a passenger on a minibus to demonstrate the road traffic condition on his ride. The video clip was recorded on a typical day at around 8:30 am without traffic accidents. It illustrated the traffic congestion from Tsing Yi Road to

Tsing Kwai Interchange heading towards Tsing Yi south bridge. That was the only access road for Rambler Crest/Cheung Ching Estate/Mayfair Gardens, and if it was blocked, no vehicle could get to the developments;

- (i) regarding traffic problem, the Government's response in the Paper stated that 'As the scale of the current proposed PRH development in the reduced site is now reduced, the traffic generated/attracted would then be reduced proportionally. The traffic impact imposed on the concerned road junctions in the vicinity of the site would be further reduced. The traffic impact induced by the proposed PRH development is acceptable from traffic engineering point of view';
  
- (j) the traffic impact assessment had not taken into account that (i) the long waiting time of the residents of Cheung Ching Estate, Rambler Crest and Mayfair Gardens for the bus and minibus due to insufficient public transport services; and (ii) the population from the new developments, including Ching Chun Court (about 465 units) and the residential development at Sai Shan Road (about 700 units). The PRH development bound to increase the ridership of public transport and private car, and hence traffic flow. Residents currently already had to wait for ½ hour or 3 to 4 minibuses for boarding during the morning peak, any increase in population would aggravate the problem. The traffic issue was conveyed to the Board by many DC members and he would not go into further details;

*The PRH development deviated the Land Use Principle*

- (k) in the meeting of LegCo's Panel on Planning and Lands meeting held on 4.7.2003, a LegCo member used Rambler Crest as an example to illustrate the planning mishaps due to problems in the planning process and the improvement need to be taken by the Board. The LegCo member, as quoted from the minutes, said that '..... the development in the buffer zone of Terminal No. 9, where service apartments were presently being sold as residential units.' The LegCo

member found the anomalies in that case – ‘The site concerned was originally not designated for development of residential units in consideration of the noise and light nuisances created by Terminal No. 9.....’;

- (l) at that LegCo’s Panel meeting, the then Permanent Secretary for Housing, Planning and Lands (Planning and Lands) clarified that ‘the land in question was originally designated for commercial development to act as a buffer against the container terminal. Use of the land was subsequently changed to development of hotel and service apartments. TPB recognized the problem concerning land use for the development of service apartment and had plugged the loophole two to three years ago. The case quoted happened before such action was taken. The Deputy Director (District), Planning Department supplemented that noting the problems associated with land designated for development of service apartments, the TPB had deleted “service apartments” from the categories of land use on statutory town plans’;
- (m) it illustrated that the Board then admitted that there was a problem of developing service apartment and action was taken after the incidents to plug the loophole. If the site at Tsing Hung Road was rezoned from “O” to “R(A)4”, it would also be a violation of the land use planning principle as in the Rambler Crest case; and
- (n) in sum, the site at Tsing Hung Road was not suitable for residential use due to the noise and glare issues. The rezoning of the site from “O” to “R(A)4” violated the land use planning principle. The forthcoming residential developments in the area had not been taken into account in assessing the traffic impact. The rezoning meant that people was moved from one poor environment to another poor environment which would not meet the community’s expectation. To increase the housing supply, the Government could review other possible development sites in Tsing Yi, expedite the redevelopment

of the old areas (e.g. Ngau Tau Kok Estate), or rezone the low-utilized industrial land.

F67 – 余明全

F1182 – Lam Siu Wah

F1236 – 龍月笑

F1243 – Chan Shek On

F1244 – Chan Wing Ka

F1374 – Chung Ping Wai

F1378 – Poon Yan Yin Janice

F1388 – 梁芷瑩

F1581 – Ho Chun Man

11. With the aid of the photographs, Mr Chan Sze Ming made the following main points:

- (a) he requested to have a verbatim record of his oral submission;
- (b) proposed Amendment Item A to rezone the northern portion of the “R(A)4” zone to “O” zone on the draft Tsing Yi OZP No. S/TY/27 was welcome. However, the remaining “R(A)4” zone for the proposed PRH development should also be rezoned to “O” so as to maintain its original function of being a buffer zone for Mayfair Gardens and Cheung Ching Estate arising from the construction of CT9;
- (c) some of his reasons for objecting the residential development at Tsing Hung Road were already mentioned by other speakers. He had lived in Tsing Yi for many years, and witnessed the development of Tsing Yi South over the years. In the earlier years, Tsing Yi South had heavy industrial uses such as oil depots and chemical plants. The residents welcomed the relocation of a hazardous oil depot but regretted to know that the oil depot site would be used for CT9 development which would generate noise, glare and traffic impacts on the area. The Tsing Hung Road site was a buffer and separated with CT9 by a road only;



*Noise Impact*

- (d) with reference to a photograph in the visualizer, Mayfair Gardens, where he lived and was further away from CT9, was already affected by CT9 which operated 24 hours and generated loud noise due to the operation of heavy equipment, traffic of container tractors, signalling and broadcasting system and hailing of the berthing container vessels, etc. It could expect that the proposed PRH blocks, being closer to CT9, would be subject to greater noise impact;

*Public Transport*

- (e) Tsing Yi South residents relied on bus and minibus to travel out of Tsing Yi. As Tsing Yi South was the last few stops in the bus/minibus routes, residents usually needed to wait for a long time. The public transport service therefore could not cope with more population. As illustrated by the video shown by the preceding presenter, the traffic in Tsing Yi South was always congested. There was only a bus route (No. 42A) for residents to travel to Kowloon while the other bus route (No.43C) was on the verge of being cancelled. Addition of population in the area would further prolong the residents' waiting time for the bus/minibus;

