

**Minutes of 1005th Meeting of the
Town Planning Board held on 17.2.2012**

Present

Mr. Thomas Chow

Chairman

Mr. Stanley Y.F. Wong

Vice-Chairman

Mr. K.Y. Leung

Mr. Walter K.L. Chan

Mr. B.W. Chan

Professor Edwin H.W. Chan

Mr. Raymond Y.M. Chan

Mr. Y.K. Cheng

Ms. Anna S.Y. Kwong

Mr. Timothy K.W. Ma

Professor P.P. Ho

Professor Eddie C.M. Hui

Dr. C.P. Lau

Mr. Clarence W.C. Leung

Dr. W.K. Lo

Mr. Roger K.H. Luk

Ms. Anita W.T. Ma

Professor S.C. Wong

Ms. Pansy L.P. Yau

Principal Assistant Secretary (Transport)
Transport and Housing Bureau
Mr. Fletch Chan

Deputy Director of Environmental Protection
Mr. Benny Wong

Assistant Director (2), Home Affairs Department
Mr. Eric Hui

Director of Lands
Ms. Annie Tam

Director of Planning
Mr. Jimmy Leung

Deputy Director of Planning/District

Secretary

Miss Ophelia Y.S. Wong

Absent with Apologies

Professor Paul K.S. Lam

Ms. Maggie M.K. Chan

Mr. Rock C.N. Chen

Mr. Felix W. Fong

Dr. James C.W. Lau

Ms. Julia M.K. Lau

Mr. Maurice W.M. Lee

Mr. Laurence L.J. Li

Dr. Winnie S.M. Tang

Dr. W.K. Yau

Mr. Stephen M.W. Yip

In Attendance

Assistant Director of Planning/Board
Mr. C.T. Ling

Chief Town Planners/Town Planning Board
Miss H.Y. Chu (am session)
Ms. Christine Tse (pm session)

Senior Town Planners/Town Planning Board
Ms. Maggie Chin (am session)
Ms. Amy Wu (pm session)

Agenda Item 1

[Open Meeting]

Confirmation of Minutes of the 1004th Meeting held on 3.2.2012

[The meeting was conducted in Cantonese.]

1. The minutes of the 1004th Meeting held on 3.2.2012 were confirmed without amendment.

Agenda Item 2

Matters Arising

[The meeting was conducted in Cantonese.]

- (i) Decision of Town Planning Appeal Received
[Open meeting. The meeting was conducted in Cantonese.]

Town Planning Appeals No. 1 of 2011

Temporary Open Storage of Construction Material

for a Period of 2 Years in “Open Space” zone

Lot 908 RP in D.D. 125, Ha Tsuen, Yuen Long

(Application No. A/YL-HT/674)

2. The Secretary reported that the subject appeal was lodged by the appellant on 17.1.2011 against the decision of Town Planning Board (TPB) to reject on review an application No. A/YL-HT/674 for temporary open storage of construction material for a period of two years at a site zoned “Open Space” (“O”) on the approved Ha Tsuen Outline Zoning Plan No. S/YL-HT/10. The appeal was dismissed by the Town Planning Appeal Board (TPAB) 10.2.2012 and the appellant did not turn up at the hearing. TPAB held the view that the onus was on the appellant to persuade the Appeal Board that the appeal should be allowed. Since the appellant did not appear at the hearing, there was no one to present the appeal. A copy of the TPAB’s decision was sent to Members for information on 15.2.2012.

[Professor P.P. Ho arrived to join the meeting at this point.]

(ii) Consideration of Representations and Comments to the Draft Tseung Kwan O Outline Zoning Plan No.S/TKO/18

3. Mr. Benny Wong, being the Deputy Director of Environmental Protection, had declared an interest in this item as the proposed amendments of the draft Tseung Kwan O (TKO) OZP No. S/TKO/18 were related to the South East New Territories Landfill (SENTLF) and its proposed extension (SENTLFX) under the purview of the Environmental Protection Department (EPD). As this item was to report to the Town Planning Board (the Board) on the follow-up actions undertaken by EPD in relation to the SENTLF, Members agreed that Mr. Wong could stay at the meeting. Members noted that Mr. Wong had not yet arrived to join the meeting at this point.

4. The following representatives of EPD were invited to the meeting:

Dr. Ellen Y.L. Chan - Assistant Director (Environmental Infrastructure) (AD (Env. Infrastructure)), EPD

Mr. Lawrence M.C. Lau - Principal Environmental Protection Officer (Waste Facilities), EPD

5. The Chairman extended a welcome and then invited representatives of EPD to brief Members on the follow-up work regarding the SENTLF as requested by Board after the hearing of the representations and comments to the draft TKO Outline Zoning Plan (OZP) No. S/TKO/18. Members noted that a Paper had already been circulated to them prior to the meeting

6. Dr. Ellen YL Chan, AD (Env. Infrastructure), EPD, made the following points:

- (a) EPD thanked the Board and accepted Members' views and suggestions as given at the meeting on 13.12.2011 and had been actively following up on these suggestions. Details of

the progress were included in EPD's letter of 14.2.2012 to the Board which was attached to the Paper for Members' reference;

- (b) to address the Board's concern, EPD had in particular enhanced their work in two main areas, i.e. landfill management, and inspection/enforcement;

Enhanced Landfill Management

- (c) EPD had already put in place a comprehensive odour control enhancement programme five years ago and had been reporting the progress regularly to Sai Kung District Council, its subcommittee and working group. The total capital cost involved so far was about \$80 million. The programme included mainly the following items:
 - (i) reducing the waste tipping area;
 - (ii) covering the tipping areas with soil and then later with an additional Posi-Shell Cover after waste reception at the end of the daily operation;
 - (iii) installing additional landfill gas extraction wells;
 - (iv) adding mobile and fixed deodourisers;
 - (v) covering temporary unused areas (about 90% of the landfill covered now); and
 - (vi) upgrading the wheel washing facility to a full-body vehicle washing facility in November 2011 which was a more effective system. This was welcomed by the trade and the time taken was only less than a minute;
- (d) an inter-departmental working group had been formed to tackle the environmental issues in the TKO area. A meeting was held on 15.12.2011 to discuss the measures to tackle the environmental nuisance problems at Wan Po Road and its surrounding areas. Relevant government departments had been stepping up their cleansing actions on Wan Po Road

which were summarised as follows:

- (i) EPD and Food and Environmental Hygiene Department (FEHD) had been working together to undertake daily road cleansing work. The section of Wan Po Road between the landfill entrance and the Hang Hau roundabout was cleansed eight times a day with two additional runs given to the road portion outside LOHAS Park;
 - (ii) FEHD had enhanced their cleansing work at the footpaths along Wan Po Road especially the section near LOHAS Park and had increased inspection and cleansing work in nearby public car parks;
 - (iii) Civil Engineering and Development Department (CEDD) was responsible for cleansing the entrance of the fill bank at TKO Area 137 up to the TKO Fire Station; and
 - (iv) Highways Department (HyD) had also increased the frequency of cleansing the road signs;
- (e) a special meeting was held with the waste collection trade on 9.1.2012. The trade had been reminded by EPD of the importance of good operation and maintenance practices and that the Government would step up enforcement action. Letters were also issued to the trade and relevant associations;

Enhanced Inspection and Enforcement

- (f) from mid December 2011 to early February 2012, EPD had increased inspection at three landfills at certain periods and identified 135 cases in which dump trucks were not properly covered. These cases were passed to EPD's Environmental Compliance Division (ECD) for follow-up action. Together with these 135 cases and other cases referred to ECD/EPD by CEDD, the ECD had undertaken a total of 296 inspections of

construction sites, issued 104 advisory/warning letters and was working on 7 potential offence cases;

- (g) joint blitz operations on vehicle speeding, overloading, insecure load and dripping of waste water were also conducted by Commissioner of Police (C of P), FEHD, EPD and District Office/Sai Kung (DO/SK) on 30.12.2011 and 9.2.2012 at Wan Po Road. Within the 2-hour operation on each of the two days, 20 speeding tickets were issued by C of P, 6 refuse collection vehicles with dripping leachate were caught by FEHD and 19 dump trucks not properly covered were identified by EPD;
- (h) the frequency of the joint departmental clearance operation for removing illegally placed skips (by C of P, HyD, Transport Department (TD), Lands Department (LandsD), FEHD and DO/SK had increased from currently once per month to two to three times per month;
- (i) regarding the setting up of a local liaison group, EPD had started to prepare for an initial meeting with the local community by issuing letters to relevant owners committees and management offices of LOHAS Park, Oscar by the Sea and the TKO Industrial Estate. The first meeting was scheduled to be held in end February 2012;
- (j) since 2008, EPD had initiated an extensive outreach programme in liaising with the local community through inviting residents from housing estates, students and other stakeholders in TKO to visit the SENTLF to brief them on the Government's overall waste management strategy, the operation of the landfill and the need to extend the landfills. From January 2008 to January 2012, a total of over 11,000 visitors had visited SENTLF, out of which 43% (about 4,700 visitors) were from over 23 housing estates and 42 schools in

TKO area; and

- (k) EPD would continue to review and strengthen the liaison platform to ensure effective communication with the local community.

7. The Chairman then invited questions from Members. Members had the following questions:

- (a) in order to address complaints from local residents against the malpractice of landfill operators, was there any evidence to show that the tipping areas were properly covered by the operators at the end of the daily waste reception process?
- (b) it was recorded that there were 135 cases in which dump trucks were not properly covered. What was the percentage of these cases against the total number of dump trucks travelling along Wan Po Road?
- (c) in order to have a deterrent effect, would the Government consider imposing higher penalties and fines against non-compliant waste collection operators?
- (d) noting the effectiveness of the joint blitz operation on the environmental hygiene and road safety at Wan Po Road, would government departments continue to undertake such operation in future? Since vehicle speeding would also create noise nuisance, would additional cameras be installed along Wan Po Road to tackle such problems?
- (e) what were the actions currently undertaken by government departments to avoid environmental nuisance created by the skips and uncovered dump trucks in public car parks?

8. Dr. Ellen Chan and Mr Lawrence Lau of EPD had the following responses to Members' questions:

- (a) landfill operators were required under their contracts to cover the tipping areas with soil and Posi-Shell Cover at the end of the daily waste reception process. They would be subject to warning and fines if this requirement was not complied with. EPD had assigned staff to station at the landfill sites to ensure that the landfill operators had completed the necessary procedures before leaving the sites;
- (b) the 135 cases of uncovered dump trucks amounted to about 20% of the total number of dump trucks running on Wan Po Road. There was further scope for improvement on this aspect through close liaison with the trade and operators. Government departments would also continue to monitor the situation and step up the necessary enforcement actions;
- (c) apart from stepping up the enforcement action, the Government would be prepared to review the relevant legislation and regulations to consider the need to regulate against non-compliant waste collection operators. For example, in case of future malpractice and other non-compliance cases, non-compliant waste collection operators would not be permitted to use the government waste facilities;
- (d) the Government would continue to undertake the joint blitz operations in order to send a clear message to the trade and community that the Government had already stepped up enforcement actions against non-compliant activities. Regarding the need to install cameras along Wan Po Road to tackle vehicle speeding, EPD would take it up with TD and C of P under the inter-departmental working group. The inter-departmental working group was also reviewing the possibility of installing Closed Circuit Television (CCTV) at the entrances of the landfill sites; and

- (e) for those skips placed illegally at public car parks and along streets, joint departmental clearance operation had been carried out by concerned departments including C of P, HyD, TD, LandsD, FEHD and DO/SK to remove illegally placed skips. FEHD would also strengthen their cleansing works in case environmental and hygiene problems were generated by these skips.

9. The Chairman said that during the hearing of the representations and comments of the draft TKO OZP No. S/TKO/18, Members generally agreed that the sites concerning the SENTLF and SENTLFx were suitable for landfill use. However, they agreed that continued improvement should be made on the management of the landfill sites and their surrounding areas. Hence, he suggested and Members agreed that EPD should be invited to regularly report to the Board on their enhancement and improvement works in the area every three to six months. As Members had no further question and comment, the Chairman thanked the representatives of EPD for attending the meeting.

[Mr. Benny Wong arrived to join the meeting at this point.]

Kowloon District

Agenda Item 3

[Open Meeting (Presentation and Question Session only)]

Consideration of Representations and Comments to the
Draft Kai Tak Outline Zoning Plan No. S/K22/3
(TPB Papers No. 9014 and 9015)

[The hearing was conducted in Cantonese and English.]

**Group 2: Representations No. R35 to R40, R1109(Part), R1111 to R1114 and
Comments No. C1 (Part), C3 to C159**

(TPB Paper No. 9015)

10. The Secretary said that Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) (R1109) had submitted a representation on the draft Kai Tak OZP No. S/K22/3. Ms. Maggie M.K. Chan and Mr. Felix Fong, being members of the DAB, had declared their interests in this item. Members noted that both Ms. Chan and Mr. Fong had tendered their apologies for not being able to attend the meeting.

11. As sufficient notice had been given to invite the representers and commenters to attend the hearing, Members agreed to proceed with the hearing of representations in the absence of those representers and commenters who had indicated that they would not attend or did not reply to the invitation to this meeting.

12. The following representatives from the government departments, representers, commenters and their representatives were invited to the meeting at this point:

- | | |
|----------------|--|
| Mr. Eric Yue | - District Planning Officer/Kowloon (DPO/K), Planning Department (PlanD) |
| Mr. Anthony Lo | - Chief Engineer/Kowloon, Civil Engineering and Development Department (CEDD) |

Mr. Stephen Chan - Senior Town Planner/Kowloon, PlanD

Ms. Karen Wong - Town Planner/Kowloon, PlanD

R1109 : DAB

Mr. Chan Pak Li, Bernard - Representative of R1109

R1111 : Masterplan Limited

Mr. Ian Brownlee - Representative of R1111

R1112 and C2 : Designing Hong Kong Limited

Mr. Paul Zimmerman]

Ms. Eva Tam] Representatives of R1112 and C2

Mr. Stephen Bradley]

R1113 : Chan Wah Yu

Mr. Chan Wah Yu, Nelson - Representer

R1114 : Kam Kin

Ms. Kam Kin - Representer

C3: Hong Kong Dragon Boat Association

Mr. Liu Chi Keung] Representatives of C3

Miss Chan Suet Kwan]

C4 : Asian Australasian & Oceanian Confederation Incorporating the Asian Waterski & Wakeboard Federation

C7 : Hong Kong Waterski Association

Mr. Christopher D. Howarth - Representative of C4 & C7

Mr. Andrew Cheung]

Ms. Ivy Chung] Representatives of C7

Mr. Donald Lee]

Mr. Joe Hung]

C5: Hong Kong, China Rowing Association

Mr. Robert Wilson] Representatives of C5
Mr. Michael Tanner]

C8 : Hong Kong Triathlon Association Limited

Ms. Angela Wong] Representatives of C8
Mr. Erik Chan]

C41 : Frankie Mak

Mr. Frankie Mak - Representer

C136 : Allan Watt

Mr. Mark Bovaird - Representative of C136

13. The Chairman extended a welcome and explained the procedures of the hearing. He then invited STP/K to brief Members on the representations.

[Mr. Clarence W. C. Leung arrived to join the meeting at this point.]

