

**Minutes of 891st Meeting of the
Town Planning Board held on 3.8.2007**

Present

Permanent Secretary for Development (Planning and Lands)
Mr. Raymond Young

Chairman

Dr. Peter K.K. Wong

Vice-Chairman

Mr. Michael K.C. Lai

Dr. Greg C.Y. Wong

Ms. Carmen K.M. Chan

Mr. Nelson W.Y. Chan

Mr. David W.M. Chan

Mr. Leslie H.C. Chen

Dr. Lily Chiang

Professor David Dudgeon

Mr. Tony C.N. Kan

Professor N.K. Leung

Dr. C.N. Ng

Dr. Daniel B.M. To

Mr. Stanley Y.F. Wong

Ms. Sylvia S.F. Yau

Mr. B.W. Chan

Mr. Walter K.L. Chan

Mr. Raymond Y.M. Chan

Ms. Anna S.Y. Kwong

Professor Paul K.S. Lam

Mr. K.Y. Leung

Principal Assistant Secretary (Transport)

Transport and Housing Bureau

Mr. K.S. Ng

Assistant Director (2), Home Affairs Department

Ms. Margaret Hsia

Deputy Director of Environmental Protection

Dr. Michael Chiu

Director of Lands

Miss Annie Tam

Director of Planning

Mrs. Ava Ng

Deputy Director of Planning/District

Miss Ophelia Y.S. Wong

Secretary

Absent with Apologies

Professor Nora F.Y. Tam

Professor Peter R. Hills

Mr. Edmund K.H. Leung

Professor Bernard V.W.F. Lim

Mr. Alfred Donald Yap

Ms. Maggie M.K. Chan

Mr. Y.K. Cheng

Mr. Felix W. Fong

Dr. James C.W. Lau

Ms. Starry W.K. Lee

In Attendance

Assistant Director of Planning/Board

Mr. S. Lau

Chief Town Planner/Town Planning Board

Mr. C.T. Ling

Senior Town Planner/Town Planning Board

Miss Fiona S.Y. Lung

Agenda Item 1

[Open Meeting]

Confirmation of Minutes of the 890th Meeting held on 20.7.2007

[The meeting was conducted in Cantonese.]

1. The minutes of the 890th meeting held on 20.7.2007 was confirmed without amendments.

Agenda Item 2

[Open Meeting]

Matters Arising

Judicial Review of the Board's Decision with respect to the
draft Quarry Bay Outline Zoning Plan No. S/H21/18

[The meeting was conducted in Cantonese.]

2. The Chairman said that the judgement was handed down by the Court of Appeal on a civil appeal in relation to a judicial review (JR) of the Board's decision with respect to the draft Quarry Bay Outline Zoning Plan (OZP) No. S/H21/18. He invited the Secretary to brief Members on the background.

3. The Secretary said that civil appeal was lodged by Fine Tower Associates Limited (Fine Tower), the proponent of the proposed Old Hong Kong Scheme on the waterfront of Quarry Bay. In 2003, Fine Tower objected to the draft Quarry Bay OZP No. S/H21/18 for rezoning its two lots from "Industrial" and "Government, Institution or Community" to "Other Specified Uses" ("OU") annotated "Cultural and/or Commercial, Leisure and Tourism Related Uses(1)" (56%) with a building height restriction of 35mPD and "Open Space" (44%). The objector proposed to relax the building height restriction to 85mPD. In 2004, the objector instituted a JR of the Board's decision of not proposing any amendment to the OZP to meet the objection. The JR was mainly on the grounds of de facto expropriation of property; and the hearing of the objection was marred by procedural unfairness. The JR was successful because of infringement of procedural fairness and the matter was remitted to the Board for a re-hearing.

4. The Secretary continued to say that in February 2006, the Board re-heard the objection and maintained its previous decision of not upholding the objection. In May 2006, Fine Tower challenged the decision afresh by way of another JR. The Court of First Instance in September 2006 dismissed the JR and Fine Tower lodged an appeal. The Court of Appeal heard the appeal on 10.7.2007 and handed down the judgment on 27.7.2007, unanimously dismissing the appeal. In gist, the Appellant argued that the Conditions of Exchange specified that the site was only used for industrial and/or godown purposes and that the Board's decision had deprived the owner of all economically viable present use of the lots, thus constituting a taking of the property and contravened Article 105 of the Basic Law. The crux of the matter was whether there had been a de facto deprivation amounting to removal of all economically viable use arising from the amendments to the OZP.

5. The Secretary further said that the Appellant filed no evidence as to the present market value of its lots. The court held that mere restriction of use, falling short of de facto deprivation, was not compensable, and the facts of this case were remote from any that would justify a finding of deprivation of property. There were other legal points contained in the judgement, a copy of which had been sent to Members on 1.8.2007.

[Mr. Nelson W.Y. Chan, Professor David Dudgeon, Mr. Tony C.N. Kan and Dr. Daniel B.M. To arrived to join the meeting at this point.]

Agenda Item 3

[Open Meeting (Presentation and Question Session only)]

Consideration of Further Representations and Comments in Respect of the
Draft Hung Hom Outline Zoning Plan No. S/K9/19
(TPB Paper No. 7875)

[The meeting was conducted in Cantonese.]

6. The Secretary reported that Ms. Starry W.K. Lee had declared an interest in this item as she was one of the further representers (F10). Members noted that Ms. Lee had sent apologies for being unable to attend this meeting.

7. The Chairman said that on 4.5.2007, the Board decided to propose amendments to the Hung Hom Outline Zoning Plan (OZP) to partially meet Representation No. R2. A total of 1,014 further representations, with 8 supporting and 1006 opposing, were received. Two opposing further representations (No. 139 and 835) were subsequently withdrawn. The further representations would be heard collectively at this meeting. Representer R2 and all further representers and commenters had been invited to attend the meeting.

