

**Minutes of 934th Meeting of the
Town Planning Board held on 24.4.2009**

Present

Permanent Secretary for Development
(Planning and Lands)
Mrs. Ava S.Y. Ng

Chairperson

Dr. Greg C.Y. Wong

Vice-chairman

Mr. Nelson W.Y. Chan

Mr. David W.M. Chan

Mr. Edmund K.H. Leung

Dr. C.N. Ng

Dr. Daniel B.M. To

Mr. Stanley Y.F. Wong

Mr. Alfred Donald Yap

Ms. Sylvia S.F. Yau

Mr. B.W. Chan

Mr. Walter K.L. Chan

Mr. Raymond Y.M. Chan

Mr. Y.K. Cheng

Mr. Felix W. Fong

Dr. James C.W. Lau

Mr. K.Y. Leung

Mr. Rock C.N. Chen

Mr. Timothy K.W. Ma

Principal Assistant Secretary (Transport)
Transport and Housing Bureau
Mr. Tony Lam

Assistant Director (Environmental Assessment)
Environmental Protection Department
Mr. C.W. Tse

Assistant Director (2), Home Affairs Department
Mr. Andrew Tsang

Director of Lands
Miss Annie Tam

Director of Planning (Acting)
Mr. Jimmy C.F. Leung

Deputy Director of Planning/District
Miss Ophelia Y.S. Wong

Secretary

Absent with Apologies

Mr. Leslie H.C. Chen

Professor David Dudgeon

Mr. Tony C.N. Kan

Professor N.K. Leung

Professor Bernard V.W.F. Lim

Ms. Maggie M.K. Chan

Ms. Anna S.Y. Kwong

Professor Paul K.S. Lam

Ms. Starry W.K. Lee

Professor Edwin H.W. Chan

Dr. Ellen Y.Y. Lau

Mr. Maurice W.M. Lee

Dr. Winnie S.M. Tang

In Attendance

Assistant Director of Planning/Board (Acting)

Ms. Christine K.C. Tse

Chief Town Planner/Town Planning Board

Mr. W.S. Lau

Senior Town Planner/Town Planning Board

Ms. Maggie M.Y. Chin

Agenda Item 1

[Open Meeting]

Confirmation of Minutes of the 933rd Meeting held on 3.4.2009

[The meeting was conducted in Cantonese.]

1. The minutes of the 933rd meeting held on 3.4.2009 were confirmed without amendment.

[Dr. Daniel B.M. To, Mr. Felix W. Fong, Mr. Andrew Tsang, Dr. C.N. Ng, Mr. Nelson W.Y. Chan and Mr. Y.K. Cheng arrived to join the meeting at this point.]

Agenda Item 2

Matters Arising

[Closed Meeting]

2. The item was recorded under separate confidential cover.

[Mr. Raymond Y.M. Chan arrived to join the meeting at this point.]

Agenda Item 3

[Open Meeting (Presentation and Question Session only)]

Review of Application No. A/TY/105

Proposed Warehouse (Godown for Storage of Steel Plates and Steel Materials) in “Other Specified Uses” (“OU”) annotated “Boatyard and Marine-oriented Industrial Uses” zone, Ground floor of Tsing Yi Town Lot (TYTL) 14 (Part) and Adjacent Government Land, Tam Kon Shan Road, Tsing Yi
(TPB Paper No. 8332)

[The hearing was conducted in Cantonese.]

3. The following representatives from the Planning Department (PlanD),

Transport Department (TD) and the applicant were invited to the meeting at this point:

Ms. Heidi Chan - District Planning Officer/Tsuen Wan and West
Kowloon (DPO/TWK), PlanD

Mr. S.Y. Lo - Senior Engineer/Kwai Tsing, TD

Mrs. Pansy Y.P. Chow] applicant's representatives

Mr. Sze On Shun]

4. The Chairperson extended a welcome and explained briefly the procedures of the review hearing. She then invited Ms. Heidi Chan, DPO/TWK to brief Members on the background of the application.