14. Members noted that replacement pages for pages 7, 8, 15, 16 of the TPB Paper No. 9015 and pages 9, 10, 17 and 18 of the Chinese translation of the Paper had been tabled at the meeting. With the aid of a Powerpoint presentation, Mr Stephen Chan, STP/K, made the following main points as detailed in the Paper:

- (a) on 26.8.2011, the draft Kai Tak Outline Zoning Plan No. S/K22/3 (the OZP), incorporating amendments arising from the in-situ preservation of the Lung Tsun Stone Bridge Remnants (Bridge Remnants), the relocation of roads away from the waterfront of the Runway and South Apron, the realignment of the underground shopping streets (USSs), the urban design enhancement proposals and the latest development proposals, was exhibited under section 5 of the Town Planning Ordinance (the Ordinance);

- (b) during the two-month exhibition period, a total of 1,117 representations were received. On 18.11.2011, the representations were published for three weeks for public comments. A total of 159 comments were received. One representer (R303) subsequently wrote to the Board indicating that he did not submit the representation;
- (c) on 13.1.2012, the Board decided to hear the representations and the related comments in two groups. Group 1, including 1106 representations and two related comments, was related to the amendment items in the North Apron of Kai Tak Development. All representations, except R1110, R1115 and R1116, were related to the proposed development of the Twin Towers at “Comprehensive Development Area (1) (“CDA(1)”) and “CDA(2)” sites along the Kai Tak River. Group 2, including 11 representations and 158 comments, were in respect of the proposed amendments in the South Apron and the Runway of Kai Tak Development;

Public Consultation

- (d) prior to the gazettal of draft Kai Tak OZP No. S/K22/3, public consultation on the proposed amendments was carried out. Public consultation on urban design enhancement proposals, including the relocation of roads away from the waterfront and the realignment/addition of the elevated walkways between South Apron and Kowloon Bay had been carried out from May to July 2011. The urban design enhancement proposals were presented to the Wong Tai Sin District Council (DC), the Kowloon City DC, the Kwun Tong DC, Antiquities Advisory Board (AAB), Harbourfront Commission (HC) and the Board;
- (e) after the publication of the draft Kai Tak OZP No. S/K22/3 on 26.8.2011, the proposed amendments were presented to the

Wong Tai Sin DC and Kwun Tong DC and HC. The consultation paper was circulated to Kowloon City DC which had no comments on the proposed amendments. On 16.11.2011 and 25.11.2011, meetings were held with a group of representers who mainly reiterated their views on the twin towers concept in the Kai Tak City Centre stated in their submissions. Kwun Tong DC's concern was mainly on the implementation of the Environmentally Friendly Transport System (EFTS). The views expressed at the meetings with Wong Tai Sin DC and HC and PlanD's responses were summarized in paragraph 2.7 of the Paper;

Representations and Comments under Group 2

- (f) the main grounds of representations and their proposals were summarised in paragraph 4.3 of the Paper and highlighted below:

Refinement of the Land Use in the South Apron and Runway

Supportive Representations

- (g) R1109 supported the relocation of roads away from the waterfront as it could enhance the accessibility and pedestrian environment of the waterfront and provide space for active recreational activities. R39 and R40 supported the realignment/addition of the elevated walkways connecting Kai Hing Road of the South Apron to Hung Yip Street of Kowloon Bay;
- (h) R1111 supported the rezoning of the waterfront promenades and the central boulevard in the South Apron/Runway to "Open Space" ("O") and "O(2)" respectively. R1112 supported the relocation of roads away from the waterfront area;

Adverse Representations

- (i) R1111 opposed the rezoning of various strips of land in the South

Apron area to 'Road', "G/IC" and "O", addition of the western-most elevated walkway over Road L10, the "G/IC" site and the Kai Tak Approach Channel (KTAC), and location of the section of Road D3 in the Metro Park. The grounds of representation were summarized as follows:

- i. discussions between three main national sports associations (NSAs) and the government departments/bureau on the water sports uses in Kai Tak area were on-going. 2011-12 Policy Address also stated that the Government was advocating development that includes a wide range of cultural, leisure and water sports activities to energize the business district. However, no provision for water sports facilities had been made in the amendments to the OZP;
 - ii. the Explanatory Statement (ES) of the OZP had ignored the water sports opportunity in Kai Tak area;
 - iii. the Initial Concept Plan for Kai Tak Water Sports (Initial Concept Plan) required the location of various water sports related facilities at the waterfront of the Metro Park and the relocation of Road D3 away from the waterfront of the Metro Park;
 - iv. the design of the open space should allow land-based facilities for water sports and that water sports should become part of the theme for the design of these areas;
 - v. appropriate zoning should be designated for the water sports facilities;
- (j) R1112 opposed the lack of commercial uses at the ground level of the "R(C)" sites, the amount of land reserved for roads, lack of land reserves for marine supporting and water dependent land uses,

and insufficient land reserved for commercial office space around MTR station. The grounds were summarized at paragraph 3.2.4 of the Paper;

Representers' proposals

- (k) R1111 proposed to:
- i. reassess the land take for roads in Kai Tak;
 - ii. rezone a "G/IC" site in the South Apron area to "OU(Water Sports Centre)"; or relax the BH restriction for the "G/IC" site from 45mPD to 55mPD to accommodate the water sports facilities;
 - iii. adjust the alignment of the western-most elevated walkway to align with the finish line in the Initial Concept Plan;
 - iv. realign Road D3 away from the waterfront for accommodating water sports facilities;
 - v. reserve an area at the waterfront of the Metro Park for a sailing centre;
 - vi. amend the ES of the OZP to incorporate the proposed planning intention for water sports development in Kai Tak;
- (l) R1112 proposed to :
- i. amend the Notes of the "R(C)" zone to permit 'Shop and Services' and 'Eating Place' uses at the ground level of the development facing the waterfront; or alternatively, include the uses as always permitted uses for the zone;
 - ii. reduce the width of all road reserves by a minimum of 20%;
 - iii. identify a site for "OU(Marine Support)", with leisure, sports and commercial marine uses and other marine supporting uses as uses always permitted. Alternatively,

such uses should be always permitted in all zones adjacent to sheltered water;

- iv. increase the commercial GFA around MTR station to meet the demand for highly integrated and well connected grade A and prime office space;

Addition of Elevated Walkway from Kai Hing Road to Hung Yip Street

Supportive Representations

- (m) R35 to R40 and R1109 supported the addition of the elevated walkway from Kai Hing Road in the South Apron area to Hung Yip Street. R1113 and R1114 supported the planning intention of the elevated walkway;

Adverse Representations

- (n) R1113 and R1114 opposed the location of the proposed elevated walkway as it would not be connected to the business areas in Kowloon Bay and Kwun Tong, the residential areas and MTR in Ngau Tau Kok;

Representers' proposals

- (o) R36 to R38 proposed to further extend the Hung Yip Street footbridge along Hoi Bun Road to form an elevated walkway system or to form a decent pedestrian connection with landings on the waterfront promenade and Hoi Bun Road Park. R1113 and R1114 proposed to relocate the walkway southwards to Shun Yip Street by extending the existing walkway along Hung Yip Road and then Hoi Bun Road before crossing Hoi Bun Road to the waterfront area;
- (p) R36 to R38, R1113 and R1114, in addition to the above, as well as R35, R40 and R1109 proposed various pedestrian connections linking the inner areas of Kwun Tong, in particular the Ngau Tau

Kok MTR Station, to Hoi Bun Road Park and the harbourfront areas;

- (q) R39 proposed to organize district activities and provide retails/catering facilities along the Kwun Tong waterfront and business district to enhance pedestrian flow and to revitalize this commercial business district;

Comments on Representations

- (r) a total of 158 comments were related to the representations under Group 2. Among the 157 comments supportive to the provision of a water sports centre at Kai Tak, five comments (C3 to C7) were submitted by water sports associations and the remaining comments were submitted by individuals. The grounds put forward by these comments were summarized below :
 - i. there was a demand for adequate land to facilitate the growing need for additional water sports facilities and to hold international events;
 - ii. water sports facilities should be a major part of the future planning in Kai Tak;
 - iii. Kai Tak provided a unique opportunity to provide a wide range of water sports facilities;
 - iv. suitable land should be reserved for water sports facilities at Kai Tak and the water quality be improved;
- (s) C4, C14, C15, C16, and C33 to C91 also supported the provision of cable wakeboarding/waterski park within Kai Tak. C99 expressed particular support to setting a course for canoeing and C20 proposed to consider putting more resources in the existing sports facilities in Shing Mun River. C91 to C97 urged the Government to implement the water sports proposal as soon as possible. C98 proposed to include more sports/leisure facilities.

Responses to Grounds of Representations and Representers' Proposals

South Apron and Runway

- (t) the support of R1109, R1111 and R1112 was noted. PlanD's responses to the remaining part of R1111 and R1112 and the representers' proposals were as follows:

Water Sports Uses in Kai Tak in general

- i. the proposed water sports uses in KTAC and Kwun Tong Typhoon Shelter (KTTS) were in line with the planning vision of Kai Tak to develop it into a 'Heritage, Green, Sports and Tourism Hub of Hong Kong'. The policy initiatives on 'Energizing Kowloon East' as promulgated in the 2011-12 Policy Address also recognized the importance of the water activities and entertainment facilities in enhancing vibrancy of the waterfront. The Administration had received the water sports centre proposal submitted by R1111 and R1112. There had been on-going discussion between the CEDD's Kai Tak Office and the representers/commenters on the merits, technical feasibility and necessary supporting facilities of the proposed water sports centre;
- ii. the benefits of the proposed water sports facilities at Kai Tak were recognized. Yet, the specific types of water sports uses and their land/location requirements had not been ascertained. There were also a number of outstanding issues, including the water quality, operation/management responsibilities, marine traffic impact, pedestrian accessibility, impacts on the KTTS etc., which needed to be resolved/tackled. EPD's monitoring data did not indicate that the water quality of the water bodies concerned could be suitable for the proposed water sports uses. While efforts

were in place to improve the water quality, these measures aimed to improve the water quality of the KTAC for amenity use. The suitability of the proposed water sports activities that involved primary or secondary contact needed to be further explored. Besides, consultation with relevant DCs and other local stakeholders should also be conducted;

- iii. the effective use of temporary structures at the waterfront promenade/area could also facilitate holding of such events. Similar water sports use in Shatin, i.e. Shatin Rowing Centre, occupied only about 2,500m². As such, it was not appropriate to reserve a sailing centre/boat house and related uses in the Metro Park which was intended primarily for public enjoyment. There was sufficient land, such as the open space at the head of the KTAC, for such purpose, if the use was eventually found feasible
- iv. the construction of Road D3(Metro Park section) and the Metro Park would commence in 2015 and 2017 respectively, while the site formation works for “G/IC” sites in the South Apron area would be completed in 2021. There should be sufficient time for the Administration to work out a comprehensive plan for the long-term development of water sports uses in Kai Tak;
- v. the water sports uses proposed by R1111 were still in a preliminary conceptual stage, and the planning/technical issues would need to be resolved and tackled. Consultation with relevant DCs and other local stakeholders had not been carried out. It was considered premature to incorporate the proposed water sports uses into the OZP at this stage;

Specific Proposals

To reduce land take by roads (R1111 and R1112)

- vi. with the relocation of the roads away from the waterfront, the overall land area reserved for road use for the Kai Tak Development had been reduced from 72 ha to 70 ha. Under the streetscape concept, a comfortable roadside footpath with planting was designed to create an open and leisure atmosphere. Further reduction of the road area was not practicable.

To increase the BH Restriction for the “G/IC” sites or rezone the sites to “OU(Water Sports Centre)” (R1111) and identify land for “OU(Marine Support)” zone (R1112)

- vii. in the Notes for the “G/IC” zone, ‘Place of Recreation, Sports or Culture’ was an always permitted use and minor relaxation of BH restriction might be permitted upon application to the Board. The provision could already allow flexibility to accommodate the proposed water sports centre development within the zone. While a specific zoning for the water sports centre might better reflect the planning intention, not until the types, land requirements and technical feasibility of the water sports uses had been assessed and ascertained, it was premature to incorporate the amendment into the OZP at this stage.

To permit ‘Shop and Services’ and ‘Eating Place’ uses in the “R(C)” zone and marine support uses in the “O” zone (R1112)

- viii. in the Notes for the “R(C)” zone, ‘Shop and Services’ and ‘Eating Place’ uses were Column 2 uses which might be permitted by the Board upon application. For the “O” zone, ‘Place of Recreation, Sports or Culture’ and ‘Private Club’, that could support water sports uses, were under

Column 2 of the Notes and might be permitted by the Board upon application. As such, the Notes of the “R(C)” and “O” zones already had the provision to allow for the proposed uses through the planning application mechanism. Moreover, as suggested by R1112, given that the types, land requirements and technical feasibility of the water sports uses were yet to be ascertained, it was considered premature at this stage to relax the planning control by incorporating the uses as always permitted uses in the Notes of the respective zones;

To amend the ES to reflect the water sports uses in Kai Tak (R1111)

- ix. the planning theme of developing Kai Tak as a sports hub, among others, had been stated in the ES of the OZP. Should the feasibility of the proposal be ascertained and when the proposal was ready for incorporation into the OZP, the relevant parts of the ES would be amended, as appropriate;

Other Proposals

- x. the proposed relocation of Road D3 would physically segregate the Metro Park, while the proposed sailing centre and other land based facilities for the water sports would reduce the land area of the Metro Park which was intended primarily for public enjoyment. The DLCS advised that the relocation of the northern section of Road D3 to the central part of the Metro Park would significantly affect the development potential/integrity of the Metro Park. In addition, the section of elevated walkway across KTAC and the northern section of Road D3 were not covered by any proposed amendment items to the OZP;

- xi. R1112 proposed to increase the commercial GFA around MTR station. The proposed Shatin-to-Central Link (SCL) Kai Tak Station with retail facilities located in the middle of the Station Square was a special feature in the Kai Tak Planning Review. The commercial belt was specifically located along Prince Edward Road East and the Kai Tak City Centre on both sides of the Kai Tak River. In the planning of the Kai Tak Development, care had already been exercised to maintain a critical mass for the provision of Grade A office to sustain Kai Tak as a future commercial hub of Hong Kong;

Addition of the Landscape Elevated Walkway at Kai Hing Road

Responses to the Grounds of Representations and Representers' Proposals

- i. the proposed elevated walkway ran from Kai Hing Road in the South Apron across Hoi Bun Road to Hung Yip Street and would then connect with the existing footbridge to Wai Yip Street in Kowloon Bay. It was intended to enhance the pedestrian connection from Kowloon Bay to the waterfront area of the South Apron. After landing on Kai Hing Road, pedestrian could continue to reach various destinations at the waterfront through the landscaped waterfront promenade. Hence, further extension of the proposed elevated walkway after crossing Hoi Bun Road as proposed by R36 to R38 was therefore not necessary;
- ii. CEDD advised that the present alignment of the elevated walkway was in fact an extension of the existing footbridge system in Kowloon Bay, which could provide the most direct link to the South Apron area. The proposed relocation of the proposed walkway southwards by R1113 and R1114 would involve further extension of the existing footbridge and would also require pedestrians of the footbridge to walk a

longer distance before crossing Hoi Bun Road. It was considered less effective from the angle of pedestrian connectivity. In addition, a number of at-grade crossings from Kwun Tong waterfront promenade over Hoi Bun Road would be enhanced for more convenient connections between the waterfront and the inner area of Kwun Tong;

- iii. R35 to R38, R40, R1109, R1113 and R1114 proposed various walkways/pedestrian crossings to link up Ngau Tau Kok MTR or various parts of inner Kowloon Bay with the waterfront areas of Kai Tak. These proposed pedestrian connections were located in Kwun Tong area, i.e. outside the Kai Tak OZP. A number of at-grade crossings from Kwun Tong waterfront promenade over Hoi Bun Road would be enhanced. Notwithstanding, the representers' proposals would be forwarded to the Kowloon East Development Office to be set up for consideration in the context of the Government's policy initiatives in 'Energizing Kowloon East';
- iv. R39 proposed to organize district activities and provide retail/catering facilities along the Kwun Tong waterfront and business district. The proposals were not related to any amendment item on the OZP. The representer's proposal would be forwarded to the Kowloon East Development Office to be set up for consideration in the context of the Government's policy initiatives in 'Energizing Kowloon East';

(u) PlanD's Views –

- the support of R35 to R40 and R1109 to the realignment/addition of the landscaped elevated walkway(s), R1109 and R1112 to the relocation of roads away from waterfront and R1111 to the rezoning of the

waterfront areas and the central boulevard in the Runway to “O”/“O(2)” was noted; and

- based on the assessments in paragraph 4 of the paper, PlanD did not support Representations No. R1111 to R1114 and the proposals of R35, R38 and R1109(part).

15. The Chairman then invited the representers, commenters and their representatives to elaborate on their submissions.

Representation No. 1109 : DAB

16. Mr. Chan Pak Li, Bernard, the representative of R1109, requested the Board to consider the technical feasibility of the following two proposals:

- (a) the provision of an elevated walkway along Lai Yip Street connecting the MTR Ngau Tau Kok station with the cruise terminal at Kai Tak; and
- (b) the extension of the proposed USSs to the adjacent public housing estates.

17. Mr. Chan said that he would further elaborate his comments on the amendments to the Kai Tak OZP in relation to the preservation of the Bridge Remnants at the Group 1 hearing.

[Mr. K.Y. Leung arrived to join the meeting at this point.]

