

1. The meeting was resumed at 11:45 am on 11.5.2018.

2. The following Members and the Secretary were present at the resumed meeting :

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

Professor S.C. Wong Vice-Chairperson

Mr Stephen H.B. Yau

Dr F.C. Chan

Mr Peter K.T. Yuen

Dr Lawrence W.C. Poon

Mr Wilson Y.W. Fung

Dr C.H. Hau

Mr Alex T.H. Lai

Mr Stephen L.H. Liu

Professor T.S. Liu

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr K.W. Leung

Professor John C.Y. Ng

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

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

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

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

Director of Planning
Mr Raymond K.W. Lee

Sha Tin, Tai Po & North District

Agenda Item 1 (Continued)

[Closed Meeting]

Consideration of Representations and Comments in respect of Draft Tai Po Outline Zoning
Plan No. S/TP/27
(TPB Papers No. 10402 and 10403)

[The meeting was conducted in Cantonese.]

3. The Chairperson said that the Board had considered the representations and comments in respect of the Draft Tai Po Outline Zoning Plan No. S/TP/27 (the draft OZP) collectively in two groups on 26.4.2018. The deliberation of Group 1 (Amendment Item C) was conducted on 26.4.2018 while that for Group 2 (Amendment Items A, B and D), all related to housing development, would be conducted at this meeting.

Declaration of Interests

4. The Secretary said that Members' declarations of interests on Group 2 representation hearing were made in the meeting on 26.4.2018. No further declaration of interests had been received from Members since then. Members noted that Mr Ivan C.S. Fu, Mr H.W. Cheung, Dr Frankie W.C. Yeung, Mr K.K. Cheung, Mr Thomas O.S. Ho, Dr Lawrence K.C. Li and Mr Daniel K.S. Lau had tendered apologies for being unable to attend the meeting. As Mr Alex T.H. Lai and Professor John C.Y. Ng had no direct involvement in the projects on the representation sites, Members agreed that they could stay in the meeting. Members also considered that the interests of Professor S.C. Wong, Dr C.H. Hau, Mr Peter K.T. Yuen, Mr Wilson Y.W. Fung, Mr Franklin Yu and Mr Stephen L.H. Liu were indirect and agreed that they could stay in the meeting.

5. The Secretary reported and the meeting noted that letters from Representer No. R39 to the Chairperson and all Members dated 26.4.2018 were received. As the letters were submitted after the statutory publication period of the draft OZP, they should not be treated as submissions made under Section 6(3)(a) of the Town Planning Ordinance. In the meeting held on 26.4.2018, some Members requested for more background information regarding Chung Woo Ching Sai's previous application for reference. The Meeting noted that the paper of the relevant application had been sent to Members for reference before this meeting.

6. At the Chairperson's request and with the aid of a PowerPoint presentation, the Secretary recapitulated the major views raised by the representers and commenters on Amendment Items A, B and D (hereafter referred to as Items A, B and D) of the draft OZP, and the key issues discussed during the Group 2 representation hearing. The Chairperson suggested Members to refer to the draft minutes of the meeting on 26.4.2018, which had been distributed to Members earlier before this meeting, for the subject deliberation session. She then invited Members to express their views on Items A, B and D.

Deliberation Session

Group 2

Item B - rezoning a “Residential (Group C)” (“R(C)”) site at Yau King Lane to “R(C)10”

7. The Meeting noted that the plot ratio (PR) restriction of 1.2 and the building height (BH) restrictions of 55mPD (northern portion) and 65mPD (southern portion) for the “R(C)10” zone stipulated on the draft OZP were imposed on the basis of an approved s.12A application, which was proposed by the applicant with supporting technical assessments. The representations No. R3 and R30, seeking higher PR and further relaxation in BH for Item B site, were not supported by the relevant departments in view of the lack of justifications and technical assessments to substantiate the higher PR and BH sought. In response to a Member’s question, the Secretary advised that the representers could submit either a s.16 application for minor relaxation of PR and BH restrictions or a s.12A rezoning application with the requisite technical assessments to take forward their proposals.

