

**Minutes of 905th Meeting of the
Town Planning Board held at 9.00 am on 15.2.2008**

Present

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

Chairman

Mr. Michael K.C. Lai

Dr. Greg C.Y. Wong

Professor Nora F.Y. Tam

Mr. Nelson W.Y. Chan

Mr. Leslie H.C. Chen

Professor David Dudgeon

Professor Peter R. Hills

Mr. Tony C.N. Kan

Mr. Edmund K.H. Leung

Professor N.K. Leung

Dr. C.N. Ng

Dr. Daniel B.M. To

Mr. Stanley Y.F. Wong

Mr. Alfred Donald Yap

Ms. Sylvia S.F. Yau

Mr. B.W. Chan

Mr. Walter K.L. Chan

Ms. Maggie M.K. Chan

Mr. Raymond Y.M. Chan

Mr. Y.K. Cheng

Mr. Felix W. Fong

Ms. Anna S.Y. Kwong

Professor Paul K.S. Lam

Dr. James C.W. Lau

Ms. Starry W.K. Lee

Mr. K.Y. Leung

Principal Assistant Secretary (Transport)

Transport and Housing Bureau

Ms. Ava Chiu

Assistant Director (2), Home Affairs Department

Ms. Margaret Hsia

Deputy Director of Environmental Protection

Dr. Michael Chiu

Director of Lands

Miss Annie K.L. Tam

Director of Planning

Mrs. Ava Ng

Deputy Director of Planning/District

Miss Ophelia Y.S. Wong

Secretary

Absent with Apologies

Dr. Peter K.K. Wong

Vice-chairman

Ms. Carmen K.M. Chan

Mr. David W.M. Chan

Dr. Lily Chiang

Professor Bernard V.W.F. Lim

In Attendance

Assistant Director of Planning/Board

Mr. C.T. Ling

Senior Town Planner/Town Planning Board
Ms. Teresa L.Y. Chu

Agenda Item 1

[Open meeting]

1. The Chairman delivered his Chinese New Year greetings to Members wishing them a successful and healthy Year of the Rat.

Confirmation of Minutes of the 904^h Meeting held on 25.1.2008

[The meeting was conducted in Cantonese.]

2. The minutes of the 904th meeting held on 25.1.2008 were confirmed without amendment.

Agenda Item 2

Matters Arising

3. There was no matters arising under this item.

Agenda Item 3

[Open Meeting]

North East New Territories New Development Areas
Planning and Engineering Study – Study Framework
(TPB Paper No. 8008)

[The meeting was conducted in Cantonese.]

Presentation and Question Session

4. The following government representatives from the [Planning Department \(PlanD\)](#) and [Civil Engineering and Development Department \(CEDD\)](#) were invited to the meeting:

Mr. Raymond K.W. Lee

Chief Town Planner/Studies &
Research, [PlanD](#)

Mr. C.S. Liu

[Atg. Chief Engineer/Tai Po &
North, CEDD](#)

[Dr. Daniel B.M. To, Ms. Starry W.K. Lee, Messrs. Stanley Y.F Wong and Felix W. Fong arrived to join the meeting at this point.]

5. The Chairman extended a welcome and invited Mr. Raymond K.W. Lee to brief Members on the background of Paper. With the aid of a powerpoint presentation, [Mr. Lee](#) did so as detailed in the Paper and made the following main points:

Purpose

- (a) to seek Members' views on the proposed framework for the North East New Territories (NENT) New Development Areas (NDAs) Planning and Engineering (P&E) Study announced in Chief Executive's 2007 Policy Address;

Background

- (b) Kwu Tung North, Fanling North and Ping Che/Ta Kwu Ling were identified as suitable NDAs in the 2003 NENT Study and their feasibility based on findings of various planning, engineering and environmental assessments were also confirmed. The "Hong Kong 2030: Planning Vision and Strategy" (HK2030 Study) completed in 2007 recommended to proceed with these three NDAs (the Three-in-One Scheme) and Hung Shui Kiu NDA to address the long-term need for housing and employment, and reserve land for special industries and tertiary education. The development of these NDAs would be for multiple purposes, including the provision of land for housing, education and community facilities, improvement of degraded rural environment, better protection of resources of high conservation value, and timely development of land for special industries and open storage uses;

Need for the Study

- (c) the P&E Study was necessary to take account of the changing circumstances since the previous NENT study, including public aspirations for a better living environment, new land use requirements, changes in housing

requirements and policy, demand for commercial and industrial land; and requirement of government, institution or community facilities in response to changes in population profile;

Study Area

- (d) the Study Area included the Kwu Tung North NDA with an area of about 500 ha; Fanling North NDA with an area of about 180 ha; and Ping Che/Ta Kwu Ling NDA covering an area of about 150 ha;

[Prof. David Dudgeon arrived to join the meeting at this point.]

