

**Minutes of 907<sup>th</sup> Meeting of the  
Town Planning Board held on 14.3.2008**

**Present**

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

Chairman

Mr. Michael K.C. Lai

Dr. Greg C.Y. Wong

Ms. Carmen K.M. Chan

Professor Nora F.Y. Tam

Mr. Nelson W.Y. Chan

Mr. David W.M. Chan

Mr. Leslie H.C. Chen

Professor David Dudgeon

Professor Peter R. Hills

Mr. Tony C.N. Kan

Professor N.K. Leung

Professor Bernard V.W.F. Lim

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

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

Deputy Director of Environmental Protection

Dr. Michael Chiu

Director of Lands

Miss Annie Tam

Director of Planning

Mrs. Ava S.Y. Ng

Deputy Director of Planning/District

Miss Ophelia Y.S. Wong

Secretary

**Absent with Apologies**

Dr. Peter K.K. Wong

Vice-Chairman

Dr. Lily Chiang

Mr. Edmund K.H. Leung

Ms. Maggie M.K. Chan

Assistant Director (2), Home Affairs Department

Ms. Margaret Hsia

**In Attendance**

Assistant Director of Planning/Board

Mr. S. Lau

Chief Town Planner/Town Planning Board

Mr. C.T. Ling (a.m.)

Ms. Christine K.C. Tse (p.m.)

Senior Town Planner/Town Planning Board

Miss Fiona S.Y. Lung (a.m.)

Miss Winnie B.Y. Lau (p.m.)

1. The Chairman said that this was the last meeting of the 2006-2008 term of the Board. He thanked Members for their valuable contribution and services to the Board and the community during the past 2 years.

[Ms. Sylvia S.F. Yau arrived to join the meeting at this point.]

### **Agenda Item 1**

[Open Meeting]

#### Confirmation of Minutes of the 906<sup>th</sup> Meeting held on 29.2.2008

[The meeting was conducted in Cantonese.]

2. The minutes of the 906<sup>th</sup> meeting held on 29.2.2008 were confirmed without amendment.

[Mr. Nelson W.Y. Chan, Prof. Bernard V.W.F. Lim and Dr. Daniel B.M. To arrived to join the meeting at this point.]

### **Agenda Item 2**

[Open Meeting]

#### Matters Arising

[The meeting was conducted in Cantonese.]

#### (i) Reference of Four Outline Zoning Plans for Amendment

3. The Secretary reported that on 19.2.2008, the Chief Executive in Council referred back the following four approved Outline Zoning Plans (OZPs) to the Board for amendment under section 12(1)(b)(ii) of the Town Planning Ordinance:

- (a) Ma On Shan OZP No. S/MOS/13;
- (b) Lung Yeuk Tau and Kwan Tei South OZP No. S/NE-LYT/12;

- (c) Ping Che and Ta Kwu Ling OZP No. S/NE-TKL/12; and
- (d) Shap Sz Heung OZP No. S/Ne-SSH/7.

4. The Secretary said that the reference back of the four approved OZPs for amendment was notified in the Gazette on 14.3.2008.

(ii) Abandonment of Town Planning Appeal

Town Planning Appeal No. 10 of 2007

Proposed Hotel in "Residential" (Group A)" zone on the

Draft Sai Ying Pun and Sheung Wan Outline Zoning Plan No. S/H3/21

110, 112 and 114 Second Street, Sai Ying Pun

(Application No. A/H3/376)

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5. The Secretary reported that the captioned appeal was received by the Town Planning Appeal Board (TPAB) on 30.10.2007. It was against the decision of the Board on a s.17 review application for hotel development at the subject site which was zoned "Residential (Group A)" on the draft Sai Ying Pun & Sheung Wan Outline Zoning Plan No. S/H3/21. The review application was rejected by the Board on 17.8.2007 for the reasons that the proposed development was considered incompatible with the adjoining residential developments in terms of building bulk and development intensity, and approval of the application would set an undesirable precedent for similar hotel developments within the residential neighbourhood. The applicant on 27.2.2008 wrote to the TPAB to withdraw the appeal. The TPAB confirmed the abandonment of the appeal on 11.3.2008.

(iii) Appeal Statistics

6. The Secretary reported that as at 14.3.2008, 11 cases were yet to be heard by the Town Planning Appeal Board. Details of the appeal statistics were as follows:

Allowed	:	21
Dismissed	:	106
Abandoned/Withdrawn/Invalid	:	128
Yet to be Heard	:	11
Decision Outstanding	:	4
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Total	:	270

### **Agenda Item 3**

[Open Meeting]

West Kowloon Cultural District Authority Bill

(TPB Paper No. 8057)

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[The meeting was conducted in Cantonese.]

7. The Secretary reported that Dr. Peter K.K. Wong, the Vice-chairman, had declared an interest in this item as he was a member of the Museums Advisory Group and also the Vice-chairman of the Arts Development Council. Members noted that Dr. Wong had sent an apology for being unable to attend the meeting.

8. The Chairman said that the Board was briefed on the recommendations of the Consultative Committee on the Core Arts and Cultural Facilities (CACF) of the West Kowloon Cultural District (WKCD), financing arrangement, public engagement exercise and planning-related issues on 5.10.07. The West Kowloon Cultural District Authority (WKCDA) Bill was introduced into the Legislative Council (LegCo) on 20.2.2008. Representatives from the Home Affairs Bureau (HAB) were invited to brief Members of the new Bill and the work of the WKCDA.

### **Presentation and Question Session**

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

Ms. Esther Leung	Deputy Secretary for Home Affairs (3), HAB
Mr. Danny Lau	Principal Assistant Secretary for Home Affairs (WKCD) 2, HAB
Mr. Michael Lam	Executive Officer II (WKCD) 2, HAB
Mr. Anthony Kwan	Assistant Director/Metro, Planning Department (PlanD)

10. The Chairman extended a welcome and invited Ms. Esther Leung of HAB to brief Members on the background of the Paper.

11. With the aid of a Powerpoint presentation, Ms. Leung did so as detailed in the Paper and made the following main points:

#### Background

- (a) after the discontinuation of the ‘Invitation for Proposal’ process in February 2006, the Chief Executive (CE) appointed the Consultative Committee on the CACF of the WKCD and its three advisory groups in April 2006 to re-examine and re-confirm the need for the CACF in the WKCD and the financial implications of developing and operating these facilities. The Consultative Committee submitted a recommendation report to the CE on 30.6.2007;

#### Key Recommendations of the Consultative Committee

- (b) the key recommendations of the Consultative Committee included provision of 15 performing arts venues of various types and sizes in two stages and 3 ha of piazza areas for outdoor performances, and setting up an institution with museum functions called M+ and an Exhibition Centre. The facilities would be suitably clustered and integrated with commercial facilities;
- (c) the WKCD would be developed into a low-density development with ample open space, embracing a vibrant harbour-front for public

enjoyment, closely connected with the neighbourhood community;

- (d) the capital costs would be financed through an upfront endowment of \$21.6 billion, with the development of retail, dining and entertainment facilities vested with the WKCDA to provide a steady source of recurrent income to meet the operational deficits of the CACF and the operation costs of the WKCDA;
- (e) an independent statutory body, the WKCDA, would be set up to develop and manage the WKCD project;

#### Public Engagement Exercise

- (f) a three-month Public Engagement exercise was launched from September to December 2007 to gauge public views on the recommendations of the Consultative Committee and the Public Policy Research Institute (PPRI) of the Hong Kong Polytechnic University were commissioned to collate and analyse public views received;
- (g) there was strong support for the vision and recommendations of the Consultative Committee and early implementation of the WKCD project, as well as the proposed governance structure. There was also a strong call for low-density development in WKCD and more open space along the harbour;

[Ms. Anna S.Y. Kwong arrived to join the meeting at this point.]

#### The Next Steps

- (h) the next steps for taking forward the WKCD project were to proceed with the legislative work for establishing the WKCDA; submit the proposed amendments to the South West Kowloon Outline Zoning Plan (OZP) to include the proposed development parameters for the WKCD to the Town Planning Board (TPB) for consideration; conduct



preliminary work on the planning for the WKCD; designate temporary uses of the WKCD site; and seek LegCo's approval for the upfront endowment;

Key Provisions of the WKCDA Bill

- (i) the key functions of the WKCDA included to implement the WKCD project from planning to operation stages; prepare a development plan for the entire WKCD site; develop the land in accordance with the approved development plan, except the residential, hotel and office sites which would be disposed of by the Government; operate, manage and maintain the arts and cultural facilities, related (including retail, dining and entertainment facilities) and ancillary facilities; and promote, organize and sponsor the appreciation of and participation in arts and culture;

[Ms. Starry W.K. Lee arrived to join the meeting at this point.]

- (j) the key purposes of the WKCDA included to contribute to the development of Hong Kong's arts and culture in the long-term development of Hong Kong into an international arts and cultural centre, enhancement of appreciation of a diverse and pluralistic range of the arts, development of cultural and creative industries, and nurturing of local artists and arts groups;
- (k) the powers of the WKCDA included the development and operation of the WKCD, management of resources and finances, development of arts and culture, and setting up committees under the Board of the WKCDA, and preparing bylaws for performing its functions;
- (l) the Board of the WKCDA would be the governing and executive body of the WKCDA. It would comprise members with different professional knowledge, experience and expertise. There would be not more than 20 members, including a Chairman, a Chief Executive Officer (CEO), 15

non-public officer members and 3 public officer members. All members would be appointed by the CE, except the CEO who would be appointed by the WKCDA with prior approval of the CE;

[Miss Annie Tam arrived to join the meeting at this point.]

- (m) there were provisions to safeguard public interests including the requirements for WKCDA to submit a corporate plan and a business plan to the Secretary for Home Affairs (SHA) and an annual report, a statement of accounts and an auditor's report to the Financial Secretary who would cause them to be tabled in the LegCo; and the requirement for the Chairman and CEO to attend LegCo meetings and answer questions and for the WKCDA to consult the public on matters relating to the development and operation of arts and cultural facilities and other related matters;

[Mr. Tony C.N. Kan arrived to join, and Dr. James C.W. Lau temporarily left, the meeting at this point.]

#### Planning Matters

- (n) the WKCDA should prepare, in consultation with the SHA and the public, a development plan (DP) to lay out the WKCD and set apart land for different uses. The WKCDA should have regard to the views received in the public consultation, ensure that the requirements and conditions imposed by the SHA were satisfied, and the relevant development restrictions in the South West Kowloon OZP were complied with; and
- (o) the WKCDA should submit the DP to the TPB for consideration. If the TPB deemed the DP as suitable for publication, it would be deemed to be a draft plan prepared by the TPB for the purposes of the TPO and the provisions of the TPO, including, inter alia, plan exhibition, representations and comments, hearing of representations and comments,

and submission of DP to CE in C for approval, were to apply accordingly. The relevant provisions of the TPO should also apply in respect of any subsequent amendment to the approved DP.

12. The Chairman then invited Members to raise questions or give comments on the Paper.

13. The following questions or views were made by some Members:

Provision of Facilities

- (a) as one of the functions of the WCKDA was to contribute to the enhancement of appreciation of a diverse and pluralistic range of the arts, whether the facilities in the WKCD would be easily accessible to all to meet the needs of all sectors of the community, including the disabled;

Composition

- (b) the Board of the WKCD should comprise not only members who were knowledgeable and experienced in arts and culture, but also those from other professional disciplines such as finance, legal, and management to provide expert advice and inputs on the management and operation of the arts and cultural facilities;

Planning Matters

- (c) noting the WKCD would be responsible for developing the arts and cultural facilities, as well as related and ancillary facilities, but not the residential, hotel and office facilities of the WKCD, whether there was any control mechanism to ensure integrated development of various facilities in the WKCD;
- (d) the preparation procedures of the DP were similar to that of the Development Scheme Plan prepared by Urban Renewal Authority,

though the focus of the DP was on development of the WKCD;

- (e) how TPB Members could contribute to the planning and development process of the WKCD;
- (f) with an overall PR of 1.81 for the WKCD, what the estimated percentage of gross floor area (GFA) for the arts and cultural facilities was;
- (g) in the past few years, the discussion on the WKCD mainly focussed on the demand for arts and cultural facilities, while the planning and design aspect was less discussed. With a large site of 40 ha, whether there was any mechanism such as a planning brief to guide, from the public interest perspective, future preparation of the DP by the WKCDA;
- (h) it would be important for the WKCDA to consult and be consulted;

#### Financial Viability

- (i) it was expected that the arts and cultural facilities would be running a loss, whether there were any measures to ensure the financial sustainability of the project;

#### Implementation Programme

- (j) assuming the WKCDA would be set up in 2009, it was expected that the DP would not be ready for submission to the TPB until 2010, and site formation work for the first phase of WKCD would only start in 2012. As there was strong public support for the early implementation of the WKCD project, what measures would be adopted to speed up the preparation of the DP and whether PlanD could be tasked to start preparing the DP now for endorsement by the WKCDA upon its establishment;

#### Target Audience

- (k) open-air performance to promote popular arts would help encourage wider participation of the local community in arts and culture, and effort should be made to attract the Mainland visitors to use the facilities in the WKCD; and

#### Monitoring Mechanism

- (l) whether there was any effective mechanism to monitor the work of the WKCDA.

14. Ms. Esther Leung of HAB made the following responses:

#### Provision of Facilities

- (a) promotion of a diverse and pluralistic range of the arts was one of the purposes of the WKCDA, and the need of the disabled would be duly taken care of in the planning and design of the arts and cultural facilities in the WKCD;

#### Composition

- (b) the Board of WKCDA would comprise members with different expertise in addition to those who were knowledgeable and experienced in arts and culture. The development and operation of the WKCD would require different professional knowledge and expertise in various fields at different stages of the project;
- (c) while the Board of WKCDA would consist of not more than 20 members, special committees could be set up to deal with matters such as planning, finance, operation of arts and cultural facilities, etc. Members of the committees would be drawn from the community to ensure that views of different sectors would be reflected;

### Planning Matters

- (d) WKCDA would explore the integration of various facilities in preparing the DP and the TPB would be consulted during the course of preparation of the DP;
- (e) the preparation procedures of the DP were modelled primarily on the Urban Renewal Authority Ordinance;
- (f) as the WKCD occupied a prominent location at the harbourfront, the public was very concerned about the planning and design of the project. Comments and advice from TPB Members would be most useful in guiding the future planning of the WKCD;
- (g) to meet public aspirations, the WKCD would only be used for low-density development with ample open space for public enjoyment, closely connected with the neighbourhood community. About 36% of the total GFA would be set aside for arts and cultural facilities;
- (h) the WKCDA was required to consult the public in the preparation of the DP. Wide public participation was expected to solicit views and comments on the DP;
- (i) TPB and WKCDA would be in close dialogue;

### Financial Viability

- (j) overseas experience did show that running arts and cultural facilities alone would not be financially viable. Integrating arts and cultural facilities with retail, dining and entertainment facilities and developing the cultural and creative industries would help finance the operation costs;
- (k) according to the financial assessment, with the proposed one-off

endowment of \$21.6 billion from the Government which was roughly equivalent to the estimated land revenue from the residential, hotel and office development in the WKCD, the WKCDA would be able to provide and manage all the facilities in the WKCD on a financially sustainable basis. Income from the retail, dining and entertainment facilities and rental from the large venues would help cross-subsidize the operation costs of the arts and cultural facilities;

#### Implementation Programme

- (l) the first phase of arts and cultural facilities would commence operation in 2014 and the second phase in 2030. The WKCDA would be responsible for consulting the public and preparing the DP. A new WKCD team had been formed within the Administration to take charge of the WKCD project. The team would be in close liaison with PlanD to start early the preparation work of the DP;

#### Target Audience

- (m) a piazza area of over 3 ha would be set aside for outdoors events. Open-air performance could also be held in other parts of the public open space, which had a total area of not less than 23 ha;
- (n) the utilization rate of the existing venues for arts and cultural performance was near saturation. There were also requests for venues from overseas organisations for staging long-running performance. The attendance of arts and cultural performance was on the increase. With improved transport network between Hong Kong and the Mainland, more visitors from the Mainland would patronize the arts and cultural facilities in the WKCD. Effort would also be made to providing arts education to the local residents to encourage greater participation in arts and cultural events;

#### Monitoring Mechanism

- (o) an effective monitoring and control system would be put in place over the performance of the WKCDA. The WKCDA would be required to consult the public on matters relating to the development and operation of arts and cultural facilities and other related matters. An annual report, a statement of accounts and an auditor's report prepared by the WKCDA and submitted to the Financial Secretary would be tabled in the LegCo, and the Chairman and the CEO would be required to attend the LegCo meeting upon request. Other suggestions on measures to ensure the transparency and accountability of the WKCDA were also welcome.

15. Mr. Anthony Kwan of PlanD said that the need to start work early on the preparation of the DP was fully recognised by the Administration. As a first step, PlanD had proposed amendments to the South West Kowloon OZP, which would be submitted to the TPB for consideration in the following agenda item, to incorporate plot ratio, building height and other development parameters for the development of the WKCD. Subject to the agreement of the TPB, the proposed amendments to the OZP would be published for public inspection and comment under the Town Planning Ordinance. Upon approval of the development parameters, work related to the preparation of the DP would start, including that related to employment of consultant.

16. The Chairman thanked the Government's representative for attending the meeting and they left the meeting at this point.

[Mr. B.W. Chan left the meeting temporarily at this point.]

#### **Agenda Item 4**

[Open Meeting]

Proposed Amendments to the Draft South West Kowloon Outline Zoning Plan No. S/K20/20  
(TPB Paper No. 8051)

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[The meeting was conducted in Cantonese.]