8. The following Government representatives were invited to the meeting at this point:

Mr. Eric Yue	District Planning Office/Kowloon (DPO/K) Planning Department (PlanD)
Mr. C.C. Lau	Senior Town Planner/Kowloon, PlanD
Mr. K.Y. Kwong	Senior Transport Officer/Kowloon City Transport Department (TD)
Mr. Y.M. Tai	Acting Senior Engineer/Yau Tsim, TD
Mr. Allan Lee	Engineer/Hung Hom, TD
Miss Jane Leung	Senior Estate Surveyor/Kowloon South Lands Department (LandsD)

9. The following further representers, representer and their representatives were invited to the meeting at this point:

Further Representers

F9	Ms. Siu Yuen Sheung Kowloon City District Council (KCDC) member	Further Representer
F22	伍超英女士	Further Representer
F23	Mr. Chan Cheuk Kwong	Further Representer
F24	Mr. Wong Chi Ming	Further Representer
F27	Mr. Leung Chi Choi	Further Representer
F28	Miss Wong Shui Hung	Further Representer's representative
F29	Ms. Chow Hin Ling	Further Representer

F58	Ms. Yick Lai King	Further Representor
F61	胡錦彪先生	Further Representor
F63	Ms. Cheng Miu Shan	Further Representor
F65	Mr. Yue Chee Wing, Admond Chairman of Estate Owners' Committee of Laguna Verde	Further Representor Mr. Yue also represented the following 58 Further Representors: F11-F13, F15, F56, F69, F72, F87-F92, F102, F104, F107, F110, F113, F115, F116, F120, F125, F127, F131, F137, F142, F146, F155, F158, F159, F162, F163, F165, F180, F187, F306, F402, F445, F446, F455, F506, F574, F588, F590, F596, F599, F604, F619, F635, F658, F659, F749, F756, F762, F765, F795, F981 and F1005
F91	Ms. Ma Wing Chun	Further Representor
F223	Mr. Ngan Shek Chun	Further Representor
F257	Mr. Mak Cheuk Hung	Further Representor
F271	Mr. Cheung Kwok Shui	Further Representor
F273	Mr. Yan Man Kit	Further Representor' Representative
F276	朱滌尼先生	Further Representor
F277	朱泳儀女士	Further Representor
F283	Mr. Yu Chi Wai	Further Representor
F289	Mr. Li Man Sun	Further Representor
F290	Miss Luk Wai Han, Molly	Further Representor
F298	Mr. Fung Kai Ming	Further Representor
F317	Mr. Mi Kan Yau	Further Representor
F341	Mr. Yuen Hon Wing	Further Representor
F362	關照之先生	Further Representor
F365	Mr. Lau Ying Bun	Further Representor
F384	Mr. Anders Ho	Further Representor

F393	Mr. Leung Kwok Kay, Tony	Further Representor
F399	Ms. Chan Oi Chu	Further Representor
		Ms. Chan also represented the following 12 Further Representors: F31, F390, F393-F396, F400, F401, F405, F411, F412 and F414
F416	Mr. Tse Chong Ning	Further Representor
F445	趙佩芬女士	Further Representor
F446	張偉業先生	Further Representor's representative
F479	Mr. Lok Chan Yeung	Further Representor
	Ms. Lam Wan Wah	Further Representor's representative
F489	Ms. Cheung Chui Wah	Further Representor
F502	Ms. Zhang Li Li	Further Representor
F515	Ms. Sze Sau Chuen	Further Representor
F674	Mr. Au Wai man	Further Representor
F689	Ms. Cheng Lai Yuen	Further Representor
F701	Ms. Chan Ngan Hing, Shirley	Further Representor
F724	Mr. Wong Kuen Hang	Further Representor's representative
F778	Ms. Cheung Kin Lan, Sandy	Further Representor
	Ms. Lam Wan Yee	Further Representor's representative
F823	Mr. Tse Tak	Further Representor
F842	Mr. Fong Chi Kin	Further Representor
F871	Mr. Fung Kin Lung	Further Representor
F931	Ms. Chan Tsui Kwan	Further Representor
	Mr. Cheung Ka Ho	Further Representor

Representor

R2	DHL Express (Hong Kong) Ltd. (DHL)	Representor
	Mr. Kim Chan)
	Miss Kerry Lee)
	Mr. Allen Yu)

Mr. Larry Lau)	Representer's
Mr. George Ho)	representatives
Mr. Boris Chui)	
Mr. Cannon Wong)	
Ms. Ada Fung)	

10. The Chairman extended a welcome. Members noted that sufficient notice had been given to the commenters and the remaining further representers, but they either indicated not to attend the meeting, made no reply or could not be contacted. The Board agreed to proceed with the meeting in the absence of the remaining parties. The Chairman then explained the procedures of the hearing.

11. The Chairman then invited Mr. Eric Yue, DPO/K, to brief Members on the background of the further representations.

12. With the aid of a Powerpoint presentation, Mr. Eric Yue did so as detailed in the Paper and made the following main points:

- (a) background to the proposed amendments was set out in paragraph 1 of the Paper. During the exhibition period of the draft Hung Hom Outline Zoning Plan (OZP) No. S/K9/19, two representations and seven comments were received. The Board decided to propose amendments to the OZP to partially meet Representation No. 2 submitted by DHL, namely rezoning the Kowloon Permanent Pier (KPP) No. 90 from "Other Specified Uses" annotated "Pier" ("OU(Pier)") to "OU(Pier)1", and adding 'Cargo Handling and Forwarding Facility (CHFF) (on land designated "OU(Pier)1" only' in Column 2 of the Notes for the "OU(Pier)" zone. 1,014 further representations (8 supporting and 1006 opposing) were received and two were subsequently withdrawn;
- (b) the main grounds of the further representations were summarized in paragraphs 2.1 to 2.4 of the Paper;
- (c) the further representers' proposals were summarized in paragraph 2.5 of the Paper; and

- (d) PlanD's assessment of and response to the further representations were detailed in paragraphs 4 to 5 of the Paper. Use of the pier should be reviewed as the area was undergoing transformation and the original function of the pier to serve the industrial area had diminished. The long-term planning intention was to incorporate the pier into a proposed promenade for public enjoyment. As the pier was currently under private ownership and access was limited, further study on the issues involved was however required. It was proposed that the pier be rezoned from "OU(Pier)" to "Undetermined" ("U"). The "U" zoning, under which all proposed developments would require planning permission from the Board, would ensure that any use in the interim period would not generate adverse impacts nor jeopardise the future planning and development of the site. It was also proposed to state in the Explanatory Statement (ES) of the OZP that application for planning permission in the "U" zone should include various technical assessments for consideration by the Board.