8. Members generally agreed that there was no justification to amend the draft OZP to meet the representations on Item B, and the major grounds of the representations and comments had been addressed by the departmental responses as detailed in the TPB Paper No. 10403 and the presentations and responses made by the government representatives at the meeting held on 26.4.2018.

Item A - rezoning of a “Government, Institution or Community” (“G/IC”) site at Pok Yin Road to “Residential (Group B) 9” (“R(B)9”)

9. Noting some representers’ request to maintain the Item A site for GIC uses and there were voices from the community and related organizations about the lack of land for GIC facilities in Hong Kong, some Members questioned why no government department required Item A site for GIC development. Some Members considered that while there was acute demand for housing, there was also strong demand for GIC uses. The Board should avoid focusing entirely on housing needs and suitable “G/IC” sites should be retained for the provision of community facilities to meet the needs of the general public and the local residents. A Member considered it difficult to justify

rezoning a “G/IC” site, which was originally reserved for facilities serving the wider community, for private residential development.

10. The Vice-Chairperson and some Members, on the other hand, considered that as planning was a dynamic process, the land use zoning should be reviewed timely to meet the latest needs of the society. Since no government department had asked to use the site for providing GIC facilities and the site had been left vacant for many years, it should be released for residential development to address the current acute housing demand. Housing development at the site was also compatible with the surrounding environment.

11. With respect to the type of housing development, a Member pointed out that the provision of private housing could also be considered as a public interest as there was a pressing need for different types of housing. The Vice-Chairperson said that public housing development in general would have higher development intensity which might not be compatible with the surrounding low/medium density developments, and hence private housing development was considered more appropriate for the site. The Chairperson remarked that the Board should focus on whether the site was suitable for residential development, the appropriate development density and the related infrastructural support. As there was an acute demand for a wide range of housing types, the “R(B)9” zone of the site could provide flexibility for different types of housing. In looking for sites for providing GIC facilities, concerned government departments would have to take into account the spatial, locational and site specific requirements of the facilities. The social welfare facilities to meet local needs were mainly premises-based and could be co-located with appropriate non-welfare uses within buildings. In this respect, the Government would consider whether such facilities could be incorporated into public and private housing development as appropriate.

12. Mr Raymond K.W. Lee, the Director of Planning said that the Government had the responsibility to review the land use zoning to respond to the changing planning circumstances. Item A site was formed in association with reclamation of land for the Science Park, and was originally planned for the expansion of the Chinese University of Hong Kong (CUHK) rather than development of some local social welfare facilities. Given the site was no longer required by CUHK, the acute housing need and compatibility of residential development at the site with the surrounding area, it was sensible to rezone the site for residential use.

13. Noting that the adjoining sports centre of the Education University of Hong Kong (EdUHK) was far away from the main campus and hence might not be fully utilized, a Member asked if it was possible to rezone EdUHK's sports centre for housing development while retaining the Item A site as "G/IC" zone. However, some Members considered that it might not be appropriate to consider this option due to the lack of information on the usage rate of EdUHK's sports centre and technical feasibility for the rezoning. A Member was of the view that the sports centre could serve as a buffer area between the housing developments at the Items A and B sites.

14. Noting the constraints of the drainage reserve at the Item A site and the visual and air ventilation concerns of Cheung Shue Tan villagers, a Member asked if the site could be enlarged to incorporate a triangular piece of vacant land to the east of Pok Yin Road to allow more design flexibility. In response, the Secretary advised that according to the information provided by the Planning Department (PlanD), the land to the east of Pok Yin Road was reserved for the expansion of CUHK.

15. Some Members remarked that while rezoning the Item A site for housing development was agreeable, consideration should be given to address the concern of the representers/commenters on the loss of "G/IC" sites. They were of the view that certain GIC facilities which were complementary to residential uses should also be provided at the site to serve the public. A Member also suggested to follow some overseas examples of integrating different social welfare facilities like elderly housing and youth hostel into the proposed housing development to facilitate interaction between users of those institutions and bring about a positive social impact. Mr Raymond K.W. Lee advised that residential institution, which included elderly housing and youth hostel, was always permitted within the "R(B)9" zone.

