

**Minutes of 1213th Meeting of the
Town Planning Board held on 22.11.2019**

Present

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

Chairperson

Professor S.C. Wong

Vice-chairperson

Mr H.W. Cheung

Mr Ivan C.S. Fu

Mr Sunny L.K. Ho

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr Lawrence W.C. Poon

Mr K.K. Cheung

Dr C.H. Hau

Mr Stephen L.H. Liu

Professor T.S. Liu

Miss Winnie W.M. Ng

Ms Sandy H.Y. Wong

Mr L.T. Kwok

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Mr K.W. Leung

Professor John C.Y. Ng

Dr Jeanne C.Y. Ng

Mr Ricky W.Y. Yu

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

Chief Engineer (Works)
Home Affairs Department
Mr Paul Y.K. Au

Deputy Director of Environmental Protection (1)
Environmental Protection Department
Mr Elvis W.K. Au

Assistant Director (Regional 1)
Lands Department
Mr Simon S.W. Wang

Director of Planning
Mr Raymond K.W. Lee

Deputy Director of Planning/District
Miss Fiona S.Y. Lung

Secretary

Absent with Apologies

Mr Lincoln L.H. Huang

Mr Stephen H.B. Yau

Dr Frankie W.C. Yeung

Mr Wilson Y.W. Fung

Mr Franklin Yu

Mr Thomas O.S. Ho

Mr Alex T.H. Lai

Dr Lawrence K.C. Li

Mr Stanley T.S. Choi

Professor Jonathan W.C. Wong

In Attendance

Assistant Director of Planning/Board

Ms Lily Y.M. Yam

Chief Town Planner/Town Planning Board

Ms April K.Y. Kun

Senior Town Planner/Town Planning Board

Mr Eric C.Y. Chiu

Agenda Item 1

[Open meeting]

Confirmation of Minutes of the 1212th Meeting held on 8.11.2019

[The item was conducted in Cantonese.]

1. The draft minutes of the 1212th meeting held on 8.11.2019 were tabled at the meeting. Subject to no proposed amendments by Members on or before 25.11.2019, the minutes would be confirmed without amendments.

[Post-meeting Note: The minutes were confirmed on 25.11.2019 without amendments.]

Agenda Item 2

[Open meeting]

Matters Arising

[The item was conducted in Cantonese.]

(i) New Town Planning Appeals Received

Town Planning Appeal No. 8 of 2019

Proposed House (New Territories Exempted House (NTEH) - Small House) and Minor Relaxation of Gross Floor Area Restrictions in “Comprehensive Development Area” (“CDA”) zone, Lots 1109 S.A ss.1 and 1124 S.A in D.D.218, Che Ha Village, Shap Sz Heung, Sai Kung North
(Application No. A/NE-SSH/127)

Town Planning Appeal No. 9 of 2019

Proposed House (NTEH - Small House) and Minor Relaxation of GFA Restrictions in “CDA” and “Village Type Development” zones, Lots 1109 S.A RP and 1124 RP in D.D.218, Che Ha Village, Shap Sz Heung, Sai Kung North
(Application No. A/NE-SSH/128)

2. The Secretary reported that a Notice of Appeal was received by the Appeal Board Panel (Town Planning) on 6.11.2019 against the decision of the Town Planning Board (the Board) on 23.8.2019 to reject on review two applications (No. A/NE-SSH/127 and 128) for a proposed house (New Territories Exempted House – Small House) at each of the application sites, one zoned “Comprehensive Development Area” (“CDA”) and the other zoned “CDA” and “Village Type Development” (“V”) on the approved Shap Sz Heung Outline Zoning Plan No. S/NE-SSH/11.

3. The review applications were rejected by the Board for the reasons that there was no general shortage of land in meeting the demand for Small House development in the “V” zone of Che Ha; and it was considered more appropriate to concentrate Small House developments within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.

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

(ii) Updated Appeal Statistics

5. The Secretary reported that as at 19.11.2019, 13 appeals were yet to be heard. Details of the appeal statistics were as follows:

Allowed	36
Dismissed	161
Abandoned/Withdrawn/Invalid	203
Yet to be Heard	13
Decision Outstanding	1
<hr/> Total	414

[Ms Sandy H.Y. Wong, Miss Winnie W.M. Ng and Ms Lilian S.K. Law arrived to join the meeting, and Dr Lawrence W.C Poon left the meeting at this point.]

Kowloon District

Agenda Item 3

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Representation and Comment in respect of the Draft Wang Tau Hom and Tung Tau Outline Zoning Plan No. S/K8/22

(TPB Paper No. 10593)

[The item was conducted in Cantonese and English.]

