

# TOWN PLANNING BOARD

**TPB Paper No. 10598  
For Consideration by the  
Town Planning Board on 6.12.2019**

**DRAFT TSING YI OUTLINE ZONING PLAN NO. S/TY/29  
CONSIDERATION OF REPRESENTATIONS NO. TPB/R/S/TY/29-1 TO 2  
AND COMMENT NO. TPB/R/S/TY/29-C1**

**DRAFT TSING YI OUTLINE ZONING PLAN NO. S/TY/29  
 CONSIDERATION OF REPRESENTATIONS NO. TPB/R/S/TY/29-1 TO 2  
 AND COMMENT NO. TPB/R/S/TY/29-C1**

<b>Subject of Representations / Representation Site</b>	<b>Representers</b>	<b>Commenter</b>
<p><b><u>Amendment Item A</u></b>            Rezoning of a site to the southeast of Tsing Sheung Road from “Other Specified Uses” (“OU”) annotated “Marine-related Uses” to “OU” annotated “Container Related Uses”, and incorporation of related land and sea areas into the planning scheme area and zoning the areas to “OU” annotated “Container Related Uses”</p>	<p><b><u>Total: 2</u></b></p> <p><b><u>Support (1)</u></b>  <b>R1:</b> Guangdong and Hong Kong Feeder Association Limited</p> <p><b><u>Expressing Concerns (1)</u></b>  <b>R2:</b> Individual</p>	<p><b><u>Total: 1</u></b></p> <p><b><u>Providing Views (1)</u></b>  <b>C1:</b> Individual (same as R2) (provides general views, not in respect of any representation)</p>

Note: The names of representers and commenter are attached at **Annex III**. The submissions of representations and comment are attached at **Annex IV** of this paper (for Members of the Town Planning Board only) and are also available for public inspection at the Town Planning Board’s website at [https://www.info.gov.hk/tpb/en/Website\\_S\\_TY\\_29.html](https://www.info.gov.hk/tpb/en/Website_S_TY_29.html) and the Planning Enquiry Counters of the Planning Department in North Point and Sha Tin.

**1. Introduction**

- 1.1 On 14.6.2019, the draft Tsing Yi Outline Zoning Plan (OZP) No. S/TY/29 (the Plan) (reduced size at **Annex I**) was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). The Schedule of Amendments setting out the amendments incorporated into the Plan is at **Annex II** and the location of the amendment item is shown on **Plan H-1**. The amendments mainly involve the rezoning of a site to the southeast of Tsing Sheung Road, Tsing Yi from “OU(Marine-related Uses)” to “OU(Container Related Uses)”, and incorporation of related land and sea areas into the planning scheme area and zoning the areas to “OU(Container Related Uses)” (**Amendment Item A**). Relevant amendments were also made to the Notes of the OZP to incorporate the latest revisions of the Master Schedule of Notes to Statutory Plans endorsed by the Town Planning Board (the Board).
  
- 1.2 During the two-month exhibition period, a total of two representations on **Amendment Item A** were received, including one supporting representation (**R1**) and one expressing concerns (**R2**). On 23.8.2019, the representations were published for three weeks for public comment. Upon expiry of the public inspection period on 13.9.2019, one comment (submitted by **R2**) providing views (**C1**) was received. On 25.10.2019, the Board agreed to consider all the representations and comment collectively in one group.

- 1.3 This Paper is to provide the Board with information for consideration of the representations and comment. The representers / commenter have been invited to attend the meeting in accordance with section 6B(3) of the Ordinance.

## 2. **Background**

- 2.1 In June 2015, the Transport and Housing Bureau (THB) promulgated the “Proposals for Enhancing the Use of Port Back-up Land in Kwai Tsing” (“the Proposals”). Among others, a site at Tsing Sheung Road (the Site) in the immediate vicinity of the container terminal areas in Tsing Yi has been identified for the provision of additional permanent barge berths to meet the relative increase in cross-boundary container traffic borne by river (**Plan H-1**). According to the Proposals, the Site will be granted to the adjacent terminal operator on a long term basis for the berthing of barges and container storage with a view to enhancing the capacity of Kwai Tsing Container Terminals (KTCTs) to handle river-borne container traffic.
- 2.2 The Site was mainly zoned “OU(Marine-related Uses)” on the then approved Tsing Yi OZP No. S/TY/28 with two minor land portions falling outside the planning scheme boundary. Given the above, it was proposed to rezone the Site from “OU(Marine-related Uses)” to “OU(Container Related Uses)” for the proposed barge berthing use with supporting container storage and ancillary facilities. Opportunity was also taken to rectify the OZP boundary by including the two minor land portions and related sea area falling outside the planning scheme boundary under the “OU(Container Related Uses)” zone (**Plan H-2**).
- 2.3 On 17.5.2019, the Metro Planning Committee (MPC) of the Board considered the proposed amendments to the Tsing Yi OZP and agreed that the proposed amendments were suitable for public inspection under section 5 of the Ordinance. The relevant MPC Paper No. 4/19 and the minutes of the MPC meeting are available at the Board’s website at [https://www.info.gov.hk/tpb/en/papers/MPC/627-mpc\\_4-19.pdf](https://www.info.gov.hk/tpb/en/papers/MPC/627-mpc_4-19.pdf) and [https://www.info.gov.hk/tpb/en/meetings/MPC/Minutes/m627mpc\\_e.pdf](https://www.info.gov.hk/tpb/en/meetings/MPC/Minutes/m627mpc_e.pdf) respectively. The MPC Paper is also available for public inspection at the Planning Enquiry Counters of the Planning Department (PlanD) in North Point and Sha Tin.