Representation No. 1111 : Masterplan Limited

18. With the aid of a Powerpoint presentation, Mr. Ian Brownlee, the representative of R1111, made the following main points:

- (a) in the past six years, there had been on-going discussions amongst the relevant government bureaux/departments and the three NSAs responsible for water sports, namely, the Hong Kong, China Rowing Association (‘Rowing Association’), the Hong

Kong Canoe Union and the Hong Kong Dragon Boat Association, for including water sports use in the Kai Tak Development. Although there were general agreements and supports from the concerned government departments, no provision had been made in the current amendments to the Kai Tak OZP to provide space to accommodate water sports facilities;

- (b) it was reasonable to assume that the water quality of the water bodies around Kai Tak would be improved. Both HAB and Kai Tak Office indicated that it was technically feasible and practical to have water sports at Kai Tak. The provision of the proposed water sports facilities would only incur low marginal cost as the infrastructure was already planned. The water sports facilities to be provided would be multi-functional for holding both sports and non-sports activities;
- (c) the 2011 – 2012 Policy Address gave policy support to the provision of water sports facilities in East Kowloon, which specifically included the Kai Tak area. The proposal for the development of an international water sports centre at Kai Tak was considered by the Task Force on Kai Tak Harbourfront Development of the Harbourfront Commission in August 2011. The merits of the proposal in terms of sports promotion, educational value and health benefits had been highlighted for the Task Force's consideration. The majority of the Task Force members supported the proposal whilst they recognized that a number of technical issues had to be resolved;

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

- (d) Chapter 4 of the Hong Kong Planning Standards and Guidelines (paragraphs 1.14.18 and 1.14.19) stated that 'it now being a Government policy to encourage the development of water sports facilities'. It was considered appropriate to reserve the area near

the KTAC for the proposed Water Sports Centre and designate the area as “Other Specified Use” annotated “Water Sports Centre”;

- (e) an ‘Initial Concept Plan for Water Sports’ (‘Initial Concept Plan’) had been submitted for the Board’s consideration. There were four activity zones:
- i) To Kwa Wan Typhoon Shelter – the area provided sheltered water which would be an ideal location for recreational boating, i.e. a sailing centre and marina centre, with supporting land facilities located within the adjacent open space zone;
 - ii) Kai Tak Approach Channel – this was ideal for an international standard rowing, canoeing and dragon boating training and competition course as it had a sufficient length of 2,000m that met the requirement for an international competition course. All of the boat houses, event management and spectator facilities would be located on the adjacent land area;
 - iii) Runway Park – the water immediately off the runway park could be used for water-based events, such as cross-harbour swim and triathlon events. The Park could also be used to provide the supporting land-based facilities;
 - iv) Kwun Tong Promenade – the 1,000m long promenade had been built. The adjacent water body was an ideal location for water-ski events.
- (f) NSAs had very limited funding support and most of them operated under a budget of four million dollars per year. One of the prime investments was on the provision of facilities and equipment. The existing situation at the Sha Tin Rowing Centre and Shek Mun Rowing, Canoe and Dragon Boat Centre indicated

that there was inadequate space for boat storage, operations and expansion;

- (g) it was necessary to provide fair water without any current for the proposed race course at the KTAC to meet international standards. To achieve this, barrier gates should be provided at the entrance of the KTTS. These gates would be closed for two to three weeks in a year for water sports competitions. For the remaining time, the gates would be open and the KTAC could be used by the local organisations and public. CEDD had agreed that the proposed works were technically feasible;
- (h) photographs of the pontoons, sloping banks, boat houses and the spectator bank of the Toda Tokyo water sports venue of the Japan Olympics, were shown at the meeting to illustrate the facilities required for the water sports centre;
- (i) Kai Tak was a unique readily-built channel which could easily be turned into a major and international water sports venue. The following design directions should be adopted in the Kai Tak Development:
 - i) controlling water movement in the KTAC to facilitate sports competitions;
 - ii) designing waterfront areas to enable interaction between land and water sports facilities;
 - iii) improving the water quality to a standard that would be suitable for water sports activities;
 - iv) designing the open space in the area to include water sports as a theme;
- (j) a conceptual layout for the proposed Kai Tak Water Sports Centre had been prepared. Main supporting facilities to be provided included spectator stand, finished tower, etc. which required an area of about 60,000m² (i.e. 300m x 200m) to be provided near

the finish line of the proposed racing course. The Rowing Association advised that the area should be designed as a water sports arena. The water sports centre would not only be used for holding international competitions, but could be used for local training and public enjoyment;

- (k) Canoe Slalom Course was an important part of international canoeing competitions and would be one of the sports in the Asian Games. A photograph of the Canoe Slalom Course at Penrith White Water Stadium at Sydney was shown at the meeting to illustrate the sports facility. At present, there was no such facility in Hong Kong for training or competition. The facility would be a major feature of the Water Sports Centre;
- (l) it was noted that the location of the pedestrian footbridge was in close proximity to the finish line and would seriously block spectators' view of the finish of races. The elevated walkway should be adjusted slightly so that it would not adversely affect the water sports facilities;
- (m) the Kai Tak OZP should be amended to adopt the following planning and development principles:
 - i) water sports facilities should be an integrated part of Kai Tak Development;
 - ii) waterfront area should be designed to facilitate the use of water for sports and other water-based activities;
 - iii) water sports requirements should be incorporated into the design of open space;

Responses to PlanD's Comments

- (n) PlanD recognized that the proposed water sports uses were in line with the planning vision for Kai Tak. However, no provision had been made in the Kai Tak OZP to take forward the proposal;

- (o) PlanD claimed that there were outstanding technical and land issues. However, the representer had submitted a detailed design brief and the requirements of respective water sports facilities, a conceptual layout plan and expert advice from the relevant stakeholders. CEDD had agreed that the proposal was technically feasible. The water quality problem was an issue yet to be resolved, but it should not be an obstacle in taking forward the proposal. The water quality had been improved in recent years, and more efforts should be made by the Government in achieving a quality that was good enough for water sports. Regarding consultation with the relevant District Councils and other local stakeholders, it should be noted that consultation with various bodies was in progress. According to the minutes of the Wong Tai Sin DC meeting held on 6.9.2011, DC members generally supported the provision of water sports at Kai Tak. It was unreasonable for not taking the water sports proposal on board;

- (p) the Initial Concept plan had set out the spatial requirement, i.e. the water sports facilities and Slalom Course required an area of about 1.5ha and 1.8 ha respectively. It was inappropriate to make reference to the water sports facilities at Shatin. Both the scale and requirements were completely different. PlanD mentioned that case studies illustrated that the temporary structures at the waterfront promenade/area could also facilitate the holding of sports events. However, no information on these case studies had been provided. Continued use of temporary facilities was not suitable. The inclusion of the water sports-related facilities in Metro Park was also for public enjoyment. Expanding the Park for an additional area of 1.5.h to 3 ha could further enhance the effective use of the adjacent waterfront area;

- (q) para 4.9 of the Paper stated that Road D3 which passed through the proposed complex would be built in three years' time. The

construction of Road D3 would completely eliminate the possibility of using the waterfront areas for recreational water sports use. The alignment of Road D3 should be reviewed. The Government should reserve the “G/IC” site for the Water Sports Centre;

- (r) there were policy support and strong planning considerations for incorporating the proposed water sports uses into the OZP at this stage. If the proposal was proved to be technically infeasible at the detailed design stage, further rezoning amendments to the OZP could be made;

Proposed Amendments to the OZP

- (s) R1111 proposed the following amendments:
 - i) rezoning a “G/IC” site to “OU(Water Sports Centre)”;
 - ii) adjusting the alignment of the western-most elevated walkway to align with the finish line in the Initial Concept Plan for the water sports activities;
 - iii) realigning Road D3 away from the waterfront for accommodating the water sports facilities; and
 - iv) reserving an area for a sailing centre in the Metro Park;

Proposed Amendment to the Explanatory Statement (ES)

- (t) it was also proposed that paragraph 7.1.1 of the ES be amended to incorporate the proposed planning intention for water sports development in Kai Tak. The proposed amendments as shown on the Powerpoint presentation were as follows :

‘Sports-oriented – Kai Tak will be a hub for sports and leisure activities. A modern Multi-purpose Stadium Complex (the Stadium) will be its anchor. An aquatic stadium of an international standard will be created along the Kai Tak Approach Channel which will be renamed the Hong Kong International Water Sports Centre. This will accommodate canoeing, dragon boating, rowing and other aquatic sports and events. Elsewhere,

the open spaces, waterfront promenades will be designed to provide facilities for other competitive sports and will optimize the waterfront location where appropriate.

- (u) the supporting water sports facilities would require a total land area of about 4.7 ha including the main complex (boat houses, spectators stand, finishing tower) of 30,000m², a Slalom Course of about 15,000m² and a sailing centre of about 2,500m². The land area involved was relatively small as compared with the Metro Park of 42 ha and the Stadium Complex of 21 ha.

Representation No. 1112 and Comment No. 1 : Designing Hong Kong Limited

19. With the aid of a Powerpoint Presentation, Mr. Paul Zimmerman, the representative of R1112 and C1, made the following main points:

- (a) prior to the gazettal of the draft OZP, public consultation on the proposed amendments should be conducted. PlanD should consult the community to solicit their views on the various issues concerned;
- (b) the amendments in relation to the relocation of the roads away from the waterfront was supported;

[Mr. Eric Hui left the meeting temporarily at this point.]

- (c) there was a lack of commercial uses at the ground level of the “R(C)” sites along the waterfront. The Government should take the initiative to encourage the provision of commercial uses, i.e. shop and services and eating place, at the ground level of the development adjacent to the waterfront promenade. This would enhance the vibrancy and usage of the waterfront promenade. In this regard, it was proposed that the Notes of the “R(C)” zone be amended to permit ‘Shop and Services’ and ‘Eating Place’ uses at the ground level of the development facing the waterfront, or

include the uses as always permitted uses for the zone;

- (d) the '1990 Tseung Kwan O (TKO) Feasibility Study of Opportunity for Further Development' and '2005 Further Development of TKO Feasibility Study' had recommended the use of the waterfront for leisure, recreational and water sport uses. The ES of the TKO OZP also highlighted the provision of a new riverine park and facilities for water sports activities along the Eastern Channel and Junk Bay. Notwithstanding, the waterfront had been fenced off for the provision of promenade and cycle track. No allowance had been made for water access nor water sports activities. The waterfront along Shing Mun River at Sha Tin had similar problems. In order not to repeat the examples of TKO and Sha Tin and allow for a better utilization of the waterfront area, the Government should clearly specify the planning theme of developing water sports use in the Kai Tak OZP;
- (e) the Government should reserve a site for "OU(Marine Support)", with leisure, sports and commercial marine uses and other marine supporting uses as uses always permitted. For the boat club/marina, wet berths, dry berths and land-based support facilities such as security, fuel, car parking, repair yard, etc. should be provided for public use;
- (f) the amount of land reserved for roads should be further reviewed to avoid creating wide segregation corridors. The current transport planning and design led to over-design of roads. The Board should request the relevant government departments to critically review the amount of land required for road use. Members should visit the West Kowloon Culture District which showcased the latest urban design concept;
- (g) to maintain Hong Kong's competitiveness in finance and commerce, there was a critical need to increase the provision of

commercial gross floor area around the MTR station to meet the demand for highly integrated and well connected grade A and prime office space; and

- (h) there was a lack of parking space for trucks and buses in the territory. Part of the Kai Tak area was currently used as a temporary parking area for trucks and buses. With the development of Kai Tak area, an alternative area for parking trucks and buses should be identified.

Representation No. 1113 : Chan Wah Yu

20. Mr. Chan Wah Yu, Nelson, said that he would elaborate on two proposals submitted in his representation :

- (a) it was proposed that an elevated walkway be provided at Kwun Tong Road via Wai Yip Street such that people could reach the waterfront promenade directly. The proposed walkway could also connect with the future pedestrian network in Kowloon Bay. This would enhance pedestrian flow to the business areas in Kowloon Bay and was in line with Government's initiative of 'Energizing Kowloon East'; and
- (b) the subway of the MTR Ngau Tau Kok Station should be extended or converted as underground shopping streets to meet the future development of the area. The proposed pedestrian network should connect Wai Yip Street with the promenade at Kai Tak. To facilitate the future development of Kowloon East, commercial uses should be allowed along the pedestrian network.

Comment No. C5 : Hong Kong, China Rowing Association

21. Mr. Robert Wilson, the representative of C5, made the following main points:

- (a) the proposal to create an international water sports centre at Kai

Tak had been presented to PlanD in January 2006. It had received widespread support within the community. The Chief Executive had also mentioned the provision of water sports at Kai Tak in the 2011-2012 Policy Address;

- (b) rowing and canoeing were Olympic sports and were, therefore, compulsory sports in the programme of the Asian Games. If Hong Kong had no international rowing and canoeing course of international standard, there would not be any opportunity for Hong Kong to host the Asian Games. The facilities required for the Asian Games rowing and canoeing regattas were the same as for the Olympic Games and World championships;
- (c) the proposed water sports centre should be of international standards which complied with the technical criteria laid down by the world governing bodies of rowing, canoeing and dragon boating. The proposed venue could hold international regattas, Asian championships, World championships and Asian Games Regattas;
- (d) there was no government department responsible for developing water sports. PlanD was only concerned with land use planning and the Marine Department was concerned with marine services. These two departments were not responsible for the development of water sports facilities or developing water sports facilities to international standards;
- (e) the technical details required for the water sports facilities had been provided to the PlanD. It was, however, apparent that the department had not taken these requirements into account in planning the Kai Tak area;
- (f) it was stated in the TPB Paper (paragraph 4.7 referred) that the benefits of the proposed water sports facilities at Kai Tak for

promoting sports development at both the elite and community levels were recognised, but no information on the technical requirements had been provided in the Paper;

- (g) it was stated in the TPB Paper (paragraph 4.8 referred) that ‘temporary structures at the waterfront promenade area could facilitate the successful holding of such events’. PlanD had failed to understand the requirements of the water sports events. It was obvious that the temporary structures would not be acceptable for major international events. If the infrastructure for the proposed water sports centre was not carefully planned and integrated into the overall planning of the Kai Tak at the initial planning stage, it was highly unlikely that the development of a facility to international standards could be achieved;
- (h) there was a lack of sports facilities in Hong Kong, particularly within the main urban areas. This was because most sports activities were land-based and land had predominantly been allocated for other uses. Within the main urban areas, the largest area of land allocated for recreation was Victoria Park which was about 19 ha. The planned Metro Park at Kai Tak was about 24 ha. The proposed water sports centre could help to make better use of the adjacent water bodies which amounted to 88 ha for recreational purposes. It could provide recreational opportunities for the community; and
- (i) PlanD’s comment that it was premature to incorporate the proposed water sports uses into the OZP and there should be sufficient time to work out a comprehensive plan was not correct. It would be too late and the opportunity to create a world-class facility at Kai Tak would have been lost. The proposed water sports centre was of high priority and should therefore be incorporated into the OZP at this stage.

[Mr. B.W. Chan and Mr. Eric Hui returned to join the meeting at this point.]

22. Mr. Michael Tanner, the representative of C5, made the following main points:

- (a) he had considerable background and experience in international rowing courses and events. He had been involved in different capacities with the World Rowing Championships, Olympic Games and Asian Games for the past 20 years. The courses for rowing were also widely used for canoeing and dragon boating, as the requirements for the concerned water sports were very similar and highly compatible. The venues also supported a range of other activities;
- (b) the KTAC presented a unique opportunity to utilise an existing body of water to provide both a high quality international training and competition venue for the sports concerned and a community sports facility for the general public of Hong Kong;
- (c) in many countries, the provision of such a water sports facility would require the artificial creation of a water course, e.g , Shunyi Course for the Beijing Olympic Games and Dorney Course to be used for London Olympics. Kai Tak had the potential to provide a course of international standard, certainly suitable for hosting of the Asian Games, for a relatively small cost because the water course had already existed;
- (d) the harbour backdrop for the venue was of immense value in hosting and promotion of major international events;
- (e) with regard to the potential of Hong Kong to host the Asian Games, the Olympic Council of Asia had decided that from the 2019 Asian Games onwards, all Olympic Sports would be mandatory for the Asian Games. Rowing and canoe/kayak had to be included in any future bid by Hong Kong to host these Games. Hong Kong at

present had no facility which could meet the required standards for the international sports events. The Shing Mun River was marginally acceptable for the East Asian Games rowing events, but was significantly below the required standard for Asian Games and for World Championships. Kai Tak provided the best opportunity to develop such a course;

- (f) the organisation of international events such as Asian Games or World Championships required permanent water sports facilities plus additional land area to support the events. The relevant water sports organisations required permanent facilities for development. PlanD proposed use of temporary facilities was unrealistic. Such an approach would downgrade the venue to the extent that it would not meet the accepted international standards. It could not properly serve the local community sports needs;
- (g) it was technically feasible to improve the water quality of KTAC. It should be the objective of the Government to improve the water quality to a level to make it suitable for water sports activities; and

[Ms. Anita W.T. Ma and Mr. Clarence W.C. Leung left the meeting at this point.]

- (h) it was a unique opportunity to provide a sports venue of immense value to Hong Kong and its community.

