

**Minutes of 1167th Meeting of the
Town Planning Board held on 23.3.2018**

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

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 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

Dr C.H. Hau

Mr Thomas O.S. Ho

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Professor T.S. Liu

Miss Winnie W.M. Ng

Ms Sandy H.Y. Wong

Mr Franklin Yu

Assistant Director/Regional 3, Lands Department

Mr Edwin W.K. Chan

Principal Environmental Protection Officer (Strategic Assessment),

Environmental Protection Department

Mr Raymond W.M. Wong

Chief Engineer (Works),

Home Affairs Department

Mr Martin W.C. Kwan

Chief Transport Engineer (New Territories West),

Transport Department

Mr Patrick K.H. Ho

Director of Planning

Mr Raymond K.W. Lee

Deputy Director of Planning/District

Ms Jacinta K.C. Woo

Secretary

Absent with Apologies

Mr H.W. Cheung

Mr H.F. Leung

Mr K.K. Cheung

Mr Wilson Y.W. Fung

Mr Alex T.H. Lai

In Attendance

Assistant Director of Planning/Board

Miss Fiona S.Y. Lung

Chief Town Planner/Town Planning Board

Mr Kepler S.Y. Yuen

Senior Town Planner/Town Planning Board

Mr Alex C.Y. Kiu

Agenda Item 1

[Open meeting]

Confirmation of Minutes of the 1166th Meeting held on 9.3.2018

[The item was conducted in Cantonese.]

1. The Chairperson said that the draft minutes of the 1166th Meeting held on 9.3.2018 were sent to Members on 23.3.2018 and tabled at the meeting. Subject to no proposed amendment by Members on or before 26.3.2018, the minutes would be confirmed without amendment.

[Post-meeting Note: As at 26.3.2018, no proposed amendment to the draft minutes was received.]

Agenda Item 2

Matters Arising

(i) New Town Planning Appeal Received

Town Planning Appeal No. 2 of 2018

Temporary Open Storage of Construction Tools, Machinery and Materials for a period of 3 Years in “Agriculture” Zone, Lot 475 in D.D. 113, Kam Tin, Yuen Long

[Open Meeting] [The item was conducted in Cantonese.]

2. The Secretary reported that the appeal site was located in Kam Tin South and RHL Surveyors Limited (RHL) was the representative of the appellant. The following Members had declared interests on the item:

Mr H.F. Leung - RHL had made donation to the Department of Real Estate and Construction in the Faculty of Architecture of the University of Hong Kong where he was working

Ms Janice W.M. Lai - family member owning a property at Cheung Po Tsuen, Kam Tin South

3. Members noted that Mr H.F. Leung had tendered an apology for being unable to attend the meeting. As the item was to report the Town Planning Appeal Board's receipt of

a new town planning appeal case and no discussion was required, Ms Janice W.M. Lai could stay in the meeting.

4. The Secretary reported that a Notice of Appeal was received by the Appeal Board Panel (Town Planning) on 5.3.2018 against the decision of the Town Planning Board (the Board) on 15.12.2017 to reject on review the application No. A/YL-KTS/732 for temporary open storage of construction tools, machinery and materials for a period of 3 years at Lot 475 in D.D. 113, Kam Tin, Yuen Long. The site was zoned “Agriculture” (“AGR”) on the Kam Tin South Outline Zoning Plan (OZP). The application was rejected by the Board for the reasons that (a) the development was not in line with the planning intention of “AGR” zone; (b) the application did not comply with the Town Planning Board Guidelines No. 13E; (c) the applicant failed to demonstrate that the development would not generate adverse landscape and environmental impacts on the surrounding areas; and (d) approval of the application would set an undesirable precedent for other similar applications within the “AGR” zone.

5. Members noted that the hearing date of the appeal was yet to be fixed and agreed that the Secretary would act on behalf of the Board in dealing with the appeal in the usual manner.

(ii) Updated Appeal Statistics

[Open Meeting] [The item was conducted in Cantonese.]

6. The Secretary reported that as at 23.3.2018, eleven appeals were yet to be heard and one appeal’s decision was outstanding. Details of the appeal statistics were as follows :

Allowed	36
Dismissed	152
Abandoned/Withdrawn/Invalid	199
Yet to be Heard	11
Decision Outstanding	1
<hr/> Total	<hr/> 399

- (iii) Consideration of Further Representations on Proposed Amendments to Draft Sha Tin Outline Zoning Plan No. S/ST/33 Arising from Consideration of Representations and Comments made on the Draft Sha Tin Outline Zoning Plan (OZP) No. S/ST/33
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[Open Meeting] [The item was conducted in Cantonese.]

