

**Minutes of 910th Meeting of the  
Town Planning Board held on 14.5.2008**

**Present**

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

Chairman

Dr. Greg Wong

Vice-Chairman

Mr. Nelson W.Y. Chan

Mr. Leslie H.C. Chen

Professor David Dudgeon

Mr. Tony C.N. Kan

Mr. Edmund K.H. Leung

Professor N.K. Leung

Dr. C.N. Ng

Dr. Daniel B.M. To

Mr. Stanley Y.F. Wong

Mr. Alfred Donald Yap

Ms. Sylvia S.F. Yau

Mr. Walter K.L. Chan

Mr. Y.K. Cheng

Ms. Anna S.Y. Kwong

Dr. James C.W. Lau

Ms. Starry W.K. Lee

Mr. K.Y. Leung

Professor Edwin H.W. Chan

Mr. Timothy K.W. Ma

Director of Lands

Miss Annie Tam

Principal Assistant Secretary (Transport)

Transport and Housing Bureau

Ms. Ava Chiu

Deputy Director of Environmental Protection (1)

Environmental Protection Department

Dr. Michael T L Chiu

Director of Planning

Mrs. Ava S. Y. Ng

Deputy Director of Planning/District

Miss Ophelia Y.S. Wong

Secretary

**Absent with Apologies**

Mr. David W. M. Chan

Professor Bernard V.W.F. Lim

Mr. B.W. Chan

Ms. Maggie M.K. Chan

Mr. Maurice W M Lee

Mr. Raymond Y.M. Chan

Mr. Felix W. Fong

Mr. Rock C. L. Chen

Professor Paul K.S. Lam

Dr. Ellen Y. Y. Lau

Dr. Winnie S. M. Tang

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  
Ms. Christine K.C. Tse

Senior Town Planner/Town Planning Board  
Ms. Amy M.Y. Wu

**Agenda Item 1**

[Open Meeting]

1. The Chairman remarked that this was a special meeting and there was no need to confirm the minutes of last meeting. There was no other matter arising.

**Agenda Item 2**

[Open Meeting (Presentation and Question Session Only)]

Consideration of Representations and Comments in Respect of the Draft Kennedy Town and Mount Davis Outline Zoning Plan No.S/H1/15

(TPB Paper No. 8093)

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[The meeting was conducted in Cantonese and English.]

2. Professor David Dudgeon and Ms. Sylvia S.F. Yau declared an interest in this item as they owned a property in Mount Davis and Kennedy Town respectively. Members agreed that the locations of the properties were not directly related to the representations, they were allowed to stay in the meeting.

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

3. The Chairman said that the hearing would be conducted in one group and reasonable notice had been given to the representers and commenters. While Representers No.R1 and R2 would attend the hearing, there was no reply from other commenters. Members agreed to proceed with the hearing in the absence of the commenters. The following Government team (including representatives of Planning Department (PlanD), Marine Department (MD) and Transport and Housing Bureau (THB)), Representers No. R1 and R2 and their representatives were invited to attend the meeting:

Ms. Brenda K.Y. Au	District Planning Officer/Hong Kong, PlanD
Ms. Lily Y.M. Yam	Senior Town Planner/Hong Kong, PlanD
Mr. Philip Y.L. Chum	Senior Town Planner (Transport) Port, Maritime & Logistics, THB

Mr. Edward C.S. Lau                      Senior Marine Officer/Cargo Handling, MD

Representation No. R1

Mr. Chan Hok-fung                      Representer

Representation No. R2

Mr. Paul Zimmerman                      }  
Mr. Ian Brownlee                          } Representer's Representatives  
Professor Bill Baron                        }

4.            The Chairman extended a welcome and briefly explained the hearing procedures. He then referred Members to a letter dated 7.5.2008 from Representer No. R2 which was circulated to Members prior to the meeting and also tabled at the meeting. The letter referred to a previous decision made by the Board on 11.4.2008 deciding that part of the Representation No. R2 and comments which related to Route 7 were considered as invalid. The Board's decision was however contested by the representer. The representer's argument was that the proposed amendment to extend the boundary of the OZP and the new zoning appeared on the draft OZP, including the proposed alignment of the proposed Route 7 was itself an amendment to the OZP. The TPB Secretariat was seeking legal advice on the representer's view. The Chairman proposed and Members agreed that if the representation and comments relating to Route 7 were subsequently considered as valid after obtaining the legal advice, the Board would arrange a separate hearing of the representation and comments relating to Route 7 and the concerned representer and commenters would be invited to the hearing. In response to the question of Mr. Ian Brownlee, the Chairman confirmed that R2 would be given an opportunity to address the Board even if the legal advice endorsed the Board's view that the representation was invalid.

[Professor Bill Baron left the meeting at this point.]

5.            The Chairman then invited Ms. Brenda K.Y. Au to brief Members on the representations. With the aid of a Powerpoint presentation, Ms. Brenda K.Y. Au made the following main points as detailed in the Paper:

### Background

- (a) the draft Kennedy Town and Mount Davis Outline Zoning Plan (OZP) No. S/H1/15 was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance) on 9.11.2007. The amendments included the extension of the boundary of the OZP to cover the Belcher Bay Reclamation Area (BBRA) and designation of appropriate zonings on the extension area including, inter alia, zoning of a substantial part of the public cargo working area (PCWA) as “Other Specified Uses” annotated “Public Cargo Working Area” (“OU(PCWA)”) (Amendment Item A) and zoning of an area currently occupied by a temporary bus terminus at the south-western end of Shing Sai Road to “Open Space” (“O”) (Amendment Item D2) as illustrated in Plan H-1 ;
  
- (b) during the exhibition period, 2 representations and 9 comments were received. On 11.4.2008, the Board decided that those parts of Representation No. R2 and Comments No. C1 to C4 relating to Route 7 as well as Comments No. C5 to C9 relating exclusively to Route 7 were invalid. As mentioned by the Chairman, Representer No. R2 expressed their disagreement with the Board’s decision in this respect. Legal advice was being sought by TPB Secretariat;
  
- (c) This hearing session covered Representation No. R1 and part of Representation No. R2 and Comments No. C1 to C4 which not relating to Route 7;

### The Representations

- (d) R1, submitted by Mr. Chan Tak-chor, Mr. Chan Chi-kwai, Mr. Chan Choi-hi, Mr. Lee Chi-hang and Mr. Chan Hok-fung, objected to Amendment Item A on the grounds that the coastal areas of Victoria Harbour belonged to the public and the harbour-front should be developed for use as a public promenade; the PCWA was no longer in

active use in view of the rapid development of the logistic industry between the Mainland and Hong Kong; and it was tolerable if the “OU(PCWA)” zoning was temporary in nature. MD should relocate the PCWA as soon as possible. No amendment was proposed by R1;

- (e) R2, submitted by Designing Hong Kong, supported the inclusion of the BBRA within the boundary of the OZP and considered that it was a historical anomaly that the BBRA had been reclaimed outside a statutory plan. The representer considered that Amendment Items A and D2 would not lead to any provision of real open space for public use along the Kennedy Town waterfront. The size of the PCWA could be reduced to make way for more public open space provision and enhance public access to the waterfront;
- (f) R2 proposed to extend the “O” zone of Amendment Item D2 by rezoning part of the existing PCWA to its east covered by Amendment Item A from “OU(PCWA)” to “O” as illustrated in Plan H-2. The representer also suggested that a Harbour-front Enhancement Review be conducted by the Harbour-front Enhancement Committee (HEC) prior to finalising the changes to the OZP;

#### The Comments

- (g) C1 to C3 commented that the PCWA had indeed impeded public access and enjoyment of the harbour and sea view. An alternative design which was functional/aesthetically pleasing and sensitive to the needs of the residents in the area should be considered;
- (h) C4 supported R2 including the rezoning of the PCWA for a continuous waterfront promenade;

[Mr. Leslie H.C. Chen and Ms. Starry W.K. Lee arrived to join the meeting at this point.]

