

1. The meeting was resumed at 9:10 a.m. on 7.11.2016.
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

Mr Stephen H.B. Yau

Dr F.C. Chan

Mr Peter K.T. Yuen

Mr Wilson Y.W. Fung

Mr Alex T.H. Lai

Ms Sandy H.Y. Wong

Chief Traffic Engineer (New Territories West)

Transport Department

Mr Samsom S.S. Lam

Assistant Director (Environment Assessment)

Environmental Protection Department

Mr K.F. Tang

Agenda Item 1 (Continued)

[Open Meeting]

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

4. The Secretary said that Members' declaration of interests as shown on the PowerPoint were reported in 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.

Presentation and Question Sessions (Continued)

5. The following government's representatives, 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)

Ms Fannie F.L. Hung - Senior Town Planner/Kwai Tsing (STP/KT)

Housing Department (HD)

Ms Emily W.M. Ip - Planning Officer (PO)

Mr Fung Chi Fai - Senior Architect (SA)

Mr Chow Kwok Sang - Civil Engineer (CE)

Transport Department (TD)

Mr Honson H.S. Yuen - Chief Transport Officer / New Territories
South West (CTO/NTSW)

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

Representers, Commenters and their representatives

R166 – Ng Ka Ho

C32 – Chiu Ying Yuen

C175 – Wu Ka Sing

C177 – Wu Ka Wei

C181 – Wu Kee

C186 – Ng Hang Yi

C189 – Chan Hang Yi

Mr Ng Ka Ho - Representers and
Commenters' representative

R189 – Chiu Long Ting

R377/C111 – Ng Lai Wan

Mr Chiu Ying Yuen - Representers' and
Commenter's representative

R231 – 朱創謙

R370 – 劉惠賢

C5 – 譚家健

C6 – 張美琪

C7 – 譚家樑

C17 – 楊金峰

C19 – Lam Kit Yee

C21 – 楊亭亭

C23 – Cheng Suk Man

C24 – Wong Hin Shing

C26 – 林啓開

C173 – Patrick Chu

Mr Wong Sai Kit - Representers, Representers' and
Commenters' representative

R260/C80 – 馮景聰

R521/C10 – Chiu Long Chi

Ms Li Lai Sheung, Teresa - Representers' and
Commenters' representative

R288/C262 – Wong King Kwong

Mr Wong King Kwong - Representer and Commenter

R394/C1 – Poon Chi Shing

Mr Sheen Man Lun] Representer's and Commenter's
representative

Ms Chong Wai Fan] Representer's and Commenter's
representative (Attending only)

R524/C280 – Fung Wing Mei, Eugenia

Ms Fung Wing Mei, Eugenia - Representer and Commenter

R553 – Lau Kit Ling

R554 – Lau Kit Yan

R557 – 梁志強

R569 – Leung Cheuk Wah

R574 – 周慧屏

R575 – 張美媚

R582 – 黃瑩瑩

R591 – Ho Yan Ki

R595 – Chan Pui Wai

R596 – Wong Ka Kit

R599 – 陳閨玲

R605 – 譚少文

R615 – 陳凱儀

R644 – Lam Wai Yee

R650 – Tse Pui Ling

R658 – 陳思雅

R659 – 何穎妍

R661 – 陳如柏

R663 – 黃世傑

R672 – 馬雄志

R674 – 陳浩進

R675 – 張美琪

R679 – 余曼娜

R682 – 陳卓鍵

Mr Poon Chi Shing - Representers' representative

R584 – So Sheung Chun

Mr So Sheung Chun - Representer

R618 – Li Ho Keung

Ms Cheung Kwei Lan] Representer's representative

Mr Li Ho Keung] Representer (Attending only)

R629 – 張健深

R638 – 熊國傑

Mr Chan Kin Shing - 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 on the proposed amendments to the draft Tsing Yi OZP No. S/TY/27. With the aid of a PowerPoint presentation, Mr Lawrence Y.C. Chau, DPO/TWK, repeated the presentations that 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 Alex T.H. Lai arrived to join this session of the meeting at this point.]

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

R189 – Chiu Long Ting

R377/C111 – Ng Lai Wan

9. Mr Chiu Ying Yuen requested to make his oral submission first, saying that he had obtained the consent of other representers and commenters. As no objection to the proposed arrangement was raised by other attendees, Members agreed to accede to Mr Chiu's request.

10. Mr Chiu Ying Yuen made the following main points on behalf of R377/C11:

- (a) he requested to have a verbatim record of his oral submission;
- (b) the proposed Amendment Item A to rezone the northern portion of the “Residential(Group A)4” (“R(A)4”) zone to “Open Space” (“O”) on the draft Tsing Yi OZP 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. The main reasons for that were as follows:

- PlanD together with other government departments, including the Environmental Protection Department (EPD), Electrical and Mechanical Services Department (EMSD), Food and Environmental Hygiene Department (FEHD), Transport Department (TD), Civil Engineering and Development Department (CEDD), Social Welfare Department (SWD) and Fire Services Department (FSD), etc, did not complete detailed assessments in order to forge ahead with the PRH development under the Tsing Yi OZP;
- those departments deliberately did so to hide the truth and mislead the future PRH residents. As previously committed by the Government, the original representation site would serve as an important buffer area for Mayfair Gardens and Cheung Ching Estate so as to mitigate glare, air and noise impacts from CT9. It was not suitable for residential use and the future PRH residents would be the ultimate victims if the PRH development was to be built;

- air pollution in the local area was already severe. The proposed three PRH blocks were located near the ingress/egress of Tsing Sha Highway and a number of open car parks, container yards, logistics centres and a petrol filling station (PFS). The nearby roads were accessed mainly by large vehicles including container vehicles, tour coaches, lorries and fuel tanker trucks, which had produced engine noise and air pollutants including CO₂ and particles when going uphill along the steep Tsing Sha Highway. The future PRH residents would be exposed to the air pollutants when commuting on a daily basis. The air pollutants might attach to their clothing or other items when they returned home, thereby affecting the health of their family members. The resultant respiratory diseases would increase the demand and costs for public health services and facilities;

- the future PRH residents would be subject to serious safety risk arising from the nearby PFS that operated 24 hours daily and just over 10 metres or so away. The PFS would also bring about glare, air and noise pollution problems to the surrounding buildings. Any explosion caused by the PFS would endanger lives and property of the neighbouring residents and the fire at the warehouse in Ngau Tau Kok was a well-known example, where lives were lost due to the negligence on the part of the government officers in conducting site inspections. Members should safeguard the lives and property of the future PRH residents;

- the proposed PRH development would be built on a slope. About 1,800 trees would be felled to make way for the PRH development, causing destruction to the ecology of the site and instability to the slope and foundation, which would in turn increase the risk for landslides. The related high construction and maintenance costs would need to be borne by the Government and taxpayers. There were no justifications for

doing so;

- tour coaches serving the three existing hotels in Tsing Yi, comprising Rambler Garden Hotel, Mexan Harbour Hotel and Rambler Oasis Hotel, would be driven along Tsing Hung Road as early as 5:00 a.m. in the mornings. The coaches and a large number of tourists in the area had already caused nuisances to the local residents and as the site of the PRH development was located immediately next to Tsing Hung Road, the future residents would be equally affected. It could be envisaged that HD would encounter heavy workload and the need for additional staff due to the resultant relocation applications from the PRH development, thereby draining more taxpayers' money;
- (c) the future PRH residents should not be neglected. Their lives, health, property and living quality should not be jeopardised. Members were requested to consider the suitability of the remaining "R(A)4" zone for PRH development from the perspective of a future PRH resident;
- (d) the existing trees on the original representation site had an important role of purifying the air, reducing airborne particles and providing greenery and visual relief for the benefits of the local residents, including those residing at Mayfair Gardens, Cheung Ching Estate and Rambler Crest. The site would not only serve to educate the next generation the importance of conserving and protecting the environment, it would promote the concept of the green planet; and
- (e) the rezoning proposal from "O" to "R(A)4" set a departure from public aspirations and was without merits nor grounds.

11. Mr Chiu proceeded to make the following main points on behalf of R189:

- (a) he reiterated the points under (a) and (b) in paragraph 10 above;

- (b) there were insufficient public transport facilities in Tsing Yi South. Mayfair Gardens, Cheung Ching Estate and Rambler Crest were located in southeast Tsing Yi, the area of which was the last stop for buses and green mini-buses (GMB) before leaving Tsing Yi. The locals had already been suffering from the lack of bus/GMB services and many of the buses/GMB often bypassed the bus stop during a.m. peak hours, since they were already full. During p.m. peak hours, residents leaving from Cheung Sha Wan, Lai Chi Kok and Mei Foo had to wait a long time before they could board the buses to return to Tsing Yi;
- (c) the local roads, including Ching Hong Road, Tsing Yi Road and Tsing Yi Heung Sze Wui Road, built some 30 years ago, were narrow and outdated in design. In view of the increase in local population, those roads were not able to accommodate the current high volume of traffic. Large vehicles dominated those narrow roads and had to be driven slowly to avoid accidents, contributing to traffic congestion, especially along the two roundabouts, including the one near the junction of Tsing Yi Road and Ching Hong Road, and another one at the junction of Tsing Yi Road and Tsing Yi Heung Sze Wui Road near Tsing Yi south bridge (i.e. Tsing Yi Interchange (northern roundabout)). Previous accidents had led to a complete standstill of traffic in the area;
- (d) besides Mayfair Gardens and Cheung Ching Estate, there were more recent developments including Ching Chun Court (460 units) and a private residential development (800 units) near Mayfair Gardens, which had already exceeded the capacity of the existing transport infrastructure and provision, let alone the new PRH development;
- (e) airflow from the sea to Cheung Ching Estate, Mayfair Gardens and Rambler Crest was already blocked by the three hotel blocks fronting the sea. PRH development would create wall effect and further block the wind corridor for the local area, adversely affecting air ventilation and air quality locally and the health of the existing residents;

- (f) the three hotels i.e. Rambler Garden Hotel, Mexan Harbour Hotel and Rambler Oasis Hotel had about 1,500 guest rooms. The local residents already shared the use of the local malls with tourists and the staff, students and workers of the local institutes, logistics operations and so on. The future PRH residents would further deprive the existing residents of their current facilities and amenities;
- (g) Tsing Yi South lacked sufficient Government, Institution or Community (GIC) facilities and was devoid of a public library, a public swimming pool, a park, a sport grounds and/or a market. The Government had been neglecting Tsing Yi South and by comparison, Tsing Yi North had comprehensive planning. The future PRH residents would face the same problem;
- (h) the existing 1,800 trees at the original representation site were planted by the local residents including children for the benefits of the environment and local community. Those trees were already over 20 feet tall. To maintain social harmony, they should not be destroyed to make way for development;
- (i) there were many alternative sites available for the proposed PRH development, including the sizable site near the shipyard along Tam Kon Shan Road; logistics storage yards/parking lots along Kwai Tsing Road in close proximity to Kwai Fong MTR Station and bus terminal for easy transportation; and those brownfield sites (about 1,000 acres) and sites occupied by private clubs (about 400 acres). Members should urge the Government to develop those types of land instead which would help safeguard the living quality of the working class and social harmony; and
- (j) the recreational space of Tsing Yi South must not be sacrificed for meeting the housing needs.

12. The Chairman remarked that a number of representers/commenters had arranged amongst themselves the order of verbal submissions and had obtained the consent of the

concerned representers and commenters. As no objection to the proposed arrangement was raised by the other attendees, Members agreed to accede to the order arrangement as shown below.

