

**Minutes of 1152nd Meeting of the
Town Planning Board held on 6.10.2017**

Present

Permanent Secretary for Development
(Planning and Lands)
Ms Bernadette H.H. Linn

Chairperson

Mr Lincoln L.H. Huang

Mr H.W. Cheung

Professor K.C. Chau

Dr Wilton W.T. Fok

Mr Ivan C.S. Fu

Mr Sunny L.K. Ho

Ms Janice W.M. Lai

Mr Dominic K.K. Lam

Mr Patrick H.T. Lau

Ms Christina M. Lee

Mr Philip S.L. Kan

Dr Lawrence W.C. Poon

Dr Frankie W.C. Yeung

Mr Peter K.T. Yuen

Mr Wilson Y.W. Fung

Dr C.H. Hau

Mr Thomas O.S. Ho

Mr Alex T.H. Lai

Professor T.S. Liu

Miss Winnie W.M. Ng

Ms Sandy H.Y. Wong

Mr Franklin Yu

Chief Traffic Engineer (New Territories East)
Transport Department
Mr Ricky W.K. Ho

Assistant Director (Environmental Assessment)
Environmental Protection Department
Mr C.F. Wong

Director of Lands
Mr Thomas C.C. Chan

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

Director of Planning
Mr Raymond K.W. Lee

Deputy Director of Planning/District
Ms Jacinta K.C. Woo

Secretary

Absent with Apologies

Professor S.C. Wong

Mr H.F. Leung

Mr Stephen H.B. Yau

Dr F.C. Chan

Mr David Y.T. Lui

Mr K.K. Cheung

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

In Attendance

Assistant Director of Planning/Board
Mr W.S. Lau

Chief Town Planner/Town Planning Board
Mr Kepler S.Y. Yuen

Senior Town Planner/Town Planning Board
Ms Doris S.Y. Ting

Agenda Item 1

[Open Meeting]

Confirmation of Minutes of the 1151st Meeting held on 15.9.2017 and 22.9.2017

[The item was conducted in Cantonese.]

1. The minutes of the 1151st meeting held on 15.9.2017 and 22.9.2017 were confirmed without amendments.

Agenda Item 2

[Open Meeting]

Matters Arising

[The item was conducted in Cantonese.]

- (i) Judicial Reviews lodged by Hong Kong Resort Company Limited against the Decision of the Town Planning Board in respect of a section 12A application No. Y/I-DB/2 for Amendment to the Approved Discovery Bay Outline Zoning Plan No. S/I-DB/4 (HCAL 645/2017)

2. The Secretary reported that the following Members had declared interests on the item for owning properties in Discovery Bay or having business dealings with Hong Kong Resort Company Limited (HKR), applicant of the judicial review (JR)(the Applicant):

Mr Ivan C.S. Fu	-	having current business dealings with HKR
Mr K.K. Cheung]	their firm having current business dealings with HKR
Mr Alex T.H. Lai]	
Mr Stephen L.H. Liu	-	having past business dealings with HKR
Mr Dominic K.K. Lam	-	owning a flat in Discovery Bay

Dr Lawrence K.C. Li - co-owning with spouse a flat in Discovery Bay

3. As the item was to brief Members on a new JR application, Members agreed that interests of the above Members were indirect and they could stay in the meeting. Members noted that Messr K.K. Cheung, Stephen L.H. Liu and Dr Lawrence K.C. Li had tendered apologies for being unable to attend the meeting, and Mr Dominic K.K. Lam had not yet arrived to join the meeting.

4. The Secretary reported that on 19.9.2017, a JR application was lodged by HKR against the decision made by the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board) on 23.6.2017 not to approve a section 12A application (No. Y/I-DB/2) for rezoning the application site from “Other Specified Uses” annotated “Staff Quarters(5)” to “Residential (Group C)12” (“R(C)12”) on the approved Discovery Bay Outline Zoning Plan (OZP) No. S/I-DB/4.

5. The major grounds of the JR application were as follows:

- (a) RNTPC took into account irrelevant consideration (i.e. unused domestic GFA in the “R(C)2” zone of the approved OZP) in making its decision;
- (b) failure to take into account relevant facts and considerations (including the application was in line with the planning intention, the original use designated for the application site had become spent and the site was surrounded by areas zoned for residential use);
- (c) failure to investigate issues related to the planned population of Discovery Bay (i.e. whether 25,000 was a projected figure instead of absolute control);
- (d) misapplication of ‘undesirable precedent’; and
- (e) wholesale copying of and inadequate reasons.

6. The Applicant sought relief from the Court to (i) quash the Board’s decision to

reject the planning application, and (ii) order the Board to reconsider the application in accordance with the law. The Court had not yet granted leave to the JR application.

7. Members agreed that the Secretary should represent the Board in all matters relating to the JR in the usual manner.

[Ms Janice W.M. Lai and Ms Sandy H.Y. Wong arrived to join the meeting at this point.]

(ii) Consideration of Representations and Comments in respect of Draft Urban Renewal Authority Chun Tin Street/Sung Chi Street Development Scheme Plan No. S/K9/URA1/1

8. The Secretary reported that the Development Scheme Plan (DSP) was located in Hung Hom and submitted by the Urban Renewal Authority (URA) who was also a commenter (C1). AECOM Asia Company Limited (AECOM) was the consultant of URA. The following Members had declared interests on the item for having business dealings/affiliations with URA or its consultants, or owning properties in the area:

Mr Raymond K.W. Lee - being a non-executive director of URA, and a
(as Director of Planning) member of Planning, Development and
Conservation Committee of URA

Mr Thomas C.C. Chan - being a non-executive director of URA
(as Director of Lands)

Dr Lawrence W.C. Poon - being a non-executive director of URA, a member
of the Lands, Rehousing & Compensation
Committee and the Planning, Development and
Conservation Committee, and a director of the
Board of the Urban Renewal Fund of URA

- Mr Lincoln L.H. Huang - being the Deputy Chairman of Appeal Board Panel of URA
- Mr Wilson Y.W. Fung - being a director of the Board of the Urban Renewal Fund of URA
- Mr Patrick H.T. Lau - having current business dealings with URA and AECOM
- Mr K.K. Cheung] their firms having current business dealings with
Mr Alex T.H. Lai] URA
- Mr Ivan C.S. Fu - having current business dealings with Cheung Kong Holdings Limited for the URA Peel Street/ Graham Street project and AECOM
- Mr Thomas O.S. Ho having current business dealings with URA and past business dealings with AECOM
- Professor S.C. Wong] having current business dealings with AECOM
(*Vice-Chairperson*)
- Ms Janice W.M. Lai]
- Dr C.H. Hau]
- Mr Stephen L.H. Liu - having past business dealings with URA
- Mr Franklin Yu - having past business dealings with AECOM
- Dr F.C. Chan - owning a flat at Laguna Verde, Hung Hom
- Ms Christina M. Lee - co-owning a flat with spouse at Oi King Street, Hung Hom

9. As the item was only to report on the further information received, the meeting agreed that Members who had declared interests on the item could stay in the meeting. Members noted that Professor S.C. Wong, Dr F.C. Chan, Messr K.K. Cheung and Stephen L.H. Liu had tendered apologies for not being able to attend the meeting.