Presentation and Question Session



17. The Secretary reported that Dr. Peter K.K. Wong, the Vice-chairman, had declared an interest in this item as he was a member of the Museums Advisory Group and also the Vice-chairman of the Arts Development Council. Members noted that Dr. Wong had sent an apology for being unable to attend the meeting.

18. The meeting noted that in view of the importance of the West Kowloon Cultural District (WKCD) project, the proposed amendments to the South West Kowloon Outline Zoning Plan (OZP) for the development of the WKCD were submitted to the Board for consideration.

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

Ms. Heidi Chan	District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK)
Mr. Louis Kau	Senior Town Planner/Yau Tsim Mong (STP/YTM)
Mr. Ng Tak-wah	Senior Town Planner/Urban Design (STP/UD)

20. The Chairman extended a welcome and invited the representatives of PlanD to brief Members on the Paper.

21. With the aid of a Powerpoint presentation, Ms. Heidi Chan made the following main points as detailed in the Paper:

#### Background

- (a) the proposed amendments to rezone a 40 ha site from various zones to “Other Specified Uses” (“OU”) annotated “Arts, Cultural, Commercial and Entertainment Uses” was considered by the Metro Planning Committee and the Board on 14.6.2002 and 2.5.2003 respectively. With the agreement of the Board, the proposed amendments was published for public inspection on 11.7.2003;

- (b) during the plan exhibition period, 11 objections were received, 10 of which were against the various planning and development issues of the WKCD project, including the appropriateness of the “OU” zoning;
- (c) on 12.12.2003, the Board gave further considerations of the objections and decided not to uphold the objections. However, the Board agreed to amend the Explanatory Statement (ES) of the OZP to reflect the Board’s intention to adopt a ‘two-stage approach’ for the planning of the WKCD. The first stage was to reflect the planning intention of the site for arts, cultural, commercial and entertainment uses through the “OU” zoning on the OZP, while the second stage would be to further amend the OZP to incorporate the development parameters;
- (d) on 26.3.2004, further amendments to the Notes for the “OU” zone was exhibited for public inspection. The ES was also revised to clarify the Board’s intention on the two-stage approach for the development of WKCD. No objection was received on the proposed amendments;
- (e) a special briefing to the Board was held on 20.12.2004 on the Invitation for Proposal (IFP) adopted by the Government at that time for implementing the WKCD project and the 3 screened-in proposals. The Board was also briefed on 21.10.2005 on the public consultation of the WKCD and the way forward proposed by the Government for its development, i.e. to introduce additional development parameters for the WKCD including an overriding plot ratio (PR) limit, maximum percentage of gross floor area (GFA) for residential development, minimum net operation floor area of the Core Arts and Cultural Facilities (CACF). The Board was further briefed on 5.10.2007 on the Government’s decision of not pursuing the IFP process, and the recommendations of the Consultative Committee on the CACF of WKCD;
- (f) the Government released the recommendations of the Consultative

Committee and started a 3-month Public Engagement exercise from September to December 2007. Major public views on WKCD relating to its land use planning were summarised in paragraph 3.13 of the Paper, including the support for the overall vision, concept of integrated development, and early implementation of the WKCD project;

- (g) on 1.2.2008, the Government gazetted the WKCDA Bill, which had been submitted to the Board for information at this meeting. According to the provisions of the Bill, the WKCDA would prepare a development plan (DP), which should be in compliance with the development parameters stipulated in the OZP, for the entire WKCD site for consideration by the Board;
- (h) proposed amendments to the South West Kowloon OZP to incorporate the development parameters for the WKCD were thus necessary to guide the WKCDA to prepare the DP;

#### Proposed Amendments to the OZP

- (i) an overall PR of 1.81 was proposed for the WKCD. This included all the CACF, commercial and residential uses, and the essential Government, Institution or Community (GIC) facilities. However, the floor space required for the provision of public transport and underground railway facilities could be excluded from GFA calculation;
- (j) residential development might be permitted on application to the Board, but it would be restricted to not more than 20% of the total PR of the WKCD. 'House' use would be added under Column 2 of the Notes to cater for the possible low-density residential development in the area;
- (k) an open space of not less than 23 ha was required to reflect the original planning intention of providing the similar amount of open space in this area, while a waterfront promenade of not less than 20m in width should be provided to enhance public accessibility to and enjoyment of the

harbour;

- (l) three sub-areas A, B and C were proposed to be shown on the OZP to delineate the proposed maximum building height (BH) restrictions of 50mPD, 100mPD and 70mPD respectively for the WKCD development, based on the urban design principles set out in paragraph 5.1(d) of the Paper;
- (m) the annotation of the “OU” zone was proposed to be changed from “Arts, Cultural, Commercial and Entertainment Uses” to “Arts, Cultural, Entertainment, Commercial and Other Uses” to cater for other uses, such as residential, that might be permitted by the Board through the planning application system. A notation of “West Kowloon Cultural District” on the plan was considered not necessary upon consultation with the Home Affairs Bureau and would be deleted from the plan;
- (n) relevant bureaux and departments were consulted and generally had no objection to or adverse comment on the proposed amendments; and
- (o) the Yau Tsim Mong District Council (YTM DC) was consulted on 28.2.2008 and in general had no comment on the proposed amendments.

22. A Member asked whether the proposed development parameters in the OZP were interim in nature, mainly to guide the preparation of the DP. Ms. Heidi Chan replied in the affirmative and said that the detailed design and layout of the WKCD would be shown in the DP for consideration by the Board.

23. With a proposed PR of 1.81, a Member doubted whether the proposed BH restrictions in the three sub-areas might result in massive buildings in close proximity to one another. This Member asked whether there was any study on the notional schemes to ascertain the visual impact of the proposed BH restrictions. Ms. Heidi Chan responded that many notional schemes had been worked out which showed that the proposed BH restrictions were acceptable and would be adequate to accommodate the proposed PR, as shown in the plans presented in the Powerpoint, though air ventilation assessment had not

yet been conducted.

24. Another Member asked whether there was any BH restriction on the site zoned “Comprehensive Development Area” (“CDA”) to the north of the WKCD. Ms. Heidi Chan said that although there was no BH restriction on the OZP for the “CDA” site, planning permission would be required for the development of the “CDA” site, and the proposed BH would be subject to the approval of the Board.

25. A Member noted that one of the urban design principles was to preserve an open vista and green corridor from the former Kowloon British School, through Kowloon Park and the WKCD waterfront promenade towards the Victoria Harbour. This Member doubted whether this view corridor was realistic or achievable. Mr. T.W. Ng admitted that there would be some blockages to this view corridor. However, as shown in Plan 5 of the Paper, the proposed 20m wide waterfront promenade and BH of 100mPD in sub-area B would help ensure the view corridor from the Hong Kong Observatory could be preserved, and such restrictions should be taken as the design concept in the preparation of the DP.

26. The Chairman said that the main focus of this meeting should be on the proposed amendments to the OZP, while the detailed design and layout of the WKCD would be further explored in the DP, which would be submitted to the Board for consideration at a later stage.

27. After further deliberation, the meeting:

- (a) agreed to the proposed amendments to the draft South West Kowloon Outline Zoning Plan (OZP) No. S/K20/20 and its Notes as mentioned in paragraphs 6 and 7 of the Paper;
- (b) agreed that the draft South West Kowloon OZP No. S/K20/20A (to be renumbered as S/K20/21 upon exhibition) at Annex A and its Notes at Annex B of the Paper were suitable for exhibition for public inspection under section 7 of the Town Planning Ordinance;

- (c) adopted the revised Explanatory Statement (ES) at Annex D of the Paper as an expression of the planning intentions and objectives of the Board for the various land use zonings of the draft South West Kowloon OZP; and
- (d) agreed that the revised ES at Annex D of the Paper was suitable for exhibition together with the draft South West Kowloon OZP No. S/K20/21 under the name of the Board.

[Dr. Greg C.Y. Wong, Prof. Bernard V.W.F. Lim and Mr. Walter K.L. Chan left, and Mr. Nelson W.Y. Chan, Miss Annie Tam and Mrs. Ava S.Y. Ng temporarily left, the meeting at this point.]

#### **Agenda Item 5**

[Open Meeting (Presentation and Question Session only)]

Consideration of Representations and Comments in Respect of the  
Development Scheme Plans on Kwun Tong Town Centre  
(Main Site and Yuet Wah Street Site) No. S/K14S/URA1/1 & 2/1  
(TPB Paper No. 8042)

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[The hearing was conducted in Cantonese.]

28. The Secretary reported that as Comment No. C2 was submitted by the Urban Renewal Authority (URA), the following Members had declared interests in this item:

Mrs. Ava S.Y. Ng as the Director of Planning	)	Being a non-executive director of the URA
Miss Annie Tam as the Director of Lands	)	
Mr. Walter K.L. Chan	)	
Ms. Margaret Hsia as the Assistant Director (2) of the Home Affairs Department		Being a co-opt member of the Planning, Development and Conservation Committee of the URA

Dr. Greg C.Y. Wong	)	Having current business dealings with the URA
Prof. Bernard Vincent W.F. Lim	)	
Mr. Nelson W.Y. Chan		Being a member of both the Kwun Tong District Advisory Committee of URA and Kwun Tong District Council
Mr. Alfred Donald Yap		His spouse had landed interest in Yue Man Square

29. Members noted that Ms. Margaret Hsia had tendered apologies for not being able to attend the meeting, Mr. Alfred Donald Yap had not yet arrived at the meeting, and Mrs. Ava S.Y. Ng, Miss Annie Tam, Mr. Walter K.L. Chan, Dr. Greg C.Y. Wong, Prof. Bernard V.W.F. Lim and Mr. Nelson W.Y. Chan had already left the meeting at this point.

30. The Chairman reminded Members that according to the Town Planning Board Guidelines No.29A, the Board's decision on the representations and comments on the Development Scheme Plans (DSPs) would be kept confidential for three to four weeks after the meeting and would be released when the proposed amendments, if any, to the DSP to meet the representations were published for public inspection under s.6C(1) of the Town Planning Ordinance (TPO). Members would be informed by the Secretariat of the date of release of the Board's decision.

31. The Chairman said that the Board decided on 15.2.2008 to consider the representations and comments collectively by the full Board.

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

Mr. Eric Yue	District Planning Officer/Kowloon (DPO/K)
Miss Helen So	Senior Town Planner/Kowloon (STP/K)

33. The following representers, commenters and their representatives were invited to the meeting at this point:

Representations

R3	Cheng Shui Heung	Representer
R17	Li Wai Keung	Representer
R19	Ma Oi Lin	Representer
R21	Ngai Koon Yuk	Representer
R32	Woo Ho Pui	Representer
R44	Alliance of Kwun Tong's Urban Renewal	
	Wong Hing Kong	) Representer's representative
	Wong Lai Kuen	)
	Chow Wai Keung	)
	Chan Kwong Yan	)
	Lai Ling Chi	)
	Chan Kwong Wan	)
	Yuen Lai Yum	)
	Wong Hing Lam	)
	Lai Po Chu	)
	Wong Sau Hing	)
	Cheung Kwan Ying	)
	Cheng Kwei Hoi	)
	Fung Kwok Ching	)
	Ho Wan Yeung	)
	Wu Wai Wan	)
	Mang Kin To	)
	Tang Yuen Fan	)
	Lau Man Kit	)
R47	Chow Yiu Fai	Representer
R49	Law Hung Kam	Representer
R52	So Kwan Yin	Representer
R77	Fung Kwong Wai	Representer
R84	Wong Yin Chuk	Representer
R126	Chan Siu Hing	Representer
R129	Kwok A Ho	Representer



R134	Chan Kam Luen	Representer
R136	Chan Kwok Wing	Representer
R149	Chan Shek Tong	Representer
R153	Chan Yi	Representer
R156	Chan Yee Kim	Representer
	Wong Yat Man	Representer's representative
R168	Cheung Tsui Yuk	Representer
R170	Cheung Wai Shing	Representer
R175	Chu Chin Kai	Representer
R186	Huang Muk Hui	) Representer
	Tai How Kiu	)
R197	Kwok Lei Kuen	Representer
R205	Lai Wun Nin	Representer
R221	Lam Wing Wong	Representer
R229	Lau Kan	Representer
R241	Lee Lai Ngor	Representer
R263	Luk Wan Sin	Representer
R298	Tsoi Chi Yin	Representer
R303	Wong Choi Hing	Representer
R304	Wong Chau	Representer
	Ho Fay Che	) Representer's representative
	Fan Wai Kwong	)
R320	Wong Suet Fai	Representer
R338	Yeung Kam Hung	Representer
R351	Yung On Sum	Representer
R380	So Lok Yee	Representer (Chen Yun Chung)'s representative
R387	Chan Hok Fung	Representer
	Wat Yau Tin	) Representer's representative
	Wong Kit Jing	)
R412	So Lok Yee	Representer
R423	Yuen Chi Yan	Representer (Wong Kin Yi)'s representative
R434	Yuen Chi Yan	Representer

R436	H15 Concern Group	
	Yip Mei Yung	Representer's representative
R439	Alan Leong Kah Kit	Representer
	Miu Yiu Keung	Representer's representative
R442	Lau Ka Ying	Representer

Comments

C2	URA	
	Iris Tam	) Commenter's representative
	Ernest Lee	)
	Roger Tang	)
	Mike Kwan	)
C3	Alliance of Kwun Tong's Urban Renewal	
	Chui Wai	Commenter's representative

34. The Chairman extended a welcome. Members noted that sufficient notice had been given to the remaining representers and commenters, but they either indicated their intention 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 briefly the procedures of the hearing.

Presentation and Question Session

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

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

- (a) background of the URA Kwun Tong Town Centre (KTTC) Main Site Development Scheme Plan (DSP) and Yuet Wah Street Site DSP as set out in paragraph 4 of the Paper, highlighting Members' concern on the proposed building height (BH) of 280mPD for the landmark building at

the Main Site, and the Board's decision not to impose a specific height restriction for the Main Site, but to request URA to justify the proposed BH at the Master Layout Plan (MLP) stage with the support of a Visual Impact Assessment (VIA). The Board also endorsed two Planning Briefs as a basis to guide subsequent planning application for development in the two sites subject to the incorporation of a minor relaxation clause on plot ratio (PR) restriction and deletion of BH restrictions for the Main Site;

- (b) on 5.10.2007, the two DSPs were exhibited for public inspection under section 5 of the TPO. A total of 442 valid representations and 5 valid comments on representations were received. 380 representations supported the DSPs, mainly from the local residents, local shop owners and local organizations including the representations submitted by the Alliance of Kwun Tong's Urban Renewal (Representation No. 44) which enclosed a total of 308 supporting forms/letters, and by hawkers in Mut Wah Street Temporary Hawker Bazaar; 59 representations opposed, mainly from the local residents, concern groups/organisations including H15 Concern Group and Rehabilitation Alliance Hong Kong; and 3 representations commented on the DSPs. One representation commenting on the DSP (Representation No. 38) was subsequently withdrawn;
- (c) the main grounds made by the representers were summarized in paragraph 2 of the Paper;
- (d) five comments on the representations were received, including the comments made by URA and the Alliance of Kwun Tong's Urban Renewal, which were summarized in paragraph 3 of the Paper;
- (e) the responses to the grounds of representations were summarized in paragraph 5.3 of the Paper, and briefly recapped below:
  - the need for comprehensive redevelopment of the KTTC had long been

recognized. Buildings were mainly over 40 years old and generally in deteriorating or poor conditions. Upon comprehensive redevelopment, the living environment would be enhanced. Issues on acquisition, compensation and rehousing would be dealt with by URA according to the established policies;

- URA was requested to revisit the design of the commercial and other buildings and justify the proposed height of the buildings at the MLP stage on the basis of a fresh VIA;
  - given the large scale of the project, the relatively long time span (more than 10 years) of implementation and the fact that a town centre development could allow a higher level of commercial development, the proposed development intensity (equivalent to a PR of 7.5 based on the Development Scheme Area) represented a palatable and balanced option. The development intensity would need to be supported by technical assessments at the MLP stage;
  - the concern on the design of the podium and public transport interchange (PTI) could be addressed at the MLP stage. Hawker bazaar, street shops and community facilities e.g. health centre affected by the KTTC project would be re-provided within the development scheme area;
  - a series of extensive public consultation had been conducted by URA since early 2005;
- (f) relevant Government departments had been consulted, as listed in paragraph 6.2 of the Paper, and their comments had been incorporated into the Paper;
- (g) the Kwun Tong District Council was consulted on 17.5.2008, which expressed support to the DSPs and urged for early implementation of the redevelopment; and

- (h) PlanD noted the representations supporting and commenting on the DSPs and considered that the opposing representations should not be upheld for reasons summarized in paragraph 7.2 of the Paper.

