

**Minutes of 1321st Meeting of the
Town Planning Board held on 19.7.2024**

Present

Permanent Secretary for Development
(Planning and Lands)
Ms Doris P.L. Ho

Chairperson

Mr Stephen L.H. Liu

Vice-chairperson

Mr Daniel K.S. Lau

Mr K.W. Leung

Professor Jonathan W.C. Wong

Professor Roger C.K. Chan

Dr Venus Y.H. Lun

Mr Ben S.S. Lui

Mr Timothy K.W. Ma

Professor Bernadette W.S. Tsui

Dr C.M. Cheng

Mr Daniel K.W. Chung

Professor B.S. Tang

Professor Simon K.L. Wong

Mr Simon Y.S. Wong

Mr Derrick S.M. Yip

Chief Traffic Engineer/New Territories West
Transport Department
Ms Carrie K.Y. Leung

Assistant Director (Environmental Assessment)
Environmental Protection Department
Mr Terence S.W. Tsang

Director of Planning
Mr Ivan M.K. Chung

Deputy Director of Planning/District
Ms Donna Y.P. Tam

Secretary

Absent with Apologies

Ms Sandy H.Y. Wong

Mr Stanley T.S. Choi

Mr Ricky W.Y. Yu

Mrs Vivian K.F. Cheung

Mr Vincent K.Y. Ho

Ms Kelly Y.S. Chan

Dr Tony C.M. Ip

Mr Ryan M.K. Ip

Mr Rocky L.K. Poon

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

Director of Lands
Mr Andrew C.W. Lai

In Attendance

Assistant Director of Planning/Town Planning Board
Ms Caroline T.Y. Tang

Chief Town Planner/Town Planning Board
Mr Rico W.K. Tsang

Senior Town Planner/Town Planning Board
Mr L.K. Wong

1. The meeting was resumed at 2:30 p.m. on 19.7.2024.

Fanling, Sheung Shui and Yuen Long East District

Agenda Item 1

[Open Meeting]

Confirmation of Minutes of the 1321st Meeting held on 28.6.2024, 2.7.2024, 3.7.2024 and 4.7.2024

[The item was conducted in Cantonese.]

2. The draft minutes of the 1321st meeting held on 28.6.2024, 2.7.2024, 3.7.2024 and 4.7.2024 were confirmed without amendment.

Agenda Item 2

[Closed Meeting]

Consideration of Representations in respect of the Draft San Tin Technopole Outline Zoning Plan No. S/STT/1, the Draft Mai Po and Fairview Park Outline Zoning Plan No. S/YL-MP/7 and the Draft Ngau Tam Mei Outline Zoning Plan No. S/YL-NTM/13
(TPB Paper No. 10973)

[The item was conducted in Cantonese.]

Deliberation Session

3. The Secretary reported that Members' declaration of interests had been made in the morning session of the hearing on 28.6.2024 and was recorded in the relevant minutes of meeting. In addition, Ms Kelly Y.S. Chan had declared that she was a member of the Hong Kong Housing Authority, a member of its Strategic Planning Committee and the chairperson of its Audit Sub-committee. Members noted that as the interests of Ms Kelly Y. S. Chan were considered direct, she was not invited to join this meeting.

4. The Secretary said that all Members attending the subject deliberation session had

participated in all or part of the four-day hearing sessions, and Members should apprise themselves of the views expressed during the four-day hearing, particularly the part they did not attend, through reading the minutes circulated to Members before the meeting.

5. The Chairperson said that the hearing sessions for the consideration of the representations on the draft San Tin Technopole Outline Zoning Plan (OZP) No. S/STT/1 (STT OZP), the draft Mai Po and Fairview Park OZP No. S/YL-MP/7 (MP OZP) and the draft Ngau Tam Mei OZP No. S/YL-NTM/13 (NTM OZP) (collectively the draft OZPs) were held on 28.6.2024, 2.7.2024, 3.7.2024 and 4.7.2024, and relevant minutes of the meeting were confirmed under Agenda Item 1. The meeting would now proceed to the deliberation of the representations. The Chairperson then invited the Secretary and Mr Terence S.W. Tsang, Assistant Director (Environmental Assessment), Environmental Protection Department (AD(EA), EPD) to briefly recapitulate background of the draft OZPs, major views/grounds/proposals of the representers in their written and oral submissions, responses from relevant Government bureaux/departments (B/Ds) and the Planning Department (PlanD)'s recommendations.

6. With the aid of a PowerPoint presentation, the Secretary recapitulated the following main points covered in the hearing sessions:

Background

- (a) the STT OZP, which replaced the then San Tin OZP, was prepared to take forward the development of San Tin/Lok Ma Chau area of San Tin Technopole (STLMC area). Consequential to the preparation of the STT OZP, the NTM OZP was amended to excise the northern part of the area for incorporation into the STT OZP (Amendment Item A of NTM OZP). Amendments to the MP OZP included incorporation and rezoning of parts of the then San Tin OZP to "Other Specified Uses" annotated "Wetland Conservation Park" ("OU(WCP)") (Amendment Item A1 of MP OZP), as well as rezoning of some areas within the MP OZP to "OU(WCP)" (Amendment Item B of MP OZP) to facilitate development of the Sam Po Shue Wetland Conservation Park (SPS WCP). An area of the then San Tin OZP was incorporated into the MP OZP and retained as "Conservation Area" ("CA") (Amendment Item A2 of MP OZP);

- (b) in addition to the excision of part of the NTM OZP for incorporation into the STT OZP, a site abutting San Tam Road had been rezoned from “Residential (Group C)” to “Government, Institution or Community (1)” with stipulation of a building height restriction (BHR) of 10 storeys to facilitate the development of a residential care home for the elderly (RCHE) under the approved section 12A application No. Y/YL-NTM/9 (Amendment Item B of NTM OZP); and a site had been rezoned from “Comprehensive Development Area” to “Green Belt” (“GB”) to reflect the existing condition of the site (Amendment Item C of NTM OZP);
- (c) BHRs and/or non-building areas (NBAs) were imposed on the development zones of the STT OZP to protect areas with ecological concerns, enhance air ventilation, provide visual and spatial relief, and preserve the overall townscape;
- (d) during the two-month statutory exhibition period, 1,543, 1,101 and three representations were received on the STT, MP and NTM OZPs respectively;

Supportive Representations in respect of STT OZP and MP OZP

Innovation and Technology (I&T) Development

Major Grounds/Views

- (e) the San Tin Technopole (the Technopole) development was in line with ‘Outline of the 14th Five-Year Plan for National Economic and Social Development of the People’s Republic of China and the Long-Range Objectives Through the Year 2035’ (the National 14th Five-Year Plan), the ‘Outline Development Plan for the Guangdong-Hong Kong-Macao Greater Bay’ and the Northern Metropolis Development Strategy (NMDS) in supporting Hong Kong to develop into an international I&T centre;
- (f) the Technopole, located at a strategic location, could create synergy effect with Shenzhen’s I&T Zone in attracting talents and global I&T enterprises, as well

as fostering I&T collaboration in the Greater Bay Area (GBA) and internationally;

- (g) the Technopole would address the shortage of I&T land and create a comprehensive I&T ecosystem with upstream, midstream and downstream processes (including research, prototyping, pilot testing and production) in taking forward new quality productive forces (新質生產力), sustaining internal economic cycle (經濟內循環) and fostering the development of ‘South-North dual engine (Finance-I&T)’ (「南金融、北創科」) in the territory;
- (h) the trade should be consulted on their requirements;
- (i) there was a call for Government’s policies and measures to facilitate cross-boundary commuting of I&T talents and data flow, along with an urge for early implementation of the Technopole;

Responses from Government B/Ds

- (j) the supportive views were noted;
- (k) the Innovation, Technology and Industry Bureau (ITIB)’s consultancy study on I&T development plan, which aimed to recommend specific I&T uses in the I&T value chain for different land parcels for “Other Specified Uses” annotated “Innovation and Technology” (“OU(I&T)”) zones, would be completed this year;
- (l) various measures, such as construction of a cross-river footbridge at the Loop connecting the I&T parks in Hong Kong and Shenzhen and establishment of designated channels for I&T talents at immigration control points, were being explored. In 2023, ITIB signed the “Memorandum of Understanding on Facilitating Cross-boundary Data Flow within the Greater Bay Area” (《促進粵港澳大灣區數據跨境流動的合作備忘錄》) to facilitate the cross-boundary flow of personal information and actively promote cross-boundary

exchanges of data within the GBA;

- (m) site formation and infrastructure works excluding pond-filling works were aimed to commence in end 2024, with the first batch of I&T land expected to be available by 2026/27 and the full completion of the Technopole by 2039;

Adverse Representations in respect of STT OZP and MP OZP

I&T Development

Major Grounds/Views

- (n) the location, scale and need for I&T development were not justified;
- (o) there was inadequate statutory control on the uses and development parameters in the Notes of the STT OZP for the “OU(I&T)” zone;
- (p) alternative locations, such as the “GB” zone at Tit Hang in Planning Area 30 of the STT OZP, the area to the south of San Tin Highway, traditional industrial areas like Kwun Tong and brownfield sites, could be considered for I&T uses without involving filling of ponds;

Responses from Government B/Ds

- (q) the shortage of land, which was evident in high rental cost and occupancy rate of existing I&T sites, had led to a bottleneck limiting further I&T growth. Timely supply of sufficient I&T land would be vital to support a complete I&T ecosystem comprising upstream, midstream and downstream processes. The proximity of the STLMC area to the Loop would create synergy effect for I&T development, facilitating cross-boundary collaboration with Shenzhen’s I&T Zone, the GBA and the world;
- (r) BHRs and/or NBAs were stipulated/designated on the STT OZP while a gross floor area (GFA) of 5.7 million m² and about 6,400 talent accommodation units

for the “OU(I&T)” zone were stated in the Explanatory Statement (ES) of the STT OZP. A three-level control was recommended for the implementation of the “OU(I&T)” zone, which included (i) stipulation of key development parameters on the OZP, (ii) preparation of a Planning and Design Brief (PDB) for the Town Planning Board (the Board/TPB)’s consideration after consultation with relevant stakeholders, including professional institutes; and (iii) based on the PDB, project proponents to prepare and submit Master Plan for consideration and approval by a designated committee under the Development Bureau (DEVB). The final PDB would be attached to an Outline Development Plan and made available for public reference. The requirement for submission of the Master Plan would also be stipulated in the future leases;

- (s) among the alternative locations considered, substantial capital cost and a longer construction period would be necessary for developing Tit Hang, given its uphill location, steep terrain, limited access, presence of permitted burial grounds and a Grade II historic building (i.e. Lok Ma Chau Police Station) as well as its impact on birds’ flight paths. The area to the south of San Tin Highway was planned for the provision of housing and/or community supporting facilities as part of the Technopole development. Piecemeal floorspace at scattered premises in traditional industrial areas like Kwun Tong would not be sufficient to foster a complete I&T ecosystem. Over 100 hectares (ha) of brownfield sites in San Tin would be resumed and/or cleared by the Government for taking forward the Technopole development;

[Dr Venus Y.H. Lun joined the meeting during the presentation on I&T development.]