Further Information submitted by Representers/Commenter

10. The Secretary reported that on 12.9.2017, the Secretariat had received an email from the representers/commenter R107, R348 and C2 providing further information and expressing their disappointment to the decision made by the Town Planning Board. The subject e-mail had been sent to Members for information on 29.9.2017. As the further information was submitted after the consideration of the DSP, it was submitted out-of-time, which according to the Town Planning Ordinance (the Ordinance) should be treated as not having been made.

11. Members agreed that the further information submitted by representers/commenter R107, R348 and C2 should be treated as not having made according to the Ordinance.

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

Sha Tin, Tai Po and North District

Agenda Item 3

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/NE-KLH/528

Proposed House (New Territories Exempted House - Small House) in "Green Belt" Zone, Lot 713 RP in D.D. 9, Yuen Leng Village, Tai Po, New Territories
(TPB Paper No. 10336)

[The item was conducted in Cantonese.]

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

- | | | |
|---------------------|---|--|
| Ms Jessica H.F. Chu | - | District Planning Officer/Shu Tin, Tai Po and North (DPO/STN), PlanD |
| Mr Chan Chit Shun | - | Applicant's representative |

13. The Chairperson extended a welcome and explained the procedures of the review hearing. She then invited DPO/STN to brief Members on the review application.

14. With the aid of a PowerPoint presentation, Ms Jessica H.F. Chu, DPO/STN, briefed Members on the background of the review application including the consideration of the application by the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board), public comments and planning considerations and assessments as detailed in TPB Paper No. 10336 (the Paper).

[Dr Frankie W.C. Yeung arrived to join the meeting during DPO/STN's presentation.]

15. The Chairperson then invited the applicant's representative to elaborate on the review application.

16. Mr Chan Chit Shun made the following main points:

- (a) the application site (the Site) fell within the village 'environs' and was located more than 10m from the river which was in fact only a small stream that would dry up periodically;
- (b) there were a number of approved Small House applications in the vicinity of the Site, some of which were closer to the stream than the Site. Rejection of the application was unfair to the applicant;
- (c) the proposed Small House could be connected to the originally planned

sewerage system in the vicinity of the Site. The sewerage project, however, was not implemented as the Government was unable to acquire two pieces of land. As it was a requirement that proposed Small Houses in the area should be connected to the public sewerage system, the Government should expedite the implementation of the sewerage project by phases;

- (d) according to the village representative of Yuen Leng, the public sewerage system for the village would be constructed by the Drainage Services Department (DSD) in 3 to 4 years' time. This would tie in with the implementation programme of the proposed Small House which would take at least three to four years to obtain the Small House grant;
- (e) it was unreasonable to designate the Site as "Green Belt" ("GB") since 1994 as the Site was paved with no vegetation. The proposed development would not have adverse impact on the natural landscape;

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

- (f) the applicant was willing to comply with the relevant approval conditions and commence the development immediately upon obtaining approval; and
- (g) all government departments, except Environmental Protection Department (EPD) and PlanD, had no objection to or no adverse comment on the application.

17. As the presentation from DPO/STN and applicant's representative had been completed, the Chairperson invited questions from Members.

18. In response to the questions of Mr Raymond K.W. Lee, Director of Planning, on the status of those approved similar applications as shown on Plan R-2a of the Paper, Ms Jessica H.F. Chu said that the planning permissions for all previously approved Small House applications in the vicinity of the Site, except Application No. A/NE-KLH/460, had lapsed. The application site of Application No. A/NE-KLH/460 fell partly within the "Village Type

Development” (“V”) zone and was involved in two approved applications (No. A/NE-KLH/258 and 395) submitted by the same applicant. Application No. A/NE-KLH/258 was approved on 2.2.2001 before criterion (i) of the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in the New Territories (Interim Criteria), requiring the proposed Small House within water gathering grounds (WGG) be able to be connected to the existing/planned sewerage system, came into effect in 2002. Application No. A/NE-KLH/395 was approved on 15.1.2010 as the proposed Small House was able to be connected to the planned public sewerage system at the time of consideration but the development was not commenced due to the subsequent scrapping of the sewerage project. Although the proposed Small House under Application No. A/NE-KLH/460 could not be connected to any existing/planned sewerage system at the time of consideration, the applicant had proposed to construct a septic tank and soakaway system on the portion of the application site which fell within the “V” zone. Such arrangement was considered acceptable by EPD and Water Supplies Department as an interim measure prior to the connection of the proposed Small House to the public sewerage system in the long run.

19. In response to another Member’s questions regarding the site condition, the stream in the vicinity of the Site and the planned public sewerage system in the area, Ms Jessica H.F. Chu said that based on an aerial photo taken in 1990, the Site was originally covered by trees and vegetation and subsequently some vegetation clearance might have taken place on the Site. While there was an existing stream course located to the east of the Site, the major consideration of the application was that the Site was located within WGG and the proposed Small House was unable to be connected to any existing/planned public sewerage system. The planned public sewerage system as shown on Plan R-2c of the Paper was degazetted on 29.10.2010.

20. As Members had no further questions to raise, the Chairperson said that the hearing procedure for the review application had been completed. The Board would further deliberate on the review application and inform the applicant of the Board’s decision in due course. The Chairperson thanked the representative of PlanD and the applicant’s representative for attending the meeting. They all left the meeting at this point.

Deliberation Session

21. Members noted that the proposed development was not in line with the planning intention of the “GB” zone, the application did not comply with the Interim Criteria in that the applicant failed to demonstrate that the proposed development located within WGG would be able to be connected to the existing/planned sewerage system, land was still available within the concerned “V” zone and approval of the application would set an undesirable precedent.

22. Given that the applicant had not provided any strong justification and there was no change in planning circumstances since the rejection of the application, Members considered that there was no strong planning justification which warranted a deviation from the decision of RNTPC on the application.

23. After deliberation, the Board decided to reject the application on review for the following reasons:

- “(a) the proposed development is not in line with the planning intention of “Green Belt” zone, which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification provided in the submission to justify a departure from the planning intention;
- (b) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in the New Territories in that the applicant fails to demonstrate that the proposed development located within water gathering grounds would be able to be connected to the existing and planned sewerage system and would not cause adverse impact on the water quality and natural landscape in the area;
- (c) land is still available within the “Village Type Development” (“V”) zone of Yuen Leng and Kau Lung Hang which is primarily intended for Small House development. It is considered more appropriate to concentrate the

proposed Small House development within “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services; and

- (d) the approval of the application would set an undesirable precedent for other similar applications in the area. The cumulative impacts of approving such applications would result in a general degradation of the natural environment and landscape quality of the area.”

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 4

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Representations and Comment in respect of Draft Kwu Tung South Outline Zoning Plan No. S/NE-KTS/15

(TPB Paper No. 10337)

[The item was conducted in Cantonese and English.]