37. The Chairman then invited the representers or their representatives to elaborate on their representations.

#### Representation No. 44

38. Referring to some materials tabled at the meeting, Mr. Wong Hing Kong, representative of Alliance of Kwun Tong's Urban Renewal, made the following points:

- (a) Representation No. 44 submitted by the Alliance of Kwun Tong's Urban Renewal represented the views of 308 property owners in the redevelopment area who were in support of the KTTC redevelopment;
- (b) since January 1990, the consultants of the then Land Development Corporation (LDC) had completed a feasibility study report for the area and in 1991, the KTTC redevelopment was included in the Metroplan. In December 1997, the then LDC had conducted a household survey in connection with the Government's approval to redevelop the KTTC. In URA's reply to the local residents in November 2002, URA indicated that a consultancy study on the KTTC redevelopment would be completed in 2003. Over the years, however, priority was given to the redevelopment of other districts, e.g. Sham Shui Po;
- (c) the KTTC was a valuable land asset but the living conditions and traffic were poor. The buildings in KTTC were built in 1960s and were beyond repair. The infrastructure, in particular the drainage and sewerage system, was below current standards. There were hygiene problems and deteriorating law and order, including the problem of drug, theft and prostitution. The redevelopment proposal would bring about improvement to the living environment and increase in green area and community facilities. It would also strengthen the self-confidence and

sense of pride of the residents of Kwun Tong District and east Kowloon area;

- (d) the local residents were in support of redevelopment. The proposed PR of 7.5 had struck a reasonable balance between environmental protection and economic return. The total gross floor area (GFA) of 4,320,000 ft<sup>2</sup> (or 401,250 m<sup>2</sup>) of the present redevelopment proposal represented a 30.8% reduction as compared with a GFA of 6,240,000ft<sup>2</sup> (or about 579,600 m<sup>2</sup>) originally proposed by the then LDC;
- (e) as shown in a report published in 2006, Kwun Tong was the poorest district in Hong Kong. The KTTC redevelopment would bring about 17,000 new jobs and recreate the KTTC as a new economic hub of the Eastern Kowloon. The KTTC should have the potential to be redeveloped into a residential area for the middle class, such as Tai Koo Shing and Heng Fa Chuen;
- (f) there should not be any further delay to the acquisition and redevelopment process. In his visit to Kwun Tong on 14.6.2006, the Chief Executive (CE) had already pointed out that there was an urgent need to redevelop the KTTC in view of the dilapidated conditions of the buildings and poor hygienic conditions of the area. 20 months had passed and the local residents were still earnestly awaiting the redevelopment of KTTC;
- (g) it had been a year since the freezing survey was conducted by URA on 30.3.2007, but the redevelopment of KTTC was still at its planning stage. The owners were put in a difficult position in that they could not continue to live in, rent out, or sell their properties; and
- (h) the local residents had already waited for 18 years. URA was urged to adopt the 'acquisition before planning' approach. If URA insisted on 'planning before acquisition', it would prolong the suffering of the local residents.

Representation No. 17

39. Ms. Li Wai Keung urged that the redevelopment should be carried out as soon as possible.

Representation No. 52

40. Mr. So Kwan Yin said that he had been living in Yan Oi Court in Kwun Tong for 56 years. The residents in Yan Oi Court were in distress as prostitution, gambling and drug-related activities were found inside the building. He was concerned about the personal safety of himself and his family in view of the deteriorating law and order in the area. The buildings in KTTC were 'salt-water buildings' of the 60s and incidents of concrete spalling were frequent. He urged for early redevelopment of KTTC.

Representation No. 77

41. Mr. Fung Kwong Wai said that the buildings in KTTC were old and dangerous, with concrete falling from the ceiling. The elderly residents had to walk up the staircase as the buildings had no lift. Those who objected to the redevelopment of KTTC was driven by ulterior motive. He fully supported the early redevelopment of KTTC.

[Dr. James C.W. Lau and Mr. B.W. Chan returned to join, while Ms. Starry W.K. Lee left, the meeting at this point.]

Representation No. 126

42. Ms. Chan Siu Hing said that she worked in the Mut Wah Street Temporary Hawker Bazaar. The existing working environment was very poor, with bad ventilation and high air temperature of up to 40°C in summer. The elderly residents on the upper floors had problems going out as there was no lift in old buildings. She supported URA's proposal of reprovisioning the hawker bazaar and street shops so that the local hawkers and business operators could re-establish their business in the area.

Representation No. 156

43. Ms. Wong Yat Man, representer's representative, said that over 1,000 local residents had previously expressed support to the KTTC redevelopment. The proposed PR of 7.5 was reasonable and the proposed tall landmark building was acceptable. The land value of KTTC should be optimized, while the proposed BH could be further reviewed. The consultation on the KTTC redevelopment had lasted for over 2 years and there should not be any further delay in its implementation.

Representation No. 221

44. Mr. Lam Wing Wong said that he represented the views of other residents in Hing Shun Mansion, Kwun Tong. The KTTC redevelopment had been held up for more than 10 years and the residents were deeply anxious and extremely disappointed. The CE's visit in 2006 and the freezing survey in 2007 offered hope to the residents. The majority of the residents were in support of the KTTC redevelopment as it would bring about vehicular and pedestrian segregation, and improvement to the air quality. He urged for early implementation of the KTTC redevelopment.

Representation No. 229

45. Mr. Lau Kan said that the local residents had been waiting for 20 years. Buildings in the area had become extremely dilapidated, with concrete falling and drains blocked. The problem of theft was serious. He urged for early redevelopment of KTTC.

Representation No. 263

46. Ms. Luk Wan Sin said that the living conditions in KTTC were poor, with drainage problems. Water pipes and gate locks, etc., were stolen and the local residents' safety was at risk. Those who objected to the redevelopment had disregarded the interest of the local residents.

Representation No. 304



47. Mr. Ho Fay Che, representer's representative, said that the majority of the local residents were in support of the KTTC redevelopment.

Representation No. 380

48. Ms. So Lok Yee, representer's representative, tabled a written submission made by the representer, Mr. Chen Yun Chung and made the following main points:

- (a) it had to be clarified at the outset that the representer did not object to the KTTC redevelopment;
- (b) according to the Stage II Social Impact Assessment (SIA) submitted by URA, 46% of the local residents had lived in the area for over 11 years, of which, 32% had lived there for over 20 years. The community network would be affected by the redevelopment. In its comment on Representation No. 436, URA stated that it was exploring different ways to help retain the social network of residents as far as practicable such as by inviting expression of interest to purchase flats in the new development in future, as well as assisting long-term business operators to re-establish themselves in the locality;
- (c) in this connection, some recommendations were proposed for consideration by the Board or URA. Redevelopment should be carried out in stages to allow greater flexibility for compensation and rehousing arrangement. Reference could be made to the redevelopment of the Ngau Tau Kok Estate by the Hong Kong Housing Authority. The Upper Ngau Tau Kok Estate was redeveloped first such that the affected residents in the Lower Ngau Tau Kok Estate could have the option of rehousing in the Upper Estate;
- (d) similarly, the Yuet Wah Street site could be developed for public housing first such that the affected low income residents could have the option of rehousing in the same district. This could help preserve the community network and reduce the resumption cost;

- (e) revitalization and redevelopment should go hand in hand. KTTC served the needs of some 600,000 people, providing lower-end consumer products and community services. Upon redevelopment, the ratio (in terms of GFA) of the shopping arcade and street shops was 10:1. To safeguard against the improper balance in favour of providing high-end consumer products in the shopping arcade, it was recommended that the existing streets and street shops should be preserved and revitalized;
- (f) the Government offices and Jockey Club Health Centre should be renovated and preserved to serve as a landmark for collective memory of the area; and
- (g) written reply to the recommendations was requested by the representer.

Representation No. 434

49. With the aid of some Powerpoint slides tabled at the meeting, Mr. Yuen Chi Yan made the following main points:

- (a) urban renewal involved redistribution of resources. It should aim at improving the living conditions of the local residents and allowing them to share the benefits of redevelopment, which included reasonable compensation and rehousing;
- (b) the financial risk and impact on local residents arising from urban renewal should be minimized, the redevelopment area should be reduced, and massive demolition of the whole area should be avoided;
- (c) greater participation by residents within the district and in the surrounding areas should be encouraged in the planning and design of the redeveloped area;
- (d) some buildings such as the Government offices were still in use. Their

redevelopment would be a waste of resources and affect the services currently provided to the residents of Kwun Tong;

- (e) there should be more flexibility in the compensation arrangement, such as adopting the ‘flat for flat, shop for shop’ approach and allowing rehousing in the same district;
- (f) the “CDA” zone should not be used by the developer as a tool to build a ‘gated community’ or to take over public space for private use; and
- (g) it was recommended that the existing buildings and streetscape which typically represented the local character of KTTC should be preserved, e.g. the Bauhaus style Government offices, to help foster a sense of belonging of the community. Some of the buildings in the KTTC should also be revitalized for the rehousing of the affected residents to help preserve the community network.

Representation No. 387

50. Mr. Chan Hok Fung made the main points:

- (a) consultation should be carried out in a comprehensive and bottom-up manner. The PR should be reduced, the ‘flat for flat, shop for shop’ approach should be adopted, and the Government offices and Health Centre should be retained;
- (b) the hawkers should be consulted. The shopping arcade to street shop ratio of 10:1 was out of balance, and the area reserved for hawker bazaar should be enlarged;
- (c) the Yuet Wah Street site could be allocated for public housing such that the affected residents could have the option of rehousing in the same district. The Blue House project in Wan Chai served as a good example of allowing the local residents to stay in the buildings after

renovation; and

- (d) the redevelopment process should be shortened and the ‘acquisition before planning’ approach should be adopted.

[Ms. Carmen K.M. Chan, Dr. Daniel B.M. To and Mr. Raymond Y.M. Chan left the meeting at this point.]

#### Representation No. 412

51. With the aid of a Powerpoint presentation, Ms. So Lok Yee made the following main points:

- (a) it appeared that much public space would be ‘privatized’ upon redevelopment of the KTTC, e.g., as shown in the notional scheme submitted by URA, the Government offices would be re-provided in, and had to be accessed through, the shopping arcade;
- (b) the existing street and pedestrian flow pattern allowed close interaction between the local residents and the community. With the proposed podium-type development and extinction of at-grade streets upon the redevelopment of KTTC, the public space would vanish;
- (c) the existing health care facilities would be re-provided in an inconvenient location further off;
- (d) with a relaxation in PR, the percentage share of the Government, institution or community (GIC) facilities would be reduced from 8% to 4% of the total GFA of the KTTC, and the number of car parking spaces would be increased from less than 10 to about 2,028 upon redevelopment of KTTC; and
- (e) it was recommended not to designate KTTC as a “CDA”; preserve the existing streets, open space, Government buildings, health center and

Yue Man Square; require the mandatory provision of public space in the MLP; and build public housing near the new hawker bazaar.

Representation No. 436

52. Ms. Yip Mei Yung, representative of H15 Concern Group, said that the stakeholders' interest should be respected, the Government offices should not be included in the DSP boundaries and the residents should be given the choice to be rehoused in the same district.

Representation No. 423

53. Mr. Yuen Chi Yan, representer's representative, tabled a written submission made by the representer, Ms. Wong Kin Yi and made the following main points:

- (a) the public including the residents living in KTTC and its surrounding areas and other users of the KTTC should be further consulted;
- (b) with the deletion of BH restriction for the main site, whether it implied that there would be no statutory control on BH for the redevelopment;
- (c) whether the Board had agreed to the boundaries of the commercial area and whether there was any supporting data on the need for hotel in the KTTC;
- (d) as the existing bus termini would be re-provided, whether there was any assessment on the users that would be affected, and guideline on, and monitoring system for, the interim traffic arrangement during the construction period;
- (e) as Kwun Tong was inhabited by different native groups, whether the Board or URA had translated the documents into different languages to keep these groups informed of the redevelopment proposals;

- (f) whether the Board would conduct its meeting in the redevelopment area to facilitate participation of the local residents and other interested members of the public; and
- (g) written response from the Board was requested by the representer.

[Dr. James C.W. Lau left the meeting at this point.]

Representation No. 439

54. Hon. Alan Leong Kah Kit made the following main points:

- (a) he did not object to the KTTC redevelopment per se but sought to better protect the rights of the affected residents. The two strategies adopted by URA, namely ‘planning before acquisition’ approach and ‘self-financing’ principle, largely accounted for URA’s response that the proposed development intensity was the maximum limit that URA could bear in terms of financial risk. The urban renewal strategy (URS) was now under review, but not yet announced. URA was bounded by the existing strategies until changes were made to the URS;
- (b) the Board was urged to act as the gate-keeper to scrutinize the development scheme at the MLP stage to ensure that the concerns of the local residents were addressed. The Board should, however, scrutinize the arrangement for resumption now as resumption would start after the DSP was approved;
- (c) the resumption arrangement, including the local residents’ request for ‘flat for flat, shop for shop’ approach, was within the ambit of the Board. Clause 4(a) of the URS set out the underlying principles that owners whose properties were acquired or resumed for the implementation of redevelopment projects should be offered fair and reasonable compensation. The Board should consider imposing a condition requiring URA to resume the affected properties in one go, instead of by

phases;

- (d) under clause 5(i) of the URS, one of the main objectives of urban renewal was to preserve the social networks of the local community. More flexibility should be allowed for citizen participation in the redevelopment process; and
- (e) other detailed comments were contained in the representation.

#### Representation No. 442

55. Ms Lau Ka Ying said that there was a problem of prostitution in her building. The hygienic condition of the building was poor, and law and order was deteriorating. The promotional activities in the street shops had blocked the pedestrian way and the existing one-way traffic was undesirable. She urged for early implementation of the KTTC redevelopment.

56. The Chairman then invited the commenters or their representatives to elaborate on their comments.

#### Comment No. C3

57. Mr. Chui Wai, representative of Commenter No. C3, Alliance of Kwun Tong's Urban Renewal, made the following main points:

- (a) the Alliance's initiative of collecting letters from the local residents was for the convenience of the kaifong who might be illiterate, protecting the environment and saving expenditure. The Representation (No. 44) enclosing 308 letters supporting redevelopment should not be regarded as one submission. If all the supporting letters were included as individual representations, 92% of the representations supported, while only 7.8% opposed to the redevelopment;
- (b) the redevelopment of KTTC had dragged on for 18 years, which was a

clear illustration of the malpractice of the Administration. The public consultation had taken 2 years, which was far too long. It had been another year since the freezing survey conducted by URA and the owners could neither sell nor rent their properties. The local residents were left waiting anxiously for early start of acquisition, but it seemed that action would not be taken until after 5.9.2008, i.e. completion of the plan-making process; and

- (c) the Development Bureau or the Board should promulgate guidelines on redevelopment, allowing citizen's participation in redevelopment and adopting the 'flat for flat' approach as a means for compensation.

[Mr. Stanley Y.F. Wong left the meeting at this point.]

Comment No. C2

58. Mr. Ernest Lee, representative of Commenter No. C2, URA, made the following main points:

- (a) 86% of the representations were in support of the comprehensive redevelopment of KTTC, not to mention the 308 supporting letters attached to one of the representations;
- (b) the representations supporting redevelopment were mainly in consideration of the old buildings in dilapidated condition and the poor living environment. The redevelopment would revitalize the area, re-provide the hawker bazaar and street shops, and strike a proper balance between commercial principles and environmental improvement. They considered that the proposed PR was reasonable, the design modern and the BH appropriate;
- (c) in respect of the opposing representations, the main concerns were on BH, development intensity, preservation of local character and inadequate consultation;



- (d) the KTTC lied outside the view fan of the vantage point at Quarry Bay Park with respect to the ridgeline protection. The tall buildings were spaced out and would not create wall effect. There would be setbacks to provide more open space to serve as breezeway and view corridors. The air ventilation assessment (AVA) showed that the redevelopment proposal would increase the average wind flow by 43% for the site and 23% for the district;
- (e) the proposed development intensity was the result of four rounds of bottom-up public consultation conducted in the past two years, and was the maximum limit that URA could bear in term of financial risk. The redeveloped area would enjoy almost complete segregation of pedestrians and vehicles;
- (f) hawker bazaar and street shops would be re-provided to allow local hawkers and business operators to re-establish their business in the area. Suitable accommodation would also be dedicated to social enterprises aimed at preserving and enhancing the local social network. SIA had been conducted to work out measures that could preserve the social network of the community. A social service team had also been set up to assist the affected residents. For those eligible tenants, rehousing to public housing would be arranged. The proposed phased development would avoid bringing the town centre to a standstill and would allow opportunities for affected residents to purchase/rent new premises in earlier phases. URA was exploring ways to allow residents to express interest to purchase flats in the new development in future and assist long-time business operators to re-establish themselves in the locality;
- (g) extensive public consultation had been conducted since 2005 through community aspiration surveys, district advisory committee and community design workshop. All stakeholders, including residents in the surrounding areas, users of the KTTC and native groups, were consulted. Their views had been incorporated into the redevelopment

proposal; and

- (h) the concept of universal design was supported and would be adopted.

[Ms. Sylvia S.F. Yau and Prof. Peter R. Hills left the meeting at this point.]

59. The Chairman said that while it was the statutory requirement to submit the DSP to the Chief Executive in Council for approval within 9 months after the end of the plan exhibition period, i.e. 5.9.2008, the process might not necessarily take that long, and URA needed not wait until the MLP was endorsed by the Board before commencing the resumption process under the Urban Renewal Authority Ordinance. Besides, acquisition of property by negotiation might start earlier. The suggestion on adding a condition to require URA to resume the affected properties in one go could not be acceded to as compensation arrangement and acquisition issues were matters outside the ambit of the TPO and purview of the Board.

60. A Member pointed out that the Government offices in KTTC was not Bauhaus style buildings and sought clarification on the location of Bauhaus buildings mentioned by a presenter. Mr. Yuen Chi Yan, Representer No. 434, clarified that his main intention was to recommend preservation of the Government offices to help preserve the local character and foster the sense of belonging of the community.

61. Another Member asked whether a revised VIA on the proposed landmark building had been submitted for consideration by the Board, and whether there was any assessment on the air ventilation impact of the proposed PTI. Ms. Iris Tam and Mr. Ernest Lee, representatives of URA, made the following main points:

- (a) the details of the comprehensive redevelopment proposal, including the revised VIA would be submitted to the Board for consideration at the MLP stage; and
- (b) the air ventilation impact of the PTI was under study and an AVA would also be submitted at the MLP stage.

