

**Minutes of 1235th Meeting of the
Town Planning Board held on 27.11.2020**

Present

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

Chairperson

Mr Lincoln L.H. Huang

Vice-chairperson

Mr Wilson Y.W. Fung

Mr Stephen L.H. Liu

Dr Frankie W.C. Yeung

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr Lawrence W.C. Poon

Dr C.H. Hau

Mr Thomas O.S. Ho

Mr Alex T.H. Lai

Professor T.S. Liu

Miss Winnie W.M. Ng

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Mr K.W. Leung

Professor John C.Y. Ng

Dr Jeanne C.Y. Ng

Professor Jonathan W.C. Wong

Mr Ricky W.Y. Yu

Dr Roger C.K. Chan

Dr Venus Y.H. Lun

Mr C.H. Tse

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

Chief Engineer (Works), Home Affairs Department
Mr Gavin C.T. Tse

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

Director of Lands
Mr Andrew C.W. Lai

Director of Planning
Mr Raymond K.W. Lee

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

Secretary

Absent with Apologies

Mr K.K. Cheung

Dr Lawrence K.C. Li

Mr Stanley T.S. Choi

Mr L.T. Kwok

Dr Conrad T.C. Wong

Mr Y. S. Wong

In Attendance

Assistant Director of Planning/Board
Ms Lily Y.M. Yam

Chief Town Planner/Town Planning Board
Ms W.H. Ho

Senior Town Planner/Town Planning Board
Mr Alex C.Y. Kiu

Opening Remarks

1. The Chairperson said that the meeting would be conducted with video conferencing arrangement.

Agenda Item 1

[Open Meeting]

Confirmation of Minutes of the 1234th Meetings held on 13.11.2020

[The item was conducted in Cantonese.]

2. The draft minutes of the 1234th meeting held on 13.11.2020 were sent to Members on 27.11.2020 and tabled at the meeting. Subject to any proposed amendments by Members on or before 30.11.2020, the minutes would be confirmed.

[Post-meeting Note: The minutes were confirmed on 30.11.2020 without amendments.]

Agenda Item 2

Matters Arising

3. The Secretary reported that there were no matters arising.

Sha Tin, Tai Po & North District

Agenda Item 3

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/TP/671

Proposed House (New Territories Exempted House – Small House) in “Green Belt” Zone, Lot 80 S.A in D.D. 21, San Uk Ka Village, Tai Po

(TPB Paper No. 10688)

[The item was conducted in Cantonese.]

Presentation and Question Sessions

4. The following Planning Department (PlanD)’s representatives, the applicant and his representative were invited to the meeting at this point:

PlanD’s Representatives

Ms Jessica H.F. Chu - District Planning Officer/Shan Tin,
Tai Po & North (DPO/STN)

Ms Kathy C.L. Chan - Senior Town Planner/Tai Po

Applicant and Applicant’s Representative

Mr Mak Siu Hung - Applicant

Mr Hung Shu Ping - Applicant’s representative

5. The Chairperson extended a welcome and briefly explained the procedure of the review hearing. She then invited PlanD’s representatives to brief Members on the review application.

6. With the aid of a PowerPoint presentation, Ms Jessica H.F. Chu, DPO/STN, PlanD, 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), justifications provided by the applicant, departmental and public

comments, and planning considerations and assessments as detailed in TPB Paper No. 10688 (the Paper).

[Mr Franklin Yu joined the meeting during the presentation of PlanD's representative.]

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

8. With the aid of the visualizer, Mr Hung Shu Ping, the applicant's representative, made the following main points:

- (a) there were many Small Houses within the same "Green Belt" ("GB") zone as shown on Plan R-2a of the Paper, and the application site (the Site) was the last piece of private land within the "GB" zone available for Small house development. It was unlikely that approval of the subject application would set an undesirable precedent for similar applications. Rejecting the application on the ground of adverse landscape impact was unfair to the applicant. As a number of similar applications in the vicinity of the Site had been approved, rejection of the subject application was contradictory to the Board's previous decisions;
- (b) the applicant would comply with all the approval conditions imposed by the Board should the application be approved; and
- (c) those commenters who objected to the application also objected to all other applications in the area on the same grounds. It was unfair to the applicant if the Board took those comments into consideration.

9. As the presentations from the representatives of PlanD and the applicant had been completed, the Chairperson invited questions from Members.

10. A Member enquired about the land status information of the subject "GB" zone, in view of the applicant's claim that the Site was the last piece of private land within the "GB" zone. In response, Mr Hung Shu Ping, the applicant's representative said that Plan R-2a of

the Paper indicated that the land areas to the north-east and south-east of the Site had all been approved for Small House developments, and the Site was the last piece of private land available for Small House development within the “GB” zone. In addition, since the applicant was an indigenous villager of another village i.e. Pan Chung Village, he could not apply for land exchange involving government land (GL) in San Uk Ka Village for Small House development.

11. In response to the same question, Ms Jessica H.F. Chu, DPO/STN, PlanD, by referring to a PowerPoint slide, advised that there was other undeveloped private land to the immediate southeast of the Site. There was also undeveloped private land to the further south of the Site.

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

Deliberation Session

13. Members noted that while the applicant had claimed that the Site was the last piece of private land within the subject “GB” zone available for Small House development and approval of the subject application would not result in an undesirable precedent for similar applications, there was indeed other undeveloped private land near the Site within the “GB” zone. Members generally agreed that there was no strong justification provided by the applicant for a departure from the RNTPC’s decision.