Environment and Ecology

Major Grounds/Views

- (t) the Technopole development was not in line with the national policy of ecological conservation and commitment, the spirit of the Wetland Conservation Law of the People’s Republic of China (PRC) and the national strategy for protection of wetlands/coastal management under the National 14th

Five-Year Plan. It would also cause disturbance to the Mai Po Inner Deep Bay Ramsar Site (the Ramsar Site), thereby violating the Ramsar Convention;

- (u) a new environment impact assessment (EIA) was not conducted despite an increase in the development area for the Technopole as compared to the original proposal. The EIA process lacked transparency and the EIA Report was not scientifically sound, up-to-standard or in line with the requirements under the Environment Impact Assessment Ordinance (EIAO). The implementation and monitoring mechanism for the approval conditions imposed under the Director of Environmental Protection (DEP)'s approval of the EIA Report, including the implementation arrangement of the SPS WCP, was uncertain;
- (v) the EIA Report violated the principle of the 'precautionary approach' and 'no-net-loss in wetland' stipulated in the Town Planning Board Guideline for Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance (TPB PG-No. 12C). There was also a lack of conservation elements in zonings within the Wetland Conservation Area (WCA) and Wetland Buffer Area (WBA);
- (w) the area of the SPS WCP was reduced as compared to that stipulated in the NMDS;
- (x) the BHRs and various zonings on the STT OZP did not take into account the birds' flight paths. The proposed development would lead to felling of trees, permanent loss of bird's breeding grounds and disruption of birds' flight corridors/paths;
- (y) the design of the wildlife corridor should be enhanced and there was no wildlife corridor connecting to Ngau Tam Mei area;

Responses from Government B/Ds

- (z) the Technopole development was consistent with the spirit of Wetland Conservation Law of PRC in terms of minimising encroachment onto the

wetlands and implementing necessary measures to mitigate the adverse impacts on the ecological functions of the wetlands, such as the establishment of the SPS WCP. The Ramsar Site was left untouched in its totality under the proposed development in the STLMC area;

- (aa) owing to geographical constraints (e.g. surrounded by mountains), some fish ponds/wetlands, including those of inactive or abandoned fish ponds/wetlands, would need to be filled to provide sufficient land for clustered I&T development;
- (bb) the extent of the SPS WCP in the NMDS announced in 2021 was conceptual for illustration purpose only and the suitability of all relevant areas for inclusion in the SPS WCP was yet to be assessed at the time of the NMDS announcement. Subsequent study revealed that the extent of the SPS WCP proposed in the NMDS had included areas which should not have been included, such as the existing Lok Ma Chau Boundary Control Point and wetlands being used for ecological compensation for other projects. The Agriculture, Fisheries and Conservation Department (AFCD) had commissioned the ‘Strategic Feasibility Study on the Development of the Wetland Conservation Parks System under the Northern Metropolis Development Strategy’ to work out recommendations on development and implementation of the WCPs system including the SPS WCP;
- (cc) while the TPB PG-No. 12C, as connoted by its title, should only be applicable to planning applications within the WCA and WBA, the principle of ‘no-net-loss in wetland’ required under the Guidelines had been adopted in conducting the ecological impact assessment under the EIA. Of the 150 ha of WCA and 97 ha of WBA covered within the STLMC area, about 160 ha were brownfield sites, filled fishponds and built-up areas such as the existing Lok Ma Chau Boundary Control Point. The remaining approximately 90 ha consisted of fish ponds were proposed to be filled for the Technopole development. About half of the ponds to be filled had no fishing activities or had been abandoned for years with relatively low ecological value;
- (dd) the imposition of BHRs on the zonings of the STT OZP had taken into account ecologically significant resources, including birds’ flight corridors/paths and

egretries. A 300m-wide birds' flight corridor with stringent BHRs and imposition of NBA was reserved in the northern part of the STLMC area. A 35m-wide NBA and a 70m-wide NBA along the northern boundary of Planning Areas 19B and 19C and on the eastern side of Planning Area 19C on the STT OZP were designated respectively to protect birds' flight corridors/paths to the pond areas in the SPS WCP. Approval conditions under the EIA Report required the Civil Engineering and Development Department (CEDD) to prepare amongst other things Bird-friendly Design Guideline, as well as a Tree Compensatory Planting Implementation Plan before commencement of construction of relevant parts of the proposed development; and

- (ee) a Detailed Design Plan for the establishment of wildlife corridors in the STLMC area would be prepared before commencement of construction works, and specific enhancement measures, such as artificial holt and floating platform, would also be adopted to facilitate the movement of Eurasian Otters. As there was no fragmentation to the "GB" zones crossing between Ngau Tam Mei and STLMC area, no further construction of a wildlife corridor was required.

7. With the aid of a Powerpoint presentation, Mr Terence S.W. Tsang, AD(EA), EPD supplemented the following main points regarding the EIA:

- (a) the EIA Report for the STLMC area was endorsed unanimously by the Advisory Council on the Environment (ACE) on 22.4.2024, and subsequently approved with conditions by the DEP on 17.5.2024. The EIA process was scientific, professional and comprehensive. The EPD fully considered the comments received during the public inspection and consulted the respective B/Ds;
- (b) the EIA Report strictly complied with the Technical Memorandum on the Environmental Impact Assessment Process and the respective EIA Study Brief. Adjustment to the boundary of the development area was common during the study process. The EIA Study Brief was still considered applicable for the expanded project area in view that (i) the assessment area had been extended in accordance with the expanded project area, with the scope of the EIA

covering all the potential environmental issues that needed to be assessed; and (ii) the study approach and methodology remained valid. It was also relevant to note that during the publication of the EIA Report for public inspection, no public comments were raised about missing any environmental issues that needed to be addressed;

- (c) the baseline ecological survey was based on monthly bird count data gathered by the Hong Kong Bird Watching Society (HKBWS) and was supplemented with survey data referenced from previously approved EIA reports and literature. Four large waterbird species with high disturbance sensitivity were selected as indicator species using the pond habitats to be mitigated in the EIA. This approach ensured that similar or higher levels of enhancement for other less sensitive wildlife species could be achieved. Despite some critics pointing out that the photos in the EIA Report did not match the names of the birds, subsequent rectifications had been made, which did not affect the validity of the assessment and the overall results and conclusion of the report;
- (d) after reviewing the EIA Report in detail, the DEP agreed with the proposed mitigation of the ecological and fisheries impacts arising from the development of the STLMC area. The calculation in the EIA concluded that wetland enhancement by 45% within 253 ha of 'ecologically enhanced fish ponds' and 35 ha of 'enhanced freshwater wetland habitat' would sufficiently compensate for the loss brought by the development of the Technopole. Proposed ecological enhancement measures included consolidating smaller and fragmented fish ponds into larger waterbodies, creating habitat islands, reprofiling pond banks, managing and sequencing pond drain-down in the dry season, providing fencing to reduce disturbance from human activities and feral dogs, etc. and, when necessary, fish-stocking method would be adopted. Based on the monitoring conducted by HKBWS, the fishpond drain-down measure was proved to be effective, which could help increase the number/species of birds up to many times; and
- (e) the project proponent, CEDD, was required to submit various detailed design and implementation plans to implement the ecological

mitigation/enhancement measures. These plans included the Habitat Creation and Management Plan (HCMP) and a Bird-friendly Design Guideline. No commencement of pond filling works in the STLMC area would be allowed before constructing the ecologically enhanced fish ponds at the SPC WCP in 2026/27. A working group between CEDD and AFCD (as SPS WCP's project proponent) would be set up to monitor the progress of pond filling in the STLMC area and the implementation works of the SPS WCP. An Environmental Committee with members from relevant government departments, green groups and academics would be set up to monitor the effectiveness of the implementation of the proposed ecological mitigation/enhancement measures. Wetland enhancement measures including removal of *Sonneratia* (海桑), improvement of tidal channels and interim wetland enhancement, e.g. restoration of abandoned fish ponds in Inner Deep Bay would be implemented earliest at the start of 2025 wet season to improve water quality and increase food sources for birds.

8. The Secretary continued her presentation and made the following main points:

Urban-rural Integration

Major Grounds/Views

- (a) the tangible and intangible cultural heritage of the villages could not be preserved adequately and better integration of new developments with existing village and natural resources should be promoted;
- (b) the road alignment of Roads L6/L7 to the north and east of the "Village Type Development" ("V") zone of Shek Wu Wai (石湖圍) had imposed adverse impact on the village settlement of Shek Wu Wai including the existing cultural facilities such as shrines at roadside. Similarly, the new Chau Tau South Road (i.e. proposed Road L21) was too close to the village settlement of Chau Tau village (洲頭村);

- (c) the proposed developments near Chau Tau village would affect the rights of indigenous villagers and/or their commercial uses/activities;
- (d) the proposed I&T developments with high-rise buildings did not respect the low-rise and low-density village environment and the proposed data centre would lead to environmental and health issues;
- (e) there were concerns regarding land resumption, compensation and rehousing for the affected non-indigenous villages, such as Ha Wan Tsuen (下灣村);

Responses from Government B/Ds

- (f) the proposed developments of the STLMC area would not intrude on the original “V” zones and the “V” zones on the STT OZP generally remained unchanged. The recognised villages would be retained and benefited from the provision of government, institution and community (GIC) facilities and infrastructure services brought by the Technopole development. The cultural heritages and historic buildings of the villages would be preserved, refurbished and promoted;
- (g) the affected shrines had been assessed in consultation with the Antiquities and Monuments Office under the ‘Investigation Study for First Phase Development of the New Territories North – San Tin/Lok Ma Chau Development Node’ (the Investigation Study). No significant adverse impact was identified on known or potential cultural heritage resources. The project team would continue to communicate with the affected villagers to work out optimised arrangements to resolve the issues including preserving the shrines as far as possible. Mitigation measures such as noise barriers, low-noise generation paving materials and buffer amenity areas would be implemented to mitigate the potential impacts of the roads on the villages;
- (h) ‘House (New Territories Exempted House) only’ use was always permitted in the “V” zone. Selected commercial and community uses serving the needs of the villagers and supporting the village development were also always permitted

on the ground floor of the New Territories Exempted House;