62. A Member noted that Representer No. 423 had requested a written reply to her queries. While it was not the Board's practice to provide written responses to individual questions raised by representers, PlanD was asked to respond to the queries raised so that the responses would be recorded in the minutes of meeting for reference by the representer. Mr. Eric Yue, DPO/K, made the following responses:

- (a) the proposed BH of 280mPD for the landmark building was considered by the Board at its meeting on 7.9.2007. Members considered that it would be difficult to specify the scope of reduction of BH of the landmark building without looking into the overall design of the redevelopment proposal. The Board thus decided to delete the BH restriction in the DSP but requested URA to justify the proposed BH at the MLP stage and submit a fresh VIA to the Board for consideration. Though the BH was not stipulated on the DSP, the Board's approval of the proposed BH was required at the MLP stage;
- (b) the hotel proposal was indicated in URA's notional scheme. It would be for URA to assess the demand for hotel and its land use compatibility for consideration by the Board at the MLP stage;
- (c) traffic impact assessment, both before and after construction, would be submitted by URA at the MLP stage; and
- (d) URA would be in a better position to decide how the local groups should be consulted.

63. Another Member noted that Representer No. 380 also requested a written reply, and sought the responses from URA on the queries raised by the representer. Ms. Iris Tam, representative of URA, made the following main points:

- (a) the KTCC redevelopment would involve some restructuring to achieve the optimum land uses. The facilities in both the Government offices and health center were rather old. The re-provisioning could help redesign such facilities to meet current standards and requirements;

- (b) with the improved pedestrian link, the local residents could gain access to the re-provided GIC facilities through the shopping arcade and covered walkway, with no need to cross the road. Such facilities would be re-provisioned in the first phase of the redevelopment to ensure the continuation of services throughout the redevelopment process; and
- (c) there was no reduction of GFA in the GIC facilities. The reduction in percentage share of GIC facilities was a result of the increase in total GFA of the KTTC upon redevelopment.

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

65. The deliberation session was reported under confidential cover.

66. The meeting was adjourned for lunch at 1:25 p.m..

[Mr. David W.M. Chan arrived to join the meeting at this point.]

67. The meeting was resumed at 2:40 p.m..

68. The following Members were present in the afternoon session:

Mr. Raymond Young

Mr. Michael Lai

Professor Nora F.Y. Tam

Mr. Nelson W.Y. Chan

Mr. David W.M. Chan  
Professor David Dudgeon  
Mr. Tony C.N. Kan  
Mr. Alfred Donald Yap  
Mr. B.W. Chan  
Mr. Felix W. Fong  
Ms. Anna S.Y. Kwong  
Dr. James C.W. Lau  
Mr. K.Y. Leung  
Dr. Michael Chiu  
Miss Annie K.L. Tam  
Mrs. Ava S.Y. Ng

**Agenda Item 6**

[Open Meeting (Presentation and Question Session Only)]

Consideration of Representations and Comment in Respect of the  
Draft Kwun Tong (South) Outline Zoning Plan No. S/K14S/15 -  
Representations No. R1 to R4 and Comment No. C1

(TPB Paper No. 8041)

[The meeting was conducted in Cantonese.]

69. The following Members had declared interests in this item:

Mrs. Ava S.Y. Ng as the Director of Planning	)	
Ms. Annie K.L. Tam as the Director of Lands	)	Being a non-executive director of the Urban Renewal Authority (URA) which submitted Comment No. C1.
Mr. Walter K.L. Chan	)	
Ms. Margaret Hsia as the Assistant Director (2) of the Home Affairs Department	)	Being a co-opt member of the Planning, Development and Conservation Committee of the URA.
Dr. Greg C.Y. Wong	]	Having current business dealings with the URA.

Professor Bernard Vincent W.F. Lim ]

Mr. Nelson W.Y. Chan Being a member of both the Kwun Tong District Advisory Committee of URA and Kwun Tong District Council, and the owner of a property in Kwun Tong.

Mr. Alfred Donald Yap His spouse had landed interest in Yue Man Square.

70. Members noted that Ms. Margaret Hsia had tendered apologies for not attending this meeting, and Mr. Walter K.L. Chan, Dr. Greg C.Y. Wong and Professor Bernard Vincent W.F. Lim had already left the meeting. Mr. Alfred Donald Yap had yet to arrive while Ms. Annie K.L. Tam and Mr. Nelson W.Y. Chan had not yet returned to join the meeting. Mrs. Ava S.Y. Ng left the meeting temporarily at this point.

71. The Chairman said that sufficient notice had been given to the representers and commenter, and no reply had been received from representers No. R2 to R4. Members agreed to proceed with the hearing in the absence of R2 to R4.

72. The following representatives of the Planning Department (PlanD), representer No. R1 and representatives of C1 were invited to attend the meeting:

Mr. Eric Yue	District Planning Officer/Kowloon
Miss Helen So	Senior Town Planner/Kowloon

Representation No. R1

Mr. Chan Yee-kim	Representer
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Comment No. C1

Mr. Roger Tang	) Representatives of the commenter, URA
Mr. Mike Kwan	)

73. The Chairman extended a welcome and briefly explained the hearing procedures. He then invited Mr. Eric Yue to brief Members on the representations and comment. With the aid of a powerpoint presentation, Mr. Yue made the following main points as detailed in the paper:

### Background

- (a) in tandem with the exhibition of the draft URA Kwun Tong Town Centre (KTTC) Main Site Development Scheme Plan (DSP) No. S/K14S/URA1/A on 5.10.2007, technical amendments were made to the Kwun Tong (South) OZP. While Amendment Item A involved the rezoning of three strips of land along Kwun Tong Road and Hong Ning Road from “Commercial” (“C”), “Residential (Group A)” (“R(A)”) and “Open Space” (“O”) to ‘Road’, Amendment Item B related to the rezoning of the two primary school sites abutting Hing Tin Street from “R(A)” to “Government, Institution or Community” (“G/IC”) to reflect the existing as-built situation;

### The Representations and Comment

- (b) of the four valid representations received, R1 to R3 either supported the amendment items or the KTTC redevelopment for improving the road network, providing more GIC facilities and making better use of land resources. R4 was however against Amendment Item A lest the housing supply would be reduced and against Amendment Item B for reasons that the land resources and the relevant proceeds should be treasured;
- (c) URA had submitted a comment on all the representations. While noting the supportive representations, it considered that housing supply would not be reduced as about 2,000 flats would be available upon redevelopment. Moreover, the KTTC redevelopment would provide a balanced mix of land uses with commercial, residential and GIC facilities; and

### PlanD’s Views

- (d) PlanD noted the support of Representations No. R1, R2 & R3. While relevant government departments had no comments on the

representations and the comment, PlanD did not support the adverse representation (i.e. R4) as the rezoning to 'Road' was to reflect the current road use and would not affect the housing supply; and the rezoning to "G/IC" was to reflect the existing school use and would not reduce housing land or affect the income of the Treasury.

74. The Chairman invited Mr. Chan Yee-kim, representer No. 1, to present. Mr. Chan said that he concurred with the views of the PlanD and the URA.

75. The Chairman then invited the representatives of C1 to present. Mr. Roger Tang said that URA supported PlanD's views.

76. Members had no questions to raise. The Chairman thanked the PlanD's representatives, representer No. R1 and C1's representatives for attending the meeting. They all left the meeting at this point.

#### Deliberation Session

77. After deliberation, the Board noted the support of Representations No. R1, R2 and R3 to the draft Kwun Tong (South) Outline Zoning Plan No. S/K14S/15.

78. After deliberation, the Board decided not to meet Representation No. R4 and not to propose any amendment to the draft Kwun Tong (South) Outline Zoning Plan No. S/K14S/15 for the following reasons:

- (a) the rezoning of three strips of land along Kwun Tong Road and Hong Ning Road to areas shown as 'Road' was a technical amendment to the zoning boundary to tally with the boundary of the Urban Renewal Authority Kwun Tong Town Centre-Main Site Development Scheme Plan. The area was currently used as road, and hence the rezoning would not affect the housing supply; and
- (b) the two areas abutting Hing Tin Street had already been developed and occupied by two free standing purpose built primary schools. The



rezoning was to reflect the existing as-built situation. It would not result in reduction in housing land or affect the income of the Treasury.

[Mrs. Ava S.Y. Ng and Miss Annie K.L. Tam returned to join the meeting at this point.]

### **Agenda Item 7**

[Open Meeting (Presentation and Question Session Only)]

Consideration of Representations in Respect of the Draft Tin Shui Wai Outline Zoning Plan No. S/TSW/11 – Representations No. R1 to R3

(TPB Papers No. 8045 and 8046)

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[The meeting was conducted in Cantonese.]

Group 1: Representations No. R1 [Kadoorie Farm & Botanic Garden Corporation (KFBG)] and R2 [WWF Hong Kong] (Paper No. 8045)

79. The following Members had declared interests in this item:

Professor David Dudgeon	Being a member of the Mai Po Management Committee and the Conservation Project Committee of WWF Hong Kong, a former trustee of WWF Hong Kong and the professor of Dr. Alan Leong and Mr. Wong Lun-cheong who were R1 and R2's representatives respectively.
Professor Nora F.Y. Tam	Being a former member of the Management Committee of WWF HK.
Dr. James C. W. Lau	Being a former member of the Management Committee of WWF HK and the initiator of sponsoring Rotary Centennial Wetland Institute for WWF Hong Kong.

80. While Professor David Dudgeon and Professor Nora F.Y. Tam left the meeting, Dr. James C.W. Lau left temporarily at this point.

81. The following representatives of the Planning Department (PlanD) and Representations No. R1 and R2 were invited to attend the meeting:

Mr. Wilson Y.L. So                      District Planning Officer/Tuen Mun & Yuen Long  
(DPO/TMYL)

Representation No. R1

Mr. Wong Lun-cheong            ) Representer's Representatives  
Mr. Mike Kilburn                    )

Representation No. R2

Mr Michael Lee                      Representer's Representative

82. The Chairman extended a welcome and briefly explained the hearing procedures. He then invited Mr. Wilson So to brief Members on the representations. With the aid of a Powerpoint presentation, Mr. Wilson So made the following main points as detailed in the paper:

The Representations

- (a) R1 and R2 were against the rezoning of Areas 122 and 123 from “Green Belt” (“GB”) to “Open Space” (“O”). The two “O” sites in question were to compensate for the loss of open space due to the rezoning of the Hong Kong Wetland Park (HKWP) from “O” to “Country Park”;
- (b) the representation sites, with a total area of 6.88 ha, were currently vacant with grass and fish ponds. The fish ponds occupied an area of about 0.82 ha;
- (c) R1 and R2 objected to the rezoning as a great variety of birds used the abandoned fish ponds in Areas 122 and 123 as feeding and roosting habitats. The fish ponds had high ecological values and helped support the ecological functions of the Inner Deep Bay Area. The representers were concerned about the adverse impacts of the open space

development on the existing fish ponds and the direct loss of wetland habitat;

[Mr. Alfred Donald Yap arrived to join the meeting at this point.]

### Assessment

- (d) Areas 122 and 123 would only be used for passive recreational use. The future design of the open space development would take into account the existing ponds which could form an integral landscape feature;
- (e) the Director of Agriculture, Fisheries and Conservation considered that the ponds had some ecological value. He had no adverse comment on the “O” zone provided that the ponds would not be filled, and that the open space use would be properly managed and controlled. He was also satisfied that the existing ponds would be retained as a landscape feature;
- (f) the urban design and landscape team of the PlanD considered that the open space development and the retention of the existing ponds were not mutually exclusive, and the existing ponds could form a landscape feature. The planned open space would enhance the landscape value while maintaining the wetland habitat by preventing natural succession, illegal pond filling and managing human disturbances;
- (g) while there was no programme for the open space development, the Director of Leisure and Cultural Services did not object to the “O” zone;
- (h) reverting the two sites to “GB” would reduce the original level of open space provision under the previous Outline Zoning Plan. As the town had been largely developed, there were no sizable vacant sites without committed or planned uses that could act as replacement sites; and

PlanD's Views

- (i) PlanD proposed to partially meet R1 and R2 by rezoning the 2 sites to "O(1)" with the planning intention clearly stipulating that the sites would only be for passive recreational use with the existing ponds preserved as a landscape feature.

83. The Chairman then invited R1's representative to present. With the aid of a Powerpoint presentation, Mr. Wong Lun-cheong made the following main points:

- (a) the rezoning of the sites from "GB" to "O" was unusual;
- (b) aerial photos suggested that the sites were wetland and probably abandoned fish ponds, rather than vacant land;
- (c) the ecological value of the sites had not been fully understood prior to the rezoning. KFBG had done a quick ecological survey and studied a series of aerial photos. An examination of the aerial photos revealed that the ponds in Areas 122 and 123 were once active fish ponds;
- (d) according to the 2-day survey conducted in December 2007, 25 bird species (including 10 wetland-dependent bird species) were recorded at the two large ponds in Area 122, and 7 bird species (including one wetland-dependent species) were recorded at the small pond in Area 123. The results of the survey suggested that the abandoned fish ponds in Area 122 supported a great variety of birds, ranging from ducks, egrets, kingfishers to nocturnal birds, and the small pond in Area 123 was of importance to the Common Moorhen which was a freshwater wetland bird. Moreover, bats were found at the ponds. The presence of common fish pond bird and bat species in these ponds indicated that the ponds were of certain ecological value. The Agriculture, Fisheries and Conservation Department (AFCD) also held similar view;
- (e) while PlanD's proposal to preserve the existing ponds was welcomed, it

remained uncertain if there would be any restriction on pond filling in the proposed “O(1)” zone. KFBG was concerned that large areas would be filled up for providing basic facilities like pavilions and toilets in the proposed park;

- (f) as stated in para. 4.6 of the Paper, the subject area comprised abandoned fish ponds. It was proposed to revise the description of the site in para. 4.1(a) of the Paper from “vacant land” to “abandoned fish ponds” accordingly; and
- (g) while it was too early to make detailed recommendations on the park design, the existing character of the area should be retained and the urban park type of design should be avoided. Moreover, it was suggested that AFCD and interested groups should be consulted on the park design.

84. Mr. Michael Lee, R2’s representative, made the following main points with the aid of a Powerpoint presentation:

- (a) the aerial photos taken from 1975 to 2006 illustrated the change from active fish ponds to abandoned fish ponds in Areas 122 and 123;
- (b) according to the Town Planning Board Guidelines No. 12B for Application for Developments within Deep Bay Area, Area 123 lay within the Wetland Buffer Area (WBA) and served the intention of WBA well. Area 122 was in close proximity to the Inner Deep Bay Area. The fish ponds in Areas 122 and 123 helped support the ecological function of the Inner Deep Bay Area. The “O” zoning might result in direct loss of wetland and potential adverse ecological impact; and
- (c) while PlanD’s effort in revising the zoning of the areas from “O” to “O(1)” was welcomed, pond filling should be restricted. It remained uncertain if the revised rezoning would ensure preservation of the entire

area of the ponds and that no pond filling, regardless of the extent, would be allowed. WWF Hong Kong was concerned that some of the Column 1 uses (Aviary, Field Study Centre, Park and Garden, Pavilion, Pedestrian Area, Public Convenience, Public Convenience and Sitting Out Area) in the “O(1)” zone might require pond filling and yet there was no restriction on pond filling under the Notes of the OZP. The proposed addition of “the preservation of existing ponds to minimize adverse impact on wetland habitats’ in the Explanatory Statement (ES) was only for reference as the document did not have statutory effect. Hence, it was suggested to add a remark in the Notes for the “O(1)” zoning to restrict pond filling explicitly.

85. Members had the following questions and comments:

- (a) whether there was any definition of passive recreational use and whether public could have access to areas designated for such use;
- (b) a Member asked about the size of the ponds as the size might be different in wet/dry seasons;
- (c) KFBCG’s suggestion to revise the description in para. 4.1(a) of the Paper to “abandoned fish ponds” was supported; and
- (d) although there was yet to be an implementation programme for the open space development, the public would have the expectation for recreational use once it was rezoned to open space use.

86. Mr. Wilson Y.L. So had the following responses:

- (a) according to the Hong Kong Planning Standards and Guidelines, passive recreational use included sitting-out areas, parks and gardens, where people could enjoy in a leisurely manner;
- (b) with reference to the aerial photo at Plan H-3 which was taken in July

2007, the ponds occupied an area of about 0.82 ha;

- (c) revising the description of “vacant land” in para. 4.1(a) of the Paper to read as “abandoned fish ponds” was agreeable;
- (d) the implementation of open space development at the subject area would have to depend on the availability of resources of Leisure and Cultural Services Department, noting that there were other sites reserved for open space development in other rural and new town areas. As the subject area was not yet developed for open space use, public access was not allowed; and
- (e) there was no intention to fill the fish ponds in the proposed rezoning to “O(1)”. To address the concerns of R1 and R2, the Notes and ES could be amended to indicate clearly the intention to prohibit pond filling.

87. The Chairman asked the representatives of R1 and R2 whether they would withdraw the representations if the Board decided to amend the Notes to prohibit pond filling. Mr. Wong Lun-cheong and Mr. Michael Lee welcomed the amendment, and would consider withdrawing the representations after studying the minutes of the meeting.

88. Members had no questions to raise. The Chairman thanked the representatives of PlanD, R1 and R2 for attending the meeting. They all left the meeting at this point.

#### Deliberation Session

89. A Member considered it more appropriate to zone the areas as “O(1)” with the intention of preserving the ponds, since the future open space development would put the area under active management. The Member also said that KFBG and WWF should be consulted on the future design of the open space.