16. The Chairperson noted Members' general agreement to rezone the Item A site for residential use. With respect to Members' concerns on the provision of certain GIC facilities at the site, relevant government departments could request to incorporate the requirement to provide suitable GIC facilities into the lease at land disposal stage. In response to a Member's question on the effectiveness of the lease to require the provision of GIC facilities, the Chairperson said that it was not uncommon to incorporate such requirement in the lease and the developer would be

requested to construct and hand back the facilities to relevant government departments upon completion of the development.

17. A Member asked if the requirement on the provision of GIC facilities at the Item A site should be mentioned in the Explanatory Statement (ES) of the draft OZP. Mr Raymond K.W. Lee advised that under the established practice, the requirement would only be incorporated into the ES if there was a concrete proposal on the type of GIC facilities to be provided based on the advice of the concerned Government departments. As no concrete proposal was available at the moment, it might not be appropriate to incorporate such requirement in the ES.

18. Members generally agreed that as relevant government departments had no plan to develop the Item A site for GIC uses, it was appropriate to rezone the site to “R(B)9” to address the pressing housing needs in the society. Members also agreed that the Government should be requested to identify suitable GIC facilities for incorporation into the housing development at the site and such requirement should be incorporated into the lease.

19. Members generally agreed that there was no justification to amend the draft OZP to meet the adverse representations on Item A, and the major grounds of the representations and comments had been addressed by the departmental responses as detailed in the TPB Paper No. 10403 and the presentations and responses made by the government representatives at the meeting held on 26.4.2018.

Item D - rezoning a “Green Belt” (“GB”) site at Ma Wo Road near Classical Gardens I to “Residential (Group B) 10” (“R(B)10”)

Landscape Aspect

20. Some Members had concern on the possible landscape and ecological impacts on the “GB” area due to the proposed housing development at the Item D site. In particular, the site formation works for the proposed development on a sloping site might lead to adverse landscape impact outside the site boundary. Besides, there was a lack of details on the implementation of the compensation measures. A Member remarked that the landscape impact to the “GB” area depended on the size of the affected area, the conservation value of the trees and the compensation

measures adopted. While there were guidelines to compensate the trees felled, it might not be possible to compensate the landscape value of the area as a whole.

21. A Member, by showing a development project in Singapore in the Visualizer, said that the project demonstrated that the greenery area of a development could be greater than the site area. Given that development in a “GB” site would unavoidably affect the landscape value of the area, the principle was to confine the development at sites with low landscape value and incorporate greenery as far as possible. Besides, flexibility should be given to encourage innovative design and greening management of the project. As the Item D site was close to road with infrastructural support and comprised relatively low landscape value, it was considered suitable for residential development.

22. Mr Raymond K.W. Lee said that technical assessments including visual appraisal and tree survey had been conducted by the relevant government departments and it had been demonstrated that the proposed development would not cause insurmountable impacts on the surrounding environment. A minimum of 30% green coverage should be provided in accordance with PNAP APP-152 and relevant tree preservation clause would be incorporated in the land lease and the respective developer(s) would be required to carry out appropriate greening measures and tree preservation/compensation proposals in accordance with the established guidelines so as to minimize landscape impact. With respect to the development at a sloping site, it was noted that the Civil Engineering and Development Department had not raised adverse comment from geotechnical perspective.

23. The Secretary supplemented that according to the tree survey conducted by the LandsD (report attached to TPB Paper No. 10403), there were 384 trees within the site, which were mainly fruit trees. Some native trees, such as *Macaranga tanarius* var. *tomentosa* (血桐), *Ficus hispida* (對葉榕) and *Alangium Chinense* (八角楓), could also be found. There were no Old and Valuable Trees (OVT). An *Aquilaria sinensis* (土沉香) at the north-eastern fringe, which was protected under the Protection of Endangered Species of Animals and Plants Ordinance, should be preserved. Both the Agriculture, Fisheries and Conservation Department and Urban Design and Landscape session of PlanD had no adverse comment on the proposed rezoning from landscape perspective.