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

- “ (a) the proposed development is not in line with the planning intention of the “Green Belt” (“GB”) zone, which is primarily for defining the limits of urban and suburban development areas by natural features and to contain

urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission to justify a departure from the planning intention;

- (b) land is still available within the “Village Type Development” (“V”) zone of San Uk Ka, Cheung Uk Tei, Sheung Wun Yiu and Ha Wun Yiu which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services;
- (c) the proposed development does not comply with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” zone under section 16 of the Town Planning Ordinance’ in that the proposed development would involve clearance of existing natural vegetation affecting the existing natural landscape in the area. The applicant fails to demonstrate that the proposed development would have no adverse landscape impact on the surrounding areas; and
- (d) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories in that the proposed development would have adverse landscape impact on the surrounding areas.”

Agenda Item 4

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/MOS/127

Proposed minor relaxation of building height restriction for school (school extension) in “Government, Institution or Community” zone, 10 Lok Wo Sha Lane, Wu Kai Sha, Sha Tin (TPB Paper No. 10693)

[The item was conducted in Cantonese and English.]

Presentation and Question Sessions

15. The Secretary reported that Mr Lu Yuen Cheung Ronald was one of the applicant's representatives. The following Members had declared interests in the item for having business dealings with Mr Lu's company, Ronald Lu & Partners (HK) Limited (RLP), or spouse owning a property in Ma On Shan:

- Mr K.K. Cheung - his firm having business dealings with RLP;
- Mr Thomas O.S. Ho - having business dealings with RLP;
- Mr Alex T.H. Lai - his former firm having business dealings with RLP; and
- Dr Lawrence W.C. Poon - his spouse owning a residential unit in Ma On Shan.

16. It was noted that Mr K.K. Cheung had tendered an apology for not being able to attend the meeting. As Messrs Thomas O.S. Ho and Alex T.H. Lai had no involvement in the application and the property of Dr Lawrence W.C. Poon's spouse did not have direct view of the application site (the Site), Members agreed that they could stay in the meeting.

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

PlanD

- Ms Jessica H.F. Chu - District Planning Officer/Shia Tin, Tai Po & North (DPO/STN)
- Ms Hannah H.N. Yick - Senior Town Planner/Shia Tin

Applicant

<i>Li Po Chun United World College</i>]	
<i>(Hong Kong Limited) –</i>]	
Mr Arnett Edwards]	
Mr Tong Kai Hong Anthony]	
<i>Thomas Chow Architect Limited –</i>]	
Mr Tam Hon Wah Billy]	Applicant's representatives
Ms Lam Man Yee]	
<i>Masterplan Limited –</i>]	
Mr Ian Brownlee]	
Ms Lam Chin Chin]	
Ms Yuen Sik Kiu Heather]	

18. The Chairperson extended a welcome and briefly explained the procedure of the review hearing. She then invited PlanD's representative to brief Members on the review application.

19. With the aid of a PowerPoint presentation, Ms Jessica H.F. Chu, DPO/STN, PlanD, 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), justifications provided by the applicant, departmental and public comments, and planning considerations and assessments as detailed in TPB Paper No. 10693 (the Paper).

20. The Chairperson then invited the applicant's representatives to elaborate on the review application.

21. With the aid of a PowerPoint presentation, Mr Ian Brownlee, the applicant's representative, made the following main points:

- (a) Li Po Chun United World College (LPCUWC) had been in operation since 1992 before Ma On Shan became a New Town;

- (b) the Site was separated from the sea by a strip of “Site of Special Scientific Interest” (“SSSI”) and “Conservation Area” (“CA”) zones;
- (c) while the Site and its adjoining coastal areas were subject to building height restrictions (BHRs) below 50mPD, the existing developments more inland were subject to BHRs of 95mPD (‘The Entrance’), 130mPD (‘Double Cove’) and 185mPD (‘Silver Lake’), generally following a building height (BH) profile stepping down from the inland towards the sea. In addition, the Ma On Shan Outline Zoning Plan (the OZP) had recently been amended by the Board to provide more sites for high-rise residential development and two of them, with a BHR of 165mPD, were located in the proximity of the Site;
- (d) in deciding on the location and form of the proposed extension building for LPCUWC, consideration had been given to maintaining a buffer distance from the “SSSI” and “CA” zones, preserving as much mature woodland within the Site as possible, the functional relationship between the buildings and the teaching activities/school life. The long-term expansion plan of the school was also important consideration. The philosophy was built on sustainability and respect for the nature;
- (e) taking into account the above considerations and site constraints, the location (Site A) and form of the proposed extension building were the optimal solution;
- (f) the application met the criteria for minor relaxation of BHR in that the proposal had provided separation between buildings to enhance air and visual permeability, and there were site constraints and need for tree preservation; and
- (g) the Chief Town Planner/Urban Design & Landscape, PlanD considered that the BH of 51.1mPD for the proposed extension block was not incompatible with the overall BH profile of the area, and had no objection to the application from the landscape planning perspective.

22. With the aid of a PowerPoint presentation, Mr Tong Kai Hong Anthony, the applicant's representative, made the following main points:

- (a) he was the Chairman of the Board of Directors of LPCUWC;
- (b) LPCUWC had about 120 local students and 136 overseas students on average. With students from more than 80 countries, LPCUWC was a truly international school which made education a force to unite people, nations and cultures for peace and sustainable development. School admission was based on student's merit, and LPCUWC needed to admit overseas students nominated by more than 150 United World College (UWC) National Committees worldwide and the UWC Global Selection Programme. The school would also provide scholarship for grassroots students. All students were boarding in the campus, which provided an environment for them to live and study together so as to develop their world visions. LPCUWC also provided social services for non-government organisations, cooperated with local schools and opened up the campus to engage its students in various outreach programmes;
- (c) LPCUWC had recently completed the renovation of the southern wing of its main building (i.e. Phase 1 Peace Education Centre); and
- (d) LPCUWC wished more local students could be benefited from its education vision, but any increase in the number of full-time students would necessitate extensive vegetation clearance and construction works for another hostel block. LPCUWC's latest initiative was to develop an extension building i.e. Phase 2 Peace Education Centre to provide short courses to students from other schools to nurture more young people to become world citizens.