R260/C80 – 馮景聰

R521/C10 – Chiu Long Chi

13. Ms Li Lai Sheung, Teresa said that she was provided with the respective scripts of two representers (R260 and R521), who were also commenters (C80 and C10). The main grounds of the representation and comments/requests in respect of R521 and C10 were as follows:

- (a) a verbatim record of the oral submission was required;
- (b) while the proposed Amendment Item A to the Tsing Yi OZP was supported, the remaining “R(A)4” zone for the proposed PRH development should also be rezoned to “O”, as the zone was not suitable for residential development;

Buffer Zone

- (c) it was inappropriate to place a residential development within the zone, which together with the nearby area (i.e. Rambler Crest), was the buffer area for Mayfair Gardens and Cheung Ching Estate in order to mitigate noise and glare impacts from CT9. The future PRH residents should not be treated as ‘human buffer’. As a resident at Rambler Crest who had lived in two separate units during the past 11 years, which were facing Tsing Yi Road and Tsing Sha Highway respectively, he had to endure the following adverse living conditions:
 - all the double-glazed windows within the unit facing Tsing Sha Highway would need to be closed most of the time and be covered by two layers of blackout curtains to reduce noise and glare impacts from CT9. To mitigate noise that could reach

over 70 dB(A), air-conditioning was required (from March to November/December) except during winter months. While his electricity bills were affordable as he and his wife worked full time, the previous tenant with children had to pay costly electricity bills;

- for the unit facing Tsing Yi Road, double-glazed windows and air-conditioning were used to mitigate against loud noises generated by heavy container vehicles in the nearby roads and roundabouts, especially at night time;
- (d) it was questionable as to how the PRH residents could afford the high costs of electricity for using air-conditioning to mitigate the noise impact, in conjunction with the use of acoustic windows. Opening windows for ventilation was a natural way of living and would likely be adopted by the future PRH residents, who would however be subjected to adverse noise and glare impacts by doing so. The proposed PRH development, if implemented, would defeat the purpose of improving the living standard of those in need;
- (e) some medical reports suggested a link between some types of diseases, including high-blood pressure, coronary artery disease and certain type of cancer, and long and/or night-time exposures to high noise level and glare. The TPB Paper nor the related documents had any medical findings on the effects on human health for being exposed to noise level over 70 dB(A) on a long-term basis. Before devising measures to address the noise and glare issues, expert reports establishing no adverse impacts on human health arising from the noise and glare impacts should be provided first;
- (f) the Government including HD was being unrealistic in its proposed measures to address the impacts from CT9 for the PRH development that was purely pursued to fulfil policy directive. It was unconvincing that a proposed PHR development next to a CT and depots with over 70 dB(A)

would be feasible with no insurmountable problems. The Board should not be misled;

- (g) Rambler Crest was zoned “Commercial” (“C”) and some of its residents had previously requested for the rezoning of the “C” site to residential use. They were told by the Government that the buffer area was not suitable for residential use and the erection of noise barrier was not an option for Rambler Crest. The same should apply to the proposed PRH development located within the same buffer area. Hence, noise barrier should not be erected for the PRH and the measures for addressing the noise problem would be even more limited;
- (h) it could be envisaged that taxpayers’ money would be spent on addressing the complaints, expenses and health issues of the future PRH residents and it was unfair to the taxpayers;

Traffic

- (i) according to the TPB Paper No. 10085 considered by the Board on 21.4.2016, TD was of the view that the traffic impact induced by the proposed PRH development was acceptable from the traffic engineering point of view and that with the traffic generated by the proposed PRH development, the existing roads including junctions nearby would perform at acceptable levels with reserved capacities. However, the waiting time for getting on a public bus/GMB for connecting to the MTR Station had not improved in the last decade or so. It would take over 30 minutes from Rambler Crest to Tsing Yi MTR Station by bus/GMB. Traffic was heavily congested during the a.m. peak hours and long tailbacks of vehicles were commonly seen. There were incidents involving over 100 passengers waiting at a GMB stop and such situation lasted at least a week. There would also be a major traffic accident occurring in Tsing Yi South at monthly interval, which were caused by large container vehicles;

- (j) the works of the Water Supplies Department (WSD) had affected Tsing Yi Road for more than three years while the new logistics centres along Tsing Hung Road had further worsened the traffic conditions in the area. He had to walk 45 minutes to get home after work from Tsing Yi MTR Station. Given the already unbearable traffic conditions of Tsing Yi South, the new population might need to commute daily to work on foot. Without building new roads, the traffic problem could unlikely be addressed. It was unacceptable to introduce additional population to the area given the current traffic situation;

Consultation

- (k) according to the TPB Paper No. 10085, out of the 29 bureaux and departments consulted, only 11 had comments on the representations and comments and the rest had no response. While Tsing Yi South was within the flight paths, there were no comments received from the Civil Aviation Department (CAD). Given there were also no comments from the Highways Department (HyD), the Leisure and Cultural Services Department (LCSD), and those with close ties with Tsing Yi South, such as the District Lands Offices, Tsuen Wan and Kwai Tsing (DLO, TW&KT) of the Lands Department (LandsD), the District Officer/Kwai Tsing of the Home Affairs Department (HAD), and the Building Surveyor/New Territories West of the Buildings Department (BD), there was concern on whether the information provided in the said TPB paper was sufficient for the Board to make a proper decision on the draft Tsing Yi OZP; and

Social Responsibility

- (l) the representer was misled to purchase the units at Rambler Crest, and could not afford to relocate due to the soaring property prices. PRH residents would unlikely be able to relocate easily after settling in at the PRH development taking into account their limited financial means. Members had the social responsibility to safeguard the interests of the

future residents and should act consciously. They should not rely on inaccurate information and that the “O” zone should be returned to the local residents.

14. Ms Li proceeded to present the main grounds of the representation and comments/requests in respect of R260 and C80, which were as follows:

- (a) a verbatim record of the oral submission was required;
- (b) the proposed Amendment Item A to rezone the northern portion of the “R(A)4” zone to “O” on the draft Tsing Yi OZP 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;

Buffer Zone/Area

- (c) according to the Final Report of the South-East Tsing Yi Port Development Planning & Engineering Feasibility Study for CT9 (the CT9 Report)(1990), the area between CT9 and Mayfair Gardens and Cheung Ching Estate was defined as a buffer area for mitigating noise and glare impacts from CT9;
- (d) in accordance with Appendix 2.1, Chapter 9 of the Hong Kong Planning Standards and Guidelines (HKPSG), ‘buffer area’ referred to ‘an area of land separating incompatible land uses, being of sufficient extent to minimise the potential conflict between them and those areas might contain non-sensitive structures or uses’ and that ‘land use incompatibility’ was defined as ‘a situation in which the co-existence of a particular land use on a site, or two or more land uses in close proximity, either created adverse environmental impacts beyond acceptable limits or compromised the proper functioning of the affected land uses’. Using

the remaining “R(A)4” zone that fell within the buffer zone/area for residential use was without sound grounds and would be subject to legal challenge;

- (e) placing a residential development in the buffer area was illogical. Referring to Chapter 9 of the HKPSG, residential uses were classified as Type III (i.e. likely to cause significant concern) by virtue of their high sensitivity to noise and air pollution. It was inconceivable that the implementation of mitigation measures such as noise barrier and road segregation would suffice for a residential development adjacent to a container terminal that operated 24 hours and was a source of pollution itself;
- (f) prior to the construction of Route 8, EPD had previously conducted a feasibility assessment concerning Route 8 between Cheung Sha Wan and Tsing Yi, which had made reference to Mayfair Gardens. Referring to paragraph 10.2.31 of the Final Environmental Impact Assessment (EIA) Report of Route 9 (renamed to Route 8 afterwards) between Tsing Yi and Cheung Sha Wan Detailed Feasibility Study (1999) (the EIA Report), to the south-east of Mayfair Gardens was an area of open space, which was serving as a buffer. Referring to Chapter 9 of the HKPSG, open space could be defined as active and passive (such as an amenity area) depending on the degree of environmental pollution it was being subjected to. Amenity area was an area that was subject to high pollution. The remaining “R(A)4” zone without any active recreational facilities was essentially an amenity area, which was not suitable for residential use;
- (g) paragraph 2.5.5 of the EIA Report also mentioned that some flats of Mayfair Gardens already exceeded 70dB(A) and the major noise source was from Tsing Yi Road. Hence, the future PRH residents would be subject to severe noise nuisances coming from both CT9 and Tsing Yi Road;

- (h) according to a meeting of the Legislative Council (LegCo)'s Panel on Environmental Affairs held in 2013, Rambler Crest was subject to noise pollution from the logistics industry and that Rambler Crest and the adjacent hotels were a buffer for the local sensitive receivers by mitigating noise impact from CT9. It would be unjustified to develop a sensitive receiver i.e. residential use within the buffer zone/area, which was directly abutting CT9. The current buffer area could not be used for anything else except being a buffer itself. In fact, the residents of Rambler Crest had purchased flats there based on the expectation that the previous "O" zone (i.e. the original representation site), which required tree planting under lease, would remain as "O";

- (i) a research by the Centre for Occupational and Environmental Health Studies of the Chinese University of Hong Kong (CUHK) cited that long and/or night-time exposures to noise and glare would result in higher risks for a number of illnesses, the former would increase the release of hormones from adrenal glands resulting in high blood pressure and coronary artery disease, while the latter concerned a certain type of cancer. The associated health risks of the proposed PRH development for its future residents should not be ignored;

CT9

- (j) a discussion paper on port and logistics development was considered by the Panel on Economic Development of LegCo on 22.6.2015. It pointed out that Hong Kong had about 350 container liner services per week (averaging 50 container liner services per day and two container liner services per hour) and the share of container throughput of the Kwai Tsing CTs (comprising CT9) in Hong Kong Port was 79% in 2014. Under the directive of the Transport and Housing Bureau (THB), dredging works for the Kwai Tsing Container Basin and approach channel from 15m to a depth of 17.5m had commenced to allow for the berthing of the new generation of ultra-large container ships at all times. The area of CT9 had also been expanded from 60 ha to 80 ha. It could

be foreseen that the nuisances from CT9 would only worsen in the future. The TPB Paper and the technical assessments had not provided the above information;

- (k) the future PRH residents could unlikely afford the high costs of electricity for using air-conditioning to mitigate the noise impact from CT9 and there would be health and environmental concerns arising from the prolonged use of air-conditioning;

Traffic

- (l) there were doubts on the Traffic Impact Assessment (TIA)'s findings of the PRH proposal that the traffic problem in the area was not insurmountable. WSD's works at Tsing Yi Road had been the culprit of causing traffic delay there and prolonged waiting time for buses. Since large vehicles occupied the local roads and junctions, emergency vehicles were not able to access the area easily. The traffic problem would be perpetuated further if the PRH development was implemented as the concerned road i.e. Tsing Hung Road would change from 2-lane to one lane only to cater for the PRH development. The Government had previously made a commitment in respect of the public housing estate (Kwai Luen Estate) that the traffic and GIC provisions in the Kwai Chung area would be addressed. However, the estate had been completed a few years ago and the related problems including the lack of public transport facilities had yet to be resolved. The same situation might apply to the current proposal; and

Social Responsibility

- (m) Members should not be misled to believe that the original representation site was not a buffer and had the social responsibility to safeguard the interests of the community by rejecting proposals that were illogical and contrary to the HKPSG. The Board should fulfil one of its main purposes of providing the community with a suitable living environment

and not rubber-stamp various government initiatives.