*Traffic Impact*

- (f) he showed a photograph to demonstrate the roadside parking of Ching Hong Road. There were also a lot of heavy vehicles such as concrete mixer trucks parked along Ching Hong Road and a lot of road excavation works were carried out during the construction period of Ching Chun Court. The traffic of Ching Hong Road was particularly chaotic during lunch time as the workers went there for lunch, a lot of drivers parked their vehicles along the road, and the school buses dropped off/picked up children. The situation was even worse during rainy days. The residents of Cheung Ching Estate and Mayfair Gardens suffered from the disturbance due to the construction period of

Ching Chun Court for 3 years. The proposed PRH development would prolong the disturbance period of the construction works in the area and the residents would need to tolerate for about 3 to 7 years more;

*Air Ventilation*

- (g) Rambler Crest was a walled-type development and the original representation site was important for the air penetration to Mayfair Gardens/Cheung Ching Estate. The proposed three PRH blocks at Tsing Hung Road would block the breathing space while future PRH residents at the site would be subject to glare and noise impacts around the clock. The future PRH residents might need to close their windows all the time to avoid the noise nuisance and would not have good health. The site was considered not suitable for living in ; and
- (h) he reiterated his objection to the PRH development at the Tsing Hung Road site which was intended to serve as an environmental buffer. Locating residential blocks in the buffer zone was similar to converting the buffer floor of a building for residential use irrespective of the Fire Safety Regulations. He asked whether it was an appropriate way to meet the housing demand. PlanD's blindly proposed sites for housing use as illustrated in the current case and the case that a small basketball court in North Point was proposed for rezoning to residential use. It could not fulfil its planning mission as stated in the Director's message in the PlanD's website that 'Town planning is very much intertwined with people's livelihood. Hong Kong's limited land resources necessitates the need to strive for a satisfactory balance amongst various competing demands for housing, industrial and commercial, transport, recreation, nature conservation, heritage preservation, infrastructure and community facilities.....with the objective of making Hong Kong a better place to live and work in'; and
- (i) Cheung Ching Estate and Mayfair Gardens were all along in deficit of community facilities. Although the community/recreational facilities would be provided in the proposed PRH development, they were simply

provided for the purpose of justifying the development. The remaining portion of “R(A)4” zone was subject to severe glare and noise impacts and would not be a ‘better place to live and work in’ as posted in PlanD’s website. He requested the Board to consider the views of Tsing Yi residents.

F72 – 丘練昌

F1647 – 莊志強

F1752 – 崔燕玲

F1205 – 梁健望

F1670 – 吳小雲

F1684 – Yim Wai Chong

F1737 – Kao Tat Man

F1936 – Chong Wai Fan Joline

F2092 – 曾泰源

F2133 – 鄧裕源

F2147 – 鄧侃堯

R307 – 鍾慧芳

R315 – Liu Siu Hung Terence

R316 – Chan Wing Yan

R326 – Lau Yin Ming Candy

12. With the aid of the visualizer, Ms Chong Wai Fan Joline made the following main points:

- (a) she was a resident of Mayfair Gardens and the secretary of its OC. She requested to have a verbatim record of her oral submission;
- (b) proposed Amendment Item A to rezone the northern portion of the “R(A)4” zone to “O” zone on the draft Tsing Yi OZP No. S/TY/27 was welcome. However, the remaining “R(A)4” zone for the proposed PRH development should also be rezoned to “O” so as to maintain its original function of being a buffer zone for Mayfair Gardens and Cheung Ching Estate arising from the construction of CT9;

*Planning history of the original representation site*

- (c) with reference to a plan shown in the visualizer, Mayfair Gardens was the first private residential development in Tsing Yi built in 1982 and completed in 1984. In the original design, it had three phases with a total 12 blocks but the phase 3 development was not implemented as it was too close to the then oil depot. The then oil depot site included the original representation site. The Government exchanged the land for phase 3 development of Mayfair Gardens with the developer and the phase 3 site was then developed into a POS, i.e. Mayfair Playground;
- (d) in 1990s, when CT9 was proposed to be sited at Tsing Yi, the LegCo members objected unanimously as it would be too close to Cheung Ching Estate/Mayfair Gardens. The Environmental Impact Assessment (EIA) for CT9 indicated that to mitigate the impact of CT9 on the environmental sensitive receivers at Cheung Ching Estate/Mayfair Gardens, the Government needed to retain the area along Tsing Hung Road, including Rambler Crest site, as buffer zone as a compensation to the residents and a protection to their health. That meant that the Rambler Crest site was part of the buffer and should not be developed for residential use. The area along Tsing Hung Road was too close to CT9, subject to glare, noise, air and other impacts and was not suitable for residential development;
- (e) the developer first appeared to develop the Rambler Crest site for service apartment and hotel and claimed that there would not be any people living there permanently, but later pre-sold the service apartments as residential flats. The Rambler Crest residents were suffering from the pollution of CT9. The history of the area illustrated that 20 years ago, the Government had already committed to reserve the area along Tsing Hung Road as shown on OZP No. S/TY/27 for POS as an environmental buffer against the impact of CT9. It was a mistake to have residential use at Rambler Crest site. Rambler Crest residents did ask her why the local residents did not object to the residential use at Rambler Crest site 20 years ago. The Government currently turned that

mistake into a justified fact and put forward another mistake, i.e. the current rezoning proposal of the original representation site, at the expense of the grass-root sector of the community;

- (f) as informed by the elder residents, the environmental buffer was provided to solicit support from the residents for CT9 development. The Government now ignored their need for POS in view of the community's demand for public housing. She hoped that the government officials did not use unjustified argument to confuse the public and Members. The original representation site was put down in writing for POS use 20 years ago, but PlanD and Leisure and Cultural Services Department (LCSD) let it idle and now turned it into residential use on the basis that there was no programme for the POS development and the provision of POS in Tsing Yi was excessive. She asked whether the Government thought that the residents had all forgotten the Government's previous commitment;
  