24. The Secretary reported that as the Fanling Golf Course of the Hong Kong Golf Club (Golf Club) and the Beas River Country Club of the Hong Kong Jockey Club (HKJC) were located in the vicinity of the representation sites, the following Members had declared interested on the item for being members of Golf Club and/or HKJC or their projects were supported/funded by HKJC, and had affiliation with Fannie Holdings Limited (FHL) (R2) and Ms Mary Mulvihill (R3):

Dr Lawrence K.C. Li - being a voting member of HKJC and a member of Golf Club

Mr Thomas O.S. Ho - being an ordinary member of HKJC and a member of Golf Club

- Mr Ivan C.S. Fu - having past business dealings with FHL and being an ordinary member of HKJC
- Mr K.K. Cheung]
Mr Alex T.H. Lai] their firm hiring Ms Mary Mulvihill on a contract basis from time to time, as well as being an ordinary member of HKJC
- Mr Dominic K.K. Lam]
Ms Christina M. Lee] being an ordinary member of HKJC
Mr H.F. Leung]
Mr David Y.T. Lui]
Dr Frankie W.C. Yeung]
Mr Philip S.L. Kan]
Mr Wilson Y.W. Fung]
Mr Stephen L.H. Liu]
Miss Winnie W.M. Ng]
- Mr Peter K.T. Yuen - being an ordinary member of HKJC and being a member of the Board of Governors of the Hong Kong Arts Centre which had received a donation from HKJC
- Mr Stephen H.B. Yau - some projects of his organisation were supported by HKJC
- Professor T.S. Liu - being the Principal Investigator of a community project funded by HKJC Charities Trust
- Dr C.H. Hau - applying for funding from HKJC Charities Trust for his project

25. Members noted that Dr Lawrence C.K. Li, Messr K.K. Cheung, H.F. Leung, David Y.T. Lui, Stephen L.H. Liu and Stephen H.B. Yau had tendered apologies for being unable to attend the meeting and Mr Dominic K.K. Lam had not yet arrived to join the meeting. As the interests of the remaining members were indirect, the meeting agreed that they could stay in the meeting.

26. The Chairperson said that reasonable notice had been given to the representers and commenter inviting them to attend the hearing, but other than those who were present or had indicated that they would attend the hearing, the rest had either indicated not to attend or made no reply. As reasonable notice had been given to the representers and commenter, the Town Planning Board (the Board) should proceed with the hearing of the representations in their absence.

Presentation and Question Sessions

27. The following government representatives of the Planning Department (PlanD), the representer's representatives and commenter were invited to the meeting at this point:

Ms Maggie M.Y. Chin	-	District Planning Officer/Fanling, Sheung Shui and Yuen Long East, (DPO/FS&YLE), PlanD
Ms S.H. Lam	-	Senior Town Planner/Fanling and Sheung Shui (STP/FS), PlanD

R2 – FHL

Mr Jimmy Tse]	
Mr Marcus Tse]	
Mr Phill Black]	Representer's representatives
Mr Kenneth Chan]	
Mr Daniel Shum]	

C1 – Hau Fuk Tat

Mr Hau Fuk Tat, Simon - Commenter

28. The Chairperson extended a welcome and briefly explained the procedures of the hearing. She said that PlanD's representative would be invited to brief Members on the representations and comment. The representer's representatives and commenter would then be invited to make oral submissions in turn. To ensure the efficient operation of the meeting, each representer and commenter and their representative would be allotted 10 minutes for making oral submission. There was a timer device to alert the representer's representatives and commenter two minutes before the allotted time was to expire, and when the allotted time limit was up. A question and answer (Q&A) session would be held after all attending representer's representatives and commenter had completed their oral submissions. Members could direct their questions to government representatives, representer's representatives and commenter. After the Q&A session, government representatives, representer's representatives and commenter would be invited to leave the meeting, and the Board would deliberate on the representations in their absence and inform the representers and commenter of the Board's decision in due course.

29. The Chairperson then invited PlanD's representative to brief Members on the representations.

30. With the aid of a PowerPoint presentation, Ms S.H. Lam, STP/FS, PlanD briefed Members on the representations and comment, including the background of the proposed amendments to the draft Kwu Tung South Outline Zoning Plan (OZP), the grounds/views/proposals of the representations and comment, PlanD's responses and views on the representations and comment, as detailed in TPB Paper No. 10337 (the Paper).

[Mr Dominic K.K. Lam arrived to join the meeting during STP/FS's presentation.]

31. The Chairperson then invited the representer's representatives and commenter to elaborate on their representations and comment.

R2 – FHL

32. With the aid of a Powerpoint presentation, Mr Phill Black made the following main points:

- (a) FHL was a family-run business and owned over 95% of the land zoned “Comprehensive Development Area” (“CDA”) under Amendment Item A1;
- (b) the s.12A application submitted by FHL to rezone its land from “Recreation” (“REC”) to “CDA” was agreed by the Board in 2012. The “CDA” zoning was proposed at that time given that other existing residential zonings on the OZP, which permitted residential development as of right, was considered inappropriate. The currently proposed “Residential (Group D)” (“R(D)”) zone which required the submission of planning application for residential development only came into effect after PlanD’s land use review on the entire “REC” zone in Hang Tau Tai Po was completed in 2014 (the 2014 Review);
- (c) the planning control under the “CDA” and “R(D)” zones was largely the same as both zones required the submission of planning application together with technical assessments for residential development with the same development restrictions under the OZP. There would be no loss in planning control over the comprehensive layout of the site if the site was rezoned from “CDA” to “R(D)”;
- (d) the main objection to the currently proposed “CDA” zone was related to the inclusion of additional land into the originally agreed “CDA” boundary under the s.12A application;
- (e) PlanD’s justification for including the additional land into the “CDA” zone, being that it was considered reasonable to include the residual land sandwiched between a road and FHL’s land into the “CDA” zone, was unconvincing. As a matter of fact, that piece of additional land was capable of separate development as a one house one garden scheme since

the site was large enough and directly accessible from Hang Tau Road via an existing local track;

- (f) the inclusion of additional land into the “CDA” zone would pose the following major burdens on the proposed residential development on FHL’s own land:
 - (i) the Master Layout Plan (MLP) agreed in 2012 had to be redrawn before submission of a s.16 planning application which would incur additional costs;
 - (ii) it would be difficult to obtain agreement from the other landowner to a single comprehensive layout;
 - (iii) there was no real development gain because the additional land only generated one house as compared to the 30 houses in the 2012 original “CDA” zone;
 - (iv) in accordance with Town Planning Board Guidelines for Designation of “CDA” Zones and Monitoring the Progress of “CDA” Developments (TPB PG-No. 17A), FHL was required to demonstrate that due effort had been made to acquire the additional private land before phased development of the “CDA” zone was allowed. The time taken in the negotiation process would delay the housing supply in the original “CDA” zone which was scheduled for completion in mid-2016 according to the s.12A application;
 - (v) it was likely that the additional private land might have to be taken into account in the subsequent land exchange;
- (g) the additional private land (i.e. Lot 1127 R.P. in D.D. 96) included in the “CDA” zone was a piece of ‘Tso’ land owned by Hau Cheuk Fung Tso.