7. The Secretary reported that the following Members had declared interests during the hearing of the further representations (FRs) in relation to the draft Sha Tin Outline Zoning Plan No. S/ST/33 (the draft OZP) held on 12.2.2018, for being associated/having business dealings with the Housing Department (HD), which was the executive arm of the Hong Kong Housing Authority (HKHA), and Ove Arup & Partners Hong Kong Limited (Arup), which was the consultant for the proposed public housing development commissioned by HKHA, or affiliated with Ms Mary Mulvihill (R207/C541), or owning property or family member owning property in Sha Tin :

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 an alternate member for the Director of
(as Chief Engineer (Works), Home Affairs who was a member of SPC and
Home Affairs Department) Subsidized Housing Committee of HKHA

Mr H.F. Leung - being a member of the Tender Committee of
HKHA

Mr Thomas O.S. Ho] having current business dealings with HKHA
Dr C.H. Hau]

Mr Patrick H.T. Lau] having current business dealings with HKHA and
Ms Janice W.M. Lai] Arup

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|---|---|--|
| Dr Lawrence W.C. Poon | - | family member living in Sha Tin and his spouse being a civil servant of the HD but not involved in planning work |
| Mr Ivan C.S. Fu | - | having current business dealings with Arup and past business dealings with HKHA |
| Mr Stephen L.H. Liu | - | having past business dealings with HKHA |
| Mr Franklin Yu | - | having past business dealings with HKHA and Arup |
| Professor S.C. Wong
(Vice-chairperson) | - | having current business dealings with Arup |
| Mr K.K. Cheung |] | their firm having current business dealings with |
| Mr Alex T.H. Lai |] | HKHA and Arup, and hiring Ms Mary Mulvihill |
| |] | on a contract basis from time to time |
| Dr Frankie W.C. Yeung |] | owning properties in Sha Tin |
| Professor K.C. Chau |] | |
| Ms Christina M. Lee | - | her spouse owning property in Tai Wai, Sha Tin |

8. Members noted that Mr H.F. Leung, Mr K.K. Cheung and Mr Alex T.H. Lai had tendered apologies for being unable to attend the meeting, and Mr Thomas O.S. Ho, Dr Frankie W.C. Yeung and Ms Christina M. Lee had not yet arrived to join the meeting. As the item was to report an email received from a representer/commenter (R207/C541), the other Members could stay in the meeting.

9. The Secretary reported that the hearing of FRs in relation to the draft OZP was held on 12.2.2018. The Town Planning Board (the Board) decided to uphold 186 FRs and not to amend the draft OZP by the proposed amendment under Amendment Item A (i.e. rezoning the On Muk Street Site from “Residential (Group A) 6” (“R(A)6”) to “Open

Space” (“O”)). The “R(A)6” zoning for the On Muk Street Site neighbouring the Kitchee Football Centre was maintained.

10. On 17.3.2018, an original representer/commenter (R207/C541) who attended the meeting on 12.2.2018, wrote an email (tabled at the meeting) to the Secretariat of the Board and alleged that the Board had acted unfairly in the hearing of the FRs and in dealing with the Question-and-Answer (Q&A) session in the meeting. The representer/commenter considered that tabling a petition letter from the Society for Community Organisation (F3) at the meeting was contrary to the usual practice.

11. Members noted that tabling the petition letter from F3 received on the date of hearing, the hearing of oral submissions by the FRs and the handling of the Q&A session were in accordance with the established practice, and agreed that the representer/commenter would be informed of the above in writing.

[Dr Wilton W.T. Fok and Ms Christina M. Lee arrived to join the meeting at this point.]

(iv) [Confidential Item] [Closed Meeting]

12. The item was recorded under confidential cover.

[Mr Thomas O.S. Ho arrived to join the meeting at this point.]

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 3

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/YL-PH/760

Proposed Temporary Open Storage of Construction Materials for a Period of 3 Years in “Residential (Group D)” Zone, Lot 139 RP (Part) in D.D. 108, Ta Shek Wu, Pat Heung, Yuen Long

(TPB Paper No. 10406)

[The meeting was conducted in Cantonese.]