5. With the aid of a Powerpoint presentation, Ms. Heidi Chan presented the application and covered the following main points as detailed in the Paper:

- (a) the application site (the Site) with an area of about 1,268m² (including 956m² of Government land on the west) fell within the "OU" annotated "Boatyard and Marine-oriented Industrial Uses" zone, the planning intention of which was primarily for boatyard and marine-oriented industrial uses;
- (b) the applicant proposed to use the ground floor of a two-storey building structure as warehouse for storing of steel plates and steel materials and the open area on the western portion of the Site (about 12m wide) for loading/unloading, parking and turning purposes;
- (c) the Site had no direct vehicular access to Tam Kon Shan Road which was at a higher level;
- (d) at the Metro Planning Committee (MPC) meeting held on 9.1.2009, TD advised that the open area was only about 12m wide and it was not feasible to provide turnaround space meeting TD's standard. There

was no information in the submitted planning application to demonstrate the feasibility of the turnaround arrangement;

- (e) the MPC at the same meeting rejected the application for the reason that there was no information in the submission to demonstrate that goods vehicles could be turned around within the Site;
- (f) justifications in support of the review application had been submitted by the applicant and were set out in paragraph 3 of the Paper. The key points were summed up below:
 - the applicant did not agree with TD that the open area was not feasible to provide turnaround space and submitted a swept path showing turnaround of a normal size goods vehicle;
 - the Site had no vehicular access as there was a level difference of 1.1m between the Site and Tam Kon Shan Road. On-street loading/unloading on Tam Kon Shan Road would affect the traffic condition. As such, the applicant proposed to build a ramp connecting the Site with Tam Kon Shan Road to allow vehicles enter the Site for loading/unloading;
 - the Special Condition of the Conditions of Sale of TYTL 14 specified that space should be provided within the lot for parking, loading and unloading. Such specified condition proved that the area had sufficient space for vehicle parking for loading and unloading. The applicant had applied to the Government for leasing the open area in between TYTL14 and TYTL15 and had been using the area as an access to his boatyard and for storage purpose and sometimes for loading/unloading; and
 - TD's comment that approval of the application would set a bad precedent for similar subsequent applications in the area was unfair to the applicant.

- (g) departmental comments – departmental comments as detailed in paragraph 5 of the Paper were summarized below:

District Lands Officer/Tsuen Wan and Kwai Tsing:

- the Site comprised TYTL 14 (the Lot) (granted by way of tender under the New Grant No. 4385) and a piece of Government land (let out by STT No. 538 since 1983) was held by the applicant;
- according to the New Grant No. 4385, the Lot should not be used for any purpose other than ship/boat building and repairing. The proposed storage use was not acceptable under the lease conditions. For the STT site, it was restricted to open storage purpose only and the proposed loading/unloading/parking and turnaround space did not comply with the user restrictions. Both the New Grant No. 4385 and STT No. 538 were silent on vehicular access;
- in 1993, DLO/TW&KT rejected the applicant's request for run-in to his lots from Tam Kon Shan Road. Legal advice obtained regarding the applicant's argument on vehicular access right was that (i) the applicant had yet to establish his implied right for vehicular access; and (ii) the lease governing the Lot did not contain any express provisions on vehicular access to or from the Lot and the lease requirements on parking and loading/unloading space and the forming of a 'Green Area' as public road under Special Conditions as a conclusive assurance that there would be vehicular access to the Lot in future was not agreeable;

Assistant Commissioner for Transport/New Territories, TD:

- he did not support the application as the site layout (a very narrow rectangular-shaped site with one-side frontage of only about 12m wide) was not feasible for an acceptable layout design for the turning of goods vehicles;