90. After deliberation, the Board decided to partially meet Representations No. R1 and R2 by rezoning Areas 122 and 123 from “Open Space” (“O”) to “O(1)” as shown at

Annex III of the Paper. In tandem with the proposed amendment to the draft Tin Shui Wai Outline Zoning Plan No. S/TSW/11, the Notes and Explanatory Statement (ES) should also be revised as proposed in Annexes IV and V, with addition of a statement in the Notes and ES to prohibit the filling of ponds. The Board also agreed to publish the proposed amendments for 3 weeks under s.6C(2) of the Town Planning Ordinance for further representations.

91. The Board also decided not to meet the remaining parts of Representations No. R1 and R2 for the following reasons:

- (a) Areas 122 and 123 were reserved for open space developments to compensate for the loss of open space reservation in Area 114 to the Hong Kong Wetland Park to meet the provision standards of the Hong Kong Planning Standards and Guidelines and the need of the Tin Shui Wai community for more open space provision; and
- (b) the “O(1)” zone for Areas 122 and 123 would only be developed as passive recreational space. In designing the proposed open space development, due regard would be given to preserve the existing ponds on site as landscape feature to minimize the adverse impact on the wetland habitats of the existing ponds.

[Mr. Felix W. Fong left the meeting and Dr. James C.W. Lau returned to join the meeting at this point.]

Group 2: Representation No. R3 [Mr. Danieal K.H. Cham] (TPB Paper No. 8046)

92. The following representative of the Planning Department (PlanD) and representer No. R3 were invited to attend the meeting:

Mr. Wilson Y.L. So                      District Planning Officer/Tuen Mun & Yuen Long

Representation No. R3

Mr. Daniel K.H. Cham                      Representer



93. The Chairman extended a welcome and briefly explained the hearing procedures. He then invited Mr. Wilson Y.L. So to brief Members on the representation. With the aid of a Powerpoint presentation, Mr. Wilson Y.L. So made the following main points as detailed in the Paper:

#### The Representation

- (a) R3 supported the reduction of the development intensity for the “Comprehensive Development Area” (“CDA”) sites in Areas 112 and 115 from about 2 to 1.5, the deletion of one secondary school in Area 115 and the rezoning of Areas 27, 33A, 108A, 122 and 123 to “Open Space” (“O”);
- (b) for the “CDA” sites in Areas 112 and 115, R3 proposed to stipulate a maximum GFA so as to avoid the claiming of bonus plot ratio (PR) and to maintain a low-rise development, to rezone the “CDA” sites to “Other Specified Uses” (“OU”) for tourism-related developments, and to require the Education Bureau (EB) to provide further justification for reserving a site in Area 112 for a primary cum secondary school;
- (c) he also requested PlanD to commission a study on planning the Lau Fau Shan, Tin Shui Wai North and Ha Tsuen areas along the themes of tourism, leisure, recreation and eco-tourism;

#### Assessment

##### *Stipulation of maximum GFA for the “CDA” sites*

- (d) stipulating the maximum PR instead of GFA for the “CDA” sites would provide flexibility in deriving the permissible GFA to accord with the site area after detailed survey and the incorporation of other technical requirements in the course of detailed planning;

- (e) irrespective of whether the development restriction was expressed in terms of PR or GFA, there was provision for GFA exemption for certain facilities under the Notes of the Outline Zoning Plan (OZP) and GFA concessions might be granted under the Buildings Ordinance at the building plan submission stage;
- (f) besides, developments at the “CDA” sites were subject to a maximum building height restriction of 10 storeys over one-storey car park. There was adequate planning control to ensure that the development would not be incompatible with the Hong Kong Wetland Park;

*Provision of School*

- (g) EB advised that the school site in Area 112 was required to meet the future demand of school places in Tin Shui Wai, especially the Tin Shui Wai North area. Notwithstanding, the school site reservation would be reviewed from time to time with reference to the latest projected supply and demand of school places and new educational initiatives;

*Rezoning the “CDA” sites to “OU” for tourism-related uses*

- (h) previous studies had confirmed the development potential of the “CDA” sites for low-density residential use;
- (i) the “CDA” zoning was considered more appropriate than the proposed “OU” zoning in providing the necessary flexibility for development proposals that could meet the needs of the community on one hand, and ensure proper control on future developments on the other. “Place of Entertainment”, “Place of Recreation, Sports or Culture” and “Private Club” might be permitted upon application under the “CDA” zoning;

*Commissioning of planning study*

- (j) the Government would undertake a consultancy study to fully explore

the potential of the rich tourism, recreational and nature conservation resources in the Lau Fau Shan rural township and its surrounding areas. Meanwhile, the existing zonings for the areas (e.g. the “Recreation” zone in Ping Shan) provided flexibility for the development of recreational and tourism/eco-tourism uses through private initiatives; and

PlanD’s View

- (k) in view of the above, the Tin Shui Wai OZP should not be amended to meet R3.

94. The Chairman then invited Mr. Daniel Cham to present. Mr. Cham tabled copies of a letter of 7.3.2008 from the Chairman of the Yuen Long District Secondary School Heads Association for Members’ consideration. Mr. Cham made the following main points:

- (a) the major principles adopted for the long term planning of Tin Shui Wai should be for benefiting the community and improving the quality of living; and
- (b) the Chief Executive had in the 2007-08 Policy Address committed to reviewing the outline zoning plans of various districts and lowering the development density to create a better living environment for the people;
- (c) the reduction of the PR for the “CDA” sites from about 2.0 to 1.5 was supported. However, to avoid the occurrence of the Grand Promenade incident in Tin Shui Wai, the Board should impose a maximum GFA for the “CDA” sites as in the earlier version of the OZP. The “CDA” sites in Areas 112 and 115 were previously restricted to a maximum GFA of 173,000m<sup>2</sup> and 127,000m<sup>2</sup> respectively. Otherwise, the future development might end up with a PR of 1.8 or even 1.9;
- (d) Mr. Ma Si-hang, the Secretary for Commerce and Economic Development, had advocated the use of a large tract of land adjacent to

the Wetland Park for a mixed use comprising factory outlets, games facilities, eating places, etc. The proposal to rezone the “CDA” sites to “OU” for tourism-related uses was in line with Mr. Ma’s initiative;

- (e) The Financial Secretary mentioned in the 2008-09 Budget that it was necessary to create more job opportunities in Tin Shui Wai so as to better address the problems faced by the Tin Shui Wai community. Moreover, the Development Bureau was considering the best use of two sites adjacent to the Wetland Park in Tin Shui Wai North, with a total area of about 14 hectares, with a view to injecting new economic impetus to the district and providing the necessary facilities;
- (f) as the Wetland Park was one of the most popular parks in Hong Kong, the planning intention of the two adjacent “CDA” sites in Areas 112 and 115 should be planned for hotel, spa and other tourism-supporting uses. Under the current “CDA” zoning, developers would likely choose to build residential developments. In view of the population of Tin Shui Wai which was close to 300,000, future increase in population was considered undesirable. The “CDA” sites were therefore proposed to be rezoned to “OU” for tourism-related uses so as to attract visitors and tourists to the area and help create employment;
- (g) PlanD should commission a study to review the land uses in Tin Shui Wai North and its surrounding areas including Lau Fa Shan and Ha Tsuen with a view to developing the areas along the themes of tourism and recreation. To further promote eco-tourism and nature conservation, consideration should be given to integrate the Fung Lok Wai development with the Wetland Park. The opening of the Deep Bay Link would be a catalyst for developing the areas;
- (h) in the letter from the Yuen Long District Secondary School Heads Association, the problem of surplus school places was pointed out. Hence, the need for a primary cum secondary school in Area 112 was questionable. The Board was urged to consider alternative use for this

site to facilitate better land-use planning in the area;

- (i) the land use review in 1997 had concluded that Tin Shui Wai should be planned for residential development. While there was no problem with this planning intention, the lack of specification on the type of housing to be developed on various pieces of land had led to an imbalanced mix of public and private housing in the new town. Public housing constituted over 90% of the residential development in Tin Shui Wai North. Likewise, without specifying the “CDA” sites for tourism-related uses, the “CDA” sites would end up with residential developments only; and
- (j) while gaps between buildings were still discernible in Kingswood Villa, the building blocks of Tin Heng Estate and Grandeur Terrace as shown in Plan H-4b of the Paper were densely packed and created a wall effect. The areas around the Wetland Park were urban fringe areas and should be planned for low-density developments like spa resort.

95. Members had the following questions:

- (a) whether imposing a PR restriction of 1.5 for the “CDA” sites would lead to a much higher PR in the future development; and
- (b) Mr. Daniel Cham’s view was sought on whether it was necessary to reserve school sites to cater for possible future demand and idea for alternative use.

96. Mr. Daniel Cham responded that maximum GFAs had indeed been stipulated in the “CDA” zone in the earlier version of the OZP and such restriction would avoid the granting of bonus PR. On the reservation of school site, he said that the principals of schools in the Yuen Long District considered it unnecessary to have any new secondary or primary school as there were not enough students. Hence, rezoning the school site as part of the “CDA” site or to “OU” for tourism related uses was more desirable.

97. Mr. Wilson Y.L. So responded that there was no material difference between

the use of maximum GFA or PR as development restriction under the “CDA” zone. GFA was derived by multiplying the site area with PR. Expressing the restriction in terms of PR would provide flexibility in deriving the permissible GFA to accord with the site area which would only be available after detailed survey. On the other hand, there might be variation in the site area to cater for technical requirement as detailed planning proceeded such as excluding area for drainage reserve. Irrespective of whether the restrictions was expressed in terms of maximum GFA or PR, the Notes of the OZP provided for exemption of certain ancillary facilities from GFA calculation. The Building Authority might grant other GFA concessions under the Buildings Ordinance at the building plan submission stage.

98. As Members had no further questions to raise, the Chairman thanked the representative of PlanD and presenter No. R3 for attending the meeting. They all left the meeting at this point.

#### Deliberation Session

99. Mrs. Ava S.Y. Ng advised Members that other than school use, the “G/IC” zoning would also allow for other government, institutional and community use. She also indicated that the “G/IC” site might not only serve the Tin Shui Wai area but a wider community in the surrounding rural areas. The Chairman noted from the Paper that the EB would review the need for the reserved site from time to time with reference to the latest projected supply and demand figures and new educational initiatives.

100. Miss Annie K.L. Tam advised Members that one of the 10 hotel use sites on the Application List was in Tin Shui Wai.

101. In sum, Members agreed that the current “CDA” zoning for the two sites in Areas 112 and 115 and the “G/IC” zone for the reserved school site were appropriate and provided adequate flexibility in land uses and met the needs of the community. Moreover, Members supported the stipulation of a maximum PR rather than GFA for the “CDA” sites as the former provided flexibility in deriving the permissible GFA to accord with the site area in the course of detailed planning.

102. After deliberation, the Board decided not to meet R3 for the following reasons:

- (a) expressing the development restriction for the two “Comprehensive Development Area” (“CDA”) sites in Areas 112 and 115 in terms of maximum plot ratio instead of GFA would provide flexibility in deriving the permissible GFA to accord with the detailed site area survey and other technical requirements as detailed planning proceeded. Besides, development of the two “CDA” sites would be properly controlled under the Master Layout Plan submission to ensure compatibility with the Hong Kong Wetland Park;
- (b) the school site in Area 112 was required to meet the future demand of school places in Tin Shui Wai, especially the Tin Shui Wai north area. Notwithstanding, the school site reservation would be reviewed from time to time with reference to the latest projected supply and demand of school places and new educational initiatives;
- (c) the “CDA” zoning was considered more appropriate in providing the necessary flexibility for development proposals that could meet the needs of the community on one hand, and ensure proper control on future developments on the other; and
- (d) the Government would undertake a consultancy study to fully explore the potential of the rich tourism, recreational and nature conservation resources in the Lau Fau Shan rural township and its surrounding areas.

[Mr. Michael K.C. Lai left the meeting, and Miss Annie K.L Tam and Dr. Michael Chiu left temporarily at this point.]

### **Agenda Item 8**

[Open Meeting (Presentation and Question Session Only)]

Consideration of Representations in Respect of the Draft Yuen Long

Outline Zoning Plan No. S/YL/16

(TPB Papers No. 8047, 8048 and 8049)

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[The meeting was conducted in Cantonese.]

103. Professor Nora F.Y. Tam had declared an interest in this item as she owned a flat at Tan Kwai Tsuen Road. Members noted that she had already left the meeting.

104. The Chairman invited Members to agree on a revised hearing arrangement, i.e. collective hearing for Representations No. R4 to R6 which concerned the development restrictions of a number of sites and the air ventilation of the Yuen Long New Town under Group 1 and another collective hearing for Representations No. R1 to R3 which concerned the height restriction of the “Government, Institution or Community(1)” (“G/IC(1)”) sites under Group 2. Members agreed.

Group 1 : Representations No. R4 [Mr. Wong Wai-ying], R5 [Shap Pat Heung Rural Committee] and R6 [Town Planning and Development Committee, Yuen Long District Council] (Papers No. 8048 and 8049)

105. The Chairman said that sufficient notice had been given to the representers and representer no. R5 would not attend the hearing. Members agreed to proceed with the hearing in the absence of R5. The following Government team (including representatives of the Planning Department (PlanD) and its consultant), representer No. R4 and R6’s representatives were invited to attend the meeting:

Mr. Wilson Y.L. So	District Planning Officer/Tuen Mun & Yuen Long
Ms. S.H. Lam	Senior Town Planner/Special Duties
Dr. Conn Yuen	Consultant

Representation No. R4

Mr. Wong Wai-yin	Representer
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Representation No. R6

Mr. Tai Yiu-wah, Robert	}
Mr. Wong Shing-tong	} Representer’s Representatives
Mr. Mak Ip-sing	}



106. The Chairman extended a welcome and briefly explained the hearing procedures. He then invited Mr. Wilson Y.L. So to brief Members on the representations. With the aid of a Powerpoint presentation, Mr. Wilson Y.L. So made the following main points as detailed in the Paper:

### Background

- (a) the major amendments incorporated in the draft Yuen Long Outline Zoning Plan No. S/YL/16 (the OZP) included the rezoning of all “Commercial/Residential” (“C/R”) sites to “Residential (Group A)” (“R(A)”) and the imposition of plot ratio (PR)/GFA and/or building height restrictions for various development zones;
- (b) having regard to the Urban Design Guidelines, the building height profile of the existing and approved developments in the new town, the preservation of the existing townscape and the function of the “G/IC” sites in the town centre as spatial and visual relief, the building height concepts embedded in the OZP were illustrated at Plan H-2;
- (c) in main, the “R(A)”, “Residential (Group E)” (“R(E)”) and “Other Specified Uses” (“OU”) zones in the town centre were subject to a height restriction of 30 storeys. A stepped height concept was adopted with the building height descending gradually from the town centre to the fringe areas (ranging from 25 storeys to one storey) to better blend with the rural character of the outskirts. The “G/IC” sites in the town centre were generally restricted to a maximum of 8 storeys. The “G/IC(1)” sites adjoining the “Village Type Development” (“V”) were restricted to 3 storeys (schools and hospitals could however be built up to 8 storeys) to match with the low-rise village environment;

### The Representations

- (d) R4 raised concern over the zoning and development restrictions of a site zoned “R(A)1” in Area 13. R5 was concerned about whether the

building height restriction for the “R(A)” zone would cause adverse visual and air ventilation impacts, and the exclusion of Sheung Yau Tin Tsuen from the list of historical villages in the Explanatory Statement (ES). R6 was mainly concerned about the rezoning of the “C/R” sites along Castle Peak Road - Yuen Long Section (CPR) to “R(A)”, the PR and building height restrictions for various zones and whether the development restrictions would cause adverse impact on air ventilation;

[Dr. Michael Chiu returned to join the meeting at this point.]

#### Air Ventilation Assessment

- (e) with regard to the concern over possible adverse impact on air ventilation, PlanD had commissioned a consultancy study on Expert Evaluation (the EE) on Air Ventilation Assessment (AVA) of the Yuen Long Town to assess the air ventilation impact. In sum, the development restrictions on the OZP would not cause major problem to the overall air ventilation in the northern and southern parts of the town, though the local air ventilation of some areas could be improved through implementation of mitigation measures. The detailed findings and recommendations for specific parts of Yuen Long Town were highlighted in para. 3.3(i) to (t) of Paper No. 8049;

[Mr. Nelson W.Y. Chan arrived to join the meeting and Mr. B.W. Chan left at this point.]