23. With the aid of a PowerPoint presentation, Mr Arnett Edwards, the applicant's representative, made the following main points:

- (a) he was the Principal of LPCUWC and had been living in Hong Kong for over 20 years;
- (b) on top of a truly international school, LPCUWC was also a truly local school in that scholarships were provided to local students who would not otherwise be able to afford international school fee;
- (c) the Site was divided into three zones – the residential zone (northern strip of land along the coast for student hostel and staff quarters), the academic zone (central part of the Site), and the sports and assembly zone (eastern part of the Site); and
- (d) the lowest three levels of the proposed extension building would be directly connected to and intended as extensions to the southern wing of the main building, and hence, the proposed extension building had to be located in the academic zone. The location of the proposed extension building (Site A) which was close to the school entrance would minimize the movement of visitors around the Site and facilitate campus management.

24. With the aid of a PowerPoint presentation, Mr Tam Hon Wah Billy, the applicant's representative, made the following main points:

- (a) he was the architect of the proposed school extension project;
- (b) the topography of the Site and the existing layout of the school, with three functional zones, posed many constraints on the location and built form of the proposed extension building. Since the proposed extension building was intended as an extension to the southern wing of the main building, the two buildings must be located close to each other;
- (c) as the northern part of the academic zone was almost fully developed, the southern part of the academic zone was the only available solution space for the proposed extension building. There was a small knoll in the southern part of the academic zone and a relatively flat U-shaped platform at about

30.6mPD around the small knoll. Under a BHR of 42mPD, only a 11.4m or 3-storey high building could be developed on the U-shaped platform;

- (d) while constructing a 3-storey building with a bigger footprint or two 3-storey buildings were technically feasible, the area that would be affected by the site formation works would increase drastically resulting in extensive tree felling. The cumulative impact was substantial as any compensation planting would require decades to mature to what the present trees looked like;
- (e) there was also a need to extend the existing emergency vehicular access (EVA) to serve the proposed extension building. Therefore, the design team opted for a 6-storey building design with smaller footprint at the part of the platform where there were currently fewer trees with a view to minimizing adverse landscape impact. The design of the landscape deck would be further considered and vertical greening for the proposed extension building would be explored to further reduce the impacts. Given the proposed extension building had reasonable separation from 'The Entrance' and there were trees in between, more visual permeability would result;
- (f) the applicant had explored the option of lowering the site level with a view to lowering the BH in terms of mPD. However, this would require substantial amount of slope cutting for site formation works around the proposed building, resulting in more tree felling, costlier and lengthier construction, and hence, more disturbance to students; and
- (g) the applicant had also considered an alternative location (Site B) for the proposed extension building at a lower level near the south-eastern site boundary. However, as Site B was an isolated location, covered walkways would be required to connect to the southern wing of the main building which was unsatisfactory in terms of convenience and tree preservation. Besides, the woodland facing the road would also be affected and the building would be more exposed to the surrounding area.

25. With the aid of a PowerPoint presentation, Mr Ian Brownlee, the applicant's representative, summed up the applicant's presentation as follows:

- (a) LPCUWC's philosophy was built on sustainability and respect for relationship with the nature;
- (b) the woodland facing Lok Wo Sha Road should be retained intact;
- (c) Site B was located in a dense woodland area and opposite to the private development which had raised objections to the application;
- (d) there was a functional relationship between the proposed extension building and the teaching activities of the school; and
- (e) should the application be approved, a condition could be imposed regarding landscape design.

[Ms Sandy H.Y. Wong left the meeting and Mr Wilson Y.W. Fung left the meeting temporarily during the presentation of the applicant's representatives.]

26. As the presentations from DPO/STN, the representatives of PlanD and the applicant had been completed, the Chairperson invited questions from Members. The Chairperson reminded Members that the application was for minor relaxation of BHR of the Site and any questions should therefore focus on matters relating to the BHR.

The School and the Proposed Extension Building

27. Some Members raised the following questions on LPCUWC and the proposed extension building:

- (a) whether the LPCUWC's admission capacity had been reached, and whether more full-time students would be admitted upon completion of the proposed extension building;

- (b) LPCUWC's admission situation in the light of the public comment on declining demand for international schools;
- (c) comparison of LPCUWC with other international schools in terms of campus space and facilities;
- (d) whether fees would be charged on the short courses to be provided in the proposed extension building;
- (e) whether students participating in the short courses would be boarding in the campus, and if yes, for how long;
- (f) the number of visiting students that the proposed extension building would serve;
- (g) whether the proposed extension building would mainly be used by visiting students on short courses or used by full-time students as well; and
- (h) whether the ancillary accommodation on Level 6 (L6) of the proposed extension building would only be used by visiting artists and musicians.