R629 – 張健深

R638 – 熊國傑

15. Mr Chan Kin Shing made the following main points:
- (a) he requested to have a verbatim record of his oral submission;
 - (b) the proposed Amendment Item A to rezone the northern portion of the “R(A)4” zone to “O” on the draft Tsing Yi OZP 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) he had resided at Mayfair Gardens for over 15 years and when he first moved in, the area opposite Mayfair Gardens was an oil depot and Rambler Crest was not yet built. Upon the completion of Rambler Crest, which was a service apartment, it was known that it served as a buffer to mitigate noise and glare impacts from CT9;
 - (d) the original representation site, i.e. the open space with 1,800 trees, was the only breathing space in Tsing Yi South. While he supported developing PRH to meet the housing needs, the information provided by PlanD in support of the PRH proposal appeared to be inaccurate. Contrary to the information provided by PlanD, the subject area was indeed a buffer and was unsuitable for residential use, as pointed out by the CT9 Report. It was questionable as to the basis for the PRH proposal given such background;

- (e) traffic congestion had been a longstanding problem in Tsing Yi South. A travelling time of about 20 to 25 minutes was required from Tsing Yi to Kwai Fong or 30 minutes to Tsing Yi MTR Station by GMB. A recent traffic accident at the Tsing Yi Interchange had led to a complete shutdown of the traffic at Tsing Yi Road and his daughter was very late for school since the GMB had to go to Kwai Fong through Tsing Yi north bridge. It was uncertain that Tsing Yi Road could accommodate the new population of the PRH development as well as those nearby residential developments in the area;
- (f) unlike Tsing Yi North, Tsing Yi South was lacking in adequate infrastructure and facilities such as library and indoor sports centre. The residents in Tsing Yi South could not make use of the GIC facilities in Tsing Yi North due to the long travelling/walking distance; and
- (g) the adverse environmental conditions affecting the original representation site had rendered the site unsuitable for residential use and the proposed PRH development would create wall effect affecting air ventilation in the local area. It was doubtful that there would be no insurmountable technical problems arising from the PRH development and the proposed noise mitigation measure would be effective. Members should visit the area to ascertain the accuracy of the technical findings provided by PlanD.

R288/C262 – Wong King Kwong

16. With the aid of a PowerPoint presentation, Mr Wong King Kwong made the following main points:

- (a) he requested to have a verbatim record of his oral submission;
- (b) the proposed Amendment Item A to rezone the northern portion of the “R(A)4” zone to “O” on the draft Tsing Yi OZP 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) referring to a slide showing a site photo of the original representation site and its surroundings, he said that the site was within the buffer area and was in close proximity to CT9. The site abutted Tsing Sha Highway to its south and container vehicles emitted loud noises when going up such steep highway. The small roundabout at Tsing Hung Road next to the site was a cul-de-sac and it was uncertain that the provision of a bus depot and road widening at the cul-de-sac for the proposed PRH development would be feasible. Mayfair Gardens had been adversely affected by the nearby container yards and CT9;

Buffer Function

- (d) the media had uncovered some background information of the original representation site, namely that it had been used as a buffer area to mitigate impacts from CT9 since 1990s, PlanD had publicly denied that and purposely deleted the related description concerning its buffer function in the Explanatory Statement (ES) when the proposed amendments to the Tsing Yi OZP were submitted to the Board for consideration last year;
- (e) the remaining “R(A)4” zone and CT9 was about 300m apart and there was no physical barrier between them. According to the CT9 Report of 1990, the zone was within the buffer area. In line with the HKPSG, the buffer area should only have non-sensitive uses and hence, should not be used for residential purposes. Members should investigate such matter further;
- (f) in its letter to the local residents, PlanD had stated that the original representation site was for landscaping only, and not as a buffer area for

screening of noise and glare from CT9. That information deviated from what was presented in the CT9 Report, namely that CT9 upon completion would pose environmental impacts on the nearby residential developments including Mayfair Gardens and Cheung Ching Estate and the Hong Kong Institute of Vocational Education (Tsing Yi) (IVE). In paragraph 3.3.4 of the CT9 Report, it was stated that “both the Technical College and the adjacent residential developments are environmentally sensitive users, which in turn suggest that sites immediately in front (within 100m) be used for appropriate buffer uses”. In planning terms, the adjacent container yards and CT9 were incompatible with residential use and they would need to be separated by a buffer area. PlanD had altered the original planning intention for achieving policy directive, as cited by the former LegCo Member Hon Lee Wing-tat. In fact, even though the proposed PRH development was rejected by the Kwai Tsing District Council (K&TDC) in May 2015, it was still submitted to the Board for consideration in the same year. The Board was unaware of the information concerning the buffer status and allowed the proposed amendments;

- (g) at the hearing of the draft Tsing Yi OZP in April 2016, DPO/TWK admitted that the original representation site was within the buffer area. However, he had subsequently denied having said that. Taking into account the deletion of the buffer function of the site in the ES, his integrity was in doubt and should be subject to disciplinary action accordingly. Members should not be misled further;

Noise

- (h) the future PRH residents would be subject to adverse noise impact caused by a large number of container vehicles in the nearby roads and CT9 that operated 24 hours daily. Not only would high noise level induce irreparable hearing defect in humans, it would also adversely impact on their heart conditions and sleeping quality, fetal development, and most importantly their mental health. The Government had taken

lands indiscriminately for housing developments as shown by the current case and the future PRH residents would suffer unnecessarily as a result, while taxpayers would have to bear the high costs involved. It was doubtful that the proposed use of double-glazed windows with special design feature allowing air flow as put forth by HD would be feasible since the future residents would need to keep the windows shut and rely on air-conditioning. The use of central fresh air intake system, if introduced, might pose another problem. Many residents of Rambler Crest, which relied on double-glazed windows and central air-conditioning as noise mitigation measures against CT9, had covered up the central fresh air ducts at their units as the air, which was extracted from the car park to all residential units, was filled with second-hand smoke from those tourists gathering near the tour coaches. The remaining “R(A)4” zone was next to Tsing Hung Road where tour coaches gathered at the roundabout of Tsing Hung Road and fresh air-intake from Tsing Hung Road would not be suitable;

Traffic

- (i) the local roads surrounding the remaining “R(A)4” zone were already heavily congested, especially during the peak hours. There was only one bridge i.e. Tsing Yi south bridge that allowed outbound traffic to Kwai Chung and Kowloon and the bridge was already fully occupied. Large vehicles such as container vehicles, tour coaches and fuel tanker trucks were the predominant vehicles and traffic accidents were frequent. Long traffic delays and limited bus service had impacted negatively on the local residents who were commuters and had also affected the mental and physical well-beings of school children who were late for schools. The feasibility of widening Tsing Hung Road for the proposed PRH development was also doubtful and the traffic problem should be addressed first prior to the development of the subject PRH;
- (j) the technical assessments produced by the Government’s consultants were unrealistic. Members should visit the area at different times to

find out themselves the reality of the situation as pointed out by the representers. While the provision of PRH to meet the housing needs of those in need was supported, the remaining “R(A)4” zone was not suitable for residential use; and

- (k) the remaining “R(A)4” zone provided a breathing space for the local residents. Members were requested to make a decision using their professional judgements and to rezone the remaining “R(A)4” zone back to “O”.

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

R524/C280 – Fung Wing Mei, Eugenia

17. With the aid of a visualiser, Ms Fung Wing Mei made the following main points:

- (a) she requested to have a verbatim record of her oral submission;
- (b) the proposed Amendment Item A to rezone the northern portion of the “R(A)4” zone to “O” on the draft Tsing Yi OZP 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) it must be stressed that while the provision of PRH to meet the housing needs of those in need was supported, the original representation site should be zoned as “O” for the following reasons:
 - the buffer zone was so designated to mitigate glare impact from CT9. Referring to a photo showing CT9 at night, she said that the glare impact was severe and raised concern on the quality of the

living conditions if the residents had to endure the glare impact on a daily and long-term basis. The future PRH residents would be the victims if the proposed PRH development was implemented;

- the future PRH residents would be subject to adverse noise and air impacts caused by a large number of container vehicles in the nearby roads including Tsing Yi Highway which connected with Stonecutters Bridge. The local residents of Tsing Yi South had long been negatively affected by such adverse noise and air impacts. Members should safeguard the health of the future PRH residents. As far as she knew, the K&TDC had previously rejected the PRH proposal and that the Board had ignored the K&TDC's reasons for objecting and allowed the related amendment items. She questioned whether the Board had rubber-stamped the PRH proposal to help the Government achieve its public housing target, even though the remaining "R(A)4" zone was not suitable for residential use;
- the costs associated with the proposed PRH development would be significant given the noise mitigation measures that would be required;
- Tsing Yi South was already overpopulated, taking into account the existing private and public housing estates, besides Mayfair Gardens and Cheung Ching Estate, as well as the hotels, commercial buildings and logistics operations in the area. Tsing Yi South would not be able to accommodate the proposed PRH development with over 2,000 units and 6,000 residents;
- referring to a photo showing the remaining "R(A)4" zone, she said that the site was already overgrown with trees and plants, and some of the trees were planted by the local residents including children more than a decade ago. Although the trees were not classified as Old and Valuable Trees, that had no bearing on their value and role

in purifying the air and providing greenery and visual relief for the benefits of the local residents. According to modern scientific research, trees had come into existence for over 200 million years and humans had a long attachment to trees since early human activities first centred around trees, human's devotion to trees and the concept of humans living alongside trees had been ingrained in human DNA. While over 70% of the earth's oxygen came from aquatic life forms, the rest of it came from trees. Trees in urban areas had an important and practical function of producing oxygen and improving air quality for the urban areas. Besides, the existing trees at the site also had sentimental value to the local residents and should be preserved, which in turn would help protect the bird life. The proposed PRH development would affect air ventilation in the local area and the needs and wishes of the local residents should not be ignored; and

- (d) the future PRH residents should not be used as a buffering tool between Mayfair Gardens and Cheung Ching Estate and CT9 and that the remaining "R(A)4" zone should also be rezoned to "O". Members had the social responsibility to safeguard the interests of the PRH residents and the local community and were requested to make a decision using their professional judgements.

R394/C1 – Poon Chi Shing

18. Mr Sheen Man Lun made the following main points:

- (a) he requested to have a verbatim record of his oral submission;
- (b) he strongly requested that the remaining "R(A)4" zone for the proposed PRH development 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) he had resided at Mayfair Gardens for over a decade, and hoped that the residents of Mayfair Gardens would not be treated with prejudice as they had raised objections to the subject PRH proposal;
- (d) the consultation conducted by PlanD should be more detail orientated and the concerns of the local residents should be better understood. The residents of Mayfair Gardens were within reasons to object to the PRH proposal. The main concerns were as follows:
- the Government had already made a commitment to the local residents earlier that a buffer area would be provided to screen off the noise and glare impacts from CT9. Backing off from such commitment would affect the integrity of the Government. In addition, the information and technical findings submitted by PlanD to the Board were considered inaccurate and should be amended;
 - Tsing Yi was an island and there were two main roads for going to Kowloon i.e. Tsing Yi north bridge and Tsing Yi south bridge, serving the areas of Tsing Yi North and Tsing Yi South respectively. Tsing Yi north bridge was better than Tsing Yi south bridge in terms of width and public transport provision (e.g. wider bridge, 3-way roundabouts and access to MTR). For Tsing Yi South, the outbound traffic to Kowloon had to go through the narrow Tsing Yi Road and the two one-way roundabouts of Tsing Yi Interchange, before reaching Tsing Yi south bridge, resulting in traffic delays. In the past before the construction of Tsing Yi north bridge which helped divert some of the local traffic from Tsing Yi South, due to severe traffic congestion, the residents in Tsing Yi South had to walk 45 minutes to Kwai Fong MTR Station for commuting. Given that Tsing Yi South was already overpopulated, the traffic congestion problem still prevailed and should be urgently addressed before allowing the PRH development e.g. construction of a new bridge and road widening.