PlanD's Responses

- (i) the "OU(PCWA)" zone was to reflect the existing PCWA use, which would remain at least in the short to medium terms;
- (j) the Secretary for Transport and Housing (STH) advised that the subject PCWA was an important facility for port operation. It was difficult to find a suitable reprovisioning site and there was no plan to relocate the PCWA. The total provision of PCWAs would be substantially reduced in the future as the Cha Kwo Ling and the Kwun Tong PCWA would be decommissioned. After the decommissioning, the Western District PCWA would constitute about 20.1% of the licensed sea frontage and 16.8% of the total area of the remaining PCWAs. The Western District PCWA should be retained to meet the demand;
- (k) the shortfall would be exacerbated as part of the Western District PCWA would be used as a temporary barging point for transporting excavated materials generated by the construction works of the West Island Line (WIL) project;

[Professor Edwin H W Chan arrived to join the meeting at this point.]

- (l) it was acknowledged that the PCWA use was incompatible with the surrounding residential and recreational developments. Opportunity should be given to make available the waterfront area for public access and enjoyment;
- (m) in view of the operational need for retaining the site for PCWA as advised by STH, the current zoning of the site was considered appropriate in reflecting the existing use. However, it had been clearly stated in the Explanatory Statement of the OZP that the zoning of the PCWA would be reviewed in the longer term when the PCWA use could be relocated to other area in the future. The proposal to rezone part of the site to "O" was therefore premature;



- (n) the zoning of the temporary bus terminus as “O” was to reflect the planning intention to provide a waterfront promenade at that location and to alleviate the shortage of public open space in the Western district;
- (o) R2’s suggestion to conduct a Harbour-front Enhancement Review by the HEC prior to finalising the changes to the OZP had been conveyed to the HEC Secretariat; and
- (p) to conclude, PlanD did not support R1 and R2 and considered that the OZP should not be amended to meet the representations for reasons stated in paragraph 5 of the Paper.

6. The Chairman then invited Representer No. R1 to present. Mr. Chan Hok-fung made the following main points:

- (a) the planning of the Western District waterfront should meet the aspiration and need of local residents in the Western District. It should take into account the Harbour Planning Principles promulgated by the HEC, with particular reference to two of the principles, namely to provide an accessible harbour by integrating Victoria Harbour with the hinterland including ample unrestricted and convenient visual and physical access for pedestrians to and along the Harbour as well as the harbour-front areas and to maximize the opportunities for public enjoyment. The current PCWA had prevented the public and the local residents from using the waterfront;
- (b) there was a shortage of 5 hectares of open space in the Kennedy Town area. The PCWA area provided an opportunity for the provision of open space for the local residents;

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

- (c) the Western District PCWA was no longer in active use due to the change in transport mode of the logistic industry from sea to road transport. Most of the current PCWA area was under-utilized and mainly used for open storage purpose. The PCWA use was incompatible with the surrounding residential areas. There were always complaints from the local residents on the noise generated by the loading/unloading of goods at the PCWA;
- (d) it was noted that there was a proposal to demolish the piers of the Western Wholesale Market. The Government should make use of the piers for cargo handling purpose;
- (e) many of the sites in the Western District would be turned into works sites for the construction of the WIL e.g. the ex-incinerator site and the playground in Forbes Street. Further reduction in the open space sites in the district would aggravate the existing shortfall of open space provision; and
- (f) the Central and Western District Council had been very concerned about the development of a continuous waterfront promenade within the district. Funding had been allocated for various beautification projects along the waterfront. With the implementation of the open space on the waterfront near Shun Tak Centre and the Sun Yat Sen Memorial Park, the PCWA zoning of the Western District waterfront would break the continuity of the waterfront promenade. In addition, using the PCWA area as a waterfront promenade would allow better integration with the Belcher Bay Park and the proposed swimming pool to be reprovisioned in connection with the construction of the WIL.

7. The Chairman then invited R2's representatives to present. Mr. Ian Brownlee made the following main point:

- (a) the inclusion of the BBRA was supported by R2; and

- (b) according to para.7.9.2 of the Explanatory Statement of the OZP, the planning intention of the “O” zone was to provide a waterfront promenade and to meet the severe shortage of public open space in the district. A site currently occupied by a temporary bus terminus was reserved for future public open space or promenade use. However, there was no indication on the relocation programme of the temporary bus terminus. Besides, the vision for a waterfront promenade was not shown on the OZP. R2’s proposal to rezone a portion of the PCWA, about 100 metres in length, at the western end of the PCWA to “O” was to fulfill part of the vision for a waterfront promenade;

8. Mr. Paul Zimmerman made the following main points:

- (a) given that there was a presumption against reclamation under the Protection of Harbour Ordinance (PHO), the Board should be more cautious in planning this final piece of waterfront site within Victoria Harbour. HEC should be consulted on the proposed amendment to the OZP;
- (b) as the shortage of open space within the district was larger than 5 hectares and there was no more new land in the district, the PCWA was a possible area to help alleviate the open space shortage problem. He was also concerned about the use of some of the works sites for the WIL project which would deprive the public of their right to use these sites; and
- (c) PCWA was a location-specific use and hence it was not appropriate to use the Western District PCWA to serve the operation of the Cha Kwo Ling and Kwun Tong PCWAs after their decommissioning.

9. Members raised the following questions:

- (a) referring to para. 7.10.1 of the Explanatory Statement, whether it was a long term planning intention to review the PCWA use;

- (b) what was the current provision of open space in the Western District and whether the temporary works sites used for the WIL project would affect the open space provision;
- (c) what was the current and future demand and capacity of PCWAs;
- (d) when was the Study on Hong Kong Port Cargo Forecasts carried out, whether there was any discrepancy between the original projection and the actual figures and the reason for the sudden decrease of residual capacity by year 2030;
- (e) with the frequent use of land-based transportation in the logistic industry in recent years, whether there was a decreasing demand for sea-based transportation and PCWA;
- (f) whether a reprovisioning site could be identified for the relocation of the PCWA from the Western District and whether consideration had been given to relocating it by phases in view of the residual container capacity before 2030;
- (g) whether the need for PCWA would be affected by the indicated Government's intention in the Chief Executive's Policy Address to develop Container Terminal No.10;
- (h) what were the existing utilization rate and operation hours of the PCWA in the Western District, whether all the berths in the PCWA were rented out and whether any operator had terminated the contract before expiry;
- (i) how long would the temporary barging points for WIL project be used for;
- (j) the justifications and supporting data (in terms of land and sea transport

of goods and cargo) for the provision of the Western District PCWA, and would the provision of PCWA help to relieve the road traffic;

- (k) whether the existing piers near the Western Wholesale Market could be used for cargo handling purpose; and
- (l) whether the PCWA was a location-specific use serving mainly the need within a district and what was the number of operators with expressed interest to move to the Western District PCWA.