13. The Chairman then invited the further representers to make their presentations.

Representation No. F9

14. Ms Siu Yuen Sheung, KCDC member, made the following main points:
- (a) the consultation process was inadequate. The KCDC was not consulted of the OZP amendments. Residents of Laguna Verde were also not consulted as their development fell outside the 100ft radius consultation zone. The local residents were unaware of the situation until the proposed amendments of adding 'CHFF' in Column 2 of the "OU(Pier)" zone was published for public inspection;
 - (b) access to Hok Cheung Street was via Tai Wan Road East, which was also the access road to Laguna Verde. The existing traffic along these roads was already very congested. The proposed 'CHFF' on the pier would further aggravate the traffic congestion problem. Traffic noise and road safety were the major concerns of the local residents;

- (c) residents of Laguna Verde also suffered from serious noise and air pollution from the marine traffic;
- (d) the pier site had at one time been used for a concrete batching plant, which was in breach of the lease conditions, and was now vacant. It should indeed form part of the proposed promenade linking Tsim Sha Tsui to Kai Tak. It should be developed into an open space and linked up with Laguna Verde by footbridge; and
- (e) the large number of objections showed that the local residents strongly objected to the proposed 'CHFF' as it would adversely affect their living environment and quality of life.

Further Representation No. F65

15. Mr. Yue Chee Wing, Admond, Chairman of Estate Owners' Committee of Laguna Verde, also representing other 58 further representers (F11-F13, F15, F56, F69, F72, F87-F92, F102, F104, F107, F110, F113, F115, F116, F120, F125, F127, F131, F137, F142, F146, F155, F158, F159, F162, F163, F165, F180, F187, F306, F402, F445, F446, F455, F506, F574, F588, F590, F596, F599, F604, F619, F635, F658, F659, F749, F756, F762, F765, F795, F981 and F1005), made the following main points:

- (a) Hok Cheung Street was a one-way street, with access via Tai Wan Road East. It was expected that the traffic generated by the proposed 'CHFF' would be heavy and would aggravate the traffic congestion problem along Tai Wan Road East;
- (b) road safety and environmental impact arising from the proposed 'CHFF' on the pier were the major concerns of the local residents;
- (c) residents of Laguna Verde were suffering from serious noise and air pollution from marine traffic. Though they had lodged complaints, Government departments failed to deal with their complaints. The same could happen if the 'CHFF', another source of nuisance, was allowed to

operate;

- (d) the pier had been zoned “Open Space” (“O”) on the OZP. The proposal was later dropped, when the pier site was excised from the current Kai Tak OZP. It should be rezoned from “OU(Pier)” to “O” and form part of the waterfront promenade for public enjoyment; and
- (e) while the Board might require an applicant to submit various technical assessments in support of a planning application, such assessments, being prepared by the applicant, might not accurately reflect the impact generated by the proposed development or address the real concern of the local residents.

Further Representation No. F23

16. Mr. Chan Cheuk Kwong made the following main points:

- (a) Laguna Verde occupied the previous location of the Hok Un Power Station. It had 4735 flats. Assuming 4 persons per flat, the estimated population of Laguna Verde was at 18,940;
- (b) it was anticipated that the ‘CHFF’ would be in 24-hour operation. The marine container traffic, loading/unloading activities and spot lighting in relation to the operation of the ‘CHFF’ on the pier would aggravate the noise and lighting pollution from the sea to the local residents; and
- (c) the proposed ‘CHFF’ was strongly objected to by the local residents. It should not be allowed at the expense of public interest.

[Dr. Lily Chiang arrived to join the meeting at this point.]

Further Representation No. F24

17. With the aid of some photos, Mr. Wong Chi Ming made the following main points:

- (a) both Bailey Street and Hok Cheung Street were already very congested. The proposed 'CHFF' would aggravate the traffic congestion problem;
- (b) the pier was very close to the residential blocks of Laguna Verde, particularly Block 8 where he lived;
- (c) the noise and air pollution caused by the barges was already very disturbing. If the 'CHFF' on the pier was allowed, its loading/unloading activities and 24-hour operation would severely affect the quality of life of the local residents; and
- (d) while recognizing its economic contribution, the 'CHFF' was wrongly located. The proposal was not in line with the Government's policy of 'Action Blue Sky Campaign' and the 'people-centered' approach.

Further Representation No. F27

18. Mr. Leung Chi Choi made the following main points:

- (a) the PlanD had proposed in the Hung Hom District Study that a promenade would be provided from Tsim Sha Tsui to Kai Tak. If the proposed 'CHFF' was to proceed, it would block the future promenade. There should be a timetable for implementation of the promenade;
- (b) the grantee, Green Island Cement Company Ltd. (Green Island), had used the pier site for a concrete batching plant, which was in breach of the lease conditions. The site was now left vacant after lease enforcement action taken by LandsD. The land should be resumed for provision of public open space;
- (c) while an applicant would be required to submit various technical assessments for consideration by the Board in submitting a planning application, there were no rules or criteria for determining whether the technical assessments were acceptable;

- (d) in proposing to add 'CHFF' to Column 2 of the Notes for the "OU(Pier)" zone, no traffic impact assessment had been conducted; and
- (e) the district council should be consulted on various planning proposals.

Further Representation No. F29

19. With the aid of some photos, Ms. Chow Hin Ling made the following main points:

- (a) the pier site was granted at a nominal fee of HK\$1,000 per annum to Green Island. With the relocation of the concrete batching plant, which was against the lease conditions, the site was left vacant. The 2-storey structure looked ugly and affected the image of Hong Kong, particularly to the tourists arriving from the proposed Cruise Terminal;
- (b) the proposed 'CHFF' was in close proximity to the residential blocks of Laguna Verde and was not compatible with the surrounding environment. It was envisaged that large neon signs would be put up by the operator. The neon lights would have adverse impact on the residents;
- (c) the traffic impact generated by the 'CHFF' would pose major impact on road safety and air pollution. If cargos were shipped from the Mainland, the loading and unloading activities at the pier would be a source of nuisance;
- (d) the existing parking and loading/unloading activities outside Fisherman's Wharf and the morning and evening peaks for school buses were very noisy and disturbing. The traffic congestion at Hung Hom Road had already spilt over to Laguna Verde Avenue, which was a private road. Road safety in Laguna Verde was a serious concern of the local residents. Preventive measures should be taken to prevent fatal traffic accidents similar to the one that happened in Fairview Park where a boy was knocked down by a container vehicle; and

- (e) the pier site should be taken back by the Government.

Further Representation No. F399

20. Ms. Chan Oi Chu, also representing other 12 further representers (F31, F390, F393-F396, F400, F401, F405, F411, F412, F414), made the following main points:

- (a) Hok Cheung Street was narrow, known for problems of heavy traffic and coach parking. Traffic congestion was a major concern of the local residents;
- (b) the local residents also suffered from the disturbance caused by marine traffic;
- (c) the proposed 'CHFF' would affect the area as a tourist attraction, which would in turn affect the local economy; and
- (d) the pier site should be taken back by the Government and not be developed for 'CHFF'.