- (g) town planning should have long-term target rather than act in ad hoc manner and blindly choose sites for development. She did understand the housing need for grass-root sector and the long waiting time for public housing. Based on the information of the Hong Kong Housing Authority (HKHA) released in June 2016, the waiting time for typical families and elderly was 4.1 years and 2.4 years respectively. That did not mean that PlanD could choose a site not suitable for PRH development. She did not want the future PRH residents to blame her for not raising objection to the proposal, like what happened in the Rambler Crest case. It should be emphasized that according to the EIA for CT9, the Tsing Hung Road area could only be used for POS, not for any residential use. Over the past 20 years, with the growth of CT9 and the presence of Tsing Sha Highway, Stonecutters Bridge, logistic centres and container related uses, she asked on what considerations, the site, being only 300m away from CT9, was taken as suitable for PRH use, and why PRH residents did not deserve a good place to live in. Anyone with conscience would not consider the rezoning proposal was

acceptable and let the future PRH residents bear the poor environment at the site;

- (h) the current case was similar to the lead water incident in that the government officials did not exercise due diligence in their jobs and hastily make controversial decision. PRH residents should not bear the government official's fault. When the Tsing Yi OZP No. S/TY/27 was first put forward for public consultation, the majority of 910 representations received were submitted by Rambler Crest residents, and few from Mayfair Gardens residents. In the current stage, Mayfair Gardens OC received 1,073 further representations in 3 days. It was because since 2013, Mayfair Gardens residents had been tied up by their dispute in relation to building rehabilitation, including bid-rigging, extra high cost, uncompleted works, etc. They could not set up an OC due to insufficient proportion of development rights because of the land exchange matter happened in the past. In August 2015, Mayfair Gardens was allowed to set up their OC in accordance with an order granted by the Lands Tribunal. The OC was recently set up in November 2015. They therefore put up their best effort to express their views at the current hearing stage;
  
- (i) they knew the rezoning proposal from the DC members and relied on the DC members to convey their objection, but the outcome was disappointing. They were not hoping for the Government to provide extra community facilities or treat them favourably. They only hoped that the Government would not take away their possession, i.e. a POS committed to be an environmental buffer against the adverse impacts of CT9 and heavy industrial use. Every tree and grass in the original representation site was planted by the residents. Mayfair Gardens had suffered enough from the CT9 development, building rehabilitation dispute and the currently proposed walled-type development at Tsing Hung Road;

*The Site as a compensation for CT 9 development*

- (j) paragraph 8.4 on p.8 of the Paper stated that ‘Regarding the planning intention of the previous “O” zone at the original representation site at Tsing Hung Road, according to the Conceptual Land-Use Plan formulated under the CT9 Study in 1990, it was proposed for open space use with an intention to provide landscaping as well as to provide recreational facilities for the population nearby. The original representation site was not identified to screen off the noise and glare impacts from CT9. While the CT9 Study recommended that the sensitive receivers including Mayfair Gardens and Cheung Ching Estate should be protected from the nuisances generated by CT9, the sites surrounding CT9 (including the Rambler Crest site) were recommended in the CT9 Study to act as screens between the existing sensitive receivers and CT9. The recommendations of the CT9 Study were incorporated as amendments to the draft Tsing Yi OZP No. S/TY/8. The original representation site was thus rezoned from “Industrial” (“I”) (where oil depots were located at that time) to “O” on the draft Tsing Yi OZP No. S/TY/9 on 3.4.1992 and the Rambler Crest site was zoned as “I” to serve as a buffer for noise and glare impacts from CT9 to Mayfair Gardens and Cheung Ching Estate. This “I” zone at the Rambler Crest site was subsequently rezoned to “Commercial” (“C”) on the draft OZP No. S/TY/12 on 31.1.1997 which maintained its buffer function to screen off the possible noise and glare from the CT9 and to reduce their effects on the nearby residential developments. The “C” site has been developed into Rambler Crest and the hotel development’. It confirmed that the original representation site was rezoned from “I” to “O” on the OZP No. S/TY/9, and the Rambler Crest site from “I” to “C”, i.e. the Tsing Hung Road site was needed to be retained as “O”;
- (k) paragraph. 7.7.4 of the Explanatory Statement of the OZP No. S/TY/26 stated that ‘the open space in front of existing residential development at Mayfair Gardens will provide a variety of recreational facilities to residents and the students of adjacent Hong Kong Institute of Vocational Education (Tsing Yi) (Tsing Yi IVE). It also serves as a buffer area

between the residential developments and the container terminal'. It clearly stated that the original representation site was for open space use and provided to Mayfair Gardens as a buffer zone. PlanD should follow the OZP No. S/TY/26 and provided the POS at the site;

- (l) in the Q&A session of hearing session held on the day before (i.e. 25.10.2016), PlanD said that as there was no industrial use as envisaged in the CT9 report (1991) in the area around Tsing Hung Road, but passive industrial developments such as logistic centres and container storage yards in the surrounding areas. As such, the original representation site was no longer needed to be retained as an environmental buffer for Mayfair Gardens/Cheung Ching Estate. A Member pointed out that the industrial area referred to in the CT9 report would serve as a buffer which included the site. PlanD intended to smear the fact, and the residents would take the opportunity to reveal the truth;