10. Ms. Brenda K. Y. Au said that the “OU(PCWA)” zone was to reflect the existing PCWA use. According to STH, there was no plan to relocate the PCWA in the short to medium term in view of the demand but the Port Cargo Forecasts would be reviewed once every few years. PlanD would also keep in view of the situation and the PCWA zoning would be reviewed in the longer term when the PCWA could be relocated. She stated that it was premature to determine the future zoning of the PCWA at this stage. Regarding the open space provision in the Western District, she said that based on the Hong Kong Planning Standards and Guidelines (HKPSG), there was a shortfall of about 3.8 hectares in existing local open space provision and about 4.7 hectares in existing district open space provision in the Kennedy Town and Mount Davis area. The temporary works sites of the WIL project would not affect the open space provision. On this point, Mr. Chan Hok-fung said that while the works area would not affect the long-term provision of open space, the amount of existing open space would be reduced during the construction period as the existing football field and sitting out area in Forbes Street would be affected.

[Ms. Sylvia S.F. Yau and Mr. Timothy K.W. Ma arrived to join the meeting while Dr. Daniel B.M. To left the meeting temporarily at this point.]

11. Mr. Philip Y.L. Chum made the following responses:

- a) the Government had completed the Study on Hong Kong Port Cargo Forecasts 2005/2006 (the Study). By referring to Table 2.19 of the Study report, he advised that with the decommissioning of the Cha Kwo

Ling and Kwun Tong PCWAs by 2011, the capacity of the remaining six PCWAs would only be sufficient to handle the demand up to 2020. The capacity was forecasted to fall short afterwards and would reach a deficit of about 0.3 million Twenty-foot Equivalent Units (TEUs) by 2030. He further advised that after the decommissioning of the two said PCWAs, the Western District PCWA would constitute about 20.1% of the licensed sea frontage and 16.8% of the total area of the remaining PCWAs. To avoid further exacerbating the shortfall situation and considering that the Western District PCWA was needed to serve the outlying islands, the Western District PCWA had to be retained to cope with the demand;

- b) the Study was commenced in 2005 with base figures at 2005. The container throughput capacity was mainly estimated based on the assumption of increase in utilization rate of the derrick cranes on barges and the remaining residual capacity was mainly based on the assumption that all the remaining 6 PCWAs would be retained. If there was any further reduction of PCWAs, the deficit might occur as early as 2015. On the decrease in remaining residual capacity in 2030, he explained that this was due to a slight increase in demand but a substantial drop in capacity;
- c) while freight movement was mainly by land-based transportation in the logistics industry, there was still demand for sea-based transportation of goods especially when there was increasing use of river cargo vessels following the development of the western part of the Pearl River Delta;
- d) under the above-mentioned Study and the Study on Hong Kong Port – Master Plan 2020 completed in 2004, the Government had looked into alternative sites but considered it difficult to find a suitable reprovisioning site for the Western District PCWA. The Government would also examine the possibility of enhancing the capacities of other PCWAs after the decommissioning of those in Cha Kwo Ling and Kwun Tong; and

- e) although the proposed Container Terminal No.10 would not seem to have a direct impact on the demand for PCWA, as in the case of Kwai Tsing container terminals, some container terminal operators opined that with insufficient berths near the container terminals, nearby PCWAs might help handle some container cargoes.

[Dr. Daniel B.M. To returned to join the meeting at this point.]

12. Mr. Edward C.S. Lau made the following responses:

- a) the existing 26 berths of the Western District PCWA were fully occupied and tendered out to operators on a 3-year term basis. The last tender term was from August 2005 to July 2008. Some berths had been reserved for the use of the WIL project and relocation of the Cha Kwo Ling and Kwun Tong PCWA. A tender exercise for the remaining berths had just been carried out for the term from August 2008 to July 2011. The positive market response for the tender exercise with 30 tenders received for 23 berths reflected the demand for the PCWA; and
- b) in the past 3 years, only one operator requested for termination of contract.

13. On the three berths required for use as barging points under the WIL project, Ms. Brenda K.Y. Au added that the operation of the barging points would be required for about two to three years starting from end 2008/early 2009.

14. Mr. Chan Hok-fung said that although the Western District used to be an important port operation area in the past, there had been a change in character since the close down of rice warehouses, godowns and piers in the area. He noted that currently, there were only a few berths actively in use and usually operated for only 2 to 3 hours at mid-night which created noise nuisance to the nearby residents. He pointed out that the Civil Engineering Development Department had once stated that there should be one public filling barging point in each district but finally agreed to delete the one next to Sun Yat Sen Memorial Park in view of objection from District Council. He further

commented that if the temporary bus terminus was to be rezoned to “O” to reflect long-term planning intention, he did not understand why the Government did not consider the long-term use of the PCWA site.

15. In reply, Mr Edward C.S. Lau made the following main points:

- a) the subject PCWA was mainly for handling general cargo to/from outlying islands and also for river trade crafts/vessels with operating hours generally from 7:00 a.m. to 9:00 p.m. As operators had to pay charges on berths (about \$350 to \$1 000 per metre per month on Hong Kong Island), he considered that for economic reason, the operators would not leave their berths vacant;
- b) on the noise generated from the PCWA in midnight, it might be generated by vessels passing through the Western Harbour which was a busy fairway;
- c) while no figures on cargo volume handled by vehicles for the Western District PCWA were available at hand, the information could be provided to Members after the meeting if that was considered necessary; and
- d) the piers next to the Western Wholesale Market were exposed to wave action of the harbour and hence not really suitable for loading and unloading of barges. The Western District PCWA was mostly protected by the breakwater and thus provided a more stable water surface for berthing of vessels.

16. On the last point, Mr. Paul Zimmerman stated that the area at western end of the PCWA was also inferior for berthing purpose in terms of protection from the breakwater. As such, he considered that his proposed rezoning of the area to “O” appropriate. It was not an efficient use of land resource if the area was only used as temporary cargo storage. In response, Mr. Edward C.S. Lau commented that though that part of the PCWA was less protected by the breakwater, it was still suitable for use as PCWA.



17. Noting that the existing piers near the Western Wholesale Market would be demolished, Mr. Paul Zimmerman cautioned that under the PHO, it would be very difficult for the Government to justify reclamation for the construction of new piers. He asked the Board to urge the Government to undertake a study to review the existing marine uses along the harbour.

18. Mr. Paul Zimmerman further said that he supported the provision of land to support marine industry and did not request for the relocation of the PCWA. His proposal only related to a rezoning of part of the PCWA to “O” which was not in conflict with the planning intention. He added that the PCWA waterfront was actually used by elderly residents nearby every morning for Tai Chi exercise and this reflected the shortage of open space in the area.

[Ms. Anna S.Y. Kwong left the meeting at this point while Mr. Tony C.N. Kan left the meeting temporarily at this point.]

19. As to whether the PCWA was a location-specific use, Mr. Edward C.S. Lau advised that some of the Cha Kwo Ling PCWA operators had indicated interest to relocate their business to Chai Wan and Tuen Mun. As the tender of the Western District PCWA was just closed, he did not have the information on the number of operators in Cha Kwo Ling and Kwun Tong PCWA who intended to move to the Western District PCWA.

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

20. Members had no further questions to raise. The Chairman thanked the Government team, Representer No. R1 and Representer No. R2’s representatives for attending the meeting. They all left the meeting at this point.