28. In response, Messrs Tong Kai Hong Anthony and Arnett Edwards, the applicant's representatives, made the following main points:

- (a) there was no scope of increasing LPCUWC's admission capacity as no additional hostel could be built within the Site. The proposed extension building was intended to serve teaching purpose of LPCUWC and provide short courses to other local school students. No additional full-time student would be admitted upon its completion;
- (b) LPCUWC was one of the 18 UWCs worldwide, and over half of its student intakes were nominated by other countries to study in Hong Kong. LPCUWC was not in the same market segment as other commercially-run

international schools in Hong Kong in that it was giving out a large amount of scholarships to students who could not afford school fee for international schools. LPCUWC had always been able to achieve full admission. While some of the overseas students could not come to Hong Kong due to the recent pandemic situation, the places were filled up by local students;

- (c) as LPCUWC had provided accommodation for all 256 students, 28 teachers and their families in the campus, a direct comparison with other international schools could not be made. However, as the school was developed in early years, some of the facilities would need to be upgraded so as to meet the state-of-the-art requirements;
- (d) short courses would be charged on the user-pay principle;
- (e) some of the short courses would be conducted in weekday afternoons when the full-time students went out of the campus to participate in outreach activities; some would be conducted in weekends such that full-time students could also participate; and some would be conducted during the summer break when almost the entire school was vacated. Boarding for visiting students on short courses would only be possible during the summer break. The applicant's initial thinking was that the duration of the short courses would be around five days to one week;
- (f) LPCUWC was determined to run the short courses and had engaged in talks with partnering schools and relevant government departments. However, no visiting student number was available at the moment;
- (g) the proposed extension building would be used by both the full-time students and visiting students from outside schools. For example, the school had no music space at the moment and hence the Music and Performance Art Room on L4 of the proposed extension building would be used by the full-time students. The Peace Education Workshop would mainly be used by visiting students from outside schools; and

- (h) apart from visiting artists and musicians, the ancillary accommodation would also serve short-term teachers for bridging courses, and overseas alumni volunteers assisting the school in peace and sustainability education.

Alternative Locations/Built Forms of the Proposed Extension Building

29. Some Members raised the following questions on alternative locations/built forms of the proposed extension building to the applicant's representatives:

- (a) noting that most of the buildings within the Site were low-rise, whether consideration had been given to increasing the BH of the existing buildings instead of applying for minor relaxation of BHR for the proposed extension building;
- (b) noting that the application for minor relaxation of BHR was only 9.1m, the reason why an additional 3-storey building would be needed if the minor relaxation of BHR was not allowed;
- (c) whether some floors of the proposed extension building, say the ancillary accommodation on L6 and the peace education workshop on L5 could be accommodated elsewhere within the Site with a view to minimizing the extent for minor relaxation of BHR;
- (d) whether the applicant had explored all parts of the U-shaped platform around the knoll for developing the proposed extension building;
- (e) whether the footprint of the proposed extension building could be extended westwards over the downslope area and the entrance road with a view to lowering the site formation level and reducing the overall BH;
- (f) noting the present segregation between residential and academic zones, whether the proposed ancillary accommodation on L6 for visiting musicians and artists would better be accommodated in the residential zone instead;

- (g) comparison of the duration and magnitude of disturbance to students of constructing the proposed 6-storey extension building or two 3-storey extension buildings;
- (h) whether there was any plan to develop the small vegetated knoll to the immediate southeast of the proposed extension building; and
- (i) the state-of-play of the two future expansion sites for the proposed Black Box Theater and Science Block for STEM (Science, Technology, Engineering and Mathematics) education.

30. With the aid of some PowerPoint slides, Messrs Tong Kai Hong Anthony, Arnett Edwards and Tam Hon Wah Billy and Ms Lam Chin Chin, the applicant's representatives, made the following main points:

- (a) the existing school buildings were built with limited funding and to heights compatible with that of the woodland. There was no spare capacity in the foundation for additional loading, and this constraint had been confirmed by the applicant's consultants, Ronald Lu & Partners (HK) Limited. In addition, it would have practical difficulties to carry out construction works on top of the existing buildings during the normal school days when students were studying/living inside;
- (b) s.9(3)(a) of the Education Regulation (Cap. 279, section 84) required the floor-to-ceiling height of classrooms to be not less than 3m, resulting in a minimum floor-to-floor height of 3.3m. While some of the new schools had adopted a general floor-to-floor height of 3.5m to 3.6m, the proposed extension building had kept that to the minimum requirement as far as possible. Taking into account the floor-to-floor height requirement and the BHR of 42mPD on the OZP, constructing the proposed extension building on the 30.6mPD platform at the southern part of the academic zone could only accommodate three teaching floors and an additional building would be required to accommodate the top three levels (L4 to L6) of the original proposal;

- (c) relocating some of the floor spaces of the proposed extension building to another location would result in more visitor movements around the Site which would be difficult to manage. It would also reduce the efficiency in terms of land use and sharing of facilities (such as information technology facilities), thus increasing the costs substantially. In addition, L1 to L3 of the proposed extension building were intended as a functional extension of the corresponding floors of the southern wing of the main building. The proposed multi-purpose area on L1 was intended to have the least amount of rooms/walls and the best connection with the outdoor environment, and hence, most suitable for students' activities on the ground floor. The applicant had already lowered the overall BH of the proposed extension building from 52.4mPD to 51.1mPD by reducing the floor-to-floor height of the music and performing art room on L4 by 1m and the ancillary accommodation on L6 by 0.3m. Further reduction in the floor-to-floor height would not be ideal to meet the functional purposes;
- (d) the applicant had indeed explored all parts of the U-shaped platform for developing the proposed extension building, and the more feasible options were presented in the submission already. The provision for Emergency vehicular access (EVA) was a key factor dictating the layout of the proposed extension building. Regardless of the location of the additional 3-storey building under the 42mPD BHR scenario, the associated EVA would require felling most of the trees on the small knoll and the U-shaped platform. As the woodland within the Site was LPCUWC's main attraction over other schools, particularly as outdoor environmental/sustainability teaching spaces, the School would like to retain as many trees on-site as possible under the proposed development;
- (e) the area to the west of the proposed extension building was a vegetated slope which provided a green buffer between the access road and the building. The narrow strip of land might not be enough for development. Besides, the visual impact of the building when viewed from the entrance area might be more significant;

- (f) the provision of an ancillary accommodation floor was a convenient and economical add-on to the proposed school extension building. It would enable direct interaction and dialogue between LPCUWC's students and travelling musicians and artists. Besides, the residential zone had been fully occupied and it would be difficult to build an additional block therein;
- (g) in general, foundation works was the most time-consuming part of school development. The 6-storey extension building under application, with a minimal footprint and requiring less amount of geotechnical works, could be completed within about 2.5 years. On the other hand, a larger building footprint or two 3-storey buildings would necessitate more geotechnical works and might take three to four years to complete. The amount of disturbance to students would increase accordingly;
- (h) LPCUWC had no plan to develop the small vegetated knoll to the immediate southeast of the proposed extension building at the moment; and
- (i) the proposed Black Box Theater and Science Block for STEM education were still at the conceptual/fund-raising stage and would take more than ten years to materialize.