The inclusion of ‘Tso’ land which required consent from Tso members to sell the land would create obstacle for FHL in terms of time, effort and cost; and

- (h) the following practical solutions with a view to addressing the problem of the enlarged ‘CDA’ zone were proposed:
 - (i) to excise the additional land currently occupied by some temporary structures from ‘CDA’ and rezone it to ‘R(D)’ which accorded with the planning intention for improving and upgrading of existing temporary structures; or
 - (ii) while retaining the currently enlarged ‘CDA’ zone, to add a chain-dotted line to the ‘CDA’ zone on the Plan so as to demarcate R2’s site and the additional land, and to add a statement to the Explanatory Statement (ES) for the ‘CDA’ zone of the OZP stating that *‘in submitting a MLP to the Board for consideration, the MLP could cover the whole zone or either one of the two sites delineated by the chain-dotted line in the ‘CDA’ zone’* in order to provide flexibility for phased development. Similar wording could be found in the ES of the North Point OZP for a ‘CDA(1)’ zone held under different ownership.

[Dr C.H. Hau left the meeting temporarily at this point.]

33. Mr Jimmy Tse, the representative of R2, made the following main points:

- (a) the proposed residential development on FHL’s site was conditionally approved by the Board in 2012 and the Government had taken five years to complete the rezoning process;
- (b) FHL was not being informed of the inclusion of additional land into the agreed ‘CDA’ boundary. The inclusion of ‘Tso’ land in the ‘CDA’ zone

would create additional hurdle on the development and further delay of the implementation programme. Although phased development of a “CDA” site was allowed under the TPB PG-No. 17A, it would be difficult to demonstrate at the s.16 application stage that due effort had been made to acquire other land for comprehensive development;

- (c) FHL would not raise objection to the “CDA” zoning provided that its development would not be further delayed bearing in mind that the originally scheduled completion date of the proposed development was mid-2016. FHL was willing to prepare a MLP which included an indicative scheme covering the ‘Tso’ land area so as to demonstrate that the development on its own land would not take away the development potential of the remaining portion of the “CDA” zone; and
- (d) he sincerely hoped that the Board would give a favourable consideration to their proposals.

C1 – Hau Fuk Tat (North District Council Member)

34. Mr Hau Fuk Tat, Simon, made the following main points:

- (a) all along the North District Council and its members had grave concern on the traffic problem in the Hang Tau area;
- (b) he objected to the rezoning of land in Hang Tau Tai Po from “REC” to “R(D)” under Amendment Item A2 mainly on traffic and land ownership grounds;
- (c) the existing Hang Tau Village was served by private cars and green minibuses. The existing village access was very narrow, which could only allow single file traffic, and was hardly accessible to green minibuses and other heavy vehicles. The ‘bottleneck’ section of the village access lied between the main gate of Serenity Garden and 蓬萊食堂, which was

the only access connecting the village and Hang Tau Road, was very busy and congested. The capacity of the existing access was therefore inadequate to cater for the additional traffic and public transport demand generated from the increased population resulting from the rezoning;

- (d) although R1 proposed to extend the existing Hang Tau Road southward and westward to address the traffic problem, the Transport Department (TD) had already indicated that there was no extension/widening proposal for the existing Hang Tau Road;
- (e) the land ownership issue should be duly taken into account in the proposal to extend Hang Tau Road which involved many private land. To cite an example, the land owner had fenced off part of that critical road section between Serenity Garden and 蓬萊食堂 under her ownership to avoid damage of road surface by heavy vehicles. This had resulted in severe traffic congestion along the village access;
- (f) various meetings had been held with concerned government departments with a view to resolving the traffic problem of Hang Tau Road but the traffic problem remained unresolved due to land ownership problem; and
- (g) given that the necessary traffic and transport infrastructure for the area was not improved to resolve the traffic problem, the rezoning was not supported.

35. As the presentation from the government's representatives, and the presenter's representatives and commenter had been completed, the meeting proceeded to the question and answer (Q&A) session.

36. The Secretary reported that Dr C.H. Hau declared an interest on the item for being a member of Hau Cheuk Fung Tso, the registered land owner of Lot 1127 R.P. in D.D. 93, as mentioned by R2 in its presentation. Members noted that Dr Hau had already left the meeting temporarily. Mr Hau Fuk Tat (C1) also indicated that he was the Chairman of Hau Cheuk

Fung Tso.

S.12A approval

37. The Chairperson and some Members raised the following questions:

- (a) further elaboration on the s.12A approval given by the Board in 2012; and
- (b) whether the approved MLP of the s.12A application was still valid.

38. In response, Ms Maggie M.Y. Chin made the following main points:

- (a) the s.12A application for rezoning R2's site from "REC" to "CDA" zone was agreed by the RNTPC in 2012. The RNTPC also requested PlanD to carry out a comprehensive review of the whole "REC" zone (the 2014 Review) to identify suitable land uses and development intensity. In consideration of the 2014 Review, RNTPC had no objection to include the residual area to the northeast of R2's site, comprising 0.05 ha of private land and a small strip of government land, into the "CDA" zone so as to ensure comprehensive development. In this regard, R2's proposal to exclude the private land from the "CDA" zone was considered not in line with the original intention of the Board; and
- (b) the approval given by the Board under the s.12A application was to rezone the site from "REC" to "CDA", not the indicative MLP submitted in support of the application. Amendments to the OZP to take forward the approved s.12A would be required. Under the current "CDA" zoning, the applicant would have to submit a MLP together with other technical assessments to address various technical concerns.

39. In response, Mr Phill Black said that the approval of the s.12A application to rezone R2's site to "CDA" and the request for PlanD to conduct comprehensive review for the remaining area of the "REC" zone were two distinct decisions made by the RNTPC during its

consideration of the application. The gazettal of the “CDA” zone incorporating the adjoining private lot was a deviation from the Board’s approval.

“CDA” zoning

40. The Chairperson and some Members raised the following questions:

- (a) whether the inclusion of additional private land in the “CDA” zone would hinder the implementation of the proposed development on R2’s site;
- (b) further elaboration on the rezoning consideration for the private lot during the 2014 Review; and
- (c) whether the demarcation of the “CDA” zone into two sites could still safeguard the compatibility between the future developments on the sites.