#### Deliberation Session

21. Some Members considered that there was a market demand and an operational need for the subject PCWA to be retained in the Western District, in

particular after the decommissioning of the Cha Kwo Ling and Kwun Tong PCWAs. A Member noted that both R1 and R2 agreed that there was a short term demand for PCWA. Another Member pointed out that there was a need to balance the economic needs and public enjoyment of the harbour. The western part of the harbour had been functioning as a working harbour serving the river trade vessels for the Pearl River Delta. This Member considered that there was a need to maintain the PCWA use. The THB should be invited to brief the Board on the logistic industry which might also cover the future of PCWAs. Members generally support to maintain the PCWA zoning in short to medium term. The long-term use of the site would be subject to further review on the demand for PCWA use.

22. A Member considered that it was unfair to the local residents of the Western District when the Government did not have a plan to relocate the PCWA and to provide a waterfront promenade in the area. This Member urged the Government to review the demand of PCWA regularly and considered how the provision of open space could be done progressively so as to benefit the residents. The Chairman remarked that THB would continue to review the demand for PCWA.

23. A Member was not convinced by the figures presented by Government bureau/departments. This Member considered that the rezoning of the site to “O” as proposed by R2 would help meet the aspiration of the local residents, given the shortage of open space within the district.

24. The Vice-Chairman pointed out that the OZP was to reflect the long-term planning intention of a site. As it could not be established at this stage that there was no long-term need for the subject PCWA in the Western District, he considered the present zoning of “OU(PCWA)” appropriate. If there was a change in the demand in future, the zoning of the area could be reviewed.

25. Mrs. Ava S.Y. Ng informed the meeting that the Sub-committee on Harbour Plan Review under HEC had been reviewing the development of the waterfront on a district-by-district basis including the existing temporary uses. HEC would monitor the situation.

26. Ms. Ava Chiu stated that there were strong reactions from the PCWA operators to the decommissioning of the Cha Kwo Ling and Kwun Tong PCWAs as such move was seen to be affecting their livelihood. Given that the Western District PCWA would remain at the current location in the short to medium term and its future land use was yet to be reviewed, it seemed inappropriate to rezone part of the site to “O” at this stage, taking into account the sentiment of operators.

27. The Chairman remarked that according to official figures given by Leisure and Cultural Services Department, there was in fact no shortfall of open space provision within the Central and Western District. He said that the rezoning of the PCWA should only be considered when THB could confirm that the demand was expected to decrease and the subject PCWA was no longer required in the long term. So before a review on the long term demand was conducted, rezoning to open space was not appropriate. However, he would request THB to continue to monitor the matter.

28. After deliberation, the Board noted the support of Representation No.R2 regarding the inclusion of BBRA and decided not to uphold Representation No.R1 and the remaining part of Representation No.R2 for the following reasons:

Representation No.R1

- (a) the zoning of the public cargo working area (PCWA) site to “Other Specified Uses” annotated “Public Cargo Working Area” (“OU(PCWA)”) was to reflect the PCWA use at the site. The zoning of the PCWA would be reviewed in the longer term when the PCWA use could be relocated to other area in the future;

Representation No.R2

- (b) the zoning of the public cargo working area (PCWA) site to “Other Specified Uses” annotated “Public Cargo Working Area” (“OU(PCWA)”) was to reflect the PCWA use at the site. The zoning of the PCWA would be reviewed in the longer term when the PCWA use could be relocated to other area in the future; and

- (c) as the PCWA use would remain at the current location in the short to medium terms and its future land use was yet to be reviewed, the proposed rezoning of part of the site from “OU(PCWA)” to “Open Space” was considered premature.

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

[Dr. Daniel B.M. To left the meeting at this point.]

### **Agenda Item 3**

[Open Meeting (Presentation and Question Session Only)]

Consideration of Further Representations in Respect of the Draft Yuen Long Outline Zoning Plan No.S/YL/16

(TPB Paper No. 8096 & 8097)

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[The meeting was conducted in Cantonese and English.]

29. The Vice-Chairman, Mr. Alfred Donald Yap, Mr. Y.K. Cheng, Mr. Raymond Y.M. Chan and Mr. Felix W. Fong declared an interest in this item as they had business dealings with Sun Hung Kai Properties Ltd. while Further Representation No.F1 was a subsidiary of Sun Hung Kai Properties Ltd. The Vice-Chairman further declared that his firm was the engineer for three schools at the representation site managed by the Architectural Services Department. Mr. Raymond Y.M. Chan and Mr. Felix W. Fong had tendered apologies for not attending the meeting. The Chairman proposed and Members agreed that as the interest of the Vice-Chairman, Mr. Alfred Donald Yap and Mr. Y.K. Cheng was indirect, they could stay at the meeting but they should not participate in the discussion of F1.

[Mr Y.K. Cheng arrived to join the meeting while the Vice-Chairman, Miss Annie Tam and Ms. Anna S.Y. Kwong left the meeting temporarily at this point.]

30. The Chairman said that the hearing involved 8 Further Representations (F1 to

F8) and 3 Representations (R4 to R6) and would be conducted collectively in one group. Sufficient notices had been given to the original respresenters and further representers. While F1 to F4, F6 to F8 and R6 would attend, F5 and R5 would not attend and there was no reply from R4. Members agreed to proceed with the hearing in the absence of F5, R4 and R5. The following Government team (including representatives of the Planning Department (PlanD) and its consultant), representers No. F1 to F4, F6 to F8 and R6 and their representatives were invited to attend the meeting:

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

Further Representation No. F1

Mr. Ian Brownlee	} Further Representer's Representatives
Dr. Calvin Chiu	

Further Representation No. F2

Mr. P.K. Chung	} Further Representer's Representatives
Mr. S.K. Ngai	

Further Representations No. F3, F6 & Representation No.R6

Mr. Leung Fuk-yuen	Further Representer/Representer's Representative
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Further Representation No. F4

Mr. Rock Tsang	Further Representer's Representative
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Further Representation No. F6

Mr. Wong Tung-keung	} Further Representers/Further Representer's Representatives
Mr. Ku Ching-cheung	
Mr. Wong Kim-hung	
Mr. Tang Siu-hong	
Mr. Lee Pak-wai	

Mr. Ho Yun-fat                    }  
Mr. Leung Ming-kin               }  
Mr. Wong Hon-wing               }

Further Representations No. F7 & F8

Mr. Francis Lau                    } Further Representer’s Representatives  
Ms. Regina Chang                 }

31.           The Chairman extended a welcome and briefly explained the hearing procedures. He then invited Mr. Wilson Y.L. So to brief Members on the further 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 draft Yuen Long OZP No.S/YL/16 was gazetted on 5.1.2007 to incorporate, inter alia, amendments to rezone the “Commercial/Residential” (“C/R”) zones to mainly “Residential (Group A)” (“R(A)”) zone, and to specify development restrictions for various development zones. During the two-month exhibition period, a total of 6 valid representations were received;
- (b) in response to concerns of two representations (R5 & R6) on adverse impact on air ventilation, PlanD commissioned a consultancy study to carry out an Air Ventilation Assessment (AVA) by Expert Evaluation (EE) of the Yuen Long Town to assess the air ventilation impact and to recommend mitigation measures. Findings of the AVA revealed that “Comprehensive Development Area” (“CDA”) developments at eastern extension area of Yuen Long New Town (i.e. West Rail Yuen Long Station and YOHO Town) and Tai Kiu were areas of concern. It was recommended, among others, that the alignment of the streets and roads should allow penetration of breeze towards the town centre from the south in spring and summer; the proposed landscape walkway on the Yuen Long Layout Plan would be a key breezeway for the “Village

Type Development” zone to its north and the town centre and should be kept free of development; and the planned low-rise school developments in the western part of the same “Residential (Group A)1” (“R(A)1”) zone could help reduce the air ventilation impact;

[Mr. Walter K.L. Chan left the meeting temporarily at this point.]