C4 : Asian Australasian & Oceanian Confederation Incorporating the Asian Waterski & Wakeboard Federation

C7 : Hong Kong Waterski Association

23. Mr. Christopher Howarth, the representative of C4 and C7, made the following main points:

- (a) the mission of the Hong Kong Water Ski Association Limited (HKWSA) was to promote a healthy lifestyle through the sports of waterskiing and wakeboarding both locally and regionally. Its origin, the Hong Kong Motor Boat and Waterski Club, was

established in the 1950s ;

- (b) the International Waterski & Wakeboard Federation Ltd. was the global governing body for the sports of waterskiing and wakeboarding. It was also responsible for staging various international events. There were 95 National Federations with 30 million active participants;
- (c) waterskiing at championship level required a stretch of water measuring at least around 400m x 100m whereas wakeboarding required a smaller water area of about 200m x 100m. The required investment was not higher than many other types of sports;
- (d) Kai Tak had great potential for developing cable waterski and wakeboarding. The water cableway had various advantages, such as no environmental pollution, high participation and spectator appeal, low energy cost, etc. It could allow multi-purpose uses of the water areas;
- (e) the information on the history and details of cableway skiing was presented for Members' information. A cable park would provide fun, sports and recreation for individuals, groups and families;
- (f) cableway skiing was popular. The total number of cable skiers and cable riders was about 400,000 worldwide. Official national and championships were arranged in 25 countries each year. International rowing sites could also be used for waterski and wakeboard activities, such as the Penrith in Sydney, Idroscalo, Milan Rowing Centre, etc.;
- (g) a cable park was proposed at the Kwun Tong Promenade. It only required small land area to provide land-based supporting facilities. Inclusion of a cable park would support the planning vision for Kai Tak 'to develop it into a Heritage, Green, Sports and Tourism Hub'

and would help to 'Energize Kowloon East'.

24. Mr. Andrew Cheung, the representative of C7, stated that there was a lack of water sports competition and training grounds in Hong Kong. He supported the provision of a Water Sport Centre at Kai Tak as this would facilitate the development of waterski in Hong Kong. Waterskiing and wakeboarding were spectator sports. Some of the cable parks in Asian and European Countries, such as Singapore, Taiwan and Thailand, had become major tourist attractions. There had been on-going discussion with the Tourism Board on the provision of a cable park in Hong Kong.

[Miss Annie Tam and Dr. W.K. Lo arrived to join the meeting at this point.]

Comment No. 8 : Hong Kong Triathlon Association

25. Ms. Angela Wong, the representative of C8, made the following main points:

- (a) triathlon was a multi-sport event involving swimming, cycling and running. The details of the sport event were shown at the meeting to illustrate the required facilities, including a pontoon start or deep water start for the swimming part, transition areas for swim/bike/run components, racing and cycling on loops, etc.;
- (b) there was an increasing number of people participating in the sports of triathlon. The number of members of the Triathlon Hong Kong (Tri HK) increased from 700 in 2002 to 2280 in 2011. The affiliated clubs also increased from 23 in 2007 to 30 in 2011. The total number of entries in triathlon increased rapidly from 5550 in 2007 to 7750 in 2011. However, the increase slowed down in the last three years due to the limit of space available;
- (c) Hong Kong Triathlon Association (Tri HK) encountered great difficulty in identifying suitable race venues and permanent race sites. All races organized by Tri HK were full quickly and no

expansion was allowed due to the limited space available. There was no suitable permanent race course for international events or the Asian Games. The existing race course at the Hong Kong Disneyland Resort Area would not be available when the area was developed for hotel;

- (d) the International Triathlon Union (ITU) expected that the international Triathlon event could be held in the city, so as to promote not just the sport of triathlon, but also the host city. If an international standard triathlon race course could be provided at Kai Tak, there was a high possibility that the ITU World Triathlon Championships Series would be held in Hong Kong. The triathlon race would also help attract tourists to Hong Kong;
- (e) triathlon race course, if provided at Kai Tak, would be used for both training and competition events. The facilities would also be suitable for other water sports activities. Triathlon could co-exist with other water sports activities.

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

Comment No. 41 : Frankie Mak

26. With the aid of a Powerpoint Presentation, Mr. Frankie Mak made the following main points:

- (a) there were 160 cable watersports parks in 35 countries. The size of a cable park was similar to a football court. The system allowed players to enjoy towed watersports without a boat. It supported wakeboarding, wakeskating, waterskiing, keenboarding, etc. The sport was suitable for all age groups;
- (b) the cable system was driven by electric motor which was silent. The cable water sports parks would not have any adverse environmental impacts; and

- (c) towed watersports was a one-billion dollar industry in the US. 3.2% of the total US population enjoyed towed watersports. In 2007, wakeboarding was rated one of the fastest growing sports in the US; and
- (d) there were cable water sports parks in various countries, such as Singapore. Apart from being a sports facility, the cable water sports park was also a tourist attraction bringing vibrancy and revenue to the concerned country.

27. Mr. Donald Lee, the representative of C7, said that land was a scarce resource in Hong Kong and there was keen competition amongst different stakeholders for the limited land in Kai Take area. It might not be reasonable to request the Board to reserve land for respective sports associations for setting up their club house or race courses. However, it was important that a suitable site with supporting facilities (e.g. access and ramp) should be reserved at the waterfront for the future development of water sports use in the area. The site could also be used for holding temporary outdoor events or sports activities.

28. As the presentations from the representers and the representatives of the representers and commenters had been completed, the Chairman invited questions from Members.

29. A Member noted that there had been on-going discussions between the relevant government departments and the representers/commenters on the proposed water sports centre as stated in paragraph 4.6 of the Paper. This Member asked whether policy support had been given by HAB on the proposal and the latest stage of development of the proposal.

30. Mr. Eric Yue, DPO/K, replied that HAB was in support of the provision of water sports facilities at both the elite and community levels. The representer's proposal was still at a preliminary stage and there were yet a number of outstanding issues, in particular the water quality issue, which needed to be resolved before the proposal could be taken forward. Besides, there was also a need to strike a balance

between different facilities proposed at the Kai Tak area, in particular, some proposed water sports uses would encroach upon the Metro Park. Careful consideration would be required as to how best to balance the interests of the users of different facilities, or to make adjustments to those facilities so that they might serve different users as far as possible. As such, HAB advised that they needed time to further examine the various issues and it was premature to offer specific comments on the proposal at this stage. However, HAB would continue its discussion with the relevant stakeholders on the subject.

31. Mr. Ian Brownlee said that the representers/commenters had on-going discussions with HAB on the proposal. HAB indicated support to the proposal and advised the representers/commenters to prepare the concept plan with further details on the proposed water sports facilities for consideration. The proposed water sports centre would require a site area of about 3 ha which only occupied part of the concerned "G/IC" site.

32. Noting that the water quality of Victoria Harbour had been improved over the years, the same Member asked whether the water quality in the KTAC and KTTS could be suitable for the proposed water sports activities in the next three to four years. If the water bodies around Kai Tak were eventually found suitable for water sports activities, the Member asked whether there was provision under the current "G/IC" zoning to allow the development of the proposed water sports centre. The Member also noted that PlanD had made reference to the boat houses, multi-use area and boat storage area at Sha Tin, which occupied an area of about 2500m², in coming with a view that there was sufficient space for such purpose at Kai Tak. The Member opined that the water sports facilities at Sha Tin might not be comparable with the proposed water sports centre at Kai Tak which was to be of international standard.

33. Mr. Eric Yue, DPO/K said that in-situ bioremediation works had been undertaken to treat the sediment at the KTAC and KTTS to improve the water quality. The treatment work was targeted for completion by 2014. The Chairman asked whether, upon the completion of the treatment work by 2014, the water around Kai Tak would be suitable for the kinds of water sports activities mentioned by the

representers and commenters. Mr. Anthony Lo clarified that the bioremediation treatment work was one of the mitigation measures to address the existing odour problem and other environmental issues. According to monitoring data, while the general water quality in the area had been improving, it still failed to meet the standard required for secondary contacts associated with the water sports use.

34. Mr. Eric Yue, DPO/K said that according to the Notes for the “G/IC” zone, ‘Place of Recreation, Sports or Culture’ was an always permitted use while ‘Private Club’ might be permitted by the Board upon application. This provision had already allowed flexibility to accommodate the water sports centre development within the “G/IC” zone. For a private water sports centre, it would be more appropriate to designate the site with a specific zoning to better reflect the planning intention. However, not until the type, land requirements and technical feasibility of the water sports uses in Kai Tak had been assessed and ascertained, it was considered premature to amend the OZP at this stage. Regarding the land requirement, there was no specific requirement for water sports centre stipulated in the Hong Kong Planning Standards and Guidelines. Based on the case study undertaken by CEDD’s consultants, the water sports facilities at Sha Tin Rowing Centre occupied an area of about 2,500m². In this regard, there should be strong justification for rezoning the “G/IC” site in the South Apron, which covered an area of 2.3 ha, to “OU(Water Sports Centre)” as proposed by the representer.

35. Mr. Robert Wilson stated that when the Rowing Association started to use the Shing Mun River for rowing in 1982, the river was heavily polluted with sludge, human waste, sewage discharge and pollutants from pig farms and chicken farms. Over the years, the water quality had been greatly improved and they had opened another boat house at the other side of the river. The Shing Mun River, which was 4 km long and 200m wide, was larger than the KTAC. It was confident that the Government could clean up the KTAC. Mr. Ian Brownlee quoted another example that the water quality of Kai Tak Nullah had been greatly enhanced upon the completion of the improvement and upgrading works undertaken. The nullah was now renamed as Kai Tak River and used for amenity purpose. Continual efforts to improve the water quality would be adopted for Kai Tak Approach Channel. It was noted that there was plan to relocate the Sha Tin Sewage Treatment Plant to cavern.

If the Government took the opportunity to upgrade the level of treatment of the sewage treatment plant, the discharge from the plant to the Kai Tak Channel would be further enhanced. Besides, the proposed water sports activities did not require very high standard of water quality.

36. Another Member asked whether the water around Kai Tak would be suitable for water-skiing and swimming which required direct contacts with the water. Mr. Anthony Lo replied that the water quality requirement for direct contacts was much more stringent than secondary contacts. In this regard, Mr. Ian Brownlee said that the KTAC would be mainly used for water sports activities that involved secondary contacts. For swimming and water-skiing, these activities would be carried out at the water immediately off the runway park. Cross-harbour swim held this year proved that the water quality was acceptable for swimming.

37. A Member asked the representers/commenters whether the proposed water sports centre would be used as a training ground to be shared amongst the respective water sports associations or as a venue for competition. Mr. Ian Brownlee said that as set out in the Initial Concept Plan, water sports facilities would be provided to serve up to 20 club houses. The proposed boat house would be of 2 storeys. The upper level would provide supporting facilities such as changing rooms, meeting rooms, etc, whereas the ground floor would be used for storage of boats. The KTAC would be used for training as well as a venue for international competitions. Similar to the case of Shing Mun River, there would be co-ordination amongst different sports associations on the shared use of the proposed water sports facilities. Ms. Angela Wong said that currently, there was co-ordination amongst sports associations on the usage of sports venues. To facilitate the development of triathlon, it was important to have a permanent venue for sports events. If the site was suitable for international events, it should also be suitable for training. Due to the need to have sufficient space for providing the supporting facilities, it was essential to include the proposal in the planning of Kai Tak. Mr. Michael Tanner said that the Rowing Association and other NSAs were working on establishing a Water Sports Council to represent the water sports associations in taking forward the proposal as well as the management of the proposed water sports centre. There was already preliminary discussion with HAB on setting up the Council. Mr. Christopher Howarth said that there was no suitable

site for international water-skiing events. It was opportune to include the proposed water sports facilities in the planning of Kai Tai Development. The Water-Ski Association supported the co-ordinated approach and was willing to be part of the Water Sports Council.

38. A Member enquired whether there was any programme for setting up the Water Sports Council. Mr. Michael Tanner replied that the Rowing Association and other NSAs had agreed a draft memorandum for setting up the Council. It would be submitted to the Company Registry for forming the Council. Mr. Tanner remarked that the Council could play a co-ordination role in taking forward the proposed water sports facilities and provide the eventual management of the water sports centre.

39. A Member noted PlanD's response at paragraph 4.15 of the Paper that the proposed relocation of Road D3 would sever the Metro Park into two parts. This Member enquired whether it was feasible to submerge or semi-submerge the relevant section of the road. Mr. Anthony Lo said that according to the EIA report for the Kai Tak Development, various mitigation measures had been formulated to alleviate the environmental impacts including the odour problem associated with the KTAC. One of the measures identified was to have a 600m wide opening at the northern section of the Runway under the Metro Park to improve the water circulation in KTAC. CEDD had committed to review the need of the opening in the light of the efforts made in cutting down the pollution and the bioremediation treatment undertaken at the area. Subject to the final review of the environmental impacts, it was premature to accede to the proposal. Mr. Ian Brownlee said that there had been long discussions with CEDD on the issue. The opening would create current in the Channel and would have adverse effect on water sports events. CEDD should be required to examine the technical feasibility of relocating the Road D3 from the waterfront and review the situation before a final decision could be made. Mr. Michael Tanner said that water sports activities required still water. The proposed opening of 600m would affect the suitability of Kai Tak for water sports activities, in particular for holding international water sports events.

40. Mr. Ian Brownlee said that apart from the transport plan, urban design plan, landscape plan, etc., a 'plan for sports' should be prepared for Kai Tak Development.

In view of planning vision of Kai Tak to develop it into a ‘Heritage, Green, Sports and Tourism Hub of Hong Kong’, it was important to have an overall master plan setting out the different uses in the area, such as road, open space, water sports facilities. This should be taken up at the detailed stage of development.

41. As Members had no further question to raise, the Chairman said that the hearing procedures had been completed and the Board would deliberate on the representations in the absence of the representers and commenters. They would be informed of the Board’s decision in due course. The Chairman thanked the representers, commenters and their representers as well as the representatives from PlanD and CEDD for attending the hearing. They all left the meeting at this point.

[The meeting was adjourned for a 5-minute break.]

Deliberation Session

42. The Chairman said that the proposed water sports uses were in line with the planning vision of Kai Tai and the water sports centre as proposed by the representers and commenters was currently zoned “G/IC” use. There was flexibility under the “G/IC” zoning to accommodate the water sports centre development. Most of the comments raised by the representers on the need of permanent water sports venues for training and competition, the co-ordination on the usage of water sports facilities and the establishment of a Water Sports Council were mainly management issues.

43. A Member said that the benefits of providing water sports facilities at Kai Tak were noted. However, there were still a number of technical issues, in particular the water quality problem, which had not yet been resolved. There was insufficient justification to rezone the concerned site under a specific zoning for water sports centre at this stage. Another Member pointed out that the representers and commenters were mostly representatives of water sports associations and had expressed their comments and requirements from the water sports perspective. However, the Board also needed to take into consideration other public aspirations, in particular those of the local community, on the provision and use of the waterfront promenade and the Metro Park in Kai Tak. Provision of water sports facilities

might constrain the future uses of the waterfront promenade for public enjoyment. As some outstanding planning and technical issues including the interface with the waterfront promenade had not yet been resolved, the rezoning of the “G/IC” site to “OU” annotated “Water Sports Centre” as proposed by the representers and commenters was not supported.

44. Another Member had a different view. The Member considered that the water bodies along the waterfront could be planned for multiple uses. Hong Kong was an international city and the holding of international sports events such as the ‘Rugby Seven’ could become a tourist attraction. In the case of Tai Mei Tuk waterfront promenade, the provision of a water sports centre at the end of the waterfront area did not have any impacts on the public usage of the promenade. It might be beneficial to set out clearly the planning theme of developing water sports facilities in Kai Tak.

45. Mr. Benny Wong, DD, EPD, said that water quality of Victoria Harbour had been improved since the last decade. Further improvement was anticipated after the completion of the Harbour Area Treatment Scheme Stage 2A in 2014. However, it should be noted that the KTAC was land-locked on three sides. The only opening at the KTTS was blocked by two breakwaters. As such, the tidal exchange in the KTAC was very limited. According to the EIA report prepared for the Kai Tak Development, a 600m wide opening was proposed at the Runway to enhance water circulation and flushing effect so as to improve the water quality. Although the 600m opening could improve the water quality, it would create current and not beneficial for water sports activities. CEDD had undertaken to monitor the water quality after the completion of the bioremediation works and review the need for such opening. The current water quality standard (bacteria) for ‘Secondary Contact Recreational Zone’ was 610 cfu/100ml (as an annual average). For comparison purpose, he cited the case of Shing Mun River where the Government had spent almost 20 years to improve the water quality to the existing level, but was still unable to meet the above standard on a consistent basis. Members would need to balance the competing needs and aspirations of the community on the Kai Tak Development. A Member considered that as it was still uncertain to confirm when the water quality could be improved to a level suitable for water sports activities and

whether a 600m opening at the former runway was needed, it was not appropriate to rezone the site from “G/IC” to “OU(Water Sports Centre)” at this stage.