Further Representation No. F223

21. Mr. Ngan Shek Chun made the following main points:

- (a) as a parent, his major concern was about road traffic congestion, which would affect the daily life of the school children who needed to arrive at school on time. Traffic congestion would pose unnecessary stress to the kids and affect their quality of life; and
- (b) the pier use was no longer compatible with the surrounding land uses and should be taken back by the Government for development of public open space.

Further Representation No. F298

22. Mr. Fung Kai Ming made the following main points:

- (a) the proposed 'CHFF' would affect not only the local residents, but also the image of Hong Kong as many residents in Laguna Verde were from overseas countries and the Mainland; and
- (b) two residents, one from the United Kingdom and the other from Shanghai, supported the action of the local residents and considered that the Government should listen to and act in the interest of the public.

Further Representation No. F341

23. Mr. Yuen Hon Wing said that like others from the middle class, he worked hard and managed to buy a flat. He wanted to live in a quiet environment for the rest of his life in a peaceful environment and did not support the proposed 'CHFF'.

Further Representation No. F365

24. Mr. Lau Ying Bun said that the proposed 'CHFF' would damage the general living environment and requested the pier be rezoned to "O".

Further Representation No. F416

25. Mr. Tse Chong Ning made the following main points:

- (a) if the Queen's Pier could be demolished, the same could be done to the subject pier; and
- (b) the proposed 'CHFF' would affect the quality of life of the local residents. A society should give due weight to the importance of quality of life as it would directly affect the quality of its citizens.

Further Representation No. F479

26. Ms. Lam Wan Wah, further representer's representative, made the following main points:

- (a) there was insufficient justification for the proposed 'CHFF' on the pier. While the proposed 'CHFF' might provide employment opportunities, it need not be located at the subject site;
- (b) the claim that the proposed 'CHFF' would help strengthen Hong Kong's role as an international and Asia logistic hub was an over-statement as the site was not big enough to be of international significance; and
- (c) while the proposed 'CHFF' was close to the "Other Specified Uses" annotated "Business" ("OU(B)") zone, it was also very close to the residential developments. The vast number of objections was a clear indication that the objection outweighed the support. The aspiration of the local residents for a good living environment should take priority over private business interest.

Further Representation No. F931

27. Ms. Chan Tsui Kwan echoed the traffic congestion and road safety concern raised by other further representers. She strongly objected to the proposed 'CHFF' and requested rezoning the subject site to "O".

Further Representation No. F317

28. Mr. Mi Kan Yau shared the views made by other further representers and objected to the proposed 'CHFF' on the pier.

Further Representation No. F91

29. Ms. Ma Wing Chun made the following main points:

- (a) as a flat owner of Laguna Verde and a resident in the Hung Hom areas for over 30 years, she had personal experience of the traffic congestion

problem in the area;

- (b) upon completion of the large-scale residential developments in Whampao Garden and Laguna Verde, there were areas of traffic bottlenecks. The Hung Hom area was not served by MTR and the main access was via Hung Hom Road. Illegal coach parking had long been a problem, but had not been dealt with until recently. If the proposed 'CHFF' was to go ahead, the additional traffic generated would aggravate the traffic congestion problem; and
- (c) effort should be made to transforming the old district and improving the living environment by phasing out the undesirable uses.

Further Representation No. F61

30. Mr. Wu Kam Biu said that from Grand Waterfront in To Kwa Wan to Kowloon City Pier, the area had turned into a residential area. Similarly, industrial uses along Yuk Yat Street and Chi Kiang Street had been phased out and the area had been developed for residential uses. Hung Hom should also be turned into a residential area. The proposed 'CHFF' should not be located at the pier as it was not compatible with the surrounding land uses.

Further Representation No. F393

31. Mr. Leung Kwok Kay strongly objected to the proposed 'CHFF'. He said that the local residents looked for a good living environment and had so far been rational in their objections, without politicizing the matter. Those who supported the proposed 'CHFF' should be asked to defend their case in front of the local residents.

Further Representation No. F58

32. Ms. Yik Lai King made the following main points:

- (a) as a resident living in Whampoa Garden and later in Laguna Verde for the past 18 years, she observed that there were many rounds of picking up and

setting down activities for school children per day as many of them were attending international schools outside the district, though there were four primary schools in the area;

- (b) the commercial centre in the area had attracted tourists from the Mainland. The parking of the coaches and picking up and setting down activities were another source of traffic congestion; and
- (c) the proposed 'CHFF' was only supported by a few, representing a very small percentage of the representations lodged. The Government should not act against the view of the local residents.

Further Representation No. F271

33. Ms. Cheung Kwok Shui supported the views made by other further representers and urged the Government to listen to their views.

Further Representation No. F28

34. Miss Wong Shui Hung, further representer's representative, made the following main points:

- (a) the pier site was previously zoned "O" on the OZP and was welcome by the residents;
- (b) paragraph 3(a) in the General Conditions of the lease allowed LandsD to re-enter the site. It was thus not impossible to take back the site for open space development;
- (c) even though the current Kai Tak OZP did not involve any reclamation, the pier site could still be developed into an open space for enjoyment by the public;
- (d) as shown in the Paper, PlanD agreed that the long-term planning intention was to incorporate the pier into a promenade, but a study was required to

examine the issues involved. If that was the case, the “U” zone proposed by PlanD could be accepted as a compromise to allow time for the study;

- (e) the Board should listen to the concerns raised by the local residents and consider rezoning the pier site to “O”; and
- (f) should the Board consider it more appropriate in the interim period to rezone the site to “U” to allow time for carrying out a land use review, then revision to paragraph 7.8.2 of the Explanatory Statement was recommended as follows:

7.8.2長遠的規劃意向是把碼頭納入由尖沙咀連接至啓德的長廊發展中，但考慮到碼頭現時的私人擁有權及有限的通道，實在有需要儘快進行研究以確定發展碼頭成為海濱長廊一部份的事項落實上述已有的規劃意向，即儘快收回碼頭，把碼頭納入由紅磡連接至啓德的長廊發展中。在現階段，在「未決定用途」地帶內，進行所有擬議發展包括「貨物裝卸及貨運設施」均須先取得城規會的規劃許可，以確保所有用途在過渡期都不會產生不良的影響或不會阻礙或對落實把碼頭納入連接至啓德的海濱長廊發展的規劃和土地發展有任何負面的影響這樣可確保任何臨時發展都不會損害該土地的未來規劃和發展。.....