- (c) on 14.3.2008, the Board considered the 6 representations and decided to propose amendments to the draft Yuen Long OZP No. S/YL/17 to meet Representation No. R5 and to partially meet Representations No. R4 and R6, including, inter alia, the rezoning of a proposed landscape walkway from “R(A)1” to “O” (Amendment Item D) and the rezoning of the school sites from “R(A)1” to “Government, Institution or Community” (“G/IC”) (Amendment Item E1) and imposition of the requirement for a quantitative AVA under the Notes of the “CDA” zone;
- (d) the proposed amendments were exhibited for public inspection on 20.3.2008. During the three-week exhibition period, 8 further representations were received;

#### Further Representation No. F1

- (e) F1 was submitted by the owner and developer of YOHO Town and was against the proposed amendment (a) to the Notes of the Plan, i.e. revision to the Notes of the “CDA” zone to incorporate the requirement for a quantitative air ventilation assessment;
- (f) F1 considered the need for an AVA of limited value for the representation sites and the inclusion of AVA as a statutory requirement of the “CDA” zone was unnecessary. Besides, there was no clear definition on a quantitative AVA and the inclusion of such requirement could have a retrospective impact on the approved development schemes;

- (g) F1 proposed to delete the requirement for a quantitative AVA; or alternatively to include ‘air ventilation proposals’ as part of the landscaping and urban design proposals in the Notes for “CDA” zone and to delete the requirement for a quantitative AVA; and to include in the Explanatory Statement for “CDA” zone that the AVA requirement was not applicable to amendments to approved schemes;

PlanD’s Assessment of F1

- (h) The YOHO Town was located at the eastern extension area of Yuen Long New Town with West Rail Yuen Long Station to the west and villages located to further north. Phase 1 of the YOHO Town was completed and Phase 2 was under construction. Phase 3 was currently vacant with an approved MLP. The EE of AVA had already identified that the “CDA” developments at YOHO Town and West Rail Yuen Long Station would have adverse impact on air ventilation. Further development at Tai Kiu site was also an area of concern. It was appropriate for the prospective developers to better tackle air ventilation problems and identify measures at the detailed implementation stage;
- (i) it was necessary to include AVA as a statutory requirement under “CDA” zone. HKPSG only provided general guidelines and would in no way fetter the authority of the Board in imposing planning requirements in the OZP. The sites of YOHO Town were of substantive size and the building height was high. Government projects of such a scale would require an AVA according to the then Housing, Planning and Lands Bureau Technical Circular No.1/06 on AVA. The Technical Guide for Air Ventilation Assessment for Developments in Hong Kong contained in this Technical Circular had clearly set out the testing methodology for quantitative AVA;
- (j) developments in accordance with the approved Master Layout Plans



would not be affected by the new requirement. However, a quantitative AVA would be required for major amendments to the approved scheme which related to the design, layout and disposition of building blocks that might change the wind environment of the surrounding areas. This requirement was to ensure that the proposed development would not cause adverse impact on the air ventilation in the vicinity or appropriate mitigation measures would be implemented as appropriate;

- (k) PlanD did not support F1 for reasons as stated in para.5 of the Paper;

Further Representations No. F2 to F8

- (l) F2 to F8 were all against the proposed Amendment Items D and E1 for rezoning part of the “R(A)1” site to “O” and “G/IC” respectively;
- (m) F2 proposed to relocate the proposed “O” site westward to Site C1, part of the proposed “G/IC” site eastward to Site C2, and the “R(A)1” site eastward to Site C4 as illustrated on Plan FH-5 of the Paper. F2 considered that the relocated “O” site could provide a green breathing space for school developments to enhance the overall environmental quality while keeping the same wind corridor function; the revised layout would not result in material reduction in the area of the proposed school sites; and the relocated “R(A)1” site would enable a better design of vehicular access and minimize the number of ingress/egress points and enhance road safety to school children. F2 submitted an alternative land use proposal in his letter of 9.5.2008, which was submitted out-of-time and should be treated as not having been made under the Town Planning Ordinance;
- (n) F3 to F8 were submitted by Shap Pat Heung District Resident Association, the concerned Tso Tongs and village representatives. They considered that private land planned for but not yet developed as residential use should not be rezoned to other public uses as it would

deprive private property rights. Besides, there was also lack of public consultation prior to the gazetting of the OZP amendments. F3, F4 and F7 requested the Board to withdraw the proposed amendments or revert to “R(A)1” zoning or equivalent;

[Ms. Starry W.K. Lee left the meeting at this point while Mr. Walter K.L. Chan returned to join the meeting at this point.]

#### PlanD’s Assessment of F2 to F8

- (o) the proposed zoning amendments were in line with the land use proposals incorporated in the draft Yuen Long New Town Area 13 Layout Plan (LP) which was presented to the Town Planning and Development Committee (TPDC) of the Yuen Long District Council on 14.5.2003. The TPDC did not raise objection to the land use proposals. The LP was a detailed non-statutory plan used as a basis for Government departments in site reservation and land transaction. Various land exchange applications were being processed within the LP area;
- (p) the “O” zone reflected the planned landscape walkway on the LP which would also function as a major visual corridor and key breezeway for the town centre. According to the AVA consultant, relocation of the “O” zone to the west as proposed by F2 would undermine the intended function and hinder the breeze as there were 5 blocks of 25-storey residential development to its north under construction. The relocated “O” site would defeat the function of visual corridor as view towards the town centre would also be blocked by the residential development. Besides, the relocated “O” site would not be able to provide buffer between the schools and the residential development to the east;
- (q) the proposed “G/IC” zone was to reflect the planned land uses on the LP which comprised two schools under construction, one school with building plans already prepared and another two schools in advanced

planning stage. Secretary for Education (SED) commented that the relocated “G/IC” site proposed by F2 was smaller than the original site and was not large enough to accommodate two schools. Besides, it was not appropriate to amend the configuration or the site area of the proposed “G/IC” site which might affect the school development programme;

- (r) regarding F2’s proposal to relocate the “R(A)1” site for better access arrangement and road safety, it should be noted that the road system serving the area was already shown on the LP. Vehicular access to the original “R(A)1” site could make use of the existing Lam Hi Road to the south of the site, though widening of the road may be required. Detailed access to individual development could be worked out at the detailed design stage when more concrete development proposal was available;
- (s) regarding the allegation on deprivation of development right and property right, it should be noted that land within the proposed “O” and “G/IC” sites were mostly agricultural land without building development right. Appropriate compensation would be paid when the land was resumed by Government for development; and
- (t) PlanD did not support F2 to F8 for reasons as stated in para. 5 of the Paper.