24. Some Members said that the function of “GB” zone to define the limits of urban and sub-urban development areas by natural features and to contain urban sprawl was important. As the “GB” zone formed part of the ecological system, its function was qualitative and could not simply be compensated by the tree compensation proposal or greening requirements under relevant guidelines and lease. Given a number of “GB” sites would be rezoned for residential development, there was a need to conduct a comprehensive review to assess the ecological impact of the proposed rezoning and identify suitable mitigation measures to compensate the loss in ecological value. To strengthen control on development at sites previously zoned as “GB”, some Members suggested that consideration could be given to impose more stringent greening requirements in addition to the existing guidelines, such as adopting the BEAM Plus principles and preparation of ecological compensation plan and green management plan, so as to encourage the compensation of ecological function through innovative design.

25. The Vice-chairperson said that the “GB” sites identified for residential development were those which had been disturbed or with relatively low landscape value. As the natural environment had the ability to recover from disturbance, the proposed rezoning was acceptable provided that adequate compensation measures would be adopted. However, he agreed that more stringent greening requirements should be adopted and it would be helpful if successful compensation cases could be provided to facilitate Members’ general understanding of this particular topic of tree compensation. The Chairman would follow up with the relevant team in the Development Bureau in arranging the briefing.

26. Mr Raymond K.W. Lee said that a multi-pronged land supply strategy had been adopted to address the acute housing needs. Through on-going land use reviews in the last few years, the Government had identified over 210 sites with potential for housing development, including “GB” sites identified from the two-stage “GB” review and other land use reviews. The first stage of “GB” review mainly covered “GB” areas which were formed, deserted or devegetated, but possessed potential for residential development. The second stage of “GB” review covered “GB” zones in the fringe of built-up areas close to existing urban areas and new towns, and those vegetated areas with relatively less buffering effect and lower conservation value. As at end of 2017, there were about 16,000 hectares of land zoned "GB" in the statutory plans of Hong Kong. The “GB” sites to be rezoned for other uses only representing about 1% of the total "GB" sites in Hong Kong. As such, the current rezoning proposal was not an individual case, but formed part

of a comprehensive review of the “GB” sites. The housing sites identified under the various land use review would help address the demand in the short to medium term, before the New Development Areas in the New Territories were in place for population in-take.

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

27. A Member agreed that the rezoning of about 1% of the “GB” sites would not have significant impact on the ecological system. Nonetheless, the cumulative impacts of rezoning “GB” sites for other uses could be addressed by a comprehensive review.

Sewerage and Traffic Impacts

28. Noting the representers’/commenters’ remark that the Environmental Protection Department (EPD), in processing Chung Woo Ching Sai (CWCS)’s application, had advised that the sewerage facilities in the area did not have spare capacity for additional discharge, a Member asked if there was sufficient sewerage capacity for the proposed housing development at the Item D site. In response, Mr C.F. Wong, Assistant Director (Environmental Assessment), EPD said that as he had explained in the meeting on 26.4.2018, according to EPD’s general practice in sewerage planning, whether there was insurmountable sewerage problem for a proposed development depended on the capacity of the trunk sewer in the downstream. EPD would not raise objection if the trunk sewer had spare capacity to cater for additional sewerage discharge. Regarding the sewerage capacity near the development site, it could be resolved by minor works to be carried out by the project proponent. As the existing sewerage facility along Ma Wo Road was a local sewer without much spare capacity for additional discharge, EPD in commenting CWCS’s previous applications had requested CWCS to submit sewerage impact assessment (SIA) and undertake appropriate mitigation measures to address the issue. EPD had not raised objection to CWCS’s finalized SIA and mitigation measures. As for the proposed residential development at the Item D site, the future developer would be requested to submit a SIA with appropriate mitigation measures such as small-scale upgrading works to address the issue. As such, there was no insurmountable sewerage problem for the proposed residential development at the Item D site.