6. The Secretary reported that one of the proposed amendment items on the Draft Wang Tau Hom and Tung Tau Outline Zoning Plan No. S/K8/22 (draft OZP) was to facilitate the proposed public housing redevelopment by the Housing Department (HD), which was the executive arm of the Hong Kong Housing Authority (HKHA). One of the consultants for the proposed public housing redevelopment was Ove Arup & Partners Hong Kong Limited (Arup). The following Members had declared interests on the item, for being associated/having business dealings with HD, HKHA and Arup, or affiliated with Ms Mary Mulvihill who had submitted representation and comment (i.e. R1/C1):

- | | | |
|---|---|--|
| Mr Paul Y.K. Au
(as <i>Chief Engineer (Works),
Home Affairs Department</i>) | - | being an alternate member for the Director of Home Affairs who was a member of the Strategic Planning Committee and the Subsidised Housing Committee of HKHA |
| Mr Franklin Yu | - | being a member of the Building Committee of HKHA and having past business dealings with Arup |
| Mr Thomas O.S. Ho | - | having current business dealings with HKHA and Arup |

- Mr Ivan C.S. Fu - having current business dealings with Arup and past business dealings with HKHA

- Professor S.C. Wong
(*Vice-chairperson*) - having current business dealings with Arup

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

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

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

- Mr Daniel K.S. Lau - being an ex-Director (Development and Marketing) of Hong Kong Housing Society (HKHS), which was in discussion with HD on housing development issues.

7. Members noted that Mr Thomas O.S. Ho, Mr Franklin Yu and Mr Alex T.H. Lai had tendered apologies for being unable to attend the meeting, and Dr Lawrence W.C. Poon had already left the meeting. As the interest of Mr Paul Y.K. Au was considered direct, he should be invited to leave the meeting temporarily for this item. As Mr Ivan C.S. Fu, Professor S.C. Wong, Mr K.K. Cheung, Mr Stephen L.H. Liu and Mr Daniel K.S. Lau had no involvement in the subject redevelopment project, Members agreed that they could stay in the meeting.

[Mr Paul Y.K. Au left the meeting at this point.]

Presentation and Question Sessions

8. The following government representatives, as well as representer and commenter were invited to the meeting at this point:

Government Representatives

Planning Department (PlanD)

- | | |
|-----------------------|---|
| Ms Johanna W.Y. Cheng | - District Planning Officer/Kowloon (DPO/K) |
| Ms Jessie K.P. Kwan | - Senior Town Planner/Kowloon (STP/K) |

HD

- | | |
|----------------------|-------------------------------------|
| Ms Belinda L.K. Lau | - Senior Planning Officer/5 (SPO/5) |
| Ms Cecilia M.S. Fung | - Architect/58 (A/58) |
| Mr C.M. Lee | - Civil Engineer/32 (CE/32) |
| Mr S.W. Lo | - Planning Officer/26 (PO/26) |

Representer and Commenter

R1/C1 Mary Mulvihill

- | | |
|-------------------|-----------------------------|
| Ms Mary Mulvihill | - Representer and Commenter |
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9. The Chairperson extended a welcome and briefly explained the procedures of the hearing. She said that PlanD's representatives would be invited to brief Members on the representation and comment. The representer and commenter would then be invited to make oral submission. To ensure the efficient operation of the meeting, the representer and commenter would be allotted a total of 20 minutes for making her oral submission. There was a timer device to alert the representer and commenter two minutes before the allotted time was to expire, and when the allotted time limit was up. A question and answer (Q&A) session would be held after the representer and commenter had completed her oral submission. Members could direct their questions to government representatives or the representer and commenter. After the Q&A session, the representer and commenter and the government representatives would be invited to leave the meeting. The Board would deliberate on the representation and comment in their absence and inform the representer and commenter of the Town Planning Board (the Board)'s decision in due course.

10. The Chairperson then invited PlanD's representative to brief Members on the representation and comment.

11. With the aid of a PowerPoint presentation, Ms Jessie K.W Kwan, STP/K, briefed Members on the representation and comment, including the background of the amendments, the grounds/views/proposals of the representer and commenter, planning assessments and PlanD's responses to the representation and comment as detailed in TPB Paper No. 10593 (the Paper).

12. The Chairperson then invited the representer and commenter to elaborate on her representation and comment.

R1/C1 - Mary Mulvihill

13. With the aid of the visualiser, Ms Mary Mulvihill made the following main points:

- (a) the representatives of HKHA were present at the meeting despite HKHA had not submitted any representation or comment on the draft OZP. An explanation should be given as to why they were allowed to participate in the meeting. She recalled that the representative of HKHA also attended the hearing for the representations and comments in respect of the draft Fanling/Sheung Shui Outline Zoning Plan No. S/FSS/23 (FSS OZP) held in October only because HKHA had submitted a representation;
- (b) the current consultation process regarding draft OZPs was unnecessarily complicated for a layperson. The new arrangement for submitting identity information was aimed at turning away the public from the consultation process. There was no provision in the Town Planning Ordinance to empower the Board to require representers and commenters to fill out complicated forms in order to attend the hearing. She was the only representer and commenter who attended the hearing on the draft OZP and

the Wong Tai Sin District Council (WTSDC) had not submitted any representation. It reflected that the Government had successfully discouraged the public to submit representations;

- (c) there was no indication of where the future government, institution and community (GIC) facilities in the redevelopment (i.e. Amendment Item A) would be located. There was concern that the GIC facilities would be placed at inferior locations that were less accessible and desirable whereas prime premises would be reserved for commercial uses. In the redevelopment of Ming Wah Dai Ha in Shau Kei Wan, the commercial uses would be lumped together and the elderly facility above would be adversely affected by the exhaust and smoke from the eating places below;
- (d) for the proposed elderly care centre, issues on accessibility by persons in wheelchair or with reduced mobility should be carefully considered;
- (e) there were insufficient elderly facilities in the district compared to the requirements under the Hong Kong Planning Standards and Guidelines (HKPSG). The concern of WTSDC on provision of GIC facilities had yet to be addressed. It was the Government's duty to provide sufficient GIC facilities to serve the public. The Government should not rely on private developers to provide GIC facilities in their developments as the development progress of private projects was uncertain and was often delayed due to various reasons; and
- (f) there was a slope to the north of the site and it was unclear whether the units in lower floors of the buildings facing the slope would suffer from air ventilation issues.

