

**Minutes of 1199th Meeting of the
Town Planning Board held on 26.4.2019**

Present

Professor S.C. Wong

Vice-chairperson

Mr H.W. Cheung

Mr Sunny L.K. Ho

Mr Stephen H.B. Yau

Dr F.C. Chan

Mr David Y.T. Lui

Dr Frankie W.C. Yeung

Mr Peter K.T. Yuen

Dr Lawrence W.C. Poon

Mr K.K. Cheung

Mr Wilson Y.W. Fung

Dr C.H. Hau

Dr Lawrence K.C. Li

Professor T.S. Liu

Miss Winnie W.M. Ng

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr Stanley T.S. Choi

Mr L.T. Kwok

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Mr K.W. Leung

Professor John C.Y. Ng

Professor Jonathan W.C. Wong

Mr Ricky W.Y. Yu

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

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

Principal Environmental Protection Officer (Strategic Assessment)
Environmental Protection Department
Mr. K.H. To

Assistant Director (Regional 3)
Lands Department
Mr. Edwin W.K. Chan

Director of Planning
Mr Raymond K.W. Lee

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

Secretary

Absent with Apologies

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

Chairperson

Mr Lincoln L.H. Huang

Mr Ivan C.S. Fu

Mr Philip S.L. Kan

Mr Thomas O.S. Ho

Mr Alex T.H. Lai

Mr Stephen L.H. Liu

Dr Jeanne C.Y. Ng

In Attendance

Assistant Director of Planning/Board

Miss Fiona S.Y. Lung

Chief Town Planner/Town Planning Board

Mr Kevin C.P. Ng

Senior Town Planner/Town Planning Board

Mr T.C. Cheng

Agenda Item 1

[Open meeting]

Confirmation of Minutes of the 1198th Meeting held on 29.3.2019

[The item was conducted in Cantonese.]

1. The minutes of the 1198th meeting held on 29.3.2019 were sent to Members and tabled at the meeting. Subject to no proposed amendment by Members on or before 29.4.2019, the minutes would be confirmed without amendment.

[Post-meeting Note : On 29.4.2019, the minutes of the 1198th meeting were confirmed without amendment.]

Agenda Item 2

Matters Arising

- (i) Appeal Lodged by Tung Chun Company Limited against the Court of First Instance's Orders for Judicial Reviews (HCAL 9/2013, 91/2014 and 299/2018) against the Town Planning Board's Decisions in respect of the Kwai Chung Outline Zoning Plans

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

2. The Secretary reported that the appeal was lodged by Tung Chun Company Limited (Tung Chun) against the Court of First Instance's (CFI's) orders for Tung Chun's three judicial reviews (JRs) in relation to the building height restriction (BHR) on its site stipulated under the Kwai Chung Outline Zoning Plans (OZPs). Masterplan Limited (Masterplan) was the representative of Tung Chun for its related representation (R9) on the OZP. Tung Chun had obtained a separate section 16 approval for the representation site with Masterplan, LWK & Partners (HK) Limited (LWK), WCWP International Limited (WCWP) and MVA Hong Kong Limited (MVA) as consultants. The following Members had declared interests on the item :

- Mr Ivan C.S. Fu - being a director of LWK and having current business dealings with Tung Chun, Masterplan and MVA, and past business dealings with WCWP
- Mr Thomas O.S. Ho - having current business dealings with MVA
- Mr Franklin Yu - having past business dealings with MVA

3. Members noted that Mr Ivan C.S. Fu and Mr Thomas O.S. Ho had tendered apologies for being unable to attend the meeting, and Mr Franklin Yu had yet to arrive to join the meeting.

4. The Secretary briefed Members on the progress of the appeals lodged by Tung Chun against CFI's orders for JRs (HCAL 9/2013, 91/2014 and 288/2018) against the Town Planning Board's (the Board's) decisions in respect of the Kwai Chung OZPs as follows :

- (a) on 28.6.2018, the Court handed down judgment for Tung Chun's three JRs in relation to BHR on its site stipulated under the Kwai Chung OZP. For the first JR (HCAL 9/2013), CFI quashed the decision of the Board on Tung Chun's representation (R9) in respect of OZP No. S/KC/26, and remitted R9 to the Board for reconsideration. As for the other two JRs, CFI instructed both parties to work out the appropriate form of the orders to give effect to the Judgment;
- (b) on 31.1.2019, Tung Chun lodged three appeals against CFI's orders for its JRs in respect of the representation site but the appeal for the first JR was considered being filed out of time; and
- (c) at the hearing on 26.4.2019, the Court allowed Tung Chun's application for a retrospective extension of time (EOT) for the service of the Notice of Appeal in respect of the first JR. The three appeals lodged by Tung Chun would thus be processed together but the hearing date was yet to be fixed.