Study Objective and Principles

- (e) the aim was to establish a planning and development framework for the NDAs with a view to confirming the feasibility of the recommended proposals in meeting long-term housing, social, economic and environmental needs and formulating an implementation programme. The objective was to develop sustainable, environmental friendly, energy efficient, people oriented and obstacle-free communities with the following principles:

Multiple purposes

- land would be provided for housing, employment, high value-added/ non-polluting industries and community facilities. This would include land uses at appropriate development intensities, together with extensive landscaping, suitable heritage and ecological conservation measures, environmental friendly and energy efficient measures, for alternative living choice with quality living space;

People-oriented planning

- the focus was on strengthening community networks, convenient community and transport facilities and obstacle-free designs. Academics and practitioners in social work and planning would be engaged;

Appropriate development scale

- the NDAs would be of a smaller scale with emphasis on achieving quality development and building community networks;

Timely delivery of facilities

- necessary community services and transport facilities would be provided with regard to local conditions and needs of residents, even if the population build-up might not meet the threshold level;

Balanced housing mix

- a balanced mix of housing development would be provided; and

Private sector participation

- private sector engagement would be explored in the implementation to enhance flexibility in development and use of community resources.

[Ms Sylvia S.F. Yau and Mr. Nelson W.Y. Chan arrived to join the meeting at this point.]

6. Mr. C.S. Liu went on to make the following main points:

Study Framework and Programme

- (a) Recommended Outline Development Plans (RODPs) and detailed Layout Plans (LPs) would be formulated taking into account new planning circumstances and public aspirations;
- (b) a 3-stage comprehensive public engagement programme would be adopted to take into account public views through involvement of relevant parties, including the Town Planning Board, Legislative Council, District Councils, local communities, environmental groups and other stakeholders:
 - Stage 1 – to discuss objectives, constraints/opportunities, design principles and key issues, and generate development options for preliminary proposals;
 - Stage 2 – to discuss the Preliminary ODPs, which would form the basis for detailed engineering feasibility studies and environmental impact assessment (EIA) and formulation of RODPs;
 - Stage 3 – to explain the rationale on how public views were incorporated in the RODPs and obtain feedback for finalization of layout plans and proposals; and

Study Programme

- (c) the 30-month integrated study, including EIA and heritage impact assessment, would start in mid 2008 for completion in end 2010. Engineering works would commence in 2010 for the first population intake in 2019.

7. The Chairman then invited Members to comment on the paper. Members were generally in support of the study. The following was a summary of views expressed by individual Members:

Role and scale of development and population of NDA

- (a) the role and scale of development of each NDA would need to be ascertained at the early stages to define the population threshold and composition, which in turn could be adopted as the basis for the planning of infrastructural requirements, transport network, functional relationship with the hinterland and detail design. For instance, if the area was considered for a retirement village, urban commuting would not be a priority; in the case of a university town, then employment would unlikely be a key issue;
- (b) the nature of the NDAs should have regard to the existing conditions. The rural character of Ta Kwu Ling would need to be considered in view of its relatively remote location and presence of the NENT landfill, while development in Kwu Tung North could optimise on its cross-boundary transport linkages;

Regional and strategic perspectives

- (c) given the proximity and increasing interaction with Shenzhen, the NDA study should take into account cross-boundary issues and integration with long term comprehensive planning of Shenzhen;
- (d) the NDAs should be considered in the strategic perspective and in the context of territorial development. The option of university town, for instance, should only be taken forward with strong policy support. It would be difficult for existing tertiary education institutions to relocate to the NDAs as they were heavily investing on upgrading their existing facilities;

District and Regional Transport Network

- (e) the scope of the TIA should include the examination of traffic impact in the regional context to help rationalize the movement of container/freight traffic from the Ping Che/Ta Kwu Ling NDA to the cross-boundary control point. This would reduce traffic impact caused by such facilities to the NDAs and avoid the need for additional bypass as an after-thought to address future traffic problem;
- (f) public transport interchange (PTI) should be reserved near the Lok Ma Chau (LMC) area to facilitate cross-boundary passenger traffic;
- (g) relationship with the ongoing study on Planning Study on Liantang/Heung Yuen Wai Cross-boundary Control Point and its Associated Connecting Roads in Hong Kong (Liantang/Heung Yuen Wai study) should be taken into account;

Public expectation

- (h) in developing the NDAs, the existing ecologically sensitive sites, unique landscape and cultural heritage in NENT should not be compromised. The sentiment and expectations from some quarters in the public for extensive development in NDAs would need to properly managed during the consultation;

Land issue

- (i) as development of NDA would likely involve a significant amount of private land, due regard should be given to the land issues, including site assembly and rehousing. Heung Yee Kuk (HYK) should be consulted;