14. As the presentation from government representatives and the representer and commenter had been completed, the meeting proceeded to the Q&A session. The Chairperson explained that Members would raise questions and the Chairperson would invite the representer and commenter and/or the government representatives to answer. The Q&A session should not be taken as an occasion for the attendees to direct questions to the Board

or for cross-examination between parties. The Chairperson then invited questions from Members.

15. The meeting noted that there was only one representation and one comment received on the draft OZP, with no representation nor comment ruled invalid due to missing identity information. The Chairperson said the allegation that the Board was trying to discourage or turn people away from engaging in the consultation process through red tapes was ungrounded. The representatives of HD, the executive arm of HKHA that would implement the project, were invited to attend the meeting as part of the Government's team to provide the required information of the proposed redevelopment project to facilitate Members' consideration of the representation and comment. The meeting also noted that for the FSS OZP, it was HKHS, rather than HKHA, who had submitted a representation.

16. The Chairperson and some Members raised the following questions to the government representatives:

The Proposed Public Housing Redevelopment

- (a) time required for implementation of the redevelopment project;
- (b) whether information from the Waiting List of public rental housing (PRH) applicants or the census on family size and age profile had been taken into account in formulating the current notional scheme, and whether residents in the subject project would mainly comprise elderly persons;
- (c) whether the Y-shaped building blocks had been adopted in the notional scheme as a standard design, or HD would further revise the building design in the detailed design stage;

GIC and Social Welfare Facilities

- (d) whether there was scope to provide additional social welfare facilities (SWF) other than those already being planned to meet the local needs;

- (e) whether the GIC facilities in the development would be stand-alone buildings, what the major considerations in selecting suitable locations for GIC facilities in the development were, and noting many users of the SWF would be elderly or bedridden, what the parking and vehicular access arrangement for the SWF would be;

Air Ventilation and Lighting

- (f) noting that some design measures such as empty bays had been proposed to improve air ventilation, whether HD had conducted air ventilation assessment (AVA), and in particular whether the lower floors of the future redevelopment would have ventilation problem;
- (g) whether the empty bays proposed in the scheme were in the most suitable locations and whether they could effectively enhance local air ventilation;
- (h) whether the slope in northern part of the Site would significantly affect air ventilation and lighting for the lower floors of the proposed buildings;

Traffic

- (i) whether any traffic improvement measures were proposed to alleviate the traffic issue at the junction of Junction Road/Tung Tau Tsuen Road and the congestion at the junction of Dumberton Road/Inverness Road;

Heritage Conservation

- (j) there were a number of historically significant areas in the vicinity, including the former Kowloon Walled City, which had been replaced by a park, and Nga Tsin Wai Tsuen, which was being redeveloped, as well as the Hau Wong Temple, which was a Declared Monument. In that regard, whether the Government had any strategy for preservation of culturally/historically important buildings in the wider area; and

Procedures

- (k) noting that the representer and commenter had claimed that the current procedure required for the public to attend representation hearing was complicated and might discourage people from participating, what was the general procedure involved.

17. Ms Johanna W.Y. Cheng, DPO/K, Ms Belinda L.K. Lau, SPO/5, and Ms Cecilia M.S. Fung, A/58, with the aid of some PowerPoint slides, made the following responses:

The Proposed Public Housing Redevelopment

- (a) a total of 5.5 years was required to implement the redevelopment project after demolition of the existing building blocks, including one year for site formation works;
- (b) the notional design consisted of 2,600 flats to accommodate about 6,100 residents. The current notional scheme was mainly formulated for assessment purpose and the design, including flat mix would be reviewed in the detailed design stage. HD would make reference to its internal guidelines on flat mix (FM) for new public rental housing projects when formulating the revised design and decide the number of housing units of different sizes to be provided. The FM was updated from time to time to take into account latest information available, including the household size of general applicants and tenants to be transferred. HD strived to provide a barrier-free environment and universal design would be adopted in the housing units so that they could be retrofitted/modified to suit the individual needs of a wide range of prospective residents. For example, eligible elderly residents could apply to HD for home modification to suit their special needs;
- (c) the Y-shaped blocks were adopted in the current scheme for initial assessment purpose. In the detailed design stage, HD would formulate site-specific building design taking into account the constraints and development requirements for the site;

GIC and Social Welfare Facilities

- (d) in the current notional scheme, the proposed SWF were planned based on the advice of the Social Welfare Department (SWD). According to the Notes of the draft OZP, the gross floor area (GFA) for use solely as GIC facilities, as required by the Government, could be exempted from plot ratio calculation. Subject to further discussion with SWD and WTSDC, there was scope to explore whether additional SWF could be incorporated into the redevelopment in the detailed design stage. The Government would endeavour to provide suitable GIC facilities to meet local needs;