(The English translation was as follows:

7.8.2It is a long term planning intention to incorporate the pier into a promenade development from Tsim Sha Tsui to Kai Tak. However, the pier is currently under private ownership and with

limited access, a study is required as soon as possible to implement the established planning intention, that is, early resumption of the pier for incorporation into a promenade from Hung Hom to Kai Tak to examine issues involved for developing the pier to form part of the promenade. In the meantime, the “U” zoning, under which all proposed development ~~including ‘Cargo Handling and Forwarding Facility’ (‘CHFF’)~~ would require planning permission from the Board, will ensure that any ~~interim development will not jeopardise/adversely affect the future planning and development of the site~~ use in the interim period will not generate adverse impacts nor jeopardise or adversely affect the implementation of the planning and development of the pier to form part of the Kai Tak waterfront promenade.

35. After the presentations of the further representers, the Chairman invited the representer to address the Board in response to the further representations.

Representation No. R2

36. With the aid of a Powerpoint presentation, Mr. Kim Chan made the following main points:

- (a) objections against the proposed amendments to the OZP were largely made by the residents of Laguna Verde;
- (b) the 2-storey structure on the pier was basically enclosed. It did not have street frontage and the only access was via the G/F of Harbour Centre Tower 2;
- (c) the pier site would mainly be used for freight forwarding instead of cargo handling, and no marine traffic was envisaged. The existing operations of other similar distribution centers of DHL were shown in photos;
- (d) the proposed ‘CHFF’ would mainly rely on light goods vehicles to carry out delivery services. It was envisaged that the traffic generated would be

a maximum of 28 vehicular trips per hour. There should be no significant traffic and environmental impacts on the surrounding environment;

- (e) the proposed 'CHFF' would be operated in an enclosed area for security reason, and thus even if there was night-time operation, it would have no significant impacts;
- (f) there was at present no neon-light advertisement sign on the pier structure and there was no intention to use the outside wall of the pier structure for erecting advertisement sign;
- (g) looking into the planning history of the area, the pier site was located within the Hung Hom industrial area and the proposed 'CHFF' was not incompatible with the surrounding land uses. In paragraph 5.1 of the Paper, PlanD also recognized that in the interim period, 'CHFF' use on the pier might not be incompatible with the current uses in the area;
- (h) the incorporation of 'CHFF' in Column 2 would allow flexibility for submission of planning application. The representer had no objection to accede to any requirement by the Board to submit various technical assessments for consideration. The Board could also decide on the appropriate duration for the planning permission; and
- (i) the proposed amendment to rezone the pier to "OU(Pier)1" and adding the 'CHFF' in Column 2 of the Notes for the "OU(Pier)" zone should be upheld. PlanD's proposed amendment to rezone the pier to "U" would give rise to uncertainty and was considered not appropriate.

37. As the presentations from the further representers and representer had been completed, the Chairman invited questions from Members. Members raised the following questions:

Open Space and Promenade

- (a) if the pier site was rezoned to "U", whether it would affect the planning intention of providing a public open space;

- (b) whether the promenade would be linked up to Hoi Sham Park;

Lease Matters

- (c) whether and under what circumstances the pier site could be resumed earlier;
- (d) if the pier was no longer in use or be required, whether it could be taken back by the Government;

Site Operation

- (e) noting that planning permission (Application No. A/K9/216) had been granted for the applicant to use part of Kowloon Marine Lot (KML) No. 113RP at the ground floor of Harbour Centre Tower 2 (application site) for 'CHFF', whether DHL could or would carry out its operation within the application site, if 'CHFF' was not allowed in the pier site;

Use of Pier

- (f) whether the use of the pier site could be separated from that of the KML No.113 RP;
- (g) if no marine traffic was envisaged, why the pier site was chosen for the proposed 'CHFF';
- (h) whether planning permission was required for the proposed 'CHFF' use on the pier, if the site was rezoned to "U";

[Mr. Leslie H.C. Chen left the meeting at this point.]

Traffic Impact

- (i) whether the proposed expansion of 'CHFF' into the pier site would generate additional vehicular trips;
- (j) whether the traffic impact generated by the approved 'CHFF' within Harbour Centre Tower 2 was acceptable;

- (k) whether the traffic impact generated by the proposed 'CHFF' on the pier would be acceptable; and

Others

- (l) noting that the pier was leased to the Green Island, whether a planning application for the pier site had to be made through Green Island, or whether any person could submit an application.

38. Mr. Eric Yue made the following responses:

- (a) open space was a permitted use in all zones. A study would need to be carried out to examine the issues involved for developing the pier to form part of the promenade. If the promenade was to be implemented, the pier would be rezoned to "O" to reflect the planning intention;
- (b) the existing promenade at Laguna Verde was not linked up with Hoi Sham Park as both the KML No. 113RP and the Sewage Treatment Plant had taken up the sea frontage, blocking the access;
- (c) when the pier site was zoned "OU(Pier)" on the OZP, 'CHFF' was not a Column 2 use. It was when the Board agreed to propose amendments to partially meet Representation No. 2 that 'CHFF' was added to Column 2 of the "OU(Pier)" zone to allow submission of planning permission for 'CHFF' use on the pier. Should the site be rezoned to "U", planning permission would be required for all proposed developments, including 'CHFF'. On the other hand, KML No. 113RP was zoned "OU(B)" on the OZP, under which 'CHFF' was a Column 2 use; and
- (d) notwithstanding that the pier was leased to Green Island, any person might submit a planning application at the pier site for consideration by the Board.

39. The Secretary supplemented that in submitting a planning application, an applicant should obtain the owner's consent, give notification to the owner, or take

reasonable steps to satisfy the owner's consent/ notification requirements stipulated under the Town Planning Ordinance. Owner's consent was however not a pre-requisite for submitting a planning application.

40. Messrs. Kim Chan and Larry Lau, representing DHL (Representer R2), made the following responses:

- (a) the tenancy agreement between Green Island and DHL covered both the site at KML No. 113RP, which was the subject of an approved section 16 application, and the pier site;
- (b) if 'CHFF' use was not allowed on the pier site, the application site would still be used for freight forwarding operations, but at a reduced scale;
- (c) while the use of the application site could be separated from the pier site, the access of the latter was via the former, making it impossible to separately alienate the pier site for other uses;
- (d) the cargoes would be delivered by air, not by sea. The pier site was chosen not for its marine access, but for the large site area available for vehicles to drive-in and carry out loading/unloading activities in an enclosed environment under the CCTV monitoring system;
- (e) the location of the site near the commercial areas was suitable for the operation of 'CHFF'; and
- (f) the traffic generated by the 'CHFF' use in the application site was about 8 vehicular trips per hour. If the 'CHFF' use was expanded into the pier site, it was estimated that the total vehicular trips per hour would be increased to 28.