#### PlanD’s Proposed Amendments

- (f) in light of the recommendations of the EE on AVA and after considering the representations, a number of amendments to the OZP was proposed;

#### *Southern Part*

- (g) to rezone the proposed landscape walkway in Area 13 from “R(A)1” to “Open Space” (“O”) to better reflect that the landscape walkway would

serve as a ventilation corridor;

- (h) to rezone the school site in the “R(A)1” and “O” zones to “G/IC” to better reflect the committed school development;

*Northern Part*

- (i) to impose a requirement for a 5m-wide non-building area for 3 sites zoned “OU(B)” in Tung Tau to improve local air circulation;

*Central Part and Eastern Extension Area*

- (j) to impose a maximum site coverage of 80% for the proposed “R(A)2” and “R(A)3” sites on both sides of CPR and to specify in the ES that a minimum of 2-m wide non-building area abutting CPR should be provided. Upon redevelopment, the distance between the buildings on the northern and southern sides of CPR would be around 35m-40m;
- (k) to lower the maximum building height restriction for sites on the southern side of CPR from 30 storeys to 25 storeys excluding basement (applicable to the “OU(Public Car Park and Petrol Filling Station with Ground Floor Retail Shops)” zone and the proposed “R(A)3” and “R(A)4” zones);
- (l) to impose the requirement for a quantitative AVA for the “CDA” zone;

*Other Design Measures*

- (m) to specify in the ES that future developers were encouraged to adopt various design measures, including “courtyard” design concept, lower podium height, greater permeability of podium and avoidance of slab type building facing the north-easterlies, to minimize negative air ventilation impact;

Assessment of R4

- (n) the “R(A)1” site in question was zoned “R(A)” on the first Yuen Long OZP No. S/YL/1 since 1991. High-density residential development, both public and private, was permitted under the “R(A)” zone. Although there was no statutory PR restriction for the “R(A)” zone on the OZP previously, an administrative PR control of 5 (domestic)/9.5 (non-domestic) was adopted for the Yuen Long New Town since mid-1970s. The site had once been proposed for public housing development but the idea was not taken forward by Housing Department. Detailed planning for the site had further evolved with the western part reserved for school and GIC uses, the eastern part reserved for private residential development which included retail centre and public car park to serve the local residents, and a landscape walkway in the central part. The revised land uses together with a maximum PR of 5 for domestic use together with a maximum height of 25 storeys were incorporated in the concerned departmental layout plan. The Town Planning and Development Committee of the Yuen Long District Council was consulted on the layout plan in 2003 and there was no objection;
- (o) the development intensity and building height for the “R(A)1” zone remained unchanged at a domestic PR of 5 and 25 storeys, which were same as those on the departmental layout plan. Moreover, the planning intention for the “R(A)1” zone, except for the areas reserved for school developments and landscape walkway use, was for GIC, private residential, retail centre and public car park uses. Hence, rezoning the site to “R(B)” for pure residential development would be inappropriate. The “R(A)1” zoning better reflected the intended use for the site;
- (p) a total of 5 schools was being or would be developed on the western part of the “R(A)1” zone, and the Education Bureau confirmed that the 2 reserved school sites were still required. Hence, it was proposed to rezone the land with committed and planned school developments to “G/IC” to better reflect the intended land use;

- (q) it was proposed to partially meet R4 by rezoning a site in the western part of the “R(A)1” zone and a small strip of adjoining land zoned “O” to “G/IC” and a strip of land in the central part to “O” as explained in para. (g) and (h) above;

#### Assessment of R5

- (r) PlanD proposed to meet R5 by proposing amendments to the OZP as explained in para. (g), (h), (j), (k) (applicable to the proposed “R(A)3” and “R(A)4” zones) and (m) above, and including Sheung Yau Tin Tsuen in the list of historical villages in the ES;

#### Assessment of R6

- (s) the PR restrictions for the “R(A)”, “R(E)” and “OU” sites in the town centre were in line with the administrative PR control of 5 (domestic)/9.5 (non-domestic) adopted for the Yuen Long New Town since mid-1970s. Concerned government departments considered the PR restriction appropriate. However, having considered the findings of the EE on AVA, amendments were proposed to the building height restrictions for some “R(A)” sites and an “OU” site on the southern side of CPR as set out in para. (k) above;
- (t) the rezoning of 10 “C/R” sites along CPR to “R(A)” with a maximum domestic PR of 5 would not give rise to any intensified redevelopment to residential use, nor drastic population growth. Transport Department (TD) considered that the more restrictive “R(A)” zoning was preferable to “Commercial” (“C”) zoning in terms of impact on the local road and pedestrian traffic. Moreover, adequate land had been reserved on the OZP for the provision of GIC facilities to serve the planned development. Regarding the concern that the rezoning would turn the town centre to a residential area, the “R(A)” zoning would not affect the existing commercial/retail uses on the lower floors of buildings nor diminish the

vibrancy of the areas along both sides of CPR;

- (u) regarding the concern over the congested footways along CPR, the proposed incorporation of a maximum site coverage restriction of 80% for the proposed “R(A)2” and “R(A)3” sites would provide scope for widening the footway upon redevelopment. Besides, TD had a pedestrianization scheme for a section of CPR;
- (v) concerning the query about the need for the two “G/IC(1)” sites in Area 16 and the proposal to rezone them to “V”, it should be noted that both sites were reserved for GIC use on the departmental layout plan. Moreover, more than 30 ha of land (for about 1,300 Small Houses) was still available in the nearby “V” zones. Given that the reserved “V” land would unlikely be fully taken up in the short term, there was no imminent need to zone additional areas as “V”;
- (w) on the representer’s proposal to relax the building height restriction for 3 “G/IC(1)” sites in Area 14 from 3 to 8 storeys, the current height restriction was appropriate to ensure that new developments would not cause adverse visual impact to the surrounding areas which were dominated by village houses and open space. Besides, adequate land had been reserved for GIC uses and there was provision under the OZP for minor relaxation of the stated restrictions by application to the Board;
- (x) R6 proposed to lower the building height restriction of 25 storeys for the “G/IC(4)” site to 15 storeys. The stated height restriction was to reflect the existing building height of the Junior Police Officers Married Quarters therein and was considered compatible with that of the adjacent sites. R6’s proposal would undermine the redevelopment potential and significantly reduce the number of quarters;
- (y) on R6’s proposal to reduce the maximum PR and/or building height restriction for a number of “OU” sites and to restrict the permissible height for the “OU(Sewage Treatment Works)” in terms of absolute

building height instead of number of storeys, it was proposed to reduce the maximum number of storey for the “OU(Public Car Park and Petrol Filling Station with Ground Floor Retail Shops)” zone to 25 storeys excluding basement. For the “OU(Sewage Treatment Works)” site, fixing the building height restriction at a specific level might not meet the operational need of the plant in future. As to the remaining “OU” sites, the development restrictions were either in line with the prevailing density control and the building height concept for the Yuen Long Town or to reflect the existing or committed development intensity; and

- (z) to conclude, it was proposed to partially meet R6 by proposing amendments to the OZP as explained in para. (g) to (m) above.

107. The Chairman then invited presenter No. R4 to present. Mr. Wong Wai-yin made the following main points:

- (a) the Yuen Long Town Centre was notorious for the poor air ventilation and the congested roads. Pedestrians were forced to walk on the vehicular roads due to the narrow footpaths;
- (b) although the EE on AVA concluded that there would unlikely be significant negative air ventilation impact in Area 13, the increase in population and vehicular traffic arising from the future development in the “R(A)1” zone would further worsen the air quality of Area 13. The air ventilation problem was already acute;

[Ms. Anna S.Y. Kwong left the meeting at this point.]

- (c) it would be more appropriate to rezone the subject site from “R(A)1” to “R(B)” which was considered more compatible with the surrounding areas;
- (d) 5 schools were being or would be developed within part of the “R(A)1” site which PlanD proposed to rezone to “G/IC”. The need for new

schools was however questionable in view of the closure of schools in Yuen Long and Tin Shui Wai in recent years; and

- (e) at-grade pedestrian crossings in the area were always congested. His previous proposals of building footbridges and subways across CPR had not been taken forward. The rezoning of “C/R” sites to “R(A)” would make it difficult to take forward the provision of footbridges between private residential developments.

108. The Chairman then invited R6’s representatives to present. Mr. Tai Yiu-wah made the following main points:

- (a) whether the Board could control the disposition of building blocks to reduce the air ventilation impact was in doubt. Only developments in the “CDA” zone would require the carrying out of AVA. There was no control over developments in other residential zones; and

[Miss Annie K.L Tam returned to join the meeting at this point.]

- (b) some “G/IC” sites were left idle for many years. This was not an efficient use of land resources.

[Dr. C.N. Ng left the meeting temporarily at this point.]

109. Mr. Mak Ip-sing, another R6’s representative, made the following main points:

- (a) rezoning the “C/R” sites along CPR to “R(A)” was inappropriate as the area was the commercial centre of the town;
- (b) the planned descending building height profile from the town centre towards the southern and northern skirts for better air ventilation could not be realized as high-rise developments were permissible in the south; and



- (c) the planned residential developments of over 50 storeys in Yuen Long East would create wall effect. It was inappropriate to allow developments of up to 25 or 30 storeys in areas near Shap Pat Heung Road and Fung Ki Road as the areas were characterized by low-rise developments.

110. Members raised the following questions:

- (a) the representer/representer's representatives were asked whether they had any counter proposal for the sites reserved for school use; and
- (b) DPO/TMYL was asked to advise on the mechanism for controlling the disposition of building blocks in residential zones.

[Dr. C.N. Ng returned to join the meeting at this point.]

111. In response to question (a), Mr. Wong Wai-yin considered that some "G/IC" sites in the Yuen Long Town could be reserved and the rezoning of other "G/IC" sites would have to be studied on a case-by-case basis. In an earlier rezoning application in respect of the West Rail Yuen Long Station site, it was demonstrated that the provision of GIC facilities in Yuen Long district was inadequate and hence a proposal to develop the site for a comprehensive recreational and sports complex or government offices building was put forth. The comprehensive recreational and sports complex, if built, could substitute a number of "G/IC" sites scattered around. Regarding the proposed "G/IC" site in Area 13, PlanD's intention to reserve it for school developments was not justified when some other schools were closing down at the same time.

112. Mr. Tai Yiu-wah said that he was not opposing to the "G/IC" zone, but the lack of implementation programme for some "G/IC" sites, such as the site in Tong Yan San Tsuen. It was undesirable to reserve land for G/IC use when there was no programme for development.

113. In relation to question (b), Mr. Wilson So advised that statements had been added in the ES to highlight the need to take into account air ventilation in the design of

the building blocks. For instance, it was mentioned in the ES that the buildings on the “R(B)1” site in Area 16 (the Dah Cheong Hong site) should avoid blocking the north-easterlies or easterlies, which were the prevailing wind. In response to the Chairman’s enquiry on the land status, Mr. So replied that the land was under private ownership. Miss Annie K.L. Tam said that suitable control over disposition of building blocks could be incorporated in the lease when lease modification was required. The Chairman stated that the recommendations of the AVA study should be incorporated into the lease where the opportunity arose.

114. Mr. Tai Yiu-wah urged the Government to follow and implement the recommendations of the EE on AVA. He also added that allowing developments up to a height of 25 storeys in the “R(B)1” zone would be incompatible with the 3-storey developments at On Lok Sun Tsuen.

115. Mr. Mak Ip-sing suggested incorporating the requirement of providing footbridge connection points in the leases for developments along CPR. The Chairman responded that this proposal would require further consideration.

116. Members had no further questions to raise. The Chairman thanked the Government team, presenter No. R4 and R6’s representatives for attending the meeting. They all left the meeting at this point.

#### Deliberation Session

117. In response to Miss Annie K.L. Tam’s question on whether the planned landscape walkway in Area 13 should be rezoned to “O” or retained as “R(A)1” but specifying under the lease as non-building area, the Secretary indicated that if the walkway was included as “R(A)1” zoning, the area would be included into plot ratio calculation and hence the overall development intensity of the area would be increased. The Chairman considered it more appropriate to rezone the walkway area as “O” so as to clearly reflect the planning intention of the area.

118. A Member commented that it was important to have proper control over the disposition of building blocks to help minimize the air ventilation impact. Dr. Michael

Chiu, drawing from the experiences in handling cases where the disposition of building blocks was a measure to mitigate noise impact, considered that it would be more effective to exercise control through the lease conditions. The Chairman remarked that relevant requirements could be incorporated in lease or land grant conditions when modification of lease was required or land grant was executed. He further added that Buildings Department was undertaking a study on green buildings and whether the above issues could be taken on under the Buildings Ordinance would have to be considered. A consensus view from the community would also be important.

119. After deliberation, the Board decided to partially meet R4 by rezoning a site in the western part of the “Residential (Group A)1” (“R(A)1”) zone and a small strip of adjoining land zoned “Open Space” (“O”) to “Government, Institution or Community”(“G/IC”) and a strip of land in the central part of the “R(A)1” zone to “O” as shown on the plan at Annex II of Paper No. 8048. The Explanatory Statement would also be amended accordingly as per Annex III of the same Paper. The Board also agreed to publish the proposed amendments for 3 weeks under s.6C(2) of the Town Planning Ordinance for further representations.

120. The Board also decided not to meet the remaining part of R4 for the following reasons:

- (a) the remaining “R(A)1” sites had been zoned “R(A)” on the Yuen Long Outline Zoning Plan since 1991, and all along had been reserved for high density residential development in accordance with the administrative density control of the Yuen Long New Town as incorporated on the Layout Plan covering the site;
- (b) taking into consideration the planned uses in the remaining “R(A)1” sites including residential development with retail and public car park facilities and GIC uses, the “R(A)1” zoning as well as plot ratio and building height restrictions imposed were considered appropriate and better reflected the planned uses. Besides, one residential development with development parameters in accordance with the restrictions for the “R(A)1” zone was under construction; and

- (c) the building height restriction of 25 storeys excluding basement(s) for the remaining “R(A)1” sites was same as that for the “R(B)” zone in the vicinity.

121. After deliberation, the Board decided to meet Representation No. R5 by proposing the following amendments:

Amendments to the draft Yuen Long Outline Zoning Plan No. S/YL/16 (the OZP)

- (a) for the “Residential (Group A)1” (“R(A)1”) zone in Area 13, rezoning of the proposed landscape walkway from “R(A)1” to “Open Space” (“O”) and the school site from “R(A)1” and “O” to “Government, Institution or Community” (“G/IC”) (Annex V of Paper No. 8049);
- (b) for the areas on both sides of Castle Peak Road-Yuen Long at the town centre, rezoning of 3 strips of land from “R(A)” to “R(A)2”, “R(A)3” and “R(A)4” (Annex VI of Paper No. 8049);

Amendments to the Notes (Annex VII of Paper No. 8049)

- (c) imposition of a maximum site coverage restriction of 80% for the “R(A)2” and “R(A)3” zones; and
- (d) revision of the maximum building height restriction from 30 storeys excluding basement(s) to 25 storeys excluding basement(s) for the “R(A)3” and “R(A)4” zones.

122. In tandem with the proposed amendments to the OZP, the Board also agreed to revise the Explanatory Statement as per Annex VIII of the Paper. Moreover, the Board agreed to publish the proposed amendments for 3 weeks under s.6C(2) of the Town Planning Ordinance for further representations.

123. After deliberation, the Board decided to partially meet Representation No. R6 by proposing the following amendments:

Amendments to the draft Yuen Long Outline Zoning Plan No. S/YL/16 (the OZP)

- (a) for the areas on both sides of Castle Peak Road-Yuen Long (CPR) at the town centre, rezoning of 3 strips of land from “R(A)” to “R(A)2”, “R(A)3” and “R(A)4” (Annex VI of Paper No. 8049);

Amendments to the Notes (Annex VII of Paper No. 8049)

- (b) imposition of a maximum site coverage restriction of 80% for the “R(A)2” and “R(A)3” zones;
- (c) revision of the maximum building height restriction from 30 storeys excluding basement(s) to 25 storeys excluding basement(s) for the “R(A)3” and “R(A)4” zones as well as the “Other Specified Uses” (“OU”) annotated “Public Car Park and Petrol Filling Station with Ground Floor Retail Shops” zone;
- (d) imposition of a requirement for a 5m wide non-building area for 3 sites zoned “OU(Business)” in Tung Tau; and
- (e) imposition of the requirement for a quantitative Air Ventilation Assessment for the “Comprehensive Development Area” zone.

124. In tandem with the proposed amendments to the OZP, the Board also agreed to revise the Explanatory Statement as per Annex VIII of the Paper. Moreover, the Board agreed to publish the proposed amendments for 3 weeks under s.6C(2) of the Town Planning Ordinance for further representations.

125. The Board also decided not to meet the remaining parts of Representation No. R6 for the following reasons:

- (a) the plot ratio restrictions imposed were generally in line with the prevailing plot ratio for the Yuen Long New Town or reflecting the existing or committed development intensity of such sites. There was no intensification of development intensity. The imposed building height restrictions would not bring about adverse visual impacts to the surrounding areas. There was no strong justification to reduce the plot ratio for the “R(A)”, “R(E)” and “OU” sites in the town centre, nor to reduce their building height restrictions except those on the southern side of CPR in the town centre;
- (b) the rezoning of the 10 sites along CPR from “Commercial/Residential” to “R(A)” was considered appropriate as the “R(A)” zoning reflected the predominant land use of the area and it would not affect the vibrancy of the commercial/retail activities along CPR. The “R(A)” zoning would unlikely cause drastic population growth nor result in adverse impacts on traffic as well as the provision of infrastructural and GIC facilities in the area;
- (c) under the “R(A)” zoning, general commercial uses were permitted as of right in the lowest three floors of a new building or in the purpose-designed non-residential portion of an existing building. Moreover, there was provision under the “R(A)” zoning for application for development of various commercial and hotel uses on the “R(A)” sites;
- (d) apart from the sites abutting CPR in the town centre which were proposed to be restricted to a maximum site coverage of 80%, there was no need to impose site coverage on other sites as there was already site coverage restriction under the Building (Planning) Regulations;
- (e) given that there was still more than 30 ha of land within the “Village Type Development” zone available for Small House development, there was no strong justification to rezone the 2 “G/IC(1)” sites in Area 16 to

“V”. The Planning Department would closely monitor the situation and undertake land use review as and when necessary;

- (f) the building height restriction for the “G/IC” sites in Area 14 was to ensure that developments on these sites would not cause adverse visual impact to the surrounding areas of village house and open space. Deletion of the building height restriction was unacceptable and relaxation of building height restriction was not in line with the intended planning control for the sites. Adequate land had been reserved for GIC uses to serve the planned population in the Town. There was provision for application for minor relaxation of building height restriction for the future GIC developments if so required;
- (g) the plot ratio and building height restriction for the “OU(B(1))” sites reflected the existing or committed development intensity of such sites. Similarly, the building height restriction for the “G/IC(4)” site was to reflect the height of the existing developments; and
- (h) the 2-storey building height restriction for the “OU(Sewerage Treatment Works)” site was considered appropriate. It was inappropriate to fix the building height of the site at a specified level as it might not meet the future operational need of the facility.