46. A Member said that the future use of the KTAC was still subject to a number of outstanding issues such as the water quality problem and the need of a 600m opening at the northern section of the runway, etc. The proposed water sports centre might be possible subject to detailed technical assessments. In view of this, it was more appropriate to feature the planning intention in the ES instead of rezoning the site to a specific zoning as proposed by the representers. Another Member shared this view and said that both the location and unique characteristic of the KTAC offered the opportunity to accommodate water sports uses. There was also wide public support on water sports use in Kai Tak area. However, the water quality problem was a significant issue that needed to be addressed before the proposal could be materialized. In view of the uncertainty, it was not practical to rezone the site at this stage. The current “G/IC” zoning was considered appropriate. This Member said that it might be appropriate to revise the ES to reflect the long-term intention of using the waterfront for water sports use.

47. A Member said that the water quality problems of Shing Mun River, Kai Tak River and KTAC were different. Mr. Benny Wong said that since 1987, the Government had implemented a number of measures to improve the water quality of the Shing Mun River including removal of pollution sources. Moreover, the tidal exchange of the Shing Mun River channel was much stronger and was able to remove any remaining pollution more easily. Regarding the Kai Tak River, apart from the storm water, the main flow was the treated effluent from the Tai Po and Shatin Sewage Treatment Plants. These treatment plants were designed and operated to the secondary treatment level and the effluent was up to standard. Coupled with the continual efforts to remove pollution sources upstream of the Kai Tak River, the water quality of Kai Tak River had been greatly enhanced. The situation of the KTAC was different. There were still pollution sources around KTAC yet to be tackled. The KTAC was lined with heavily polluted sediment resulted from industrial discharges in the past. With the limited tidal exchange in KTAC, the water quality problem was a major challenge and various mitigation measures were being undertaken by CEDD to tackle the problem.

48. Regarding the proposed relocation of Road D3 from the waterfront, Members noted that it would sever the Metro Park into two parts. However, two Members opined that the proposed relocation/submerging of the Road D3 could allow a better use of the waterfront area. According to CEDD, it might not be feasible to submerge or semi-submerge the Metro Park section of the road as there might be a need to provide a 600m opening under the Metro Park. These two Members suggested that the relevant government departments should be encouraged to further look into the technical feasibility of the proposal. Other Members agreed.

49. After deliberation, the Chairman concluded Members' views that the proposed water sports uses were in line with the planning vision of Kai Tak, but that it was premature and inappropriate to incorporate the proposal into the plan and Notes of the OZP pending future investigation into a number of planning/technical issues including the types of water sports uses, their location/land requirements, water quality problem, and consultation with relevant DCs and stakeholders etc. Members agreed that the relevant part of the ES of the OZP relating to the planning theme of Tai Kai Area could be amended to set out that subject to resolving further technical and operation issues in particular water quality, there would be an opportunity to accommodate a variety of water sports/recreational activities in the KTAC and the adjoining water bodies to further strengthen the role of Kai Tak as a hub for sports and leisure activities. The type and spatial requirements of the water sports/recreational uses and their land-based facilities as well as the interface with the waterfront promenade could be further explored.

50. The Chairman also concluded Members' views that with the efforts of relocating roads away from the waterfront, the overall land area reserved for road use for the Kai Tak Development had been reduced from 72 ha to 70 ha. Further reduction of the road area was not practicable. The Notes of the "R(C)" zone already had the provision for 'Shop and Services' and 'Eating Place' uses through the planning application mechanism. Regarding the proposal to increase the commercial GFA around MTR station, it was noted that the proposed Shatin-to-Central Link Kai Tak Station with retail facilities located in the middle of the Station Square was a special feature in the Kai Tak Planning Review. In the

planning of the Kai Tak Development, care had already been exercised to maintain a critical mass for the provision of Grade A office to sustain Kai Tak as a future commercial hub of Hong Kong. The proposed land use amendments would maintain the planned provision of commercial/office GFA in the Kai Tak City Centre to sustain Kai Tak as a future commercial hub in Hong Kong. The intention of the proposed elevated walkway at Kai Hing Road was to facilitate pedestrian crossing over Hoi Bun Road to the South Apron. After landing on the Kai Hing Road, pedestrians could continue to reach various destinations at the waterfront through the open setting of the landscaped waterfront promenade. Further extension of the elevated walkway was considered not necessary. As for the various proposed pedestrian connections linking the inner areas of Kwun Tong to Hoi Bun Road park and the harbourfront areas which fell largely outside the area of Kai Tak OZP, a number of at-grade crossings from Kwun Tong waterfront promenade over Hoi Bun Road would be enhanced for more convenient connections between the waterfront and the inner area of Kwun Tong.

51. Members then went through the suggested reasons for not upholding the representations as detailed in paragraph 6.2 of the Paper and agreed that they should be suitably amended to reflect Members' views as expressed at the meeting.

Representations No. 35 to 40 and 1109(part)

52. After further deliberation, the Board noted the support and comments of R35 to R40 and R1109(part) and decided to advise the representers of R35, R36, R37, R38, R40, R1109(part) of the following:

- (a) the proposed pedestrian connections linking the inner areas of Kwun Tong to Hoi Bun Road Park and the harbourfront areas fell largely outside the area covered by Kai Tak Outline Zoning Plan (OZP). As indicated in Figure 5 of the Explanatory Statement of the OZP, a number of at-grade crossings from Kwun Tong waterfront promenade over Hoi Bun Road would be enhanced for more convenient connections between the waterfront and the inner area of Kwun Tong (R35, R36, R37, R38, R40,

R1109(part)); and

- (b) the intention of the elevated walkway was to facilitate pedestrian crossing over Hoi Bun Road to the South Apron. After landing on the Kai Hing Road, pedestrian could continue to reach various destinations at the waterfront through the open setting of the landscaped waterfront promenade. Further extension of the elevated walkway after crossing Hoi Bun Road was therefore not necessary (*R36, R37, R38*).

Representation No. 1111

53. After further deliberation, the Board noted the support of R1111 and decided to partially uphold part of the representation of R1111 by amending the Explanatory Statement of the draft Kai Tak Outline Zoning Plan (OZP) to reflect that there was an opportunity to accommodate a variety of water sports/recreational uses in the context of the sports-oriented planning theme of Kai Tak subject to resolving the technical and operation issues, in particular the water quality issue in the water bodies adjoining Kai Tak. The type and spatial requirements of the water sports/recreational uses and their land based facilities as well as the interface with the waterfront promenade would be further explored.

54. The Board also decided not to uphold the remaining part of the representation of R1111 for the following reasons:

- (a) while the proposed water sports uses in Kai Tak Approach Channel and Kwun Tong Typhoon Shelter were in line with the planning vision of Kai Tak, it was premature to amend the plan and Notes of the OZP to incorporate the proposal at this stage as future investigation into a number of planning/technical issues including the type of water sports uses, location/land requirements and water quality was required, and relevant District Councils and stakeholders etc. needed to be consulted; and
- (b) with the efforts of relocating roads away from the waterfront, the

overall land area reserved for road use for the Kai Tak Development had been reduced from 72 ha to 70 ha. Further reduction of the road area was not practicable.

Representation No. 1112

55. After further deliberation, the Board noted the support of R1112 and decided not to uphold the remaining part of the representation of R1112 for the following reasons:

- (a) while the proposed water sports uses in Kai Tak Approach Channel and Kwun Tong Typhoon Shelter were in line with the planning vision of Kai Tak, it was premature to amend the plan and Notes of the Outline Zoning Plan to incorporate the proposal at this stage as future investigation into a number of planning/technical issues including type of water sports uses, location/land requirements and water quality was required, and relevant District Councils and stakeholders etc. needed to be consulted;
- (b) with the efforts of relocating roads away from the waterfront, the overall land area reserved for road use for the Kai Tak Development had been reduced from 72 ha to 70 ha. Further reduction of the road area was not practicable;
- (c) the Notes of the “Residential (Group C)” zone already had the provision for ‘Shop and Services’ and ‘Eating Place’ uses through the planning application mechanism; and
- (d) the proposed land use amendments would maintain the planned provision of commercial/office gross floor area in the Kai Tak City Centre to sustain Kai Tak as a future commercial hub in Hong Kong.

Representations No. R1113 and 1114

56. After further deliberation, the Board noted the support of R1113 and R1114 and decided not to uphold the remaining parts of the representations of R1113 and R1114 for the following reasons:

- (a) the present alignment of the walkway was in fact an extension of the existing footbridge system in Kowloon Bay, which could provide the most direct link to the South Apron. The proposed relocation of the walkway southwards to Shun Yip Street would require pedestrians to walk a longer distance before crossing over Hoi Bun Road. Hence, from the angle of pedestrian connectivity, it was considered less effective; and
- (b) the proposed pedestrian connections linking the inner areas of Kwun Tong to Hoi Bun Road Park and the harbourfront areas fell largely outside the area covered by Kai Tak Outline Zoning Plan (OZP). As indicated in Figure 5 of the Explanatory Statement of the OZP, a number of at-grade crossings from Kwun Tong waterfront promenade over Hoi Bun Road would be enhanced for more convenient connections between the waterfront and the inner area of Kwun Tong.

[The meeting was adjourned at 1:00 p.m. for a lunch break of 30 minutes.]

[Ms. Pansy L.P. Lau, Mr. Fletch Chan, Mr. Raymond Y.M. Chan, Mr. Walter K.L. Chan, Professor P.P. Ho left the meeting at this point whilst Miss Annie Tam left the meeting temporarily at this point.]

Group 1 (Representations No. R1 to R34, R41 to R302, R304 to R1109(part), R1110 and R1115 to R1117 and C1(part) and C2)

(TPB Paper No. 9014)

[The meeting was conducted in Cantonese and English.]

57. The Secretary said that Democratic Alliance for the Betterment and Progress of Hong Kong (DAB) (R1109) had submitted a representation on the draft Kai Tak OZP No. S/K22/3. Ms. Maggie M.K. Chan and Mr. Felix Fong, being members of the DAB, had declared their interests in this item. Members noted that both Ms. Chan and Mr. Fong had tendered their apologies for not being able to attend the meeting.

58. As sufficient notice had been given to invite the representers and commenters to attend the hearing, Members agreed to proceed with the hearing of representations in the absence of those representers who had indicated that they would not attend or did not reply to the invitation to this meeting.

59. The following representatives from the government departments, representers and their representatives, and commenters were invited to the meeting at this point:

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| Mr. Eric Yue | - District Planning Officer/Kowloon (DPO/K), Planning Department (PlanD) |
| Mr. Anthony Lo | - Chief Engineer/Kowloon, Civil Engineering and Development Department (CEDD) |
| Mr. Stephen Chan | - Senior Town Planner/Kowloon, PlanD |
| Ms. Karen Wong | - Town Planner/Kowloon, PlanD |

Representation Team of the Latitude (Authorized by 893 Representers)

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| Mr. Chan Ki Tak | - Representations No. 100 and 209 |
| Ms. Chan Sau Kwan | - Representation No. 648 |
| Ms. Chan Sau Lin | - Representation No. 52 |
| Mr. Cheung Tin Fat | - Representations No. 93 and 142 |

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|----------------------------|------------------------------------|
| Mr. Fabio Brassesco | - Representations No. 986 and 1104 |
| Ms. Paula Parodi | - Representations No. 987 and 1104 |
| Mr. Lai Cheuk Yung | - Representation No. 41 |
| Mr. Lam Chi Leung | - Representation No. 85 |
| Mr. Lam Him Shing Harry | - Representation No. 109 |
| Ms. Lam Lik Kwan | - Representation No. 88 |
| Ms. Lau Shui Sun Catherine | - Representative of R1104 |
| Mr. Lee Kin Wah Augustine | - Representation No. 960 |
| Ms. Lee Wing Yee Winnie | - Representations No. 97 and 103 |
| Mr. Ng Wai Ki | - Representation No. 241 |
| Mr. Wong Wai Chi | - Representation No. 207 |
| Ms. Lung Yuk Ying | - Representative of R67 |
| Ms. Lau Sin Ying | - Representation No. 72 |
| Mr. Wong Wai Ming | - Representative of R72 |
| Ms. Chan Ka Yan Daniel | - Representations No. 95 and 652 |
| Ms. Lin Tze Yin | - Representative of R265 |
| Ms. Wong Hung Fa | - Representation No. 668 |
| Ms. Hui Tuen Nin Toni | - Representative of R965 |
| Ms. Tsui Siu Ning | - Representation No. 1023 |
| Ms. Chan Lai Shan | - Representation No. 1043 |

R61 : Lee Tak Hong (President of the East Kowloon District Residents' Committee

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|---------------------------|---------------------------------|
| Mr. Lee Tak Hong |] Representer |
| Ms. Chan Yuen Han |] |
| Professor Chang Ping Hung |] Representer's representatives |
| Mr. Lau Wing Tim |] |

R1109 : DAB

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| Mr. Chan Pak Li, Bernard | - Representer's representative |
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R1115 : Wat Ki On, New People's Party

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| Mr. Wat Ki On | - Representer |
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60. The Chairman extended a welcome and explained the procedures of the hearing. He then invited STP/K to brief Members on the representations.

61. Members noted that replacement pages for pages 19, 20, 23, 24, 29, and 30 of the Main Paper, page 28 of Annex V, Plan R/S/K22/3-A1, pages 8, 12, 13 and 14, Figures 1 to 3 of Annex VI-C of the TPB Paper No. 9014, and pages 25 to 34, 37 and 38 of the Main Paper, page 35 of Annex V, Plan R/S/K22/3-A1, pages 10, 14 and 15, Figures 1 to 3 of Annex VI-C of the Chinese version of the TPB Paper No. 9014 had been tabled at the meeting. With the aid of a Powerpoint presentation, Mr Stephen Chan made the following main points as detailed in the Paper:

- (a) on 26.8.2011, the draft Kai Tak Outline Zoning Plan No. S/K22/3 (the OZP), incorporating amendments arising from the in-situ preservation of the Lung Tsun Stone Bridge Remnants (Bridge Remnants), the relocation of roads away from the waterfront of the Runway and South Apron, the realignment of the underground shopping streets (USSs), the urban design enhancement proposals and the latest development proposals, was exhibited under section 5 of the Town Planning Ordinance (the Ordinance);
- (b) during the two-month exhibition period, a total of 1,117 representations were received. On 18.11.2011, the representations were published for three weeks for public comments. A total of 159 comments were received. Subsequently, one representer (R303) wrote to the Town Planning Board (the Board) indicating that he did not submit the representation;
- (c) on 13.1.2012, the Board decided to hear the representations and the related comments in two groups. Group 1, including 1106 representations and two related comments, was related to the amendment items in the North Apron of Kai Tak Development. All representations, except R1110, R1115 and R1116 were

related to the proposed development of the twin-towers at “Comprehensive Development Area (1) (“CDA”(1))” and “CDA(2)” sites along the Kai Tak River. Group 2, including 11 representations and 158 comments, was in respect of the proposed amendments in the South Apron and the Runway of Kai Tak Development;

Public Consultation

- (d) prior to the gazettal of draft Kai Tak OZP No. S/K22/3, public consultation on the proposed amendments was carried out. Public consultation on urban design enhancement proposals, including the relocation of roads away from the waterfront and the realignment/addition of the elevated walkways between South Apron and Kowloon Bay had been carried out from May to July 2011. The urban design enhancement proposals were presented to the Wong Tai Sin District Council (DC), the Kowloon City DC, the Kwun Tong DC, Antiquities Advisory Board (AAB), Harbourfront Commission (HC) and the Board;

- (e) after the publication of the draft Kai Tak OZP No. S/K22/3 on 26.8.2011, the proposed amendments were presented to the Wong Tai Sin DC and Kwun Tong DC and HC. The consultation paper was circulated to Kowloon City DC which had no comments on the proposed amendments. On 16.11.2011 and 25.11.2011, meetings were held with a group of representers who mainly reiterated their views on the twin-tower concept in the Kai Tak City Centre stated in their submissions. Kwun Tong DC’s concern was mainly on the implementation of the Environmentally Friendly Transport System (EFTS). The views expressed at the meetings with Wong Tai Sin DC and HC and PlanD’s responses were summarized in paragraph 2.7 of the Paper;