## 3. **Public Consultation**

- 3.1 The proposed permanent barge berthing use at the Site is part of the Proposals promulgated by the THB in June 2015, which were uploaded to the Internet for consultation. The port-related industry bodies (including the then Hong Kong Port Development Council and the Hong Kong Logistics Development Council), the Kwai Tsing District Council (K&TDC) and the Legislative Council Panel on Economic Development were briefed / consulted by the THB on the Proposals during the period of June to August 2015. The K&TDC was consulted on the Proposals on 20.7.2015. While no specific comment regarding the Site was received, some members raised general concerns on the local air quality and carrying capacity of the existing road network due to port activities as a whole.
- 3.2 A total of 58 written submissions were received during the consultation period of the Proposals where majority of them supported the proposed barge berths at the Site

amongst others. A number of written submissions also expressed concern on the allocation of land to terminal operators. They are concerned that the integration would put small- and medium-sized enterprises out of business and requested reprovisioning from the Government.

- 3.3 During the exhibition period of the OZP, PlanD consulted the Planning and District Facilities Management Committee (PDFMC) under the K&TDC on 18.6.2019 regarding the OZP amendments. In gist, members generally had no objection to the amendments, whilst some concerns were raised on the possible impacts on traffic, marine safety and environmental aspects arising from the proposed barge berths, and whether the Site can be developed for the intended use. The relevant extract of minutes of the PDFMC meeting summarising the views of members and the responses of PlanD's representatives is at **Annex V**.
- 3.4 The Task Force on Harbourfront Developments in Kowloon, Tsuen Wan and Kwai Tsing of the Harbourfront Commission (the Task Force) was consulted on **Amendment Item A** by circulation during the exhibition period of the OZP. No comment was received from the members.

#### 4. **The Representations**

##### 4.1 Subject of Representations

There are a total of two representations including one supporting representation (**R1**) and one expressing concerns (**R2**).

##### 4.2 Major Grounds of Representations

4.2.1 **R1** submitted by the Guangdong and Hong Kong Feeder Association Limited supported **Amendment Item A** as the insufficient dedicated barge berths in the port has led to long barge idle time, and thus affected the cost-effectiveness and competitiveness of the barge operator in Hong Kong. **R1** commented that it is important for Kwai Tsing Port to upgrade the barge handling capacities to maintain the competitive edge, and the initiative of converting more quay fronts in Kwai Tsing Port to dedicated barge berths is welcomed to improve barge handling efficiency.

4.2.2 **R2** submitted by an individual questioned the need to rezone the Site under **Amendment Item A** for container related uses when Hong Kong has been gradually losing business to mainland ports. **R2** also noted that four operators of the Container Terminals have announced an alliance to offer berths under a common terminal operating system which will enhance the efficiency in the use of facilities and hence reduce the demand for additional space.

##### 4.3 Representer's Proposal

4.3.1 **R2** suggested that alternative uses should be considered for the Site.

## 5. Comment on Representations

One comment (C1), submitted by R2, expressed that the Board should consider holding back the OZP as the general public has no time to engage in public consultations due to the recent turmoil in Hong Kong. C1 is concerned that the plan may be approved without undergoing scrutiny from the district council and the community.

## 6. Planning Considerations and Assessment

### 6.1 The Representation Site and Its Surrounding Areas (Plans H-1 to H-5)

6.1.1 The Site is located at the southeastern part in Tsing Yi and to the southeast of Tsing Sheung Road (Plan H-1). It is currently a piece of Government land and has been mainly used for similar uses of container storage and cargo handling / consolidation on temporary basis under Short Term Tenancies (STTs) since 2006.