*Open space provision in Tsing Yi South*

- (m) the Government might consider that Tsing Yi South residents were more inferior and not deserved to having the POS at the original representation site. Quoting from paragraph 7.7.3 in Appendix Vc of the Paper, 'The Tsing Yi Northeast Park located to the west of Ching Tai Court and Cheung On Estate has been developed as a district open space forming part of the waterfront promenade. Apart from providing additional recreational facilities, it can also serve as a noise buffer between the boatyards and the adjacent housing developments.' She asked PlanD and LCSD why that piece of land could be developed into POS as an environmental buffer, and why the residents of Mayfair Gardens/Cheung Ching Estate facing a 24-hour operating CT9 were not entitled to have an open space with 1,800 trees. She requested the Board to consider why the residents, who had been living in the area for 20 years and all along kept silent for the land use changes, currently come out to object to the current rezoning vigorously. The residents



were not fighting for something they were not entitled for, but requesting something they should have;

*Public transport Impact*

- (n) she was a housewife without any professional knowledge and could only use her own experience to explain the adverse impacts of the proposed PRH development. As stated in the questionnaires submitted to the Board in August, traffic and transport impacts were their main concern as they suffered from the adverse impacts daily. The current public transport services already could not cope with the population of about 20,000 from Mayfair Gardens, Cheung Ching Estate and Rambler Crest. Residents of those developments took minibus No. 88C, 88G and 88M respectively to MTR Kwai Fong Station which ran at an average interval of 15 minutes. In the morning rush hour (7 am to 9am), residents needed to wait at least for 4 minibuses (or 1 hour) for boarding. Her OC requested the minibus operator to increase the frequency in the morning peak, but the operator said that they could not recruit sufficient drivers to enhance the minibus service. TD opined that three minibus routes could address the public transport need of 20,000 residents. Assuming 1/3 of the 20,000 residents needed to go to school or work and among which, 1/4 went to MTR Kwai Fong Station, there would be 1,600 passengers for the three minibus routes and a minibus route needed to carry 500 people during the morning peak (7am to 9am). A 16-seat minibus could carry only 64 passengers per hour. Members could imagine how long the people needed to wait for boarding a minibus;
- (o) apart from the residents, there were students of the nearby Tsing Yi IVE which had evening classes. Currently, Mayfair Gardens residents could not board on the minibus readily all the day. The forthcoming Ching Chun Court (465 flats) and private housing at Sai Shan Road (800 flats) would add 3,800 more residents in the Tsing Yi area. Assuming 1/3 of the residents needed to go to school or work, she wondered how the

already insufficient minibus service could cater for 1,800 more passengers;

- (p) the proposed 3 PRH blocks would have 2,800 flats and 6,500 residents. Quoting from Attachment C of Appendix II of Paper No. 10085, 'according to the Transport Impact Assessment (TIA), there would be about 1,861 and 1,113 passengers generated by the proposed PRH development in the AM and PM peak hours respectively. Currently, there are more than 20 franchised bus and scheduled minibus routes near the site at Tsing Hung Road, which could cater for the additional demand arising from the proposed PRH development. To tie in with the policy of using railway as the backbone public transport mode, a new bus or GMB feeder route between the proposed PRH development and Tsing Yi Railway Station could be considered.' If future PRH residents went to MTR Kwai Fong Station, she asked whether it meant that they needed to walk there or take a bus/minibus and transfer at Tsing Yi Railway Station to get there. If not, how the current minibus services to MTR Kwai Fong Station could cater for an addition of about 10,000 people which was half of the present population of Tsing Yi South. Besides, the transport demand survey conducted on 31.3.2015 could not reflect the condition of normal days. A survey conducted on one day only could also not be representative from a statistical point of view;

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

- (q) Tsing Yi South was not a pure residential area, and had heavy industries, higher educational institution and hotel. The crude TIA had not covered all the issues. Although the area was served by about 20 franchised bus and scheduled minibus routes, some only provided services in the morning peak (7am to 9 am) such as No. 242X, 243P, 43C, 948, X42C, 249X. Setting aside those special morning bus routes and 5 minibus routes, there were only some 10 bus routes serving Tsing Yi South area. Among them, only 3 bus routes (No. 42, 42A and 43C) heading to Kowloon with the farthest one to Jordan and no bus route to

the business area at Tsim Sha Tsui. There was only one special bus route running across the harbour in the morning peak. She asked whether TD thought that residents only need to go to work but needed not to go home, and therefore provision of such special bus route in the evening was not necessary;

- (r) some residents told the OC that they currently could not board on bus No.42A at Mong Kok or Mei Foo even as late as 10 pm. Their homes were not close to MTR station and they had to transfer to different mode of public transport several times to get home. With such a pressing need for improving the public transport services, TD only said that they would 'consider' adding a new bus or GMB feeder route. That meant such new bus/GMB route might not be provided, or just by extending the scope of the present bus/minibus service;
  
- (s) Attachment C of Appendix II of Paper No. 10085 stated that 'To tie in with the policy of using railway as the backbone public transport mode, a new bus or GMB feeder route between the proposed PRH development and Tsing Yi Railway Station could be considered. Alternatively, extension of the existing KMB Route 249M (Mayfair Gardens – Tsing Yi Railway Station) to the proposed PRH development is also viable option'. It appeared to be a good arrangement, but KMB route No. 249M was a circular route running a distance of 7.8km passing through a large area of Tsing Yi Island and the journey time was 30 minutes. If the service area of route No. 249M was extended to the site, Mayfair Gardens residents would be mostly affected. It took at least 36 minutes for residents to walk to Tsing Yi Station (2.3km away). Therefore, the policy of using railway as the backbone of public transport mode could not benefit Tsing Yi South residents. Unless the MTR Tung Chung Line was extended to Tsing Yi South, TD should not just add one more bus/GMB route without embarking on an overall improvement of the bus and minibus services. She strongly requested the Government to improve the public transport services to the satisfaction of residents before considering adding more people in Tsing Yi South;