13. The Secretary reported that the following Members had declared interest on the item :

- Ms Janice W.M. Lai - her family member owning a property at Leung Uk Tsuen, Pat Heung
- Mr Alex T.H. Lai - his firm having past business dealing with one of the applicant's representatives

14. Members noted that Mr Alex T.H. Lai had tendered an apology for being unable to attend the meeting. Since the property of Ms Janice W.M. Lai's family member did not have a direct view on the application site (the Site), she could stay in the meeting.

Presentation and Question Sessions

15. The following representative from the Planning Department (PlanD), the applicant and his representatives were invited to the meeting :

Ms Maggie M.Y. Chin - District Planning Officer/Fanling, Sheung Shui and Yuen Long East (DPO/FS&YLE), PlanD

Mr Tang Kwan - Applicant

Mr Chong Kim Wah]

Ms Tam Wai Yee] Applicant's Representatives

Mr Cheng Ka Cheung]

Ms Chan Pui Yan]

16. The Chairperson extended a welcome and explained the procedure of the review hearing. She then invited DPO/FS&YLE, PlanD to brief Members on the review application.

17. With the aid of a PowerPoint presentation, Ms Maggie M.Y. Chin, DPO/FS&YLE 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. 10406 (the Paper).

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

19. With the aid of a PowerPoint presentation, Mr Chong Kim Wah made the following points in support of the review application :

- (a) the applicant believed that obtaining planning permission before carrying out the proposed temporary open storage use would be better than adopting the “destroy first, develop later” approach like those unauthorized developments (UDs) in the vicinity of the application site (the Site);
- (b) the Site was inconspicuous and well-screened by trees. There were only sporadic residential dwellings in its vicinity, the closest of which was 90m away but behind a hill;
- (c) the proposed storage use would be static in nature with infrequent goods movement in/out of the Site, and therefore compatible with the surrounding land uses;
- (d) the applicant would not carry out any workshop or polluting activity (e.g. grinding, spray-painting) on-site;
- (e) the applicant would comply with the requirements of the Town Planning Board Guidelines No. 13E for ‘Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 13E). The stacking height of materials would not exceed 4m;
- (f) the applicant was residing in the nearby village and was not aware of any flooding in the area; and
- (g) regarding the requirement of the Water Supplies Department (WSD) to submit an inspection report and maintenance arrangement of the existing steel footbridge adjoining the Site to WSD’s satisfaction, the applicant advised that the said footbridge also served villagers/other users in the vicinity. Whilst the applicant would maintain the footbridge, he did not have the expertise/ability to inspect a 20-30 year-old structure. Other than that, the applicant could and was willing to comply with the Board’s approval conditions.

20. As the presentation from DPO/FS&YLE, PlanD and the applicant’s representative had been completed, the Chairperson invited questions from Members.

21. The Chairperson and some Members had the following questions :
- (a) whether the Site fell within Category 3 areas under TPB PG-No. 13E;
 - (b) whether the applicant was the owner of the Site, and whether consideration had been given to developing the Site for residential use since the Site was zoned “Residential (Group D)” (“R(D)”) on the Outline Zoning Plan;
 - (c) whether the uses in the vicinity of the Site were unauthorised development (UD);
 - (d) who erected the fence at the Site and the purpose of doing so; and
 - (e) whether the applicant was operating open storage yards in other area(s).
22. In response, Mr Chong Kim Wah made the following points :
- (a) the Site fell within Category 3 areas under TPB PG-No. 13E;
 - (b) the applicant’s father was one of the three owners of the Site. The owners of the Site had considered but not pursued developing the Site for residential use due to the low permissible development intensity, the high costs of development and the lengthy development process (estimated at six years). There was a water main near the Site and any residential development would need to be set back by 10m. It would be very difficult to satisfy the Environmental Protection Department’s stringent noise standard for residential development at sites along the roadside. Building plan submission would also be necessary as the Site was not zoned “Village Type Development” (“V”);
 - (c) according to the applicant and the nearby villagers, some parking uses in the vicinity of the Site were being enforced by the Planning Authority. It was also mentioned in the Paper that most of the open storage yards were suspected UDs subject to enforcement action;
 - (d) the existing gate at the northeastern boundary of the Site was erected by the applicant to prevent vehicle parking at and dogs entering into the Site; and
 - (e) the applicant was not operating any open storage yard in any other area.