Social network and integration with adjoining areas

- (j) social impact assessment (SIA) should be conducted to examine the needs of the new community while more thoughts should be given to creating sustainable social network with integration with the adjacent areas;

Interface with other studies

- (k) the interface of the NDA study with other relevant studies, such as border area study, should be taken into account to ensure comprehensive planning;

Housing mix and employment

- (l) consideration should be given to providing a balanced housing mix;
- (m) a balanced development with more focus on employment should be provided;

Implementation

- (n) flexibility should be built into the implementation strategy to keep abreast of the changing circumstances and new aspirations of the community;
- (o) more innovative concepts on implementation mechanism involving private sector participation should be explored, while the business sectors should be consulted with regard to viable projects from the market perspective;

Technical assessment

- (p) what would be the criteria for selection of consultants and ratio for technical/fees proposals?

Others

- (q) opportunity should be taken to explore the provision of cemetery in the Closed Area and Lok Ma Chau (LMC) loop area;
- (r) there might be queries on why government resources were spent on the NDAs rather than tackling the problems faced by Tin Shui Wai;
- (s) why the Hung Shui Kiu NDA was not included in the study; and
- (t) more information should be included in the consultation documents to facilitate public comments, such as the physical extent of the NDAs.

8. Messrs. Raymond K.W Lee and C.S. Liu replied as follows:

Role and scale of development and population of NDA

- (a) while the previous study findings and population level (about 180,000) would be taken as a reference point, the exact scale and specific types of development of each NDA would be examined in the current study based on site characteristics and the findings of various technical assessments. The NDAs would be of a smaller scale with medium density development emphasizing on quality development;
- (b) due regard would be given to the geographical setting, local character and heritage of traditional villages in formulating suitable development themes for each NDA, subject to findings of planning, engineering and environmental assessments. Fanling North, given its proximity to the existing new town, was considered more appropriate for housing and GIC facilities, while Ping Che area, being dominated by open storage uses, would require upgrading and improvement to its environment;

Regional and strategic perspectives

- (c) land use and traffic requirements to facilitate cross-boundary interaction would be taken into account in the study. Reference would be made to relevant studies on the Closed Area and Liantang/Heung Yuen Wai Cross-boundary Control Point in the study process;
- (d) the development of the three NDAs had been taken as an integral part of the territorial development in meeting long term strategic needs. The concept of university town proposed in HK2030 Study would be further examined in the study and the views of relevant stakeholders would be sought ;

District and Regional Transport Network

- (e) the TIA would assess the overall impact on road networks in a wider regional context and address the issue of open storage traffic as well as the need for additional roads, if required, to resolve the traffic flow;
- (f) reservation for development of a station in the LMC spur line had been made to serve the Kwu Tung North NDA. The provision of PTI would be further assessed in the Study;
- (g) the TIA would give due regard to the Liantang/Heung Yuen Wai study and

address the interface issues;

Public expectation

- (h) as highlighted in the 2007 Policy Address, the scope of NDAs would be of a smaller scale. The optimal development intensity would be assessed in the Study so as to provide a quality living environment to balance conservation and development. This message would be conveyed to the general public in the engagement activities to avoid creating a false public expectation for extensive developments in the future NDAs;

Land issue

- (i) the prevailing policies and practices on demarcating “Village” zones for indigenous villages would be followed.. HYK would be consulted in the study process with briefings to the local rural committees;

Social network and integration with adjoining areas

- (j) socio-economic assessment would be undertaken. Academics, sociologists and practitioners in community services would be engaged in the process to provide expert advice on various social aspects of the NDA development;

Interface with other studies

- (k) reference would be made to relevant studies on Closed Area and the Liantang/Heung Yuen Wai study as input to the NDA study;

Housing mix and employment

- (l) a spectrum of housing types with suitable private/public ratio would be considered to help create a balanced housing mix;
- (m) land for major facilities and special industries would be reserved at suitable locations with easy accessibility to provide jobs for residents within the NDAs and the existing nearby new town;

Implementation

- (n) flexibility would be allowed in the implementation mechanism, including packaging of development proposals and phasing plan to cope with the

changes in planning circumstances;

- (o) views of the business sector and professional groups would be sought on implementation issues in the study process ;

Technical assessment

- (p) as this integrated study would involve a range of complex issues, the criteria for selection of consultants would likely accord greater emphasis on technical competence rather than fees. It was likely that a 80:20 ratio would be adopted;

[Mr. Tony C.N. Kan left the meeting temporarily at this point.]

Others

- (q) the need for identifying more sites for cemetery use would be considered in the study on Land Use Planning For the Closed Area ;
- (r) whilst the Government had allocated resources to address the problem in Tin Shui Wai, the NDA development was necessary to meet long term strategic needs with regard to housing, employment, high value added and non-polluting industries;
- (s) the Hung Shui Kiu NDA would be undertaken in another study according to the 2007 Policy Address; and
- (t) sufficient information would be provided to facilitate the engagement of the public at different stages of the Study.