5. The Secretary further reported that in respect of the reconsideration of R9 to OZP No. S/KC/26, the Board decided on 1.3.2019 to extend the deadline for submission of supplementary information (SI) by Tung Chun to 2.6.2019. The SI was yet to be received. In view of Tung Chun's appeals, the Secretary would liaise with the Department of Justice on whether the reconsideration of R9 should proceed. The Secretary would act on behalf of the Board in dealing with the appeals in the usual manner.

- (ii) New Judicial Review Application (HCAL 979/2019) against the Decisions of the Chief Executive in Council and Town Planning Board in Respect of Approval of the Draft Central District (Extension) Outline Zoning Plan No. S/H24/8

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

6. The Secretary reported that on 10.4.2019, an application (HCAL 979/2019) for judicial review (JR) was lodged by an individual (Mr Lester Shum) against the decisions of the Chief Executive in Council (CE in C) and the Town Planning Board (the Board) in respect of the approval of the draft Central District (Extension) Outline Zoning Plan (OZP) No. S/H24/8 in relation to the Central Military Dock (CMD) site. The JR also included the Director of Lands (D of L) and the Secretary for Security (S for S) as putative respondents regarding the transferral of the CMD site to the Hong Kong Garrison.

7. The grounds against the Board raised by the Applicant were largely the same as those of the previous JR lodged by Designing Hong Kong Limited. The relief sought for the JR application included, inter alia :

- (a) an order to quash the decision of the Board on 14.2.2014 not to amend the draft Central District (Extension) OZP No. S/H24/8 under section 6B(8) of the Town Planning Ordinance (the Ordinance);
- (b) an order to quash the decision of the CE in C on 22.1.2019 to approve the OZP;
- (c) an injunction/interim injunction to restrain the transfer of the CMD site to the Hong Kong Garrison; and

- (d) a Protective Costs Order (PCO) limiting the costs that might be awarded to the Putative Respondents to HK\$10,000.

8. The Secretary reported that leave had not yet been granted and a hearing for the leave application would be fixed. The Secretary would represent the Board in all matters relating to the JR application in the usual manner.

(iii) Town Planning Appeal Decision Received

Town Planning Appeal No. 2 of 2017

Proposed House (New Territories Exempted House (NTEH) - Small House) in “Green Belt” (“GB”) zone, Government Land in D.D. 28, Tai Mei Tuk Village, Tai Po

Application No. A/NE-TK/598

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

9. The Secretary reported that the appeal site was located at Tai Mei Tuk Village in Ting Kok. Dr Lawrence W.C. Poon had declared an interest on the item for co-owning with spouse a house and garden at Lung Mei Tsuen in Ting Kok. As the item was to report on the decision of an appeal and no discussion was required, Dr Poon should be allowed to stay at the meeting.

10. The Secretary reported that the subject appeal was against the decision of the Town Planning Board (the Board) to reject on review an application (No. A/NE-TK/598) for a proposed house (NTEH – Small House) at a site zoned “Green Belt” (“GB”) on the Ting Kok Outline Zoning Plan (OZP).

11. Members noted that the appeal was heard by the Appeal Board Panel (Town Planning) (TPAB) on 29.5.2018 and 30.5.2018, and dismissed on 3.4.2019. The following points were mentioned in TPAB’s decision :

- (a) the approval of the application would further deviate from the planning intention of the “GB” zone to define the limits of urban and sub-urban development areas by natural features and to contain urban sprawl;
- (b) there was no space within the appeal site for the implementation of landscape mitigation measures. No concrete landscape proposal had been submitted by the appellant to demonstrate that the proposed Small House would blend in with the surrounding environment;
- (c) land available within the “Village Type Development” (“V”) zone was more than sufficient to meet the outstanding Small House applications. The appellant failed to demonstrate that Planning Department’s (PlanD’s) estimation of land availability within “V” zone for Small House development was inaccurate or unreliable; and
- (d) land ownership was not a material or relevant consideration in town planning law, and whether the land was “immediately available” was not relevant.