23. In response to the enquiry from Mr Raymond K.W. Lee, Director of Planning, Ms Maggie M.Y. Chin said that according to the application form submitted by the applicant, the applicant was not a current owner of the Site.

24. A Member asked whether similar planning applications had been approved in the same “R(D)” zone. Ms Maggie M.Y. Chin responded that there was only one site within the subject “R(D)” zone where planning permissions for temporary open storage use were given by the RNTPC mainly due to previous approvals granted at the same site since 2002. According to TPB PG-No. 13E, existing and approved open storage and port back-up uses within Category 3 areas were to be contained and further proliferation of such uses was not acceptable.

25. As Members had no further question 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. The Chairperson thanked DPO/FS&YLE, PlanD, the applicant and his representatives for attending the meeting, and they left the meeting at this point.

Deliberation Session

26. Members generally considered that there was no strong justification put forward by the applicant which warranted a departure from the RNTPC’s decision of rejecting the application.

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

- “(a) the development is not in line with the planning intention of the “Residential (Group D)” (“R(D)”) zone which is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings, and for low-rise, low-density residential developments subject to planning permission from the Town Planning Board. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis;

- (b) the application does not comply with the Town Planning Board Guidelines No. 13E for ‘Application for Open Storage and Port Back-up Uses’ under Section 16 of the Town Planning Ordinance’ in that no previous approval has been granted at the Site and there is adverse departmental comment on the application. The development is also not compatible with the surrounding land uses which are rural and natural in character with residential structures/dwellings;
- (c) the applicant fails to demonstrate that the development would not generate adverse environmental impact on the surrounding areas; and
- (d) the approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within this part of the “R(D)” zone. The cumulative effect of approving such applications would result in a general degradation of the rural environment of the area.”

Sai Kung and Islands District

Agenda Item 4

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/SK-TMT/57

Proposed House (New Territories Exempted House - Small House) in “Green Belt” Zone,
Lot 33 RP in D.D. 256, Tai Po Tsai Village, Tai Mong Tsai, Sai Kung

(TPB Paper No. 10393)

[The meeting was conducted in Cantonese.]

28. The Chairperson said that the applicant had indicated not to attend the meeting.

29. The following representative from the Planning Department (PlanD) was invited to the meeting :

Ms Donna Y.P. Tam

- District Planning Officer/Sai Kung & Islands
(DPO/SKIs), PlanD

Presentation and Question Sessions

30. The Chairperson extended a welcome and invited DPO/SKIs, PlanD to brief Members on the review application.

31. With the aid of a PowerPoint presentation, Ms Donna Y.P. Tam, DPO/SKIs, 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), new justifications provided by the applicant (including a proposed sewage treatment works to meet the Environmental Protection Department's effluent discharge standards), departmental and public comments, and planning considerations and assessments as detailed in TPB Paper No. 10393 (the Paper).

32. As the presentation from DPO/SKIs, PlanD had been completed, the Chairperson invited questions from Members.

33. As Members had no question 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. The Chairperson thanked DPO/SKIs, PlanD for attending the meeting, and she left the meeting at this point.

Deliberation Session

34. Members generally considered that there was no strong justification submitted by the applicant which warranted a departure from the RNTPC's decision of rejecting the application.

35. After deliberation, the Board decided to reject the application on review based on the following reasons :

- “(a) the proposed Small House development is not in line with the planning intention of the “Green Belt” (“GB”) 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 are no exceptional circumstances or strong planning grounds in the submission for a departure from the planning intention;

- (b) the proposed development is not in line with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that the Site falls within Lower Indirect Water Gathering Ground (WGG) and there is no public sewerage connection available in the vicinity. The applicant fails to demonstrate that the proposed development located within WGG would not have adverse impact on water quality in the area;
- (c) the proposed development is not in line with Town Planning Board Guidelines No. 10 for 'Application for Development within "GB" Zone under Section 16 of the Town Planning Ordinance' in that it would involve vegetation clearance and adverse landscape impact is anticipated. The applicant fails to demonstrate that the proposed development would have no adverse landscape impact on the Site and surrounding areas;
- (d) land is still available within the "Village Type Development" zone of Tai Po Tsai where land is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development close to the existing village cluster for orderly development pattern, efficient use of land and provision of infrastructures and services; and
- (e) approval of the application will set an undesirable precedent for other similar applications within the "GB" zone. The cumulative effect of approving such applications will result in a general degradation of the environment and bring about cumulative adverse impact on the water quality and landscape of the area."

