

TOWN PLANNING BOARD

TPB Paper No. 10468
For Consideration by the
Town Planning Board on 14.9.2018

CONSIDERATION OF FURTHER REPRESENTATIONS
NO. F1 TO F396 ON PROPOSED AMENDMENT TO THE
DRAFT TSEUNG KWAN O OUTLINE ZONING PLAN NO. S/TKO/25
ARISING FROM THE CONSIDERATION OF REPRESENTATIONS AND COMMENTS
ON THE DRAFT OUTLINE ZONING PLAN

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Subject of Further Representation	Further Representers
All support the proposed Amendment Item A (Plan FH-1)	F1: Sing Hon-keung, Chairman of Hang Hau Rural Committee
	F29: Central & Western Concern Group
	F30: No More Junk Bay
	F340: Fung Kwan-on, Neo Democrats
	F2 to F28, F31 to F308, F338 to F339, F341 to F394: Individuals (352 of them are in 6 joint submissions/standard letters)

Note: The names of all further representers are attached at **Annex III**. Soft copy of their submissions is sent to Town Planning Board (the Board) Members via electronic means/CD-Rom at **Annex V** (for the Board Members only); and is also available for public inspection at the Board’s website at https://www.info.gov.hk/tpb/en/Website_S_TKO_25_ENG.html. A set of hard copy is deposited at the Board Secretariat for Members’ inspection; and is also available for public inspection at the Planning Enquiry Counters of the Planning Department in North Point and Sha Tin.

1. Introduction

- 1.1 On 11.8.2017, the draft Tseung Kwan O Outline Zoning Plan (OZP) No. S/TKO/25 (the OZP) was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). The amendments mainly involve rezoning of five sites located at north of Tseung Kwan O (TKO) Village, northwest of Ying Yip Road, south of Chiu Shun Road, west of Yau Yue Wan Village and east of Hong Kong Movie City, from “Green Belt” (“GB”) with a minor portion of “Government, Institution or Community” (“G/IC”) under Item C1 to “Residential (Group A)7” (“R(A)7”) to facilitate public housing developments. During the two-month public exhibition period, a total of 1,020 valid representations were received. On 17.11.2017, the representations were published for 3 weeks for public comments. During the three-week public inspection period ended on 8.12.2017, a total of 9 comments were received.

- 1.2 After considering the representations and comments on 10.5.2018, on 21.6.2018 the Town Planning Board (the Board) decided to uphold/partially uphold 758 representations (**R48 (part) to R50 (part), R54 (part), R55 (part), R62 to R763, R765 to R781, R788 to R821**) by reverting the zoning of the site north of TKO Village from “R(A)7” back to “GB” with corresponding deletion of building height restriction. In

deliberating the representations and comments, a majority of the Board Members considered the site was relatively distant from TKO Town Centre and not abutting any existing road. They were of the view that the construction of a new access road would lead to extensive site formation works and affect the natural slope; and the proposed high-rise housing development was not compatible with the surrounding low-rise developments. The relevant TPB Paper No. 10420 and the minutes of the aforesaid Board's meetings are deposited at the Board's Secretariat for Members' inspection. They are also available at the Board's website.

- 1.3 On 5.7.2018, the Chief Executive, under section 8(2) of the Ordinance, agreed to extend the statutory time limit for the Board to submit the draft OZP to the Chief Executive in Council (CE in C) for approval for a period of six months from 11.7.2018 to 11.1.2019.
- 1.4 On 13.7.2018, the proposed amendment to the draft OZP was exhibited for public inspection under section 6C(2) of the Ordinance. A set of the Schedule of Proposed Amendment, Amendment Plan No. R/S/TKO/25-A1, and Proposed Amendments to the Explanatory Statement of the draft OZP is attached at **Annex I**. Upon expiry of the three-week exhibition period ended on 3.8.2018, a total of 396 further representations (FRs) were received. 6 FRs were received after the three-week exhibition period.