- (i) the technical assessments demonstrated that there would be no adverse air ventilation and visual impacts on the local neighbourhoods, with implementation of appropriate mitigation measures. Suitable open space or amenity areas would be provided on the periphery of the “V” zone. A PDB would be prepared to incorporate planning, design and environmental requirements and to address interface issues between existing villages and the surrounding developments;
- (j) there were enhanced ex-gratia compensation and rehousing arrangements under the prevailing mechanism. Besides, the Government’s community liaison and service team would provide assistance in land resumption and/or rehousing matters;

Planning, Design and Technical Concerns

Major Grounds/Views

- (k) the public-to-private housing ratio of 70:30 should be adjusted, and more private housing should be provided;
- (l) there were insufficient GIC facilities, open space and car parking spaces to meet the demand arising from the Technopole;
- (m) there were insufficient land/multi-storey buildings (MSBs) planned for modern industries accommodating brownfield operation in the STLMC area;
- (n) public transportation and infrastructure were inadequate to serve the Technopole development, especially during population/employment intake in 2031;
- (o) there were no effective measures to tackle flooding problem and extreme weather conditions. The design of the two drainage channels should facilitate recreational uses;

- (p) there were concerns on the air ventilation and glare impacts, the absence of information on carbon neutrality, and potential risk of landslide near Tit Hang;

Responses from Government B/Ds

- (q) the public-to-private housing ratio of 70:30 was a planning assumption adopted for estimating the land requirement and conducting relevant technical assessments under the Investigation Study. The actual public-to-private housing ratio would be determined at a later stage, taking into account the changing circumstances, social aspiration and development needs. A sensitivity test had been carried out, which demonstrated the feasibility of increasing private housing if necessary;
- (r) the planned provision of GIC facilities and open space was generally adequate to meet the requirements of the Hong Kong Planning Standards and Guidelines and relevant Government B/Ds;
- (s) three “Other Specified Uses” annotated “Logistics, Storage and Workshop” sites (about 17 ha) were reserved on the STT OZP for modern industries and brownfield operations;
- (t) a comprehensive public transport network with railway as the backbone and multi-tier public transport systems consisting of three railways, four roads and seven pedestrian crossings with/without cycle tracks (including one proposed landscaped deck) across the San Tin Highway/Fanling Highway was planned. Feeder services to nearby railway stations would be provided during the interim period before the Northern Link (NOL) Main Line was put in place in 2034;
- (u) the Drainage Services Department’s latest standard (i.e. up to 200-year return period), raising ground level by 2m (i.e. 6.5mPD) and the ‘sponge city’ concept were adopted (e.g. integration of ponds and flood retention ponds/lakes into San Tin Eastern Main Drainage Channel (STEMDC) and San Tin Western Main Drainage Channel (STWMDC)) to enhance flood protection and climate

resilience;

- (v) no adverse air ventilation impact was anticipated with the implementation of appropriate mitigation measures, such as imposition of BHRs, designation of NBAs, as well as preservation of breezeways and view corridors. The preparation of a Bird-friendly Design Guideline for buildings within the STLMC area was required as one of the approval conditions under the EIA Report. Smart, green and resilient (SGR) initiatives would be adopted to achieve zero net carbon emission by 2050. A comprehensive assessment would be conducted at detailed design stage to ensure slope stability;

Representers' Major Proposals

- (w) greater flexibility in the uses should be allowed for the "OU(I&T)" zone and housing options of I&T professionals (e.g. 'Flat' (not specifying staff quarters)/ 'House' uses should be permitted);
- (x) development restrictions should be stipulated for the "OU(I&T)" zone;
- (y) the proposals included protection of birds and wildlife species, avoidance of pond filling and expansion of the NBAs (e.g. provision of a 1,200m-wide NBA at the northern part of STT OZP). They also included adoption of more stringent BHRs and density control (e.g. a BHR of 3 storeys and 5 storeys for buildings within 300m to 500m and further 300m to 500m respectively, and outside the birds' flight corridors), as well as reversion of areas zoned "OU(I&T)" to their original zonings, etc.;
- (z) the area of the SPS WCP should be increased to the original proposal as in the NMDS in 2021. Amendment Item A1 of the MP OZP should be rezoned to conservation-related zoning(s), and the permitted uses under the "OU(WCP)" zone should be more restrictive such as moving the 'On-Farm Domestic Structure' use to Column 2;
- (aa) more flexibility should be provided in "V" zone, or the restrictions for "V" zone

should be relaxed. A 30m-wide transitional area bordering the “V” zone with another BHR to control building heights to less than 15m should be implemented;

(bb) the sites specific rezoning proposals included:

- (i) rezoning a site in Planning Area 1A on the STT OZP to co-locate the Fire Services Department’s workshop and indoor sports centre with residential development;
- (ii) consolidating and rearranging various land parcels in Planning Areas 19C, 20 and 21 on the STT OZP, and re-designing the road alignments to the north of San Tin Highway;
- (iii) rezoning a site zoned “OU(WCP)” to the west of Yau Mei San Tsuen on the MP OZP to “Residential (Group C)” (“R(C)”) with inclusion of area zoned “CA” for wetland restoration area, adopting a “biodiversity-net-gain” approach;
- (iv) increasing the plot ratio of the “Other Specified Uses” annotated “Comprehensive Development and Wetlands Restoration Area” (“OU(CDWRA)”) zone on the MP OZP to the north of Wo Shang Wai and Royal Palms;
- (v) proposing that the “Residential (Group A)1” zone in Planning Area 1B to be swapped with the area zoned “V” in Planning Area 6C on the STT OZP;
- (vi) retaining the existing agricultural farms in Planning Area 7 and rezoning them as “Agriculture” on the STT OZP, and allowing community farming/agricultural uses to the areas zoned “Open Space” (“O”) on the STT OZP;
- (vii) converting the existing Lychee Orchard zoned “OU(I&T)” in Planning

Area 16B on the STT OZP to the east of Chau Tau into a natural park;
and

- (viii) rezoning the STEMDC and STWMDC to “Other Specified Uses” annotated “River Park” (“OU(River Park)”) or “O” on the STT OZP;
- (cc) the non-site specific proposals on the STT OZP included adoption of meandering boundaries for the areas between the SPS WCP and development sites to enhance integration with the natural environment (e.g. nature-based solutions, boardwalks and viewing decks strategically placed with wetlands and fishponds, higher degree of building height variation and diverse landscape typologies), and the formulation of urban design guidelines and urban-rural integration requirements for incorporation into the Notes of the relevant “OU(I&T)” zones;

Responses from Government B/Ds

- (dd) complementary non-I&T uses to support future businesses and workers related to I&T development had been incorporated as Column 1 uses of “OU(I&T)” zone on the STT OZP, which were always permitted. Various housing options, including talent accommodation, were planned;
- (ee) while BHRs and/or NBAs were stipulated/designated on different “OU(I&T)” zones on the STT OZP with a view to preserving birds’ flight corridors/paths and ensuring harmony with the wetland setting and adjacent villages, greater flexibility would be allowed for different I&T uses to be identified at a later stage. The PDB covering the I&T sites and taking into account various factors including but not limited to the development restrictions/requirements and relevant recommendations to be suggested under ITIB’s consultancy study on the I&T industry development plan for the STLMC area, would be prepared;
- (ff) according to the approved EIA Report, no-net-loss in ecological function and capacity of the wetlands concerned had been achieved. The representers’ proposals would undermine the development potential and capacity of the area

and were not supported by any technical assessments;

- (gg) the implementation of the SPS WCP was intended to ensure the adoption of a proactive conservation approach to achieve no-net-loss in ecological function and capacity. It would be established on the Government-controlled land, and the Government would exercise its statutory power to resume private land in the SPS WCP area. The existing restrictions stipulated in the “OU(WCP)” zone were not expected to result in uncontrolled or unmanaged uses adversely affecting the wetlands. ‘On-Farm Domestic Structure’, being a Column 1 use of the “OU(WCP)” zone, could provide appropriate support to the farmers of the existing or future fish ponds;
- (hh) selected commercial and community uses serving the needs of the villagers and supporting village development were always permitted on the ground floor of a New Territories Exempted House. Technical assessments had already been conducted under the Investigation Study, which demonstrated that the proposed developments in the STLMC area, with appropriate mitigation measures, would not generate adverse air ventilation and visual impacts on the local neighbourhoods and surrounding areas. A PDB would take into account potential impacts on the village, planning, design and environmental requirements and interface with villages in consultation with relevant stakeholders/professional institutes;
- (ii) the representers’ proposals were not supported by any technical assessments to ascertain feasibility and possible impacts. Should the representers wish to pursue the proposals further, they could submit section 16 or 12A application for the Board’s consideration. Regarding the proposal of retaining the existing agricultural farms, those existing farms would be fronting the future San Tin Station and were therefore considered not desirable. With the relaxation of the definition of “Open Space” to include urban farm, urban farming would be integrated with open space or public parks that had been reserved in abundance in the STLMC area. Regarding the proposed zoning of “OU(River Park)”, it was considered that given that STEMDC and STWMDC were zoned “Other Specified Uses” annotated “Amenity Area” and “O” respectively on the STT

OZP, a specific zoning was considered not necessary;

- (jj) some suggestions on the urban design and urban-rural integration aspects from professional institutes could be further investigated. The Government would consider consulting the professional institutes as appropriate in formulating the PDB before submitting it for the Board's consideration;

Representations in respect of NTM OZP

Supportive Representation

Major Ground/View

- (kk) Amendment Item C involved rezoning of a site to "GB" and would provide environmental protection and enhance the habitat connectivity. Nevertheless, it would also result in the isolation of the zone, surrounded by the high-rise buildings;

Response from Government B/Ds

- (ll) the "GB" site was covered by vegetation, located within a permitted burial ground, and formed part of a larger "GB" zone to the southwest. BHRs were imposed on the surrounding development areas to protect the "GB" site with ecological concerns, enhance air ventilation, provide visual and spatial relief, and preserve the overall townscape of the STLMC area;

Adverse Representations

Major Grounds/Views

- (mm) the excision of the northern part of the then NTM OZP (Amendment Item A) for incorporation into the STT OZP would lead to devastation of the area;
- (nn) the proposed RCHE under the approved section 12A application No. Y/YL-

NTM/9 (Amendment Item B) would be subject to environmental, noise, visual and fire safety impacts. It should comply with relevant guidelines in respect of natural lighting and ventilation;

Responses from Government B/Ds

- (oo) the excision of land for incorporation into the STT OZP was to facilitate development of the Technopole. Areas which were mainly woodland and grassland or and located within permitted burial grounds were retained as “GB” on the STT OZP; and
- (pp) various technical assessments had been conducted by the applicant of the section 12A application No. Y/YL-NTM/9, which demonstrated no insurmountable impact of the proposed RCHE.