Agenda Item 5

[Open Meeting]

Information Note and Hearing Arrangement for Consideration of Representations and Comments on the Draft Pok Fu Lam Outline Zoning Plan No. S/H10/16 (TPB Paper No. 10407)

[The meeting was conducted in Cantonese.]

36. The Secretary reported that the representation sites were related to public housing development by the Housing Department (HD) which was the executive arm of the Hong Kong Housing Authority (HKHA). The Ebenezer School and Home for the Visually Impaired (Ebenezer School) (R4335) and Ms Mary Mulvihill (R1787/C129) were representers/commenter. The following Members had declared interests on the item for being associated/having business dealings with HKHA, the representer/commenter, or owning property in Pok Fu Lam or having education programme in Pok Fu Lam :

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 an alternate member for the Director of
(*as Chief Engineer (Works), Home Affairs who is a member of SPC and*
Home Affairs Department) Subsidized 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

Mr Patrick H.T. Lau]

Dr C.H. Hau]

Mr Thomas O.S. Ho]

- Mr K.K. Cheung] their firm having current business dealings with
Mr Alex T.H. Lai] HKHA and Ebenezer School, and hiring Mary
] Mulvihill on a contract basis from time to time
- Dr Lawrence W.C. Poon - his spouse being a civil servant of HD but not
involved in planning work
- Mr Ivan C.S. Fu - having past business dealings with HKHA and
owning a flat at Bel-Air
- Mr Stephen L.H. Liu - having past business dealings with HKHA,
co-owning with spouse a flat at Fulham Garden,
Pokfulam Road and two units at Chi Fu Fa Yuen
- Mr Franklin Yu - having past business dealings with HKHA
- Dr Wilton W.T. Fok - his company being located at Cyberport
- Professor T.S. Liu - having current education programme with the
Caritas Pokfulam Community Development
Project Centre at Pok Fu Lam Village

37. Members noted that Mr K.K. Cheung, Mr Alex T.H. Lai and Mr H.F. Leung had tendered apologies for being unable to attend the meeting. As the item was procedural in nature, the other Members could stay in the meeting.

38. The Secretary briefly introduced the Paper. On 15.9.2017, the draft Pok Fu Lam Outline Zoning Plan (OZP) No. S/H10/16 was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). A total of 4,337 representations and 146 comments on the representations were received. During the public inspection period of the representations, the Secretary of the Town Planning Board (the Board) received confirmations from two members of the public that they had not submitted any representation to the Board. The two concerned representations, i.e. R155 and R2694, would therefore be disregarded. After discounting the above representations, there were 4,335 valid representations.

39. Since the representations/comments were generally on the proposed public housing developments, it would be more efficient for the full Board to consider the representations/comments in one group. A separate hearing session might need to be arranged.

40. To ensure the efficiency of the hearing, it was recommended to allot a maximum of 10 minutes presentation time to each representer/commenter in the hearing session. Consideration of the representations by the full Board was tentatively scheduled for May 2018.

41. After deliberation, the Board agreed that :

- (a) representations R155 and R2694 would be disregarded;
- (b) the representations/comments should be considered collectively in one group by the Board itself; and
- (c) a 10-minute presentation time would be allotted to each representer/commenter, subject to confirmation of the number of representers/commenters attending the hearing and the aggregate presentation time required.

Agenda Item 6

[Open Meeting]

Information Note and Hearing Arrangement for Consideration of Representations and Comments on the Draft Aberdeen & Ap Lei Chau Outline Zoning Plan No. S/H15/32 (TPB Paper No. 10408)

[The meeting was conducted in Cantonese.]