Traffic problem was the most urgent issue as it affected people's livelihoods and addressing the traffic problem only after the moving in of the PRH residents would be highly unacceptable. The Board should not be misled by PlanD which stated, inter alia, that there would be no insurmountable traffic impact arising from the proposed development. Members should visit the area to understand that the traffic issue could not be resolved without road widening;

- there were many alternative sites available for the proposed PRH development, including those sizable sites in Tsing Yi North which had better transport infrastructure and provision e.g. near the shipyard along Tam Kon Shan Road;
- whether the original representation site was selected for the proposed PRH development due to its unfavourable location and thus was unwanted by developers;
- it was unacceptable to treat the future PRH residents as a buffer for screening off impacts from CT9. Although the proposed PRH development, if implemented, would appear to have achieved the purpose of accommodating those in need of housing, it would lead to grievances amongst the existing residents in Tsing Yi South, resulting in the transfer of housing problem from one group to another. The future PRH residents would likely be dissatisfied with the accommodations at such location and the entire local population in Tsing Yi South would be outraged. The remaining "R(A)4" zone was considered not suitable for residential use;
- the Government had lost its credibility due to the overspending of several public projects and the overall cost of the PRH development might have been underestimated; and

- (e) the Board would need to fully consider whether the remaining “R(A)4” zone was appropriate for the PRH development and the impacts it would generate to the local area. If the proposal was accepted despite the existence of many problems, Members should ask themselves if the existing local residents and those of the proposed PRH development had been fairly treated in the matter. The current approach of taking lands indiscriminately to meet housing targets would only lead to more judicial reviews being lodged by local residents.

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

R166 – Ng Ka Ho

C32 – Chiu Ying Yuen

C175 – Wu Ka Sing

C177 – Wu Ka Wei

C181 – Wu Kee

C186 – Ng Hang Yi

C189 – Chan Hang Yi

19. A script summarising Mr Ng Ka Ho’s presentation was tabled at the meeting for Members’ reference. With the aid of a visualiser, Mr Ng then made the following main points:

- (a) he appreciated the Board’s decision to delete Block 4 of the proposed PRH development under the proposed Amendment Item A and hoped that the remaining three blocks could also be removed by rezoning the remaining “R(A)4” zone to “O”. He was thankful that some Members had visited the local area including Tsing Yi Road with severe traffic problem, and that might have been the reason for not pursuing Block 4 of the PRH development;
- (b) referring to a photo showing the original representation site and its surroundings, the original representation site was located within the buffer zone. The neighbouring uses included a PFS and a sewage

treatment plant at Tsing Yi Road and port uses with the storage of dangerous items along Tsing Hung Road and CT9;

- (c) he was a resident of Rambler Crest and attended the hearing in respect of the Tsing Yi OZP in April 2016. As the related and lengthy documents were only provided by PlanD shortly before the hearing, he did not have the opportunity to look through them properly. After the hearing, the local residents had studied the documents and submitted further information concerning some new findings, which were however not been considered by the Board. He then highlighted the main points of the new/key findings;
- (d) referring to a plan, he said that the original representation site was defined as a buffer area for mitigating impacts from CT9 and should not be used for residential purposes. He then referred to the minutes of the hearing of the meeting citing that DPO/TWK had admitted the buffer status of the original representation site. Using the buffer area for residential purposes was deemed unprofessional;
- (e) Professor Lawrence Lai of the Faculty of Architecture of the University of Hong Kong (HKU) was contacted by the local residents and he wrote a letter to the Government, which consisted of the following phases, including that *“the aforesaid buffer area was planned during the 1990s on the recommendation of a consultancy report to protect noise-sensitive uses from nuisances generated by CT9 in accordance with the HKPSG.... In the area was built a hotel that screens several “service apartment” blocks, which are de facto residential developments from most noise nuisances due to CT9.”*, *“It is patently against established policy, sound planning principle and the recommendation of the consultant report for CT9, now operating as a major territorial facility, to locate near it a high rise residential development. To allow for public rental housing units of a conventional design and schedule of accommodation in the vicinity of CT9 would likely create a situation in which, upon the housing units’ occupation, would result in residents complaining to the*

government about the noise and light pollution generated by CT9.”, “To allow the proposal to go ahead as it stands would create a textbook example of poor planning and housing, notwithstanding a dose of hair-splitting technical reasons and data offered to blur a straightforward planning mistake. This would compromise the international and local good will of the government....” and “It would also set a bad precedent for siting residential developments in buffer zones.” The letter also highlighted that besides Professor Lai, who had concern about the policy implications of the PRH proposal, a number of LegCo Members had also opposed the proposal;

- (f) referring to a plan provided by Professor Lai, he said that the proposed PRH directly abutted CT9 and would be subject to significant and adverse air, noise and glare impacts from CT9. PlanD’s claim that the proposed PRH development could act as a buffer between the nearby existing buildings and CT9 was unacceptable and unprofessional;
- (g) a photographic image from a newspaper also indicated that Blocks 1 to 3 of the proposed PRH development would entirely front onto CT9 without any screening. The adjacent Mapletree Logistics Hub (MLH) had generated noise nuisance to the surrounding area. Adjacent to MLH and fronting the remaining “R(A)4” zone was a large container yard where PlanD had proposed to construct a multi-storey logistics centre similar in scale to that of MLH. The new logistics centre in close proximity to the remaining “R(A)4” zone would pose even more noise, glare, air and traffic impacts to the detriment of the future PRH residents. The remaining “R(A)4” zone was unsuitable for residential use regardless of whether such new logistics centre could act as a buffer for it;
- (h) as unveiled recently by the media, PlanD had purposely deleted the related description concerning the buffer function of the original representation site in the ES of the OZP and that was unacceptable, unless there were strong justifications to do so. There was no such

justification as far as he was aware of;

- (i) there were concerns on the Broad Environmental Assessment (BEA) Report, Traffic Impact Assessment (TIA) Report and Air Ventilation Assessment Expert Evaluation (AVA EE) submitted by PlanD to the Board in support of the PRH proposal for consideration in April 2016 in that there would be insurmountable technical issues;

Environment

- (j) the residents of Rambler Crest had a relatively higher percentage of sufferers of respiratory diseases than those outside Tsing Yi as the neighbourhood was subject to adverse air pollution. The BEA by Mott MacDonald Hong Kong Limited (Mott MacDonald) did not carry out any measurement on air quality at Tsing Hung Road and only did a simple analytical review while ignoring CT9 and port related uses in the area. Smell nuisances from the nearby sewage treatment plant and PFS were also not included in the review. Tree felling to make way for the PRH development and the future local population of over 10,000 people (including the estimated population of the PRH development and those of Ching Chun Court and Sai Shan Road) and the related high traffic volume that would affect air quality in the area were also not assessed. The CT9 Report (1990) carried out baseline air quality data collection for a 6-month period with seven sensitive receivers with detailed settings on measurement angles and heights (e.g. 5m and 40m) to ensure good coverage, and such detailed methodology was absent in the BEA. That was not acceptable. Air quality assessment concerning the existing PFS and sewage treatment plant which were the sources of pollution should be conducted and their request for that was ignored by PlanD;
- (k) according to a research by the University of Murcia in Spain, residents living within 100m of a PFS would be affected by the contamination at PFS and sensitive uses such as elderly homes and schools were recommended to be sited more than 100m away from any PFS. The

proposed PRH development, which was in close proximity with the PFS, however, would provide an elderly centre and educational uses. In the case of Singapore, if a residential building and a place of public assembly (e.g. elderly home and school) were located within 50m and 90m of a PFS, a strict assessment would be conducted before those uses were allowed. Even a developing country like Rwanda in Africa had a 100m-distance restriction for any PFS in respect of public institutions including schools, churches, public libraries, playgrounds and hospitals, etc.;

- (1) as for noise, the noise criteria of fixed plant noise for the original representation site (i.e. the acceptable noise levels for the site) were set at 60 dB(A) and 50 dB(A) for day-time/evening and night-time respectively, as adopted by Mott MacDonald in the BEA, and were considered acceptable. It was due to the fact that those noise levels were consistent with those set for Rambler Crest under the Noise Control Ordinance (NCO) as it was affected by CT9, as indicated in a LegCo Paper discussed by the LegCo's Subcommittee on Issues Relating to Air, Noise and Light Pollution on 10.5.2013. According to the BEA, the noise levels at three locations of the original representation site already exceeded those noise criteria during day-time and night-time, especially the location at the northern boundary that was close to the PFS, for which the exceeded levels were 8.6 dB(A) and 13.2 dB(A) respectively. In its conclusion, the BEA had however quoted the noise limits under NCO i.e. 70 dB(A) and 60 dB(A) for day-time/evening and night-time respectively and stated that only some residential units of the PRH development would marginally exceed those limits. Amongst other defects including the relatively short measurement time for each of the three locations (a total of 1 hour instead of the normal practice of 24 hours per location), the BEA also claimed to have adopted a conservative approach in its evaluation and assessment but only the location which had the lowest level of exceedance for evaluation was selected for evaluation/comparison. There was doubt as to whether such BEA had been properly vetted by the concerned government departments;

- (m) as two of the three locations were at the northern portion of the “R(A)4” zone which had been proposed to be reverted to “O” zone, more locations should be provided at the remaining “R(A)4” zone for testing on noise levels;

- (n) while the BEA did not provide any measurement on road traffic noise, it had however provided the predicted maximum noise levels for the residential units of the PRH development based on desk-top review under the section on road traffic noise impact. That would have underestimated the number of units that would exceed the maximum noise levels of 70dB(A)/hour. A comprehensive traffic noise assessment should be conducted. In accordance with the HKPSG, the maximum road traffic noise levels for kindergarten and elderly home were set at 65dB(A)/hour and 55dB(A)/hour. As the proposed PRH development would provide those uses, the BEA had not addressed such departure from the HKPSG. It had been stated under paragraph 8.6.2 of the Code of Practice for Residential Care Homes (Elderly Persons) of the SWD, the Residential Care Home of the Elderly (RCHE) had to be visited by a registered medical practitioner for medical consultation or follow-up treatment under section 34 of the Residential Care Homes (Elderly Persons) Regulation and a diagnostic/treatment room would be needed, and the relevant maximum noise level for that was 55dB(A)/hour. While the BEA had recommended noise mitigation measures against traffic noise, including acoustic windows, the ventilation function of the windows had not been explained nor examined. It was indeed doubtful that the proposed use of double-glazed windows as put forth by HD would be feasible since the future residents would need to keep the windows shut and rely on air-conditioning;

- (o) the BEA had not carried out any assessment on glare impact. The adjacent MLH gave off serious glare to the surrounding buildings, as shown by a photo taken at night. In the CT9 Report, it had been stated

that HyD considered the glare rating of 34 on Mayfair Gardens and Cheung Ching Estate due to CT9 as unacceptable. Indeed, the residents of both developments had been complaining about the noise and glare impacts for years. Under the CT9 Report, it was stated that the industrial buildings on the three sites (including the MLH site and the neighbouring container yard) would be more than 30m high (the minimum height to provide screening from CT9) and therefore provided a shielding effect to the whole of Mayfair Gardens and most of the areas in Cheung Ching Estate. That had led to the development of CT9;

- (p) the BEA should include assessment on the vibration impact generated by surrounding operations including heavy vehicles;
- (q) as revealed by the EPD's comments on the BEA, the BEA did not include any quantitative assessments. That was highly unsatisfactory. He questioned whether HD could provide the current status of the EIA as HD had indicated at the hearing in April 2016 that the EIA was being finalised;