29. With respect to the traffic issues, the Meeting noted that the traffic impact assessment was acceptable by the relevant government department and the proposed mitigation measures could help to address the concerns of the local residents.

[Mr Stephen L.H. Liu left this session of the meeting at this point.]

Concerns Related to CWCS

30. A Member had the concern that the proposed residential development at the “GB” site to the north of CWCS would provide an excuse for approving the expansion plan of CWCS. The Vice-chairperson and some Members said that as the nature of CWCS’s application was different from the proposed residential development, the factors of consideration including the development context and landuse compatibility with the surrounding area should be different.

Possible Housing Development at To Yuen Tung

31. In response to the Chairperson’s question, Mr Raymond K.W. Lee said that while the To Yuen Tung site, as one of the possible public housing sites, had been made known to Tai Po District Council, its technical feasibility was subject to study. The technical feasibility studies for the proposed development at To Yuen Tung would take into account all existing and committed developments, including the development at the Item D site.

32. A Member said that as the To Yuen Tung site was surrounded by roads, it was less ecologically sensitive and more suitable for residential development. As the To Yuen Tung site was in the vicinity of the Item D site, it would be better to withhold the rezoning of the Item D site pending a comprehensive review together with the To Yuen Tung site so as to assess the cumulative ecological impacts and other implications in a holistic manner. The Vice-chairperson considered that since there was no concrete time table for the completion of the technical studies for the To Yuen Tung site, and the technical assessment for the Item D site had been completed and confirmed that there was no insurmountable problem, he considered that the rezoning of the Item D site should not be withheld, in view of the imminent need for housing supply.

33. After discussion, a majority of Members were in support of the rezoning of the Item D site from “GB” to “R(B)10”. Members generally agreed that there was no justification to amend the draft OZP to meet the adverse representations on Item D, and the major grounds of the representations and comments had been addressed by the departmental responses as detailed in the TPB Paper No. 10403 and the presentations and responses made by the government representatives at the meeting held on 26.4.2018.

[Mr Edwin W.K. Chan left this session of the meeting at this point.]

Conclusion

34. After deliberation, the Board noted the supportive views of R3 (part) and R31, and other views of representations No. R1 (part), R2 (part) and R29, and agreed to advise them as follows :

- “ (a) regarding potential rail noise on the proposed developments under Amendment Items A and B, the requirement on Noise Impact Assessment, where appropriate, would be incorporated into the lease (R29);
- (b) regarding comprehensive planning of the area under Amendment Item B, Area 39 and its vicinity have been well planned with most of the sites either developed or designated for residential and Government, Institute or Community (GIC) uses (R1); and
- (c) regarding the type of housing or elderly facility that should be provided for the community, the private housing development at the site of Amendment Item B will contribute in meeting the pressing demand for different types of housing for the community and appropriate GIC facilities, if required by the Government, could be incorporated into the development. Regarding the concern on the flooding risk, the area where the site is located is not a flooding blackspot identified by the Drainage Services Department (R2).”

35. The Board also decided not to uphold the remaining part of representations No. R1 to R3 and representations No. R4 to R28, R30, R32 to R391 and R393 to R1269, and that the Plan should not be amended to meet the representations for the following reasons :

- “ (a) the sites of Amendment Items A, B and D are considered suitable for residential developments to meet the pressing housing needs in the short to medium term. The proposed developments with appropriate densities and building heights are compatible with the surrounding environment. Relevant technical assessments reveal that the proposed developments would not cause significant traffic, visual and air ventilation impacts on the surrounding areas; and the requirement on other relevant technical assessments/provisions, where necessary, would be incorporated into the leases. The district and local open space and a range of GIC facilities are generally sufficient to meet the demand of the planned population. Appropriate GIC facilities, if required by the Government, could be incorporated into the development (R1 to R28, R30, R32 to R391 and R393 to R1269);
- (b) the statutory and administrative procedures in consulting the public on the zoning amendments have been duly followed. The exhibition of the Outline Zoning Plan (OZP) for public inspection and the provisions for submission of representations and comments also form part of the statutory consultation process under the Town Planning Ordinance (R1, R4 to R12, R15 to R28, R32 to R39, R41 to R271, R294, R306, R307, R309, R327, R338, R342, R356, R362 to R391, R393 to R1261 and R1266);