(iv) Updated Appeal Statistics

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

12. The Secretary reported that as at 16.4.2019, nine appeals were yet to be heard and one appeal’s decision was outstanding. Details of the appeal statistics were as follows :

Allowed	36
Dismissed	159
Abandoned/Withdrawn/Invalid	202
Yet to be Heard	9
Decision Outstanding	1
<hr/> Total	<hr/> 407

- (v) Amendments to the Confirmed Minutes of the 1193rd Meeting held on 15.2.2019
[Open meeting] [The item was conducted in Cantonese.]

13. The Secretary reported that the minutes of the 1193rd meeting held on 15.2.2019 were confirmed by the Town Planning Board (the Board) on 1.3.2019, and had been uploaded to the Board's website.

14. On 18.4.2019, a letter was received from the Real Estate Developers Association of Hong Kong (REDA), which had submitted representations under R34 to the draft Wan Chai Outline Zoning Plan (OZP) No. S/H5/26 and under R5 to the OZP No. S/H5/28. In the letter, REDA said that the information stated in paragraph 37 of the minutes was incorrect as REDA had indeed proposed rezoning of the Ex-Wan Chai Police Married Quarters (Ex-WCPMQ) site from "Commercial (4)" ("C(4)") to "Open Space" ("O") under R34. REDA claimed that re-consideration of R34 by the Board was not complete and the Court's order had not been fully complied with.

15. The Secretary said after checking, it was confirmed that REDA did make such a proposal under R34. A post-meeting note was therefore proposed to be added to paragraph 37 of the minutes to reflect the clarification made by REDA as follows :

"37. Regarding R5's proposal of rezoning the Ex-WCPMQ site from "C(4)" to "O", the Chairperson indicated that the proposal was not related to the BHR review and REDA had not made such proposal under R34 to the OZP No. S/H5/26. A Member considered that the representer's rezoning proposal was not justified.

[Post-meeting note: As clarified by the representer and upon checking, REDA had made such proposal under R34 to the OZP No. S/H5/26.]"

16. The Secretary also said that REDA's proposal in respect of the Ex-WCPMQ site under R5 was the same as that under R34, and both representations had been duly considered and discussed by the Board at the meeting on 15.2.2019. As recorded in paragraph 44 of the minutes of the meeting, the Board agreed not to rezone the Ex-WCPMQ site from "C(4)" to

“O” on the consideration that the overall provision of open space in the district would be adequate and there was no planning justification for converting unused government site into public open space.

17. The proposed post-meeting note was agreed by the Board. The Board also agreed that a reply should be issued to REDA to explain that the minutes would be amended, and that the revision would have no effect on the Board’s consideration and decision in respect of the Ex-WCPMQ site as the Board had fully deliberated on REDA’s representations R5 to OZP No. S/H5/28 and R34 to OZP No. S/H5/26.

18. The revised confirmed minutes would be uploaded to the Board’s website.

Fanling, Sheung Shui & Yuen Long East District

Agenda Item 3

[Open meeting (Presentation and Question Sessions only)]

Review of Application No. A/ YL-PH/798

Proposed House (New Territories Exempted House – Small House) in “Residential (Group D)” Zone, Lot 2961 RP (Part) in D.D. 111, Lo Uk Tsuen, Pat Heung, Yuen Long (TPB Paper No. 10534)

[The item was conducted in Cantonese.]

Presentation and Question Session

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

Mr Tom C.K. Yip	- District Planning Officer/Fanling, Sheung Shui & Yuen Long East (DPO/FS&YLE), PlanD
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<i>Chief Force Ltd</i>]	
Mr Tang Yung Yiu]	Applicant's representatives
Ms Li Wai Lo]	

20. The Vice-chairperson extended a welcome and explained the procedure of the review hearing. He then invited DPO/FS&YLE to brief Members on the review application.

21. With the aid of a PowerPoint presentation, Mr Tom C.K. Yip, 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 the TPB Paper No. 10534 (the Paper).