Traffic

- (r) there were 3 traffic surveys conducted for the TIA. The first one was conducted at three road junctions on 29.1.2015 to investigate the vehicular traffic flow. The second one was conducted at Cheung Wang Estate on 31.3.2015 to investigate the passenger demand for public transport services. The third one was conducted at Cheung Ching Estate on 28.4.2015 to investigate the occupancy of franchised bus and scheduled minibus routes. Referring to photographs of Tsing Yi Road, he said that the long partial closure of the 4-lane Tsing Yi Road (from 4-lane to 2-lane) was not mentioned in the traffic survey and HyD had been non-responsive on the reason for the partial closure. Tsing Yi Road was also heavily used by container vehicles and was largely occupied by road works, as witnessed by a number of Members who visited the local area mentioned earlier. The existing PFS was one of

those few PFSs that allowed the filling of petrol by container vehicles. The TIA by Mott MacDonald did not address the issues concerning the traffic impacts arising from container vehicles and major road projects. The length of a container vehicle could be equivalent to two or three private cars and would take up two lanes when accessing a roundabout, the cumulative impact of which could be substantial;

- (s) there was a proposal in the TIA to build a slip road connecting Tsing Yi Road with Tsing Hung Road but that proposal was dropped as the traffic flow taking into account the PRH development was estimated to exceed the road capacity slightly after assessment. According to his own estimation based on 3 PRH blocks only, the resultant traffic flow would not exceed the road capacity. The TIA should reconsider such slip road proposal;
- (t) regarding the traffic survey conducted at Cheung Wang Estate on 31.3.2015, that day was a school holiday and was the day before the start of the Easter Holiday period. At the previous Q&A session held on 26.4.2016, the traffic consultant of Mott MacDonald admitted to such a fact, which was however not recorded in the respective TPB minutes. That traffic survey conducted that day therefore revealed a low passenger flow, which was not the actual situation. His previous request to conduct additional surveys by Mott MacDonald was not acceded to;
- (u) since the traffic survey was based on a low passenger flow, Mott MacDonald had underestimated the passenger demand of the proposed PRH development for public transport services. With the reduction of the proposed number of blocks from 4 to 3, Mott MacDonald had subsequently adjusted the number of bus trips required from 16 to 8 to accommodate the adjusted passenger demand (i.e. 930 persons in the busiest a.m. peak hour). However, the destinations of the passengers were not taken into account. From the 2015 statistical data of the Census and Statistics Department (C&SD), the ratio of employed persons to population was 51.77% and the ratio of students to population was

16.02%, totaling 67.79%. Applying the same ratio to the estimated population of the proposed PRH development of about 6,500, about 4,400 persons of the development would need to go to work or school. If 50% of those persons would use public transport, the estimated passenger demand in the busiest a.m. peak hour was 2,200 persons, which was much higher than the adjusted figure of 930 estimated by the traffic consultant and would require 19 buses to accommodate all of them. Based on the overall population of 10,000 (including the estimated population of the PRH development and those of Ching Chun Court and Sai Shan Road), there would be 3,406 persons in the busiest a.m. peak hour requiring public transport services and if 50% of them would use bus and 50% would use GMB based on the current patterns of transport mode at Mayfair Gardens, Cheung Ching Estate and Rambler Crest, they would require of 122 bus/GMB trips (15 buses and 107 GMB). If the same 50%/50% split of population was adopted for 2,200 persons of the PRH development, there would be about 78 bus/GMB trips (9 buses and 69 GMB);

- (v) as regards the study of the occupancy of bus route No. 42A which was the most popular route, he estimated that the shortfall was 6.7 bus capacities in the busiest a.m. peak hour taking into account the additional population from the subject PRH development, Ching Chun Court and the Sai Shan Road site;
- (w) the bus companies could unlikely be able to provide enough bus trips to cater for the needs of the existing and future residents. PlanD, TD and HD had not consulted the relevant bus companies to assess if they could provide the services. When Kwai Luen Estate with four PRH blocks at Kwai Chung was planned several years ago, the Government had also committed that public transport services would be increased to meet the demand from the additional population. However, there was no improvement or increase of services after completion of the development despite repeated requests of K&TDC;

- (x) Ching Chun Court and the Sai Shan Road site were yet to be completed for occupation. The additional population generated by the proposed PRH development, if implemented, could paralyse the local traffic. The data collected from the Hong Kong Police Force had revealed that there was an increase in the number of traffic accidents in Tsing Yi by 5.5% in 2014 when compared with that in 2013, while the overall number of accidents in Hong Kong for the same period had decreased by 2%. For the year 2015, the number of traffic accidents in Tsing Yi increased by 5% when compared with that in 2014, while Hong Kong's overall number of accidents for the same period had increased by 2%. In 2014, about 36% of the traffic accidents in Tsing Yi were related to lorries, the figure was 15% for the whole of Hong Kong. The cumulative increase for 2014 and 2015 was 10.5%, reflecting the overly congested traffic condition in Tsing Yi leading to frequent traffic accidents;
- (y) as more and more logistics centres had opened in the area in recent years, the number of container vehicles travelling on the roads in Tsing Yi South had escalated significantly. However, the TIA had totally neglected the traffic flow of container vehicles in the area and underestimated the growth of traffic flow;

Air Ventilation

- (z) the AVA EE had previously concluded that the air ventilation in some parts of the local area would improve as a result of the proposed PRH development. That conclusion was highly questionable. The current proposal of 3 PRH blocks would necessitate a new AVA to be carried out;

Others

- (aa) the Esso PFS at Tsing Yi Road was not a conventional PFS as it contained a lubricating oil storage to serve the container vehicles, which was highly dangerous. The distance between the PFS and proposed

PRH development was very close and the 3 blocks would be located on a slope. It should be noted that the HKPSG had already stated that PFS within built-up areas should preferably be located in relatively open areas and not surrounded by developments, and where such a requirement could not be met, it was desirable that the surrounding buildings of the PFS were only low-rise. Hence, the proposed PRH development deviated from the HKPSG. While there were existing residential developments located in close proximity to PFSs as pointed out by PlanD, they were examples of failed planning and should not be repeated;

- (bb) Tsing Yi South was short of open spaces and recreational facilities. According to the HKPSG, six children's playgrounds should be provided to serve the current population of 30,000 in Tsing Yi South. However, only three children's playgrounds were provided. The Ching Chun Court and the Sai Shan Road site appeared not to have any recreational facilities in the respective developments. Upon completion of the proposed PRH development, the population of the area would be further increased by about 6,500, thereby increasing the demand and competition for recreational facilities and open spaces;
- (cc) the proposed PRH development was also not in line with the HKPSG which specified that port back-up and open storage uses should not be located near sensitive uses such as residential and GIC uses;
- (dd) Tsing Yi South had no hospital and public health care facilities. The Hospital Authority should have been consulted on the PRH proposal since the new population would increase the demand for public health care services and Princess Margaret Hospital was already overcrowded with the local residents from Tsing Yi;
- (ee) the K&TDC members from different political backgrounds had opposed the PRH proposal unanimously. They were only further consulted on the amendments by circulation before the end of the 2015 DC session, shortly before the amendments were submitted to the Board for

consideration. That was highly inappropriate;

- (ff) PlanD could not provide the details of compensatory tree planting since a large number of trees on the remaining “R(A)4” zone would be felled. That was unsatisfactory; and
- (gg) he urged the Board not to consider the responses provided by government departments after the upcoming hearing session on 10.11.2016, since the further information submitted by the local residents after the hearing in April 2016 was not considered by the Board. The same approach should be adopted by the Board for both parties to ensure fairness.

20. The Chairman remarked that a number of representers and commenters with long speaking time had yet to submit their oral submissions and a lunch break would commence soon. He asked if any of the representers and commenters would prefer giving their oral submission before the lunch break. Mr Wong Sai Kit, representative of a number of representers and commenters, indicated his preference for such and as no objection to the proposed arrangement was raised by other attendees, Members agreed to accede to Mr Wong’s request.

231 – 朱創謙

R370 – 劉惠賢

C5 – 譚家健

C6 – 張美琪

C7 – 譚家樑

C17 – 楊金峰

C19 – Lam Kit Yee

C21 – 楊亭亭

C23 – Cheng Suk Man

C24 – Wong Hin Shing

C26 – 林啓開

C173 – Patrick Chu

21. Mr Wong Sai Kit made the following main points:

- (a) he requested to have a verbatim record of his oral submission;
- (b) the proposed Amendment Item A to rezone the northern portion of the “R(A)4” zone to “O” on the draft Tsing Yi OZP 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) the buffer zone was not suitable for residential use. Under the HKPSG, the buffer zone could only be occupied by non-sensitive uses and hence, was not suitable for residential use. In planning terms, the adjacent container yards and CT9 were incompatible with residential use and they would need to be separated by a buffer zone. If a residential development was allowed to be built within the buffer zone, there was doubt on whether the purpose and the need for buffer zone would still be maintained in town planning in future;
- (d) the media had suggested that the original planning intention concerning the buffer zone had been removed and it might be for achieving the overriding policy directive, irrespective of professional judgement. While the provision of PRH was supported as the housing needs of those in need should be met, the Government should act within reasons. PlanD had been criticised for misleading the Board for the present case. Members should be mindful of the PRH proposal and that residential development within the buffer zone would be a serious mistake;
- (e) the buffer zone was located near industrial uses and activities that operated on a 24-hour basis daily, including CT9, logistics centres and container yards, a sewage treatment plant and a PFS, etc.. The air quality in the area was below acceptable level. Large container vehicles

dominated the local roads and junctions and that accidents caused by container vehicles were common. The residents in Tsing Yi South had long been suffering from the poor transport infrastructure, traffic congestion and the lack of public transport services in the area;

- (f) Tsing Yi South was lacking in open space and the original representation site was the remaining open space in Tsing Yi South. There were no justifications to take away the open space for residential development;

- (g) Members should not disregard the original planning intention for the open space at the original representation site, and the associated background. The buffer zone was previously proposed to address the grievances of the local residents with respect to the implementation of CT9 and as Tsing Yi South was lacking in open space, the open space was so designated within the buffer zone for the benefits of Mayfair Gardens and Cheung Ching Estate. According to paragraphs 2.2.1 and 2.3 of the CT9 Report (1990), the *“Conceptual Land-Use Plan produces approximately 39 ha of new development sites. Of this, around 53% are designated for industrial and industrial-related purposes, 11% for Government purposes, 17% for open space..”* and *“From a planning point of view, the proposed development provides sites for the required port-related uses and a good mix of other compatible land use, on industrial, recreational and Government sites, which include an effective buffer to CT9 and the sensitive uses, served by an efficient road network.”*. Paragraph 10.5.6 of the CT9 Report also mentioned that the subject open space would serve both workers in the adjacent industrial area and students of the technical college, and that active and passive recreational facilities would be provided at the open space. The Government had essentially followed through much of the proposals and requirements set out under the CT9 Report, including the completion of major logistics centres within the industrial area, government uses such as the sewage treatment plant and IVE, and the completion of Tsing Yi south bridge and Tsing Sha Highway as an efficient road network. On 6.12.1991, the Metro Planning Committee of the Board agreed to the use

of the open space for providing active and passive recreational facilities for Mayfair Gardens and Cheung Ching Estate and as a buffer between the residential developments and CT9. Such intention was previously reflected in the ES of the “O” zone under the previous version of the Tsing Yi OZP. The buffer zone had an important role of mitigating adverse noise, glare and air impacts from CT9;

- (h) against such unique background, the subject open space should not be hastily sacrificed. The local residents felt cheated in view of the recent change in Government’s position and the implementation of the PRH proposal would be at the expense of social harmony;
- (i) the local residents were previously advised by LCSD that active recreational facilities could not be provided at the open space due to the sloping ground. It was questionable how the same slope would be considered suitable by the Government for residential development;
- (j) health risks associated with strong glare (e.g. cancer and mental illness) had been well documented and should not be ignored;
- (k) there were many alternative sites available for the proposed PRH development, including those brownfield sites in the New Territories (about 1,200 ha) and those sizable sites in Tsing Yi North which had better transport infrastructure and provision e.g. near the shipyard along Tam Kon Shan Road that would not be the subject of local objections;
- (l) on 21.4.2016, the government representative had admitted at the hearing of the draft Tsing Yi OZP that the original representation site was within the buffer area. The future PRH residents should not be treated as ‘human buffer’ and the noise mitigation measure involving prolonged use of air-conditioning for achieving basic living standard was impracticable; and

- (m) the technical assessments in support of the PRH proposal were full of inconsistencies and errors. The future PRH residents would be adversely affected both physically and psychologically, which would in turn affect family ties and social harmony. Members should consider the grounds put forth above before making a decision on the zoning amendment for the PRH development.

