

**Minutes of 1160th Meeting of the
Town Planning Board held on 5.1.2018**

Present

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

Chairperson

Professor S.C. Wong

Vice-Chairperson

Mr Lincoln L.H. Huang

Mr H.W. Cheung

Dr Wilton W.T. Fok

Mr Ivan C.S. Fu

Mr Sunny L.K. Ho

Mr Dominic K.K. Lam

Mr Patrick H.T. Lau

Ms Christina M. Lee

Mr H.F. Leung

Mr Stephen H.B. Yau

Dr F.C. Chan

Mr David Y.T. Lui

Dr Frankie W.C. Yeung

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr Lawrence W.C. Poon

Mr K.K. Cheung

Mr Wilson Y.W. Fung

Mr Thomas O.S. Ho

Mr Alex T.H. Lai

Mr Stephen L.H. Liu

Ms Sandy H.Y. Wong

Mr Franklin Yu

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

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

Director of Lands
Mr Thomas C.C. Chan

Principal Assistant Secretary (Transport) 3
Transport and Housing Bureau
Mr Andy S.H. Lam

Director of Planning
Mr Raymond K.W. Lee

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

Secretary

Absent with Apologies

Professor K.C. Chau

Ms Janice W.M. Lai

Dr C.H. Hau

Dr Lawrence K.C. Li

Professor T.S. Liu

Miss Winnie W.M. Ng

In Attendance

Assistant Director of Planning/Board

Miss Fiona S.Y. Lung

Chief Town Planner/Town Planning Board

Ms April K.Y. Kun

Senior Town Planner/Town Planning Board

Ms Christine C.M. Cheung

Agenda Item 1

[Open Meeting]

Confirmation of Minutes of the 1159th Meeting held on 15.12.2017

[The item was conducted in Cantonese.]

1. The minutes of the 1159th meeting held on 15.12.2017 were confirmed without amendments.

Agenda Item 2

[Open Meeting]

Matters Arising

Approval of Draft Plan

[The item was conducted in Cantonese.]

2. The Secretary reported that on 5.12.2017, the Chief Executive in Council approved the following draft outline zoning plans (OZPs) under section 9(1)(a) of the Town Planning Ordinance:

- (a) Fu Tei Au and Sha Ling OZP (renumbered as S/NE-FTA/16);
- (b) Hung Lung Hang OZP (renumbered as S/NE-HLH/11);
- (c) Man Kam To OZP (renumbered as S/NE-MKT/4);
- (d) Kowloon Tong OZP (renumbered as S/K18/21); and
- (e) Sai Ying Pun and Sheung Wan OZP (renumbered as S/H3/31)

3. Members noted that the approval of the above OZPs was notified in the Gazette on 15.12.2017.

Sha Tin, Tai Po & North District

Agenda Item 3

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/TP/628

Proposed House (New Territories Exempted House - Small House) in “Green Belt” (“GB”) Zone, Lots 362 S.A ss.1 and 362 S.A ss.2 in D.D. 22, Lai Chi Shan Village, Tai Po (TPB Paper No. 10372)

[The item was conducted in Cantonese.]

Presentation and Question Sessions

4. The following representative of the Planning Department (PlanD) and the applicant's representative were invited to the meeting at this point:

Ms Kathy C.L. Chan - District Planning Officer/Shan Tin, Tai Po and North (DPO/STN), PlanD

Mr P.Y. Yung - Town Planner/Tai Po 1, PlanD

Ms K.M. Tseng - Applicant's Representative

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

6. With the aid of a PowerPoint presentation, Ms Kathy C.L. Chan, 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), departmental and public comments, and planning considerations and assessments as detailed in TPB Paper No. 10372 (the Paper).

[Dr Wilton W.T. Fok, Dr F.C. Chan, Ms Sandy H.Y. Wong and Mr H.F. Leung arrived to join the meeting during DPO/STN's presentation.]

7. The Chairperson then invited the applicant's representative to elaborate on the review application. With the aid of a PowerPoint presentation, Ms K.M. Tseng made the following main points:

- (a) the application site (the Site) was situated within the village “environ” (‘VE’) of Lai Chi Shan Village, which was designated in 1972. No planning permission from the Town Planning Board (the Board) was required for Small House developments within the ‘VE’ before the Site was included in the “Green Belt” (“GB”) zone on the Tai Po Outline Zoning Plan (OZP) in 1980. According to the Town Planning Board Guidelines No. 10 for ‘Application for Development within “Green Belt” zone under section 16 of the Town Planning Ordinance’ (TPB PG-No. 10), applications for New Territories Exempted Houses (NTEHs) with satisfactory sewage disposal facilities and access arrangements might be approved if the application sites were in close proximity to the existing villages and in keeping with the surrounding uses, and where the development was to meet the demand from indigenous villagers. Insufficient land to meet the housing demand would be the justification for the application;
- (b) the planning intention of the “GB” zone was primarily to promote the conservation of the natural environment and to safeguard it from encroachment by urban-type developments. It covered mainly slopes and hillsides and most of the land within the “GB” zone was government land. The main purposes of the “GB” zone were to conserve existing landscape features and areas of scenic value, to define the outer limits of urbanised districts, to serve as a buffer, and to provide additional outlets for passive recreational uses. However, in 2014, a piece of government land with an area of 4.25 ha to the east of Lai Chi Shan Village was rezoned from “GB” to “Residential (Group B) 8” (“R(B)8”) for residential developments, which involved about 1,100

number of trees and a natural stream. It was not in line with the planning intention of “GB” zone to define the outer limits of urbanised districts and would lead to clearance of natural vegetation and loss of natural landscape. On the contrary, the Site, with a site area of only 160.8 m², was currently enclosed by hoarding and was only 10 m away from the “R(B)8” zone. The proposed Small House development would not involve any clearance of trees nor result in any adverse impact on the natural landscape. As such, it would be unfair to the applicant if the application was rejected;