31. A Member enquired about PlanD's views on the feasibility of lowering the site formation level to reduce the BH of the proposed extension building or the development of two 3-storey extension buildings within the 42mPD BHR. In response, Ms Jessica H.F. Chu, DPO/STN, PlanD, said that the Site, with an area of about 5.64 ha, was large and the lease allowed a site coverage (SC) of 25%. The SC of the existing LPCUWC campus together with the proposed extension building would only be 20.4%, and hence, PlanD was of the view that there was still scope and flexibility for carrying out the proposed extension project without resorting to minor relaxation of BHR.

Visual Impact and Landscape Issue

32. Some Members raised the following questions on the visual impact of the proposed extension building:

- (a) whether and how the proposed extension building would cause visual impact on nearby residents, particularly in the light of adverse public comments from residents of 'Double Cove'; and
- (b) whether the proposed extension building would be visible from the public carpark along Lok Wo Sha Lane in front of 'The Entrance' if its BH was 42mPD.

33. With the aid of some PowerPoint slides, Ms Jessica H.F. Chu, DPO/STN, PlanD, made the following main points:

- (a) in assessing the visual impact of a proposed development, only views from vantage points accessible by the general public would be considered. The views from a particular private development would not be the main concern; and
- (b) the applicant had not submitted any photomontage for the scenario of 42mPD for the proposed extension building. Given the dense vegetation along the boundary of the Site as shown in VP1 on Drawing R-3 of the Paper, the proposed extension building would unlikely be visible from the public carpark along Lok Wo Sha Lane in front of 'The Entrance' if its BH was 42mPD.

34. Mr Tam Hon Wah Billy, the applicant's representative, supplemented that the applicant did not have any photomontage for the scenario of developing the proposed extension building to 42mPD in hand. Judging from VP1 on Drawing R-3 of the Paper, the proposed extension building would be lower than the tree tops, though parts of the building might be visible through the leaves and branches when viewed from the public carpark along Lok Wo Sha Lane in front of 'The Entrance' if its BH was 42mPD.

35. Some Members raised the following questions on the landscape issue to the applicant's representatives:

- (a) noting that the mature trees on-site were mainly common species (白千層 *Melaleuca cajuputi*) imported from Australia which were of low ecological value and not biodiversity-friendly, would the applicant reconsider the option with a lower BH and a larger footprint and replacing the felled trees with native species where appropriate;
- (b) whether the possibility of terrace/rooftop greening had been explored by the applicant to minimize the visual intrusion of the proposed extension building to nearby residents; and
- (c) the rationale of providing a wooden landscape deck when minimisation of tree felling was the applicant's important consideration.

36. With the aid of some PowerPoint slides, Messrs Tong Kai Hong Anthony and Tam Hon Wah Billy, and Ms Lam Chin Chin, the applicant's representatives, made the following main points:

- (a) according to the applicant's assessment, the trees on-site were not Old and Valuable Trees (OVTs). That said, if the mature trees were felled, any compensation planting would need a long time to mature to a similar state as the present. Besides, extensive tree felling was not in tandem with the school's emphasis on sustainability;
- (b) the proposed extension building would adopt a sloping roofline design to tally with that of the existing main building. There was ample space at the terraces on the upper three levels for landscaping to extend the greenery upwards. Since the terraces were higher than the existing trees, the landscaping would enjoy more sunlight for better growth to camouflage the building structure; and

- (c) as tree felling was required for the provision of the EVA, a landscape deck was proposed to alleviate the adverse impact by providing a cozy environment for students' hanging-out and discussion. Most of the trees would be preserved and allowed to 'penetrate' through the landscape deck. Wooden planking of the deck would be provided to facilitate the movement/placement of small furniture for visiting students who might not be accustomed to sitting on grass and mud.

BHRs and Minor Relaxation of BHR

37. Some Members raised the following questions on BHRs in the area and minor relaxation of BHR for the proposed extension building:

- (a) the rationale of BHRs for the Ma On Shan area and the sites in the vicinity;
- (b) the reason for the abrupt change in BHR from 95mPD for 'The Entrance' to 36mPD for the adjoining 'Symphony Bay';
- (c) noting that there were much higher existing and planned developments around the Site, whether there was any particular planning reason to impose a BHR of 42mPD for the Site and whether the BHR was applicable to the whole LPCUWC site;
- (d) whether there was any ceiling on the minor relaxation of BHR sought; and
- (e) whether relaxing the BHR from 42mPD to 51.1mPD for the proposed extension building would affect the stepped BH profile in the area.