[Mr. Tony C.N. Kan returned to join the meeting at this point.]

9. The Chairman supplemented that a special task force had been set up in the Development Bureau to examine the development of the LCM loop and the Board would be consulted at the appropriate time. With respect to dialogue with Shenzhen, there was existing mechanism providing various channels for communication at the policy level. The findings of other relevant studies, including the Closed Area and Liantang/Heung Yuen Wai studies, would be duly considered in the NDA study. Implementation mechanism, involving alternative forms of private participation and development packages, would be further

examined subject to the outcome of consultation with the business sector and professional institutes. The Board would be further briefed in the later stages of the study.

10. The Chairman thanked the representatives from CEDD and PlanD for the presentation and they all left the meeting at this point.

[Dr. N.K. Leung, Ms. Starry W.K. Lee, Ms. Sylvia S.F. Yau, Ms. Anna S.Y. Kwong, Mr. Raymond Y.M. Chan and Mr. Felix W. Fong, left the meeting temporarily at this point.]

Agenda Item 4

[Open meeting (Presentation and Question Session Only).]

Briefing on On-line Submission of Comments on Planning Applications and Representations

[The meeting was conducted in Cantonese.]

Presentation and Question Session

11. The following government representatives from the [Planning Department \(PlanD\)](#) were invited to the meeting:

Mr. Ivan Chung	Senior Town Planner/Ordinance Review
Mr. K.W. Ng	Town Planner/Ordinance Review

[Dr. N.K. Leung, Ms. Sylvia S.F. Yau, Ms. Anna S.Y. Kwong and Mr. Raymond Y.M. Chan returned to join the meeting at this point.]

12. The Chairman extended a welcome and invited Mr. Ivan Chung to brief Members on the subject. With the aid of a demonstration, Mr. Chung made the following main points:

- (a) the launching of submission of online representations and comments on plan-making and planning applications promulgated on 12.2.2008 was aimed to improve the system of providing submissions to the Town Planning Board under the Town Planning Ordinance. In addition to submitting their comments in person, by post, fax or by email, the online service provided the

public with an additional and convenient channel to provide comments on planning applications and submissions in relation to the plan-making process;

- (b) the procedures for online submissions were simple and user-friendly with a link in the Board's website provided for each case during the relevant publication period to allow any person to click and input comments on the case; and
- (c) the structure of the Board's website had also been revamped to enable more efficient searches for information.

[Ms. Starry W.K. Lee and Mr. Felix W. Fong returned to join the meeting at this point.]

13. The Chairman then invited Members to comment on the briefing. Members were generally in support of the new system and expressed the following views:

- (a) there should be mechanism to avoid abuse of the system with repeated submission of the same comment, which would help to differentiate between a single comment and a duplicated one;
- (b) it would be useful to alert the last-minute commenters/representers at the outset about the actual time left before closing of submission. It was noted that commenters/representers, who already gained access to the website within the time limit, would not be allowed to submit if they completed and sent their comment after the expiry time. Accepting out-of-time submission would likely be subject to challenge and might have legal implications;
- (c) consideration could be given to allow enclosures and submission with over 1,000 words;
- (d) the public should be informed about the reason for rejection if their submissions were denied;
- (e) more plans and information for the cases in question should be included in the website so that the public would be better informed;
- (f) there should be greater publicity for on-line submission; and

- (g) whether there was any limit on additional submissions by the same person.

14. Messrs. Ivan Chung and K.W. Ng replied as follows:

- (a) the website had been designed to allow one submission at a time with assigned code number while programmed repetition of the same comment would be denied by the system;
- (b) commenters/representers who entered the website would only be able to submit comments/representations within the expiry time in accordance with the conditions stipulated in the disclaimer. This arrangement was in line with the current practice for other forms of submission, i.e. in person, by post, fax and email;
- (c) allowing enclosures in online submission would have implications on the system design and capacity. However, commenters/representers were able to include enclosures and detailed description of over 1000 words through other means of submission;
- (d) online submission was subject to conditions clearly spelt out in the disclaimer. Incorporation of reasons for rejection of submission could be further considered. If online submission failed, the public was still able to submit comments in other means, e.g. in person, fax, email and post within the publication period;
- (e) sufficient information, including submission time, i.e. gist, key parameters and site plan for each application, and schedule of amendment for each OZP, were included to facilitate submission. Members of the public were welcome to inspect the original submission by the applicant in the information folder deposited in PlanD's Public Enquiry Counters during the publication period;
- (f) in addition to press release and details in the Board's website, effort would be made to inform the public of this service through other channels; and
- (g) any person could give additional submissions within the public inspection period irrespective of how many comments he had already made.