32. The Chairman then invited representatives of F1 to present. Mr. Ian Brownlee made the following main points:

- (a) he had no objection to the need for AVA which was a modern tool for planning but was concerned on how it would be applied to the “CDA” zone. He noted and accepted PlanD’s response in paragraph 3.13 of the Paper that AVA would not be required for minor amendments to the approved schemes as set out in Town Planning Board Guidelines No. 36 for Class A and Class B Amendments to approved Development

Proposals;

- (b) it was the first time that AVA was included as a statutory requirement in the “CDA” zone. It was sufficient to rely on the Technical Guide for AVA for Developments in Hong Kong and the HKPSG on the need for AVA as this arrangement would allow some flexibility;
- (c) there were different ways to carry out AVA which could be qualitative and quantitative. He suggested deleting the word ‘quantitative’ from the Notes of the OZP for the “CDA” zone as the form of AVA to be undertaken would be agreed between PlanD and the developer at a later stage when the project proceeded; and
- (d) findings of an EE and advice from consultants should be able to address most of the issues related to air ventilation and achieve the same objective of improving air ventilation in the area. There was no need to undertake quantitative AVA which was an expensive and time-consuming exercise.

33. Dr. Calvin Chiu, another representative of F1, made the following points:

- (a) the Technical Guide for AVA had set out the guidance for project proponent to undertake AVA including the EE, Initial Study (IS) and Detailed Study (DS). According to the Technical Guide, it was useful and cost effective to conduct EE at an early stage to provide a qualitative assessment on the overall layout and design and to facilitate the identification of problems and proposed mitigation measures. Further quantitative assessment by means of an IS and/or a DS might not necessary. He also stated that there was currently no benchmark on the acceptable level of air ventilation performance in Hong Kong and hence considered that there was no absolute need for a quantitative AVA.

34. As Mr. Ian Brownlee and Dr. Calvin Chiu needed to leave the meeting due to

other commitment, the Chairman thanked representatives of F1 for attending the meeting. The Chairman then invited F2's representatives to present. Mr. P.K. Chung then made the following main points:

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

- (a) he clarified that he had no in-principle objection to the proposed zoning under Amendment Items D and E1 but he would like to suggest some enhancement to the layout of the land use proposals. He referred Members to an alternative land use proposal in his letter of 9.5.2008 to the Board which was tabled at the meeting. He explained that the further information was drawn up after he had received the TPB Paper No.8097 which provided more useful information and responses to government departments' concerns on his previous proposal. In this regard, he requested Members to consider this alternative proposal which would not affect the zoned use and the area of the individual zones;
- (b) in PlanD's proposal, vehicular access to the "R(A)1" site (sandwiched between the "G/IC" and "O" zone) would only be made via Lam Hi Road which was a road for drainage maintenance and widening of the road might be required. Besides, such land use arrangement was undesirable as school children would be exposed to potential road safety hazards brought about by vehicular traffic generated by the residential development. With the relocation of the "R(A)" site to the east to merge with the other "R(A)1" site, the number of ingress/egress points could be reduced and vehicular traffic of the "R(A)" development could be diverted to Shap Pat Heung Road which would avoid conflict with the school uses. The amalgamated "R(A)1" site would also facilitate a more comprehensive development with better layout and design and could accommodate more open space;
- (c) in the alternative land use proposal, the landscape walkway/breezeway was suggested to be realigned in a north-east/south-west direction

which followed the prevailing wind direction in Yuen Long. The wind corridor could achieve similar air ventilation performance as that proposed under Amendment Item D which ran in a north/south direction. The area of the landscape walkway had remained the same;

- (d) the realigned landscape walkway could also provide a more effective and efficient link between Lam Hau Tsuen and other parts of Yuen Long Town to its north. It would provide a more direct access for residents of Lam Hau Tsuen to the proposed bus terminus along Tai Yuk Road. It could also provide a green buffer between the schools and the residential development; and
- (e) the size of the revised “G/IC” site was the same as PlanD’s proposal which was big enough to accommodate one primary and one secondary school.

[Professor N.K. Leung and Mr K.Y. Leung left the meeting temporarily at this point.]

35. The Chairman then invited representative of F3, F6 and R6 to present. Mr. Leung Fuk-yuen made the following main points:

- (a) in considering the rezoning of the site to “O”, all relevant matters should be taken into consideration including building design and private land ownership, instead of merely depending on expert’s advice on air ventilation;
- (b) the demand for three more schools was unjustified as many village schools were left vacant or closed down in Yuen Long. The Government should consider using these vacant schools instead of building new ones; and
- (c) the Government should not freeze the development right of private land. The provision of a continuous belt of “O” with a 100-metre buffer along Yuen Long Highway should have already improved air

ventilation in the area.

36. The Chairman then invited representative of F4 to present. Mr. Rock Tsang made the following main points:

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

- (a) he proposed to swap the smaller “R(A)1” site (sandwiched between the “O” zone and “G/IC” zone) with part of the “GIC” site (covering two proposed school sites) to the north. Under PlanD’s proposal, there would be access problem to the “R(A)1” site given the insufficient capacity of Lam Hi Road and that widening of the road was impossible. With the proposed swapping, the “R(A)1” site could gain access from both Lam Hau Tsuen Road and Shap Pat Heung Road;

[Professor N.K. Leung and Mr. K.Y. Leung returned to join the meeting at this point.]

- (b) it would be difficult to resume private land in the original “R(A)1” site. Given that the representer (Tang Wai San Tong) owned most of the land in this part of the “G/IC” site, the proposed swapping would help resolve the problem and facilitate implementation; and
- (c) the proposed swapping would not be incompatible with the planning intention and would be in line with the stepped height concept of Yuen Long as suggested by PlanD, i.e. decreasing building height from the central part to the southern part of Yuen Long Town;

37. The Chairman then invited representative of F7 and F8 to present. Mr. Francis Lau referred to the document tabled by the representer at the meeting and made the following main points:

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

- (a) while having no objection to the proposed landscape walkway, the

representer objected to the rezoning of the area from “R(A)1” to “O” on the following grounds:

- (i) the proposal would seriously affect the land owners’ right as the development potential of the site was originally allowed to be developed up to a plot ratio of 5/9.5 and a building height of 25 storeys. The rezoning was a waste of valuable land resource as there was no other piece of land in Yuen Long that would allow development of such scale;
  - (ii) it was inappropriate to rezone the area to “O” as there was no concrete timetable for the implementation of the proposed landscape walkway. The “O” zone was located on private land and the resumption process by Government was lengthy; and
  - (iii) open space use was always permitted in all zones in the OZP. There was no need to rezone the land to “O” for the proposed landscape walkway;
- (b) he also questioned the width of the proposed landscape walkway (55 metre wide), the impact on the connection of the proposed landscape walkway with the “O” zone to the south in case there was a mismatch between the implementation programmes of the two open space and whether the drainage channel and Lam Hi Road would affect the connection of these open spaces;
- (c) it was pointed out that the Urban Design and Landscape Planning Unit of PlanD agreed that amalgamation of the “R(A)1” sites would facilitate the overall design for a comprehensive development; while Lands Department agreed that amalgamation would provide more flexibility in the design of vehicular access arrangement; and
- (d) he proposed to revert the “O” zone to the original “R(A)1” zone while designating the proposed landscape walkway as a “non-building area”



under the lease for construction by the developer and open for public use. This would protect the development right of developer on the one hand, and on the other hand, enable early implementation of the proposed landscape walkway. This would also facilitate a two-way vehicular access to the developments linking Yuen Long Tai Yuk Road and Lam Hi Road which would then improve the overall accessibility within the area.

38. Members raised the following questions:

- (a) PlanD's view on F1's proposal to delete the word "quantitative" from the Notes of the OZP for the "CDA" zone on the requirement for AVA and on F2's alternative proposal tabled at the meeting;
- (b) the demand and supply of schools in Yuen Long having noted the number of vacant school sites as claimed by F3; and
- (c) the access problem to the "R(A)1" site sandwiched between "G/IC" zone and "O" zone.