38. With the aid of some PowerPoint slides, Ms Jessica H.F. Chu, DPO/STN, PlanD, made the following main points:

- (a) when the OZP was first gazetted in 1991, there was no development restriction on the "Government, Institution or Community" ("G/IC") zone. BHRs were imposed on the development zones of the OZP in 2009 to curb

the proliferation of extremely high and incompatible buildings at random locations. The general intention was to adopt a stepped BH profile descending from the town centre/gateway nodes in the inland towards the sea. The BHRs for “G/IC” zones mainly reflected the existing and planned BHs of developments to provide visual and spatial relief to the high density developed area. In the coastal sites, the BHRs for the “Recreation” zone at Whitehead was 30mPD and for the “G/IC” zone for the Cheung Muk Tau Holiday Centre for the Elderly was 32mPD. The Committee had recently approved a proposed school development (Application No. A/MOS/125) with a BH of 34mPD further east of the Site at Nai Chung;

- (b) the BHRs imposed on developments completed before 2009 (e.g. ‘Symphony Bay’) largely reflected the height of the completed developments, which were relatively lower in BH. ‘The Entrance’ on the other hand, was rezoned from “Open Space” to “Residential (Group B) 5” in 2014 to increase the housing supply and a higher BHR of 95mPD was needed to achieve a plot ratio of 3.6;
- (c) in-principle approval was given by Executive Council to grant the Site (i.e. the application site) to LPCUWC in 1989, and a BHR of 42mPD was imposed under the lease alongside with gross floor area and SC restrictions. The BHR of 42mPD stipulated on the OZP had taken into account both the lease restriction and the existing height of the buildings on-site. The BHR was applicable to the entire LPCUWC site;
- (d) minor relaxation clause in respect of BHRs was incorporated into the Notes of the OZP in order to provide flexibility for developments/redevelopments with planning and design merits, and the criteria for consideration of such applications were stipulated in paragraph 7.6 of the Explanatory Statement of the OZP. There was no hard and fast rule to determine what percentage of minor relaxation of BHR was acceptable, and each application would be considered based on its own impacts and planning/design merits. In recent years, the Board had considered and approved a number of similar applications for minor relaxation of BHR for educational institutions,

including Applications No. A/K18/314 (Munsang College, 2015), A/K4/69 (City University of Hong Kong, 2018) and A/K18/329 (Hong Kong Baptism University, 2019). In all of the three cases, there were planning/design merits to justify the application for minor relaxation of BHR; and

- (e) although the proposed BH of 51.1mPD for the proposed extension building would still be much lower than the BHR of 95mPD for 'The Entrance' to the immediate south of the Site and might not affect the stepped BH profile of the area, planning/design merits should be provided by the applicant to justify the application for minor relaxation of BHR.

Planning/Design Merits

39. Some Members raised the following questions to the applicant's representatives:

- (a) planning/design merits of the application to the community, if any, to justify the application for minor relaxation of BHR; and
- (b) while LPCUWC's community serving aspiration was appreciated, whether the music/art exchange activities by visiting musicians/artists and the proposed Black Box Theater would be open to members of the public or students from other schools.

40. In response, Messrs Tong Kai Hong Anthony and Arnett Edwards, the applicant's representatives, made the following main points:

- (a) LPCUWC's mission of nurturing more young people to become world citizens was in itself a planning merit. It had all along been the school's intention to open its facilities to the public for shared use and to enhance their understanding of the World through interaction with the school's students. LPCUWC had already been opening its facilities to the public mainly through its outreach services and cooperation with other schools on education programmes. However, the school needed additional floor spaces to pursue this mission and address the existing shortfall in certain

facilities. The proposed extension could help achieve that objective by providing more short courses to local students and its current location could facilitate the opening up of the building for public enjoyment and minimizing people movement within the campus for easy management; and

- (b) music/art exchange activities by visiting musicians/artists were indeed targeted for students from both LPCUWC and other schools. LPCUWC also committed to open the entire proposed extension building and the proposed Black Box Theater to the public for enjoyment of music and art events. The proposed Black Box Theater was a long-term project and the applicant's initial idea was that after its day-time teaching function, the theater could be open at night for local music events such as Chinese Opera. Before the proposed Black Box Theater was developed, it was expected that the music and performance art room on L4 of the proposed extension building could provide some performance spaces in the near future.

41. The Chairperson and some Members raised the following questions to PlanD's representative:

- (a) noting that the applicant could develop the proposed extension building with a larger footprint without the need to apply for minor relaxation of BHR, though with a less preferred design, whether it could be considered as a planning merit if the applicant strived to avoid the adverse landscape impacts by adopting a higher BH for the proposed development; and
- (b) whether the voluntary setback of buildings from the "CA" and "SSSI" zones could be considered as a planning merit.

42. In response, Ms Jessica H.F. Chu, DPO/STN, PlanD, made the following main points:

- (a) planning merits were generally referred to the design of the building or facilities provided that were beneficial to the general public. While planning permission was not required for school use within the Site with BH

up to 42mPD, the applicant would need to submit a revised Master Layout Plan as required under the lease and any tree felling would also require the approval from the Director of Lands; and

- (b) while a larger voluntary setback of buildings from the “CA” and “SSSI” zones was welcomed, it should be noted that the Site had an area of about 6 ha and a SC of 25% was permitted under the lease. There should still be scope within the Site to accommodate the proposed extension building before resorting to relaxation of BHR.

Others

43. A Member asked whether the “SSSI” zone next to the Site could be accessed from the School. In response, Mr Arnett Edwards, the applicant’s representative, said that as there was a fence between the School and the “SSSI” zone, direct access to the “SSSI” zone from the School was not possible. Ms Jessica H.F. Chu, DPO/STN, PlanD, supplemented that the Nai Chung SSSI, which was of geological interest, was designated in 1982. It might be accessible via the beach of Starfish Bay

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

[Dr Frankie W.C. Yeung joined the meeting and Messrs Alex T.H. Lai, Thomas O.S. Ho and Philip S.L. Kan left the meeting during the Question and Answer session. Mr Andy S.H. Lam left the meeting at this point.]

[The meeting was adjourned for a 10-minute break.]