41. In response, Ms Maggie M.Y. Chin, DPO/FS&YLE, PlanD, made the following main points:

- (a) according to TPB PG-No. 17A, as long as the applicant could confirm that due effort had been made to acquire the private lot but unsuccessful and submit a MLP to demonstrate that the early phase of development would be compatible with the later phase(s), phased development would be allowed for the “CDA” zone. In the circumstances, if the Board was content that the proposed development covering R2’s land would not be incompatible with development schemes that could possibly be pursued for the remaining land, the development on R2’s land could be separately implemented even if the adjoining ‘Tso’ land had no development programme at all. Another “CDA” development in Lin Tong Mei Tsoi Yuen previously approved by the Board had also been implemented by phases with Phase 1 already occupied and Phase 2 remained undeveloped;
- (b) although the s.12A rezoning application which only covered R2’s land was

agreed by the RNTPC, concerned departments considered that various technical concerns still needed to be addressed, including the requirement to setback the proposed development to make allowance for future widening of Hang Tau Road, the need to provide appropriate mitigation measures to address the traffic noise from Hang Tau Road and fixed noise from the adjacent Hang Tau Sewage Pumping Station and the Beas River Country Club Sewage Treatment Plant, as well as the capacity constraint of the existing public sewerage facilities. In view of the above technical constraints and the locational consideration of the adjoining private lot, being sandwiched between an existing access road and R2's site, PlanD considered it reasonable and recommended in the 2014 Review to include the private lot together with adjoining government land into the "CDA" site for comprehensive development. The recommendation was agreed by the RNTPC on 23.5.2014; and

- (c) if the area was divided into two separate "CDA" sites, the MLP submission would only cover the respective "CDA" site as it was not necessary to incorporate the design/layout of the adjoining "CDA" site in the MLP submission. However, if the private lot was included into the "CDA" zone, the applicant would be required to submit one MLP for the whole site, though possibly developed in phases, and the compatibility in terms of design and layout of different phases of the "CDA" could be assessed by the Board. The planning intention of "CDA" zone to achieve comprehensive development in an area subject to traffic, environmental and sewerage constraints could therefore be fulfilled;

42. In response, Mr Phill Black made the following main points:

- (a) on consideration that residential development within the "R(D)" zone would also require planning permission from the Board, the technical issues regarding traffic, environmental and sewerage constraints encountered by the "CDA" site could also be addressed at the planning application stage through the submission of various technical assessments

if the site was rezoned to “R(D)”. The inclusion of additional private land into the “CDA” zone would not improve the comprehensiveness of the proposed residential development but would impose additional burden on R2’s development as FHL would be required to demonstrate due effort had been made to acquire the ‘Tso’ land. The Board was urged to tackle the problem at an early stage by clearly demarcating on the Plan that the “CDA” zone comprised two separate sites under different owners and each should be allowed to develop on its own; and

- (b) the designation of R2’s site as “CDA” was the legacy of the approved s.12A application when there was no “R(D)” zone on the OZP at the time of consideration of the application. R2 would definitely propose an “R(D)” zoning for its site if they could restart the process. The preparation of a MLP together with other technical assessments to take into account the existing/future development on the ‘Tso’ land would incur additional time and resources on the part of R2.

R2’s proposals

43. Two Members asked PlanD’s representatives to express their views on R2’s proposals. In response, Ms Maggie M.Y. Chin made the following main points:

- (a) the circumstances and planning consideration to include a chain-dotted line on the “CDA(1)” zone of the North Point OZP were different from that of the subject “CDA” site on the OZP. The “CDA(1)” zone on the North Point OZP covered two sites which had different planning intention. One site was intended for hotel development while the other was intended for comprehensive development with possible incorporation of residential development. For the subject “CDA” zone, it was primarily intended for comprehensive private residential development albeit the two sites were under different ownership. The “CDA” zoning was intended to provide a means for achieving co-ordinated development in areas subject to traffic, environmental and infrastructure capacity constraints through the

formulation of an appropriate development scheme/layout with mitigation measures; and

- (b) R2's proposal to include a chain-dotted line on the "CDA" zone of the Plan to allow flexibility for phased development was considered not necessary having regard that allowance for phased development was already clearly specified in TPB PG-No. 17A and the existing mechanism was applicable to all "CDA" sites.

44. Mr Raymond K.W. Lee, Director of Planning, and two Members raised the following questions to R2's representatives:

- (a) noting that the demarcation of different sites within the "CDA(1)" zone on the North Point OZP by chain-dotted line was based on different consideration, whether there was similar arrangement for other "CDA" site on other OZPs and whether there was any unique circumstance which warranted the same arrangement for the subject "CDA" zone on the OZP;
- (b) sought confirmation on the proposals submitted by R2; and
- (c) clarification on whether R2 would withdraw his representation.

45. In response, Mr Phill Black and Mr Jimmy Tse made the following main points:

- (a) the imposition of chain-dotted line within the same zone on the statutory plan was a planning technique aiming to achieve specific purposes, such as stipulating different building height restrictions; distinguishing development and non-development sites (e.g. "R(D)1" zone on the Kwu Tung South OZP); and demarcating sites on government and private land on Kam Tin South OZP. The imposition of chain-dotted line was not solely for the "CDA" zones. Given that the "CDA" site mainly comprised two sites under different ownership, with 95% of the "CDA" zone under the single ownership of R2, there was no strong reason to

refuse adding a chain-dotted line to demarcate land under different ownership thus facilitating phased development. The chain-dotted line technique was proposed to reflect the “CDA” zone approved five years ago. If not, the development on R2’s own land would be unduly delayed due to the lengthy negotiation process involved in the acquisition of ‘Tso’ land;

- (b) R2 now made two proposals: (a) to exclude the ‘Tso’ land from “CDA” zone and rezone that land to “R(D)”; and (b) if the ‘Tso’ land retained in the same “CDA” zone, a chain-dotted line should be added to the “CDA” zone of the Plan and to incorporate into the ES of the OZP a statement specifying the allowance for phased development. Subject to adoption of either proposal, the original proposal to rezone the entire “CDA” zone to “R(D)” would not be pursued; and
- (c) the major grounds of R2’s representation was related to the inclusion of ‘Tso’ land into the “CDA” zone which would further delay the implementation programme of the proposed development on its own land. On the condition that the Board could confirm the inclusion of ‘Tso’ land would not affect its development, R2 was willing to withdraw its objection.

Phased development

46. The Chairperson and some Members raised the following questions:

- (a) under what circumstances would phased development be allowed for a “CDA” site;
- (b) the meaning/mechanism of phased development; and
- (c) whether the implementation of the Phase 1 development of the “CDA” zone would be affected if the Phase 2 development was not realised in future.

47. In response, Ms Maggie M.Y. Chin made the following main points:

- (a) in considering whether phased development of a “CDA” site should be allowed, apart from the applicant’s confirmation that due effort had been made to acquire the remaining portion of the site, it would be more important for the applicant to demonstrate in the MLP submission that the planning intention of the “CDA” zone would not be undermined, the comprehensiveness of the proposed development would not be adversely affected and the development potential of the unacquired lot(s) within the “CDA” zone would not be taken up in the early phase;
- (b) phased development for a “CDA” site would provide flexibility for different phases of developments to be implemented separately at different timeframe. Upon the approval of the MLP by the Board, the developer could proceed with the Phase 1 development including building plan submission and land exchange/lease modification application. Citing the “CDA” development at Lin Tong Mei Tsoi Yuen as an example, its Phase 1 development had been completed and occupied whereas the Phase 2 development remained undeveloped; and
- (c) as the approved MLP had to demonstrate that each phase of the development was self-contained and compatible with each other, the implementation of the Phase 1 development would not be affected even if the Phase 2 development was not carried out.