15. The Chairman thanked PlanD's representatives for the presentation and they all left the meeting at this point.

[Mrs Ava Ng, Miss Annie Tam, Dr. James C.W. Lau, Mr. B.W. Chan, Prof. Peter R. Hills and Prof. Paul K.S. Lam left the meeting at this point.]

Agenda Item 5

[Open meeting (Presentation and Question Session Only).]

Review of Application No. A/NE-LYT/368

Temporary Open Storage of Building Materials for a Period of 3 Years

in "Agriculture" zone, Lots T128(Part), 2806RP(Part), 2807RP in DD 51,

Tong Hang, Fanling

(TPB Paper No. 8009)

[The hearing was conducted in Cantonese.]

Presentation and Question Session

16. The Chairman said that sufficient notice had been given to the applicant, but the applicant had indicated to the Secretariat that he would not attend or be represented at the review hearing. Members agreed to proceed with the hearing in the absence of the applicant.

17. Mr. W.K. Hui, District Planning Officer/Shatin, Tai Po and North District (DPO/STN) of the Planning Department (PlanD) were invited to the meeting at this point. The Chairman extended a welcome and invited Mr. W.K. Hui to brief Members on the background to the application.

18. Mr. Hui tabled replacement pages for p.4-p.7 of the Paper. With the aid of some plans, Mr. Hui gave a briefing on the Paper and made the following main points:

- (a) the reasons of the Rural and New Town Planning Committee (RNTPC) to reject the application for temporary open storage of building materials for a period of 3 years at the application site on 2.11.2007;
- (b) no further submission was put forth by the applicant in support of the

review application;

- (c) departmental comments – Assistant Commissioner for Transport/NT, Transport Department advised that the access road from Jockey Club Road to the application site was a sub-standard village track not desirable for medium/heavy goods vehicles. The case was not supported by the Director of Environmental Protection due to presence of sensitive uses in the vicinity and environmental nuisance was expected. Chief Town Planner/Urban Design and Landscape, PlanD advised that as the site was located in rural village area adjacent to mature woodland some of which were removed for open storage, the proposed use was not compatible to the surrounding setting. Approval of the case would likely result in further deterioration of existing landscape;
- (d) no public comment was received during the public inspection period. District Officer/North, Home Affairs Department (DO(N), HAD) advised that the Chairman of Fanling District Rural Committee (FLDRC) had no comment. The North District Council member of the subject constituency and the Residents Representative (RR) of Tong Hang (upper) supported the application. The RR of Tong Hang (lower), who also raised objection at the s.16 stage to DO(N), expressed concern on the possible environmental and road safety problems; and
- (e) PlanD's view – not supporting the application as the application site was within Category 3 areas of TPB Guidelines 13D that did not warrant favourable consideration and also the subject of enforcement on unauthorized development. There was no change in planning circumstances since the rejection of two previous applications in 2004 and 2005 and dismissal of an appeal by the Town Planning Appeal Board in 2006. The applicant had not submitted technical assessments to demonstrate that there would not be any environmental impact to the surroundings.

19. As Members had no question to raise, the Chairman said that the hearing procedures for the review had been completed. The Chairman thanked PlanD's representative for attending the meeting. Mr. W.K. Hui left the meeting at this point.

Deliberation Session

20. The Chairman remarked that there was no change in planning circumstances since the previous rejection and there were departmental concerns. Members noted that no technical assessment had been submitted to demonstrate the technical and environmental acceptability of the application and considered that there was no grounds to support the case.

21. After further deliberation, the Board decided to reject the application on review and the reason was:

‘the development was not in line with Town Planning Board Guidelines for ‘Application for Open Storage and Port Back-up Uses’ (TPB PG-No.13D) in that there was no previous approval given for the application site. There were adverse departmental comments and local concerns on the application. There was no technical submission to demonstrate that the use under application would not have adverse environmental, traffic and landscape impacts in the surrounding areas.’

Agenda Item 6

[Open meeting (Presentation and Question Session Only)]

Request for Deferral of Review of Application No. A/ST/658

Proposed Comprehensive Development with Government,

Institution or Community Facilities and Public Transport Interchange in

“Comprehensive Development Area (1)” zone, East Rail Fo Tan Station

and its Adjoining Area at Au Pui Wan Street and Lok King Street, Sha Tin

(TPB Paper No. 8010)

[The meeting was conducted in Cantonese]

22. Professor Nora Tam had declared an interest in this item as she was the owner of a unit of Royal Ascot, the Owners Concern Group of which had submitted objection to the application. Mr. Tony Kan also declared an interest in this item as he was the honorary legal advisor for Jubilee Garden and an owner of a unit of Royal Ascot, the Owners Concern Group of both premises had submitted objections to the application. As this application was for deferral, Members agreed that the above-mentioned members could remain in the meeting.