- (e) while the proposed number of parking spaces for households followed the standards in the HKPSG, parking spaces for the SWF would be provided taking into account the actual requirement of the particular SWF and advice of SWD. GIC facilities would be provided at the podium level of the development, rather in stand-alone buildings. Noting that users of the facilities might also be wheelchair users, the access arrangement would be carefully designed to facilitate barrier free access for the users;

Air Ventilation and Lighting

- (f) the site was not surrounded by high-rise developments. To the north were mainly a cemetery, Mei Tak House and the Morse Park, and to the south were the Carpenter Road Park and Kowloon Walled City Park. A non-building area (NBA) had already been designated between the site and Mei Tak House. HD had conducted an AVA-Expert Evaluation which concluded that the proposed redevelopment would not induce significant adverse impact on the surrounding areas. Building gap (BG) and other mitigation measures such as empty bays had been incorporated in the notional scheme, taken into account the prevailing wind directions. Notwithstanding the above, further quantitative AVA would be conducted in the detailed design stage to optimise the scheme, and additional mitigation measures would be considered, if required;

- (g) in the notional scheme, the proposed location and scale of the empty bays were only preliminary in nature. The proposed emergency vehicular access (EVA) could also enhance local air ventilation in particular for the northern portion of the site. BGs approximately 15m to 30m in width between the building blocks were proposed and they should allow good ventilation. A 3m to 5m set back of the development from Tung Tau Tsuen Road would also be provided. In considering suitable measures to enhance air ventilation, a balance had to be struck between the benefit of the mitigation measures and the resultant constraints being placed on building design flexibility;
- (h) the northern part of the site comprised a slope and an EVA had been proposed between the slope and the building blocks. The dwelling units in the redevelopment could be oriented to maximise natural ventilation and lighting;

Traffic

- (i) a Traffic Impact Assessment (TIA) had been conducted by HD. Road improvement measures had been proposed in the TIA, including traffic signal optimisation for junctions of Junction Road/Inverness Road and Prince Edward Road West/Boundary Street/Junction Road/Grampian Road as well as minor road widening works at Junction Road near its junction with Inverness Road. With implementation of road improvement measures recommended in the TIA, the proposed redevelopment would not induce insurmountable traffic impact onto the adjacent road network;

Heritage

- (j) the current amendment mainly involved relaxing the BHR at the site to allow the proposed redevelopment to achieve the maximum plot ratio permitted on the OZP. No heritage building would be affected by the proposed redevelopment. In formulating the notional scheme, due consideration had been given by HD to avoid affecting the Hau Wong Temple, a Declared Monument located to the west of the Site. Generally speaking, relevant departments, including the Antiquities and Monuments

Office, would be consulted in the design stage as appropriate if heritage buildings were involved. The HD had also duly noted WTSDC's view regarding preservation of cultural heritage and collective memory for the area; and

Procedure

- (k) it was the established practice for the Board's Secretariat to issue a letter to representers/commenters informing them the arrangement of the hearing and inviting the representers/commenters to indicate whether they would like to attend the hearing. The letter mainly outlined the procedures of the hearing and was not unreasonably complicated. In any case, if representers/ commenters had difficulties in understanding the arrangement, they could approach the Board's Secretariat for assistance.

18. Regarding the proposed GIC facilities that would be accommodated in the podium level of the development, Ms Mary Mulvihill considered that the arrangement was not desirable as the facilities would be facing either the EVA or Tung Tau Tsuen Road and susceptible to air pollution.

19. As Members had no further question to raise, the Chairperson said that the hearing procedures had been completed. The Board would deliberate on the representation and comment in the absence of the representer and commenter and would inform her of the Board's decision in due course. The Chairperson thanked the representer and commenter and the Government's representatives for attending the hearing. They all left the meeting at this point.

[Mr David Y.T. Lui and Mr K. K. Cheung left the meeting during the Q&A session.]

Deliberation

20. A Member said that the Government should strive to provide as many of the required SWF in the development as practicable. HD should also take into consideration the age profile of the prospective residents when formulating the detailed design to ensure that the housing units could cope with the evolving needs of the residents as they aged. Another

Member concurred and said that HD, by adopting universal designs with emphasis on making the buildings and environment suitable to all types of users, regardless of their age, ability or disability, could allow the housing units to be suitably modified as required to facilitate 'aging in place'.

21. Two Members considered that the relaxation of BHR for the site would unlikely result in significant adverse visual impact. Without relaxing the BHR, the footprint of building at the site would need to expand horizontally in order to achieve the required PR and would result in a much bulkier building, adversely affecting local air ventilation. Given the surrounding of the site comprising mostly lower-density uses such as schools, cemetery and open space, the future buildings in the proposed redevelopment would unlikely cause significant adverse air ventilation impact. Notwithstanding that, the slope at the northern part of the site might pose a constraint for air ventilation for the low-zone of the residential blocks. Suitable building layout with appropriate design measures were required so that any air ventilation impact could be minimised. While HD had extensive experience in designing and managing the micro-climate within the development, since some Members were concerned about air permeability and effectiveness of the propose mitigation measures, it would be helpful if selected quantitative figures extracted from studies conducted by HD could be provided to the Board for reference when responding to air ventilation issues. Another Member concurred and said that such information could help build a more convincing case.