22. The meeting was adjourned for a lunch break at 12:45 p.m.

23. The meeting was resumed at 2:20 p.m. on 7.11.2016.
24. The following Members and the Secretary were present at the resumed meeting:

Permanent Secretary for Development
(Planning and Lands)

Chairman

Mr Michael W.L. Wong

Dr Wilton W.T. Fok

Mr Sunny L.K. Ho

Mr Dominic K.K. Lam

Dr F.C. Chan

Mr Peter K.T. Yuen

Mr Wilson Y.W. Fung

Mr Alex T.H. Lai

Miss Winnie W.M. Ng

Ms Sandy H.Y. Wong

Chief Traffic Engineer (New Territories West),
Transport Department

Mr Samson S.S. Lam

Deputy Director of Environmental Protection (1)
Environmental Protection Department

Mr C.W. Tse

Assistant Director/Regional 3,
Lands Department

Mr Edwin W.K. Chan

Presentation and Question Sessions (Continued)

[Open Meeting]

25. The following government representatives, and the representers/commenters or 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)
- Ms Fannie F.L. Hung - Senior Town Planner/Kwai Tsing (STP/KT)

Housing Department (HD)

- Ms Emily W.M. IP - Planning Officer (PO)
- Mr Fung Chi Fai - Senior Architect (SA)
- Mr Chow Kwok Sang - Civil Engineer (CE)

Transport Department (TD)

- Mr Patrick K.H. Ho - Senior Engineer/Kwai Tsing (SE/KT)
- Mr Honson H.S. Yuen - Chief Transport Officer/New Territories South West (CTO/NTSW)

Representers, Commenters and their Representatives

R166 - Ng Ka Ho

C32 - Chiu Ying Yuen

C175 - Wu Ka Sing

C177 - Wu Ka Wei

C181 - Wu Kee

C186 - Ng Hang Yi

C189 - Chan Hang Yi

- Mr Ng Ka Ho - Representer and Commenters' representative

R189 - Chiu Long Ting

R377 / C111 - Ng Lai Wan

Mr Chiu Ying Yuen - Representers' and Commenter's representative

R231 - 朱創謙

R370 - 劉惠賢

C5 - 譚家健

C6 - 張美琪

C7 - 譚家樑

C17 - 楊金峰

C19 - Lam Kit Yee

C21 - 楊亭亭

C23 - Cheng Suk Man

C24 - Wong Hin Shing

C26 - 林啟開

C173 - Patrick Chu

Mr Wong Sai Kit - Representers' and Commenters' representative

R288/C262 - Wong King Kwong

Mr Wong King Kwong - Representer and Commenter

R553 - Lau Kit Ling

R554 - Lau Kit Yan

R557 - 梁志強

R569 - Leung Cheuk Wah

R574 - 周慧屏

R575 - 張美媚

R582 - 黃瑩瑩

R591 - Ho Yan Ki

R595 - Chan Pui Wai

R596 - Wong Ka Kit

R599 - 陳閨玲

R605 - 譚少文

R615 - 陳凱儀

R644 - Lam Wai Yee

R650 - Tse Pui Ling

R658 - 陳思雅

R659 - 何穎妍

R661 - 陳如柏

R663 - 黃世傑

R672 - 馬雄志

R674 - 陳浩進

R675 - 張美琪

R679 - 余曼娜

R682 - 陳卓鍵

Mr Poon Chi Shing - Representers' representative

R524/C280 - Fung Wing Mei, Eugenia

Ms Fung Wing Mei, Eugenia - Representer and Commenter

R584 - So Sheung Chun

Mr So Sheung Chun - Representer

R618 - Li Ho Keung

Ms Cheung Kwei Lan - Representer's representative

26. The Chairman extended a welcome to the government representatives, representers/commenters and their representatives. He then invited the remaining three representers/commenters and their representatives to give their oral submissions.

R553 - Lau Kit Ling

R554 - Lau Kit Yan

R557 - 梁志強

R569 - Leung Cheuk Wah

R574 - 周慧屏

R575 - 張美媚

R582 - 黃瑩瑩

R591 - Ho Yan Ki

R595 - Chan Pui Wai

R596 - Wong Ka Kit

R599 - 陳閏玲

R605 - 譚少文

R615 - 陳凱儀

R644 - Lam Wai Yee

R650 - Tse Pui Ling

R658 - 陳思雅

R659 - 何穎妍

R661 - 陳如柏

R663 - 黃世傑

R672 - 馬雄志

R674 - 陳濬進

R675 - 張美琪

R679 - 余曼娜

R682 - 陳卓鍵

27. Mr Poon Chi Shing made the following main points :

- (a) he appreciated that the Board had given him another opportunity to express his views and for those he represented on the draft Tsing Yi Outline Zoning Plan (OZP) No. S/TY/27 and he would not repeat his previous comments in the current session. He reiterated his support to amendment Item A but had reservation on the proposed use for the remaining “Residential (Group A)4” (“R(A)4”) zone which should also be rezoned to “Open Space” (“O”). While noting that a number of concerns raised by local residents during the earlier sessions, such as the intention of the buffer area, background/history of the Rambler Crest development and the Container Terminal No. 9 (CT9) developments and

surrounding industrial land uses, had not been properly addressed by the concerned government departments, he would like to elaborate why it was necessary to revert the remaining “R(A)4” zone for open space development;

- (b) the impact of air pollution on human health had widely been recognised. Hong Kong was one of the busiest container ports in the world. The incoming container vessels brought also air pollution during berthing in Hong Kong and affected the occupation safety of container terminal (CT) workers. According to a submission to the Legislative Council (LegCo) prepared by the two unions of CT workers in 2015, members of the unions had expressed serious concern on the adverse impact of air pollutants from the emissions of vessels at container terminals on their health. A research done by the World Health Organisation (WHO) on cancer in 2013 concluded that air pollution was carcinogenic to human beings, with the particulate matter component of air pollution most closely associated with increased cancer incidence, especially cancer of the lung and bladder, and increasing burden of disease from stroke, heart, lung and respiratory diseases. Outdoor air pollutant was classified as the highest rank of carcinogenic component same as tobacco and alcohol and health impacts caused from air pollution might have a latent period as long as a few decades. In that regard, prolonged exposure to air pollution for the CT workers and local residents was unacceptable;
- (c) according to the Environmental Protection Department (EPD), navigation was currently the largest source of local air pollution among the six major pollution sources in Hong Kong, namely public electricity generation, road transport, navigation, civil aviation, other combustion, and non-combustion. In the Hong Kong Emission Inventory 2013, navigation was the major contributor of sulphur dioxide (SO₂), nitrogen oxides (NO_x), respirable suspended particulates (RSP), and fine suspended particulates (FSP).
- (d) with effect from July 2015, all ocean going vessels were required to

switch to the use of lower sulphur diesel while at berth in Hong Kong waters as a means to reduce the emission level of SO₂ and RSP. Nevertheless, the emission levels were still high and had exceeded the recommended guidelines and targets set by WHO. Hence, the existing buffer zone/open space at the remaining “R(A)4” zone was essential to the CT workers as it helped maintain the air quality of the area. The container terminal workers union had sent out questionnaires to their members in mid 2015. Among the 184 completed questionnaires, it was found that all respondents indicated that they were exposed to vessel emissions in their daily operation, with about 57% considered that they were frequently affected by vessel emissions whereas 43% were occasionally affected. Exposure to air pollution over time would cause discomfort and health problems. The respondents indicated that they had the following common symptoms including coughing (80%), throat and eyes irritations (over 70% and 60% respectively) and even respiratory problem (50%). The findings of the questionnaire survey had revealed that it was important to provide a green buffer area in that area to serve the CT workers. He was surprised how the Government could come to the conclusion that a buffer/open space for workers would not be necessary anymore as the surrounding sites were no longer used for industrial development;

- (e) the Marine Transportation Sub-Group (MTSG) of the Air Quality Objectives (AQO) Review Working Group set up recently by the Environment Bureau/EPD was tasked to identify air quality improvement measures for marine transportation. Members could refer to details of discussions and recommendations of the working group on the website of EPD. The MTSG had just come up with some proposed enhancement measures to minimise the air pollution caused by the marine vessels and the feasibility of such measures were still under review. In view of the above, it was not appropriate for the Government to propose a public rental housing (PRH) development at the remaining “R(A)4” zone at the moment as it would result in the loss of a green buffer area which could help to purify the air pollutants of the container terminal on one hand and

increase the number of people exposed to adverse air impacts on the other;

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

- (f) on 13.7.2016, an organization had conducted a survey on air quality in Hong Kong for the first half year of 2016. The findings of the survey revealed that the roadside pollution level had exceeded the recommended guidelines and target set by the WHO. It was also reported that Kwai Tsing District was the only area in Hong Kong that recorded an exceedance in one pollutant index and CT9 was considered to be the major source of air pollution to the area. In view of the adverse air impacts of CT9 on the surrounding residential developments, he considered it logical to assume that the planning intention of the original representation site was to serve as a buffer between CT9 and Mayfair Gardens and Cheung Ching Estate. While he had found many reports regarding the air quality of Hong Kong and documents showing the buffer function of the original representation site, he would not go into details of the information but would deposit them at the Secretariat for Members' reference. He continued to say that the Director of Planning had just publicly committed in a television programme that planning was to build a green and comfortable environment, including that for PRH development, for the comfort of Hong Kong people. He would like to challenge such commitment as the current planning of the original representation site was in conflict with the principle of a green living environment; and
- (g) finally, he would like to reiterate that Kwai Tsing District Council (K&TDC) objected to the development of PRH at the original representation site having regard that a number of issues raised by K&TDC members were unresolved. He was disappointed to note that the objection, the views of and the motion made by K&TDC were not respected. All along, K&TDC had been supportive to the government's various housing projects, such as the development of Kwai Luen Estate,

the Kwai Fong Police Married Quarters, the rezoning of Lai Yiu Estate and Lai King Hill Road. It was the first time K&TDC objected to a PRH proposal unanimously within his nine years of office in K&TDC. He agreed that PRH development was necessary in Hong Kong but objected to the current proposal as the site was not suitable for residential use. He requested Members of the Board to seriously consider K&TDC's objection to the project which also represented local residents' views. To save Members' time, he would not read out all the information collected and would give a copy to the Secretariat for reference.