[The Vice-Chairman returned to join the meeting at this point.]

39. In response to question (a), Mr. Wilson Y.L. So said that PlanD did not support the deletion of the requirement for a 'quantitative' AVA from the Notes of the OZP for the "CDA" zone. According to the Technical Guide for AVA, an early round of EE was to be conducted to provide a qualitative assessment and to identify problem areas. PlanD had already commissioned an EE for the Yuen Long Town to assess the air ventilation impact and to recommend mitigation measures. The findings of EE had revealed that "CDA" developments at the eastern extension area of Yuen Long New Town and Tai Kiu were areas of concern. Hence, the next step would be for the developer or project proponent to undertake more detailed quantitative AVA under the IS or DS.

40. Regarding the alternative land use proposal tabled by F2, Mr. Wilson Y.L. So

advised that relevant Government Bureau/departments had been consulted on the proposal. Although the size of the proposed “G/IC” zone at Site C2 could accommodate two schools, SED, upon consultation with Architectural Services Department, considered that the triangular site configuration coupled with the existing nullah within the site might impose design constraint on the school development. With respect to the proposed “O” zone at Site C1, Mr. Wilson Y.L. So advised that the proposed landscape walkway at the new location could not function as a visual corridor as the view would be blocked by residential buildings to the north. Besides, there was no information submitted to demonstrate that the new alignment would be able to act as an effective breezeway following the prevailing wind direction. Therefore, he considered that the alternative proposal tabled by F2 would not be better than PlanD’s proposal.

41. In response to question (b), Mr. Wilson Y.L. So advised that the proposed “G/IC” zone was for the provision of five schools, of which two would be open in September 2008 and the building plans for one had been prepared. The sites for the other two were reserved. He further advised that those schools closed down by the Government were small village schools and were not up to the current standard. According to SED, there was demand for new schools in Yuen Long to meet various new educational initiatives such as small class teaching and reduction in secondary class size, and to cater for cross-district demand for secondary schools.

[Miss Annie Tam returned to join the meeting at this point while Ms. Ava Chiu left the meeting temporarily at this point.]

42. In response to question (c), Mr. Wilson Y.L. So advised that Lam Hi Road was a road for maintenance purpose with a width of 4.5m which was scheduled for opening to public use in late May 2008. The future “R(A)1” site (sandwiched between the “G/IC” and “O” zone) could make use of Lam Hi Road which could be further improved or could gain access from the adjoining “G/IC” site or the proposed landscape walkway. Future developer could work out the detailed access arrangement to the development at the detailed design stage in consultation with relevant government departments. The “R(A)1” site in the east could gain access along Shap Pat Heung Road. Detailed access arrangement and ingress/egress point(s) would be determined at the land exchange stage.

43. Members had no further questions to raise. The Chairman thanked the Government team, representers No. F2 to F4, F6 to F8 and R6 and their representatives for attending the meeting. They all left the meeting at this point.

#### Deliberation Session

44. A member commented that there was no strong justification for the deletion of the requirement for a “quantitative” AVA from the Notes of the OZP for the “CDA” zone as proposed by F1. This Member also did not agree with the other representations on deprivation of private development right. On this, the Chairman remarked that Members needed not consider the issue on private land ownership which was outside the purview of the Board.

[Ms. Ava Chiu returned to join the meeting at this point.]

45. A Member noted that SED did not raise any strong objection to the alternative land use proposal tabled by F2 and considered that there were some merits on the alternative proposal with residential development on one side and school uses on the other side. The Chairman commented that the land use proposal by PlanD was based on the findings and recommendations of an EE on AVA, but F2 had not submitted any similar assessment to support his proposal.

46. On the concern on access to the proposed “R(A)1” site, the Vice-Chairman remarked that the same vehicular access problem would need to be resolved even the “R(A)1” site was to swap with part of the “G/IC” site as proposed by F4. The traffic issue could be addressed at the detailed land exchange stage.

[Mr. Walter K.L. Chan left the meeting at this point.]

47. After deliberation, the Board decided not to uphold Further Representation No. F1 for the following reasons:

- (a) the expert evaluation on Air Ventilation Assessment (AVA) for the

whole Yuen Long Town showed that the “Comprehensive Development Area” (“CDA”) developments at the eastern extension area including the various phases of YOHO Town developments and the Tai Kiu site were areas of concern. A quantitative AVA should be conducted for development on individual “CDA” site to assess the air ventilation impact of the proposed developments on the surrounding areas and to identify mitigation measures. The incorporation of the requirement as one of the technical submissions in support of application for development on “CDA” sites was considered appropriate;

- (b) developments in accordance with the approved Master Layout Plans would not be affected by the new requirement. However, a quantitative AVA would be required for major amendments that might change the wind environment of the surrounding areas. This was to ensure that the proposed development would not cause adverse impact on the air ventilation in the vicinity or appropriate mitigation measures would be implemented as appropriate; and
- (c) the Technical Guide for Air Ventilation Assessment for Developments in Hong Kong had clearly set out the testing methodology for quantitative AVA.

#### Further Representation No.F2

48. After deliberation, the Board decided not to uphold Further Representation No. F2 for the following reasons:

- (a) the proposed amendments were to reflect the land use proposals in the draft Yuen Long New Town Area 13 Layout Plan No.L/YL 13/E (the Layout Plan). The Layout Plan which showed the land use proposals in more details was to guide developments in the area and used for public works planning and site reservation within Government

departments, as well as in land transaction where Government was in a position to determine the use of land;

- (b) the proposed “Open Space” site reflected the originally planned landscaped walkway on the Layout Plan which together with Yuen Long Tai Yuk Road formed a visual corridor and key breezeway for southerly wind blowing into the town centre. The breezeway should be kept free of development and relocating it to the west would undermine the intended function and hinder the breeze;
- (c) the proposed “Government, Institution or Community” (“G/IC”) sites also reflected the planned land uses on the Layout Plan which comprised two schools under construction, one school under building plan stage and another two schools (a primary and a secondary) under advanced planning stage. It was not appropriate to amend the configuration or the site area of the proposed “G/IC” site which might affect the school development programme; and
- (d) the road system for the area was laid down in the Layout Plan. Vehicular access to individual site could be worked out when concrete development proposal was available.

Further Representation No.F3

49. After deliberation, the Board decided not to uphold Further Representation No. F3 for the following reasons:

- (a) the proposed amendments were to reflect the land use proposals in the draft Yuen Long New Town Area 13 Layout Plan No. L/YL 13/E (the Layout Plan). The Layout Plan which showed the land use proposals in more details was to guide developments in the area and used for public works planning and site reservation within Government departments, as well as in land transaction where Government was in a position to determine the use of land;

- (b) the proposed “Open Space” site reflected the originally planned landscaped walkway on the Layout Plan which together with Yuen Long Tai Yuk Road formed a visual corridor and key breezeway for southerly wind blowing into the town centre. The breezeway should be kept free of development and relocating it to the west would undermine the intended function and hinder the breeze; and
- (c) the proposed “Government, Institution or Community” (“G/IC”) sites also reflected the planned land uses on the Layout Plan which comprised two schools under construction, one school under building plan stage and another two schools (a primary and a secondary) under advanced planning stage. It was not appropriate to amend the configuration or the site area of the proposed “G/IC” site which might affect the school development programme. It would also be difficult to identify sites in other parts of Yuen Long Town large enough and suitable for accommodating the 3 schools planned in Area 13, apart from the two under construction.