- (c) the proposed Small House development complied with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House (the Interim Criteria) in New Territories in that more than 50% of the Small House footprint fell within the ‘VE’ of Lai Chi San Village and there was a general shortage of land within the “Village Type Development” (“V”) zone for Small House development;
- (d) while PlanD estimated that there would be about 0.52 ha of land available within the “V” zone for Small House development, part of those land were currently roads, slopes, vegetated areas, private gardens, parking areas or in close proximity to roads, which were not suitable for Small House developments. As such, there was insufficient land within the “V” zone to meet the Small House demand;
- (e) the approval of the application would not set an undesirable precedent on the same site as there was a previous application approved by the RNTPC on 13.3.2009 and the planning permission was renewed in January 2013 up to 13.3.2017; and
- (f) while the Chief Town Planner/Urban Design and Landscape (CTP/UD&L) had some reservations, most of the government departments consulted had no objection to/adverse comment on the application. Also, there was no public comment received in respect of the review application.

[Mr Stephen H.B. Yau arrived at this point.]

8. As the presentation from DPO/STN and the applicant's representative had been completed, the Chairperson invited questions from Members.
9. The Chairperson and some Members raised the following questions:
 - (a) the percentage of the Site falling within the 'VE';
 - (b) whether the Site was subject to a previous application approved by the RNTPC and the reasons for approval;
 - (c) the reasons for approving the similar applications and whether those approved applications involved clearance of existing natural vegetation;
 - (d) the site condition of the land available within the "V" zone of Lai Chi Shan Village;
 - (e) the status of the site zoned "R(B)8" to the east of the Site;
 - (f) whether the proximity of the Site to the "R(B)8" zone would warrant a similar consideration as those approved applications which were close to the existing village cluster; and
 - (g) whether the Site was on a sloping ground and any site formation works would be required.
10. In response, Ms Kathy C.L. Chan, DPO/STN, PlanD made the following main points:
 - (a) about 61.2% of the Site fell within the 'VE';
 - (b) the Site was the subject of a previous application (No. A/TP/420), submitted by a different applicant, for a Small House. The application

was approved with conditions by the RNTPC on 13.3.2009 mainly for the reasons that the proposed Small House was generally in compliance with the Interim Criteria in that more than 50% of the Small House footprint fell within the 'VE' and there was a general shortage of land within the "V" zone for Small House development at the time of consideration. The planning permission for the application (No. A/TP/420) had been extended once and subsequently lapsed on 14.3.2017;

- (c) notwithstanding that, in considering whether there was a general shortage of land in meeting Small House demand, the Board had adopted a more cautious approach in approving applications for Small House development in recent years and more weight had been put on the number of outstanding Small House applications rather than the forecast of applications to be received as provided by the indigenous villagers via Lands Department (LandsD). It was considered more appropriate to concentrate the proposed Small House development within the "V" zone;
- (d) applications No. A/TP/574 to 576, each applying for a Small House, were approved by the Board upon review on 24.4.2015. Sympathetic consideration was given as the application sites were located close to the existing village cluster and they were totally within the 'VE'. Those application sites were mainly covered by weeds at the time of consideration;
- (e) roads, slopes and areas next to flyovers in the north had been excluded in assessing the land available within the "V" zone of Lai Chi Shan Village for Small House developments;
- (f) the land to the east of the Site was rezoned from "GB" to "R(B)8" for residential development in 2014. The northern part of that rezoned area was previously the works areas of the Government and the southern part was a borrow area. The land had been sold and building

plans had been approved;

- (g) in considering planning applications for Small House developments, considerations would normally be given to the proximity of the application sites to the existing village clusters, instead of other residential developments; and
- (h) the Site was on a sloping ground. According to CTP/UD&L, site/access formation work was anticipated.

11. Ms K.M. Tseng also made the following responses:

- (a) it was questionable that the land available within the “V” zone could meet the outstanding Small House demand; and
- (b) there was currently an informal access leading to the temporary structures adjacent to the Site.

12. As Members had no further question, the Chairperson informed the applicant's representative that the hearing procedure for the review application had been completed. The Board would further deliberate on the review application in her absence and inform the applicant of the Board's decision in due course. The Chairperson thanked the applicant's representative and the government representatives for attending the meeting. They left the meeting at this point.

Deliberation Session

13. Some Members indicated that sympathetic consideration could be given to the subject application in view that the Site was subject to a previous approval, while some Members considered that since the previous approval had lapsed and extensions granted had also expired, the subject application should be considered as a fresh application and should not be treated as just another application for extension.

14. A Member pointed out that, in the past, in considering whether there was a

general shortage of land to meet the Small House demand, the Board had taken into account the number of outstanding Small House applications as well as the 10-year Small House demand forecast as provided by the indigenous inhabitant representatives of the concerned village. In recent years, the Board had adopted a more cautious approach for considering planning applications for Small House development in that more weight had been put on the number of outstanding Small House applications provided by the LandsD.

15. Some Members considered that the subject application should be regarded as a fresh application and should be assessed on the basis of the more cautious approach. Given that there was still land available within the “V” zone, it would be more appropriate to concentrate the proposed Small House developments within the “V” zone for a more orderly development pattern in order to avoid proliferation of Small House developments in “GB” zone.