22. A Member said that the site was located in an area with a unique townscape and HD should optimise the site layout and building design to ensure that the new public housing blocks were in harmony with the surrounding environment. Another Member said that as a general remark, the Government should consider formulating a comprehensive conservation strategy for the area where a number of important buildings/sites with significant historical and cultural value were located.

23. In response to a Member's enquiry on whether planning condition could be imposed to promote preservation of the historic ambience of the area by HD through incorporating suitable building designs, the Secretary said that unlike planning permission which could be granted with specific planning conditions, the amendments made to OZP by the Board mainly dealt with land uses and major development parameters, such as building

height restrictions as in the current case. If required, the views of Members could be conveyed to HD in writing. Alternatively, the Board could consider incorporating such requirement in the future Planning Brief (PB) for the site which would guide the public housing redevelopment. Mr Raymond K.W. Lee, Director of Planning, supplemented that PlanD would ensure the Board's views would be incorporated accordingly into the PB to be prepared by HD. The PB would also be made available to the public. Members generally agreed that the HD should be requested via incorporation of suitable requirements in the PB to duly consider the views of Members concerning the preservation of historic ambience of the surrounding areas and air ventilation.

24. The Chairperson noted that some Members had raised various questions regarding the future population mix of the public housing redevelopment at in-take and further down the road, which might affect the type, design and disposition of GIC facilities to be provided. In that regard, HD could consider preparing additional general information on its current projections regarding the household and age profile of prospective residents for similar development projects in the future, albeit on a ballpark and provisional basis, so as to allow the Board to better understand the overall picture and facilitate its consideration. The Chairperson further said that regarding the provision of additional SWF in the development, flexibility had been built in the Notes for the OZP to exempt GFA for GIC facilities as required by the Government from PR calculation.

25. A Member said that the formalities and procedures required to attend the hearing could be streamlined, where appropriate. Regarding the claim by the representer that the information in the invitation letter issued by the Secretariat might not be easily understood by a layperson, the Secretariat could consider simplifying some of the contents. In that regard, the Chairperson said that the current practice to clearly spell out the procedures and guidelines for attending hearing meetings arose from the request from the public and attendees for clearer guidelines, in order to avoid dispute during the hearing. Noting the Member's view, the Secretariat would explore the practicality of issuing a simplified version as a synopsis to be issued together with the full version carrying more elaboration.

26. Members generally agreed that relaxation of the BHR to facilitate redevelopment of the site at the maximum plot ratio permitted on the OZP should be supported and there was no justification to amend the draft OZP to meet the representation, and the major grounds of

the representation had been addressed by the departmental responses as detailed in the Paper and the presentations and responses made by the government representatives at the meeting.

27. After deliberation, the Board decided not to uphold the views of R1 and considered that the draft OZP should not be amended to meet the representation for the following reasons:

- “(a) land suitable for housing development in Hong Kong is scarce and there is a genuine need for optimising the use of land available to meet the pressing demand for housing. The building height restrictions stipulated for the Site to facilitate the redevelopment proposal is compatible with the surrounding environment and sustainable from visual, air ventilation, environmental and traffic perspectives;
- (b) with implementation of recommended mitigation measures, the public housing redevelopment proposal would not impose significant adverse visual and air ventilation impacts; and
- (c) with the implementation of local junction improvement works, the redevelopment will not induce unacceptable traffic impact onto the road network in the surrounding areas.”

Agenda Item 4

[Open Meeting]

Request for Deferment of Review of Application No. A/K7/115

Proposed Minor Relaxation of the existing BH ('11 Storeys over 1 Storey of Car Park') to '11 Storeys over 2 Storeys of Car Park' for a Permitted Residential Development in "Residential (Group B) 1" Zone, 5-7 Ho Man Tin Street, Kowloon
(TPB Paper No. 10595)

[The item was conducted in Cantonese.]

28. The Secretary reported that the application site was located in Ho Man Tin and Ove Arup and Partner Hong Kong Limited (Arup) was the consultant of the applicant. The following Members had declared interests on the item:

Professor S.C. Wong]	
(<i>Vice-chairperson</i>)]	
]	having current business dealings with
Mr Ivan C.S. Fu]	Arup
]	
Mr Thomas O.S. Ho]	
]	
Mr Alex T.H. Lai]	his firm having current business dealings
]	with Arup
Mr K.K. Cheung]	
	-	
Mr Franklin Yu	-	having past business dealings with Arup
	-	
Mr Stanley T.S. Choi	-	co-owning with spouse a flat in Ho Man Tin, and his spouse being a director of a company which owned a property in Ho Man Tin

Miss Winnie W.M. Ng - her company owning a house at
Kadoorie Avenue

29. Members noted that Mr Thomas O.S. Ho, Mr Alex T.H. Lai, Mr Franklin Yu and Mr Stanley T.S. Choi had tendered apologies for being unable to attend the meeting and Mr K.K. Cheung had already left the meeting. Members agreed that as the property related to Miss Winne W.M. Ng had no direct view of the site, and the other Members had no involvement in the application, they could stay in the meeting.

30. The Secretary reported that on 6.11.2019, the applicant's representative requested deferment of consideration of the review application for two months so as to allow time for preparation of further information (FI) to address departmental comments. It was the first time that the applicant requested deferment of the review application.