PlanD’s Recommendations

- (qq) having taken into account the supportive and adverse views of the representers on the draft OZPs, as well as the responses from relevant Government B/Ds, PlanD recommended the Board:
 - (i) to note the supportive views;
 - (ii) not to uphold the adverse representations; and
 - (iii) to agree that the draft OZPs with the Notes and ES (revised as appropriate for STT OZP) were suitable for submission to the Chief Executive in Council (CE in C) for approval; and
- (rr) in order to address the concerns on detailed design and implementation, and interfaces of the development sites and wetlands, a PDB would be formulated setting out the planning and design requirements of the I&T land, which would be submitted to the Board for consideration before promulgation. The ES for STT OZP would be amended to incorporate the PDB and other relevant

requirements. Other views or suggestions related to the detailed design and implementation of the Technopole would be conveyed to DEVB for follow-up with relevant Government B/Ds.

9. The Chairperson thanked the Secretary and Mr Terence S.W. Tsang, AD(EA), EPD for their presentations. The Chairperson said that the development of the STLMC area was the first landmark project of the North Metropolis (NM) going through the plan-making process after the announcement of the NMDS. It was also significant in providing a critical mass of land for clustered I&T developments around the strategically important Loop to drive innovations, create synergy with the Loop and Shenzhen and broaden Hong Kong's economic base. Majority of the representers supported the I&T development in the Technopole while some had differing views on the need to fill the ponds for I&T development at the location. Some representers from the I&T sector expressed in the hearing that the existing I&T land in Hong Kong (e.g. the Hong Kong Science Park and Cyberport) was almost fully utilised. There was a compelling need to provide more land for the development of the I&T industry to attract tech giants and drive down business costs for start-ups to establish their presence in Hong Kong. Adopting the avoidance approach at the planning stage, as many as brownfield sites, fallow agricultural lots, etc that could be identified and considered suitable had been reserved for I&T development. Alternatives such as levelling the Tit Hang were studied and considered not viable. Given various planning, geographical and other constraints, pond filling of a reasonable scale was required to cater for the I&T development of the desired scale.

10. The Chairperson said that the ecological loss of pond filling had been assessed in the EIA undertaken for the STLMC development, which recommended amongst other things establishing the SPS WCP to compensate for the ecological loss on a no-net-loss basis. According to the presentation by Mr Terence S.W. Tsang, AD(EA), EPD, the EIA had been completed with careful examination of the concerned environmental and ecological issues in accordance with the EIAO. To address the ecological concern, particularly those from green groups, the Government committed that pond filling works would only be implemented after commencement of construction of the ecologically enhanced fishponds at the SPS WCP in 2026/27 and that ahead of the SPS WCP construction, wetland enhancement measures would be put in place. The Government also clearly indicated that the SPS WCP would be developed through land resumption, which would enable the Government to fully control and manage the land within the SPS WCP so as to enhance the ecological function of the wetlands.

11. The Chairperson further said that the Board had received many good suggestions via the representers' oral submissions in the hearing, such as those relating to urban-rural integration, the interfaces with the I&T sites and wetland, nature-based solutions, etc. In their responses, the project team indicated that those suggestions would be studied and explored for incorporation into the PDB with a view to improving the detailed planning and design, and the PDB would be prepared in consultation with relevant stakeholders including professional institutes, and submitted to the Board for consideration and approval. All future developments had to follow the requirements under the PDB and the project proponents had to prepare Master Plans for their developments in accordance with the PDB for consideration and approval by a designated committee under DEVB. Such intention and mechanism should be clearly stated in the ES of the STT OZP for public reference.

Clarifications on the Statutory Procedures for the Draft OZPs

12. In response to a Member's question on what changes to the development proposal would trigger further amendments to the draft OZPs, the Chairperson explained that further amendments to the draft OZPs and related statutory procedures would be required if the Board considered it appropriate to amend the plan and/or Notes of the OZP, such as any change to the zonings, zoning boundaries, BHRs, NBAs, Column 1 uses (uses always permitted) and Column 2 uses (uses requiring planning permission), to meet the representations. On the other hand, as the ESs did not form part of the draft OZPs, any revision to the ES of the STT OZP to set out details of the planning intention, control and requirements would not trigger the statutory procedures. In response to the Member's further question, the Chairperson said that if the Board considered it appropriate to move uses from Column 1 to Column 2 or to revise the boundary of an area shown as 'Road' on the draft OZP (e.g. Road L6) to meet the representations, such changes would constitute further amendments to the relevant draft OZP, meaning that further statutory plan-making procedures including publication of amendments for public comment and Board's consideration of further representations received would be required.

13. After the clarifications, the Chairperson then invited Members' views on the consideration of the representations.

General

14. Members generally supported the I&T development and noted that most of the concerns raised by the representers could be properly addressed, particularly through the preparation of the PDB to enhance the planning and detailed design. Majority of Members considered that the draft OZPs should not be amended but improvements could be made through the preparation of the PDB to provide proper guidance for development. One Member objected and another Member expressed reservation on the STLMC proposal mainly out of concern on the need for a large amount of land designated for I&T development at the proposed location, availability of I&T investment, ITIB's implementation plan, validity of the EIA Report, ecological value of the abandoned fish ponds, adequacy of buffer space between the Ramsar Site and the development, and likelihood of successful implementation of the SPS WCP.

15. The Vice-chairperson and some Members had the following general views:

New Town Development

- (a) the Technopole development was a visionary planning exercise creating a full-fledged new town not only to provide land for I&T development but also space for a quality living community with vibrant city life and wide-ranging public facilities to support the Technopole development;
- (b) the planning of the STLMC area also involved the development of a self-contained town centre, creation of a 'sponge city', green commuting, provision of blue-green features and better home-job balance;

Hearing Process

- (c) the hearing, attended by representers from various sectors of the community, provided Members with an opportunity to gain a better understanding of the issues concerning the STLMC development;
- (d) the liaison meetings held between the project team and green groups before the hearing were appreciated. While green groups might still maintain their

positions on the Technopole development, they would learn more about the issues and understand the Government's efforts in striking a balance between conservation and development, thereby facilitating an informed discussion in the hearing;

- (e) it was considered desirable for the Government to provide the public with more information in the process of taking forward the Technopole development to help build up community consensus; and
- (f) the Government's approach to incorporate as far as practicable the representers' views in the proposed development, where appropriate, at the detailed planning and design stage was supported. That said, it was considered not appropriate to meet the representations involving only villagers' local concerns (e.g. compensation and rehousing arrangement) being outside the ambit of the Board and some proposals not yet supported by technical assessments to demonstrate their suitability and feasibility.

I&T Development

Need for Land Reservation for I&T Development

16. The Vice-chairperson and most Members generally agreed that designation of I&T land in the Technopole was crucial to the overall development of Hong Kong, having regard to the following major considerations:

- (a) the Central Government had been placing I&T as the core of its overall development strategy and affirmed their support to develop Hong Kong as an international I&T centre;
- (b) Hong Kong could not rely on the traditional growth engines, particularly the property sector. I&T development was important in acting as a new driving force to facilitate the economic restructuring of the city. To that end, Hong Kong should provide a sizable amount of land for I&T development; and

- (c) the representers generally did not have any reservation on the need for I&T development.

Alternative Locations for I&T Development

17. A Member queried whether the project team had considered other alternative sites for I&T development, considering that accessibility rather than physical distance away from the Loop should be a key consideration for site selection. For example, the land in the southern part of the STLMC area could be used for I&T development.

18. The Chairperson said that the close proximity to the Loop would be essential to the successful development of the Technopole. The I&T development at the current strategic location could benefit from the locational advantages for cross-boundary co-operation/partnership while creating synergy effect and integrating with the Loop and Shenzhen's I&T Zone. It would be hardly to identify a site of similar size without controversy in Hong Kong.

19. Mr Ivan M.K. Chung, Director of Planning (DoP), supplemented that the development of the STLMC area was not a new planning proposal. The final recommendations of the strategic study "Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030" released in 2021 presented a strategic planning concept with two development nodes in Hong Kong, including Kau Yi Chau and STLMC development. The latter would be connected with an Eastern Knowledge and Technology Corridor extending from the Loop to the Tseung Kwan O Innopark. According to the NMDS released in 2021, the Loop was strategically located at the centre point of the GBA. However, the development at the Loop alone would not be able to provide adequate land for the I&T development. An extension from the Loop to the STLMC area would be necessary to achieve a cluster effect. In addition, land production in advance was considered necessary to cater for and benefit the development of Hong Kong.

20. Majority of Members concurred that from the perspective of NM development, the STLMC area, with its strategic location near the Loop and Shenzhen's I&T Zone, which would create synergy and cluster effects, making it suitable for the development of the Technopole. Some Members expressed that there was a lack of the details and technical assessments on the

alternative location at Tit Hang for I&T developments proposed by the concerned representer. Even if technically feasible, the alternative proposal would likely be less desirable than the current proposal, taking into account the construction cost and programme, road and infrastructural requirements, disturbance to the surroundings including birds' flight paths, etc.