6.1.2 The Site is located in the immediate vicinity of the existing container terminal areas. To its immediate east is currently a vacant site zoned “OU(Container Related Uses)” and recommended under the Proposals promulgated by the THB as an additional yard area for container storage, which will be integrated with the Site under **Amendment Item A** and the Container Terminal No. 9 (CT9) (South) to the northeast (Plan H-2). The Chemical Wastes Treatment Facilities of the Environmental Protection Department (EPD) is located to its immediate west for collecting oily waste from shipboard residues and mixtures containing oil, noxious liquids or garbage; and a cluster of land zoned “OU(Container Related Uses)” with temporary car parks, logistics centres and container storage uses is located to its north (Plans H-1 and H-2).

### 6.2 Planning Intention

6.2.1 The Site is zoned “OU(Container Related Uses)” which is intended primarily to cater for the container related uses and port back-up facilities. Port related development such as container freight station, logistics centre, container vehicle park and container storage and repair yard are permitted within this zone.

### 6.3 Responses to Grounds of Representations

6.3.1 The supportive views of R1 are noted.

6.3.2 For the grounds and proposal of R2 as detailed in paragraphs 4.2.2 and 4.3.1 above, PlanD, in consultation with relevant Government bureaux / departments, has the following responses :

#### ***Demand of Land for Container-Related Uses***

6.3.3 The Hong Kong Port (HKP) remains among the busiest container ports in the world. It underpins Hong Kong’s trading and logistics sector and handles some 90% of cargo volume entering and leaving Hong Kong. Amid fierce competition from nearby ports in the Pearl River Delta (PRD) region, Hong

Kong has transformed itself to a transshipment hub, where about 61% of the container throughputs in HKP for 2018 were transshipment throughputs. There has also been a growing concentration of transshipment cargoes handled at the KTCTs. Amongst the transshipment throughputs in HKP for 2018, over 80% of them were handled at the KTCTs, contributing some two-thirds of cargoes handled by the KTCTs. Besides, there has also been an increase in the proportion of cross-boundary container throughput handled by river transport over the past decade.

- 6.3.4 While the terminal operators have recently announced to set up the Hong Kong Seaport Alliance to streamline operations and improve cargo handling efficiency, it is expected that the collaboration may bring about more cargo business in the longer run. In view of the above, it is considered that the rezoning of the Site for the development of port facilities including adequate barge berths and associated container storage area will be essential to accommodate the increasing transshipment activities in order to improve the capacity and efficiency of the KTCTs for handling river-borne container traffic. This will help alleviate the capacity constraint and boost the efficiency and competitiveness of the HKP.

#### *Alternative Uses of the Site*

- 6.3.5 The Site was formed during the reclamation for CT9 to form part of a marine basin to the south of Tsing Sheung Road. As proposed under the South East Tsing Yi Port Development Planning and Engineering Feasibility Study conducted in 1990, the marine basin including the Site was intended to serve a number of marine-oriented industries then to be affected by the reclamation for CT9. With the above planning intention, the marine basin including the Site was zoned "OU(Marine-related Uses)" on the Tsing Yi OZP No. S/TY/9 gazetted in April 1992. Upon completion of the reclamation by phases in 2005, the western part of the marine basin was designated for the associated barging facilities of EPD's Chemical Wastes Treatment Facilities to collect oil waste from shipboard residues and mixtures (**Plan H-2**) while the remaining portion of the marine basin mostly occupied by the Site has been mainly used for similar uses of container storage and cargo handling / consolidation on temporary basis under STTs since 2006.
- 6.3.6 Being predominantly surrounded by container-related and logistics uses including container terminal, logistics centres, cargo handling / container storage yards and temporary car parks mainly for container vehicles, the Site is considered suitable for container-related uses from land use compatibility point of view. In particular, with availability of sea frontage, it is considered that the Site can be best utilised if it may serve uses which require marine access such as barge berths and associated container-related uses. In view of its location close to CT9, the Site under **Amendment Item A** and the adjoining additional yard area (**Plan H-2**) can be fully integrated into the operation of CT9 (South) for barge berthing use with supporting container storage and ancillary facilities to facilitate the loading / unloading of containers to and from river barges during transshipment.
- 6.3.7 Apart from its location in the midst of container-related and logistics uses, the Site is also close to a number of oil depots (i.e. Sinopec Hong Kong Oil Terminal

and the ExxonMobil Hong Kong Limited Tsing Yi Terminal (East)) to the west which are Potentially Hazardous Installations; and EPD's Chemical Wastes Treatment Facilities to the northwest (**Plan H-1**). Given the above, the Site is considered generally not suitable for sensitive uses.