2. The Further Representations

- 2.1 Pursuant to section 6D(1) of the Ordinance, any person, other than that who has made any representation or comment and after consideration of which the proposed amendments have been made, may make further representation to the Board in respect of the proposed amendments. Among the 396 FRs received during the three-week exhibition period, **F309** to **F337** were submitted by the original representers and their views have been considered by the Board on 10.5.2018 in the hearing of the original representations. Besides, **F395** and **F396** are providing comments not related to the proposed amendment item. Therefore, **F309** to **F337** and **F395** to **F396** (**Annex II**) are considered as invalid and should be treated as not having been made in accordance with section 6D(3) of the Ordinance. The remaining 365 FRs are considered valid.
- 2.2 The 6 FRs received after the three-week exhibition period are submitted by Wan Yuet Cheung, Sai Kung District Council member and 5 individuals. In accordance with section 6D(3) of the Ordinance, where a further representation is made to the Board after the expiration of the three-week exhibition period of the proposed amendment, it shall be treated as not having been made.
- 2.3 All 365 valid FRs, i.e. **F1** to **F308**, **F338** to **F394** support the proposed amendment. Amongst all valid FRs, **F1** is submitted by the Chairman of Hang Hau Rural Committee, **F29** is submitted by Central and Western Concern Group, **F30** is submitted by No More Junk Bay, **F340** is submitted by Fung Kwan-on from Neo Democrats, and the remaining are all submitted by individuals (with 352 in 6 joint submissions/standard letters). A list of all 396 further representers and summary of the valid FRs are at **Annex III** and **Annex IV**. A CD-ROM containing a list of all further representers, as well as 365

valid FRs and 31 considered as invalid FRs is at **Annex V** (for the Board's Members only).

2.4 The supporting grounds and views of **F1 to F308, F338 to F394** are noted. The grounds of the FRs are summarised as follows:

- (i) "GB" zone is important to TKO given its high development intensity. The proposed amendment will bring positive impacts to air quality and visual interest in the area. Since Item A site is mainly secondary woodland with protected species, residential development will result in irreversible negative impacts on environment and ecology, as well as increase the risk of natural hazard;
- (ii) the Little Hawaii Trail is a popular hiking trail for enjoyment of the natural environment. It has high ecological and historic values which should be conserved;
- (iii) the proposed amendment will conserve the original landscape and tranquil environment in TKO Village. High density development is incompatible with the surrounding area and will destroy the graves and fung shui around the area;
- (iv) the transport infrastructure of TKO cannot support additional population. TKO Tunnel is already overloaded and the future TKO – Lam Tin Tunnel cannot support the additional population growth. The isolated location of Item A site also requires intensive infrastructural works, including a new access road for development; and
- (v) other land resources such as brownfield site and unused military land should be prioritized for development. Rezoning of "GB" site is not a right direction to address housing problem.

2.5 The other views of **F51, F55, F338, F339, F340 to F348** concerning the housing demand derived from immigration policy, and opposition to residential development in other "R(A)7" zones are not related to the proposed amendment.

3. Planning Department's Views

There is no adverse FR received which is in opposition to the proposed amendment. In accordance with section 6F(9) of the Ordinance, where no further representation indicates that it is made in opposition to the proposed amendment, requirements under sections 6F(3) and 6(F)4 of the Ordinance for hearing of the further representations shall not apply, and the Board shall upon consideration of such further representations amend the draft plan in question by the proposed amendment.

4. Decision Sought

The Board is invited to:

- (a) consider whether **F309** to **F337**, which were submitted by original representers, and **F395** to **F396**, which provide comments not related to the proposed amendment item, are considered invalid and should be treated as not having been made under section 6D(1) of the Ordinance as stated in paragraph 2.1 above; and
- (b) consider the supportive FRs **F1** to **F308**, **F338** to **F394**, and agree to amend the draft OZP by the proposed amendment in accordance with section 6F(9) of the Ordinance.

5. Follow-up Action

- 5.1 Should the Board decided to amend the draft OZP by the proposed amendment, such amendment made by the Board shall form part of the draft Tseung Kwan O OZP No. S/TKO/25. In accordance with section 6H of the Ordinance, the extant OZP shall thereafter be read as including the amendment. The amendment shall be made available for public inspection until the CE in C has made a decision in respect of the draft plan in question under section 9 of the Ordinance.
- 5.2 Administratively, the Building Authority and relevant government departments will be informed of the decision of the Board and will be provided with a copy/copies of the amendment, as appropriate.

Attachments

Plan FH-1	Location Plan of the Amendment Item
Plan FH-2	Site Plan of the Amendment Item
Plan FH-3	Aerial Photo of the Amendment Item
Plan FH-4	Site Photo of the Amendment Item
Annex I	Schedule of Proposed Amendment, Amendment Plan and Proposed Amendment to Explanatory Statement of the draft Tseung Kwan O OZP No. S/TKO/25
Annex II	Further Representations Considered to be Invalid
Annex III	List of All Further Representers
Annex IV	Summary of Further Representations
Annex V	CD-ROM containing List of All Further Representers and Their Submissions (for the Board Members Only)