Land Requirement

21. Regarding the land requirement for the I&T development, some Members raised the following concerns/queries:

- (a) as advised by the representatives from ITIB at the hearing, the I&T sites would mainly be used for prototype or application development, which would require limited land. It was anticipated that the floor space proposed for I&T land in the STLMC area in the form of high-rise buildings would likely be for office operation. In that regard, it was not clear whether it was well justified to create the 210 ha of I&T land at the expense of about 90 ha of fish ponds. While I&T development was pivotal to the economic growth and development of Hong Kong, it should not be taken as an overriding reason for filling of ponds. Information on the rationale behind should be provided to ease the public concern;
- (b) while investments from the western countries for I&T development in Hong Kong were limited at the moment, there would be competing demand for I&T investment within the Mainland. As such, the actual demand for I&T land was uncertain and there was concern about the designation of such sizable area for I&T use on the STT OZP;
- (c) ITIB should provide a road map or Master Plan for the whole "OU(I&T)" zone and implement the I&T development step by step. The implementation programme should prioritise the development of land without any fish ponds and no pond filling should commence until appropriate mitigation measures were in place. Such arrangements should be set out in the PDB; and
- (d) noting that Shenzhen's plan for the Hetao Shenzhen-Hong Kong Science and

Technology Innovation Co-operation Zone was promulgated on 6.7.2024, a Member considered that while the I&T development would be implemented by phases, the planning for the I&T development in the STLMC area should dovetail with the abovementioned Shenzhen plan. Other Members were of the view that 210 ha was not a particularly large amount of land, even for research and development. The availability of sizable I&T land would be instrumental in attracting I&T investment.

22. The Chairperson said that amongst planned developments involving I&T land, and the Technopole would be the major source of I&T land provision. Apart from the Technopole development, under the planning of the NM development, about 15 ha in Lau Fau Shan, Tsim Bei Tsui and Pak Nai areas would be designated for I&T development, which would not involve pond filling. Currently, full details of the I&T development in the STLMC area were yet to be available as ITIB's study on the I&T industry development plan was still ongoing, and expected to be completed in 2024. Having said that, the land use planning should not be put on hold to avoid unnecessary delay in the development process. Land production usually took considerable time, and many economic opportunities and investments had been missed in the past due to unavailability of land, thus stagnating development of Hong Kong. Any further unresponsiveness to economic opportunities would not be beneficial to the future development of Hong Kong. Majority of Members agreed that the land reservation for I&T development was needed and ITIB could be invited to brief the Board when the study on the I&T land was completed.

EIA

23. Noting that the project team repeatedly claimed that abandoned fish ponds were of low ecological value, but there was neither any concrete data nor further information provided in the hearing, a Member doubted whether a proper baseline survey had been undertaken and thus the validity of the EIA. The same Member further said that the ecological value of abandoned fish ponds was not necessarily low as pointed out by some representers. The EIA should contain information on the location of the abandoned fish ponds and assessed the ecological value of such ponds. The project team did not provide figures in that regard and further information was needed on the relationship between the 35 ha of 'enhanced freshwater wetland habitat' and the affected fish ponds with high ecological value.

24. The Chairperson remarked that in compliance with procedural propriety, the Secretary and Mr Terence S.W. Tsang, AD(EA), EPD were mindful not to divulge any new information to Members in their presentations by only recapitulating the major points presented/heard at the hearing sessions.

25. In response, Mr Terence S.W. Tsang, AD(EA), EPD made the following main points:

- (a) a baseline survey had been conducted under the EIA Study for the STLMC development;
- (b) although the development area had been expanded during the EIA Study, the baseline survey conducted for the EIA Study had already covered all the fish ponds to be filled under the current STLMC development proposal. The baseline survey focused on the ecological value of each surveyed pond, regardless of whether the pond was active, inactive or abandoned;
- (c) in addition to the information obtained from the baseline survey, the EIA Study had taken into account the survey data collected by HKBWS in the past five years as supplementary data;
- (d) for those ponds that were not accessible and where on-site survey could not be conducted (about 30% of the total surveyed ponds), the ecological value of such ponds was assessed based on their conditions (i.e. active/inactive/abandoned) with reference to those surveyed ponds with similar conditions;
- (e) according to the findings of the EIA Study, the fish ponds directly affected by the STLMC development footprint were largely of similar nature in terms of ecological habitat, and there were no important habitat/species found that required in-situ preservation. Therefore, no individual fish pond had to be specifically preserved. The EIA Study examined how to mitigate the loss of the ecological function and capacity of all affected fish ponds based on the

data gathered in the baseline survey and the HKBWS data;

- (f) the EIA Study recommended the adoption of active conservation to compensate for the loss of the ecological function and capacity of all affected fish ponds, including those of high ecological value. The compensation proposal was well-proven and supported by robust data; and
- (g) the methodology, survey findings and recommendations were all reported in the EIA Report.

26. The same Member noted that according to some representers' oral presentations in the hearing, some bird species were found in abandoned ponds. The project team did not provide responses to the representers' observation in the hearing but only highlighted that those species would be translocated.

27. In response, Mr Terence S.W. Tsang, AD(EA), EPD said that the presence of some species at a location did not necessarily indicate that it was an important habitat. For example, the ecological value of a pond used by an important species merely for traversing was considered lower than one used for roosting. As the ecological characteristics of the ponds in the STLMC area were similar and birds usually built new roosts each year, it would be relatively practicable to translocate important species, if any. The project proponent was required to undertake a detailed ecological survey before translocating various species and before the commencement of construction works.

28. The Vice-chairperson and some Members said that the Board was not bound to accept the Government's responses/recommendations. That said, taking into account the points presented by the project team and representers, the findings of the EIA Report were considered convincing. A Member reckoned that while EPD and the project team had provided persuasive explanations on the EIA matters, such explanations might not be conveyed to the opposing representers in the public domain. The Government should consider proactively disseminating more information and elaboration on the EIA to the public.

Ecology and Conservation

29. Two Members expressed that the filling of ponds should be undertaken in a prudent manner and raised the following concerns:

- (a) over time, the existing fish ponds within the STLMC area, including those abandoned, had evolved into a well-established habitat. Considering the experience from the Three Runway System of the Hong Kong International Airport project (the 3RS project), there was no occurrence of dolphins after the completion of the project. As such, a more prudent approach for the STLMC development should be adopted to prevent any irreversible risk;
- (b) it was not desirable to develop any land adjoining the Ramsar Site. There should be a large buffer area between the Ramsar Site and the proposed development; and
- (c) the successful implementation of the SPS WCP was uncertain as the relevant data provided by the project team was not considered very solid. The proposed mitigation measures might not be able to mitigate the impacts on the birds effectively.

30. The Vice-chairperson and majority of Members considered that through the establishment of the actively managed SPS WCP in accordance with the approval conditions of the EIA Report, the development proposal in the STLMC area should be able to strike a balance between development and conservation. Their major views were as follows:

- (a) according to Article 19 of the Wetland Conservation Law of the PRC, minimised pond filling within the STLMC area might be allowed if necessary mitigation measures were provided. Pond filling was not a no-go option but its implementation should be carefully assessed;
- (b) the Government had committed to resuming land to gain full control of the SPS WCP area for ecological conservation and active management, which would involve substantial resources. Such a commitment had never been

made before;

- (c) given the successful experience of the ecological mitigation measures undertaken by the MTR Corporation Limited for the construction of the Lok Ma Chau Spur Line project, the active conservation proposed by the project team would improve the ecology of the STLMC area;
- (d) the Government had committed to undertaking pond filling only after the commencement of the works for the SPS WCP in 2026/2027 and to implementing various proposed mitigation measures, as well as to setting up an Environmental Committee comprising relevant government departments, green groups and other stakeholders for advice and monitoring. The establishment of an Environmental Committee should aim to seek inputs/advice from green groups. If appropriate, consideration might be given to engage suitable green groups to manage the SPS WCP;
- (e) the Government should explore not only to compensate for but also enhance the ecological function and capacity to be affected in the area, and an enhanced ecology and environment would also improve the attractiveness of the area for investments in the Technopole development;
- (f) the long-term ecological risk of leaving the abandoned fish ponds unattended should not be overlooked, which might result in an increase in brownfield sites. Noting that many operators of the active fish ponds were elderly, it was likely that more fish ponds would be abandoned if there was no intervention. The Government should provide as soon as possible the management and financing mechanism for the SPS WCP to facilitate the successful implementation of the proposal; and
- (g) instead of an innovation hub, the Technopole development might be positioned as a world-class innovation and conservation hub.

31. The Chairperson said that the area was under development pressure. As noted by Members, without Government's positive intervention, whether the current condition of the

wetlands could be maintained was questionable. There was a genuine risk that the continuous abandonment of fish ponds might result in environmental degradation and proliferation of brownfield operations. As such, leaving the fish ponds unattended might not be a desirable approach in terms of conservation. On the contrary, under the current proposal, the Government had committed very substantial resources, including those for land resumption, for the active conservation of the wetlands in the area. Members might consider whether it would serve as a better alternative to the original non-intervention approach.

32. A Member indicated that for the 3RS project, a large marine park was proposed as a mitigation measure, which had been well supported by many stakeholders when it was proposed. Noting that the construction works for the 3RS project were still ongoing and dolphins were very sensitive to noise, including that generated by construction works, the effectiveness of the marine park as a mitigation measure might need to be assessed in a more objective manner for one or two years after the completion of all construction works. To a certain extent, green groups' criticism over the measure might be premature.

Transport

33. The Secretary reported that as observed in the hearing, the representers from Shek Wu Wai objected to the proposed alignment of Road L6 as it would affect the cultural features such as shrines and trees, which did not entirely fall within the area shown as 'Road' on the STT OZP. The project team had agreed to further liaise with villagers to explore the optimised arrangement to resolve the issues at the detailed design stage. Ms Carrie K.Y. Leung, Chief Traffic Engineer/New Territories West, Transport Department said that the road works in relation to Road L6 had been gazetted under the Roads (Works, Use and Compensation) Ordinance (the Roads Ordinance). It was understood that local objections to the gazetted road works had been received and the relevant government departments would follow up with the villagers of Shek Wu Wai to explore revision to the road design (e.g. realigning the carriageway by reducing width of footpath/planting area) so as to avoid impacts on the concerned cultural features of Shek Wu Wai.

34. A Member pointed out that if the road plan and scheme of Road L6 were amended and authorised under the Roads Ordinance, the amended road plan and scheme should be deemed to be approved under the Town Planning Ordinance (the Ordinance).

35. Regarding the public transport services, the Chairperson said that the STLMC area would be served by the San Tin Station of the NOL Main Line and the proposed station at Chau Tau of the NOL Spur Line. According to the information of the Transport and Logistics Bureau, the San Tin Station would be completed in 2034, which was in line with the major population intake of the STLMC development, while the completion date for the proposed station at Chau Tau was under study.

Submission of the draft OZPs for Approval in Part

36. A Member said that in view of the controversy over pond filling in the STLMC area, consideration should be given to undertaking the works by phases, with the non-controversial part near the Loop to be developed first. In that regard, the Board might consider seeking partial approval of the STT OZP by the CE in C for the non-controversial part. Another Member echoed and said that approval of the STT OZP in part for the non-controversial part might help address the concerns of some adverse representations.