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

32. After deliberation, the Board decided to defer a decision on the application as requested by the applicant pending the submission of FI from the applicant. The Board agreed that the application should be submitted for its consideration within three months from the date of receipt of FI from the applicant. If the FI submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Board's consideration. The Board also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Sai Kung & Islands District

Agenda Item 5

[Open Meeting]

Request for Deferment of Review of Application No. A/SK-CWBN/49

Proposed House and the associated Excavation of Land in “Green Belt” Zone and an area shown as ‘Road’, Lots 330, 331 RP (Part), 332 S.B and 333 S.B in D.D. 225, Pak To Avenue, Clear Water Bay, Sai Kung

(TPB Paper No. 10596)

[The item was conducted in Cantonese.]

33. The Secretary reported that the application site was located in Clear Water Bay North and Mr David Y.T. Lui had declared an interest on the item for co-owning with spouse two houses in the Clearwater Bay area. Members noted that Mr Lui had already left the meeting.

34. The Secretary reported that on 12.11.2019, the applicant’s representative requested deferment of consideration of the review application for two months so as to allow time for preparation of further information (FI) to address departmental comments on traffic and landscape impacts. It was the first time that the applicant requested deferment of the review application.

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

36. After deliberation, the Board decided to defer a decision on the application as requested by the applicant pending the submission of FI from the applicant. The Board agreed that the application should be submitted for its consideration within three months from

the date of receipt of FI from the applicant. If the FI submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Board's consideration. The Board also agreed to advise the applicant that two months were allowed for preparation of the submission of the further information, and no further deferment would be granted unless under very special circumstances.

Procedural Matters

Agenda Item 6

[Open Meeting]

Information Note and Hearing Arrangement for Consideration of Representation and Comment on the Draft Hebe Haven Outline Zoning Plan No. S/SK-HH/7

(TPB Paper No. 10597)

[The item was conducted in Cantonese.]

37. The Secretary reported that representations had been submitted by Hong Kong and China Gas Company Limited, which was a subsidiary of Henderson Land Development Co. Limited (HLD), and Ms Mary Mulvihill and the following Members had declared interests on the item:

Mr Ivan C.S. Fu	-	having current business dealings with HLD
Mr Alex T.H. Lai]	their firm having current business
]	dealings with HLD, and hiring Ms
Mr K.K. Cheung]	Mary Mulvihill on a contract basis
]	from time to time

- | | | |
|--|---|--|
| Mr Franklin Yu |] | having past business dealings with |
| |] | HLD |
| Mr Stephen L.H. Liu |] | |
| Professor S.C. Wong
(<i>Vice-chairperson</i>) |] | being employees of HKU which had |
| |] | received a donation from a family |
| |] | member of the Chairman of HLD |
| Dr C.H Hau |] | before |
| Dr Lawrence K.C. Li | - | being the deputy chairman of the
Hong Kong Polytechnic University of
Hong Kong which had obtained
sponsorship from HLD before |
| Mr Peter K.T. Yuen | - | being a member of the Board of
Governors of the Hong Kong Arts
Centre which had received a donation
from an Executive Director of HLD
before |

38. Members noted that Mr Alex T.H. Lai, Mr Franklin Yu and Dr Lawrence K.C. Li had tendered apologies for being unable to attend the meeting and Mr K.K. Cheung had already left the meeting, and agreed that as the item was procedural in nature, all other Members who had declared interests could stay in the meeting.

39. The Secretary briefly introduced the TPB Paper No. 10597 (the Paper). On 21.6.2019, the draft Hebe Haven Outline Zoning Plan (OZP) No. S/SK-HH/7 was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). The amendments mainly involved the rezoning of a site near the junction of Hiram's Highway and Heung Chung Road from "Government, Institution or Community" ("G/IC") to "Residential (Group C)4" ("R(C)4") (Amendment Item A) for private housing development; a strip of land at Heung Chung Road from "G/IC" to an area shown as 'Road' (Amendment Item B); a site to the south of Nam Wai from "Green Belt" ("GB") to "Residential (Group C)5" ("R(C)5") (Amendment Item C) for private housing development; and a site occupied

by Colour By The River to the south of Nam Wai from “GB” to “Residential (Group C)6” (“R(C)6”) (Amendment Item D).

40. During the two-month exhibition period, a total of 521 representations were received. Amongst them, 500 representations were made in accordance with the revised requirements set out in the Town Planning Board Guidelines No. 29B (TPB PG-No. 29B). Considering that it was the first batch of amended OZPs subject to revised submission requirements under TPB PG-No. 29B, the Town Planning Board (the Board) agreed to allow the representers with the identity information in doubt or missing in their submissions a further opportunity to submit the required information and that if such representers failed or refused to provide such identity proof, the representations would be treated as not having been made. On 2.9.2019, the Secretariat sent out verification letters to the concerned parties but only 10 representers submitted the required information. As no response was received from the remaining nine representers, and together with the two representers that had not provided any contact information, those 11 submissions should be considered as invalid and treated as not having been made.

41. One out-of-time representation was submitted by an individual after the plan exhibition period, and five representations were found duplicated. As a result, there were in total 505 valid representations.