- the approval of the proposal by the Board would give a false expectation that TD would ultimately approve the scheme. He did not agree that there was scope for meeting TD's requirement, hence, the application could be approved with suitable approval condition. TD was of the view that the application should be rejected.
- the public road serving the area was suffering from serious shortage of on-street loading and unloading facilities. Approval of the proposal without the provision of satisfactory loading/unloading/parking facilities inside the development would aggravate the unsatisfactory traffic conditions in the area and set a bad precedent for similar subsequent applications in the area;
- the proposed swept path with multiple back-and-forth manoeuvres in lieu of provision of turning facilities to TD's standard within the development was completely not acceptable from traffic safety consideration;
- because of the layout, size and topography of the Site, it was not practical to come up with a design for meeting the requirement of providing not less than 1 goods vehicle parking space and a vehicular access ramp not less than 7m wide with gradient not exceeding 1:10;
- the further justifications submitted by the applicant failed to address the traffic concerns, namely non-provision of turnaround facilities and an access ramp to TD's standard and non-compliance with HKPSG on the provision of parking facilities;

Project Manager/New Territories North & West, Civil Engineering and Development Department:

- the extension of Tam Kon Shan Road was gazetted in 1990 and

authorized under the Roads (Works, Use and Compensation) Ordinance in 1991. Although the records of objection might not be exhaustive, it appeared that the list of objection sites on record did not include the Site.

- (h) PlanD's view – PlanD did not support the application based on the assessments detailed in paragraph 7 of the Paper. Although the applicant submitted a swept path analysis for turnaround of goods vehicle, TD considered that reliance on multiple back-and-forth manoeuvres in lieu of provision of standard turning facilities was not acceptable from traffic safety consideration. TD also considered that the applicant's further justifications had not addressed his traffic concerns, including non-provision of turnaround facilities and access ramp to TD's standard and non-compliance with HKPSG on provision of parking facilities. TD advised that the section of Tam Kon Shan Road serving the area was currently suffering from serious shortage of on-street loading and unloading facilities. Approval of the proposal without the provision of satisfactory loading/unloading/parking facilities would aggravate the current unsatisfactory traffic conditions in the area and would set a bad precedent for similar applications in the area.

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

7. Mrs. Pansy Y.P. Chow made the following main points:

- (a) the subject application was to use the ground floor of the existing warehouse for storage of steel plates and steel materials mainly for the use of their boatyard. The steel plates and steel materials would also be supplied to other boatyards, if required;
- (b) Tam Kon Shan Road had been designated as a restricted zone and on-street loading/unloading was prohibited. Loading/unloading of goods within the open area (held by the applicant under STT No. 538) would not affect the traffic condition of Tam Kon Shan Road; and

- (c) the open area was wider than Tam Kon Shan Road and could provide enough turnaround space.

8. As the applicant's representatives had no further point to make, the Chairperson invited questions from Members.

9. Noting TD's strong objection to the application due to the insufficient turnaround space in the open area, the Chairperson and some Members raised the following questions:

- a) as loading/unloading of goods and turning of the goods vehicles would be conducted within the open area held by the applicant and would not affect others, what was TD's concern on the proposal;
- b) whether part of the adjoining lots (TYTL 14 and TYTL 15) also held by the applicant could be used for turning purpose; and
- c) what was the ceiling height of the building structures within the application site and whether the applicant had any plan to demolish part of the building structures to facilitate vehicle manoeuvring;

10. Mr. S.Y. Lo stated that the proposed multiple back-and-forth manoeuvres was unacceptable from traffic safety consideration. In practice, most drivers in such situation would, instead of turning the goods vehicles with multiple back-and-forth manoeuvres, choose to reverse in or out of the Site and this would have serious safety implications on the pedestrians and road traffic. In response to a question on the use of turn-table, Mr. Lo said that his department would give consideration to the use of the facility if this was proposed by the applicant. However, the applicant's further submission failed to address TD's concern. In response to the enquiry of the Chairperson, Mr. Lo stated that the open area with a width of about 12.8m would be sufficient for goods vehicles of not more than 7m long to turn around.