16. A Member raised that whether favourable consideration should be given to the application due to its proximity to the proposed residential development in “R(B)8” zone. The meeting noted that the rezoning of the “R(B)8” site had gone through the statutory plan-making process involving thorough consideration of changes in the planning circumstances and hearings. In case it was considered that the “GB” zone was no longer appropriate and should be rezoned for residential purpose, the proper procedure to follow would be to go through the statutory plan-making process. Before that was pursued, the case current put before the Board was a planning application for development within a “GB” zone.

17. The meeting also noted that the planning circumstances of the subject application were similar to that of application No. A/TP/607. That application, which was even closer to the existing village cluster than the subject application, was rejected in 2016.

18. The Chairperson summed up the above discussion. Although the application site was subject to a previous application approved with conditions by the RNTPC, the planning permission had lapsed and the subject planning application should be assessed as a fresh application based on the prevailing circumstances. The subject application should be considered in the context of the “GB” zone; the rezoning of the adjacent area

into “R(B)8” zone was not relevant. Regarding the Small House demand, the Board had adopted in recent years a more cautious approach to put more weight on the number of outstanding applications for Small House grant being processed by LandsD. The representatives of PlanD had indicated that there was land available within the “V” zone to meet the outstanding Small House demand. There was also a concern that approval of the subject application would set an undesirable precedent for other similar applications within the “GB” zone. As such, there was no strong justification to depart from the RNTPC’s decision.

19. 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 the “Green Belt” (“GB”) zone for the area which is to define 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 in the submission for a departure from this planning intention;
- (b) the proposed development does not comply with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “Green Belt” zone under section 16 of the Town Planning Ordinance’ in that the proposed development would involve clearance of existing natural vegetation affecting the existing natural landscape;
- (c) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that the proposed development would cause adverse landscape impact on the surrounding areas;
- (d) land is still available within the “Village Type Development” (“V”) zone of Lai Chi Shan which is primarily intended for Small House development. It is considered more appropriate to concentrate the

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

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

Fanling, Sheung Shui & Yuen Long East District

Agenda Item 4

[Open Meeting]

Request for Deferment of Review of Application No. A/YL-NSW/250

Proposed Petrol Filling Station with Sales Office in “Undetermined” Zone and an area shown as ‘Road’, Lots 999 S.E (Part), 1001 S.A RP (Part), 1002 S.A RP (Part) and 1327 RP (Part) in D.D. 115 and Adjoining Government Land, Au Tau, Yuen Long (TPB Paper No. 10373)

[The item was conducted in Cantonese.]

20. Mr H.F. Leung declared an interest on the item for providing advice on the general procedure of review application to Prudential Surveyors, the consultant of the applicant, but he had no involvement in the application. As the item was a request for deferment and Mr H.F. Leung had no direct involvement in the application, the meeting agreed that he could stay in the meeting.

21. The Secretary briefed Members that on 13.12.2017, the applicant’s representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the review application for one month to allow more time for the applicant to study and prepare further information (FI) to address comments from the Environmental Protection Department, Transport Department, Highways Department and

Planning Department. Since the first deferment, the applicant had submitted FI with revised layout plan and revised technical assessments including Traffic Impact Assessment and Environmental Assessment.

22. Members noted that the justifications for deferment met the criteria for deferment as set out in the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Town Planning Ordinance (TPB PG-No. 33) in that the applicant needed more time to prepare further information in response to departmental comments, the deferment period was not indefinite and the deferment would not affect the interests of other relevant parties.

23. After deliberation, the Board agreed to defer a decision on the review application, the application would be submitted to the Board for consideration within three months upon receipt of further submission from the applicant. The Board also agreed that if the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Board's consideration. Since it was the second deferment of the review application, the Board agreed to advise the applicant that the Board had allowed a total of three months for preparation of submission of further information, and no further deferment would be granted unless under very special circumstances.

[Mr David Y.T. Lui left the meeting at this point.]

Sai Kung & Islands District

Agenda Item 5

[Open Meeting]

The Draft Siu Ho Wan Outline Zoning Plan No. S/I-SHW/B – Preliminary Consideration of a New Plan

(TPB Paper No. 10374)

[The item was conducted in Cantonese.]

24. The Secretary reported that the draft Siu Ho Wan Outline Zoning Plan (the draft OZP) involved a site proposed for columbarium development and a topside development of Siu Ho Wan Depot. The MTR Corporation Limited (MTRCL) was the current occupier and operator of the depot. Ove Arup & Partners Hong Kong Limited (Arup) and AECOM Asia Company Limited (AECOM) were two of the consultants of MTRCL for the proposed comprehensive development. The following Members had declared interests on the item for being associated/having business dealings with Private Columbaria Licensing Board (PCLB), MTRCL, Arup and AECOM:

Ms Janice W.M. Lai] having current business dealings with
Mr Patrick H.T. Lau] MTRCL, Arup and AECOM
Mr Ivan C.S. Fu]
Mr Thomas O.S. Ho	- having current business dealings with MTRCL and had past business dealings with AECOM
Mr K.K. Cheung] their firm having current business dealings
Mr Alex T.H. Lai] with MTRCL and Arup
Dr C.H. Hau	- having current business dealings with AECOM

- Mr Franklin Yu - had past business dealings with MTRCL, Arup and AECOM
- Mr Stephen L.H. Liu - had past business dealings with MTRCL
- Professor S.C. Wong (Vice-chairperson) - being a member of the Advisory Committee for Accredited Programme of MTR Academy and having current business dealings with Arup and AECOM
- Mr H.F. Leung - being a convenor of the Railway Objections Hearing Panel of MTRCL
- Dr Wilton W.T. Fok - being a member of Transport Advisory Committee
- Mr Peter K.T. Yuen - being a Member of the Board of Governors of the Arts Centre, which had collaborated with the MTRCL on a number of arts projects
- Mr H.W. Cheung - being a Member of the PCLB

25. Members noted that Ms Janice W.M. Lai and Dr C.H. Hau had tendered apologies for being unable to attend the meeting. According to the procedure and practice adopted by the Board, as the proposed columbarium and the proposed topside development at Siu Ho Wan Depot on the new OZP were proposed by Planning Department (PlanD), the interests of the above Members on the item only needed to be recorded and the above Members could be allowed to stay in the meeting.