MLP Submission

48. The Chairperson and some Members raised the following questions:

- (a) whether the submission of MLP would still be required if the private lot was not included in the “CDA” zone. If affirmative, whether the MLP submitted for R2’s site had to demonstrate its compatibility with the adjacent area;

- (b) given the approval of the s.12A application was relating to a smaller “CDA” and the private lot involved was a ‘Tso’ land which might be difficult to acquire, whether R2 could merely reflect the existing condition of the ‘Tso’ land in the MLP covering the whole “CDA” site, even if the ‘Tso’ land would remain undeveloped in future ;
- (c) whether the consent of the adjoining private lot owner to the development scheme as shown on the MLP was required. If not, whether the design and layout of the future development of other private land within the same “CDA” would be frustrated; and
- (d) whether the original proponent could raise objection to the MLP prepared by Phase 2 developer.

49. In response, Ms Maggie M.Y. Chin made the following main points:

- (a) under the “CDA” zoning, the applicant was required to submit a MLP at the s.16 planning application stage. Even if the ‘Tso’ land was excluded from the “CDA” zone, R2 was still required to submit a MLP for its own “CDA” site. Each planning application would be considered by the Board taking into account various planning considerations including compatibility of the proposed development with the surrounding area in terms of land use or design and its potential impact on the surrounding developments. The inclusion of the private lot into the “CDA” zone could reflect the planning intention of the Board to have a comprehensive planning for the whole area;
- (b) in preparing the MLP submission, the applicant could draw up an indicative scheme for the private lot. Insofar the submitted MLP could demonstrate that the proposed layout would be compatible with the private lot under Phase 2 development and would not adversely affect the development potential of the private lot, the MLP would be considered acceptable from planning point of view;

- (c) it was not a prerequisite for other land owners within the “CDA” zone to agree to the development scheme as shown on the MLP. However, a MLP submission to the Board was required to demonstrate that the entire development scheme was comprehensively planned and each individual phase would be self-contained and compatible with each other. The approved MLP would be deposited at the Land Registry for public inspection. In future, the developer of the Phase 2 development could submit a new development scheme, with reference to the approved MLP, to the Board for consideration. Similarly, the submitted MLP of the later phase would also be required to demonstrate its compatibility with the Phase 1 development; and
- (d) the proposed development on the adjoining private lot within the “CDA” site would require planning permission from the Board and the application would be processed in accordance with the provision of Town Planning Ordinance (the Ordinance). All planning application submitted under s.16 of the Ordinance would be published for public comments and all comments received would be submitted to the Board for consideration.

The ‘Tso’ land

50. Two Members raised the following questions to C1:

- (a) whether the local access to the north of the “CDA” zone was owned by Hau Cheuk Fung Tso;
- (b) whether Hau Cheuk Fong Tso would like to develop its own lot in the long run should it be retained as “CDA” ; and
- (c) whether C1 was aware of the current “CDA” zoning of their ‘Tso’ land and their views on such zoning.

51. In response, Mr Hau Fuk Tat, Simon, made the following main points:

- (a) he had no such information about the exact boundary of their 'Tso' land in hand which might require an on-site survey;
- (b) it was the traditional custom that the land owned by Hau Cheuk Fung Tso would only be put into farming practices and would not be developed for other uses; and
- (c) Hau Cheuk Fung Tso and the local villagers were not aware of the development proposal submitted by R2 nor the "CDA" zoning for their land. They would raise strong objection if their 'Tso' land was incorporated into the 'CDA' zone for residential development for the reason that the 'Tso' land should only be used for agricultural use according to their traditions. They would never sell their land to private developer but would consider surrendering their land to the Government for public project if required.

52. In response to a Member's questions raised in paragraph 50(a) above and whether the boundary of the "CDA" zone aligned with the lot boundary of the 'Tso' land (i.e. Lot 1127 R.P.), Ms Maggie M.Y. Chin said that based on the available information, the local access to the north of the "CDA" zone was not a 'Tso' land. Moreover, the zoning boundary of the "CDA" generally tallied with the boundary of Lot 1127 R.P.

53. Mr Phill Black, with the aid of a plan displayed on visualizer, said that a small portion of Lot 1127 R.P. fell outside the "CDA" zone while its adjoining land to the west and south were government land.

54. Ms Maggie M.Y. Chin clarified that given that the OZP was a small-scale plan, the zoning boundary of the "CDA" was considered largely aligned with the boundary of Lot 1127 R.P. unless the scale of the plan was substantially enlarged.

Adverse traffic impact

55. A Member asked C1 to further elaborate on the existing traffic problem and the

measures to tackle the issue.

56. In response, Mr Hau Fuk Tat, Simon, displayed some photos on the visualizer to demonstrate that the existing local access connecting Hang Tau Village and Hang Tau Road was very narrow that only single file traffic was allowed. The ‘bottleneck’ section of the village access, which was partially fenced off, was extremely busy and congested. If the existing traffic problem was unresolved, further increase in population generated by the proposed residential development could not be supported. Close liaison had been made with concerned departments in the past with a view to addressing the traffic problem but in vain as it was not feasible to widen the existing access which involved private land.

57. With the aid of a plan, Ms Maggie M.Y. Chin briefly explained the existing village access and its connection to Hang Tau Road. She continued to say that the carrying capacity of Hang Tau Road had been taken into account in the rezoning of the “REC” to “CDA” and “R(D)” zones. Future residential developments within those two zones would require the submission of planning application supported by technical assessments to demonstrate that no adverse traffic impacts would be generated. For future development on the “CDA” zone, TD further requested the setback of the proposed development to cater for future widening of Hang Tau Road.

Others

58. A Member raised the following questions:

- (a) further elaboration on the interface between the “CDA” zone and the adjacent “V” zone as illustrated on Plan H-4a of the Paper; and
- (b) whether the current OZP amendments which mainly involved the rezoning of a “REC” zone would have implications on the overall provision of “REC” zone in the Kwu Tung South area.

59. In response, Ms Maggie M.Y. Chin made the following main points:

- (a) the current amendments to the OZP were mainly related to the “REC” zone in Hang Tau Tai Po and the existing “V” zone would not be affected. The red lines on the Plan H-4a of the Paper denoted the zoning boundaries under Amendment Items A1 to A4 whereas the blue dotted line delineated the village ‘environs’ of Hang Tau; and
- (b) currently, there was another “REC” zone in the northern part of Kwu Tung South area adjacent to Fanling Highway. That “REC” zone, with an area of about 19 ha, was the subject of another land use review, the findings of which were not yet available.

60. In response to Mr Raymond K.W. Lee’s question on the implementation programme of R2’s proposed development, Mr Jimmy Tse said that should the Board confirm that the implementation of the proposed development on R2’s site would not be affected by the inclusion of ‘Tso’ land, R2 would proceed immediately to prepare a s.16 application for the “CDA” site. Every action would be taken to expedite the development process which might take about 4 years to complete.

[Dr Wilton W.T. Fok, Mr Philip S.L. Kan, Mr Thomas O.S. Ho and Ms Christina M. Lee left the meeting during the Q&A session.]

61. As Members did not have any further questions, the Chairperson said that the Q&A session was completed. She thanked the government representatives as well as the representers’ representatives and commenter for attending the meeting. The Board would deliberate the representations/comment in closed meeting and would inform the representers/commenter of the Board’s decision in due course. The government representatives as well as the representers’ representatives and commenter left the meeting at this point.