*Traffic impact*

- (t) Attachment C of Appendix II of Paper No. 10085 stated that ‘For the concern about the traffic impact on Tsing Yi Interchange, C for T advises that it is not a traffic accident black spot according to the records of TD and the operation of interchange is observed satisfactory. For Tsing Yi Roundabout No.2 outside Rambler Crest, as the proposed main vehicular access for the PRH development would be at Tsing Yi Road, the traffic routing through the roundabout would be low. Another proposed vehicular access at Tsing Hung Road would mainly be for service vehicles’. She doubted the basis of drawing up such conclusion as large majority of the vehicles using Tsing Yi south bridge heading to Kowloon needed to pass through Tsing Yi Roundabout No.2. Although Tsing Yi Roundabout No.2 was not a traffic accident black spot, an accident occurred there could paralyze the traffic in Tsing Yi. On 12.7.2015 at 12 noon, a 20-foot container truck turned over on a traffic lane at Roundabout No. 2 and resulted in a traffic blockage that lasted for 4 hours. On 20.8.2015 at 8 am, a vehicle broke down on a traffic lane at Roundabout No. 2 heading to Tsing Yi South and resulted in traffic congestion and substantial number of students/residents was late for school/work. The traffic condition was already unacceptable when there was 20,000 people currently residing in Tsing Yi South, and with 10,000 more people from the proposed PRH development, she wondered how the aggravated traffic problem could be resolved;

*Public consultation*

- (u) PlanD said that public consultation on the amendments to the OZP was carried out in accordance with the established procedures. Attachment C of Appendix II of Paper No. 10085 stated that ‘To provide a full picture on the potential housing sites which will be available between 2014/15 and 2018/19, relevant DCs have been consulted on the overall planning of these sites. For K&TDC, there are 13 potential housing sites. K&TDC was consulted on 8.5.2014. The Site is one of the 13 identified housing sites. Prior to the submission of the proposed

amendments for the original representation site to the MPC for consideration on 17.7.2015, K&TDC was consulted on 14.5.2015. The views collected at the K&TDC meeting have been incorporated into the MPC Paper No. 9/15 to facilitate the MPC's consideration of the proposed amendments'; and

- (v) it appeared that the K&TDC did not raise any objection to the proposal. In fact, as informed by a K&TDC member, at the K&TDC meeting held on 14.7.2015, DC members objected to the proposal unanimously, and considered the Government should resolve the issues on transport, environmental and community facilities before submitting the proposal again to DC for consideration. PlanD however ignored DC objection and submitted the proposal to the MPC.

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

13. Ms Chong Wai Fan Joline then continued her presentation and made the following main points:

- (a) she asked whether for the sake of meeting the community's pressing need for public housing, sites should be blindly chosen for housing development and the Government could make up information for the Board and the public. Attachment C of Appendix II of Paper No. 10085 stated that 'K&TDC was further consulted by circulation of K&TDC Paper No. 30/2015 on 18.9.2015 on the gazetted amendments. There was no comment from K&TDC received.' The Board should note that at that time, the last term of DC members had ended while the nomination for the new term had not started. She wondered whether PlanD had any respect to the DC and sincerely wished to conduct local consultation;

*Tree felling*

- (b) the statement that 'there would be no insurmountable technical problems' for the proposed PRH development at the original representation site was

casually drawn. Appendix X of Paper No. 10085 stated that a preliminary tree survey at the original representation site was carried out in February 2015 by visual inspection. The crude tree survey revealed that it had *Eucalyptus citriodora* which was a species found in the list of Old and Valuable Tree, and the size of the tree trunk was between 600mm to 1000mm above. The tree survey just concluded that the existing trees at the original representation site had low amenity value. The tree survey was misleading and not comprehensive and gave Members' the impression that tree felling was acceptable. She requested the government department to conduct a comprehensive tree survey for the Board's consideration. Moreover, trees not only had landscaping value but also provided greening to the environment;

#### *Air Pollution*

- (c) Attachment C of Appendix II of Paper No. 10085 stated that 'The AVA EE (Air Ventilation Assessment Expert Evaluation) also revealed that the ventilation performance of Mayfair Gardens, Mei King Playground and Tsing Yi IVE would be partially affected due to the proposed PRH development'. Cheung Ching Estate was subject to the impact of Dioxin and had a monitoring station for Dioxin. They were worried that the proposed development would lead to accumulation of air pollutants;
  
- (d) she had been living in Tsing Yi since 1977. Before then, she lived in the squatter area in Shek Wai Kok village and, as the squatter area needed to be cleared, was arranged by the Government to move into Tsing Yi. Tsing Yi was then considered as an isolated island and her villagers objected to the rehousing arrangement but in vain. At that time, there was only Tsing Yi south bridge and ferry service at Tsing Yi pier. She recalled that in a few traffic accidents, she needed to walk for about 40 minutes to Kwai Fong. Over the years, Tsing Yi was developed to the present marginally acceptable condition. With the proposed PRH development, she was afraid that it would go back to the old situation;

- (e) Tsing Yi had a sewage treatment plant, chemical plants, chemical waste treatment facilities, and their presence might be the cause of the high occurrence rate of skin and bronchitis allergy problem in the residents. Dioxin was carcinogenic and she was not sure whether its presence was related to the recent death of many of her friends due to cancer. The increase in population due to the propose PRH development would aggravate the air pollution and air ventilation problems. If the health of residents was getting worse, the burden of public medical facilities would increase, and the Board should not ignore that knock-on effect; and
- (f) the Board was requested to consider the residents' request in deciding on the zoning amendment.