26. The following government representatives were invited to the meeting:

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

Mr Richard Y.L. Siu

Senior Town Planner/Islands 1, PlanD

27. The Chairperson extended a welcome and invited PlanD's representatives to brief Members on the Paper.

28. With the aid of a PowerPoint presentation, Ms Donna Y.P. Tam, DPO/SKIs, PlanD, briefed Members on the need for the OZP, existing land uses, development proposals received on the Siu Ho Wan Depot site, land use planning considerations, general planning intention and land use zonings of the OZP as detailed in the TPB Paper No. 10374.

[Mr Ivan C.S. Fu arrived to join the meeting during the presentation.]

29. The Chairperson said that the Siu Ho Wan area was currently not covered by any statutory plan and the draft OZP was therefore required to stipulate necessary planning control over the area. The proposed topside development of the Siu Ho Wan depot was one of the measures identified under the Government's multi-pronged approach for increasing land supply. She drew Members' attention that the proposed topside development should not be mixed up with the proposed Siu Ho Wan Reclamation which would be subject to further study and would not be covered by the subject OZP. She then invited questions and comments from Members.

The Proposed Topside Development at Siu Ho Wan Depot

30. Some Members raised the following questions:

- (a) whether the gross floor area (GFA) for the Government, Institution and/or Community (GIC) facilities would be included in the proposed non-domestic GFA of 30,000 m²;
- (b) the plot ratio (PR), site coverage (SC) and the building height restrictions (BHRs) for the proposed topside development;
- (c) whether more GIC facilities such as elderly facilities could be provided

in the proposed topside development;

- (d) noting that the design of the depot was massive in the illustration, whether there would be any design requirement such as provision of setback to minimise the visual impact of the depot;
- (e) how to ensure that the public could be benefited by the proposed topside development in future; and
- (f) the development density of the proposed development as compared with Tung Chung New Towns.

31. In response, Ms Donna Y.P. Tam, DPO/SKIs, PlanD made the following main points:

- (a) MTRCL had submitted an indicative scheme to demonstrate technical feasibility and environmental acceptability of the topside development at Siu Ho Wan depot site. To ensure an integrated and compatible layout for development, planning application in the form of layout plan for the development atop the depot site would need to be submitted for approval by the Board;
- (b) according to the Notes of the draft OZP for the “Other Specified Uses” annotated “Railway Depot and Public Transport Interchange with Commercial/Residential Development” (“OU(Railway Depot and PTI with C/R Development)”), the proposed 30,000m² non-domestic GFA was for commercial development to support the future population in the topside development. Any floor space that was constructed or intended for use solely as railway depot/station and associated facilities, PTI, schools, GIC or social welfare facilities, as required by the Government might be disregarded under the OZP;
- (c) according to MTRCL’s indicative scheme, various GIC facilities such as schools, kindergarten and social welfare facilities would be provided.

The draft OZP and MTRCL's proposal had been circulated for departmental comments. The Social Welfare Department had provided views on the future provision of GIC facilities in the topside development. The requirement on the provision of the GIC facilities including social welfare facilities had also been clearly stated in the Explanatory Statement (ES) of the draft OZP;

- (d) according to MTRCL's indicative scheme, the domestic PR for the proposed topside development was about 3.5. A new podium for C/R development would be constructed over the whole depot site with school and residential towers on top of the podium. The proposed BHRs of the residential towers ranged from 86mPD to 106mPD, which had followed the current Airport Height Restriction Plan (AHRP);
- (e) urban design requirements had been incorporated in the ES of the draft OZP to guide the future development at the depot site with a view to minimising visual impact. Such requirements could be strengthened to include possible setback of the podium to create more space for cycle track and amenity as well as to enhance accessibility to the waterfront;
- (f) about 14,000 flat units would be provided in the proposed development and the proposed zoning would not dictate the ratio of public and private housing which would be subject to review; and
- (g) the overall PR of the proposed development was 3.5, which was considered as a medium-density development as compared with the high-density development of Tung Chung, as the site was subject to the AHRP.

32. Some Members worried that the MTRCL's indicative scheme might give the public wrong impression of marketing a single real estate development. It should be emphasized that the Siu Ho Wan development envisaged by the OZP was a new community with multiple developments and facilities meeting the general public's expectation for increasing housing supply and fostering a quality living environment for

the community.

Consultation with Two District Councils

33. Some Members questioned the reasons for consulting both Islands District Council and Tsuen Wan District Council. Ms Donna Y.P. Tam, DPO/SKIs, PlanD, responded that as the planning area partly fell within Island District and partly within Tsuen Wan District, following the established practice, the concerned district councils would be consulted. Their comments would be submitted to the Board for further consideration prior to the publication of the draft OZP.