41. Miss Jane Leung, Senior Estate Surveyor of LandsD, said that the pier site was granted for pier purpose. Whether the use of the site was in breach of the lease conditions should be supported by evidence. Recent site inspection revealed that the site was not under active use. If the use of the pier contravened the lease conditions, the grantee would run the

risk of Government taking lease enforcement action.

42. Mr. K.Y. Kwong, Senior Transport Officer and Mr. Allan Lee, Engineer of TD made the following responses:

- (a) Hok Cheung Street was busy during the peak hours, but the traffic flow during the non-peak hours was acceptable;
- (b) the impact generated by 8 vehicular trips per hour from the 'CHFF' KML No. 113RP was considered acceptable; and
- (c) if the total vehicular trips per hour were increased to 28 for the proposed 'CHFF' use on the pier, then detailed traffic impact assessment would be required.

43. As the further representers, presenter and their representatives had finished their presentation and Members had no further questions, the Chairman said that the hearing procedures had been completed and the Board would deliberate on the further representations in their absence and would inform them of the Board's decision in due course. The Chairman thanked them and the Government's representatives for attending the hearing. They all left the meeting at this point.

Deliberation Session

44. Members generally supported rezoning the pier site to "U" in the interim period. Their views were summarised as follows:

- (a) noting that the long term planning intention was to incorporate the pier into a promenade from Hung Hom to Kai Tak, rezoning the pier site to "U" was appropriate in the interim and would not pre-empt the possibility of rezoning the site to "O" in the future;
- (b) rezoning the pier site to "O" might not be appropriate at this stage as the land was currently under private ownership and access was limited;

- (c) this meeting was to consider the appropriate zoning, not a specific development proposal for the pier site. The “U” zoning, under which all proposed developments would require planning permission from the Board, would ensure that any use in the interim period would not generate adverse impacts nor jeopardize the future planning and development of the site;
- (d) as planning permission was required for all proposed developments, including the ‘CHFF’ use under the “U” zone, the applicant would have to conduct various technical assessments to assess the possible impacts of the proposed development on the surroundings for consideration by the Board. Controlling the use of the site through the planning application system would provide greater land use flexibility, while ensuring any interim uses would not generate any adverse impacts;
- (e) the concerns raised by the local residents at this meeting provided very useful information to the Board and would assist the Board in assessing the impacts of future proposed developments at the pier site upon submission of planning applications. Moreover, the public could also provide their comments when the planning application was published for public inspection; and
- (f) the major concerns of the local residents were on the traffic and environmental impacts of the proposed ‘CHFF’. Any application for ‘CHFF’ would need to carefully address the concerns raised by the local residents.

45. Miss Annie Tam, Director of Lands, asked whether using the pier site for pier purpose, which was allowed under the lease conditions, was permitted under the proposed “U” zone. The Secretary said that under the covering Notes of the OZP, there was provision to allow existing use of any land or building to continue until there is a material change of use or the building was redeveloped. Whether the pier use at the subject site, which was now left vacant, could be taken as an existing use would depend on the fact of the case.

[Mr. Michael K.C. Lai left the meeting at this point.]

46. Summing up, the Chairman said that Members were in support of rezoning the pier site to “U”. He then invited Members to give views on the amendments to the ES proposed by one of the further representers.

47. Members were generally of the view that it was not appropriate, at this stage, to request early resumption of the pier site, nor to state that the pier site would be linked to the promenade in Kai Tak in paragraph 7.8.2 the ES attached at Enclosure VIII of the Paper. Members however agreed to slightly revise this paragraph to add that any interim use on the pier should not generate adverse impacts.

48. After deliberation, the Board decided to amend the Hung Hom Outline Zoning Plan (OZP) No. S/K9/19 by varying the proposed amendments, that is, to rezone the representation site from “Other Specified Uses” annotated “Pier” (“OU(Pier)”) to “Undetermined” (“U”) with corresponding amendments to the Notes as indicated in Enclosure IX and IXa of the Paper. These amendments should form part of the draft Hung Hom OZP.

49. The Board also agreed to the revised Explanatory Statement (ES) in Enclosure VIII of the Paper subject to rewording paragraph 7.8.2 of the ES as follows:

7.8.2長遠的規劃意向是把碼頭納入由尖沙咀連接至啓德的長廊發展中，但考慮到碼頭現時的私人擁有權及有限的通道，實在有需要進行研究以確定發展碼頭成為海濱長廊一部份的事項。在現階段，在「未決定用途」地帶內，進行所有擬議發展包括「貨物裝卸及貨運設施」均須先取得城規會的規劃許可，這樣可確保任何臨時發展都不會產生不良的影響或損害該土地的未來規劃和發展。

7.8.2It is a long term planning intention to incorporate the pier into a promenade development from Tsim Sha Tsui to Kai Tak. However, the pier is currently under private ownership and access to the site is limited, a

study is required to examine issues involved for developing the pier to form part of the promenade. In the meantime, the “U” zoning, under which all proposed development including ‘Cargo Handling and Forwarding Facility’ (‘CHFF’) would require planning permission from the Board, will ensure that any interim development will not generate adverse impacts nor jeopardise the future planning and development of the site.....

Further Representations No. F1 to F8

50. The Board noted that further representations No. F1 to F8 were in support of the proposed amendments to the Hung Hom OZP to partially meet the representation.

Further Representations No. F9 to F138, F140 to F834 and F836 to F1014

51. After deliberation, the Board decided to partially meet further representations No. F9 to F138, F140 to F834 and F836 to F1014 by varying the proposed amendments, that is, to rezone the representation site from “OU(Pier)” to “U” and the reasons were:

- (a) as the use of the pier was subject to review, it was appropriate to rezone the pier from “OU(Pier)” to “U” in the meantime. The “U” zoning, under which all proposed developments would require planning permission from the Board, would ensure that any interim use on the pier would not generate adverse impacts nor jeopardise the future planning and development of the site; and
- (b) to allay public concerns on the possible adverse traffic and environmental impacts arising from the use of the pier, the ES of the Hung Hom OZP had been revised to state that any planning application on the pier should include various technical assessments such as traffic, environmental and visual impacts assessments, as appropriate, for the consideration of the Board.

52. The Board also decided not to uphold the remaining parts of the further representations and the reason was that while it was the long term planning intention for a promenade from Tsim Sha Tsui to Kai Tak, the site was currently under private ownership

and access to the site was limited. A study was required to examine the future uses and issues involved in developing the site as part of the promenade. It was premature to rezone the representation site to “Open Space”.