11. Mrs. Pansy Y.P. Chow did not agree that there was insufficient turning space and

said that the open area of about 12.8m wide was in fact wider than Tam Kon Shan Road. She opined that loading and unloading of goods carried out within their lot would not affect the traffic on Tam Kon Shan Road. Mrs. Chow continued to state that TYTL 14 and TYTL 15 could not be used for turning purpose as there were building structures erected thereon. The buildings with a ceiling height of about 11 feet were used as workshop and office and the applicant had no plan to demolish these building structures for vehicle manoeuvring. A Member asked if goods vehicles of 7m long could meet their need. Mrs. Chow stated that as steel plates were usually of about 20 feet, goods vehicles of similar size could serve their need.

12. Regarding the application site and Tam Kon Shan Road, the Chairperson and Members had the following questions:

- a) when was TYTL14 granted for the subject boatyard use and whether the Lot had any vehicular access at that time;
- b) when was the Tam Kon Shan Road extension project gazetted and whether loading/unloading could be undertaken on the section of road fronting the Site;
- c) what was the width of Tam Kon Shan Road and whether footpath was provided;
- d) whether the Site and the adjoining boatyards were still actively used for ship/boat building and repairing; and
- e) whether the application site had any marine access.

13. Ms. Heidi Chan made the following responses:

- a) TYTL14 had been granted for the subject boatyard use long time ago whereas the open area was leased under a STT in 1983. The boatyard was adjacent to an informal passage in the 1980s.

- b) the extension of Tam Kon Shan Road project was gazetted in 1990. Upon the completion of the road works, the level of Tam Kon Shan Road was raised to 1.1m higher than the Site;
- c) Tam Kon Shan Road was about 10.3 m width with a footpath (2.8m wide) on each side of the road;
- d) according to a recent site inspection, the Site and the adjoining boatyards were still actively used for ship/boat building, repairing and related uses; and
- e) the Site had marine access.

14. In relation to question 12(b) above, Mr. S.Y. Lo supplemented that the section of Tam Kon Shan Road fronting the Site was not subject to any restriction, and that on-street loading and unloading was allowed.

15. In response to the Chairperson's enquiry on sea transport, Mrs. Pansy Y.P. Chow replied that the boatyard had a pier and the applicant could hire/use their small vessels for transporting equipment and machinery. Nevertheless, marine transport was less convenient than road transport. As far as she knew, one of the shipyards in the adjoining area had also built a ramp to provide direct vehicular access to their site. Mrs. Chow continued to state that when they purchased the lots, the boatyard was originally accessible to a road. Subsequently, the Government constructed Tam Kon Shan Road, but it was 39 inches higher than the boatyard. It was unfair to deprive the lots of the vehicular access. They had written to Highways Department, but no response was received. The Chairperson clarified that the subject review hearing was to consider the planning application. The applicant's claim on vehicular access right was outside the purview of the Board and should have been dealt with under the appropriate provisions of the Roads (Works, Use and Compensation) Ordinance.

16. In response to the Chairperson's enquiry on how the access problem could be resolved, Mr. S.Y. Lo stated that the Site was lower than Tam Kon Shan Road by about 1.1m. To address the level difference, the applicant had proposed to build a ramp at the entrance,

but this would affect the use of the existing informal passage by other parties. Instead of building a ramp, a Member asked whether goods vehicles could use the informal passage. The same Member suggested that the section of the informal passage in front of the Site (with a width of 3.4m as indicated on the slide of the Powerpoint presentation) could be further widened by replacing the stairs opposite to the Site by a vertical boundary wall. Mr. S.Y. Lo had reservation on this suggestion as the so-called informal passage was in fact a pedestrian walkway with street lightings. Ms. Heidi Chan clarified that the width of this informal passage roughly ranged from 3.4m to 6m. Whilst it was used as a pedestrian walkway, some boatyards had also made use of the informal passage outside their sites for vehicular access purpose.