42. The Secretary reported that the representation site (Item A) was related to a subsidized housing development by the Hong Kong Housing Society (HKHS) who was also a commenter (C14) and Townland Consultant Ltd. (Townland) was its consultant. Ms Mary Mulvihill (R3/C8) was a representer and commenter. The following Members had declared interests on the item for having affiliation/business dealings with HKHS or its consultant, the representer and commenter, or owning properties in Aberdeen and Ap Lei Chau :

Mr Raymond K.W. Lee] being an ex-officio member of the Supervisory Board
(as Director of Planning)] of HKHS

Dr Lawrence K.C. Li - being a member of HKHS

Ms Janice W.M. Lai - having current business dealings with HKHS

Mr K.K. Cheung] their firm having current business dealings with
Mr Alex T.H. Lai] HKHS and Townland, and hiring Mary Mulvihill on
] a contract basis from time to time

Mr Stephen L.H. Liu - having past business dealings with HKHS

Mr Thomas O.S. Ho - having past business dealings with HKHS and
Townland

Dr Lawrence W.C. Poon - being an ex-employee of HKHS

Mr Patrick H.T. Lau - having past business dealings with Townland and
owning a flat in Tin Wan

Dr Wilton W.T. Fok - co-owning a flat with spouse in South Horizons

Professor S.C. Wong - relative owning a flat in South Horizons
(the Vice-chairperson)

43. Members noted that Mr K.K. Cheung and Mr Alex T.H. Lai had tendered apologies for being unable to attend the meeting. As the item was procedural in nature, the other Members could stay in the meeting.

44. The Secretary briefly introduced the Paper. On 15.9.2017, the draft Aberdeen & Ap Lei Chau Outline Zoning Plan (OZP) No. S/H15/32 was exhibited for public inspection under section 5 of the Town Planning Ordinance. A total of 3 representations and 14 comments were received.

45. Since the representations/comments were of similar nature, it would be more efficient for the full Town Planning Board (the Board) to consider the representations/comments in its meeting in one group. The hearing could be accommodated in the Board's regular meeting and a separate hearing session would not be necessary.

46. To ensure the efficiency of the hearing, it was recommended to allot a maximum of 10 minutes presentation time to each representer/commenter in the hearing session. Consideration of the representations/comments by the full Board was tentatively scheduled for May/June 2018.

47. After deliberation, the Board agreed that :

- (a) the representations/comments should be considered collectively in one group by the Board itself; and
- (b) a 10-minute presentation time would be allotted to each representer/commenter, subject to confirmation of the number of representers/commenters attending the hearing and the aggregate presentation time required.

Agenda Item 7

[Open Meeting]

Information Note and Hearing Arrangement for Consideration of Representations and Comments on the Draft Kwun Tong South Outline Zoning Plan No. S/K14S/21
(TPB Paper No. 10409)

[The meeting was conducted in Cantonese.]

48. The Secretary reported that the representation site (Item A) was related to a subsidized housing development by the Hong Kong Housing Society (HKHS) which was also a commenter (C1). Urbis Limited (Urbis), CYS Associates (Hong Kong) Limited (CYS), Meinhardt (C&S) Limited (Meinhardt), Ramboll Environ Hong Kong Ltd. (Environ) and Rider Levett Bucknall Limited (RLB) were consultants of HKHS. The MTR Corporation Ltd. (MTRCL) (R82) and Ms Mary Mulvihill (R51/C5) were representers/commenter. The following Members had declared interests on the item for having affiliation/business dealings with HKHS or its consultants, or the representers/commenter :

Mr Raymond K.W. Lee] being an ex-officio member of the Supervisory Board
(as Director of Planning)] of HKHS

Dr Lawrence K.C. Li - being a member of HKHS

Ms Janice W.M. Lai - having current business dealings with HKHS,
MTRCL, Urbis and Environ

Mr K.K. Cheung] their firm having current business dealings with
Mr Alex T.H. Lai] HKHS and MTRCL, and hiring Mary Mulvihill on a
] contract basis from time to time

Mr Ivan C.S. Fu - having current business dealings with MTRCL,
Urbis, Meinhardt and Environ

Mr Stephen L.H. Liu - having past business dealings with HKHS, MTRCL ,
CYS and RLB

Mr Thomas O.S. Ho - having past business dealings with HKHS, and
current business dealings with MTRCL and Urbis

Mr Patrick H.T. Lau - having current business dealings with MTRCL and
RLB, and past business dealings with CYS

Mr Franklin Yu - having past business dealings with MTRCL and
Urbis

Dr Lawrence W.C. Poon - being an ex-employee of HKHS

Professor S.C. Wong - being a member of the Advisory Committee for
(Vice-chairperson) Accredited Programme of the MTR Academy

Mr H.F. Leung - being a convenor of the Railway Objections Hearing
Panel

Mr Peter K.T. Yuen - being a member of the Board of governors of the Arts Centre which collaborated with MTRCL on a number of arts projects

49. Members noted that Mr K.K. Cheung, Mr Alex T.H. Lai and Mr H.F. Leung had tendered apologies for being unable to attend the meeting. As the item was procedural in nature, the other Members could stay in the meeting.