37. Mr Ivan M.K. Chung, DoP, explained that the introduction of the provision for partial approval of an OZP was mainly to avoid the situation that when one or more amendment item(s) of a draft OZP was/were subject to judicial review (the JR items), the implementation of amendment items not related to the JR items was delayed by any Court's order staying the submission of the draft OZP to the CE in C for approval. For the STT OZP, it was a new OZP prepared for a new development area without individual amendment items and the whole development was supported by one set of technical assessments. Given that the technical assessments, including the proposed mitigation measures, were to support the proposed development in the STLMC area as a whole, it would be difficult to seek approval of a particular part of the STT OZP solely because that part of the draft OZP was less controversial. In addition, even if such partial approval was granted by the CE in C, the controversial part of the STT OZP was still required to be submitted to the CE in C for approval within the original statutory time limit under the Ordinance. It was doubtful whether the issues of the controversial part would be resolved shortly and become less controversial within the statutory time limit. As such, it might be not suitable to use the mechanism of approval in part in the current situation. If the Board considered appropriate to fine-tune the development proposals or proposed mitigation measures, such fine-tuning might be incorporated in the PDB to be formulated and stipulated

in the ES of the STT OZP.

38. The Chairperson said that as noted by Members, the current plan-making exercise involved three draft OZPs and the Technopole development would be taken forward in tandem with the implementation of the SPS WCP. It would be incumbent upon Members to balance different considerations including the call for I&T development and economic restructuring of Hong Kong, reasonableness of the extent of pond filling, adequacy of mitigation measures recommended in the EIA Report, etc. in deciding the way forward. From the overall development perspective, it might not be desirable to hold up part of the I&T development within the Technopole, while endorsing the SPS WCP's implementation in full swing, solely to forestall public controversy. She added that due to resource and other considerations, the Government would not implement the whole development in one go and the I&T land would be formed and come on stream by phases.

39. A Member opined that the approval in part of the draft OZP should not be pursued as it might undermine investors' confidence in investing in the Technopole development. The availability of a comprehensive plan outlining all I&T land provision within the area was crucial for attracting investments.

40. Majority of Members concurred that pond filling of a reasonable scale was acceptable for the provision of I&T land enabling clustered development, with the implementation of mitigation measures including the SPS WCP. Most of the conservation issues and proposals raised by the representers could be addressed through the preparation of the PDB which could guide future development in the STT OZP. Members also agreed that stakeholders should be further engaged in the PDB preparation to address related conservation concerns.

Development Control

41. Members generally agreed that the PDB, which would be prepared in consultation with stakeholders including professional institutes and should require the Board's approval, was a suitable means to safeguard appropriate planning and control over the proposed developments in the Technopole and address the public concerns. In particular, while flexibility should be allowed for various uses under the "OU(I&T)" zones, the development control on some uses,

such as off-course betting centre and private club, should be suitably tightened to reflect the planning intention through the PDB.

42. Members also agreed that the requirement for the preparation and approval of the PDB should be clearly set out in the ES of the STT OZP even though the ES did not form part of the statutory plan. The ES should also make clear that pond filling would not start before the commencement of the works for the SPS WCP in 2026/27. In response to a Member's question, the Chairperson explained that the relevant planning and design requirements to be specified in the PDB would be reflected in and enforced by the lease conditions of the related land grants.

43. Taking into account representers' views and proposals, Members agreed that the following issues/concerns in relation to the draft OZPs should be further explored and if appropriate, incorporated into the PDB as far as practicable:

General

- (a) incorporation of design enhancements raised by professional bodies in the Technopole development;

"OU(I&T)" Zones

- (b) provision of adequate details on the layout and design of the I&T development, including road network and open spaces;
- (c) provision of urban design guidelines for various zones;
- (d) incorporation of blue-green features in the Technopole development;
- (e) retention of fish ponds as much as possible when an opportunity arose;

Ecology

- (f) widening of the proposed birds' flight corridors at critical locations;

- (g) improvement of the connectivity of wetland corridors;
- (h) if possible, retention of the wetlands at the northwestern corner of the Technopole near Hop Shing Wai (合盛圍);
- (i) enhancement of the wildlife corridors for non-flying mammals such as otters;

Urban-Rural Integration

- (j) fine-tuning of the alignment and design of Road L6 to avoid causing adverse impact on Shek Wu Wai;
- (k) retention of some active farmland, including that near Shek Wu Wai, in the form of urban farm. In particular, consideration should be given to preserving the farmland in the southeast of Shek Wu Wai and the shrine at the location to retain the rural character;
- (l) introduction of agricultural/urban farming and fish pond activities in the proposed cultural facilities in Planning Area 7;
- (m) advancing the implementation programme for improvement works for concerned villages;
- (n) lowering of the BHRs for the developments fronting concerned villages;

Design

- (o) adoption of nature-based solutions in the proposed development, such as adjusting the boundaries for the areas between the SPS WCP and I&T developments based on the configuration of the existing fish ponds;
- (p) lowering/varying of BHRs and/or imposition of setbacks on sites adjacent to the NBAs, proposed SPS WCP and “V” zones;

- (q) moderating the differences in BHRs between the zones/sub-areas, including sites adjoining wetlands and villages;
- (r) provision of multi-functional green spaces;

Others

- (s) timely provision of transport services for the development; and
- (t) adoption of SGR measures to enhance drainage capacity and create a ‘sponge city’ in response to the increased flood risk and storm surge, as well as land reservation for installation of drainage facilities in the future.

44. A Member said that while the PDB approved by the Board would form a basis for subsequent land grants, allocation and implementation, it was necessary to ensure its relevance and applicability over the years before the full completion of the proposed development. It was suggested that the Board should be regularly updated on the latest approvals of Master Plans for major projects.

45. The Secretary reported that a Member who was not able to attend the meeting had expressed in-principle support to the draft OZPs and indicated that further enhancements to the proposed development should be required at the detailed design stage to incorporate suggestions received from the representers in the hearing, including preservation or relocation of the historical monuments in Shek Wu Wai, proper design of the drainage system in the area, further study on the birds’ flight corridors and BHRs on adjacent sites, and hiring specialists to manage the SPS WCP.

[Professors Jonathan W.C. Wong, Bernadette W.S. Tsui and Simon K.L. Wong and Messrs Daniel K.S. Lau, Timothy K.W. Ma and Simon Y.S. Wong left the meeting during the discussion.]

Conclusion

46. The Chairperson concluded that while two Members objected or had reservation on

the draft OZPs, majority of Members agreed that the STT OZP, MP OZP and NTM OZP should not be amended to meet the representations. All the grounds of the representations had been addressed by the responses from PlanD and relevant Government B/Ds as detailed in TPB Paper No. 10973 as well as the presentation and responses made by the government representatives in the hearing. In particular, the PDB proposal was considered a more appropriate means to address the representers' concerns.

47. The Chairperson also made the following points:

- (a) it was well understood that the filling of ponds for I&T development in the STLMC area was a very sensitive issue. While some representers might not totally agree with the findings of the EIA Report, the approved EIA Report had met all the requirements under the EIAO and the proposed mitigation measures with adoption of active conservation approach and a sound technical basis would ensure no-net-loss of the ecological function and capacity of the wetlands;
- (b) a number of affected fish ponds had no fish farming activities or had been abandoned for years. It was unlikely that those fish ponds would be reactivated or converted for other ecologically friendly uses. Leaving the fish ponds unattended would likely exacerbate the deterioration of the ecological and environmental quality. For those active fish ponds, many operators were already elderly and it was uncertain how long their operations would continue. Without proper management, those active ponds might ultimately become inactive or even abandoned in the future. In that regard, taking no action for those fish ponds did not seem to be a viable solution;
- (c) under the current proposal, the Government had made an unprecedented commitment to resume an extensive area of private land in the area and take up active management of the SPS WCP covering both government land and private land. It provided a favourable alternative to the no-action scenario in terms of ecological conservation;
- (d) regarding pond filling, the Government had committed that no pond filling

would be undertaken before the commencement of the works for the SPS WCP, which was currently scheduled for 2026/27;

- (e) although full support from green groups for the project was yet obtained, the four meetings previously held between the project team and green groups before the hearing were still well received. Such engagement should continue at the detailed design stage. Should the green groups participate in the Environmental Committee as recommended under the approval conditions of the EIA Report, it would be an opportunity for the project team to work with the concerned parties to achieve a better balance between development and conservation of the area;
- (f) Hong Kong had been lagging behind in land production that had constrained our economic and social development. Based on the past experiences, it would be too late to start creating land only when land demand was known to us. For Hong Kong to get prepared when opportunities were knocking our door and not to lose out in the global competition, we needed to adopt a forward-looking approach in land planning and production;
- (g) while the findings of the ITIB's study on the I&T industry development plan would only be available by end 2024, it would not be necessary to put on hold the planning of the STLMC development given its importance to Hong Kong's future I&T development. After the completion of the ITIB's study, ITIB would be invited to provide a briefing to the Board on the study's findings, which would not only serve as input for the preparation of the PDB but also be crucial for the implementation of the I&T development in the Technopole; and
- (h) the PDB would provide a suitable tool to incorporate appropriate proposals made by the representers (such as those pertaining to urban-rural integration) into the detailed planning and design of the Technopole development. It would help achieve a balance between development flexibility and planning control. To ensure its effectiveness, the PDB would require approval by the Board and also be incorporated in the relevant leases or land grant documents.

For the I&T sites, the project proponents would then be required to prepare Master Plans based on the PDB, which would be subject to approval by a designated committee under DEVB.

48. The Chairperson remarked that most of the Members agreed to revise the ES of the STT OZP to specify the preparation of the PDB and ensure that the Government would maintain communication with local villagers regarding the village facilities affected by the project, with a view to working out the appropriate arrangements. For the PDB, in addition to stipulating the planning, engineering and urban design requirements for individual I&T sites, the document would also feature other requirements and cover the following aspects in response to the representations so as to strike a better balance between conservation and development, including adherence to the planning intention of the I&T land, enhancement of the design of birds' flight and wildlife corridors and the improvement to the wetland habitat connectivity. To address the possible interface issues, the PDB would also pay heed to the preservation of the historical and cultural assets to promote urban-rural integration, and adjustments to the building heights and setbacks in the areas adjacent to the villages and SPS WPC. Adoption of the SGR measures to address the climate change such as the nature-based solutions and 'sponge city' concept, with integration of blue-green elements and other initiatives to encourage urban agriculture and diverse landscape, would also be covered in the PDB.