R584 – So Sheung Chun

28. With the aid of a number of photos and a drawing, Mr So Sheung Chun made the following main points :

- (a) he requested a verbatim record of his oral submission and all the documents in his oral submission should be probably recorded;
- (b) 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 welcomed. 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 for reasons illustrated below;
- (c) the original representation site was previously used for heavy industries and oil depots, decontamination would be required. It should be retained for open space development in view of slopes in the site. Besides, the potential vibrations of future construction works and frequent use by heavy vehicles due to the surrounding container-related uses would affect the slope safety;
- (d) with the aid of some photos taking from a hotel within the Rambler Crest

development, he wished to demonstrate that the proposed PRH development at the original representation site would be subject to severe air, glare, and noise pollution from CT9 and its surrounding container-related uses and logistics facilities which operated 24 hours a day. The living quality of the future residents of the proposed PRH development would be adversely affected;

- (e) the increased demand for public transport facilities generated by the proposed PRH development would affect the residents of Rambler Crest, Mayfair Gardens, Cheung Ching Estate and users of the Tsing Yi IVE. As only road transport was available in Tsing Yi South and there were shortage in the existing public transport facilities, improvement in the capacity and services were required before any new development proposal could take place. There were also shadowing effect, air ventilation, air quality and radioactive problems. While Rambler Crest was provided with mitigation measures against the noise nuisance of CT9, he wondered if the PRH residents, which were mostly of low income, could afford the expensive electricity cost resulted from such mitigation measures;
- (f) Rambler Crest was situated amongst blocks of wall. With some photos taken from his flat at Rambler Crest, he said that the view outside his living room was almost completely blocked by the adjacent hotel buildings and only a slight skylight could be viewed with difficulty. Currently, he could still enjoy the skylight and a narrow view of the green buffer area towards the Tsing Yi IVE. However, the proposed PRH development would block the only available view from his flat; and
- (g) with the aid of a drawing, he showed the “bovis” scale of various objects. The scale was named after a French physician, Antoine Bovis. It was a concept used by geo-biologist and was a form of measurement for the vibration of the energy in an object. The lower the measurement, the more negative in the aspects of life, which could be detrimental to a person's health over time. It could thus be used as an indicator of health standard. In average, 6,500 bovis units or more represented having

positive energy. While 5,000 bovis units was the upper range for sub-optimal health, 4,000 units was the medium level, and 3,000 was the lower range. Vibrations lower than 1,000 bovis units would pose a serious risk to health and well-being. He further gave some examples for the bovis scale, such as the natural purified water had 11,000 units, the existing vegetated buffer at the original representation site was of 7,300 units, portable water in Hong Kong had only 2,700 units, the lower threshold for safe occupation of a building was of 2,500 units, CT 9 being 2,200 bovis and his existing flat in Rambler Crest had only 2,100 units which was not safe to live. He anticipated that upon development of the PRH on whole or part of the original representation site, the bovis value of the site would substantially decrease from 7,300 units to 2,000 units due to its exposure to the nuisance from CT9. Moreover, the bovis value of his flat in Rambler Crest would be reduced to 1,700 units after removal of the trees at the buffer area. In view of the above-mentioned low bovis value, the future residents of the proposed PRH as well as the existing residents of Rambler Crest would be subject to adverse health impact. The original representation site was therefore not suitable for residential use but should be retained for open space. Even if the Government intended to follow the example in Singapore to reduce the mass of the proposed buildings and number of flats, the problems would not be solved and would result in a lose-lose situation for all parties.

R618 – Li Ho Keung

29. Ms Cheung Kwei Lan made the following main points :
- (a) she thanked Members of the Board who had listened to the views of the local residents. She had retired and had returned to make oral submission again as she did not believe that the Government had considered the public interest during the OZP amendments. The Government even did not have a clear picture of the existing site situation during its planning. The noise pollution and glare nuisances currently affecting the residents in Rambler Crest, Mayfair Gardens and Cheung

Ching Estate were not taken into account. The existing nullah at the further representation site was a source of odour nuisance. It was until the proposed amendments to rezone part of the original representation site back to "O" that the nullah and cable installation were noted by the Government;

- (b) the trees in the remaining "R(A)4" zone were planted by the local residents. The proposed PRH development would involve substantial tree felling and would hurt the children who had helped to plant the trees in the site;
- (c) it was anticipated that a high construction cost would be involved for the proposed PRH development at the remaining "R(A)4" zone as it was situated on a slope with soft soil. That would be a waste of money which were paid by the taxpayers; and
- (d) having regard to the welfare of existing residents of Rambler Crest, Mayfair Gardens, Cheung Ching Estate, as well as the future residents of the proposed PRH development, she requested the Board to reconsider seriously whether the remaining "R(A)4" zone was suitable for PRH development. The Board was urged to be the gatekeeper to ensure that the land use of Tsing Yi South was fairly planned for the benefits of the local residents by rejecting the proposed PRH development.

30. As the presentation from government's representatives, the representers/commenters and their representatives had been completed, the Chairman invited questions from Members.

Environmental Aspects

31. A few Members raised concerns on when the findings of detailed Environmental Assessment (EA) for the reduced PRH scheme would be made available. In response, Mr Lawrence Y.C. Chau, DPO/TWK said that the detailed EA had to meet the requirements of the EPD and HD would submit the assessment for EPD's approval once completed. Mr

Chow Kwok Sang, CE/HD, supplemented that HD was currently revising the proposed layout and design for the PRH development and the detailed EA would be carried out upon finalisation of the proposed layout. The detailed EA would be submitted to EPD for approval within one to two months upon completion.

32. As there were concerns from the attendees that the existing pollution problems would affect the future residents, a Member asked (a) the progress of the detailed design, (b) whether the proposed mitigation measures could address the noise problem, and (c) whether any residential unit and main façade of the proposed buildings would be directly facing CT9. In response, Mr Chow Kwok Sang said that the noise standards for residential use included two aspects, namely traffic noise and fixed plant noise. While the design of the proposed development was not yet finalised, HD would target to achieve 100% compliance with the traffic noise standards under the HKPSG through various enhancements of the preliminary design. Regarding fixed plant noise impact, there was a statutory requirement under the Noise Control Ordinance (NCO) that the project proponent had to comply with. In respect of the light pollution problem, Mr Fung Chi Fai, SA/HD, supplemented that the detailed design of the proposed PRH development was in progress and HD would try to minimize the possible glare impact from CT9 through building disposition and design as far as practicable to avoid disturbance to future public housing residents.

33. Noting that many attendees had collected a lot of information regarding the noise nuisance generated by the CT9, a Member requested the government representatives to explain the data as shown on the Broad Environmental Assessment (BEA) conducted by the consultant as it appeared that there were discrepancies between the noise standards of 60 dB(A)/50dB(A) (day/night) and 70 dB(A)/60dB(A) in different parts of the BEA. With the aid of a visualizer, Mr Lawrence Y.C. Chau referred to paragraph 9 of Appendix B, Supplementary Information of the BEA (Appendix VII of Enclosure I of the Paper) which stated that the noise measurement indicated that the existing fixed noise sources could comply with the relevant noise limits under the NCO, i.e. 70 dB(A) and 60dB(A) for day and night-time respectively and both HD and EPD had to follow the statutory requirements. Mr Chau further said that in paragraph 10 of Appendix B, practical noise mitigation measures such as architectural fins, acoustic windows, or acoustic balconies would be incorporated into the design of the proposed development to reduce the noise impact to enable full compliance with the NCO and the requirements of EPD. Referring to Table 2.2 of the

BEA, Mr Chow Kwok Sang supplemented that the acceptable noise levels for the fixed plant noise assessment were determined with consideration of the Area Sensitivity Rating (ASR). The respective acceptable noise levels for different ASR were set out in Table 2.3 of the BEA. The PRH site was initially classified as ASR of “B” which was 65 dB(A) and 55 dB(A) for day and night-time respectively. Upon more detailed assessment and agreement with the EPD, the ASR was updated to “C” which was 70 dB(A) and 60 dB(A) for day and night-time respectively. Mr Chow further said that 5 dB(A) would be reduced from the noise standard for planned fixed noise source, however, as CT9 was an existing use, there was no need to take into account that 5 dB(A) reduction factor.

34. The same Member also asked whether there was any existing legislation on vibration impact as an attendee had raised such concern and the circumstances for conducting BEA or detailed EA. Mr Lawrence Y.C. Chau said that there was no planning standard on vibration impact. As regards the requirement for a BEA or a detailed EA, Mr Chau said that a BEA aiming to assess whether the proposed project would be subject to any insurmountable impact would be sufficient during the planning process, i.e. in the amendment to the OZP stage and a detailed EA which had to be conducted in compliance with EPD’s requirement would be required in the detailed design stage.

35. In response to a Member’s question on the measurement of noise level, Mr Chow Kwok Sang said that the noise standards applied to uses which relied on openable windows for ventilation and should be measured at one metre from the external façade. Mr C.W. Tse, Deputy Director of Environmental Protection, clarified that the applicable noise limits under the NCO varied with the nature of the noise sensitive receivers (NSRs) as well as the location and orientation which would affect the background noise level. The subject site was classified as “C” due to its proximity to CT9 and major roads. The corresponding statutory noise limits were 70 dB(A) and 60 dB(A) for day and night-time respectively, measured at one metre from the external façade. Noise could also be measured indoor and there would be a reduction of 10 dB(A) to the limits. Hence the corresponding noise limits were 60 dB(A) and 50 dB(A) for day and night-time respectively if noise was measured indoor. To illustrate the noise levels in real-life situation, Mr Tse pointed out that the noise generated by the air conditioning system in the meeting room at that time was around 50dB(A) to 55dB(A). He commented that the different set of noise standards mentioned in the BEA might be due to different reference situations as described above.

36. In response to a Member's question on the operation hour of the Mapletree Logistic Hub to the south of Rambler Crest, which was a major source of glare nuisance to the residents of Rambler Crest, Mr Poon Chi Shing (representers' representative) said that same as CT9, it operated 24 hours a day.

37. In response to a Member's question on the operation and effectiveness of acoustic window, Mr Lawrence Y.C. Chau said that by arranging two glass panels parallel to each other with openings at alternative sides, traffic noise can be screened off while allowing natural ventilation at the same time. Another Member asked whether the acoustic windows had been implemented in other development and whether there was information on the maximum noise reduction level of such measure. In response, Mr Fung Chi Fai, SA of HD said that the Home Ownership Scheme at San Po Kong had adopted acoustic window as one of the noise mitigation measures but he had no information on its noise reduction performance. He further explained, with a Powerpoint slide, that the mechanism of acoustic windows was similar to that of acoustic balconies with the major difference being the shorter distance between two sliding window of acoustic window. He said that acoustic windows/balconies would adopt a combination of mitigation design including noise absorptive material, noise screen, inclined solid panel and solid parapet height to further enhance the noise reduction ability. A Member requested that the Government should demonstrate the effectiveness of the acoustic window to the Board by using a real model. The Chairman said that noting that the operation and effectiveness of the acoustic window were essential for the consideration of environmental impacts, HD's representative should be invited to further explain the operation of the acoustic window at the next meeting session and it would be up to HD to determine what would be the most suitable method.

38. A Member noted that many attendees in the hearing meeting had raised concerns on air pollution. The Member remarked that after the implementation of some air quality improvement measures such as the requirements on using lower sulphur diesel for ocean going vessels during berthing in the container terminals, phasing out of the pre-Euro IV diesel container vehicles, increasing usage of Euro V and controlling the emission of mobile machineries in the past years, the air quality of the area near CT9 should have been improved. The Member thus requested that information on air quality for the Kwai Tsing area should be provided for Members' reference. Referring to the

information provided at the news.gov.hk, Mr Lawrence Y.C. Chau said that since July 2015, EPD had required ocean going vessels to switch to using low sulphur marine diesel. He would liaise with EPD on the required information on the air quality of the area. The Chairman welcomed the government representative to provide such information for Members' reference if available.