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

Deliberation Session

62. The Secretary reported that Mr Thomas O.S. Ho declared an interest on the item as his company leased a site in Hang Tau Village. Members noted that Mr Ho had already left the meeting.

“CDA” zoning

63. A Member said that the designation of the site as “CDA” zone on the OZP was considered necessary to achieve a specific planning purpose of comprehensive development in areas subject to traffic, environmental and infrastructure capacity constraints. While phased development within a “CDA” site would be allowed to facilitate implementation, the objective to achieve comprehensive planning for the site would not be jeopardized as the applicant was required to submit a MLP to the Board to demonstrate the compatibility between different phases and that the development potential of the unacquired lot(s) would not be absorbed in the early phases of the development. Moreover, the affected parties could provide comments on the planning application during the statutory publication period which would also be taken into account by the Board when assessing the planning application.

64. Another Member said that the grounds of representation put forth by R2 were more related to the anticipated problems in the submission of s.16 application rather than the “CDA” zoning per se. Those concerns in respect of phased development and submission of MLP for the entire “CDA” site covering the ‘Tso’ land had been adequately addressed by DPO/FS&YLE during the Q&A session. It was also noted that for so long as phased developments would be possible as clarified during the Q&A session, the two proposals submitted by R2 (i.e. to rezone the additional land including the ‘Tso’ land to “R(D)” zone, or to amend the Plan by adding a chain-dotted line on the “CDA” zone with corresponding amendments to the ES to specify the allowance of phased development), which required further amendments to the OZP, would not be necessary and would actually go against R2’s intention to expedite implementation of its development. The Member considered that there was no need to amend the “CDA” zoning.

65. The meeting noted that the “CDA” zoning was intended to provide appropriate planning control to achieve the planning intention of comprehensive development of the whole “CDA” zone, yet sufficient flexibility had been provided for phased development which would

not frustrate the implementation of R2's development on its own site. It was considered that the current "CDA" zoning on the OZP should be retained and no amendment should be made.

66. A Member, while agreeing to retain the "CDA" zoning, remarked that amendments to the OZP should take a more comprehensive approach in rezoning the whole "REC" to "CDA" zone. This might help to better address the traffic and infrastructural constraints as well as providing more open space and supporting facilities for the local community.

Adverse traffic impact

67. As regards the representer/commenter's concern on the adverse traffic impact generated from the proposed residential developments in the area, a Member said that TD had no adverse comment on the rezoning of "REC" to "CDA" and "R(D)" zones from traffic engineering point of view. For the commenter's concern on the traffic congestion problem of Hang Tau Village, concerned department should take necessary action to address the local concern.

68. A Member remarked that the traffic condition in the vicinity of Hang Tau Road was unsatisfactory and consideration should be given to implementing some improvement measures to address the problem.

69. The meeting noted that TD had advised that the relatively low-density developments in "CDA" and "R(D)" sites could be tolerated from traffic engineering view point. Moreover, the future developers of those two sites should conduct Traffic Impact Assessments to demonstrate no unacceptable traffic impact and recommend necessary local improvement measures to mitigate the traffic impact. Given that the project proponents of the "CDA" and "R(D)" sites were required to submit planning application with relevant technical assessments for the Board's consideration, it was considered that the traffic impact associated with the proposed development could be further assessed at the detailed planning stage.

Others

70. Regarding a representer's concerns that there was a need for recreational and Government, institution or community facilities to serve the increased population in the area, Members generally considered that the major grounds of the representation had been addressed by the departmental responses as detailed in the Paper and the presentations made by the government representatives at the meeting.

[Mr H.W. Cheung and Mr Alex T.H. Lai left the meeting during the deliberation session.]

71. After deliberation, the Board noted the supportive views of R1 and decided not to uphold R2 to R4. The Board also agreed that no amendment should be made to the draft OZP to meet the representations for the following reasons:

"R2

- (a) the rezoning of the site under Amendment Item A1 (the A1 site) as "Comprehensive Development Area" ("CDA") is appropriate as it would facilitate a comprehensive development with provision of open space and supporting facilities and facilitate appropriate control on the layout having regard to the environmental and traffic constraints. To facilitate implementation of the "CDA" site, phased development could be proposed in accordance with the Town Planning Board Guidelines No. TPB PG-No. 17A. There is no strong justification for the proposals to exclude the 'Tso' land or include a chain-dotted line on the "CDA" zone of the Plan;
- (b) the proposal of rezoning the A1 site to "Residential (Group D)" ("R(D)") or "R(D)2", which is primarily intended for upgrading existing temporary structures into permanent buildings, may result in piecemeal developments defeating the planning intention of comprehensive development of the site;

R3

- (c) the rezoning of the sites under Amendment Items A1 and A2 as "CDA" and "R(D)" zones respectively is appropriate as there is no planned

recreational development on the sites. The proposed residential uses would help meet the housing demand and phase out the existing rural industrial/open storage uses, resulting in an enhancement of the local environment;

- (d) adequate land has been reserved for open space and Government, institution or community facilities to serve the planned population; and

R4

- (e) the rezoning incorporated in the Plan would not result in insurmountable traffic problem to the area. Traffic Impact Assessment has been conducted and confirmed the technical feasibility of the proposed residential development under Amendment Items A1 and A2. Besides, the project proponents of the “CDA” and “R(D)” sites are required to submit planning application with relevant technical assessments for the Board’s consideration. Other Amendment Items A3, A4, B1 and B2 are to reflect the as-built developments.”

[Professor K.C. Chau and Mr Patrick H.T. Lau left the meeting and Dr C.H. Hau returned to join the meeting at this point.]

Procedural Matters

Agenda Item 5

[Open Meeting]

Information Note and Hearing Arrangement for Consideration of Representations and Comments on the Draft Ngau Tau Kok and Kowloon Bay Outline Zoning Plan No. S/K13/29 (TPB Paper No. 10338)

[The item was conducted in Cantonese.]

73. The Secretary reported that the following Members had declared interests on the

item since one of the representation sites was related to a proposed public rental housing (PRH) development by the Housing Department (HD), which was the executive arm of the Hong Kong Housing Authority (HKHA), and/or had affiliations with Ms Mary Mulvihill (R10/C62) and Albert So Surveyors Limited (C40) :

- | | | |
|--|---|--|
| Mr Raymond K.W. Lee
<i>(as Director of Planning)</i> | - | being a member of the Strategic Planning Committee and Building Committee of HKHA |
| Mr Thomas C.C. Chan
<i>(as Director of Lands)</i> | - | being a member of HKHA |
| Mr Martin W.C. Kwan
<i>(as Chief Engineer (Works),
Home Affairs Department)</i> | - | being a representative of the Director of Home Affairs who was a member of the Strategic Planning Committee and the Subsidised Housing Committee of HKHA |
| Mr H.F. Leung | - | being a member of the Tender Committee of HKHA |
| Ms Janice W.M. Lai |] | having current business dealings with |
| Mr Patrick H.T. Lau |] | HKHA |
| Dr C.H. Hau |] | |
| Mr Thomas O.S. Ho | - | having current business dealings with HKHA and past business dealing with Albert So Surveyors Ltd. |
| Mr K.K. Cheung |] | their firm having current business dealings |
| Mr Alex T.H. Lai |] | with HKHA and hiring Mary Mulvihill on |
| |] | a contract basis from time to time |

Mr Ivan C.S. Fu] having past business dealings with HKHA
Mr Stephen L.H. Liu]
Mr Franklin Yu]

Dr Lawrence W.C. Poon - his spouse being an employee of HD but not
involved in planning work

74. Members noted that Messrs H.F. Leung, K.K. Cheung, Stephen L.H. Liu had tendered apologies for being not able to attend the meeting and Messr Patrick H.T. Lau, Alex T.H. Lai, Thomas O.S. Ho and Ms Christina M. Lee had already left the meeting. As the item was procedural in nature, Members agreed that the other Members could stay in the meeting.