Land Use Proposal

34. Some Members raised the following questions:

- (a) whether consideration had been given to provide the public utilities including the water treatment plant and the sewage treatment plant underground or within cavern to optimise the use of precious land resources;
- (b) noting that a large area to the east of the existing Siu Ho Wan Water Treatment Works (SHWWTW) was zoned “Government, Institution and/or Community” (“G/IC”), whether the proposed facilities could be built underground and the area be zoned “Green Belt” (“GB”) for better protection of the adjacent country park;
- (c) the reasons for zoning a large part of the planning area “OU” and for not zoning the site proposed for the topside development “Comprehensive Development Area” (“CDA”); and
- (d) whether there was any plan for using the underground space in the planning area for providing waste management facility and food waste recycling.

35. In response, Ms Donna Y.P. Tam, DPO/SKIs, PlanD made the following main points:

- (a) the respective “OU” zones mainly reflected the existing public utilities in the Siu Ho Wan area. Studies were being undertaken by the Government to explore the feasibility of relocating some utility installations such as sewage treatment plant into cavern/underground. Should there be proposal to relocate the SHWWTW into cavern, a land use review would be conducted to study the appropriate land uses of the vacated site;
- (b) the area to the east of the existing SHWWTW was zoned “G/IC” for the planned service reservoirs, which were strategically important to serve the Tung Chung New Town Extension (TCNTE) and other planned developments in North Lantau to support the additional population;
- (c) “CDA” zoning was mainly used to facilitate urban renewal and restructuring of land uses in the old urban areas and to provide opportunities for the restructuring of obsolete areas and for amalgamation of sites under ownership of different parties. The proposed topside development involved land under single ownership and no site amalgamation was required. The planning intention of the site was specific. As such, the designation of “OU” zoning with a clear indication of the planned land uses would better reflect the planning intention; and
- (d) the provision of waste management facility and food waste recycling was not included in the preliminary proposal, but could be considered during the detailed design stage of the proposed topside development of the Siu Ho Wan depot.

Connectivity of the Siu Ho Wan Area

36. Some Members raised the following questions:

- (a) whether there would be any connections between the planning area with other parts of North Lantau including Tai Ho and Tung Chung; and
- (b) noting that North Lantau Highway currently bisected the planning area, concern was raised on the connectivity between the proposed topside development at Siu Ho Wan Depot and areas to the south of North Lantau Highway.

37. In response, Ms Donna Y.P. Tam, DPO/SKIs, PlanD made the following main points:

- (a) the proposed Road P1 in the TCNTE project would provide access to developments in Siu Ho Wan, Tai Ho and Tung Chung and would be subject to review in the detailed design stage of TCNTE. The proposed Tai Ho Interchange to the west of the planning area would serve as the major access to the Area. A slip road linking Cheung Tung Road and the future Tai Ho Interchange was proposed under the TCNTE project to improve the connectivity between TCNTE and Tai Ho areas; and
- (b) to the east of the Siu Ho Wan Depot, there was an existing underpass under North Lantau Highway connecting the North Lantau Refuse Transfer Station and the site for the proposed columbarium to Cheung Tung Road.

Accessibility of the Waterfront

38. Some Members commented that the waterfront area should be accessible by the general public and the requirement should be clearly reflected on the draft OZP. Consideration should be given to the provision of cycle tracks along the waterfront. The Vice-chairperson also said that accessibility of the waterfront was a matter of concern when the Environmental Impact Assessment (EIA) Report for the proposed topside development was reviewed by the Advisory Council on Environment (ACE). He advised that PlanD should make reference to the discussion of ACE in preparing the draft

OZP.

39. Ms Donna Y.P. Tam, DPO/SKIs, PlanD, responded that a waterfront cycle track was proposed in the TCNTE project along the proposed Road P1. The provision of waterfront linkage in the planning area would be subject to detailed design by the MTRCL as it would involve modification to the design of the existing depot. Notwithstanding that, the requirement for better connection to the waterfront and cycle tracks network could be stipulated in the ES of the OZP to guide the preparation of layout plan of the proposed development, and reference could be made to the discussion of ACE on the EIA report for the proposed topside development.

40. Mr Raymond K.W. Lee, Director of Planning, added that the objective of preparing the Siu Ho Wan OZP was to formulate a statutory planning framework for stipulating planning control in the planning area and the OZP should be robust enough to respond to the changing needs and aspirations.

41. After deliberation, the Board agreed that:

- (a) the draft Siu Ho Wan Outline Zoning Plan (OZP) No. S/I-SHW/B together with its Notes was suitable for consultation with Islands District Council and Tsuen Wan District Council;
- (b) the ES should be revised with respect to the requirement for better connection to the waterfront and possible setback of the podium for provision of more space for cycle track network and amenity; and
- (c) the revised ES would be used for consultation with Islands District Council and Tsuen Wan District Council together with the draft OZP.

[Mr. Alex T.H. Lai left the meeting during the presentation and question sessions and Ms Sandy H.Y. and Mr Patrick H.T. Lau left the meeting at this point.]

Hong Kong District

Agenda Item 6

[Open Meeting]

Further Consideration of Proposed Amendments to the Draft Causeway Bay Outline Zoning Plan No. S/H6/15

(TPB Paper No. 10375)

[The item was conducted in Cantonese.]