50. The Secretary briefly introduced the Paper. On 3.11.2017, the draft Kwun Tong South Outline Zoning Plan (OZP) No. S/K14S/21 was exhibited for public inspection under section 5 of the Town Planning Ordinance. A total of 104 representations and 5 comments were received. One of the representations (R104) opposed to a non-existent 'Item A3' of the OZP on ground of unacceptable rezoning of a "Green Belt" site without regard to the opinion of the District Council. As the ground and content of the representation were not related to any of the amendments incorporated into the OZP, the representation should be considered as invalid. After discounting the above representation, there were 103 valid representations.

51. Since the representations/comments were related to the proposed subsidized housing development at the Site under Item A and the related Garden Estate II redevelopment with similar grounds, it would be more efficient for the full Town Planning Board (the Board) to consider the representations in its meeting in one group. The hearing could be accommodated in the Board's meeting and a separate hearing session would not be necessary.

52. To ensure the efficiency of the hearing, it was recommended to allot a maximum of 10 minutes presentation time to each representer/commenter in the hearing session. Consideration of the representations/comments by the full Board was tentatively scheduled for July 2018.

53. After deliberation, the Board agreed that :

- (a) representation R104 was considered as invalid;
- (b) the representations/comments should be considered collectively in one group by the Board itself; and

- (c) a 10-minute presentation time would be allotted to each representer/commenter, subject to confirmation of the number of representers/commenters attending the hearing and the aggregate presentation time required.

Agenda Item 8

[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 Hung Shui Kiu and Ha Tsuen Outline Zoning Plan No. S/HSK/1 to the Chief Executive in Council for Approval
(TPB Paper No. 10410)

[The meeting was conducted in Cantonese.]

54. The Secretary reported that the draft Hung Shui Kiu and Ha Tsuen Outline Zoning Plan (HSK OZP) No. S/HSK/1 involved zoning of sites for proposed public housing developments by the Housing Department (HD), which was the executive arm of the Hong Kong Housing Authority (HKHA), and AECOM Asia Company Limited (AECOM) was the consultant of the HSK New Development Area Study. The following Members had declared interests on the item, for being associated/having business dealings with HD/HKHA, AECOM, Masterplan Limited (Masterplan) (R1), Mass Transit Railway Corporation Ltd. (MTRCL) (R14), Percy Thomas Partnership (HK) Limited (Percy) (R109), or affiliated with the World Wide Fund for Nature Hong Kong (WWF-HK) (R8), the Conservancy Association (CA) (R117), the co-founder and Chief Executive Officer of Designing Hong Kong Limited (DHKL) (R17) and the Hong Kong Bird Watching Society (HKBWS) (C11) :

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 an alternate member for the Director of
(*as Chief Engineer (Works), Home Affairs*) who was a member of SPC and
(*Home Affairs Department*) Subsidized Housing Committee of HKHA

- Mr H.F. Leung - being a member of the Tender Committee of HKHA and being a convenor of the Railway Objections Hearing Panel
- Ms Janice W.M. Lai - having current business dealings with HKHA, AECOM and MTRCL, and her spouse was a shareholder of a company which owned two pieces of land in Ha Tsuen
- Mr Patrick H.T. Lau - having current business dealings with HKHA, AECOM, MTRCL and Percy
- Mr Thomas O.S. Ho - having current business dealings with HKHA and MTRCL, and having past business dealings with AECOM; and personally knowing the co-founder and Chief Executive officer of DHKL
- Mr Ivan C.S. Fu - having current business dealings with AECOM, MTRCL and Masterplan, and past business dealings with HKHA
- Dr C.H. Hau - having current business dealings with HKHA; being a member of HKBWS; a life member of CA; and a past member of the Conservation Advisory Committee of WWF-HK; spouse being the Honorary Secretary of the Board of Directors of CA
- Mr K.K. Cheung] their firm having current business dealings with
Mr Alex T.H. Lai] HKHA and MTRCL