[Ms. Carmen K.M. Chan, Mr. Walter K.L. Chan, Mr. Raymond Y.M. Chan and Professor Paul K.S. Lam left the meeting at this point.]

Agenda Item 4

[Open Meeting (Presentation and Question Session only)]

Review of Application No. A/YL-KTN/271

Proposed Temporary Open Storage of Vehicles (Private Cars and Lorries Excluding Container Vehicles) for a Period of 1 Year in “Other Specified Uses” annotated “Railway Reserve” zone, Lots 422A, 422B, 433A(Part), 434(Part), 435, 1736A1(Part) and 1736C2(Part) in DD 107, Yuen Long

(TPB Paper No. 7877)

[The hearing was conducted in Cantonese.]

Presentation and Question Session

53. Mr. Wilson So, District Planning Officer/Tuen Mun and Yuen Long of the Planning Department (PlanD) and the following applicant’s representatives were invited to the meeting at this point:

Mr. Albert So)	
Ms. Polly Lee)	Applicant’s representatives
Mr. Kevin Wong)	
Mr. Andrew Lau)	

54. The Chairman extended a welcome and explained briefly the procedures of the review hearing. The Chairman then invited Mr. Wilson So to brief Members on the background to the application.

55. With the aid of some plans, Mr. Wilson So did so as detailed in the Paper and

made the following main points:

- (a) the reasons for the Rural and New Town Planning Committee (RNTPC) to reject the application on 23.2.2007 as set out in paragraph 1.2 of the Paper;
- (b) further information submitted by the applicant in support of the review application as summarised in paragraph 3 of the Paper;
- (c) departmental comments – the Environmental Protection Department (EPD) did not support the application as there were sensitive uses in the vicinity of the site and environmental nuisances were expected. The Transport Department (TD) had no objection to the application subject to the condition that no long vehicles exceeding 7m should enter the site from San Tam Road. The Lands Department (LandsD) considered that the proposed vehicular access with unauthorized bridge on Government land and private lots was not appropriate. The Drainage Services Department (DSD) advised that there was insufficient information to demonstrate that the development would not generate adverse drainage impacts on the surrounding areas;
- (d) four public comments were received during the statutory publication period for the review application and the further information submitted, mainly objecting to the application on traffic, noise and dust nuisance, drainage, environmental and hygiene grounds. The adjacent land-owner also objected to the proposed use, claiming that his land had been illegally occupied by the applicant for vehicular access;
- (e) the previous application (No. A/YL-KTN/3) for open storage of vehicles for sale or disposal was approved in 1995 when the site was zoned “Undetermined” (“U”), mainly on the consideration that the development was compatible with the surrounding land use and the short term use would not jeopardize the proposed Western Corridor Railway. The current application did not warrant the same consideration because Lots 430 S.A & B serving to provide vehicular access was not included in the current application. Three similar applications (No. A/YL-KTN/82, 88 and 180)

were approved mainly in consideration that there were no objections from Government departments; and

- (f) PlanD's view – PlanD did not support the application for reasons as detailed in paragraph 6.2 of the Paper in that the application did not comply with the Town Planning Board Guidelines No. 13D (TPB PG-No. 13D) and there was insufficient information to demonstrate that the development would not generate adverse environmental and drainage impacts on the surrounding areas.

56. The Chairman then invited the applicant's representatives to elaborate on the application.

57. Mr. Albert So made the following main points:

- (a) EPD was mainly concerned about the environmental nuisance generated by heavy vehicles. The application site would only be used for storage of private cars and lorries, with no heavy vehicles;
- (b) there were only two domestic structures at Lot 430 S.A and Lot 429 R.P in DD107 within 100m of the site. The former was already vacant while the latter was further away from the access road. Regarding the litigation between the applicant and the owner of the adjacent Lot Nos.430A & B in DD107, the Court had recently confirmed that the applicant had the right of way, though the decision might be subject to appeal;
- (c) the steel bridge was not built by the applicant, and was built and in use before the applicant purchased the site. It was used not only by the applicant, but also by other adjoining owners. The site and the steel bridge did not have any drainage impact on the surrounding areas as there was no record of flooding since the site was in use;
- (d) the majority of Government departments had no objection to the application. If considered appropriate, the Board could impose approval conditions requiring the submission of various technical proposals upon

approval of the application; and

- (e) similar application (No. A/YL-KTN/262) for temporary container vehicle park and open storage of vehicle parts with ancillary warehouse had previously been approved by the Board.

58. The following questions were raised by Members:

- (a) the reasons for approving application No. A/YL-KTN/262 and whether the same access was used as in the subject application;
- (b) the types of vehicles to be stored in the application site;
- (c) referring to Plans R-3 and R-4 of the Plan, whether the site was currently used for open storage of heavy vehicles exceeding 7m; and
- (d) if enforcement action was taken by the Government against the steel bridge, whether there was any alternative access to the application site.

59. In response, Mr. Wilson So made the following main points:

- (a) application No. A/YL-KTN/262 was approved on review on 4.5.2007, mainly on the consideration that the site would only be used for the parking of the applicant's own container tractors/trailers and would not be open to other operators. In view of the small scale of operation, the impacts of the proposed use would unlikely be significant. The application was thus approved on review on a temporary basis until 31.12.2008; and
- (b) application No. A/YL-KTN/262 did not use the same access as the subject application, but had a direct access off Sam Tam Road. Unlike the subject application, DSD did not raise any concern on improper structure over the drainage channel when providing comments on that application.

60. Messrs. Albert So and Andrew Lau made the following main points:

- (a) the application site would be used for open storage of vehicles of less than 24 tonnes;
- (b) the tractor was less than 7m. Only if the trailer was included, would the vehicle length exceed 7m;
- (c) application No. A/YL-KTN/262 was using the same access arrangement with a steel bridge over the drainage channel as the subject application; and
- (d) the steel bridge providing access to the application site had been in use for 10 years. If enforcement action was taken by the Government, an alternative access should be provided for the affected owners.

61. As the applicant's representatives had no further comment to make and Members had no further question to raise, the Chairman informed them that the hearing procedures for the review had been completed and the Board would further deliberate on the application in their absence and inform the applicant of the Board's decision in due course. The Chairman thanked the applicant's representatives and PlanD's representative for attending the meeting. They all left the meeting at this point.

Deliberation

62. Some Members considered that as the application was only for a temporary period of 1 year, sympathetic consideration might be given to approving the application. Enforcement action, if any, against the steel bridge across the drainage channel would take time and might be objected to by the local villagers.