49. The Board also agreed to convey other views or suggestions related to I&T, environmental and ecological planning, financial arrangement, road alignment (e.g. Road L6), etc. to DEVB for follow-up.

For STT OZP and MP OZP

50. After deliberation, the Town Planning Board (the Board) noted the supportive views of **TPB/R/S/STT/1-R1 to R87, R88(part), R89, R90(part), R91(part), R92(part), R93(part), R94(part), R95(part), R96, R97, R98(part), R99(part), R100(part) and R101(part) of the draft San Tin Technopole Outline Zoning Plan (OZP) No. S/STT/1 (STT OZP)**, and those of **TPB/R/YL-MP/7-R1(part), R2, R3(part) and R8(part) of the draft Mai Po and Fairview Park Outline Zoning Plan No. S/YL-MP/7 (MP OZP)**.

51. The Board decided not to uphold **TPB/R/S/STT/1-R88(part), R90(part),**

R91(part), R92(part), R93(part), R94(part), R95(part), R98(part), R99(part), R100(part) and R101(part), R102, R104 to R1544 of the STT OZP and TPB/R/S/YL-MP/7-R1(part), R3(part), R4, R6, R7, R8(part) and R9 to R1102 of the MP OZP, and agreed that the STT OZP and MP OZP should not be amended for the following reasons:

“Innovation and Technology (I&T) Development

- (a) to take forward the national strategy to develop Hong Kong into an international I&T centre, the “Other Specified Uses” annotated “Innovation and Technology” (“OU(I&T)”) zones under the STT OZP seeks to create a critical mass to foster I&T advancement, meet the increasing demand of land for I&T development and deepen the I&T collaboration with the Mainland and the world. With its close proximity to the Hong Kong-Shenzhen Innovation and Technology Park in the Loop and the Shenzhen’s I&T Zone, the “OU(I&T)” zones under the STT OZP could achieve a clustering effect of the I&T industry in the San Tin Technopole (the Technopole) and Shenzhen promoting synergy;
- (b) to nurture a complete I&T ecosystem and build a dynamic and liveable community in the Technopole, sufficient flexibility has been provided for the “OU(I&T)” zones under the STT OZP to permit a wide range of uses and facilities. It is considered appropriate for “OU(I&T)” zones in different Planning Areas to have varying sizes so as to provide flexibility for I&T and its supporting uses. Alternative options of locating the major cluster of I&T land elsewhere have been explored, but not recommended due to various engineering, environmental and technical issues as well as reduction in development scale;
- (c) to take forward the I&T development in the area around San Tin/Lok Ma Chau (STLMC area), a Planning and Design Brief (PDB) will be prepared incorporating planning, design, engineering/infrastructure and other relevant requirements for individual I&T sites to provide guidance for the future developments and facilitate project proponents to prepare Master Plans. With the provision of flexibility for future I&T development and the proposed

mechanism of requiring submission of Master Plans based on the requirements set out in the PDB, it is considered not necessary to stipulate additional development restrictions/statutory requirements for the “OU(I&T)” zones of the STT OZP;

- (d) appropriate planning control on the provision of talent accommodation units has been incorporated in the STT OZP. The Notes of the STT OZP for the “OU(I&T)” zone allow the provision of talent accommodation units with ‘Flat (Staff Quarters only)’ included as a Column 1 use under the “OU(I&T)” zones. The Explanatory Statement (ES) of the STT OZP also provides guidance on the provision of talent accommodation units in terms of total gross floor area and number of units;

Environment and Ecology

- (e) the environmental impact assessment (EIA) Report for the STLMC area was endorsed with conditions and recommendations by the Advisory Council on the Environment (ACE) on 22.4.2024, and then approved with conditions by the Director of Environmental Protection (DEP) on 17.5.2024. It is noted that the EIA process is open, transparent, scientific, professional and comprehensive. It is also noted that in assessing the EIA Report, the Environmental Protection Department has thoroughly and carefully considered the statutory standards and requirements of the EIA Study Brief and Technical Memorandum on Environmental Impact Assessment Process (TM); public comments raised during the public inspection period; suggestions and data from green groups; supplementary information submitted by the Civil Engineering and Development Department (CEDD) upon request of EIA Subcommittee of the ACE; and endorsement conditions and recommendations raised by the ACE. Subject to the approval of the STT OZP and the MP OZP, CEDD will orderly and timely take forward various mitigation/enhancement measures proposed in the approved EIA Report and follow up on the approval conditions imposed by DEP as well as the recommendations from ACE;

- (f) the approved EIA Report and relevant technical assessments conducted under the 'First Phase Development of New Territories North – San Tin/Lok Ma Chau Development Node – Investigation' (Investigation Study) demonstrated that the proposed developments in the STLMC area, with the recommended enhancement/mitigation measures, would be technically feasible and ecologically and environmentally acceptable, and would not impose insurmountable impacts to the local neighbourhoods and surrounding areas;
- (g) the approved EIA Report has followed the principle in the order of 'avoidance', 'minimisation' and 'compensation' in accordance with the TM. The Ramsar Site will be left untouched in its totality under the proposed development for STLMC area, while the current ecological characters of the Ramsar Site will not be adversely affected by the proposed developments. The Agriculture, Fisheries and Conservation Department (AFCD) informed the National Forestry and Grassland Administration and the Secretariat of the Ramsar Convention about the development plan of the Technopole. Both took note of AFCD's position with no differing views expressed;
- (h) although the Town Planning Board Guidelines No.12C on Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance (TPB PG-No. 12C) only applies to the planning application falling within the Wetland Conservation Area and Wetland Buffer Area, the approved EIA Report for STLMC area has adopted the same principle of 'no-net-loss in wetland' through achieving no-net-loss in ecological function and capacity of the wetlands concerned in conducting the Ecological Impact Assessment under the EIA of the Investigation Study;
- (i) the planning of the STLMC area has taken into account ecologically significant resources, including the birds' flight corridors/paths and egeries. The current zonings and statutory development restrictions, including building height restrictions and non-building areas, under the STT OZP, together with the conditions attached to the approval of the EIA Report are considered sufficient and appropriate to preserve birds' flight corridors/paths and achieve design harmony with the wetland setting and adjacent villages.

Preservation of the core area of Mai Po Lung Village Egretty by designation of “Open Space” zone is considered appropriate. The Mai Po Village Egretty will also be retained;

- (j) ecological mitigation/enhancement measures are proposed in the approved EIA Report to minimise disturbance to wildlife species, such as Eurasian Otters and birds. Wildlife corridors would be established for non-flying mammals before commencement of relevant construction works, and a Bird-friendly Design Guideline for buildings would be prepared to minimise the disturbance to birds according to the approval conditions of the EIA Report. The approval conditions also require the submission of a Woodland Compensation Plan and a Tree Compensatory Planting Implementation Plan before commencement of construction works to minimise the potential landscape and ecological impact;
- (k) a draft Habitat Creation and Management Plan has been submitted upon request of the EIA Subcommittee of the ACE, and an Environmental Committee will be set up to advise on the preparation of various implementation plans, and monitor the effectiveness of implementation of the ecological mitigation/enhancement measures under the approved EIA Report, and interventions would be triggered if necessary. Besides, no pond filling works will commence prior to commencement of construction of the ecologically enhanced fish ponds in the Sam Po Shue Wetland Conservation Park (SPS WCP) in 2026/2027. A working group would also be set up to coordinate the programme and progress of pond filling works of the Technopole and the implementation of the SPS WCP. An Interim Wetland Enhancement Plan would also be prepared to provide implementation details of the interim wetland enhancement measures;

SPS WCP (in particular for Amendment Items A1 and B of MP OZP)

- (l) the Government will develop the SPS WCP (about 338 ha) to create environmental capacity for the development of STLMC area as part of the ecological mitigation/enhancement measures. The ecological function and

capacity of the existing wetlands (about 288 ha) and the fisheries resources of the existing fish ponds (about 40 ha) will be enhanced with active conservation management and modernised aquaculture respectively, with a view to compensating for the loss in wetland habitats and fisheries resources arising from the development of STLMC area and achieving no-net-loss in ecological function and capacity of the wetlands concerned. The remaining about 10 ha would be reserved for basic infrastructures and supporting facilities including those for eco-education and eco-recreation. The current extent of the SPS WCP of about 338 ha is recommended under AFCD's "Strategic Feasibility Study on the Development of the Wetland Conservation Parks System under the Northern Metropolis Development Strategy" after conducting relevant baseline reviews and two stages of public engagement, and can achieve a balance between nature conservation and development;

- (m) the Government aims to commence the development of the SPS WCP in around 2026/2027 for full completion by 2039 or earlier to tie in with the full operation of the STLMC area of the Technopole. For the first batch of site formation works at the STLMC area targeted for commencement in late 2024, no pond filling will be involved. Under the current implementation programme, pond filling works for the STLMC area will not start prior to the commencement of the SPS WCP in 2026/2027, and the pace of pond filling will tie in with the development progress of the SPS WCP;
- (n) the current "Other Specified Uses" annotated "Wetland Conservation Park" zone on the MP OZP, with 'Wetland Conservation Park' as a Column 1 use, is considered appropriate to reflect the Government's commitments on the establishment of the SPS WCP to be fully controlled and managed by the Government, creation of environmental capacity for the development of the STLMC area, and timely implementation of the proposed ecological and fisheries enhancement measures proposed under the approved EIA Report;
- (o) in order to achieve the compensatory function required under the approved EIA Report, there is a need for the SPS WCP to be established on Government-controlled land. Where private land is involved, the

Government may exercise its statutory power to resume the land. Since a relatively large area of private land within the SPS WCP would have to revert to the Government for establishing the SPS WCP, to help manage Government's expenditure attributable to compensation for resumption, the Government will, before invoking the resumption power, also explore possible schemes to incentivise private land owners to voluntarily surrender their land in the SPS WCP area to the Government, such as allowing the land value of the surrendered land to be deducted from land premium in land exchange/lease modifications being/to be pursued by the same land owners elsewhere;