42. The Secretary reported that the proposed amendments were formulated upon review of the draft Causeway Bay Outline Zoning Plan (the draft OZP) No. S/H6/15 in order to comply with the orders of the Court in respect of two judicial reviews (JRs) lodged by Hysan Development Co. Ltd (Hysan) and its subsidiaries (together, Hysan Group Companies) and by Excelsior Hotel (BVI) Limited (Excelsior) respectively. The following Members had declared interests on the item for owning properties in the Causeway Bay area; and/or having affiliation/business dealings with Hysan, the affiliated companies of Excelsior including the Jardines Group Companies (Jardines), Hongkong Land (HKL) and Mandarin Oriental:

- | | | |
|---|---|--|
| Ms Bernadette H.H. Linn
<i>(Chairperson)</i> | - | co-owning with spouse a self-occupying flat and a car parking space at Broadwood Road |
| Ms Sandy H.Y. Wong | - | being an ex-employee of Maxim's Group Companies, a subsidiary company of Jardines, and self-occupying a flat at Illumination Terrace, Tai Hang |
| Mr Wilson Y.W. Fung | - | being an ex-employee of Jardines |
| Mr Thomas O.S. Ho | - | having current business dealings with Hysan and HKL |

- Mr Ivan C.S. Fu - having current business dealings with HKL
- Mr K.K. Cheung] their firm having current business dealings
Mr Alex T.H. Lai] with Jardines, HKL and Mandarin Oriental
- Mr Stephen L.H. Liu - having past business dealings with Hysan and
HKL
- Mr Dominic K.K. Lam - spouse owning a flat at Caroline Hill Road
- Dr Lawrence K.C. Li - co-owning with spouse a flat at 1 Tai Hang
Road
- Ms Janice W.M. Lai - spouse owning a flat in Chun Fai Terrace, Tai
Hang
- Mr Franklin Yu - owning a unit at Stubbs Road, Wan Chai
- Mr Patrick H.T. Lau - his office was in Causeway Bay
- Mr Martin W.C. Kwan - close relative owning a property in Causeway
(*CE (Works), HAD*) Bay
- Ms Jacinta K.C. Woo - self-occupying a flat at Tai Hang Road
(*Secretary*)

43. Members noted that Dr Lawrence K.C. Li and Ms Janice W.M. Lai had tendered apologies for not being able to attend the meeting. Members also noted that Mr Alex T.H. Lai, Mr Patrick. H.T. Lau and Ms Sandy H.Y. Wong had already left the meeting.

44. As the interests of Mr Wilson Y.W. Fung, was remote/indirect, the meeting agreed that he could stay in the meeting.

45. As the properties of the Chairperson, Messrs Martin W.C. Kwan, Dominic K.K. Lam, Franklin Yu, and the Secretary had no direct view on the sites subject to/would not be affected by the proposed amendments, the meeting agreed that they could stay in the meeting.

46. As Messrs Thomas O.S. Ho, Ivan C.S. Fu, K.K. Cheung, and Stephen L.H. Liu had no involvement in Hysan's and Excelsior's sites, the meeting agreed that they could stay in the meeting.

47. The Secretary also drew Members' attention to a letter received from Ms Clarisse Yeung, a member of the Wan Chai District Council, was tabled at the meeting. Ms Yeung expressed concern on the relaxation of the building height restrictions and increase in development intensity and the potential adverse traffic and air ventilation impacts brought about by the proposed amendments to the OZP.

Presentation and Question Sessions

48. The following government representatives were invited to the meeting at this point:

Mr Louis K.H. Kau - District Planning Officer/Hong Kong (DPO/HK), PlanD

Mr T.W. Ng - Senior Town Planner/Hong Kong 2

Mr C.K. Soh - Assistant Director/Special Duties (AD/SD), PlanD

49. The Chairperson invited the representatives of PlanD to brief Members on the Paper.

50. With the aid of a PowerPoint presentation, Mr Louis K.H. Kau, DPO/HK, PlanD briefed Members on the justifications for the proposed revisions to building height

restrictions (BHRs), including air ventilation, urban design and visual considerations. He also presented a new set of photomontages showing the range of possible impacts of the proposed amendments based on different redevelopment scenarios, site classes under the Building (Planning) Regulations and uses to supplement the photomontages as detailed in the TPB Paper No. 10375 (the Paper).

[Mr Thomas O.S. Ho left the meeting during DPO/HK's presentation.]

51. The Chairperson then invited questions and comments from Members.

Proposed BHRs

52. Some Members raised the following questions:

- (a) noting that 10% of the total floor area of a development would be disregarded from GFA calculation if the Sustainable Building Design Guidelines (SBDG) was complied with (10% GFA concession), whether these floor area had been taken into account and reflected in the photomontages;
- (b) whether all concerned sites in the worst-case redevelopment scenario as shown in TPB Paper No. 10340 were assumed to be Class C sites;
- (c) whether the concerned sites assumed for mixed commercial and residential developments were zoned "Other Specified Use" annotated "Mixed Use" ("OU(MU)") on the draft OZP and whether classification of individual sites had been considered;
- (d) apart from the SBDG, whether there were other considerations in reviewing the development restrictions on the OZP;
- (e) noting in the TPB Paper No. 10340 that the height of a commercial building would range from 122m to 130m after incorporating SBDG requirements subject to site classification, why BHR of 135mPD was

proposed, instead of 130mPD; and

- (f) noting that two additional storeys would be required to accommodate the permissible GFA and the SBDG requirements, why the BHR for a typical commercial building incorporating SBDG requirements would need to be relaxed from 110mPD to 135mPD.