63. The majority of Members however did not support the application and their views were summarised as follows:

- (a) the application site was currently used for open storage of trailers without planning permission, which should not be encouraged;
- (b) even though a planning condition could be imposed not to allow long vehicles exceeding 7m, it was very likely that the site would continue to be

used for open storage of long vehicles exceeding 7m;

- (c) the application site was in close proximity to sensitive receivers and environmental nuisance was expected; and
- (d) approval of the subject application would set an undesirable precedent.

64. After further deliberation, the Board decided to reject the application on review and the reasons were:

- (a) the application did not comply with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses in that there were adverse departmental comments on the application; and
- (b) there was insufficient information in the submission to demonstrate that the development would not generate adverse environmental, traffic and drainage impacts on the surrounding areas.

[Mr. Michael K.C. Chiu, Mr. Tony C.N. Kan and Professor N.K. Leung left the meeting at this point.]

Agenda Item 5

[Open Meeting]

Request for Deferral of Review of Application No. A/K20/96

Proposed Hotel Development in “Residential (Group A)1” zone, G/F(Part) and UG/F(Part), KIL 11158, Hoi Fai Road, West Kowloon Reclamation

(TPB Paper No. 7876)

[The meeting was conducted in Cantonese.]

65. The Secretary said that the application was submitted by Active Success Development Ltd, a subsidiary of Sino Land Development Co. Ltd (Sino). Dr. Greg C.Y. Wong had declared an interest in this item as he had current business dealing with Sino. However, as the subject matter was procedural in nature, Dr. Wong could be allowed to stay

at the meeting.

66. The Secretary briefly introduced the Paper. The application was for amendments to an approved hotel development in an area zoned “Residential (Group A)1” on the South West Kowloon Outline Zoning Plan. Consideration of the review was originally scheduled for 4.5.2007. On request of the applicant, the date of consideration had been deferred once. In July 2007, the applicant requested to further defer the consideration of the application for two more months to allow time for conducting study on the layout and size of hotel rooms and to await the Board’s decision on a separate planning application No. A/K20/99 for a similar hotel development at the subject premises. The justifications for deferment met the criteria for deferment set out in the Town Planning Board Guidelines No. 33 in that the deferment period was not indefinite and it would not affect the interest of other relevant parties.

67. After deliberation, the Board decided to agree to the request for further deferment and that the application would be submitted to the Board for consideration within 3 months upon receipt of further information from the applicant.

68. The Board also decided to advise the applicant that the Board had allowed a further period of 2 months for preparation of submission of further information, and no further deferment would be granted unless under very special circumstances.

Agenda Item 6

[Open Meeting]

Request for Deferral of Review of Application No. A/YL-TYST/310

Proposed Flats and Minor Relaxation of Plot Ratio Restriction of “Residential (Group B)1” in “Residential (Group B)1” and “Government, Institution or Community” and “Green Belt” zones, Lot 2131 in DD 121, Tong Yan San Tsuen, Yuen Long
(TPB Paper No. 7878)

[The meeting was conducted in Cantonese.]

69. The Secretary briefly introduced the Paper. She said that the application was

for proposed flats and minor relaxation of plot ratio restriction in an area zoned “Residential (Group B)1” on the Tong Yan San Tsuen Outline Zoning Plan. The application was approved with conditions on 7.4.2006. The applicant sought a review on the imposition of approval condition (a) on the submission and implementation of environmental mitigation measures proposals to the satisfaction of the Director of Environmental Protection or of the Town Planning Board. On requests of the applicant, the consideration of the review application had been deferred four times.

70. The Secretary continued to say that on 29.6.2007, the applicant requested the Board to further defer the consideration of the review application to allow time for the applicant to submit further information to address major technical issues and await the outcome of Application No. A/YL-TYST/343, which was an application at the same location. The justifications for deferment met the criteria for deferment set out in the Town Planning Board Guidelines No. 33 in that the applicant needed more time to resolve major technical issues with relevant Government departments, the deferment period was not indefinite, and it would not affect the interest of other relevant parties.

71. After deliberation, the Board decided to agree to the request for further deferment and that the application would be submitted to the Board for consideration within 3 months upon receipt of further submission from the applicant.

72. The Board also decided to advise the applicant that the Board had allowed another 2 months for the applicant for preparation of submission of further information, that is, a total of 11 months. No further deferment would be granted unless under very special circumstances.

Agenda Item 7

[Open Meeting]

Proposed Amendment to the Draft Wong Nai Chung Outline Zoning Plan No. S/H7/12
Arising from Consideration of Representations and Comments
(TPB Paper No. 7873)

[The meeting was conducted in Cantonese.]

73. The Secretary briefly introduced the Paper. She said that after considering the representations and comments on the draft Wong Nai Chung Outline Zoning Plan (OZP) No. S/H7/12 on 15.6.2007, the Board decided to propose an amendment to the OZP to partially meet some of the representations by amending the maximum building height of 20, 24 and 34-40 Shan Kwong Road from 115mPD to 130mPD.

74. After deliberation, the Board decided to agree that the proposed amendment to the draft Wong Nai Chung OZP No. S/H7/12 as shown at Annexes I and II of the Paper was suitable for publication for further representation in accordance with the provisions of the Town Planning Ordinance.

Agenda Item 8

[Open Meeting]

Draft Sham Chung Development Permission Area Plan No. DPA/NE-SC/2A
Submission of Draft Plan to the Chief Executive in Council for Approval
(TPB Paper No. 7880)

[The meeting was conducted in Cantonese.]

75. The Secretary briefly introduced the Paper. She said that a replacement page 1 of the Paper was tabled at the meeting. Revision was made to paragraph 3.1 of the Paper to replace 'no representation was received' with 'as the process of the consideration of the representations had been completed'.

76. After deliberation, the Board:

- (a) agreed that the draft Sham Chung Development Permission Area (DPA) Plan No. DPA/NE-SC/2A and its Notes at Annexes I and II of the Paper respectively were suitable for submission under section 8 of the Town Planning Ordinance to the Chief Executive in Council (CE in C) for approval;

- (b) endorsed the updated Explanatory Statement (ES) for the draft Sham Chung DPA Plan No. DPA/NE-SC/2A at Annex III of the Paper as an expression of the planning intention and objectives of the Board for the various land-use zonings on the draft DPA Plan and issued under the name of the Board; and
- (c) agreed that the updated ES was suitable for submission to the CE in C together with the draft DPA Plan.

77. Item 9 was reported under Confidential Cover.

Agenda Item 10

[Open Meeting]

Any Other Business

[The meeting was conducted in Cantonese.]

78. There being no other business, the meeting was closed at 1:10 p.m..