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

Deliberation Session

18. The Chairperson said that based on the analysis, the proposed use was not unacceptable and the lack of a proper vehicular access was the key problem in this application. Regarding the applicant's claim of the loss of vehicular access right due to the construction of Tam Kon Shan Road, the Chairperson pointed out that the issue was outside the purview of the Board. Members generally considered that no strong justification was provided by the applicant for approving the subject application. Apart from the technical issues such as inadequate turning space and the non-compliance with the HKPSG on parking and loading/unloading facilities, a Member expressed reservation on the application from the land use planning perspective. The Site was zoned "OU" annotated "Boatyard and Marine-oriented Industrial Uses" which was primarily intended for boatyard and marine-oriented industrial uses. As confirmed by DPO/TWK at the hearing, the Site and the adjoining boatyards were still being actively used for ship/boat building, repairing and related uses. The same Member considered that the proposed warehouse use for storing steel plates and steel materials was not in line with the planning intention of the "OU"

annotated “Boatyard and Marine-oriented Industrial Uses” zone. A few Members shared this view and considered that there was no strong reason to support the proposed change of use.

19. On the background of the application, the Secretary informed Members that in considering the subject planning application at the s.16 stage, both PlanD and MPC Members had no in-principle objection to the proposed use per se of the application. PlanD considered that the proposed warehouse was not incompatible with the surrounding land uses. The application was rejected by the MPC on the technical reason that there was no information in the submission to demonstrate that goods vehicles could be turned around within the Site. The Chairperson added that in the subject s.17 review paper as well as the review hearing, the concerns raised were mainly on the technical transport issues. As the applicant had not been given any opportunity to give their view on the land use concern, it seemed unfair to the applicant if the Board reject the application for non-compliance with the planning intention of the zoning of the Site.

20. In this connection, a Member considered that the application site without a proper vehicular access was basically not suitable for warehouse use. In view of TD’s comment, the same Member opined that the applicant’s proposal to build a ramp to provide vehicular access to Tam Kon Shan Road was not viable. Although the applicant’s representatives and DPO/TWK pointed out at the review hearing that some boatyards had been using the informal passage for vehicular access, the informal passage also served as a pedestrian walkway. Members considered that there was no information to demonstrate that it was feasible to use the informal passage as a vehicular access. The Secretary informed Members that the applicant had indicated in his submission in the planning application that a ramp would be built at the entrance connecting the Site to Tam Kon Shan Road. Members considered that there was insufficient information in the submission to demonstrate that a proper vehicular access could be provided for the Site.

21. A Member stated that other boatyards along Tam Kon Shan Road should have similar vehicular access problem. The same Member commented that the approval of the subject application would set an undesirable precedent for other similar applications for warehouse use in the area, the cumulative impact of which would adversely affect the traffic condition of the area. Members agreed.

22. The Chairperson summed up Members' views and concluded that the applicant had not provided feasible technical solution to support the application. Members agreed and considered that apart from the rejection reasons suggested in paragraph 8.1 of the paper, the lack of a proper vehicular access and precedent effect should also be included as rejection reasons.

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

- (a) there was no proper vehicular access to the Site;
- (b) provision for loading/unloading, parking and turnaround facilities within the Site were inadequate;
- (c) the proposed reliance on multiple back-and-forth manoeuvres in lieu of provision of standard turning facilities within the proposed development was not acceptable on traffic safety ground;
- (d) in view of the above, the applicant failed to demonstrate that the proposed development would not aggravate the current unsatisfactory traffic condition in the area; and
- (e) approval of the application would set an undesirable precedent for similar applications for warehouse use in the area, the cumulative effect of which would adversely affect the traffic condition of the area.

[Mr. K.Y. Leung and Mr. B.W. Chan left the meeting at this point.]

Agenda Item 4

[Open Meeting]

Request for Deferral of Review of Application No. A/YL-PS/290

Proposed Temporary Vehicle Park for Container Vehicle and Open Storage of Construction Material for a Period of 3 Years in “Undetermined” Zone,

Lots 894RP(Part), 895 (Part), 967, 968, 969, 970, 971RP (Part), 973RP(Part), 1299RP(Part) and 1302RP and Adjoining Government Land in DD122, Ping Shan

(TPB Paper No. 8333)

[The meeting was conducted in Cantonese.]