75. The Secretary briefly introduced the Paper. On 13.4.2017, the draft Ngau Tau Kok and Kowloon Bay Outline Zoning Plan No. S/K13/29 (the Plan) was exhibited for public inspection under section 5 of the Town Planning Ordinance and a total of 8,459 representations and 63 comments were received. Since the amendments incorporated in the Plan had attracted general local concerns with substantial number of representations received, it was recommended that the representations and comments should be considered by the full Board. The hearing could be accommodated in the Board's regular meeting and a separate hearing session might be necessary subject to confirmation of the number of representers and commenters attending the hearing.

76. As most of the representations/comments were related to either the proposed public housing cum school development at Wang Chiu Road or the building height restriction of Kai Tak Mansion site (KTM site), it was suggested to structure the hearing of the representations and the comments into two groups as follows:

- (a) Group 1: collective hearing of 8,458 representations (R1 - R8459, except R1289) and 53 related comments (C1 - C39 and C50 - C63) which were all related to Wang Chiu Road housing sites and/or other items, or offer general views on the Plan.

- (b) Group 2: hearing of 5 representations (R1 - R3, R10 and R8460) and 23 related comments (C40 - C60, C62 and C63) which were related to the KTM site, or offer general views on the Plan.

77. In view of large number of representations and comments received, and to ensure efficiency of the hearing, it was recommended that each representer/commenter be allotted a maximum 10 minutes for presentation in the hearing session. Consideration of the representations/comments by the full Board was tentatively scheduled for November 2017.

78. After deliberation, the Board agreed that:

- (a) the representations and comments should be considered collectively in two groups by the Board itself; and
- (b) a 10-minute presentation time would be allotted to each representer/commenter.

Agenda Item 6

[Open Meeting]

Submission of the Draft Tai Po Kau Outline Zoning Plan No. S/NE-TPK/1A under Section 8 of the Town Planning Ordinance to the Chief Executive in Council for Approval
(TPB Paper No. 10339)

[The item was conducted in Cantonese.]

79. The Secretary reported that the following Members had declared interests on the item for having affiliation with World Wide Fund for Nature Hong Kong (WWF) (R1), Designing Hong Kong Limited (DHKL) (R2), The Hong Kong Bird Watching Society (HKBWS) (R3) and Ms Mary Mulvihill (R10/C2):

Dr C.H. Hau - being a member of HKBWS and a past member
of the Conservation Advisory Committee of

WWF

Mr Thomas O.S. Ho	-	personally knowing the co-founder and Chief Executive Officer of DHKL
Mr K.K. Cheung]	their firm hiring Mary Mulvihill on a contract
Mr Alex T.H. Lai]	basis from time to time

80. Members noted that Mr K.K. Cheung had tendered apology for being not able to attend the meeting and Messrs Thomas O.S. Ho and Alex T.H. Lai had already left the meeting. The meeting also agreed that as the item was procedural in nature, Dr C.H. Hau could stay in the meeting.

81. The Secretary briefly introduced the Paper. After giving consideration to 43 representations and 2 comments under section 6B(1) of the Town Planning Ordinance (the Ordinance) on 1.9.2017, the Town Planning Board (the Board) decided not to propose any amendment to the draft Tai Po Kau Outline Zoning Plan No. S/NE-TPK/1 (the draft OZP) to meet the representations under section 6B(8) of the Ordinance.

82. Since the representation consideration process had been completed, the draft OZP was now ready for submission to the Chief Executive in Council (CE in C) for approval.

83. After deliberation, the Board:

- (a) agreed that the draft Tai Po Kau OZP No. S/NE-TPK/1A and its Notes at Annexes I and II of the Paper respectively were suitable for submission under section 8 of the Ordinance to the CE in C for approval;
- (b) endorsed the updated Explanatory Statement (ES) for the draft Tai Po Kau OZP No. S/NE-TPK/1A at Annex III of the Paper as an expression of the planning intention and objectives of the Board for the various land-use zonings on the draft OZP and to be issued under the name of the Board; and

- (c) agreed that the updated ES was suitable for submission to the CE in C together with the draft OZP.

Agenda Item 7

[Open Meeting]

Submission of the Draft Fu Tei Au and Sha Ling Outline Zoning Plan No. S/NE-FTA/15A, Draft Hung Lung Hang Outline Zoning Plan No. S/NE-HLH/10A and Draft Man Kam To Outline Zoning Plan No. S/NE-MKT/3A under Section 8 of the Town Planning Ordinance to the Chief Executive in Council for Approval
(TPB Paper No. 10341)

[The item was conducted in Cantonese.]

84. The Secretary briefly introduced the Paper. Since no representation to the draft Fu Tei Au and Sha Ling Outline Zoning Plan (OZP) No. S/NE-FTA/15, draft Hung Lung Hang OZP No. S/NE-HLH/10 and draft Man Kam To OZP No. S/NE-MKT/3 (the draft OZPs) was received, the plan making process had been completed, and the draft OZPs were now ready for submission to the Chief Executive in Council (CE in C) for approval.

85. After deliberation, the Board:

- (a) agreed that the draft Fu Tei Au and Sha Ling OZP No. S/NE-FTA/15A and its Notes at Annexes Ia and Ib of the Paper, the draft Hung Lung Hang OZP No. S/NE-HLH/10A and its Notes at Annexes IIa and IIb of the Paper, and the draft Man Kam To OZP No. S/NE-MKT/3A and its Notes at Annexes IIIa and IIIb of the Paper respectively were suitable for submission under section 8 of the Town Planning Ordinance to the CE in C for approval;
- (b) endorsed the updated Explanatory Statements (ES) for the draft Fu Tei Au and Sha Ling OZP No. S/NE-FTA/15A, the draft Hung Lung Hang OZP No.

S/NE-HLH/10A and the draft Man Kam To OZP No. S/NE-MKT/3A at Annexes Ic, IIc and IIIc of the Paper respectively as an expression of the planning intention and objectives of the Board for the various land-use zonings on the respective draft OZPs and to be issued under the name of the Board; and

- (c) agreed that the respective updated ES were suitable for submission to the CE in C together with the draft OZPs.

Agenda Item 8

[Open Meeting]

Any Other Business

[The item was conducted in Cantonese.]

86. There being no other business, the meeting was closed at 11:55 a.m.