Representations

- (f) among the 1,106 representations under Group 1, 1104 representations (R1 to R34, R41 to R302, R304 to R1109(part) and R1117) were related mainly to the twin-tower concept at “CDA(1)” and “CDA(2)” sites near Kai Tak City Centre. R1110 was related to the amendments of the plot ratios (PRs) at “CDA(1)”, “CDA(2)” sites and “Other Specified Uses” (“OU”) annotated “(Mixed Use)(2)” and “OU(Mixed Use)(3)” zones as well as the incorporation of the non-building areas (NBAs). R1116 was related to the USSs and the level of details in the whole plan. R1115 provided comments on the building height (BH) and land use of the area from the Rhythm Garden to the waterfront;
- (g) the majority of the representations (1,096 in total) were submitted by individual owners/residents/occupiers of the Latitude. Seven representations were submitted by local stakeholders/concern groups from Wong Tai Sin District Affairs Advisory Committee, East Kowloon District Residents’ Committee and Tung Tau Residents’ Estate Association, Hong Yip Services Company Limited, Concern Group on the Latitude, Owners Committee of the Latitude and New People’s Party (Rhythm Garden District) respectively. R1109 was submitted by DAB. R1116 and R1110 were submitted by the general public;

Grounds of the Representations and Representers’s Proposals

Preservation of Bridge Remnants

Supportive Representations

- (h) R94 and R1110 supported preservation of the Bridge Remnants. R1109 supported the principle and direction of preservation, the planning control on the layout plan of the surrounding sites and the reservation of a site for culture and arts use;

Adverse Representations

- (i) R1109 opposed the overall preservation scheme and the location of the site for the arts and performance related uses on the following grounds :
 - i) 30m wide preservation corridor was too narrow;
 - ii) the “O” zoning was not the best means for preservation; and
 - iii) the arts and cultural facilities should be closely integrated with the Preservation Corridor for the Bridge Remnants to achieve synergy effect and enhance the overall attractiveness;
- (j) R1109 proposed to :
 - i) include the “CDA(3)” zone into the preservation area for Bridge remnants;
 - ii) designate the preservation area as “OU(Preservation for Lung Tsun Stone Bridge and Related Commercial, Cultural and Leisure Uses)” with a BH restriction of 3 storeys;
 - iii) readjust the boundary of “CDA(4)” and “CDA(5)” zones to include a 15m-wide strip of land designated for ‘Shop and Services’ and ‘Eating Place’ uses; and
 - iv) revert the “OU(Arts and Performance Related Uses)” zone to “C(5)” zone;

Twin Towers Concept at “CDA(1)” and “CDA(2)” Zones

Supportive Representations

- (k) out of the 36 supportive representations (R1 to R34, R94 and R719), 11 representations had not specified the grounds of support. The grounds of the remaining 25 supportive representations were generally similar in nature and summarised at paragraph 3.2.3 of the Paper;

Adverse Representations (R41 to R302, R304 to R718, R720 to R1110 and R1117)

- (l) R1109 opposed the proposed amendments as similar two-tower concept was adopted in the previous Kai Tak OZP No. S/K22/1. The maximum BH restrictions for the “CDA(1)” and “CDA(2)” zones were then 175mPD and 150mPD respectively. Subsequent to the consideration of the representations to the previous OZP, the Board agreed to reduce the BH for “CDA(2)” zone from 150mPD to 40mPD;
- (m) R1110 opposed the amendments of the PR for the two “CDA” sites as it would increase the building intensity and make the environment not in compliance with the planning intention. Changing PR was against the public wish and the present public consultation was not enough because the previous OZP was designed after a long period of public participation;
- (n) the remaining adverse representations were submitted by owners/occupiers of the Latitude or the related concern groups. The grounds of the adverse representations were generally similar in nature and were summarized below:

Departure from original planning intent

- i) the proposed twin-tower development, in particular the BH of the “CDA(2)” zone, was a departure from the original planning intent as formulated in the approved Kai Tak OZP No. S/K22/2. The properties of the Latitude were purchased based on the information of the then OZP;

Adverse air, noise, visual and traffic impacts

- ii) the twin towers would trap more exhaust fume and airborne particulates from the heavy traffic, deteriorate the air quality and worsen people’s health;

- iii) the location of twin towers was too close to the Latitude and would lead to noise and dust impacts during their construction phase;
- iv) the twin towers would act as noise reflector and worsen the traffic noise problem arising from the Prince Edward Road East (PERE);
- v) the twin towers would have adverse air ventilation impact;
- vi) the twin towers would deprive the Latitude of sunlight, cause light/glare pollution, form 'wall building', affect the view from the Latitude to Kai Tak and breach the ridgeline to Lion Rock;
- vii) the twin towers would worsen traffic congestion around the Latitude and clog up neighbourhood roads;

Inadequate/insufficient public consultation

- viii) the public consultation was insufficient, and unfair in procedures and timing. Residents of the Latitude were never offered a meaningful chance to state their views as most owners of the Latitude had yet to move in or form their Owners' Corporation and familiarize with the planning issues that would seriously affect them;

Other concerns

- ix) the property value of the Latitude would be affected;
- x) the proposed BHs were incompatible with the surrounding areas;
- xi) the reduction of greening area/open space;

R41 to R302, R304 to R718, R720 to R1110 and R1117 proposed to :

- i) revert back to the original BH restriction and/or PR of the “CDA(2)” zone or the one tower concept as shown in the approved OZP (68 representations);
- ii) lower/revise the BH restriction for the “CDA(1)” and “CDA(2)” zones (39 representations);
- iii) maintain the low/medium development concept or develop for low density commercial uses (23 representations);
- iv) relocate the twin towers to other areas including the Runway or Kowloon East (42 representations);
- v) provide more greening areas (51 representations);
- vi) provide more culture/leisure/recreation/tourism facilities (27 representations);
- vii) develop the sites into other uses (7 representations);
- viii) compensate the loss of non-domestic GFA by adjusting the PR for the two “OU(Mixed Use)” sites and “C(6)” sites, and enlarging the boundary of the “C(6)” sites. Alternatively, the “OU(Mixed Use)(2)” site was proposed to be rezoned to pure commercial use and redistribute the displaced domestic GFA evenly to the residential sites in Kai Tak (R1109);
- ix) transfer the development density to the “C(6)” sites and allow a building of more than 300m, normalizing the heights of nearby buildings to three groups (100m, 60m and 40m); and to link up the roof tops of these buildings to form an extensive network of rooftop gardens (R204);
- x) consult the public again and discuss further with residents of the Latitude (R145 and R654); or to conduct public

engagement programme again, instead of the present form of simple public consultation (R1110);

“OU(Mixed Use)” Zones

Adverse Representation (R1110)

- (o) R1110 was against the PR restriction for the “OU(Mixed Use)” sites with the following grounds :
 - i) the amended PR would increase the building intensity, making the environment not in compliant with the planning intention of the “OU(Mixed Use)” zone;
 - ii) changing PR was against the public wish and the present public consultation was not enough because the previous OZP was designed after a long period of public participation;
 - iii) R1110 proposed to conduct public participation programme again, instead of the present form of simple public consultation.

Underground Shopping Street (USS)

Supportive Representation

- (p) R1109 supported the realignment of the USS as it allowed for flexibility in design and implementation, but proposed to extend it further;

Adverse Representation (R1116)

- (q) R1116 opposed the indication of the USS on the OZP and had doubts on whether it was a land use zoning designation, how it would be implemented under statutory planning control mechanism, whether it would impose unnecessary constraints on

future developments, and whether planning or rezoning application was required for changing the alignment;

- (r) R1109 proposed to extend the USS further to the public housing development and the Grid Neighbourhood. R1116 proposed to delete the USS as indicated on the OZP;

Non-Building Areas (NBAs)

- (s) R1110 opposed the incorporation of the NBAs. This was spot zoning which was an issue that had to be decided by the Court. R1110 proposed to wait for the Court's decision on the spot zoning issue.

Whole Plan

- (t) R1116 opposed the whole plan as the OZP was supposed to 'outline' the planned uses and there were too many unnecessary details put in the plan. R1116 proposed to delete all NBAs, USS, etc.;

Representation Offering Comments

- (u) R1115 proposed a stepped height profile from the Rhythm Garden descending to the waterfront with BH not exceeding 60m, rezone the "OU(Mixed Use)(3)" site to open space and convert the proposed elevated walkway near the Rhythm Garden to subway and connect it with the USS;

Comments on Representations

- (v) C1 provided the following comments on R41 to R1108 and R1109 :
 - i) opposed R41 to R1108 as Kai Tak was the last opportunity for Hong Kong to create a well integrated and high quality commercial/office spaces. It provided an alternative CBD

to support Hong Kong's core economic function as a global financial and trading hub;

- ii) supported R1109 to increase opportunities for commercial activities;
 - iii) suggested that Kai Tak be considered as a suitable district within which cycling could be recognized not just as a form of recreation but also as a mode of transport;
- (w) C2 was submitted in respect of R193 and suggested the provision of the Environmentally Friendly Transport System (EFTS) and proposed to develop a theme park in Kai Tak with Hong Kong's characteristics;

Planning Considerations and Assessment

Lung Tsun Stone Bridge Preservation Corridor

- (x) support of R94, R1109 and R1110 was noted;
- (y) responses to the grounds of adverse representation and proposals of the remaining part of R1109 were as follows:

Width of the Preservation Corridor and Inclusion of "CDA(3)" Zone into Preservation Area

- i) the main stream of public views collected considered that a 25m wide corridor would be sufficient to accommodate the 4m wide Bridge Remnants together with necessary display facilities. However, to allow for greater planning flexibility, a 30m wide preservation corridor was proposed. The Commissioner for Heritage's Office and Antiquities and Monument Office (AMO) had no adverse comments on the 30m wide preservation corridor. As the 30m wide preservation corridor was considered sufficient, inclusion of the "CDA(3)" into the preservation area was considered not necessary;

Zoning of the Preservation Corridor for the Bridge Remnants

- ii) the current land use arrangement was in line with the representer's view that suitable level of commercial element could enhance the vibrancy of the preservation corridor;
- iii) the proposed "O(3)" zoning for the preservation corridor could define a clearer area for public appreciation of the Bridge Remnants while the adjoining "CDA" zones could foster an all-day vibrancy ambience;

Location of the "OU(Arts and Performance Related Uses)" Zone and Reverting it to "C(5)" Zone

- iv) the "OU(Arts and Performance Related Uses)" zone allowed it to provide a distinctive platform of about 5,000 m² for public viewing and outdoor arts/cultural performance. Its location also allowed for the provision of steps that cascaded down to the open space leading to the southern entrance of the Preservation Corridor and stadium complex. The reversion of the BH and zoning of the site to "C(5)" uses would defeat the above planning intention.

Readjusting the boundaries of "CDA(4)" and "CDA(5)" Zones to include a Retail Belt

- v) the "CDA(4)" zone was intended for commercial uses and the "CDA(5)" zone could also allow for retail development, although it was intended for residential use. "CDA(4)" zone (0.6 ha) and "CDA(5)" zone (1.4 ha) were sufficient to accommodate a retail belt and the requirement could be set out in the planning brief for the two "CDA" zones. Enlargement of the two "CDA" zones was not required.

Responses to the Grounds of Commenter

- (z) C1 supported R1109 in respect of the designation of a 15m wide strip of land for shop and service and eating place uses;

- (aa) for C1's comments on cycling, a preliminary cycle track network had been indicated in Figure 5 of the Explanatory Statement (ES) of the OZP. CEDD was at the stage of examining the extent and feasibility of the network;

Twin-Tower at the "CDA(1)" and "CDA(2)" Zones

Responses to the Main Grounds of Representations and Representers' Proposals

- (ab) support of R1 to R34, R94 and R719 was noted;
- (ac) responses to other adverse representations (R41 to R302, R304 to R718, R720 to R1110 and R1117) were as follows :

Departure from Original Planning Intent

- i) the land use rearrangement arose from the need for in-situ preservation of the Bridge Remnants unearthed during the archaeological investigation in 2008;
- ii) the provision of arts and performance related uses at the previous "C(5)" zone would lead to a loss of about 42,000m² commercial/office GFA originally planned for the Kai Tak City Centre. There was a strong demand for well planned Grade A offices to meet the growth of Hong Kong's economy and sustain Hong Kong's development as a regional business hub. Kai Tak had been identified in the Hong Kong 2030 Study for developing into a well-planned new prime office node helping to address the needs of some of the conventional CBD occupiers. The 2011-12 Policy Address also recognized the utmost importance of a steady and adequate supply of quality office space to capitalize on the fast growing opportunities of the Mainland and sustain Hong Kong's position and longer term development. Under the 'Energizing Kowloon East' concept of the 2011-12 Policy Address, the Kowloon East including Kai

Tak, Kwun Tong and Kowloon Bay was intended to be developed into an attractive alternative CBD to sustain Hong Kong's economic development;

- iii) a critical mass of 500,000m² was required for creating an office node. The OZP had made provision for about 450,000m² private offices GFA in the Kai Tak City Centre. Reduction of commercial/offices GFA would significantly undermine the creation of a successful office node for Kai Tak City Centre as well as the effectiveness in energizing the Kowloon East area;
- iv) the displaced commercial/office GFA from the previous "C(5)" site should be compensated and the "CDA(2)" site was considered appropriate given its central and prominent location and being well served by transport facilities;
- v) in formulating the twin-tower concept, the BH profile and the broad urban design framework set out in the Kai Tak Planning Review and the approved Kai Tak OZP had been duly considered. Under the urban design framework, the BH profile reached its maximum at the landmark commercial development at Kai Tak River and then gradated towards the stadium complex and the Metro Park. The agreed BH profile and urban design framework had been broadly followed;

Reverting to One-Tower Concept

- vi) the one-tower landmark building and the twin towers were two townscape design concepts with different design intent, built form and merits. Under the twin-tower concept, the two 175mPD towers would form a gateway on both sides of Kai Tak River with a pair of symmetrical buildings opening up vista from the curvilinear walkway towards the Station Square. The twin towers, the curvilinear walkway and the

landscaped Kai Tak River together would pronounce the gateway image of the locality. While also serving as a gateway, the one-tower concept had put more emphasis on featuring the building as a landmark next to Kai Tak River;

- vii) PlanD had no objection to reverting to the one-tower design as long as the same level of planned commercial/office GFA was maintained to meet the need for creating a critical mass for Grade A offices for sustaining Kai Tak as a commercial hub. It was proposed that the BH of the tower portion of the “CDA(1)” be lifted from 175mPD to 200mPD with an increase of PR from 8.0 to 10.0 to form a landmark building as a visual anchor in the Kai Tak City Centre. The building height of “CDA(2)” zone could be reverted to 40mPD with a PR reduced from 8.0 to 4.5. The BH control subzone of “CDA(1)” could also be realigned to allow a wider vista from the view corridor of Kai Tak and southern entrance of Preservation Corridor towards the hinterland and the Lion Rock. A stepped height profile gradating from the tower at “CDA(1)” zone towards both sides along the Station Square (Plan – H3A of the TPB Paper No. 9014) could be achieved by slightly increasing the building height of “CDA(3)” zone from 70mPD to 80mPD with the PR increased from 4.0 to 5.0; and increasing the building height of the “C(6)” zone, at the fringe of the commercial belt on the other side, from 80mPD to 100mPD with a PR increased from 5.0 to 6.0;

Visual Impact

- viii) the Kai Tak OZP area fell within the view fan towards the Lion Rock ridgeline from the strategic vantage point at Quarry Bay Park. The proposed BH of 175mPD for “CDA(1)”/“CDA(2)” zone or 200mPD at “CDA(1)” zone would not breach the 20% building-free zone of the Lion Rock ridgeline. As shown in the photomontage prepared at a local vantage point (next to the stadium complex) agreed

in the Kai Tak Planning Review, the view towards the Lion Rock will not be blocked by the twin-tower or the one-tower design. As such, the intent of protecting the public view towards the ridgeline would not be compromised;

- ix) “CDA(1)” and “CDA(2)” zones were located to the southeast of the Latitude at about 200m to 400m away and would not deprive the Latitude of sunlight. The glare impact could also be mitigated by choosing suitable façade material. The developments were intended for office/hotel/retail uses with the normal lighting of a typical commercial complex;

Air Ventilation Impact

- x) the Kai Tak Development had incorporated a number of major air paths for penetration of wind. Kai Tak River of about 50m wide was one of the major air paths to allow prevailing winds to penetrate into Kowloon City and San Po Kong;
- xi) a detailed Air Ventilation Assessment (AVA) study on a district level was conducted in early 2010. According to the detailed AVA study, the Kai Tak Development would not have significant overall (i.e. district level) adverse effects on the air ventilation conditions of the Kai Tak Development and the surrounding hinterland areas. Regarding the alternative BH of 200mPD for the “CDA(1)” zone under the revised one-tower concept, the air ventilation conditions would be similar as for the twin-tower design as the terraced low-portion design would be maintained and the downward direction of the terraced low-portion was adjusted towards the hinterland,

Noise and Air Quality Impacts

- xii) the environmental impact assessment (EIA) for the whole Kai Tak Development concluded that the Kai Tak Development would be environmentally acceptable and no unacceptable residual impacts were anticipated. DEP advised that as the “CDA(1)” and “CDA(2)” sites were intended for office/retail/hotel use, they would unlikely have adverse air quality and noise implications on the surrounding sensitive developments;
- xiii) the building developments at both “CDA(1)” and “CDA(2)” sites did not abut the PERE, but at a distance of 100m to 150m away separated from PERE by two “G/IC” developments;
- xiv) the land use arrangement in Kai Tak Development had already incorporated extensive major air paths to facilitate prevailing winds to penetrate from the sea to its hinterland areas. As the two “CDA” sites were 100m to 150m away from the PERE, trapping of vehicle exhausts from PERE by the building developments at the sites was not anticipated;

Traffic Impact

- xv) the Kai Tak Development would be well served by strategic transport networks. The traffic impact assessment confirmed that the planned road network would be able to cater for the development planned under the OZP and the local road network including PERE, would operate within the design capacity during peak hours. As the proposed amendments would not increase the total commercial GFA for the area, the traffic flow in the locality would not be worsened;

Public Consultation

- xvi) prior to the gazettal of the amendments incorporated in the OZP, public consultation on the proposed amendments was

conducted from May to July 2011. The urban design enhancement proposals including the proposed twin towers concept were presented to the three local District Councils (DCs), the AAB, the HC and the Board;

- xvii) after publication of the amendments incorporated in the OZP, consultation on the proposed amendments with the public was held during the two-month exhibition period. The exhibition of the amendments was a statutory channel for public consultation. In addition, three local DCs and HC had been consulted.