Deliberation Session

45. The Chairperson summarized that the BHR of 42mPD was imposed at the Site taking into account the lease restriction, the height of the existing buildings at the Site and the stepped BH profile of the area. As long as the low-rise character of the Site and the overall stepped BH profile of the Ma On Shan area were preserved, minor relaxation of the BHR could be favourably considered if the criteria for consideration of such applications as indicated in the Explanatory Statement (ES) of the OZP was met. She then invited views from Members on the review application.

46. Some Members considered that the application could be supported for the following reasons:

Insignificant Visual Impact

- (a) an increase in BH of 9.1m for the proposed extension building was insignificant when compared with the high-rise developments to the south of the Site. Minor relaxation of the BHR to 51.1mPD for the proposed extension building was still compatible with the surrounding developments and stepped BH profile in the area;
- (b) given that a standard school normally had a BH of 8 storeys, the development of a 3-storey extension building at Site A would not be cost-effective and had not optimized the use of land resources;
- (c) while part of the proposed extension building would be visible from areas outside of the Site after minor relaxation of BHR to 51.1mPD, the visual impact could be alleviated by vertical greening and roof-top landscaping. Relevant approval conditions could be imposed to address the concern of the nearby residents if the application was approved;

Minimization of Landscape Impact and Disturbance to School Operation

- (d) the location for the proposed extension building was reasonable in terms of its connection with the existing teaching block. Given the site constraints, minor relaxation of BHR would help minimize the footprint of the proposed extension building and the extent of site formation works, and hence reducing tree felling and adverse landscape impact on the Site;
- (e) despite the trees at the Site were not OVTs or important species, the teachers and students of LPCUWC might have emotional connection with the trees and the natural environment. Extensive tree felling within the Site was not desirable;
- (f) for school extension project, a key consideration was to minimize the disturbance of the construction works to school operation and students by separating the work site from the existing buildings and minimizing the construction time. Since each student would only be studying in the school for two years and the construction time would hinge on the extent of site formation works, compliance with the BHR by lowering the site level or adopting a larger building footprint, which would result in more site formation works and a longer construction time, might not be the best solution;

Planning Merits

- (g) as school project was different from other commercial or residential redevelopments, it might not be realistic to expect similar planning/design merits that could be provided by commercial/residential developments. The provision of more education facilities was itself a community gain. Besides, if effort had been made by the applicant to minimize loss such as tree felling arising from the proposed development, it could also be considered as a planning merit;

- (h) LPCUWC was opened to the public and the applicant had promised to further open up the school for public use upon completion of the proposed extension building. Subject to more details on the arrangement for opening up the proposed extension building for public use, it could be considered as a planning merit;
- (i) LPCUWC was different from other commercially run international school and there was a lack of such unique education services in Hong Kong. Its contribution to nurture students with world vision could also be considered as a planning merit in a wider context; and
- (j) should the application be approved, approval conditions on the opening hours for school facilities for public use, designation of the vegetated knoll as Non-Building Area, preservation of trees and introduction of local species trees, as well as enhancement of the building design to reduce visual impact on the surrounding area could be imposed. If such conditions could be achieved, the concerns over exceedance of the prescribed BHR would be mitigated.

47. Some Members, on the other hand, did not support the application for the following reasons:

Site Utilization

- (a) the applicant had not provided convincing justifications on the selected location for the proposed extension building. The Site had not been fully-utilized and there were areas reserved for the long-term expansion of the school (e.g. proposed Black Box Theatre and Science Block) but without a concrete programme. As the allowable SC had not been fully utilized, the applicant should explore the feasibility to optimize the use of the vacant areas before applying for minor relaxation of BHR for the proposed extension building;

Precedent Effect

- (b) allowing minor relaxation of BHR for the proposed extension building at the Site might set an undesirable precedent for similar applications at other parts of the Site which, on a cumulative basis, might cause further adverse visual impact on the surrounding area. The application should better be considered in context after the applicant had provided a comprehensive plan for school expansion with proposed BH for other new developments being contemplated for the campus, albeit for implementation in the longer term;

Planning/Design Merits

- (c) the applicant had not provided sufficient planning/design merits to justify the application for minor relaxation of BHR for the proposed extension building in accordance with the criteria for consideration of such applications as indicated in the ES of the OZP. For instance, while opening of the school campus for public use could be considered as a planning merit, the applicant had not provided concrete arrangement in the opening of school facilities for public use, nor provided sufficient information to demonstrate the relationship between the planning merits and the minor relaxation of BHR sought;
- (d) the applicant had not provided sufficient information to demonstrate that there were design merits in the proposed development. Even though the applicant's representatives had suggested at the meeting that further greening in the form of vertical greening could be provided, there was no concrete proposal. It was also not clear how the proposed extension building could blend in with the natural environment and mitigate adverse visual impact on the surrounding areas; and
- (e) the woodland in the campus was mostly planted with non-native species. The applicant had exaggerated its ecological value and inappropriately cited such a factor as an excuse of not exploring other suitable locations for accommodating the proposed extension building. Although tree felling

was generally not encouraged, such non-native species were not ecologically significant and need not be preserved at all costs. If the applicant was indeed minded to minimise disturbance to the woodland, it should consider if opportunity would be taken to introduce more local tree species in the development of the proposed extension building and in so doing improve the overall ecological value of the campus. This would be a more proactive way in enhancing our natural environment and could be considered as a planning merit.

48. A member was of the view that opening of the school campus to the public should not be considered a planning gain because it was not consequential to and was not physically related to any minor relaxation of BHR.

49. A Member enquired whether the Board could approve minor relaxation of BHR to a lower BH than what the applicant had applied for. In response, Mr Raymond K.W. Lee, the Director of Planning, advised that the Board should only consider the proposal as submitted by the applicant. It would not be appropriate for the Board to stipulate a BH not submitted by the applicant.