22. The Vice-chairperson then invited the applicant's representatives to elaborate on the review application. With the aid of a PowerPoint presentation and the visualizer, Mr Tang Yung Yiu made the following main points :

- (a) although PlanD considered that land was still available within the "Village Type Development" ("V") zone for Small House (SH) development, some of these land were owned by Tso Tong, some owned by non-villagers and being used as open storage yards, and some were being developed for SH or were SH application sites submitted by others. Besides, land was also required for the provision of access roads and carpark within the "V" zone. There was inadequate vacant land for SH development within the "V" zone to cater for the increasing demands of Wing Ning Lei of Wang Toi Shan;
- (b) there was no designated 'Village Environ' (VE) for Wang Toi Shan. According to Lands Department's (LandsD's) reply to the Legislative Council question (No: 4060) in respect of budget forecast, for those recognised villages with no designated VE boundary, LandsD would still process the SH applications if the sites were within 300ft of a village house of a recognized village built before 1972, provided that planning

approval was obtained from the Board. The application site was less than 300ft away from two old schedule house lots with village houses built before 1972;

- (c) there were open storage uses within the “Residential (Group D)” (“R(D)”) zone near the application site. The applicant intended to improve the environment by replacing those non-compliance uses through SH development;
- (d) according to PlanD’s records, there were successful planning applications for SH development within “R(D)” zone, including application numbers A/SK-PK/244, A/YL-SK/198, A/YL-ST/408 and A/YL-TT/361. The proposed SH development would not be incompatible with the surrounding environment.

[Dr Frankie W.C. Yeung and Mr Franklin Yu arrived to join the meeting during the presentation by the applicant’s representative.]

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

VE boundary

24. Some Members raised the following questions :

- (a) how the VE was designated and why the VEs were irregular in shape;
- (b) whether the entire application site fell within 300ft from the nearest village house of Wang Toi Shan as claimed by the applicant’s representative;
- (c) apart from Wang Toi Shan, whether there was any other recognised village with no designated VE boundary, and how planning applications for SH development would be considered in such cases; and

- (d) whether clarification from LandsD was sought on the relevance of using the two old schedule house lots, as claimed by the applicant's representative, in determining the VE boundary.

25. Mr Tom C.K. Yip, DPO/FS&YLE, made the following responses :

- (a) in general, VE boundary was designated by LandsD by making reference to a 300ft distance from the last village house at the periphery of a recognised village, which was in existence on 1.12.1972 when the Small House Policy was promulgated. The VE boundary was equivalent to the outside boundary of the overlapping areas of 300ft radius from each of the village houses at the periphery of a recognised village, as illustrated by the VE of Leung Uk Tsuen shown on Plan R-1 of the Paper. According to the information provided by LandsD, Wang Toi Shan was a recognised village but without an established VE boundary;
- (b) there were 642 recognised villages in Hong Kong and about several dozens of them did not have any established VE boundary. LandsD would provide comment on individual planning application for SH development including those related to recognised villages without established VE boundary. In processing planning applications for SH development, consideration would be given to the 'Interim Criteria for Consideration of New Territories Exempted House (NTEH)/Small House in the New Territories' (Interim Criteria) and one of the criteria was whether over 50% of the footprint of the proposed SH fell within VE; and
- (c) when commenting on the subject application, LandsD advised that there was no established VE boundary for Wang Toi Shan and the site did not fall within any VE boundary of a recognised village. As to whether the application site fell within 300ft from the last village house built at the periphery of the village prior to 1.12.1972, in commenting on a similar application for SH development (No. A/YL-PH/540), LandsD had advised that the site under that application fell within 300ft of an old schedule

house lot of the village. However, it was noted that the current application site fell outside the said 300ft boundary and the location of the reference village house at the periphery of Wang Toi Shan used for marking the 300ft VE boundary by the applicant's representative was different from that previously identified by LandsD. LandsD had not been specifically consulted on the land status of that village house as it was only mentioned by the applicant's representative at the meeting.

26. Mr Tang Yung Yiu, the applicant's representative, made the following responses :

- (a) LandsD's information on the location of the village house at the periphery of Wang Toi Shan built before 1.12.1972 that was nearest to the application site was dubious. The two old schedule house lots referred to in his presentation were labelled Wang Toi Shan House Lots and were in existence before 1905. By making reference to the aerial photo shown on the visualizer, he pointed out that the nearest house lot of Wang Toi Shan to the application site was only about 116ft to the west. The other house lot to the northwest of the application site, which was the same house lot PlanD used in its assessment on whether the application site was within 300ft from Wang Toi Shan, was about 287ft away; and
- (b) although PlanD considered that land was still available within the "V" zone for SH development, those land were owned by others. The potential sites for SH development, as indicated by PlanD, also covered some open storage yards, vehicular access, car parking areas etc. The applicant's proposal for SH development in the "R(D)" zone would improve the environment.