[Dr. C.N. Ng returned to join the meeting at this point.]

Group 2 : Representations No. R1 [Mr. Wong Wai-yin], R2 [Mr. Wong Tung-keung] and R3 [Lung Cheung Development Ltd. Co.] (Paper No. 8047)

126. The Chairman said that sufficient notice had been given to the representers, and no reply had been received from representer No. R2. Members agreed to proceed with the hearing in the absence of R2. The following Government team (including representatives of the Planning Department (PlanD) and its consultant), representer No. R1 and R3’s representatives were invited to attend the meeting:

Mr. Wilson Y.L. So	District Planning Officer/Tuen Mun & Yuen Long
Ms. S.H. Lam	Senior Town Planner/Special Duties
Dr. Conn Yuen	Consultant

Representation No. R1

Mr. Wong Wai-yin	Representer
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Representation No. R3

Mr. Kim Chan	}	
Miss Kerry Lee	}	Representer's Representatives
Mr. K.K. Sun	}	

127. The Chairman extended a welcome and briefly explained the hearing procedures. He then invited Mr. Wilson Y.L. So to brief Members on the representations. With the aid of a Powerpoint presentation, Mr. Wilson Y.L. So made the following main points as detailed in the Paper:

- (a) the amendments incorporated in the draft Yuen Long OZP No. S/YL/16 and the planning concept of the building height restrictions as detailed in para. 106(a) and (b) above were recapitulated;
- (b) Representations No. R1 to R3 were against the building height restriction (3 storeys, except that school and hospital uses could be developed up to 8 storeys) for 3 "G/IC(1)" sites adjoining the "V" zones to the south of the town centre. The area to the east of these "G/IC" sites was occupied by some building material companies and temporary structures. R1 proposed to revert the 3 sites to "G/IC" whereas R2 and R3 proposed to delete or relax the height restriction;

Representation No. R1

- (c) R1 considered the 3-storey restriction for the 3 "G/IC(1)" sites, with a total area of about 2.4 ha, meaningless as the "R(B)" sites in the surrounding areas could be developed up to 25 storeys, and the stringent



height restriction would prohibit the development of multi-storey community services buildings (normally 6 storeys). He proposed to revert the sites back to “G/IC” with a height restriction of 8 storeys;

#### Representation No. R2

- (d) R2 opposed the height restriction for the “G/IC(1)” site (about 5,100 m<sup>2</sup>) covering the existing Yuen Long Baptist Church (YLBC), a vacant house and a petrol filling station on the ground that the height restriction would jeopardize the redevelopment of YLBC and its provision of community services. He proposed to delete the height restriction or rezone the site to “G/IC(4)” with a height restriction of 25 storeys excluding basements;
- (e) it should be noted that YLBC was subject to a height restriction of 2 storeys and 25 feet under GN 364;

#### Representation No. R3

- (f) R3 objected to the height restriction for the “G/IC(1)” site (about 7,300 m<sup>2</sup>) to the northwest of Fraser Village. The site was currently occupied by a plant nursery, and most of the agricultural lots were owned by the representer;
- (g) the representer had once applied for land exchange to implement a Residential Care Home for the Elderly (RCHE) and obtained the offer of basic terms in 2002, but the application was subsequently withdrawn;
- (h) R3 expressed that the height restriction would frustrate its proposed mixed development (PR 3.5 and 25 storeys) of a RCHE, a senior housing tower and a private residential tower on the site, and proposed to remove the height restriction;

#### Assessment of R1

- (i) the “G/IC(1)” sites were mainly adjacent to the “V” and “O” zones which were intended for low-rise buildings. There was only one “R(B)” site nearby. Hence, the 3-storey restriction was more compatible with the surrounding environment. The provision for minor relaxation for height restriction in the Notes had allowed flexibility. Moreover, adequate land had been reserved for GIC facilities to meet the future demand. There was however insufficient justification at this stage for relaxing the height restriction to 8 storeys;

#### Assessment of R2

- (j) without a concrete redevelopment proposal of YLBC, there was insufficient justification at this stage for relaxing the height restriction;
- (k) high-rise developments of 25 storeys at the YLBC site was considered incompatible with the surrounding rural character;
- (l) deleting or relaxing the height restriction was not in line with the intended planning control for the site;

#### Assessment of R3

- (m) the proposed elderly complex development of 25 storeys was incompatible with the nearby villages and open space. The proposed development with a plot ratio of 3.5 was not fully tested against traffic, environmental and infrastructural assessments. The Rural and New Town Planning Committee in 2005 had rejected a request to rezone the site to “CDA” to facilitate a similar development on various grounds including possible adverse visual and traffic impacts; and

#### Conclusion

- (n) PlanD did not support R1 to R3 for reasons stated in para. 6 of the Paper.

128. The Chairman then invited representer No. R1 to present. Mr. Wong Wai-yin made the following main points:

- (a) he was also speaking on behalf of R2 in his capacity as a member of YLBC;
- (b) many existing social services organizations had to rent premises to provide services. This demonstrated the inadequacy of GIC premises;
- (c) in 1991, the Government considered it necessary to maximize the development potential of GIC sites in view of the valuable land resources. Hence, a number of 6-storey high multi-purpose GIC complex emerged. The current imposition of a 3-storey restriction was contrary to this policy directive;
- (d) the argument that 8-storey developments on the “G/IC” sites would be incompatible with the 3-storey village houses nearby was not reasonable since 6-storey village houses were found and 25-storey residential developments were permissible in the nearby “R(B)” zone;
- (e) the future residential developments in the “R(B)” zone would bring in additional population, thus creating greater demand for social services; and
- (f) although YLBC had only been moved to the current premises 3 years ago, the space was not large enough to cater for the increasing size of the congregation and the plan to provide community services in the church. There was a need to relax the building height to cater for the redevelopment of YLBC.

129. The Chairman then invited R3’s representatives to present. With the aid of a Powerpoint presentation, Mr. Kim Chan made the following main points:

- (a) the representation site fell within the extension area of the Yuen Long

New Town. Residential zones allowing developments up to 25 storeys could be found to the south of the new town. In formulating the building height concept for the new town as shown in Plan H-2, Yuen Long Highway should be the dividing line between high-rise and medium-rise developments. In this regard, the area between the town centre and Yuen Long Highway, where the subject "G/IC(1)" site was located, should fall within the medium-rise zone;

- (b) the Board should remove the height restriction for the subject site to allow more flexibility in the type of uses proposed. In any event, the Board could maintain control over the use, scale and height of the proposed development through the planning application system. Adding a height restriction in the Notes was unnecessary;
- (c) the village area and open space to the east and west of the subject site would serve as a buffer of sufficient width (160m and 190m respectively), separating it from the medium-rise residential development nearby. Therefore, the proposed development at the subject site would not create adverse air ventilation and visual impacts. The proposed elderly home use was compatible with and would provide supporting community facilities to the medium-rise developments in the surrounding areas;
- (d) the Board should consider all relevant factors, including the environmental and socio-economic aspects as well as the need of the community, in discharging its town planning duty. It should not be biased against a single factor;
- (e) the representer realized the aging problem since 2002 and intended to develop a mixed use complex comprising a good-quality purpose-built senior housing block (30%), a RCHE (30%) and a private residential development for the elder's children (40%). The concept was akin to the mixed senior housing project (i.e. a senior housing tower next to a normal private residential development) at Shau Kei Wan which was

being planned by the Housing Society. The success of the other two senior housing developments at Kowloon Bay and Tseung Kwan O implemented by the Housing Society reflected that our community was in need of this kind of senior or mixed senior housing projects. The Board had also approved two other senior housing projects in Kwun Tong and Pokfulam. All these senior housing developments were located in the “G/IC” zone and with a building height taller than 20 storeys;

- (f) this kind of senior or mixed senior housing developments should be at a location within a reasonable distance from the town or city centre and with open space in the surrounding area. Yuen Long was a suitable area to implement the representer’s proposal since many elders were living there;
- (g) the demand for elderly housing was imminent. According to the Government’s population projection, 1 out of 4 persons would be aged over 65 in 2036; and
- (h) although adverse traffic impact was one of the grounds in rejecting the rezoning request in 2005, the representer had been liaising with Transport Department to address the traffic concern and consensus had been reached.

130. A Member enquired about the land status of the 3 “G/IC(1)” sites and whether there were any government projects for these sites. Mr. Wilson Y.L. So replied that the 3 sites largely comprised private land, and the private lots within R3’s site were demised as agricultural uses. He further said that there was at present no government project on these sites.

131. Members had no further questions to raise. The Chairman thanked the Government team, representer No. R1 and R3’s representatives for attending the meeting. They all left the meeting at this point.

Deliberation Session

132. A Member opined that restricting developments to 3 storeys in the “G/IC(1)” sites was appropriate since the nearby areas were dominated by 3-storey village houses. The Chairman considered that there were insufficient merits to relax the building height restriction at this stage. Should the representers come up with a concrete proposal with supporting technical assessments in future, the Board could further scrutinize the proposal. Members agreed to the above views.

133. After deliberation, the Board decided not to meet Representation No. R1 for the following reasons:

- (a) the building height restriction for the 3 “Government, Institution or Community(1)” (“G/IC(1)”) sites in Area 14 was to ensure that developments on these sites would not cause adverse visual impact to the surrounding areas of village housing and open space. Reverting it to “G/IC” zone subject to a maximum building height of 8 storeys excluding basement(s) was not in line with the intended planning control for the sites;
- (b) since adequate land had been reserved for GIC facilities in meeting the future demand in Yuen Long Town and in view of the locality of the 3 “G/IC(1)” sites in Area 14, rezoning them for a higher building height without a concrete development proposal was considered not justified at this stage;
- (c) the “Residential (Group B)” sites in the vicinity of the site were some distance away and hence of less relevance than the adjacent low-rise village settlements in assessing the visual impact of future development on the site; and
- (d) the Notes for the “G/IC(1)” zone already provided the necessary flexibility for application to the Board for minor relaxation of the building height restriction based on individual merits of the

development/redevelopment proposal.

134. After deliberation, the Board decided not to meet Representation No. R2 for the following reasons:

- (a) the building height restriction for the “Government, Institution or Community(1)” (“G/IC(1)”) site to the west of Tai Tong Road in Area 14 was to ensure that developments on these sites would not cause adverse visual impact to the surrounding areas of village housing and open space. Deletion of the building height restriction and rezoning of the site to “G/IC(4)” which allowed building height up to 25 storeys were unacceptable and not in line with the intended planning control for the site; and
- (b) the Notes for the “G/IC(1)” zone already provided the necessary flexibility for application to the Board for minor relaxation of the building height restriction based on individual merits of the development/redevelopment proposal. Therefore, the proposed deletion or relaxation of building height without a concrete development proposal was considered not justified at this stage

135. After deliberation, the Board decided not to meet Representation No. R3 for the following reasons:

- (a) the building height restriction for the “Government, Institution or Community(1)” (“G/IC(1)”) site to the northwest of Fraser Village in Area 14 was to ensure that developments on this site would not cause adverse visual impact to the surrounding areas of village housing and open space. The proposed deletion of the building height was not in line with the intended planning control for the site;
- (b) the surrounding areas were mainly zoned “Village Type Development” and “Open Space”. The proposed development of about 25 storeys was considered incompatible with the low-rise low-density rural character of

the surrounding area; and

- (c) there was also insufficient information to demonstrate that the intended development with a plot ratio of 3.5 was sustainable in traffic, environmental and infrastructural terms.

[The meeting adjourned for a short break of 5 minutes.]

**Agenda Item 9**

[Open Meeting (Presentation and Question Session Only)]

Review of Application No. A/YL-PH/552

Temporary Open Storage of Recyclable Metal for a Period of 3 Years in “Residential (Group D)” zone, Lots 78A(Part), 93(Part) and 94(Part) in DD 108, Fan Kam Road, Pat Heung, Yuen Long

(TPB Paper No. 8044)

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[The hearing was conducted in Cantonese.]

136. Dr. James C.W. Lau had declared an interest in this item for having business dealings with the applicant’s consultant, Top Bright Consultants Ltd. Members noted that Dr. Lau had already left the meeting.

137. Mr. Wilson So, District Planning Officer/Tuen Mun and Yeun Long (DPO/TMYL) of the Planning Department (PlanD) and the following applicant’s representative were invited to the meeting at this point.

Mr. Raymond Leung )  
Mr. Lam Tim-kit ) Applicant’s Representative  
Ms. Cannis Lee )

138. 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 application.



139. With the aid of some plans, Mr. Wilson So did so as detailed in the Paper and made the following main points:

- (a) the applicant sought planning permission for temporary open storage of recyclable metal for a period of 3 years on a site zoned “Residential (Group D)” (“R(D)”) on the approved Pat Heung Outline Zoning Plan;
- (b) the application was rejected by the Rural and New Town Planning Committee (RNTPC) on 14.12.2007 for (i) being not in line with the planning intention of the “R(D)” zone which was primarily for improvement and upgrading of existing temporary structures through low-rise, low-density residential developments, and incompatible with the residential land use in the immediate vicinity, (ii) not complying with the Board Guidelines No. 13D for ‘Application for Open Storage and Port Back-up Uses’ in that there was no previous approval for similar type of open storage use, and there were local objection and adverse departmental comments; and (iii) providing insufficient information to demonstrate that the development would not have adverse environmental impacts;
- (c) the applicant had not provided further written submission to support the review;
- (d) the site was within the Category 3 areas of the Board Guidelines No.13D. Although the site was the subject of a previous approval for temporary public car park use, there was no previous approval for the applied type of use. Moreover, the current application was subject to a local objection and adverse departmental comment;
- (e) departmental comment - the Director of Environmental Protection (DEP) did not support the application as there were sensitive receivers in the vicinity of the site (i.e. less than 20m from the site as shown on Plan R-2) and environmental nuisances were expected;

- (f) public comments - although there was no public comment at the s.17 review stage, one public comment was received from a local villager at the s.16 stage. The villager opposed the application as similar land use and related activities in the areas had already caused noise and air pollution;
- (g) there were compaction activities on the site;
- (h) PlanD's View - there was an approved residential development for 3 detached houses within 50m north of the application site. PlanD maintained its previous view of not supporting the application.

140. The Chairman then invited the applicant's representatives to present. With the aid of a Powerpoint presentation, Mr. Raymond Leung made the following main points:

Responses to rejection for being not in line with the planning intention

- (a) the applied use was only temporary in nature and approval for public car park had been granted to the site. All approval conditions under the previous application had been complied with and the site was kept in a clean and tidy manner;
- (b) the residential development in the vicinity might take years to develop;

Responses to rejection on grounds of incompatibility with the surrounding residential uses

- (c) a residential structure together with a warehouse were to the north of the site. To the west were squatter structures for non-domestic use. To the west and east were Fan Kam Road and fallow agricultural land respectively;

Responses to rejection on grounds of non-compliance with the Board Guidelines

No. 13D

- (d) the site was the subject of a previous planning approval for a public car park with 104 private vehicles. Demand for car parking spaces dropped whereas storage yards were in demand;
- (e) a comparison between the previously approved public car park and the open storage use under the current application was made. The current use would generate less traffic than the approved use, and no department had raised any concern on traffic. The background noise was higher than the operation noise in both cases. Indeed, DEP was not concerned about noise. It simply did not support the application due to the presence of sensitive receivers nearby. The visual, environmental, drainage and landscaping impacts of the two uses would be the same. However, the applied use would generate more employment opportunities;
- (f) apart from DEP and PlanD, no departments opposed the application. As regards DEP's comment in para. 10.1.4 of the s.16 Paper, the environmental complaint received in 2004 was irrelevant since the public car park was only approved in 2005. Moreover, DEP did not support the application simply based on the revised "Code of Practice on Handling the Environmental Aspects of Temporary Uses and Open Storage Sites". His comments made no mention of the on-site operation;
- (g) regarding the local objection, it should be noted that the District Officer/Yuen Long had neither received any objection nor made any comment on the application. Notwithstanding that PlanD had received an objection from a local villager of Ta Shek Wu, the Village Representative (VR) of Tai Shek Wu confirmed in his letter of 12.3.2008 (tabled at the meeting by the applicant) that he was not aware of any objection and compliant from the villagers. The VR advised that the nearby horse riding school had raised concern as they wished to improve

the surrounding environment of the riding school to attract more tourists. The applicant reckoned that the riding school was itself a source of nuisances to the villagers and its objection to the application was irrelevant;

- (h) as shown in Photo 6 at Plan R-4, the workers had just removed the plastics parts of the slotting machines by hand and the materials would be transported away;
- (i) the applicant tabled a letter of 14.3.2008 rebutting the grounds of the objection lodged by the local villager. In gist, the applicant contended that no noise pollution problem had been detected by the Environmental Protection Department, the use of light lorries for loading/unloading would not induce noise nuisances, no burning of waste materials would take place on the site, no high-pressure pneumatic hose was used for cleansing vehicles, any unauthorized activities or environmental nuisances would be detected by the law enforcement officer, and the site was not equipped with any diesel-driven heavy bulldozer. Moreover, it was unreasonable for the local villager to oppose the application by making reference to the nuisances caused by the “Yuen Fung Metalware and Scrap Iron” company opposite to the horse riding school;
- (j) the Chairman of the Hong Kong Auto (Parts & Machinery) Association Ltd. also supported the application vide his letter of 12.3.2008, copies of which were tabled at the meeting. He expressed that the applied use would not cause any adverse environmental impacts;

Responses to rejection reason on adverse environmental impacts

- (k) EPD had no specific comments on the environmental impacts;
- (l) workshop and storage uses were found in the surrounding areas. No compaction activity would take place on the site; and

No previous approval for the same use

- (m) the only problem with this application was the lack of previous planning approval for the same type of use on the site and hence the application did not comply with the Board Guidelines No 13D in this respect. Otherwise, the application should stand a good case if the Board gave sympathetic consideration to the application and assessed the application on its individual merits.