Urban-rural Integration

- (p) all "Village Type Development" ("V") zones are retained under the STT OZP. The traditional rural townships in the "V" zones will be preserved and benefitted from the comprehensively planned Government, institution and community (GIC) facilities and open space network, as well as improved connectivity and infrastructure services. Selected commercial and community uses serving the needs of villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House, whereas some other commercial, community and recreational uses may be permitted on application to the Board;
- (q) interface issues between the villages and the developments in the adjacent "OU(I&T)" zones under the STT OZP would be dealt with under a PDB to be prepared for providing guidance to the future I&T developments. Besides, amenity areas are introduced to serve as buffers between the existing villages and the new developments and to minimise impacts from the proposed road networks. This would also provide a better environment for the villagers, and effectively reduce the noise and air pollutions;
- (r) existing historic monuments falling within the "V" zones on the STT OZP would be preserved while the traditional characteristics of the villages would be promoted. It is confirmed in the Built Heritage Impact Assessment under

the approved EIA Report that the proposed developments would not bring significant adverse impact on the cultural heritage resources in the area;

- (s) the issues of Small House policy for multi-storey Small House and resumption of land/compensation are outside the purview of the Board and should be dealt with separately by the Government in accordance with the established mechanism;

Land Resources and Housing Development, Provision of GIC Facilities, Transport and Other Infrastructure and Other Technical Aspects

- (t) various technical assessments, including the Transport and Traffic Impact Assessment, Air Ventilation Assessment and the statutory EIA, have been conducted to demonstrate that the proposed developments would not impose significant impacts in terms of traffic, air ventilation, air quality, noise, drainage, sewerage, waste management, land contamination, landfill gas hazard, ecology, fisheries, cultural heritage, hazard to life, landscape and visual and electric and magnetic fields, etc., to the local neighbourhoods and surrounding areas with the implementation of appropriate mitigation measures during both construction and operation phases;
- (u) the proposed land uses for STLMC area have taken into account the site constraints, development potential, ecological/environmental concerns identified in the approved EIA Report, etc. To cater for possible changing circumstances, social aspirations and development needs, the public-to-private housing mix could be reviewed, when necessary;
- (v) relevant Government bureaux/departments (B/D)s have been consulted on the proposed GIC facilities and open space during the Investigation Study. The planned provision of open space and GIC facilities under both STT OZP and MP OZP are generally adequate to meet the demand in accordance with the requirements of the Hong Kong Planning Standards and Guidelines and relevant B/Ds;

Site-Specific and other Non-Site-Specific Concerns/Proposals

- (w) according to the latest Revised Definition of Terms promulgated by the Board in April 2024, ‘Open Space’ (i.e. a use always permitted in all zones under the OZP, except “Conservation Area”) includes urban farm, which adopts commercial technology-based crop production with intention of providing the community with leisure farming, education activities and fresh agricultural products for use of the general public, co-ordinated or implemented by Government;
- (x) the Schedules of Uses under the Notes and the exemption clause for government works on filling of land/pond or excavation of land pertaining to public works co-ordinated or implemented by the Government from the requirement for planning application in the conservation-related zones is in line with the latest revision of the Master Schedule of Notes promulgated by the Board. Besides, such works will still need to conform to other relevant legislations, the conditions of the government lease concerned (if any), and other government requirements, as may be applicable;
- (y) the site-specific proposals submitted by the representers are considered inappropriate to be taken on board as insufficient details are available or the proposals are not supported by any technical assessments. The current land use zonings and the associated Notes and ES for the concerned sites under both STT OZP and MP OZP have already taken into account relevant planning and technical considerations and are considered appropriate;
- (z) appropriate amendments to the TPB PG-No. 12C would be considered upon completion of the statutory planning procedures for relevant OZPs of the Technopole; and
- (aa) since both Northern Link Spur Line and NM Highway are still subject to studies, no sufficient information is available to indicate their draft alignments on the STT OZP at this stage.”

For NTM OZP

52. The Board noted the supportive views of **TPB/R/S/YL-NTM/13-R1(Part) and R3(Part) of the draft Ngau Tam Mei OZP No. S/YL-NTM/13 (NTM OZP)** and decided not to uphold TPB/R/S/YL-NTM/13-R1(Part), R2 and R3(Part) of the NTM OZP, and agreed that the NTM OZP should not be amended for the following reasons:

“Amendment Item A

- (a) Amendment Item A is considered suitable for incorporation into the STT OZP to reflect the land uses proposal for the area around the San Tin/Lok Ma Chau area of the San Tin Technopole which are considered technically feasible without any insurmountable engineering and environmental impacts based on various technical assessments undertaken;

Amendment Item B

- (b) relevant technical assessments in the agreed section 12A application has confirmed that the development proposal is feasible and sustainable in technical and infrastructural terms, including the aspects of fire safety and visual compatibility with the surrounding developments. It is considered appropriate to rezone the site as “Government, Institution or Community (1)” subject to a building height restriction of 10 storeys to facilitate redevelopment of the site to a residential care home for the elderly; and

Amendments to the Notes of the NTM OZP

- (c) the revision to the Notes of the NTM OZP with exemption clause for government works on filling of land/pond or excavation of land pertaining to public works co-ordinated or implemented by the Government from the requirement for planning application in the conservation-related zones is in line with the latest revision of the Master Schedule of Notes promulgated by the Board. Such works will still need to conform to other relevant legislations, the conditions of the government lease concerned (if any), and other

government requirements, as may be applicable.”

53. The Board agreed to amend the ES of the draft STT OZP as follows:

(a) addition of the following new paragraph 10.3:

“*10.3 Planning and Design Brief*

10.3.1 In order to ensure that the above-mentioned planning themes and urban design and landscape framework would be taken forward at the implementation stage, a Planning and Design Brief will be prepared by the Government to set out detailed planning and design requirements for the following two types of the sites within the Planning Scheme Area:

- (a) the planned I&T sites; and*
- (b) other planned development sites which will have interfaces with existing villages and/or identified ecologically sensitive areas.*

10.3.2 Apart from the statutory planning controls stipulated under the OZP, the preparation of the Planning and Design Brief will take into consideration the conditions and recommendations of the approved EIA Report; the mitigation/enhancement measures proposed in the approved EIA Report and other technical assessments undertaken in the Study; relevant urban design, engineering and infrastructure requirements recommended under the Study; and relevant recommendations to be identified in a related consultancy study undertaken by the Innovation, Technology and Industry Bureau (ITIB). Preliminarily, the following objectives are expected to be achieved through the requirements to be specified under the Planning and Design Brief:

- (a) *improvement/enhancement of the connectivity of wetland habitats and the design of birds' flight paths;*
- (b) *formulation of design requirements for wildlife corridors and bird-friendly buildings;*
- (c) *reduction/variation of building heights and/or provision of setbacks for sites adjacent to NBAs or proposed SPS WCP or "V" zones;*
- (d) *integration of blue-green elements into the planned I&T land;*
- (e) *encouragement of urban agriculture and diverse landscape;*
- (f) *promotion of urban-rural integration through preservation of historical monuments and respect to traditional village culture;*
- (g) *incorporation of nature-based solutions and 'sponge city' concept to enhance flood resilience; and*
- (h) *adoption of smart, green and resilient measures to address extreme weather conditions and climate change.*

10.3.3 Procedurally, relevant stakeholders will be consulted on the Planning and Design Brief before submitting to the Board for approval. For individual sites, detailed requirements of the Brief will be appropriately incorporated in concerned land leases or land grant documents requiring the project proponents of relevant sites to submit Master Plans according to the requirements of the Brief. Each Master Plan will be considered and approved by a designated committee to be set up under the Development Bureau (DEVB).";

- (b) addition of the following new paragraph 11.5:

"11.5 Subject to the detailed requirements to be formulated in the Planning and Design Brief as mentioned in paragraph 10.3 above, the maximum BHs for portions of individual sites to be specified in the

Brief may be lower than their corresponding BH restrictions shown on the Plan.”;

- (c) revision of paragraph 12.5.4:

“Further increase in the GFA for I&T development and/or the number of units/GFA for talent accommodation in the “OU(I&T)” zone would *be* subject to confirmation of technical feasibility to the satisfaction of relevant departments by the project proponent. Necessary restrictions may be imposed through administrative means ***which include the Planning and Design Brief to be formulated as mentioned in paragraph 10.3 above and land documents*** (e.g. land grant conditions) in order to ensure proper control. ~~—A departmental ODP would also be prepared to set out the planning and urban design requirements for each planning areas of the “OU(I&T)” zone.—~~ ***The final Planning and Design Brief would be attached to an Outline Development Plan and made available for public reference.”;***

- (d) addition of the following sentences at the end of paragraph 17.2:

“In the follow-up detailed design of land formation and infrastructure, the Government will maintain close communications with the local villagers on those existing village-related facilities which may be affected. If demolition or relocation of such facilities are anticipated, the Government will endeavour to work out the way forward in consultation with the villagers.”;

- (e) revision of paragraph 17.3 as:

“For the I&T sites, the Plan provides a broad land use framework. A consultancy study is being conducted by ITIB to formulate recommendations on the distribution and layout of specific I&T uses and supporting facilities and mode of operation to be developed in the individual I&T land parcels in the Area. ***ITIB will draw up a development plan on the layout of specific I&T uses on the I&T sites including the internal infrastructure and supporting facilities which will be coordinated by ITIB with relevant agents***

in consultation/collaboration with relevant departments. Necessary development and technical requirements for the developments in the Area on private or leased land could be controlled through the lease or contract with end-users as appropriate (such as requirements for submission of master plan, detailed technical assessments and building setback, etc. as appropriate), and through the Buildings Ordinance via building plan submission. Land formation will be arranged by CEDD or other possible agents as appropriate. ~~ITIB will draw up a development plan on the layout of specific I&T uses on the I&T sites including the internal infrastructure and supporting facilities which will be coordinated by ITIB with relevant agents in consultation/collaboration with relevant departments.~~ *As mentioned in paragraph 10.3 above, a Planning and Design Brief covering the planned I&T sites will be formulated. The preparation of the Planning and Design Brief will take into account, amongst others, relevant recommendations identified in the above-mentioned ITIB's consultancy study.*"; and

- (f) other editorial and technical amendments (e.g. update on the status of the EIA Report and 'LMC Meander' to be replaced by 'old Shenzhen River meander') to reflect the above and the latest status and planning circumstances.

54. The Board also agreed that the STT OZP, the MP OZP and the NTM OZP, together with their Notes and updated ESs, were suitable for submission under section 8(1)(a) of the Ordinance to the CE in C for approval.

55. The Chairperson suggested and Members agreed that a press release to inform the public of the Board's decisions, major considerations and suggestions as made by the Board would be issued after the meeting.

56. There being no other business, the meeting was closed at 7:25 p.m.