Planning applications for SH development in "R(D)" and other zones

27. Some Members raised the following questions :

- (a) whether the proposed SH development was in line with the planning intention of the “R(D)” zone and would improve the environment by replacing existing open storages/temporary structures with SH development;
- (b) whether there was any approved planning application for SH development within “R(D)” zones and what the considerations were in approving those cases; and
- (c) apart from considering whether the application site was within 300ft of the nearest village house of Wang Toi Shan, whether there were any other considerations, and the rationale of the need to meet the Interim Criteria.

28. Mr Tom C.K. Yip, DPO/FS&YLE, made the following responses :

- (a) the “R(D)” zone mostly covered areas occupied by temporary structures or under temporary uses in the rural area. While the planning intention of the zone was to encourage redevelopment of temporary structures or temporary uses into conforming permanent uses, the Board had prepared a set of Interim Criteria for consideration of SH applications in different land use zones so as to ensure a consistent approach in considering and assessing similar SH applications;
- (b) there were some approved planning applications for SH developments within “R(D)” zone. They were approved mainly because of being in compliance with the Interim Criteria in that the footprints of the proposed SHs were either entirely or mostly falling within the respective VE, and/or mostly falling within a “V” zone, and there was a general shortage of land available within the “V” zone to meet the demand for SH development. The current review application did not meet the above criteria;
- (c) the planning intention was to concentrate SH developments within the “V” zone for a more orderly development pattern, efficient use of land and provision of infrastructure and services. According to the Interim

Criteria, the Board would generally not approve planning applications for SH development on sites falling outside both the “V” zone and VE, or on sites partly within the “V” zone or VE but there was adequate land within the concerned “V” zone to meet the outstanding SH demand; and

- (d) according to the Interim Criteria, planning application for SH development would normally not be approved if more than 50% of the footprint of the proposed development was outside both the VE and the “V” zone. For the current application, even if the application site was within 300ft to the nearest village house as claimed by the applicant’s representative, according to the Board’s currently adopted approach, it would not be approved as there was still land available within the “V” zone to meet the demand arising from the outstanding SH applications.

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

Deliberation Session

30. Regarding the issue of VE boundary, Mr Edwin W.K. Chan, Assistant Director, LandsD briefed Members on the background information in that VE was designated by LandsD in accordance with the New Territories Small House Policy. As a general rule, VE referred to a 300ft radius from the edge of the last village type house built before the introduction of the Small House Policy. For those recognised villages that VE boundary had yet to be drawn up, LandsD would process SH applications according to the said 300ft rule. Mr Chan further remarked that Wang Toi Shan covered a wide area within which there were a few villages. While some of them were recognised villages, others were established after early 1900s and thus the villagers did not have the right for SH development. For information, old schedule house lot under the Block Government Lease basically referred to

those house lots granted in early 1900s, which should not be confused with those converted from agricultural lots thereafter.

31. In response to a Member's question, Mr Raymond K.W. Lee, Director of Planning, made reference to Plan R-2b of the Paper and said that the plan only indicated the vacant land within the "V" zone that might be available for SH development for the villages in Wang Toi Shan, but it did not identify the respective land parcel for any particular village.

32. A Member pointed out that even if the applicant's claim that the application site was within 300ft of the nearest village house of Wang Toi Shan was substantiated, the subject application still did not meet the Interim Criteria in that the entire application site fell outside the "V" zone and land was still available within the "V" zone for SH development.

33. The Vice-chairperson concluded that the meeting generally considered that the review application should be rejected. The reason for rejecting the review application, as stated in the Paper No. 10534, generally covered Members' views and was considered appropriate. After deliberation, the Board decided to reject the application on review for the following reason :

"The application does not comply with the Interim Criteria in that the site and the footprint of the proposed Small House falls entirely outside the 'VE' of any recognized village and the "V" zone. Land is still available within the "V" zone of Wang Toi Shan, Lo Uk Tsuen, Leung Uk Tsuen and Chuk Hang, where land is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House close to the existing village cluster within the "V" zone for a more orderly development pattern, efficient use of land and provision of infrastructure and services. There is no exceptional circumstance to justify approval of the application."