53. In response, Mr Louis K.H. Kau, DPO/HK, PlanD made the following responses:

- (a) the 10% GFA concession for compliance with SBDG had been taken into account when formulating the BHRs as reflected in the photomontages;
- (b) the worst-case redevelopment scenario as shown in TPB Paper No. 10340 represented a broadbrush visual impression and had not taken into account site classification of each and every single redevelopment site;
- (c) for sites zoned "OU(MU)" on the draft OZP, they could be developed for commercial or residential or mixed uses. The application of SBDG and classification of individual sites had also been taken into account in formulating the BHRs;
- (d) according to the Court's judgment, in determining the development restrictions on the OZP, the implications of SBDG on the development intensity should be generally taken into consideration. Apart from SBDG, in the current review of the development restrictions for the OZP, factors including land use zonings, development right/permissible development intensity, air ventilation assessment findings, urban design principles and visual appraisal findings had also been taken into consideration;
- (e) a typical commercial building, subject to site classification, would have a building height ranging from 118m to 126m for incorporating building setback requirement and from 122m to 130m for incorporating building

separation requirement. Taking into account the site level of about 5mPD, a maximum BH of 135mPD was recommended; and

- (f) apart from catering for the two additional storeys resulting from the compliance of SBDG requirements, the proposed relaxation of BHR from 110mPD to 135mPD would allow more flexibility in the building design to meet the modern standards for higher floor-to-floor height for offices. Besides, opportunity had also been taken to revisit the previous assumptions for the BHRs requiring some commercial uses as well as car park to be accommodated in the basement levels.

Centralisation of Car Parking Spaces

54. A Member said that making reference to the experience of the Urban Renewal Authority (URA) in To Kwa Wan, consideration might be given to the possibility of centralising all car parking spaces in one location in Causeway Bay in order to minimise the number of ingress and egress points of individual developments and improve the pedestrian environment. Mr Louis K.H. Kau, DPO/HK, PlanD responded that the proposed amendments to the Causeway Bay OZP were premised upon a review of the development restrictions in response to the Court's ruling that the SBDG was a relevant consideration in formulating the restrictions. There might be practical difficulties to centralise all car parking spaces in Causeway Bay as the concerned sites had been largely developed and were under different ownership. The proposal could be further explored when opportunity arose, but would not be included in this round of the review.

Court's Ruling

55. A Member questioned whether there would be a summary listing out which amendments were the result of the BHR review taking account of the Court's ruling and which were the result of the review taking into account the SBDG. The Secretary responded that in view of the court's rulings, the Board was required to reconsider Representations R146 to R152. A summary table indicating the amendments corresponding to the respective representations had been included in the TPB Paper No. 10340. The review had also included other sites which might be affected by the

proposed BHRs after taking into account the SBDG requirements.

Application of SBDG

56. Some Members raised the following questions:
- (a) whether the SBDG requirements were so scientific and quantitative that the proposed development intensity could be measurable and whether there was any monitoring mechanism to ensure that the SBDG requirements had been incorporated in the proposed developments;
 - (b) whether the future landowners would choose not to comply with the SBDG requirements and what the impacts would be; and
 - (c) noting that although the proposed relaxation of the BHR would allow flexibility for complying with the SBDG, the requirements for adopting SBDG and good building design were not reflected on the draft OZP, whether it was possible to maintain the current BHRs and stipulate a BHR relaxation clause in the Notes of the draft OZP for compliance with SBDG.
57. In response, Mr C.K. Soh, AD/SD, PlanD made the following responses:
- (a) when the Buildings Department (BD) promulgated the SBDG, two Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAPs) APP-151 and APP-152 were issued. The PNAPs set out clearly the pre-requisites and what green/amenity features and facilities would be allowed for claiming the 10% GFA concession. The PNAPs also provided a comprehensive methodology for quantifying the three building design elements of SBDG as well as special considerations for cases with genuine difficulties in meeting the prescribed measures;
 - (b) the SBDG requirements would be included where appropriate in the

lease conditions of new land sale sites or lease modification/land exchange. It was noted that, there were some two hundreds approved building plans each year for new buildings and more than a hundred private projects were registered under the Building Environmental Assessment Method (BEAM) Plus programme of the Hong Kong Green Building Council (HKGBC), which was one of the pre-requisites for claiming GFA concessions for green/amenity features and non-mandatory/non-essential plant rooms and services under SBDG (APP-151 and APP-152). Thus, it was estimated that about half of the new private building developments would follow the SBDG. In general, residential developments and larger scale commercial developments were more eager to obtain such GFA concessions (e.g. residential recreational facilities, balcony for residential buildings, and high headroom/void in non-domestic developments) whilst small-scale commercial developments had relatively less incentive; and

- (c) the purpose of the proposed relaxation in BHRs was to allow sufficient flexibility for incorporation of various good building design measures in future developments to improve the overall built environment. It was a concerted efforts of different concerned government departments in promoting a quality building environment in the planning and development process. The SBDG provided various building design options and the GFA concession eventually claimed varied among cases. Therefore, there might be practical difficulties to stipulate a BHR relaxation clause in the Notes of the draft OZP for compliance with SBDG.

Publication of Proposed Amendments

58. A Member enquired about the subsequent procedure if the proposed amendments to the draft OZP were agreed by the Board. In response, Mr Louis K.H. Kau, DPO/HK, PlanD said that subject to agreement of the proposed amendments by the Board for gazetting under section 7 of the Ordinance, the Wan Chai District Council would be consulted during the 2-month statutory plan exhibition period. The public

could submit representations on the OZP to the Board during the statutory plan exhibition period. Any representation received would be duly considered according to the provision of the Ordinance. The JR lodged by the Hysan Group also covered the Wan Chai OZP No. S/H5/26. To follow up the Court's rulings on the JRs, a similar review of the Wan Chai OZP would be conducted and amendments to the current development restrictions, if required, would also be proposed for the Board's consideration. The Wan Chai OZP was also the subject of another JR lodged by the Real Estate Developers Association of Hong Kong (REDA), who had also lodged JR appeals against another three OZPs, namely, Yau Ma Tei, Mong Kok and Kowloon Bay and Ngau Tau Kok. These OZPs will also be reviewed in due course.