23. The Secretary said that the applicant had requested the Board to defer consideration of the review application in order to allow time for the applicant to process his

forthcoming submission, including the responses to reasons of rejection and some technical information to support the review application, which would be ready within the next few weeks. The justification for deferment met the criteria for deferment as set out in the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Town Planning Ordinance (TPB PG-No. 33).

24. After deliberation, the Board agreed to the request for deferment and that the application would be submitted to the Board for consideration within three months upon receipt of further submission from the applicant. Two months were given for the applicant to submit the further information. The Board also agreed to advise the applicant that no further deferment would be granted unless under very special circumstances.

Agenda Item 7

[Open meeting (Presentation and Question Session Only)]

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”, “Government, Institution or Community” and
“Green Belt” zones, Lot 2131 in DD 121, Tong Yan San Tsuen, Yuen Long
(TPB Paper No. 8011)

[The meeting was conducted in Cantonese]

25. The Secretary said that the Board had previously agreed 4 times to the applicant’s requests for deferment to allow time for consultation with departments and preparation of further information; and pending decision of revised schemes No. A/YL-TYST/343 and No. A/YL-TYST/366.

26. Another reason for the applicant’s request for deferment was to await the outcome of No. A/YL-TYST/366 submitted by the same applicant, which would have bearing on the current case. Notwithstanding application No. A/YL-TYST/366 was approved with conditions by RNTPC on 1.2.2008, the applicant had indicated that he would decide on the way forward upon receipt of the confirmed minutes.

27. The Secretary said the justification for deferment met the criteria for deferment as set out in the Town Planning Board Guidelines on Deferment of Decision on Representations,

Comments, Further Representations and Applications made under the Town Planning Ordinance (TPB PG-No. 33).

28. After deliberation, the Board agreed to the request for deferment and that the application would be submitted to the Board for consideration within three months upon receipt of further submission from the applicant. The Board also agreed to advise the applicant that another two months were given for the applicant to submit the further information and as a total of 15 months had been allowed, no further deferment would be granted unless under very special circumstances.

Agenda Item 8

[Open meeting (Presentation and Question Session Only)]

Submission of the Draft Yau Ma Tei Outline Zoning Plan No. S/K2/19A
under Section 8 of the Town Planning Ordinance
to the Chief Executive in Council for Approval
(TPB Paper No. 8012)

[The meeting was conducted in Cantonese]

29. The Secretary introduced the Paper. Since the representation consideration process for the draft Yau Ma Tei Outline Zoning Plan No. S/K2/19A (the OZP) had been completed, the OZP was now ready for submission to the Chief Executive in C (CE in C) for approval. For submission to the CE in C, the OZP had been renumbered as S/K2/20. Opportunity was also taken to update the Explanatory Statement to reflect the latest position of the OZP and the latest developments in the area.

30. After further deliberation, the Board:

- (a) agreed that the draft Yau Ma Tei OZP No. S/K2/19A and its Notes were suitable for submission under section 8 of the Ordinance to the Chief Executive in C (CE in C) for approval;
- (b) endorsed the updated Explanatory Statement (ES) for the draft Yau Ma Tei OZP No. S/K2/19A as an expression of the planning intention and objectives of the Board for the various land-use zonings on the draft OZP 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 OZP.

Agenda Item 9

[Open meeting]

Draft Urban Renewal Authority Hai Tan Street/Kweilin Street and
Pei Ho Street Development Scheme Plan No. S/K5/URA2/1
Information Note on Further Representation
(TPB Paper No. 8013)

[The meeting was conducted in Cantonese]

31. The Secretary reported that the following Members had declared interests on this item:

Mrs. Ava S.Y. Ng as the Director of Planning]	
Miss Annie Tam as the Director of Lands]	Being non-executive directors of URA
Mr. Walter K.L. Chan]	
Ms. Margaret Hsia as the Assistant Director (2) of Home Affairs Department		Being a co-opt member of the Planning, Development and Conservation Committee of URA
Mr. Michael K.C. Lai		Being a former non-executive director of URA
Dr. Greg C.Y. Wong Prof. Bernard V.W.F.Lim]	Having current business dealings with] URA

32. As no deliberation would be required for this item, Members agreed that the above-mentioned Members could stay in the meeting.

33. The Secretary reported that the draft Urban Renewal Authority Hai Tan Street/Kweilin Street and Pei Ho Street Development Scheme Plan (DSP) No. S/K5/URA2/1 (the Plan) was exhibited on 1.6.2007 and 5 valid representations were received during the 2-month exhibition period. During the publication of the representations, 2 valid comments were received, including one from, Mr. Ho King-ho (related to Representations Nos. 1 and 2).