F194 – Yeung Sui Kiu

F197 – Leung Ma Lee

F198 – 黃少梅

F199 – 梁迪

F200 – 梁德

F202 – 鄧雨喬

F203 – 鄧晴熙

F204 – 黃潔

R414/ C213 – 黃裕美

14. With the aid of photographs, video-clips and audio-recording, Ms Wong Yu Mei made the following main points :

- (a) she requested to have a verbatim record of her oral submission;
- (b) proposed Amendment Item A to rezone the northern portion of the “R(A)4” zone to “O” zone on the draft Tsing Yi OZP No. S/TY/27 was welcome. However, the remaining “R(A)4” zone for the proposed PRH development should also be rezoned to “O” so as to maintain its original function of being a buffer zone for Mayfair Gardens and Cheung Ching

Estate arising from the construction of CT9. Residential development within the buffer zone should be avoided;

- (c) she told a story about a young girl living alone in a village. One day, she escaped with the help of her neighbours from a sexual attack attempt by a man. She then reported the incidents to the police and villagers' leader. The attacker was caught and told the villagers' leader that he needed to do so as there were more men than women in the village. The advisers of the villagers' leader recommended that to solve the problem, all single woman without any parents would be identified and the rule to prohibit sexual attack on women should be abolished. The story was an analogy that the Rambler Crest residents were the underprivileged girl fought against the attack. She hoped that the Board could help them;
- (d) she showed a photo on a logistic centre (Mapletree Logistics Hub) to demonstrate that all its lights were turned on brightly at night time, she then conveyed the views of another resident as follows:
- she prepared some information of the site at Tsing Hung Road for the Board as Members might have only read the Paper, but have never visited the site. The Paper was misleading and incorrect and if the Board based on it to make a decision, it would bring damage to the Tsing Yi South residents;
  - both DC members and LegCo members objected to the PRH development as the future PRH residents, who had waited a long time for a better home, would be living at the remaining portion of "R(A)" zone for many years. She hoped that the Board would not act as the accomplice of the Government and seriously considered that the site was subject to severe glare and noise impacts, and it was not as good as some newspapers described, i.e. commending a view of Rambler Channel in a long distance. In fact, the site was surrounded by heavy vehicle traffic, several container storage sites and logistic centres while the Rambler Channel was located far away;



- some might think that the Rambler Crest residents objected to the rezoning as the proposed PRH blocks would affect their views. Her flat was on 24/F and could still have an open view to Rambler Channel even when the PRH blocks were in place. She had a relative waiting anxiously for PRH unit and asked her why she objected to the proposed development. After she told her relative the reasons for objection, her relative also agreed that the site was problematic. She would object even if the site was used for private housing development because of the concerns on air, glare and noise impacts;
  - a video clip recorded at her flat in Rambler Crest was showed to demonstrate that a petrol filling station was located next to the site, and there were a lot of trees at the site. The trees were green and healthy, instead of largely damaged, deformed and with cracked trunks as stated in the Paper. The site was next to a bridge/elevated road with heavy vehicles and tourist buses while the container storage sites and logistic centre were on the other side of the bridge/elevated road; and
  - as shown in the photograph, the nearby logistic centre (Mapletree Logistics Hub) turned on their lights all the time, and would have impact on the proposed PRH blocks. The road network of Tsing Yi South was already saturated, but more logistic centres and residential developments were still forthcoming. If the site was used for private housing, no one might buy the flats as they were not suitable for living. The environmental condition of the site should not be ignored because it was for PRH development, notwithstanding that there was a long waiting queue for PRH. The Government should take care of the PRH residents. Tsing Yi South residents had put forward the objection reasons and she hoped that the Board would not ignored them;
- (e) she used a mobile phone to show a photograph, taken in that morning, in the visualize. There was a long queue of heavy vehicles and tourist

buses in front of the carpark of Rambler Crest waiting to enter into the container storage yards. Members could imagine the situation would be worsened when the PRH blocks were built. Although Rambler Crest had a number of vehicle ingress/egress points, only the road access connecting to 5/F podium had minibus service and residents had to walk up an access road to the nearby bus stop;

- (f) she used a mobile phone to show a video-clip in the visualizer to demonstrate the traffic condition when a bus broke down at a roundabout. The traffic incident happened on 12.9.2016 from 8:30 am to 9:15am. The other vehicles could only use the opposite lanes to go to their desired directions. As said in her presentation in April 2016, traffic accidents occurred in Tsing Yi once a month. The situation had not been improved in the past few months, but was getting worse. That was the only road link for Tsing Yi South;
- (g) there were two traffic accidents in October. A news report on a collision between a container truck and a taxi at around 10 am on 18.10.2016 was shown in the visualizer. If that collision happened on the only road access, the traffic of Tsing Yi South would be paralyzed. On 19.10.2016, there were traffic accidents near Tsing Yi South Bridge (a private car blocked the road at 7:25 am) and Tsing Yi north bridge (a crash between a bus and minibus). During those traffic accidents, the queue at Rambler Crest for minibus was very long, and some residents had waited for an hour, but found no bus at all. The occurrence of traffic accidents in Tsing Yi were getting more frequent;
- (h) she played an audio-recording of her 8-year-old son who made the following main points :
  - Rambler Crest had a good environment and his flat could see a piece of woodland which could allow him to relax his eyesight and allow him to breathe in fresh air. He was disappointed to know that the woodland would be removed for residential use. Only Tsing Hung

Road Playground would then be left, and a thousand of people would be moving in and use that playground;