Property Price Impact/Unfair Treatment

- xviii) property price was a complex interplay of a number of market factors. The twin-tower concept at the “CDA(1)” and “CDA(2)” sites was to enhance the townscape design. The twin towers together with Kai Tak River and the curvilinear walkway would pronounce the gateway image of the locality and enhance the overall image of the district. They could also maintain the planned commercial/office GFA in the area to facilitate the creation of a high quality office node and add vibrancy to the area. The enhancement in urban design and the provision of commercial/office GFA were for the public good and in the interest of the community.

Rezone the “CDA(1)” and “CDA(2)” Sites to Other Uses/Reducing the BH at the “CDA(1)” and “CDA(2)” Zones

- xix) Kai Tak Planning Review recommended a well balanced mix of land uses to meet public needs and aspirations and the sustainable growth of Hong Kong. There was a strong demand for well planned Grade A offices. The proposed rezoning of the two “CDA” sites to other uses or reduction of BH and development intensity of the two sites would lead

to a substantial loss of the commercial/office GFA and significantly affect the critical mass required for creation of a successful office node in Kai Tak;

Relocation of the Twin Towers to Other Areas

- xx) relocation of the commercial developments at the “CDA(1)” and “CDA(2)” sites outside Kai Tak City Centre would undermine the creation of a critical mass for secondary office node. Commanding a landscaped riverside location and coupled with the curvilinear elevated walkway, a landmark development at the “CDA” sites could pronounce the prominent image in the locality;
- xxi) R204’s proposal of increasing the BH of the “C(6)” zone from 80mPD to over 300mPD deviated substantially from the urban design framework of the Kai Tak City Centre. The proposed BH of 300mPD at the “C(6)” zone was not acceptable from urban design perspective as this would substantially breach the 20% building-free zone of the Lion Rock ridgeline. CEDD also advised that the design of the road access to the “C(6)” site would need to be critically reviewed, in particular the eastern part of the site which was only served by a local road;
- xxii) R1109 proposed to enlarge the “C(6)” zone by encroaching onto the Station Square. The DLCS had reservation on the proposal as it would reduce the area of Station Square and impose further design constraints. CEDD advised that the enlargement of the “C(6)” zone was constrained by the existing drainage reserve. R1109 also proposed to adjust the PR of the two “OU(Mixed Use)” sites and the “C(6)” zone or to rezone the “OU(Mixed Use)(2)” site for pure commercial use and redistribute the displaced domestic GFA to other residential sites. It should be noted that the PR and BH of the “C(6)” site had been slightly adjusted to

form a stepped height profile from the tower at “CDA(1)” zone;

Responses to the Grounds of Commenters

- (ad) C1 objected to the reduction of the commercial GFA in Kai Tak as proposed by R41 to R1108. The current proposed amendments were intended to maintain the planned provision of commercial/office GFA in the Kai Tak City Centre to facilitate its development into a secondary Grade A office node;

“OU(Mixed Use)” Zone

Responses to the Grounds of Representation and Representers’ Proposal

- (ae) R1110 opposed amendment of the PR of the “OU(Mixed Use)” zone as it would increase the building intensity. It should be noted that the proposed amendment to the PR for the zone was to readjust the proportion of the domestic PR and the non-domestic PR. The overall PR and the BH for the zone had been maintained and there was no increase in building intensity;

Underground Shopping Street (USS)

- (af) the support of R1109 was noted;
- (ag) responses to the adverse representation (R1116) and the remaining of R1109 and the representation proposals were as follows:
- i) the feasibility and viability of extending the USS to the Grid Neighbourhood and public housing sites had not been established and was in conflict with the existing drainage reserve. The USS was planned primarily for connecting the Kai Tak hinterland areas with the SCL Kai Tak Station. Within the Kai Tak area, a comprehensive open space network would be provided to allow sufficient pedestrian circulation between the Shatin-to-Central Link (SCL) Kai

Tak Station and the surrounding developments. Hence, the proposed extension was not necessary and was in conflict with the existing drainage reserve;

- ii) paragraph (9) of the covering Notes of the OZP specified that in any area shown as 'Underground Shopping Street', all uses or developments, except 'shop and services, eating place and government use' which were always permitted in all zones, required permission from the Board. As the proposed realignment of the USSs had already allowed more flexibility in the implementation for both the USS and the development sites, substantial changes to the alignment were not anticipated.
- iii) the USS was one of the main land use planning features arising from the extensive public engagement programme for the Kai Tak Planning Review and had received wide local public support. The incorporation of the USS into the OZP could ensure its implementation and hence should not be deleted;

Non-Building Areas (NBAs)

- (ah) according to legal advice, sections 3 and 4 of the Ordinance and the scheme of the legislation were intended to give the Board comprehensive powers to control development in any part of Hong Kong. From the planning perspective, designation of NBAs could serve multi-purposes including enhancement of air ventilation, improvement of visual permeability and promotion of urban design concept. As the NBAs served a positive planning purpose and had positive planning benefits, such designation was justified;

Whole Plan

- (ai) the OZP was the result of an extensive 3-stage public engagement exercise, which had wide public support. Sufficient details should be set out in the OZP to ensure implementation. Flexibility had been built in through the planning permission system to cater for creativity and innovation design;

Representation Offering Comments (R1115)

- (aj) R1115 proposed to adopt a stepped height profile descending from the Rhythm Garden to the waterfront with BH not exceeding 60m; rezone the “OU(Mixed Use)(3)” site to open space; and convert the proposed elevated walkway near the Rhythm Garden to a subway and connect it with the USS;
- (ak) the BH restrictions on the OZP had taken into account the urban design consideration recommended in the Kai Tak Planning Review, as well as the need to provide a well balanced mix of land uses. Residential developments in the Grid Neighbourhood area would comprise podium-free residential towers and low blocks to achieve diversity in building mass/form;
- (al) with the incorporation of the urban design enhancement proposals, the area of the “O” zone was increased from 98 ha to 100 ha (about one-third of the total area in Kai Tak). As the provision of the open space in Kai Tak was sufficient and there were strong demands for housing and commercial/office development, further increase in open space at the expense of other planned development was not desirable;
- (am) there was an existing subway located next to the proposed elevated walkway near Rhythm Garden and enhancement works for the subway was being carried out. The planned elevated walkway on the OZP was an additional crossing over PERE to further enhance pedestrian connection. It was therefore not desirable to replace

this elevated walkway with subway. An entrance of the USS was also planned in San Po Kong;

Responses to the Grounds of Commenter

(an) C2's support on the provision of the EFTS and the proposal to develop a theme park in Kai Tak were noted;

(ao) PlanD's Views –

- the support of R1 to R34, R94, R719, R1109 and R1110 was noted;
- based on the assessments in paragraph 4 of the TPB Paper, PlanD had no objection to reverting to the single-tower design and to partially meet 68 representations by amending the PR and BH restrictions stipulated for the “CDA(1)”, “CDA(2)” and “CDA(3)” zones as set out in paragraph 6.2 of the Paper; and
- based on the assessments in paragraph 4 of the TPB Paper, PlanD did not support the remaining representations for the reasons stated in paragraphs 6.3 to 6.6.5 of the Paper.

62. The Chairman then invited the representers and the representers' representatives to elaborate on their submissions.

R61 : East Kowloon District Residents' Committee

63. Professor Chang Ping Hung, the representative of R61, made the following main points:

- (a) the planning of the Kai Tak Development which was an important new development area in the urban core should be visionary. A people-oriented planning approach should be adopted. It was noted with support that the preservation of the Bridge Remnants and Kai Tak River had been taken into

account in formulating the overall planning for the development;

- (b) there was wide public consensus on the integration of the Kai Tak Development and the existing urban areas such as San Po Kong and Kowloon City. However, the Kai Tak Development was segregated from the inner urban areas by the PERE. There should be sufficient connections between these two areas such as through the landscaped pedestrian walkway;
- (c) it was noted that the residents of the Latitude had submitted a number of representations. Regarding the argument on twin-tower concept or single tower design, it was a wrong concept that a landmark should be a high-rise glossy building. In fact, the Government should first consider why there was a need to have a landmark in that specific location of Kai Tak area. Instead of building a high-rise development restricted for private commercial use, the landmark could be a greenery open space for public enjoyment; and
- (d) it was noted that the representations submitted by the residents of the Latitude contained detailed information and data on various aspects. The representers were not only speaking for themselves, but also for the benefits of the next generation.

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

64. Ms. Lam Lik Kwan said that upon the gazettal of the draft OZP Plan No. S/K22/3 for public inspections, the residents of the Latitude had submitted a total of about 1070 representations. Amongst these representations, 893 representers had authorized a group of representatives (i.e. the Representation Team of the Latitude) to attend the hearing to express their comments and views. The Representation

Team of the Latitude would make a collective representation on various aspects including the people-oriented planning approach, sustainable development of Kai Tak and needs of the public (民生). She said that the representers appreciated the efforts made by PlanD in addressing their comments and agreed to revert to the one tower design with a revised BH of 200mPD for “CDA(1)” and 40mPD for “CDA(2)”. However, there was still room for further amendments. The Representation Team would not only express their views/comments on their personal interests as residents of the Latitude, they also spoke for the benefits of the local community of San Po Kong, Wong Tai Sin and Kwun Tong area which had a total population of 1.4 million.

R61 : East Kowloon District Residents’ Committee

65. Ms. Chan Yuen Han, the representative of R61, made the following main points:

- (a) she had participated in the development of the district for 20 years. She appreciated that their proposed development concept for the Kai Tak area had been supported by the previous Members of the Board. With the planning and development principles of Kai Tak area adopted by the Board, the development opportunity of the area had been greatly enhanced. Today, Kai Tak together with the Kowloon East was planned to be redeveloped as the second CBD of Hong Kong;
- (b) it was noted that PlanD had agreed not to adopt the twin-tower concept but revert to single tower development to address the representers’ concerns. The residents of the Latitude would further elaborate on their views in their presentations; and
- (c) in planning the future development of Tak Tak, air ventilation was an important issue needed to be fully addressed. According to the Hong Kong Observatory, Wong Tai Sin was the hottest place in Hong Kong. Wind

from the sea was blocked by the high-rise development such as the Latitude and could not reach the inland areas. Located at the waterfront, Kai Tak was an important air path and its development would have significant impacts on the wind environment of the inland areas. As such, the air ventilation issue should be taken into consideration in the planning of the area.

Representation Team of the Latitude

66. With the aid of a Powerpoint Presentation, Mr. Lai Cheuk Yung made the following main points:

- (a) he welcomed PlanD's proposed amendment of reverting back to the one-tower design. However, as the Board had not yet made a decision on the subject issue, he would like to elaborate on his reasons of opposing the twin-tower concept. Given the adverse impacts of the twin-tower concept, it was hoped that PlanD would not put forward the concept again;

Planning Principles of the Kai Tak Planning Review 2007

- (b) the amendments incorporated in the OZP No. S/K22/3 violated the planning principles set out in the Kai Tak Planning Review 2007, which included engaging the public in the planning and development of Kai Tak, planning Kai Tak as a sustainable and environmentally friendly development, integrating Kai Tak with its surrounding urban areas, improving the environment of the area, etc.;

Lack of Public Engagement

- (c) in formulating the original development scheme in 2007, the Government had conducted a comprehensive three-stage public engagement and consultation programme from 2004 to 2006. Due to the need for in-situ preservation of the Bridge Remnants and to compensate the displaced

commercial/office GFA, the concerned departments proposed to adopt the twin-tower concept and increase the BH and development intensity of the “CDA” zones arbitrarily. The public and local community had not been engaged in the planning process. The proposed amendments were unfair and unreasonable. The previous twin-tower urban design concept incorporated in the OZP No. S/K22/1 (i.e. 2006 development scheme) was objected to by the public and the local community, the Government would be ignoring the public comments previously collected if it insisted to adopt the twin-tower design;

Adverse Visual and Air Ventilation Impacts

- (d) according to the Kai Tak Planning Review – Executive Summary, the Government had put strong emphasis on protecting the views to and from the mountains (i.e. Lion Rock, Fei Ngo Shan and Mount Parkers), the harbour (i.e. Victoria Harbour and Lei Yue Mun), and city beyond. The planned visual and air ventilation corridors would also allow the inland areas, including Kowloon City, Ngau Tau Kok and San Po Kong to have an open view towards the Kai Tak Development;

- (e) the Latitude suffered from serious noise and air pollution problems caused by the adjoining trunk roads. The proposed massive and bulky twin-tower would further block the penetration of winds from Kai Tak and the waterfront. The environmental problems would be worsened. The visual corridor would also be significantly obstructed;

Social Segregation

- (f) the twin-tower and the high-rise developments planned along the south eastern part of the PERE would like a huge wall segregate the Kai Tak Development with the existing urban areas. This was against the planning intention of enhancing

social integration between the old districts and Kai Tak Development set out in the Kai Tai Planning Review;

- (g) the location of the subject two “CDA” sites were not appropriate for landmark development and the twin-tower design could not pronounce the gateway image in the area;

People-oriented Planning Approach

- (h) the twin-tower development would destroy the open and green environment in Kai Tak and cause adverse environmental impacts on the residents of the areas. Instead of focusing on how to accommodate the displaced commercial/office GFA due to preserving the Bridge Remnants, the Government should put more emphasis on providing a quality living environment for the community. Human resources were essential to sustain Hong Kong’s competitiveness;
- (i) the Government should provide more landscaped area along Prince Edward Road East and enhance the integration between the Kai Tak Development with the adjacent urban areas. It was noted that a government office, ‘Trade and Industry Tower’, would be developed at the “G/IC” site to the south of the Latitude. He understood that no landscaped or green area would be provided on the site to mitigate the visual impacts. This would set an undesirable example for developments in the adjacent area;
- (j) he supported the proposal submitted by DAB (R1109) and the proposed stepped BHs of 100m, 60m and 40m for the two “CDA” sites and the adjacent sites and to link up the roof tops of these buildings to form an extensive network of rooftop gardens;

- (k) he requested the Board to delete the amendments in relation to the “CDA(1)” and “CDA(2)” sites and revert to the 2007 development scheme incorporated in the OZP No. S/K22/2. He also requested that the Kai Tak Development be commenced as soon as possible.