42. On 4.10.2019, 505 valid representations were published for three weeks for public comments, and in the first three weeks of the publication period, eight comments on representations were received, including one comment which was made with identity information missing and no contact information was provided, and one slogan-type comment not related to the representations nor amendments to the Plan. Those two comments were considered as invalid. In total, six valid comments on the representations were received.

43. In view of the similar nature of the representations and comments, the hearing of the representations and comments was recommended to be considered collectively in one group by the Board.

44. To ensure efficiency of the hearing, a maximum of 10 minutes presentation time would be allotted to each representer and commenter in the hearing session. Consideration of the representations and comments by the full Board was tentatively scheduled for December 2019.

45. After deliberation, the Board noted the invalid representations and comments received as mentioned in paragraphs 1.3 to 1.5 of the Paper and agreed that:

- (a) the comment at Annex VI as mentioned in paragraph 1.5 of the Paper was invalid under sections 6A(2) and 6A(3)(b) of the Town Planning Ordinance;
- (b) the valid 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.

Agenda Item 7

[Open Meeting]

Information Note and Hearing Arrangement for Consideration of Further Representation Arising From the Consideration of Representation on the Draft Ngau Tau Kok and Kowloon Bay Outline Zoning Plan No. S/K13/26

(TPB Paper No. 10603)

[The item was conducted in Cantonese.]

46. The Secretary reported that the reconsideration of Further Representation arising from consideration of Representation No. R2 in respect of the draft Ngau Tau Kok and Kowloon Bay Outline Zoning Plan (OZP) No. S/K13/26, which was related to the Court's judgement on a judicial review (JR) case lodged by the Real Estate Developers Association of Hong Kong (REDA) i.e. Representer No. R2. The following Members had declared interests on the item for having affiliation/business dealings with REDA, Masterplan Limited

which was REDA's representative for submitting the representation, the Institute of Future Cities of the Chinese University of Hong Kong which was the Planning Department's consultant of the updated Air Ventilation Assessment in respect of the OZP, the Hong Kong Baptist University (HKBU) which rented a property for the campus of the Academy of Visual Arts at Kwun Tong Road, and/or an organisation providing social services in Ngau Tau Kok and Kowloon Bay, and Ms Mary Mulvihill who had submitted further representation (FR):

- | | | |
|------------------------------|---|---|
| Mr Ivan C.S. Fu | - | having current business dealings with Masterplan and developers which were members of REDA |
| Professor John C. Y. Ng | - | being a fellow of the Institute of Future Cities |
| Mr K.K. Cheung |] | their firm having current business |
| |] | dealings with HKBU and hiring Ms |
| Mr Alex T.H. Lai |] | Mary Mulvihill on a contract basis from |
| |] | time to time |
| Ms Sandy H.Y. Wong | - | being a Council and Court Member of HKBU |
| Professor Jonathan W.C. Wong | - | being an employee of HKBU |
| Mr Stephen H.B. Yau | - | being the Chairman of the Social Work Advisory Committee of the Department of Social Work in HKBU |
| Mr Philip S.L. Kan | - | being a former member of the Court of HKBU |

Mr L.T. Kwok - his employing organisation having a number of service units in Ngau Tau Kok and Kowloon Bay

47. Members noted that Mr Alex T.H. Lai, Professor Jonathan W.C. Wong and Mr Stephen H.B. Yau had tendered apologies for being unable to attend the meeting and Mr K.K. Cheung had already left the meeting, and agreed that as the item was procedural in nature, all other Members who had declared interests could stay in the meeting.

48. The Secretary briefly introduced the TPB Paper No. 10603 (the Paper). Pursuant to the Court's order on REDA's JR, the Board re-considered REDA's representation on 27.9.2019. The Board decided to partially meet the representation and to propose amendment to the draft Ngau Tau Kok and Kowloon Bay OZP No. S/K13/29 by deleting the building gap (BG) requirement from Lam Fung Street to Sheung Yee Road within the "Other Specified Uses" annotated "Business (2)" (OU(B)2") zone (i.e. Amendment Item A) and revising the Remarks of the Notes for the "OU(B)" zone accordingly. On 18.10.2019, the proposed amendments were exhibited for public inspection under section 6C(2) of the Town Planning Ordinance (the Ordinance) and one FR submitted by an individual was received.

49. As there was only one FR, it would be considered in one regular meeting of the Board. In accordance with section 6F(3) of the Ordinance, the original representers/commenters who had made representations/comments after consideration of which the proposed amendments were made (i.e. R2 with no related commenter) would also be invited to the hearing.

50. To ensure efficiency of the hearing, a maximum of 10 minutes presentation time would be allotted to each representer/further representer in the hearing session. Consideration of the representation and FR by the full Board was tentatively scheduled for end 2019/early 2020.

51. After deliberation, the Board agreed that:
- (a) the representation/FR should be considered in one group by the Board itself;
and
 - (b) a 10-minute presentation time would be allotted to each representer/further representer.

Agenda Item 8

[Open Meeting]

Information Note and Hearing Arrangement for Consideration of Representations and Comments on the Draft Ma Tau Kok Outline Zoning Plan No. S/K10/25
(TPB Paper No. 10604)

Agenda Item 9

[Open Meeting]

Information Note and Hearing Arrangement for Consideration of Representations and Comment on the Draft Urban Renewal Authority Kai Tak Road/Sa Po Road Development Scheme Plan No. S/K10/URA1/1
(TPB Paper No. 10605)

[The items were conducted in Cantonese.]