- he liked riding bike on the cycle track in Tsing Yi Northeast Park which was, however, far away. They needed to take GMB route No. 88F to get to the Park but bike was not allowed on minibus, and it took 45 minutes to carry the bike to the park. The cycle track in Tsing Hung Road Playground was too short for his enjoyment. For residents in Rambler Crest, there were no recreational facilities in the vicinity apart from Tsing Hung Road Playground. Tsing Yi South was not conveniently located and residents needed to take minibus or walk at least ½ hour to Tsing Yi North for facilities such as library, swimming pool and sports centre; and
- his mother told him not to go to Tsing Yi Northeast Park as it took a long time and she needed to spend a lot of money. He did not wish the trees in front of Rambler Crest to be felled, and asked if the Tsing Hung Road site could be used for recreational/sports centre, library or community centre, instead of residential development; and

- (i) Tsing Yi South had very few recreational facilities. For badminton court, there was only one above Tsing Yi market and was very highly utilized. If they carried the bikes to the cycle track in Tsing Yi Northeast Park, they needed to go through the industrial area which had no cycle track along the way. Children had the right to have recreational facilities, and what the local residents wished for was not to take away the open space they currently had, which was unfair to Rambler Crest and Mayfair Gardens residents. She hoped the Board could understand their harsh environment.

15. As the presentation from the government's representatives, and the further representers/representers/ commenters or their representatives on the day had been completed, the meeting proceeded to the Q&A session. The Chairman briefed attendees that the Q&A session was for Members to better understand the draft OZP and the subject matters of the concerns of the further representations/representations/comments. Members would raise

questions and the Chairman would invite the further representers/representers/commenters or their representatives and/or the government's representatives to answer. The Q&A session should not be taken as an occasion for the attendees to direct questions to the Board, or for cross-examination between parties.

16. With reference to Table 2.5 of the Broad Environmental Assessment Report for the proposed PRH development (Annex VII of the TPB Paper No. 10085), a Member asked the government representatives to clarify whether the baseline noise level at location M3 (near Cheung Ching Estate) was higher than that at location M2 (near CT9). In response, Mr K.S. Chow, CE, HD, confirmed that the Member's interpretation was correct, but he did not have information in hand to explain the phenomenon, and would revert to Members on that point in the later hearing session.

*The Site as an environmental buffer*

17. A Member asked whether the Government had made any promise to use the original representation site, originally zoned as "O", as an environmental buffer between Cheung Ching Estate and CT9. In response, Mr Lawrence Y.C. Chau, DPO/TWK, made the following points :

- (a) with reference to the Conceptual Land-Use Plan under the CT9 Study completed in 1991, medium-rise industrial use was proposed to the west of CT9 to act as an environmental shield for screening Cheung Ching Estate and Mayfair Gardens from the noise and glare impacts of CT9 while open space was proposed along Tsing Hung Road to serve a buffer between the proposed industrial use (including the Rambler Crest site) and Cheung Ching Estate/Mayfair Gardens. The land use proposal was incorporated in the OZP No. S/TY/8 published in 1992 on which the original representation site was rezoned from "I" to "O". Subsequently, in 1997, the Rambler Crest site was rezoned from "I" to "C" on the OZP No. S/TY/12; and
- (b) according to the landscape proposal under the CT9 Study, the original representation site and the strip of area along the roadside were indicated as a landscaping area. The CT9 developer was required under the lease to

landscape the site and trees were planted there under such context. So far, he was not aware of any documents to support the claim that the Government had made a promise that the open space would be provided at the original representation site to serve as a buffer between CT9 and Cheung Ching Estate/Mayfair Gardens, but he would continue checking the Government's documents to see if there was such promise.

18. In response to the same Member's question, Ms Chong Wai Fan Joline, F1936, said that she did not have the Government's documents she mentioned in hand to illustrate the Government's previous promise. She then read out her script again which was as stated in paragraph 8.4 on p.8 of the Paper that 'Regarding the planning intention of the previous "O" zone at the original representation site at Tsing Hung Road, according to the Conceptual Land-Use Plan formulated under the CT9 Study, it was proposed for open space use with an intention to provide landscaping as well as to provide recreational facilities for the population nearby. The original representation site was not identified to screen off the noise and glare impacts from CT9. While the CT9 Study recommended that the sensitive receivers including Mayfair Gardens and Cheung Ching Estate should be protected from the nuisances generated by CT9, the sites surrounding CT9 (including the Rambler Crest site) were recommended in the CT9 Study to act as screens between the existing sensitive receivers and CT9. The recommendations of the CT9 Study were incorporated as amendments to the draft Tsing Yi OZP No. S/TY/8. The original representation site was thus rezoned from "Industrial" ("I") (where oil depots were located at that time) to "O" on the draft Tsing Yi OZP No. S/TY/9 on 3.4.1992 and the Rambler Crest site was zoned as "I" to serve as a buffer for noise and glare impacts from CT9 to Mayfair Gardens and Cheung Ching Estate. This "I" zone at the Rambler Crest site was subsequently rezoned to "Commercial" ("C") on the draft OZP No. S/TY/12 on 31.1.1997 which maintained its buffer function to screen off the possible noise and glare from the CT9 and to reduce their effects on the nearby residential developments. The "C" site has been developed into Rambler Crest and the hotel development'.

*Impact of CT9, GIC provision and Dioxin concentration*

19. A Member asked the following questions:

- (a) whether any buffer distance was required between CT9 and the residential developments;
- (b) even if the Government had no compliance standard for glare impact, whether there was any assessment conducted regarding the glare impact of CT9;
- (c) the provision of recreational facilities in the surrounding area of the original representation site, and whether the sports ground of Tsing Yi IVE was opened to the public in weekend; and
- (d) the level of Dioxin concentration in Tsing Yi.

20. In response, Mr Lawrence Y.C. Chau, DPO/TWK, made the following main points:

- (a) with reference to Table 1.3 of Chapter 9 in HKPSG shown in the visualizer, container related use was not one of the uses with a recommended buffer distance to the sensitive receivers. Nevertheless, an environmental assessment was specifically conducted for CT9 including its container related uses, such as container vehicle park, logistic centre and industrial uses, to ascertain its impact would be acceptable;

[Professor S.C. Wong left this session of the meeting at this point.]