39. A Member asked if the monitoring of the dioxin level for the area was still ongoing and whether the proposed PRH development would affect the dioxin level. In response, Mr Lawrence Y.C. Chau said the major potential source of dioxin was the Chemical Waste Treatment Plant in the southern part of Tsing Yi, which was more than one kilometre away from the remaining "R(A)4" zone. The plant provided an integrated treatment and disposal services for chemical and clinical wastes. He understood that there was a monitoring station of dioxin concentration at Cheung Ching Estate. He was obtaining more information from EPD on the issue and would report to the Board in the next meeting session when available.

Traffic Impacts

40. A Member appreciated that the local residents had raised concerns on the potential adverse impacts that the future residents of the proposed PRH might be subject to. In response to the same Member's question on whether the proposed PRH development per se would cause adverse impact to existing residents, Mr Poon Chi Shing said that adverse traffic impact would affect the local residents most directly. According to his experience in the Kwai Tsing area, when Kwai Luen Estate and a site near On Yam Estate were still under planning, TD had committed then that public transport services would be improved to meet the demand of the additional population. However, there was no improvement or increase of public transport services after completion of the two developments. The traffic issue had become a regular item for discussion in Traffic and Transport Committee of the K&TDC. However, there appeared to be no spare capacity nor scope for traffic improvement proposals. He supplemented that the adverse impacts of air and glare would remain at the same high levels. Mr Chiu Ying Yuen (representers' and commenter's representative) said that air pollution in the area had caused respiratory problems for his family. Together with the air movement problem in the Pearl River Delta due to climatic

change, the substantial tree felling and blockage of air ventilation by the increased number of building blocks and population would further worsen air quality in the area.

41. Noting that some attendees had considered that the traffic survey conducted on 31.3.2015 was inappropriate as it was a non-school day and that the survey results were not representative, two Members asked whether the Government would consider conducting another survey on a school day to address the concern. One of the Members also remarked that the data used in the TIA was collected 18 months ago and that the survey findings conducted on a non-school day might not truly reflect the traffic situation given that the traffic generation from kindergartens and primary schools was significant. Mr Lawrence Y.C. Chau said that the TIA was prepared according to the procedures and requirements in the Transport Planning and Design Manual (TPDM) and was agreed by TD. The TIA had taken into account all planned/committed developments including Ching Chun Court, the housing site at Sai Shan Road, as well as the proposed vehicle examination centre. Besides, the survey results obtained had been compared with the similar monitoring data of TD and were found to be consistent. Given that there was no major change in the overall traffic situation and population in the district, Mr Chau said it would not be necessary to conduct another TIA.

42. Two Members noted that while there was serious local concern on traffic impacts, the Government considered the traffic conditions acceptable. They asked the reasons attributing to the discrepancies in the transport data prepared by an attendee and those provided by the Government, and whether there would be any proposed improvement measures to address the traffic problems, if any. In response, Mr Lawrence Y.C. Chau said that the concern on traffic issues involved two aspects, namely the road capacity and provision of public transport facilities. The road network connecting Tsing Yi was well developed and the roads could reach various districts throughout the territory, connectivity and accessibility were considered sufficient. The TIA had been conducted in accordance with the requirements set out by TD and was considered acceptable. The TIA had taken into account the proposed PRH development and planned/committed developments in the vicinity, and it concluded that all the key junctions would have spare capacities to cope with the new traffic demand. According to the findings of the TIA, the junction capacity analysis for the Tsing Yi Interchange with the proposed PRH development in place would be 0.789 which was already the highest design flow to capacity ratio among the nearby

junctions. Besides, the TIA had proposed to enlarge the existing circulatory carriageway of the roundabout at Tsing Yi Road/Ching Hong Road so as to improve manoeuvring capacity of heavy and container vehicles. Based on the latest survey of the existing franchised bus and scheduled green mini-bus (GMB) routes, the representative of TD had explained that about 95% to 99% of the passengers were able to board the GMB within a waiting time of 10 minutes. Mr Honson H.S. Yuen, CTO/NTSW, supplemented that TD was fully aware of the request of the residents from Rambler Crest and Mayfair Gardens relating to the provision of public transport services, however, as the public transport operators were responsible for their own profit and loss, the exact level of service provision would be determined by passenger demand and efficient use of resources. The increase in vehicle allocation during peak hours for addressing the request for further shortening the passenger waiting time would inevitably involve additional cost to be borne by the operators, and more importantly, those additional resources would be laid idle during off-peak hours. Following that, the additional operating cost would have pressure on fare increase of those public transport services. Being the monitoring authority of the public transport services, TD had to be very careful in pursuing such request.

43. Two Members noted that there were great discrepancies between the traffic data worked out by an attendee and those provided by the Government, including (a) number of population using public transport, (b) number of public transport required, and (c) adequacy of public transport facilities. They requested that supporting information should be provided for clarifying the reasons for such discrepancies and details on the existing conditions to demonstrate whether there would be a need to improve the service provision. In response, Mr Lawrence Y.C. Chau said that the TIA was prepared according to the requirements set by TD. The estimated number of passengers was based on data collected in a survey which was then used to project the number of buses/mini-bus required in the morning peak hour. The representer had used different methodology and data source to project the traffic demand and the result should not be considered as comparable. Mr Honson H.S. Yuen supplemented that as already explained in the previous hearing session, according to TD's survey, the waiting time for mini-buses (e.g. routes No. 88C, 88F and 88G) were mostly within 10 minutes during morning/evening peaks. Even in the worst situation, about 95% of the passengers waiting at the stop could still board a GMB in 10 minutes. The longer waiting time experiences for public transport by some local residents might be due to the management problem instead of inadequate provision of the

public transport facilities. The TIA had been based on the survey at Cheung Wang Estate which had similar characteristics such as number of households and distance to MTR station, and it was observed that about 40% of the work/school journeys would be by means of public transport during the morning peak period. With a proposed population of 6,500 for the PRH development, only about 1,600 persons would use public transport during the morning peak hour, and the proposed GMB route for the PRH would accommodate 300 people in the morning peak hour, while the remaining 1,300 persons would use bus. Notwithstanding that, the detailed public transport services could be of a combination of different transport modes and routes. Noting the Members' concern on discrepancy on traffic data presented by the government and the attendees, the Chairman remarked that it might be difficult for government representative to verify such discrepancy when they had no information on the methodology and assumption adopted by the representers. He asked the government representatives to look into the matter and provide further information if possible.

44. In response to another Member's question on whether the survey on traffic flow was conducted on a single day before the school holiday thus resulting in a lower traffic flow as claimed by the attendees, Mr Lawrence Y.C. Chau clarified that the survey conducted near the Easter Holidays, as mentioned by the attendees, was a traffic survey on passenger demand and occupancy survey of public transport facilities instead of traffic flow. The TIA had been conducted in accordance with TD's requirement. Mr Patrick K.H. Ho, SE/TD, supplemented that the traffic survey was conducted by HD on 29.1.2015 which was a normal weekday and not a school holiday. The survey results obtained were consistent with the similar monitoring data available to TD.

45. Noting that many attendees had shown many photos regarding the traffic jam at roundabout nearby due to closure of traffic lanes for maintenance works, a Member requested the government departments to provide detailed records of road works carried out in the area in the past year for the Board's reference. In response, Mr Patrick K.H. Ho said that there were two major road works at Tsing Yi Road (upper section) last year, one was related to replacement and rehabilitation of fresh water mains for the district commissioned by the Water Supplies Department and the other was for installation of the barrier-free facilities for an existing subway outside Cheung Ching Estate (NF 89) carried out by the Highways Department. The former project involved closure of different carriageway of

Tsing Yi Road at different time of a year and it was anticipated that the works at the section of Tsing Yi Road near Ching Hong Road would be completed by mid 2017. The latter project involved mainly loading/unloading activities during non-peak hours from 10 a.m. to 4 p.m. and no excavation works were required.

46. In response to two Members' questions on the proposal and implementation of improvement works at the roundabout at Tsing Yi Road/Ching Hong Road, Mr Patrick K.H. Ho said that according to the improvement proposal as recommended in the TIA conducted by HD, the safety island of the existing roundabout would be slightly reduced to accommodate a wider lane width. As the proposed improvement works was to facilitate the proposed PRH development, the proposed works would not be implemented if the proposed the PRH development would not proceed.

47. In response to the Chairman's question on the programme in finalising the public transport services for the PRH development, Mr Honson H.S. Yuen said as there would be about five to six years before population intake, TD would closely monitor the public transport services in the vicinity of the proposed residential development, and work on the detailed public transport plan for the proposed residential development about two years before its completion and population in-take.

Tree Preservation

48. A Member enquired if transplanting of existing trees would be considered as felling of the trees in the site was a major concern from local residents. In response, Mr Lawrence Y.C. Chau said that Tree Felling Application and Compensatory Tree Proposal would be submitted to the Government for approval in accordance with the requirements under Development Bureau Technical Circular (Works) No. 7/2015 on Tree Preservation and the need of tree felling would be minimised. Tree preservation and transplanting proposal would take into consideration a number of factors such as species, amenity value, size, and condition of the trees. Mr Fung Chi Fai added that compensatory tree planting proposal would also comply with the said Technical Circular. Another Member queried whether there was any requirement for tree compensation within the same district. In response, Mr Chau said that detailed tree compensation proposal would be formulated during the detailed design stage after the layout of the proposed PRH development had been finalized. Mr Fung supplemented that in-situ transplanting would be provided

though the exact number was not available at the moment pending finalization of the detailed layout. Compensatory planting would also be provided within the site in accordance with the prescribed guidelines taking into account various considerations such as the population, layout and open space provision, etc.

[Dr F.C. Chan left this session of the meeting at this point.]

Other Aspects

49. Two Members asked (a) whether there was any standard for population capacity of similar neighbourhoods; (b) what the population capacity for Tsing Yi South would be; and (c) the relationship among population capacity or density, the provision of community facilities, and traffic capacity. In response, Mr Lawrence Y.C. Chau said that there was no standard for population capacity of an area and it depended on various factors including local character, traffic capacity, as well as the provision of open space and community facilities. He said that the existing and estimated additional population of Tsing Yi South were 23,000 and 10,000 respectively (i.e. a total population of about 33,000). That population quantum was comparable with similar neighbourhoods which had adopted a similar transportation mode requiring feeder mini-bus to MTR station such as the Lei Muk Shue Estate with a population of 30,000 and Shek Yam/On Yam Estates with a population of 40,000 in Kwai Chung, Shun Lee Estate/Shun Chi Court with a population of 50,000 in Kwun Tong, and Siu Sai Wan with a population of 57,000. The population density for Tsing Yi South was relatively low comparing with the size of the area. One of the Members further remarked that while the local residents worried that the increase in population would add further burden on the existing community and public transport facilities, it might be possible that the proposed new development would bring new supporting and community facilities into the area thus benefitting both the existing and new population.

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

50. In response to a Member's question on his views on the difference between the original PRH scheme with four blocks and the revised PRH scheme on a reduced site with three blocks, Mr Poon Chi Shing said that whilst appreciating Members' earlier decision to propose rezoning the northern portion of the original representation site from "R(A)4" to

“O”, local residents had reservation and doubts on the assessments and data provided by the Government. The local residents had conducted many researches and considered that the Board might be misled by the government departments’ assessments. They considered that a number of questions raised at the previous hearing sessions remained unaddressed and wondered if their concerns on the proposed development could be addressed without any updated assessments

[Mr Alex T.H. Lai left this session of the meeting at this point.]

51. As Members did not have any further questions, the Chairman said that the hearing procedure on the day had been completed. He thanked the representers/commenters and their representatives and the government representatives for attending the meeting and said that the Board would deliberate on the representations in their absence after completing all the hearing sessions, and would inform the further representers, representers/commenters of the Board’s decision in due course.

[This session of the meeting was adjourned at 4:15 p.m.]