Procedural Matters

Agenda Item 4

[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 Mong Kok Outline Zoning Plan No. S/K3/31 to the Chief Executive in Council for Approval (TPB Paper No. 10535)

[The item was conducted in Cantonese.]

34. The Secretary reported that the draft Mong Kok Outline Zoning Plan (OZP) No. S/K3/31 involved revision to the building height restrictions (BHRs) stipulated on the OZP to comply with the order of the Court in respect of a judicial review (JR) lodged by the Real Estate Developers Association of Hong Kong (REDA) against the draft Mong Kok OZP No. S/K3/28 and to take forward the recommended development scheme formulated under the ‘Planning and Design Study on the Redevelopment of Government Sites at Sai Yee Street and Mong Kok East Station – Feasibility Study’ (the SYS Study). The following Members had declared interests on the item for owning properties in the Mong Kok area; and/or having affiliation/business dealings with Masterplan Limited (Masterplan) (the representative of REDA (R1)), Lindenford Limited (Lindenford) (C2), Townland Consultants Limited (Townland) (the representative of Lindenford), the Institute of Future Cities (IOFC) of the Chinese University of Hong Kong (CUHK) (the consultant of the OZP review), Ove Arup & Partners Hong Kong Limited (Arup), BMT Asia Pacific Ltd (BMT) and AGC Design (AGC) (the consultants of the SYS Study), Ms Mary Mulvihill (R3/C16), and/or knowing some representers :

- | | | |
|---------------------|---|---|
| Professor S.C. Wong | - | having current business dealings with Arup and being an traffic consultant of Arup |
| Mr Ivan C.S. Fu | - | having current business dealings with Masterplan, Arup, AGC and developers which were members of REDA |
| Mr K.K. Cheung |] | their firm having current business dealings with Arup, |
| Mr Alex T.H. Lai |] | AGC, and hiring Ms Mary Mulvihill (R3/C16) on a contract basis from time to time |

- Mr Thomas O.S. Ho - having current business dealings with Arup and past business dealings with Townland, his firm having past business dealings with BMT
- Mr Stephen L.H. Liu - co-owning with spouse a flat and his company owning another flat at Harbour Green, Sham Mong Road
- Ms Sandy H.Y. Wong - used to be a member of the Women's Commission, and knowing from there Ms Wong Shu-ming (R5) and Ms Wu Sui-shan (R154)
- Mr Franklin Yu - having past business dealings with Arup
- Mr Stanley T.S. Choi - his spouse being a director of a company which owns properties in Nathan Road, Mong Kok
- Professor John C.Y. Ng - being the Fellow of IOFC, CUHK

35. Members noted that Mr Ivan C.S. Fu, Mr Thomas O.S. Ho, Mr Alex T.H. Lai and Mr Stephen L.H. Liu had tendered apologies for being unable to attend the meeting. As the item was procedural in nature and no discussion was required, the above Members should be allowed to stay in the meeting.

36. The Secretary briefly introduced the TPB Paper No. 10535. On 13.7.2018, the draft Mong Kok OZP No. S/K3/31 (the draft OZP) was exhibited for public inspection under section 7 of the Town Planning Ordinance (the Ordinance). During the exhibition period, a total of 283 representations and 17 comments on representations were received. On 15.3.2019, the Town Planning Board (the Board) conducted hearing of the representations and comments and decided to amend the OZP to partially meet representations R2(part), R3 to R5 and R8 to R283 by amending the Notes of the "Commercial (4)" ("C(4)") zone covering the Sai Yee Street site.

37. The proposed amendment to the draft OZP was exhibited for public inspection under section 6C(2) of the Ordinance on 12.4.2019 and further representation could be made

to the Board in the first three weeks of the publication period until 3.5.2019. Consideration of further representations, if any, by the Board was tentatively scheduled for the third quarter of 2019.

38. 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 13.6.2019. There was a need to apply to the CE for an extension of the statutory time limit for six months (i.e. to 13.12.2019) to complete the plan-making process.

39. After deliberation, the Board agreed that the CE's agreement should be sought under section 8(2) of the Ordinance to extend the time limit for submission of the draft OZP to the CE in C for a period of six months from 13.6.2019 to 13.12.2019.

Agenda Item 5

[Open Meeting]

Any Other Business

[The item was conducted in Cantonese]

40. There being no other business, the meeting was closed at 10:00 a.m