Amendment Items A and B

- (c) Area 39 and its vicinity have been well planned with most of the sites either developed or designated for residential and GIC uses. The land uses and development intensities for Amendment Items A and B are in line with the established planning concept of the fringe area of New Town where the representation sites are located (R1, R2 and R4 to R28);

- (d) flexibility has already been allowed for changing the non-building area, building separation and setback measures subject to submission of a quantitative Air Ventilation Assessment (R3);
- (e) regarding public transport facilities, the Transport Department (TD) will consider to enhance the green minibuss route(s) during both morning and evening peak periods to accommodate the future demand generated by the proposed developments and provide parking spaces as appropriate (R1, R4 to R12 and R15 to R28);
- (f) feng shui matter is not a material planning consideration of the Board (R5 to R12 and R15 to R28);
- (g) land is still available within the "Village Type Development" ("V") zone on the draft OZP to meet the outstanding Small House demand of Cheung Shue Tan and Tai Po Mei Villages. Relevant Government departments would keep in view the need for provision of necessary infrastructural facilities subject to technical feasibility and resource availability (R5 to R12 and R15 to R28); and
- (h) regarding the change of use for the private lots previously resumed within the Amendment Item A site, the Government will give proper consideration but is not obliged to offering the land back to the ex-owners according to the established practice under the Roads (Works, Use and Compensation) Ordinance (R5 to R12 and R15 to R28);

Amendment Item D

- (i) the prospective developer(s) will be required to carry out appropriate greening measures and tree preservation/compensation proposals. The proposed development would not affect the function and integrity of the overall "GB" zone in the Area (R2, R4, R5, R32 to R39, R41 to R52, R55,

R57 to R59, R61 to R76, R78 to R85, R87 to R113, R120, R121, R123, R124, R128, R130, R132 to R179, R185 to R187, R189, R193 to R213, R216, R219 to R235, R238 to R254, R256 to R264, R266 to R272, R287, R298, R305, R312, R317, R319, R325, R328, R329, R331, R334, R338, R346, R351, R355, R357, R358, R362 to R391, R393 to R1235, R1237 to R1263 and R1265 to R1267);

- (j) regarding public transport services/facilities, TD will closely monitor the public transport situations to liaise with public transport service providers for enhancing the services and the implementation of necessary road improvement works as well as provide parking spaces as appropriate. The site allows provision of both vehicular and pedestrian access of sufficient width (R1, R4, R5, R32 to R38, R41 to R53, R55 to R63, R75 to R88, R103, R114 to R122, R124, R127 to R133, R135 to R138, R177 to R187, R189, R190, R192 to R253, R255 to R272, R287, R289, R290, R294 to R298, R300, R305, R313, R314, R321, R322, R326, R328 to R333, R337 to R341, R343, R346 to R349, R351, R502, R518, R531, R534, R967, R975, R1214, R1233, R1258, R1262, R1266 and R1267);
- (k) the Government would follow the established procedures if the affected structures and graves need to be cleared for development (R4, R5, R32 to R38, R44 to R49, R52, R55, R56, R60, R61, R75, R76, R78 to R81, R103, R121, R124, R130 to R132, R135 to R138, R177, R179, R182, R185 to R187, R189, R193 to R196, R198, R199, R201, R202, R204 to R207, R209 to R213, R219 to R225, R227 to R233, R238, R241 to R244, R248 to R253, R256 to R258, R260 to R264, R266 to R271, R312, R520, R1262 and R1263); and
- (l) there are alternative existing pedestrian and vehicular accesses to the lots owned by R40. The Amendment Item D site is a piece of Government land and now zoned for residential development (R40, R249, R250, R538, R1216 and R1262).”

[Mr Stephen H.B. Yau left this session of the meeting at this point.]

36. There being no other business, the meeting was closed at 2:15 p.m.