Further Representation No.F4

50. After deliberation, the Board decided not to uphold Further Representation No. F4 for the following reasons:

- (a) the proposed amendments were to reflect the land use proposals in the draft Yuen Long New Town Area 13 Layout Plan No. L/YL 13/E (the Layout Plan). The Layout Plan which showed the land use proposals in more details was to guide developments in the area and used for public works planning and site reservation within Government departments, as well as in land transaction where Government was in a position to determine the use of land;
- (b) the proposed “Open Space” site reflected the originally planned landscaped walkway on the Layout Plan which together with Yuen

Long Tai Yuk Road formed a visual corridor and key breezeway for southerly wind blowing into the town centre. The breezeway should be kept free of development and relocating it to the west would undermine the intended function and hinder the breeze; and

- (c) the proposed “Government, Institution or Community” (“G/IC”) sites also reflected the planned land uses on the Layout Plan which comprised two schools under construction, one school under building plan stage and another two schools (a primary and a secondary) under advanced planning stage. It was not appropriate to amend the configuration or the site area of the proposed “G/IC” site which might affect the school development programme.

Further Representation No.F5

51. After deliberation, the Board decided not to uphold Further Representation No. F5 for the following reasons:

- (a) the proposed amendments were to reflect the land use proposals in the draft Yuen Long New Town Area 13 Layout Plan No. L/YL 13/E (the Layout Plan). The Layout Plan which showed the land use proposals in more details was to guide developments in the area and used for public works planning and site reservation within Government departments, as well as in land transaction where Government was in a position to determine the use of land;
- (b) the proposed “Open Space” site reflected the originally planned landscaped walkway on the Layout Plan which together with Yuen Long Tai Yuk Road formed a visual corridor and key breezeway for southerly wind blowing into the town centre. The breezeway should be kept free of development and relocating it to the west would undermine the intended function and hinder the breeze; and
- (c) the proposed “Government, Institution or Community” (“G/IC”) sites

also reflected the planned land uses on the Layout Plan which comprised two schools under construction, one school under building plan stage and another two schools (a primary and a secondary) under advanced planning stage. It was not appropriate to amend the configuration or the site area of the proposed “G/IC” site which might affect the school development programme.

Further Representation No.F6

52. After deliberation, the Board decided not to uphold Further Representation No. F6 for the following reasons:

- (a) the proposed amendments were to reflect the land use proposals in the draft Yuen Long New Town Area 13 Layout Plan No. L/YL 13/E (the Layout Plan). The Layout Plan which showed the land use proposals in more details was to guide developments in the area and used for public works planning and site reservation within Government departments, as well as in land transaction where Government was in a position to determine the use of land;
- (b) the proposed “Open Space” site reflected the originally planned landscaped walkway on the Layout Plan which together with Yuen Long Tai Yuk Road formed a visual corridor and key breezeway for southerly wind blowing into the town centre. The breezeway should be kept free of development and relocating it to the west would undermine the intended function and hinder the breeze; and
- (c) the proposed “Government, Institution or Community” (“G/IC”) sites also reflected the planned land uses on the Layout Plan which comprised two schools under construction, one school under building plan stage and another two schools (a primary and a secondary) under advanced planning stage. It was not appropriate to amend the configuration or the site area of the proposed “G/IC” site which might affect the school development programme. It would also be difficult



to identify sites in other parts of Yuen Long Town large enough and suitable for accommodating the 3 schools planned in Area 13, apart from the two under construction.

Further Representation No.F7

53. After deliberation, the Board decided not to uphold Further Representation No. F7 for the following reasons:

- (a) the proposed amendments were to reflect the land use proposals in the draft Yuen Long New Town Area 13 Layout Plan No. L/YL 13/E (the Layout Plan). The Layout Plan which showed the land use proposals in more details was to guide developments in the area and used for public works planning and site reservation within Government departments, as well as in land transaction where Government was in a position to determine the use of land;
- (b) the proposed “Open Space” site reflected the originally planned landscaped walkway on the Layout Plan which together with Yuen Long Tai Yuk Road formed a visual corridor and key breezeway for southerly wind blowing into the town centre. The breezeway should be kept free of development and relocating it to the west would undermine the intended function and hinder the breeze; and
- (c) the proposed “Government, Institution or Community” (“G/IC”) sites also reflected the planned land uses on the Layout Plan which comprised two schools under construction, one school under building plan stage and another two schools (a primary and a secondary) under advanced planning stage. It was not appropriate to amend the configuration or the site area of the proposed “G/IC” site which might affect the school development programme.

Further Representation No.F8

54. After deliberation, the Board decided not to uphold Further Representation No. F8 for the following reasons:

- (a) the proposed amendments were to reflect the land use proposals in the draft Yuen Long New Town Area 13 Layout Plan No. L/YL 13/E (the Layout Plan). The Layout Plan which showed the land use proposals in more details was to guide developments in the area and used for public works planning and site reservation within Government departments, as well as in land transaction where Government was in a position to determine the use of land;
- (b) the proposed “Open Space” site reflected the originally planned landscaped walkway on the Layout Plan which together with Yuen Long Tai Yuk Road formed a visual corridor and key breezeway for southerly wind blowing into the town centre. The breezeway should be kept free of development and relocating it to the west would undermine the intended function and hinder the breeze; and
- (c) the proposed “Government, Institution or Community” (“G/IC”) sites also reflected the planned land uses on the Layout Plan which comprised two schools under construction, one school under building plan stage and another two schools (a primary and a secondary) under advanced planning stage. It was not appropriate to amend the configuration or the site area of the proposed “G/IC” site which might affect the school development programme.

#### **Agenda Item 4**

[Open Meeting]

Confirmation of Proposed Amendments and Submission of Draft Yuen Long OZP No.S/YL/17 to the Chief Executive in Council for Approval under Section 8 of the Town Planning Ordinance

(TPB Paper No. 8098)

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[The meeting was conducted in Cantonese.]

55. The Secretary reported that the draft Yuen Long OZP No.S/YL/16 was gazetted on 5.1.2007 under s.5 of the Ordinance. Proposed amendments to the draft Yuen Long OZP No.S/YL/17 to meet/partially meet three of the representations were gazetted under s.6C(1) of the Ordinance on 20.3.2008. 8 further representations were received and had been considered by the Board at this meeting. The Board had decided not to uphold these further representations. Members were now invited to agree on the confirmation of the proposed amendments and the submission of the OZP to the Chief Executive in Council (CE in C) for approval.

56. Members agreed that:

- (a) except Items D and E1 on the Amendment Plan No. R/S/YL/16-A1 and amendment (a) to the Notes of the Plan, there was no further representation upon other proposed amendments to the Plan. In accordance with section 6G of the Ordinance, the Plan should be amended by the proposed amendments recapitulated in paragraph 2.4 of the Paper, without further representations.
- (b) with regard to Items D and E1 and amendment (a) to the Notes, the Plan should be amended by these three proposed amendments in accordance with section 6F(8) of the Ordinance after hearing of the further representations at this meeting;
- (c) the draft Yuen Long OZP No. S/YL/17A 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;
- (d) the updated Explanatory Statement for the draft Yuen Long OZP No. S/YL/17A at Annex IV 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.

**Agenda Item 5**

Any Other Business

[The meeting was conducted in Cantonese.]

57.           There being no other business, the meeting was closed at 12:40 p.m..