- (b) HKPSG had not specified any assessment and compliance standards for glare impact. However, the CT9 study had assessed the effects of glare from the floodlight system of CT9 on the nearby residential buildings including Mayfair Gardens and Cheung Ching Estate. The assessment had taken into account the average illumination levels for the CT9 site and background illumination levels for the residential area. An improved lighting scheme, including the location/number of towers and illumination direction of floodlights, was recommended to minimize the glare at Mayfair Gardens/Cheung Ching Estate. It was concluded that the floodlight system for CT9 would not have significant glare effect on the nearby residential developments;

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

- (c) the estimated total population in Tsing Yi South, including Ching Chun Court (under construction), the private residential development at Sai Shan Road and the proposed PRH development at the remaining portion of “R(A)4” zone, was about 33,160. With reference to a plan shown in the PowerPoint, there were a number of public open spaces in the vicinity of the original representation site including Tsing Hung Road Playground and Mei King Playground. A total of about 6 ha of local open space, including the proposed “O” under Amendment Item A, would be provided in Tsing Yi South which was more than the requirement of 3.3 ha under HKPSG. Regarding the sports ground of Tsing Yi IVE, he understood that it was not opened to the public even in weekend. There were also sufficient community facilities, such as kindergartens, primary/secondary schools, youth/family centres, and elderly facilities in the area. Additional community facilities would be provided in the proposed public housing development; and
- (d) he had no information in hand on the Dioxin concentration level in Tsing Yi.

#### *External road links*

21. A Member asked whether there were any bus/minibus routes using Stonecutters Bridge for travelling between Tsing Yi and Kowloon to alleviate the reliance on Tsing Yi north bridge and south bridge. In response, with reference to a plan showing major road network in Tsing Yi in the PowerPoint, Mr Patrick K.H. Ho, SE/KT, TD, said that apart from Tsing Yi north bridge and south bridge, Tsing Yi had a number of external road links to connect it with other districts which included Stonecutters Bridge, Ting Kau Bridge and Tsing Ma Bridge. From traffic engineering perspective, there was no restriction for bus/minibus to use the Stonecutters Bridge. TD would monitor the traffic conditions upon the completion of the proposed development to determine the need for additional bus/minibus routes.

22. In response to the Chairman's invitation, Ms Wong Yu Mei, R414, said that although Tsing Yi appeared to have many external links, the residents could not be benefitted. Similarly, Rambler Crest had two vehicular ingress/egress points, but only the one on 5/F podium could be used by bus and minibus. There was only one road access from Rambler Crest to Tsing Yi Interchange. Notwithstanding that there were many external road links, if the only road access was blocked, the residents' vehicles could not reach the external road links.

#### *Cycle track*

23. A Member asked R414 why her family could not use the nearby recreational facilities and the Chairman also asked her about the difficulties in using the cycle track of Tsing Yi Northeast Park. Ms Wong Yu Mei said that passengers were not allowed to carry bikes on buses/minibuses, and she could not afford to take taxi to Tsing Yi Northeast Park regularly. Rambler Crest was 2.3km away from the Tsing Yi Northeast Park, it took a long time for her family to carry the bikes to the park, and they could not afford the time to go there daily. The recreational facilities mentioned by DPO/TWK were mainly kindergartens, elderly facilities and tennis courts which could not serve her 8-year-old son who needed badminton court and cycle track. The community facilities provided in the neighbourhood were not what they wished for.

24. In response to a Member's enquiry, Ms Wong Yu Mei said that although there was bike rental in Tsing Yi Northeast Park, the rent was expensive. Children ought to have easily accessible recreational activities and should not be required to pay a lot of money to get them.

#### *Mitigation Measures against the noise pollution and glare impact*

25. A Member asked the measures to be taken to mitigate the noise pollution and glare impact of CT9 at the remaining portion of "R(A)" zone. In response, Mr Lawrence Y.C. Chau, DPO/TWK said that a preliminary noise impact assessment had been conducted for the proposed PRH development. To mitigate the noise impact of CT9 and nearby road traffic, the PRH units would use architectural fins and acoustic windows which could be opened to allow fresh air intake and concurrently mitigate the noise nuisance. Regarding the glare impact, the remaining portion of "R(A)" zone was separated from CT9 by the container



related uses (such as the proposed multi-storey carparks) which could shield the lighting of CT9 from the proposed PRH development.

26. Mr Chow Kwok Sang, CE, HD, supplemented that according to the preliminary environmental assessment, 90% of the PRH units could comply with the noise standard for road traffic noise set out in HKPSG and HD would strive for achieving 100% noise compliance rate in the detailed design stage. As for the fixed plant noise, all the PRH units had to comply with the relevant noise limits stipulated under the Noise Control Ordinance (NCO). In the detailed design, appropriate mitigation measures such as acoustic windows/balconies would be explored to achieve full compliance with the NCO requirement. Ms May Yeung, Architect, HD, said that in the detailed design stage, the disposition/form of the PRH blocks and the unit layout would be designed in such a way to minimize the windows of bedroom directly facing CT9 to mitigate the noise and glare impacts of CT9.

27. As Members had no more question to raise, the Chairman said that the hearing on the day was completed. He thanked the government's representatives as well as the further representers, representers, commenters and their representatives for attending the meeting and said that the Board would deliberate the further representations in their absence on another day and would inform the further representers, representers and commenters of the Board's decision in due course. They left this session of the meeting at this point.

28. There being no other business, this session of the meeting was adjourned at 12:50 p.m.