24. The Secretary said that on 20.3.2009, the applicant’s agent wrote to the Secretary of the Board and requested the Board to defer making a decision on the review application for 2 months so as to allow time for him to prepare supplementary information to address the concerns of the Environmental Protection Department.

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

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

Agenda Item 5

[Open Meeting]

Hong Kong Section of Guangzhou-Shenzhen-Hong Kong Express Rail Link

(TPB Paper No. 8336)

[The meeting was conducted in Cantonese.]

27. Members noted that a pamphlet on the XRL project had been tabled at the meeting for Members’ information.

28. The following representatives from the Highways Department (HyD) and Mass Transit Railway Corporation (MTRC) Limited were invited to the meeting at this point:

Mr. Lam Sai Hung - Chief Engineer/Railway 2-3, HyD

Mr. Yuen Chung Fan, Frank - Design Manager - XRL Terminus, MTRC

Ms. Chan Yung Yung, Christina - Design Management Architect I, MTRC

29. The Chairperson extended a welcome and invited the representatives to brief Members on the Paper.

30. With the aid of a Powerpoint presentation, Mr. Lam Sai Hung gave a brief background of the XRL and made the following main points:

- (a) the XRL, with a total route length of about 140km, would provide high-speed train service between West Kowloon, Shenzhen and Guangzhou with intermediate stops at Futian, Longhua and Humen;
- (b) for the Hong Kong Section of the XRL, it would have a route length of about 26km extending from West Kowloon Terminus to the boundary crossing point at Huanggang. With the completion of the XRL, the travel time between Hong Kong and Guangzhou would be reduced by half;
- (c) from a strategic perspective, the XRL would connect and form part of the national high-speed passenger rail network. According to the medium and long-term railway development endorsed by the State Council, there would be more than 10,000 km of high-speed passenger rail network by 2020. Through connecting with other national high-speed passenger railways, the XRL would provide long haul train services between Hong Kong and various major cities in the Mainland, such as Beijing, Shanghai and Wuhan; and

- (d) the Hong Kong section of the XRL would be implemented under Government funding with MTRCL as the works agent for the detailed design of the project.

31. With the aid of a Powerpoint presentation, Mr. Frank Yuen then made the following key points on the Hong Kong section of the XRL:

- (a) the Hong Kong section of the XRL would be in the form of a 26 km twin cell tunnel. There would be supporting facilities along the alignment for rescue and ventilation purposes. An Emergency Rescue Station (ERS) would be provided roughly at the middle of the tunnel alignment. The ERS would be used as a place for trains to stop and to evacuate passengers to ground level in case of emergency. An open Stabling Sidings in Shek Kong would provide essential facilities to support day-to-day train and infrastructure maintenance for the XRL;
- (b) the West Kowloon Terminus (WKT) was located immediately north of the proposed West Kowloon Cultural District (WKCD) and between the Airport Express / Tung Chung Line Kowloon Station on the west and Kowloon Southern Link Austin Station on the east, with part of the underground portion extending into WKCD area. The underground terminus would cover an area of about 10 ha whereas the terminus at-grade (i.e Site A) would only have an area of about 5.88 ha;
- (c) the WKT would become a new transport hub. To support such an important transport function, a new public transport interchange was being planned to the north of the terminus to facilitate inter-modal change for the travelling public;
- (d) MTRC had consulted the Yau Tsim Mong District Council on the proposed traffic scheme of the WKT in February 2009. One key proposal was to depress part of Lin Cheung Road and Austin Road West so as to create a car-free pedestrian walkway connecting the WKT with the Kowloon Station Development and WKCD. The proposed traffic

scheme was still subject to study. To facilitate a comprehensive development of the project, the design and implementation of the traffic scheme would be integrated with that of the WKT;