59. The Secretary supplemented that Hysan Group Companies and Excelsior, which lodged the JRs to the draft Causeway Bay OZP, would be informed of the Board's consideration of their representations and the proposed amendments. They could make representations and comments in respect of the proposed amendments and their sites during the statutory plan exhibition period.

60. After deliberation, the Board agreed to:

- (a) the proposed amendments to the draft Causeway Bay OZP and that the draft Causeway Bay OZP No. S/H6/15A at Annex B1 of TPB Paper No. 10340 (to be renumbered as S/H6/16 upon exhibition) and its Notes at Annex B2 of TPB Paper No. 10340 were suitable for exhibition under section 7 of the Ordinance; and;
- (b) adopt the revised ES at Annex B3 of TPB Paper No. 10340 for the draft Causeway Bay OZP No. S/H6/15A as an expression of the planning intentions and objectives of the Board for the various land use zonings of the OZP and the revised ES would be published together with the draft OZP.

[Professor S.C. Wong, Dr Wilton W.T. Fok, Mr Lincoln L.H. Huang, Mr Stephen L.H. Liu and Mr K.K. Cheung left the meeting during the presentation and question sessions.]

Procedural Matters

Agenda Item 7

[Open Meeting]

Application to the Chief Executive Under Section 8(2) of the Town Planning Ordinance for Extension of Time Limit for Submission of the Draft Ngau Tau Kok & Kowloon Bay Outline Zoning Plan No. S/K13/29 to the Chief Executive in Council for Approval
(TPB Paper No. 10376)

[The item was conducted in Cantonese.]

61. The Secretary reported that the amendment items on the draft Ngau Tau Kok and Kowloon Bay Outline Zoning Plan No. S/K13/29 (the draft OZP) included rezoning of sites for a public housing development (to be undertaken by the Housing Department (HD), which was the executive arm of the Hong Kong Housing Authority (HKHA) and a school development at Wang Chiu Road; stipulating building height restriction for a “Residential (Group A)” zone covering Kai Tak Mansion, which was located next to the Academy of Visual Arts of Hong Kong Baptist University (HKBU); and rezoning of sites to reflect as-built condition of a drainage facility and roads. The following Members had declared interests on the item for being associated/having business dealings with HKHA, HKBU, Ms Mary Mulvihill (R10/C62), Masterplan Limited (Masterplan) (the representative of Christian Action (R9), Albert So Surveyors Limited (ASL) (R8460/C40’s representative) and Ramboll Environ Hong Kong Limited (Environ) and Urbis Limited (Urbis) (R8460/C40’s consultants).

Mr Raymond K.W. Lee - being a member of the Strategic Planning
(*as Director of Planning*) Committee (SPC) and Building Committee of
HKHA

Mr Martin W.C. Kwan - being a representative of the Director of Home
(*as Chief Engineer (Works)*) Affairs who is a member of the SPC and the
(*Home Affairs Department*) 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 HKHA, Environ and Urbis
- Mr Patrick H.T. Lau] having current business dealings with HKHA
Dr C.H. Hau]
- Mr Thomas O.S. Ho - having current business dealings with HKHA, firm having current business dealings with Urbis and past business dealing with ASL
- Mr K.K. Cheung] their firm having current business dealings with
Mr Alex T.H. Lai] HKHA and HKBU and hiring Mary Mulvihill on a contract basis from time to time
- Mr Ivan C.S. Fu - having past business dealings with HKHA and current business dealings with Masterplan, Environ and Urbis
- Mr Franklin Yu having past business dealings with HKHA and Urbis
- Mr Stephen L.H. Liu - having past business dealings with HKHA
- Dr Lawrence W.C. Poon - his spouse being an employee of HD but not involved in planning work
- Ms Sandy H.Y. Wong - being a Council Member of HKBU
- Mr Stephen H.B. Yau - being Chairman of the Social Work Advisory Committee of the Department of Social Work in HKBU

Ms Christina M. Lee

- being a part-time student of HKBU

62. Members noted that Ms Janice W.M. Lai and Dr C.H. Hau had tendered apologies for being not able to attend the meeting and Messrs Patrick H.T. Lau, Thomas O.S. Ho, K.K. Cheung, Alex T.H. Lai, Stephen L.H. Liu and Ms Sandy H.Y. Wong had already left the meeting. As the item was procedural in nature, the meeting agreed that Members who had declared interests could stay in the meeting.

63. The Secretary briefly introduced the Paper. On 13.4.2017, the draft OZP was exhibited for public inspection under section 7 of the Town Planning Ordinance (the Ordinance). A total of 8,457 valid representations and 63 comments were received. Due to the large number of representations and comments received, two separate hearing sessions were held by the Town Planning Board (the Board) on 15.11.2017 and 22.11.2017 to consider the representations and comments. The deliberation of the representations and comments by the Board was scheduled for mid-January 2018. Taking into account the Board's scheduled meeting and the time required to prepare for the submission to the Chief Executive in Council (CE in C), it was anticipated that the whole plan-making process could not be completed within the 9-month statutory time limit for the submission of the draft OZP to the CE in C for approval (i.e. 13.3.2018). As such, it was necessary to seek the Chief Executive (CE)'s agreement for an extension of the statutory time limit for six months to 13.9.2018 to allow sufficient time to complete the plan-making process of the draft OZP prior to its submission to the CE in C for approval.

64. After deliberation, the Board agreed that the CE's agreement should be sought under section 8(2) of the Town Planning Ordinance to extend the time limit for submission of the draft OZP to the CE in C for a period of six months from 13.3.2018 to 13.9.2018.

Agenda Item 8

Any Other Business

[The item was conducted in Cantonese]

There being no other business, the meeting was closed at 12:45 p.m..