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|---|---|
| Mr Stephen L.H. Liu | - having past business dealings with HKHA and MTRCL |
| Mr Franklin Yu | - having past business dealings with HKHA, AECOM and MTRCL |
| Professor S.C. Wong
(Vice-chairperson) | - having current business dealings with AECOM and being a member of the Advisory Committee for Accredited Programme of MTR Academy |
| Dr Lawrence W.C. Poon | - his spouse being a civil servant of HD but not involved in planning work |
| Mr Peter K.T. Yuen | - being a member of the Board of Governors of the Hong Kong Arts Centre, which had collaborated with the MTRCL on a number of arts projects |

55. Members noted that Mr K.K. Cheung, Mr Alex T.H. Lai and Mr H.F. Leung had tendered apologies for being unable to attend the meeting. As the item was procedural in nature, the other Members could stay in the meeting.

56. The Secretary briefly introduced the Paper. On 30.1.2018, 1.2.2018 and 7.2.2018, the Town Planning Board (the Board) conducted the hearings of the representations and comments on the HSK OZP and decided to schedule a separate session to deliberate on the representations and comments. According to the statutory time limit, the draft OZP should be submitted to the Chief Executive in Council (CE in C) for approval on or before 26.4.2018.

57. Due to the Board's tight meeting schedule, the session for deliberation of the representations and comments could only be arranged in April 2018 the earliest, and thus, it was unlikely that the plan-making process for the draft HSK OZP No. S/HSK/1 could be completed within the 9-month statutory time limit for submission of the draft OZP to the CE in C for approval (i.e. before 26.4.2018). There was a need to apply to the CE for an extension of the statutory time limit for six months to allow sufficient time to complete the plan-making process of the draft OZP prior to submission to the CE in C for approval.

58. 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 HSK OZP No. S/HSK/1 to the CE in C for a period of six months from 26.4.2018 to 26.10.2018.

Agenda Item 9

[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 Lau Fau Shan and Tsim Bei Tsui Outline Zoning Plan (OZP) No. S/YL-LFS/8, Draft Ping Shan OZP No. S/YL-PS/17, Draft Tin Shui Wai OZP No. S/TSW/13, Draft Lam Tei and Yick Yuen OZP No. S/TM-LTY/9 and Draft Ha Tsuen Fringe OZP No. S/YL-HTF/11 to the Chief Executive in Council for Approval

(TPB Paper No. 10411)

[The meeting was conducted in Cantonese.]

59. The following Members had declared interests on the item for being affiliated with Conservancy Association (CA) (R2 on all the five draft Outline Zoning Plans (OZPs)) or the co-founder and Chief Executive Officer of Designing Hong Kong Ltd. (DHKL) (R3 on the draft Ha Tsuen Fringe OZP) :

Dr C.H. Hau - being a life member of CA; spouse being the Honorary Secretary of the Board of Director of CA

Mr Thomas O.S. Ho - personally knowing the co-founder and Chief Executive Officer of DHKL

60. As the item was procedural in nature, the above Members could stay in the meeting.

61. The Secretary briefly introduced the Paper. On 9.3.2018, the Town Planning Board (the Board) conducted the hearing of the representations and comments on the draft Lau Fau Shan and Tsim Bei Tsui OZP No. S/YL-LFS/8, draft Ping Shan OZP No. S/YL-PS/17, draft Tin Shui Wai OZP No. S/TSW/13, draft Lam Tei and Yick Yuen OZP No. S/TM-LTY/9

and draft Ha Tsuen Fringe OZP No. S/YL-HTF/11 and decided to schedule a separate session to deliberate on the representations and comments. According to the statutory time limit, the five draft OZPs should be submitted to the Chief Executive in Council (CE in C) for approval on or before 26.4.2018.

62. Due to the Board's tight meeting schedule, the session for deliberation of the representations and comments could only be arranged in April 2018 the earliest, and thus, it was unlikely that the plan-making process for the five draft OZPs could be completed within the 9-month statutory time limit for submission of the draft OZPs to the CE in C for approval (i.e. before 26.4.2018). There was a need to apply to the CE for an extension of the statutory time limit for six months to allow sufficient time to complete the plan-making process of the five draft OZPs prior to submission to the CE in C for approval.

63. 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 five draft OZPs to the CE in C for a period of six months from 26.4.2018 to 26.10.2018.

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

Agenda Item 10

[Open Meeting]

Any Other Business

[The item was conducted in Cantonese.]

64. There being no other business, the meeting was closed at 10:20 a.m.