52. Members noted that the two procedural items involving the draft Urban Renewal Authority (URA) Development Scheme Plan (DSP) located within the Ma Tau Kok planning scheme area would be considered together.

53. The Secretary reported that the DSP was located in Ma Tau Kok (K10) and the following Members had declared interests on the items for owning properties in the Ma Tau Kok area; and/or having affiliation/business dealings with URA (also C1 for the DSP) or Ms Mary Mulvihill (R1 and C1 for the Ma Tau Kok Outline Zoning Plan (OZP) and R90 and

C10 for the DSP):

- | | | |
|---|---|--|
| Mr Raymond K.W. Lee
<i>(as Director of Planning)</i> | - | being a non-executive director of the URA Board and a member of its Committee |
| Mr Lincoln L.H. Huang | - | being the Deputy Chairman of Appeal Board Panel of URA |
| Mr H.W. Cheung | - | being a former co-opt member of a Committee of URA |
| Mr Ivan C.S. Fu | - | being a director of the Board of the Urban Renewal Fund of URA and having current business dealings with Cheung Kong Holdings Ltd. for the URA Peel Street / Graham Street project |
| Mr Philip S.L. Kan | - | being a former non-executive director of the URA Board and a former director of the Board of the Urban Renewal Fund of URA |
| Dr Lawrence W.C. Poon | - | being a non-executive director of the URA Board, a member of its Committees, and a director of the Board of the Urban Renewal Fund of URA |
| Mr K.K. Cheung |] | their firm having current business |
| |] | dealings with URA and hiring Ms Mary |
| Mr Alex T.H. Lai |] | Mulvihill on a contract basis from time to time |

- Mr Wilson Y.W. Fung - being a director of the Board of the Urban Renewal Fund of URA
- Mr Thomas O.S. Ho - having current business dealings with URA
- Mr Stephen L.H. Liu - his former company having past business dealings with URA
- Mr Daniel K.S. Lau - being a former Director of Hong Kong Housing Society which was currently in discussion with URA on housing development issues
- Ms Lilian S.K. Law - being a director of the Board of the Urban Renewal Fund of URA
- Mr Ricky W.Y. Yu - being a director of the Board of Urban Renewal Fund of URA, and Director and CEO of Light Be (Social Realty) Co. Ltd. which was a licensed user of a few URA's residential units in Sheung Wan
- Mr L.T. Kwok - the institution he was serving had received sponsorship from URA
- Miss Winnie W.M. Ng - her company owning two shops at Nam Kok Road, Kowloon

54. Members noted that Mr Lincoln L.H. Huang, Mr Alex T.H. Lai, Mr Wilson Y.W. Fung and Mr Thomas O.S. Ho had tendered apologies for being unable to attend the meeting and Dr Lawrence K.C. Poon and Mr K.K. Cheung had already left the meeting, and agreed that as the items were procedural in nature, all other Members who had declared interests could stay in the meeting.

55. The Secretary briefly introduced TPB Papers No. 10603 and 10604 (the Papers). On 5.7.2019, the draft Ma Tau Kok OZP No. S/K10/25 (the draft OZP) and the draft Urban Renewal Authority Kai Tak Road/Sa Po Road DSP No. S/K10/URA1/1 were exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). For the draft OZP, one representation providing views and four comments were received, including one comment made without providing the required identity information, which was considered as invalid. For the DSP, 90 representations and 14 comments were received, including three comments made without providing the required identity information and one slogan-type comment not related to the representations nor amendments to the Plan. Those four comments were also considered as invalid.

56. In view of the similar nature of the representations and comments, the hearing of the representations and comments for the draft OZP and DSP should be considered collectively in one group by the Board. Noting that there were submissions made in Thai and quite some residents in the Ma Tau Kok area came from a Thai background, simultaneous interpretation service between Cantonese/English and Thai would be provided at the hearing, as required, if those representers/commenters attending the hearing indicated that such service was needed. As the hearing paper would be prepared by the Planning Department in English and Chinese only, arrangement for interpreter to briefly explain the paper to the representers/commenters before the meeting could also be made, if required.

57. To ensure efficiency of the hearing, a maximum of 10 minutes presentation time would be allotted to each representer and commenter in the hearing session. Consideration of the representations and comments by the full Board was tentatively scheduled for January 2020.

58. After deliberation, the Board noted the invalid comments received as mentioned in paragraph 1.3 of TPB Paper No. 10604 and paragraph 1.4 of TPB Paper No. 10605 and agreed that:

- (a) the comment on the DSP at Annex VI of TPB Paper No. 10605 as mentioned in paragraph 1.5 of that Paper was invalid pursuant to sections 6A(2) and 6A(3)(b) of the Town Planning Ordinance;

- (b) the valid representations/comments for the draft OZP and DSP 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.

59. The Secretary said that pursuant to the Ordinance, representations and comments made not related to amendments to the Plan or comments made not related to the representations should be considered as invalid. It was proposed that for statutory plans to be published in the future, the Board's Secretariat would follow the above practice and would only seek the Board's directive if in doubt. Members agreed.

Agenda Item 10

[Open Meeting]

Any Other Business

60. There being no other business, the meeting was closed at 11:00 a.m.