141. In response to a Member's enquiry in relation to individual merits, Mr. Raymond Leung said that it was a general statement in the Guidelines that the Board would consider an application on individual merits.

142. Members also raised concern over the machines in Photo 5 at Plan R-4 and the stacking of cars as shown in Photo 4 on the same plan. Mr. Raymond Leung assured Members that no unauthorized activities took place on the site. The stacked cars were just the leftovers of the previous car park. He believed that the machines in Photo 5 were for sorting purpose and stressed that no compaction activity took place.

143. Another Member asked DPO/TMYL to advise on the on-site situation. Mr. Wilson So referred Members to the photos at Plan R-4 and said that compressed vehicles were found and he would not preclude the possibility that the machines in Photo 5 was used for compaction purpose.

144. Mr. Raymond Leung said that the applicant was mindful of clearly setting out the specific area for storage purpose in the submission. This would avoid the spreading over of materials on the entire site in future.

145. 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 DPO/TMYL for attending the meeting. They left the meeting at this point.

Deliberation

146. Dr. Michael Chiu advised that the machines were for compaction purpose and he believed that the activity would cause noise nuisances to the nearby sensitive receivers.

147. Noting that car stripping activity was evident when the application was considered by the RNTPC in December 2007 and compressed cars were still found in recent site's inspection, a Member cast doubt on whether the site would be solely for the applied use. Members agreed that the application did not comply with the Board Guidelines No. 13D in that no previous approval for the same type of open storage use had been granted for the subject site.

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

- (a) the proposed development was not in line with the planning intention of the "Residential (Group D)" which was primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It was also intended for low-rise, low-density residential developments subject to planning permission from the Town Planning Board. No strong justification had been provided in the submission for a departure from the planning intention, even on a temporary basis. The proposed development was not compatible with the residential land use in the immediate vicinity;
- (b) the development did not comply with the Town Planning Board Guidelines No. 13D for Application for Open Storage and Port Back-up Uses in that the site did not have any previous planning approval for similar open storage uses, and there were local objection to and adverse departmental comments on the application; and
- (c) there was insufficient information/technical assessments in the

submission to demonstrate that the applied use would not generate adverse environmental impacts on the surrounding areas.

[Dr. Michael Chiu left the meeting at this point.]

**Agenda Item 10**

[Open Meeting (Presentation and Question Session Only)]

Review of Application No. A/H3/377

Proposed Office, Shop and Services and Eating Place in “Residential (Group A)” zone, 20-26 Staunton Street, Central (IL 118ARP, 119M, 119, and 119RP)

(TPB Paper No. 8050)

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[The hearing was conducted in Cantonese.]

149. Dr. Greg Wong and Mr. Raymond Chan had declared interests in this item for having current business dealings with Sino Land Co. Ltd. which was the parent company of King Century Ltd. (the applicant) and Jade Line Ltd. (the applicant’s consultant). Members noted that both had already left the meeting.

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

Ms. Brenda Au	District Planning Officer/Hong Kong
Ms. Lily Yam	Senior Town Planner/Hong Kong
Miss Nora Leung	)
Mr. Kenny Kong	) Applicant’s representatives
Ms. Yoyo Tang	)

151. The Chairman extended a welcome and explained briefly the procedures of the review hearing. The Chairman then invited Ms. Brenda Au to brief Members on the application.

152. With the aid of a Powerpoint presentation, Ms. Brenda Au did so as detailed in

the Paper and made the following main points:

- (a) the applicant sought planning permission for a 25-storey commercial building with offices, shop and services and eating places at a site at Staunton Street, zoned “Residential (Group A)” (“R(A)”) on the draft Sai Ying Pun & Sheung Wan Outline Zoning Plan. The site had an area of about 390 m<sup>2</sup> and the non-domestic plot ratio (PR) / GFA of the proposed development was about 15 / 5,844m<sup>2</sup>. The building was of 113.23m high (or 158mPD). A turntable for loading/unloading of light goods vehicles and vans was included;
- (b) the application was rejected by the Metro Planning Committee on 16.11.2007 for (i) being not in line with the planning intention of the “R(A)” zone; (ii) being incompatible with the residential nature of the area and with the building bulk and development intensity of the adjoining residential developments; (iii) having unsatisfactory run-in/out and turntable arrangements; and (iv) the setting of an undesirable precedent;
- (c) the subject site was occupied by 2 residential buildings of 5 and 6 storeys, one with restaurant use on the G/F. The premises at the G/F of the other building were left vacant. The site was located within the SoHo area which was predominantly residential in character with commercial uses (mainly restaurants) on the G/F of the residential buildings. Most of the buildings in the SoHo areas were several storeys high, with those on both sides of Staunton Street mostly 5 to 7 storeys. Several high-rise buildings (109 to 131mPD) could be found along Shelly Street;
- (d) departmental comments – the Transport Department (TD) did not support the application as the G/F layout with walls/structures in the vicinity of the proposed run in/out would adversely affect the sightline of the drivers, the turntable was too close to the pavement of Staunton Street, and whether the traffic demand of the proposed development would be sufficiently served by the proposed turntable had not been



demonstrated. District Officer/Central & Western considered that the public comments with regard to the traffic impact were valid. Other departments had either no objection to or no comment on the application;

- (e) public comments – of the 415 public comments received at the s.16 stage, 398 objected to the application, 14 offered adverse comments, 2 supported and one had no objection. Three comments were received at the s.17 stage. All were submitted by the local residents objecting to the review application. Their concerns were mainly related to the adverse visual, traffic and environmental (air and noise) impacts to be generated by the proposed commercial uses, the incompatibility of the proposed development with the surrounding areas, the destruction of the character of SoHo, the commercial use being incompatible with the residential character of the neighbourhood and not in line with the planning intention of the “R(A)” zone, the setting of an undesirable precedent within the residential neighbourhood and the absence of planning gains to the local community; and
- (f) PlanD’s View – there was no change in planning circumstances and no further submission from the application to substantiate the review. PlanD maintained its previous views of not supporting the application.

153. The Chairman then invited the applicant’s representatives to present. With the aid of a Powerpoint presentation, Mr. Kenny Kong made the following main points:

- (a) considering the current situation of Staunton Street, the area could be divided into 2 portions. The portion close to the Central – Mid-levels Escalator (East Staunton) where the application site was located was busier than the remaining portion (West Staunton). The pavement in East Staunton was narrow (1.1m wide) and always congested. The narrow pavements were however conducive to creating a good atmosphere for evening drinking activities;

- (b) East Staunton was a particularly bustling area at night time. It was doubtful if this kind of place should be zoned “R(A)”. The narrow and congested pavements would cause hazards to the residents, particularly to the babies, the children, the aged and the disabled. The residents would also be subject to the noise nuisances generated by the restaurants which would operate till late at night;
- (c) East Staunton was not an ideal living environment, but was ideal for office development for a number of reasons. First, the escalator linked it to the Central Business District (CBD) directly. Second, the existing condition of Staunton Street attracted those working in Central, tourists and expatriates for meals, happy hour, night time gatherings and entertainment. Third, due to its unique atmosphere, it was foreseeable that there would be more opening for new bars and restaurants and this area would eventually become a place like Wyndham Street and Lan Kwai Fong. Fourth, residential development would not be in harmony with the existing non-residential uses at Staunton Street. Office use could on the other hand keep Staunton Street lively and vibrant all day long;
- (d) West Staunton, being farther away from the escalator, quieter and with wider streets and pavements, was more suitable for residential development;
- (e) Kinwick Centre, a 27-storey commercial/office building development at Hollywood Road, was approved by the Board in 2002. There were no restaurants and bars in the building because of the wider footpath;
- (f) there were also other reasons supporting the proposed development, with the lack of office space in the CBD being an important one. According to the Hong Kong 2030 Study, Hong Kong was in need of more office spaces in the CBD. The demand for high-quality office space in or near the CBD was particularly high. However, since westward expansion of the CBD was constrained by the existing residential developments in the

west, uphill expansion was the only option. The proposal would therefore help meet such pressing demand in line with the long-term planning strategy;

- (g) the Hong Kong Jockey Club's proposal for the Central Police Station Compound involved over 25,000m<sup>2</sup> GFA, of which 54% (i.e. about 13,000m<sup>2</sup>) would be for commercial use. The commercial floorspace was more than double of that under the current application;

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

- (h) TD's recent comment on the application as stated in para. 4.3.4 of the Paper revealed that it had no objection to office development on the site; and
- (i) while recognizing that developments in the neighbourhood were mainly of 5 to 6 storeys high, it should also be noted that a 25-storey residential development was always permitted in the "R(A)" zone. The applied use did not have significant contradiction with the planning intention of the "R(A)" zone.

154. Miss Nora Leung made the following main points in response to the local objection:

- (a) destruction of SoHo character – the proposed development would not destroy the SoHo character since the existing building at 20 - 24, Staunton Street would be retained and hence the street-level activities would be preserved;
- (b) building height – 25-storey residential buildings were in any case permitted in the "R(A)" zone;
- (c) noise nuisances – an office use would have the lowest level of activity at night time and would not generate noise nuisances to nearby residents;

- (d) incompatibility with the residential neighbourhood – the residential neighbourhood was dying out. The service apartments present in the area were commercial in nature. In any event, commercial uses were always permitted on the lowest 3 floors of a building in the “R(A)” zone; and
- (e) planning gain – the proposed development would provide the much needed quality office space. Moreover, to complement the cultural character of the areas around Hollywood Road which were dominated by antique shops and galleries, some of the premises of the development could be let for lifestyle-related enterprises which were non-offensive in nature.

155. Members had the following questions:

- (a) how the proposal would improve the environment, in particular from the perspective of the existing local residents;
- (b) the comparison between the amount of traffic generated by commercial use and residential use;
- (c) whether the area would be sustainable in traffic term if the entire neighbourhood was changed from residential to commercial use; and
- (d) what was the type of offices to be developed.

156. Mr. Kenny Kong had the following main responses:

- (a) if the site were put to residential use, the residents would have to bear the noise nuisances caused by the dining activities in the area till late night;
- (b) a turntable for loading/unloading activities was proposed within the

development to minimize adverse traffic impact. A residential development would however not be provided with a turntable and hence would induce traffic impact;

- (c) a traffic impact study (TIA) had been submitted to TD. Accordingly, a revised proposal with the addition of a turntable would be sufficient to serve the proposed development. TD had no objection to the commercial development, and just required minor changes to the orientation of the turntable; and
- (d) in view of the small size of the site, the applicant intended to provide Grade B or C office premises for small to medium-size enterprises.

157. Ms. Brenda Au made the following main points:

- (a) as stated in para. 4.3.4(c) of the Paper, TD would not support the application unless the issues concerning the run-in/out and turntable could be satisfactorily addressed;
- (b) the proposed commercial building had a storey height of 4.5m for the typical floors. This was much higher than the storey height for residential developments;
- (c) although a commercial/office building and a residential building could both be built up to 25 storeys, the overall bulk would be different. A commercial/office building could be developed up to PR 15 under the Building (Planning) Regulations (B(P)R) while the permissible PR for a residential building was only 8 at the subject site;
- (d) the applicant had submitted a TIA to TD to assess the traffic impact of its development;
- (e) while there was no quantitative assessment on the traffic impacts of turning the whole neighbourhood for commercial uses with a PR of 15,

there might be traffic problem as the streets in the area were narrow; and

- (f) according to the applicant's submission, 6/F to 24/F floors were for office, shop and services and eating place uses. The traffic impact of shops and services and eating places would be different from that arising from pure office use.

158. In relation to the additional points made by DPO/HK, Mr. Kenny Kong had the following responses:

- (a) the use on different floors of the development was known to TD. The TIA concluded that the provision of a turntable was necessary to serve the development. The applicant would relocate the turntable to address TD's concern. The Board could impose a condition to govern the provision of the turntable to TD's satisfaction;
- (b) although a non-domestic building could enjoy a higher PR, a domestic building with exemption of ancillary facilities like clubhouse and carparking spaces from GFA calculation would result in a building bulk similar to a non-domestic building; and
- (c) the maximum permissible site coverage for domestic building was only 33% whereas that for non-domestic building was 60% under the B(P)R. In view of the difference in maximum permissible site coverage, the resultant building heights of the two types of development might not be significantly different.

159. As the applicant's representatives had no further comment to make and Members had no further question to raise, the Chairman informed him 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 representatives of the applicant and PlanD for attending the meeting. They left the meeting at this point.

Deliberation

160. Members had the following views on the applications:

- (a) there was concern that the approval of the application would set an undesirable precedent, the cumulative impact of which would adversely affect the traffic condition of the area. In particular, with a number of redevelopment projects including the Urban Renewal Authority's projects in the surrounding areas, any change in land use and development intensity for the area warranted comprehensive and careful planning. It was also noted that TD had reservation on the application;
- (b) the surrounding areas were predominantly residential in character. The proposed development would create compatibility problem;
- (c) the applicant failed to demonstrate how the proposed development would benefit the existing residents; and
- (d) the use of the upper floors for restaurants would likely induce more traffic than pure office uses, thus further congesting the narrow roads.

161. Miss Annie K.L. Tam drew Members' attention to the fact that the leases governing the site were virtually unrestricted.

162. In view of Members' concern over the adverse cumulative traffic impact, Mrs. Ava S.Y. Ng suggested to include this in the rejection reasons should the Board decide to reject the application.

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

- (a) the proposed development was not in line with the planning intention of the "Residential (Group A)" zone which was primarily intended for residential use. There was no strong justification in the submission to

merit a departure from the planning intention;

- (b) the proposed development was considered not compatible with the residential nature of the surrounding area. A plot ratio of 15 was also not compatible with the adjoining residential developments in terms of building bulk and development intensity;
- (c) the proposed run-in/out and turntable arrangements were unsatisfactory and were not acceptable from the traffic safety and operational points of view; and
- (d) the approval of the application would set an undesirable precedent for similar office/commercial redevelopments to intrude into the residential neighbourhood, the cumulative effect of which would adversely affect the general amenity and traffic condition in the area.

### **Agenda Item 11**

[Open Meeting]

Information Note and Hearing Arrangement for Consideration of Representations to  
Draft Wong Nai Chung Outline Zoning Plan No. S/H7/13  
(TPB Paper No. 8052)

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[The meeting was conducted in Cantonese.]

164. The Secretary reported that the draft Wong Nai Chung Outline Zoning Plan No. S/H7/13 was exhibited for public inspection under s.5 of the Town Planning Ordinance on 2.11.2007, and 14 valid representations were received. No comments on the representations were received. As there were only 14 representations in the form of two standard letters with substantially the same content, it was considered more efficient for the full Board to hear the representations 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. As the content and grounds of the representations were substantially the same, it was suggested to have a collective hearing for all the representations.



165. Members agreed to accommodate the hearing in the Board's regular meeting without resorting to a separate hearing session, and to hear the representations collectively.

**Agenda Item 12**

[Open Meeting]

Information Note and Hearing Arrangement for Consideration of Representations to  
Draft North Point Outline Zoning Plan No. S/H8/20  
(TPB Paper No. 8053)

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[The meeting was conducted in Cantonese.]

166. Dr. Greg Wong, Dr. James Lau, Mr. K.Y. Leung and Mr. B.W. Chan had declared interests in this item as each of them owned a flat in North Point. Members noted that they had already left the meeting.

167. The Secretary reported that the draft North Point Outline Zoning Plan No. S/H8/20 was exhibited for public inspection under s.5 of the Town Planning Ordinance on 8.6.2007. 116 valid representations and 2 valid comments on the representations were received. Since the amendments related to imposition of building height and development restrictions for the North Point area and attracted wide public and local concerns, 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 and a separate hearing session would not be necessary. It was suggested to structure the hearing of the representations and comments into four groups as detailed in para. 2.2 of the Paper.

168. Members agreed to accommodate the hearing in the Board's regular meeting without resorting to a separate hearing session, and to structure the hearing as set out in para. 2.2 of the Paper.

**Agenda Item 13**

[Open Meeting]

Submission of the Cheung Sha Wan Outline Zoning Plan No. S/K5/30 to the Chief Executive in Council for Approval under Section 8 of the Town Planning Ordinance (TPB Paper No. 8055)

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[The meeting was conducted in Cantonese.]

169. The Secretary reported that since the Chief Executive in Council (CE in C)'s last approval of the draft Cheung Sha Wan Outline Zoning Plan (the OZP) on 14.9.2004, the OZP had been amended three times in 2005, 2006 and 2007 respectively. The related representations had been considered by the Board. Since the plan-making process had been completed, the OZP was now ready for submission to the CE in C for approval.

170. Members agreed that:

- (a) the draft Cheung Sha Wan OZP No. S/K5/30A and its Notes at Annexes II and III of the Paper respectively were suitable for submission under s.8 of the Ordinance to the CE in C for approval;
- (b) the updated Explanatory Statement for the draft Cheung Sha Wan OZP No. S/K5/30A at Annex III of the Paper was an expression of the planning intention and objectives of the Board for the various land-use zonings on the draft OZP and was to be issued under the name of the Board; and
- (c) the updated Explanatory Statement was suitable for submission to the CE in C together with the draft OZP.

171. Agenda items 14 and 15 were reported under confidential cover.

**Agenda Item 16**

[Open Meeting]

**Any Other Business**

[The meeting was conducted in Cantonese.]

172.        There being no other business, the meeting was closed at 7:35 p.m..

CHAIRMAN  
TOWN PLANNING BOARD