50. Noting that the SC of the Site had not yet been fully utilized, a Member enquired whether there was a need to fully utilize the SC before application for minor relaxation of BHR could be favourably considered. In response, the Secretary advised that the SC restriction was included in the lease but not stipulated on the "G/IC" zone on the OZP, which covered the Site. For the subject "G/IC" zone, only BHR was imposed. For consideration of application for minor relaxation of BHR, the criteria set out in paragraph 7.6 of the ES of the OZP were relevant.

51. In response to the Chairperson's question as to whether planning merit must be related to 'benefits for the public', the Secretary said that while the word 'public' was not expressly mentioned in paragraph 7.6 of the ES, according to the established practice, the planning merits usually have a 'public' dimension, and provision of G/IC facilities was generally regarded as a planning merit. The Chairperson asked if the planning merits could be considered from a wider perspective. The Vice-chairperson pointed out that while planning merit for the public was not specifically mentioned in the criteria, all of the criteria in paragraph 7.6 of the ES were related to the benefit for the general public and the community at large.

While he agreed that a more flexible approach could be adopted for application related to G/IC uses, the applicant had not provided sufficient planning merits in support of the subject application, as noted in paragraph 47 above.

52. In response to the Chairperson's enquiry, Mr Raymond K.W. Lee, the Director of Planning, said that while there was provision under the Notes of the "G/IC" zone for minor relaxation of BHR, the proposal would need to be considered having regard to the relevant criteria as set out in the ES of the OZP. Though he was sympathetic to the application, he agreed with some Members' view that the applicant had not provided strong justification on the need for minor relaxation of BHR. In particular, there were vacant areas within the campus. Although the applicant explained that these areas were reserved for long term expansion of the school, there was a lack of details on their programme. Moreover, details on the arrangement of opening school facilities for public use and design measures to minimize visual impact to the surrounding area, which might to a certain extent be considered as planning/design merits of the proposal, were not available. He agreed with the recommendation of the Paper and did not support the review application.

53. The Chairperson concluded that Members' arguments for and against approval were quite finely balanced, yet a decision had to be made and a greater number of Members did not support the review application. While the applicant's intention to provide more education facilities was appreciated, the applicant had not yet provided strong justifications and demonstrated planning and design merits for the proposed minor relaxation of BHR. The applicant could take note of Members' concern and submit an improved scheme for the Board's consideration. In particular, the applicant should provide a comprehensive school expansion plan including not only the more imminent development but also the initial thinking on those developments being contemplated for the longer term on the reserved/vacant sites, particularly whether minor relaxation of BHR would also be required for those developments in the longer term, such that the Board could consider the application for the Site in context. Besides, the applicant could provide more information on planning/design merits including information on the detailed arrangements for the opening of facilities for public use, design measures to minimize visual impact to the surrounding area as well as proposals for tree preservation and enhancement of the natural environment, taking into account Members' comments in paragraph 47.

54. After deliberation, the Board decided to reject the application on review for the following reason:

“the applicant fails to provide strong justifications and demonstrate planning and design merits for the proposed minor relaxation of building height restriction for the proposed school extension development.”

[Mr Wilson Y.W. Fung returned to join and Mr Peter K.T. Yuen, Mr Stephen L.H. Liu, Dr Lawrence W.C. Poon and Professor Jonathan W.C. Wong left the meeting during the deliberation session.]

Agenda Item 5

[Open Meeting]

Request for Deferment of Review of Application No. A/NE-LYT/720

Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lot 586 S.B RP in D.D. 85, Lau Shui Heung, Fanling
(TPB Paper No. 10701)

[The item was conducted in Cantonese.]

55. The Secretary reported that on 19.11.2020, the applicant wrote to the Secretary of the Town Planning Board (the Board) and requested the Board to defer making a decision on the review application for another two months to allow sufficient time to prepare further information (FI) and to liaise with the Lands Department. This was the third request for deferment of the review application.

56. Members noted that the justifications for deferment met the criteria 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 to address the departmental comments, the deferment period was not indefinite and the deferment would not affect the interests of other relevant parties.

57. After deliberation, the Board decided to defer a decision on the review application for two months as requested by the applicant pending the submission of FI from the applicant. The Board agreed that the review 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 review 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 FI. Since it was the third deferment and that a total of six months had been allowed for preparation of submission of FI, no further deferment would be granted unless under very special circumstances.

[Dr Frankie W.C. Yeung, Dr C.H. Hau, Miss Winnie W.M. Ng, Mr Daniel K.S. Lau, Professor John C.Y. Ng, Dr Jeanne C.Y. Ng, Mr Ricky W.Y. Yu, Dr Venus Y.H. Lun, Mr C.H. Tse and Mr Andrew C.W. Lai left the meeting at this point.]

Sai Kung & Islands District

Agenda Item 6

[Confidential Item][Closed Meeting]

58. This item was recorded under confidential cover.

Agenda Item 7

[Confidential Item][Closed Meeting]

59. This item was recorded under confidential cover.

Agenda Item 8

[Confidential Item][Closed Meeting]

60. This item was recorded under confidential cover.

Agenda Item 9

[Confidential Item][Closed Meeting]

61. This item was recorded under confidential cover.

Agenda Item 10

[Open Meeting]

Any Other Business

[The meeting was conducted in Cantonese.]

62. The Vice-chairperson suggested that it might not be necessary to table hard copy of draft minutes which had already been sent to Members via email before the meeting. Members generally agreed that there was no need to distribute the hard copy of the draft minutes to Members with immediate effect unless upon request.

63. The meeting was closed at 4 p.m.