6.3.8 Taking the above into account, the rezoning of the Site under **Amendment Item A** to "OU(Container Related Uses)" to facilitate the permanent barge berthing use with supporting container storage and ancillary facilities is considered suitable and compatible with the surrounding areas. Besides, the Site has been mainly used for similar uses of container storage and cargo handling / consolidation on temporary basis since 2006. The rezoning will meet the policy objective as stated in paragraph 2.1 above. In the absence of detailed proposal for alternative uses, **R2**'s proposal to consider alternative uses of the Site is not supported.

#### 6.4 Responses to Grounds of Comment

Regarding **C1**'s views that the Board should consider holding back the OZP to allow more time for public consultation, the statutory and administrative procedures in consulting the public on the OZP amendments have been duly followed. The exhibition of OZP for public inspection and the provisions for submission of representations and comments form part of the statutory consultation process under the Ordinance. The PDFMC under the K&TDC and the Task Force were also duly consulted during the exhibition period, and their views / concerns have been considered and responded as appropriate.

### 7. Departmental Consultation

7.1 The following Government bureau has been consulted and the responses have been incorporated in the above paragraphs where appropriate:

- (a) Secretary for Transport and Housing.

7.2 The following Government bureaux / departments have no comment on the representations and comment:

- (a) Secretary for Development;
- (b) Commissioner for Transport;
- (c) Commissioner of Police;
- (d) Chief Architect/Central Management Division 2, Architectural Services Department;
- (e) Chief Building Surveyor/New Territories West, Buildings Department;
- (f) Chief Engineer/Construction, Water Supplies Department;
- (g) Chief Engineer/Mainland South, Drainage Services Department;
- (h) Chief Engineer/Port Works, Civil Engineering and Development Department (CEDD);
- (i) Chief Highway Engineer/New Territories West, Highways Department;
- (j) Chief Town Planner/Urban Design & Landscape, PlanD;
- (k) Director of Electrical and Mechanical Services;
- (l) Director of Environmental Protection;

- (m) Director of Fire Services;
- (n) Director of Food and Environmental Hygiene;
- (o) Director of Marine;
- (p) Director of Social Welfare;
- (q) Director-General of Civil Aviation;
- (r) Director-General of Trade and Industry;
- (s) District Lands Office/Tsuen Wan and Kwai Tsing, Lands Department;
- (t) District Officer/Kwai Tsing;
- (u) Government Property Administrator; and
- (v) Project Manager (New Territories West), CEDD.

## 8. **Planning Department's Views**

8.1 The supportive views of **R1** are noted.

8.2 Based on the assessments in paragraph 6 above, PlanD does not support R2 and considers that the Plan should not be amended to meet the representation for the following reasons:

- (a) the rezoning of the Site to “OU(Container Related Uses)” zone to facilitate permanent barge berthing use with supporting container storage and ancillary facilities is part of the integrated and strategic planning of port development in Hong Kong which aims to enhance the port capacity and its cargo handling efficiency through better use of port back-up land. There is a genuine need for optimising the use of available land to meet the port development need, and the rezoning of the Site is considered appropriate which can meet the policy objective to boost the efficiency and competitiveness of the Hong Kong Port; and
- (b) taking into account the characteristics of the Site, land use compatibility and environmental consideration, the rezoning of the Site to “OU(Container Related Uses)” zone is considered suitable and compatible with the surrounding areas predominantly intended for container-related and logistics uses.

## 9. **Decision Sought**

The Board is invited to give consideration to the representations and comment and decide whether to propose/not to propose any amendment to the Plan to meet/partially meet the representations.

## 10. **Attachments**

<b>Annex I</b>	Draft Tsing Yi OZP No. S/TY/29 (reduced size)
<b>Annex II</b>	Schedule of Amendments to the approved Tsing Yi OZP No. S/TY/28
<b>Annex III</b>	List of Representers (R1 to R2) and Commenter (C1)
<b>Annex IV</b>	Submissions of Representations and Comment [ <i>for Members of the Board only</i> ]
<b>Annex V</b>	Extract of Minutes of Meeting of the PDFMC under the K&TDC on 18.6.2019



<b>Plan H-1</b>	Location Plan of Representation Site (Amendment Item A)
<b>Plan H-2</b>	Site Plan of Representation Site (Amendment Item A)
<b>Plan H-3</b>	Aerial Photo of Representation Site (Amendment Item A)
<b>Plans H-4 and H-5</b>	Site Photos of Representation Site (Amendment Item A)

**PLANNING DEPARTMENT  
DECEMBER 2019**