When the 5 representations and 2 comments were considered on 9.11.2007, the Board decided to partially meet Representations Nos. 2 to 4 by proposing amendment to the Plan to exclude the section of Pei Ho Street between Hai Tan Street and Tung Chau Street from plot ratio calculation. The proposed amendment to the Notes of the Plan was exhibited on 7.12.2007 for 3 weeks and a further representation from Mr. Ho King-ho was received, objecting to the exclusion of the concerned section of Pei Ho Street from PR calculation on the grounds that Pei Ho Street had provided public space, visual/noise mitigation space as well as a breezeway and the overall built form and possible impact should be taken into consideration in calculating plot ratio of a development.

34. According to s6D(1) of the Ordinance, where the Board proposed any amendments under s6B(8), during the public inspection period the proposed amendments, any person, other than those who had made any representation or comment after consideration of which the proposed amendments were proposed under s6B(8), might make further representation to the Board in respect of the proposed amendments. As the further representation was submitted by Mr. Ho King-ho, who was one of the original commenters and his views had been considered by the Board on 9.11.2007 in the hearing of the original representations and comments, the further representation was therefore considered invalid under s6D(1) of the Ordinance and should be treated as not having been made.

35. After further deliberation, Members agreed that the further representation was considered invalid under s6D(1) of the Ordinance and should be treated as not having been made.

Agenda Item 10

[Open meeting]

Draft Urban Renewal Authority Hai Tan Street/Kweilin Street
and Pei Ho Street Development Scheme Plan No. S/K5/URA2/1
Confirmation of Proposed Amendment
(TPB Paper No. 8016)

[The meeting was conducted in Cantonese]

36. The Secretary reported that the following Members had declared interests on this item:

Mrs. Ava S.Y. Ng as the Director of Planning]	
Miss Annie Tam as the Director of Lands]	Being non-executive directors of URA
Mr. Walter K.L. Chan]	
Ms. Margaret Hsia as the Assistant Director (2) of Home Affairs Department		Being a co-opt member of the Planning, Development and Conservation Committee of URA
Mr. Michael K.C. Lai		Being a former non-executive director of URA
Dr. Greg C.Y. Wong Prof. Bernard V.W.F.Lim]	Having current business dealings with] URA

37. As no deliberation would be required for this item, Members agreed that the above-mentioned Members could stay in the meeting.

38. The Secretary reported that the draft Urban Renewal Authority Hai Tan Street/ Kweilin Street and Pei Ho Street Development Scheme Plan (DSP) No. S/K5/URA2/1 (the Plan) was exhibited on 1.6.2007 and 5 valid representations were received during the 2-month exhibition period. During the publication of the representations, 2 valid comments were received, including one from, Mr. Ho King-ho (related to Representations Nos. 1 and 2). When the 5 representations and 2 comments were considered on 9.11.2007, the Board decided to partially meet Representations Nos. 2 to 4 by proposing amendment to the Plan to exclude the section of Pei Ho Street between Hai Tan Street and Tung Chau Street from plot ratio calculation. The proposed amendment to the Notes of the Plan was exhibited on 7.12.2007 for 3 weeks and a further representation from Mr. Ho King-ho was received. As the Board had already agreed in Agenda Item No. 9 that this further representation was considered invalid under s6D(1) of the Ordinance and should be treated as not having been made, no valid further representation was received. Members were invited to confirm the proposed amendments to form part of the Plan.

39. After further deliberation, Members agreed that the amendment made by the Board should form part of the draft DSP. In accordance with s6H, the Plan should thereafter be read as including the amendment. The amendment should be made available for public inspection until the Chief Executive in Council had made a decision in respect of the draft plan in question under s9 of the Ordinance. The Building Authority and relevant

Government departments would be informed of the decision of the Board and would be provided with a copy/copies of the amendment.

Agenda Item 11

[Open meeting]

Draft Kwun Tong (South) Outline Zoning Plan No. S/K14S/15
Information Note and Hearing Arrangement for Consideration
of Representations and Comment
(TPB Paper No. 8014)

[The meeting was conducted in Cantonese]

40. The Secretary reported that Mr. Nelson Chan had declared an interest in this item as he owned a flat in Kwun Tong. Mr. Donald Yap had also declared an interest as his spouse owned a flat in Kwun Tong. As no deliberation would be required for this item, Members agreed that the above-mentioned Members could stay in the meeting.

41. The Secretary reported that the draft Kwun Tong (South) Outline Zoning Plan (OZP) No. S/K14S/15 (the Plan) was exhibited for public inspection under s5 of the Town Planning Ordinance (the Ordinance) on 5.10.2007. During the 2-month exhibition period, 5 valid representations from private individuals were received. On 14.12.2007, the representations were published for 3 weeks for public comments and 1 valid comment was received.