- (e) the WKT would provide convenient and adequate pedestrian linkages with the surrounding areas by six footbridges and two subways. The proposed six footbridges included three footbridges connecting with the Kowloon Station Development, two with Austin Station and one to the public transport interchange to the north. Two subways comprised one to Austin Station and WKCD and another one to the western side of Lin Cheung Road. A subway connection to the Kowloon Station direct was also under investigation. The linkage to the WKCD would be in the form of an at-grade pedestrian linkage;
- (f) detailed design of the WKT commenced on 11.3.2009. As the underground terminus would cover a relatively large area of about 10 ha, one of the design vision was to maximize sunlight penetration and design an underground station without the feel of “underground”; and
- (g) although the above-station development might not be taken up by MTRC, the draft WKT design had taken account of the development parameters of the above station development such as building height, plot ratio together with the operational requirements of the station to achieve an integrated design. The design was still subject to further development;

32. Mr. Lam Sai Hung then continued to brief Members on the key activities and programme of the project:

- (a) with the endorsement of the Hong Kong section of the XRL project by the Executive Council in April 2008, the entrustment agreement for design and ground investigation works was signed in November 2008;
- b) other key activities included gazettal of the scheme in November 2008,

commencement of detailed design for the WKT in March 2009;

- c) the Master Layout Plan (MLP) for Site A was under preparation and would be submitted for the Board's consideration in mid-2009; and
- d) construction of the project would commence in end 2009 with the testing, commissioning and opening of the XRL in 2015.

33. The Chairperson then invited questions from Members.

34. Apart from the Town Planning Board Paper and the pamphlet tabled at the meeting, a Member requested HyD to provide more information on the XRL to facilitate Members to have a better understanding of the project and its interface with land use planning. Another Member commented that the Shek Kong Stabling Sidings (SSS) might have landscape impact on the area and asked if HyD would provide further information in this regard. The same Member enquired the progress of the Environmental Impact Assessment (EIA) study of the project. Mr. Lam Sai Hung confirmed that the SSS would consist of at-grade stabling sidings. He said that the EIA study of the project was tentatively scheduled for completion by mid-2009. In accordance with the EIA Ordinance, the duly completed EIA would be published for public inspection. Mr. Lam agreed to provide Members with more information on the project after the meeting.

35. The Secretary stated that the purpose of this briefing was to inform Members on the general background and progress of the XRL. Relevant outline zoning plans would have to be amended to reflect the XRL project. More detailed information of the XRL, in particular on the land use proposals, would be submitted for the Board's consideration in due course.

36. As Members had no further questions, the Chairperson thanked the representatives of HyD and MTRC for attending the meeting.

[Mr. Timothy K.W. Ma left the meeting at this point.]

Agenda Item 6

[Open Meeting (Presentation and Question Session only)]

Information Note and Hearing Arrangement for Consideration of Representations to the Draft Wo Keng Shan Outline Zoning Plan No. S/NE-WKS/9 (TPB Paper No. 8334)

[The meeting was conducted in Cantonese.]

37. The Secretary reported that the draft Wo Keng Shan Outline Zoning Plan (OZP) No. S/NE-WKS/9 was exhibited for public inspection under section 5 of the Town Planning Ordinance on 19.12.2008. During the two-month exhibition period, a total of 11 representations were received. On 27.2.2009, the representations were published for three weeks for public comments and no comments were received. As the amendments incorporated in the Plan mainly related to the zoning amendment of several parcels of land adjoining the North East New Territories Landfill from “Green Belt” to “Other Specified Uses” annotated “Landfill” zone and had attracted wide public and local concerns, it was considered more appropriate for the Board to hear the representations itself without resorting to the appointment of a Representation Hearing Committee. She added that as all the representations involved objection against the proposed rezoning amendment, it was suggested to consider the representations collectively in view of their similar nature. Consideration of the representations by the full Board was tentatively scheduled for May 2009.

38. After deliberation, the Board agreed that the representations should be heard collectively by the Board in the manner as proposed in paragraphs 2.1 and 2.2 of the Paper.

Agenda Item 7

[Closed Meeting]

39. The item was recorded under separate confidential cover.

Agenda Item 8

[Open Meeting.]

Any Other Business

[The meeting was conducted in Cantonese.]

40. There being no other business, the meeting was closed at 10:50 a.m.