42. She went on to say that as there were only 5 representations and 1 comment, it was considered more efficient for the full Board to hear the representations and comment without resorting to the appointment of a Representation Hearing Committee. The hearing could be accommodated in the Board's regular meeting and a separate hearing session would not be necessary. The arrangement would unlikely delay the completion of the representation consideration process. As the representations were in respect of the same sites, it was suggested to consider the representations and related comment collectively by the full Board. Consideration of the representations and comment by the full Board under s6B was scheduled for 14.3.2008.

43. Members agreed to accommodate the hearing in the Board's regular meeting

without resorting to a separate session. The hearing under section s6B of the Ordinance was tentatively scheduled for 14.3.2008.

Agenda Item 12

[Open meeting]

Draft Urban Renewal Authority Kwun Tong Town Centre - Main Site Development Scheme Plan No. S/K14S/URA1/1 and Draft Urban Renewal Authority Kwun Tong Town Centre - Yuet Wah Street Site Development Scheme Plan No. S/K14S/URA2/1
Information Note and Hearing Arrangement
for Consideration of Representations and Comments_
(TPB Paper No. 8015)

[The meeting was conducted in Cantonese]

44. The Secretary reported that the following Members had declared interests on this item:

Mrs. Ava S.Y. Ng as the Director of Planning]	
Miss Annie Tam as the Director of Lands]	Being non-executive directors of URA
Mr. Walter K.L. Chan]	
Ms. Margaret Hsia as the Assistant Director (2) of Home Affairs Department		Being a co-opt member of the Planning, Development and Conservation Committee of URA
Mr. Michael K.C. Lai		Being a former non-executive director of URA
Dr. Greg C.Y. Wong Prof. Bernard V.W.F.Lim]	Having current business dealings with URA
Mr. Nelson Chan]	Being owner of a property in Kwun Tong and member of the Kwun Tong District Advisory Committee of the URA
Mr. Donald Yap]	His spouse being owner of a property in Kwun Tong

45. As no deliberation would be required for this item, Members agreed that the

above-mentioned Members could stay in the meeting.

46. The Secretary reported that the draft Urban Renewal Authority (URA) Kwun Tong Town Centre – Main Site Development Scheme Plan (DSP) No. S/K14S/URA1/1 (Plan 1) and the draft URA Kwun Tong Town Centre – Yuet Wah Street Site DSP No. S/K14S/URA2/1 (Plan 2) were exhibited on 5.10.2007 for public inspection under s5 of the Ordinance. During the 2-month exhibition period, 442 valid representations were received. On 14.12.2007, the representations were published for 3 weeks for public comments and 5 valid comments were received.

47. Since the DSPs have attracted wide public interests, it was recommended that the representations and comments should be considered by the full Board. The hearing could be accommodated in the Board's regular meeting without resorting to the appointment of a Representation Hearing Committee. The arrangement would unlikely delay the completion of the representation consideration process. As the representations were in respect of the same sites and the issues raised were of similar nature, it was suggested to consider the representations and related comments collectively by the full Board. Consideration of the representations and comment by the full Board under s6B was scheduled for 14.3.2008.

48. Members agreed to accommodate the hearing in the Board's regular meeting without resorting to a separate session. The hearing under section s6B of the Ordinance was tentatively scheduled for 14.3.2008.

Agenda Item 13

[Open meeting]

Draft Tin Shui Wai Outline Zoning Plan No. S/TSW/11
Information Note and Hearing Arrangement
for Consideration of Representations and Comments
(TPB Paper No. 8017)

[The meeting was conducted in Cantonese]

49. The Secretary reported that the draft Tin Shui Wai Outline Zoning Plan No. S/TSW/11 (the Plan) was exhibited on 26.10.2007 for public inspection under s5 of the Town Planning Ordinance. During the 2-month exhibition period, 3 valid representations were

received. On 4.1.2007, the representations were published for 3 weeks for public comments and no valid comment was received.

50. Since there were only 3 representations, it was considered more efficient for the full Board to hear the representations and comment without resorting to the appointment of a Representation Hearing Committee. The hearing could be accommodated in the Board's regular meeting and a separate hearing session would not be necessary. The arrangement would unlikely delay the completion of the representation consideration process. As Representations Nos. 1 and 2 were of similar nature and objecting to the same zoning, it was suggested to hear them collectively. Representation No. 3, in support of the proposed amendments in general with additional comments on surrounding land uses in the areas, could be heard separately at the same meeting. Consideration of the representations by the full Board under s6B was scheduled for 14.3.2008.

51. Members agreed to accommodate the hearing in the Board's regular meeting without resorting to a separate session. The hearing under section s6B of the Ordinance was tentatively scheduled for 14.3.2008.

Agenda Item 14

[Open meeting]

Any Other Business

[The meeting was conducted in Cantonese.]

52. There being no other business, the meeting was closed at **11.15 a.m.**