R1109 : DAB

67. Mr. Chan Pak Li said that he represented Hon. Chan Kam Lam of DAB to attend the representation hearing. With the aid of a Powerpoint Presentation, Mr. Chan Pak Li made the following main points:

- (a) DAB generally supported the planning intention of enhancing the accessibility of the waterfront promenade and the addition of the elevated walkway from the existing urban area to the Kai Tak Development. The Government proposal of not adopting the twin-tower concept and reverting to one tower design to address the public concerns was welcomed;

Preservation of Lung Tsun Stone Bridge Remnants

- (b) the land use proposal for the Bridge Remnants and its surrounding areas should be revised. According to the development proposal under the draft OZP No. S/K22/3, a 30m wide corridor (Preservation Corridor) was proposed for preserving the Bridge Remnants. However, the development sites abutting the Preservation Corridor were rezoned to “CDA” with BH restrictions of 70mPD to 110mPD. The Preservation Corridor was like a narrow gap between two groups of high-rise developments. The proposal failed to recognize the heritage value of the Bridge Remnants;
- (c) the Bridge Remnants and the surrounding area should be planned as an integrated preservation, leisure and cultural area. By putting the Bridge Remnants in the water park

would feature the historic role of Lung Tsun Stone Bridge. A strip of buffer zone with a BH restriction of 2-storey should be designated for ‘Shop and Services’ and ‘Easting Place’ uses fronting the Preservation Corridor. The preservation/leisure area would be the landmark in Kai Tak Development ; and

Other Proposal

- (d) he proposed to extend the USSs further eastward and southward to the planned Grid Neighbourhood and the public housing developments. Relevant government departments should study the proposal in greater detail to ensure that proposed extension would not be affected by the underground infrastructure such as the drainage reserve.

[Professor S.C. Wong arrived to join the meeting at this point.]

Representation Team of the Latitude

68. Ms. Lee Wing Yee Winnie said that it was reported in the Economic Daily News on the day before the hearing that PlanD recommended not to uphold the representations against the twin-tower concept. This was however different from the information provided in the TPB Paper No. 9014. The Chairman clarified that the representers should make reference to the TPB Paper No. 9014, which was issued by PlanD for the subject hearing. Ms. Lee noted the clarification.

69. With the aid of a Powerpoint Presentation, Ms. Lee Wing Yee Winnie, made the following main points:

- (a) she strongly opposed to the amendments to the “CDA(1)” and “CDA(2)” zones in relation to the twin-tower concept;

Lack of Public Engagement

- (b) in formulating the previous development scheme incorporated in the previous OZP No. S/K22/2, the Government had conducted a comprehensive three-stage

public engagement and consultation programme. Public engagement activities in the form of public forum, community workshops, briefing sessions and meetings had been conducted. A total of 630 public comments had been received. A lot of local organizations had also submitted their comments. Public views/comments had also been collected via the internet. The Government had also consulted/reported the development proposal and the overall planning of the Kai Tak Development to relevant DCs and LegCo Development Panel regularly. On 6.11.2007, the draft OZP No. S/K22/2 incorporating the development scheme (i.e. 2007 Development Scheme) was approved by the Chief Executive in Council (CE in C);

- (c) for the preservation of Bridge Remnants, the Government also conducted a two-stage public engagement and consultation programme between 2010 and 2011. The public engagement exercise included public workshops, and consultations with DCs, AAB, the Board and other relevant stakeholders;
- (d) there was inadequate public consultation on the amendments to the OZP for the twin-tower concept. The public consultation on the urban design enhancement proposals to Kai Tak Development, including the twin-tower concept, had been carried out for three months only from May to July 2011. The proposals were only 'presented' to the Wong Tai Sin DC, the Kowloon City DC, the Kwun Tong DC, the AAB, the HC and the Board, rather than consulting them. In addition, no public consultation on the twin-tower concept had been carried out via the internet. The effectiveness of the public consultation was doubtful. Many local organizations, schools and residents of the nearby housing estates had no knowledge of the proposed twin-tower

concept. Upon the gazettal of the OZP No. S/K22/3, many DC members, local organizations and residents had raised their objections during the publication period;

Unfair Consultation Process

- (e) the Government had widely engaged the public in preparing the 2007 Development Scheme and the preservation proposal of the Bridge Remnants. Prior to the plan making process, the initial development proposal (i.e. the 2007 development scheme) was put forward for public consultation, including briefing and consulting the DCs and LegCo. However, for the current amendments to the OZP in relation to the twin-tower concept, the Government had only reported the proposal to the DCs. It was unreasonable for the Government to adopt two different consultation approaches;
- (f) when PlanD reported the preservation proposal of Bridge Remnants to the Wong Tai Sin and Kowloon City DCs in March 2011, there was no mention of the twin-tower concept. In May 2011, PlanD presented the proposed amendments to the OZP to the various DCs. The department's representative had only briefly mentioned about the landmark development of 175mPD without pointing out its possible adverse impacts for DCs' comments. The representative had also failed to address the concerns/questions raised by the DC members;
- (g) prior to the gazettal of the draft OZP No. S/K22/3, a number of DC members had raised concerns and questions on the twin-tower concept, the proposed BH for the development and the possible impacts on air ventilation and traffic of the area. However, the department had not addressed members' concerns and questions and rushed to gazette the amendments during the recess of the DCs;

- (h) the LegCo members raised concern on the environmental impacts of the Kai Tak Development and the relevant departments had failed to provide any positive responses. Some local residents had submitted their comments on the possible adverse impacts of the proposed landmark buildings. However, the relevant departments had not made any responses. Public comments/views had been ignored and the public had not been engaged in the revising the development scheme;

Inappropriate Timing

- (i) in August 2011, the amendments incorporated in the draft OZP No. S/K22/3 was exhibited for public inspection for three months until October 2011. However, the respective DCs were in recess from September to December 2011 and the Owners' Corporation of the Latitude was only set up on 8.10.2011. Did the Government rush to gazette the proposed amendments to the OZP in order to avoid strong objections from the affected residents and DC members?
- (j) the proposed amendments to the OZP regarding the twin-tower development overturned the BH and PR restrictions of the two "CDA" sites incorporated in the draft OZP No. S/K22/2 which had been approved by the CE in C under section 9(1)(a) of the Ordinance;

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

- (k) the gist of representations was too simple and had not covered all the comments/views of the representers;

Misleading Photomontages

- (l) the photomontages prepared by PlanD were misleading. The photomontages indicated the view from the sky garden of the Latitude. However, only 40 odd flats (out of about 1200 flats) of the Latitude would have similar view. For the remaining flats, the twin towers of 175mPD would block their views towards the waterfront;

- (m) the Kai Tak Planning Review 2007 had set out a number of planning principles such as integrating Kai Tak with its hinterland areas, providing opportunities for revitalizing the surrounding districts, planning with the community adopting people-oriented planning approach, retaining the visual and air ventilation corridor for the inland areas, etc. However, the urban design enhancement proposals incorporated in the OZP No. S/K22/3 were not in line with the sustainable urban planning and environmental protection principles. The proposed development would segregate the Kai Tak Development from the existing urban area. The Government would attain the commercial benefits at the expense of a quality living environment. The proposed twin-tower development would have severe adverse environmental impacts on the nearby residents; and

- (n) she requested the Board not to adopt the twin-tower concept and revert to a single tower design, i.e. a BHR of 175mPD for “CDA(1)” zone and BHR of 40mPD for “CDA(2)” zone. The PR should be retained at 8.

Representation Team of the Latitude

70. With the aid of a Powerpoint presentation, Mr. Lee Kin Wah Augustine Lee made the following main points :

- (a) he appreciated PlanD’s latest proposal of reverting the twin-tower development to the one-tower development. This truly reflected

that PlanD was ‘planning with the community’. The development proposal under S/K22/2 should be the baseline for discussion. However, the planning of Kai Tak Development could be further improved;

- (b) he agreed that there was a need for quality office spaces to sustain Hong Kong’s development and he also wished to see the expeditious development of Kai Tak;
- (c) according to PlanD, to compensate the displaced commercial/office GFA arising from the preservation of the Bridge Remnants, the BH of the “CDA(1)” site needed to be relaxed from 175mPD to 200mPD with an increase of PR from 8.0 to 10.0. However, such proposed increase of BH and PR would result in a taller and bulkier building. It would be more visually intruding than the single tower development with a BH of 175mPD under the OZP No. S/K22/2. By increasing the PR and BH, about 20,000m² of commercial/office GFA would be compensated. However, this amounted to only about 0.4% of the total commercial/office GFA to be provided in the CDB2 under the ‘Energizing Kowloon East Initiative’. Given that CBD2 would open up new places for commercial/office development, it was considered that the 20,000m² of commercial/office GFA should be compensated in CBD2, rather than in the Kai Tak Development;
- (d) the subject “CDA(1)” and “CDA(2)” sites were located in front of the Latitude and the development thereon would have significant impacts on its residents. The 20,000m² of commercial/office GFA could be compensated in other areas of Kai Tak Development such as the open space at the western side of the Kai Tak River;
- (e) Wong Tai Sin was the only landlocked district in Hong Kong. Located at the waterfront, Kai Tak was an important air path and its development would have significant impacts on the wind

environment of the inland area. Improper planning and development at Kai Tak would cause adverse air ventilation impacts;

- (f) the Latitude was surrounded by major roads and flyovers. The heavy traffic on PERE had caused serious noise and air pollution. There was also a lack of open space and greenery in the local district. The development of more high-rise and bulkier buildings along PERE would worsen the above problems;
- (g) the Government and the Council for Sustainable Development recognized the importance of air ventilation, air quality and sustainable built environment. PlanD had carried out air ventilation assessments in land use planning. According to the Urban Climatic Map and Standards for Wind Environment Feasibility Study conducted by PlanD, the territory was categorized into different groups. For the densely built up area under UCPZ4 and UCPZ5, the Study recommended the provision of more greenery, preservation of the airpaths/breezeways, etc. The proposed high-rise developments at the two “CDA” sites would block the Latitude from the prevailing wind thus causing air ventilation problem;
- (h) according to the Kai Tak Development Comprehensive Planning and Engineering – Stage 1 Planning Review (January 2007), ‘Located at the waterfront of South-East Kowloon, the Kai Tak Development, once completed, may impose substantial potential impacts to the wind environment of the surroundings and therefore the well being of the local residents. Because of its strategic location and scale of development, an effective urban planning for wind is crucial for the project at current planning stage.’ As learnt from the report, the Latitude was one of the test points for local and site ventilation assessment. The detailed wind tunnel results confirmed that the Latitude would be adversely affected by Kai Tak

Development. Ventilation would be even worse than the inner San Po Kong area and mitigations measures were unlikely to help. However, the TPB Paper 9014 only stated that ‘Kai Tak Development would not have significant overall (i.e. district level) adverse effect on air ventilation condition...’. PlanD should avoid making the already bad ventilation situation worse and propose appropriate mitigation measures to address the problem;

- (i) it was noted that the Government declined the request made by a resident of the Latitude to release the latest EIA results of the Kai Tak Development. It seemed that the Government rushed to gazette the proposed amendments to the OZP and this was done on purpose;
- (j) PlanD commented that as the twin towers were 100 – 150m away, they would not have any adverse noise, air quality and glaring impacts. However, one should note that the Latitude had already suffered from noise and air pollutions caused by PERE. The twin towers on the “CDA” sites would act as noise and air reflector and worsen the adverse impacts;
- (k) given the long lead time before the completion of the key infrastructure projects, such as the Shatin to Central Link and the Central Kowloon Route, the implementation of the Kai Tak Development would unavoidably cause traffic congestion and environmental problems. Appropriate mitigation measures should be worked out by the Government;
- (l) there were photomontages in the TPB Paper No. 9014 showing the visual impact of the proposed twin-tower development on the Latitude. They were misleading as they only showed the impact of the twin-tower development viewing from the sky garden, which was at the highest floor of the development. PlanD should take the worst case scenario in assessing the adverse visual impacts of the twin-tower development, i.e. its visual impact on the lower floors of

the Latitude;

[Professor Eddie C.M. Hui left the meeting at this point.]

- (m) there was a general consensus in the community on the need to protect first-hand home buyers from misleading information. Many of the owners of the Latitude relied on the information given in the OZP No. S/K22/2 in making their decision to purchase their properties;
- (n) as compared to the single-tower design (under the OZP No. S/K22/2), the Government could increase the land revenue by allowing a twin-tower development with higher PR on the “CDA” sites as incorporated in OZP No. S/K22/3. However, as the twin-tower development would block the open views of the flats of the Latitude, the property value of these flats would be reduced significantly. This was a case that Government would profit at the expense of small home owners. This was expropriation without due procedure and compensation. This was against Hong Kong’s core value of respecting contractual spirit and protecting private property right;
- (o) he requested the Board to consider relocating the required commercial/office GFA to CDB2 or other locations. Any measures to lower the building intensity in “CDA(1)” and “CDA(2)” would benefit the residents and owners of the Latitude;
- (p) on the ground of air ventilation, the East Kowloon District Residents’ Committee, Tung Tau Estate Residents Committee, San Po Kong Residents’ Committee and Wong Tai Sin DC had all requested that the BH at Kai Tak Development be kept below 130m. A lower BH could better complement the landmark of Kai Tak, i.e. the cruise terminal, the Bridge Remnants and the Kai Tak River; and

- (q) he agreed to the proposal submitted by the Hon Chan Kam Lam to rezone the “OU(Mixed Use)(2)” site for pure commercial use and redistribute the displaced domestic GFA evenly to the residential site at Kai Tak.

Representation Team of the Latitude

71. With the aid of a Powerpoint presentation, Mr. Chan Ki Tak made the following main points:

- (a) he was the Chairman of the Concern Group on the Latitude – Kai Tak Development (譽港灣啓德發展關注小組). PERE was the main trunk road serving the Kowloon East area and had already reached its capacity. The proposed twin-tower development would bring in more traffic and overload PERE;
- (b) as compared to the single tower design, the twin-tower development would double the number of dump trucks traveling in/out of Kai Tak Development area, hence more serious air and noise pollution on the adjacent areas;
- (c) according to the ranking of cities released by the World Health Organisation in respect of the value of fine suspended particulates (i.e. particulates of a size smaller than an aerodynamic diameter of 2.5 microns) (PM2.5) in the air, Hong Kong was ranked 559th (i.e. the bottom eighth) among 566 cities;
- (d) the air quality in Kwun Tong in 2011 was worse than that in 2010. It was noted that an air monitoring station had been set up at the Lee Kau Yan Memorial School in Wong Tai Sin. However, the data collected was not released for public information. The public should have the right of access to the information; and
- (e) the air pollution problem along PERE was very serious. The proposed twin-tower development incorporated in the OZP No.

S/K22/3 would worsen the problem. The Government should not proceed with the twin-tower concept which would adversely affect the living environment of the local residents.

Representation Team of the Latitude

72. Mr. Cheung Tin Fat made the following main points:

- (a) he appreciated that the Government had responded to comments from the public and proposed that the two towers at 175mPD be reverted to a single tower at 200mPD;
- (b) the residents in the Latitude were suffering from severe traffic noise impacts of PERE, which was a heavily trafficked road with ten lanes. They had measured the traffic noise levels at some flats facing PERE. When the windows of the flats were closed, a noise level of 30 dB(A) was recorded. When the windows were opened, a noise level of 52 dB(A) and a maximum of 70dB(A) were recorded. According to the World Health Organisation, places with noise levels below 25 dB(A) were suitable for residential uses; places with noise levels between 25 dB(A) to 35 dB(A) were suitable for office uses; places with noise levels between 35 dB(A) to 50 dB(A) were suitable for shopping centres and public spaces; and places with noise levels above 50 dB(A) were not suitable for extended stay;
- (c) the Government had taken account of the traffic noise impacts of PERE when planning for Kai Tak. It was proposed that government buildings be built along PERE to serve as a noise buffer for the inner areas within Kai Tak. However, when the 200mPD-commercial building as well as the four government buildings were in place, they would generate more traffic as well as more traffic noise on PERE and further degrade the living quality of residents living in the hinterland;

- (d) he proposed to revert back to the development intensity of the “CDA(1)” site adopted for the approved Kai Tak OZP No. S/K22/2 previously gazetted in 2007. The difference between the previous and the newly proposed developments would only give rise to little additional GFA, which was estimated to be about 0.4% of the total GFA to be provided in Kowloon East;
- (e) the overall development concept for Kai Tak was commendable. The Government had committed to engage the public when developing plans for the local community so as to ensure better integration of the new development areas and the existing urban areas. He said that the Government should try to further improve the Kai Tak Development. For example, along PERE, more trees should be planted in its central divider and on the footpaths abutting the planned government buildings as measures to mitigate traffic noise. Environmentally friendly materials should be used on building facades to reduce the overall carbon emission and reduce glare effects. There should also be architectural treatments to the main building facades to visually break down the building mass to avoid wall effects; and
- (f) if properly planned and implemented, the Kai Tak Development could provide synergy for urban regeneration of the existing urban areas and would help the integration of the new development area with the hinterland.

Representation Team of the Latitude

73. Ms. Lam Lik Kwan made the following main points:

- (a) in planning the Kai Tak Development, the Government had only focused on its economic benefits. The Government should review the overall planning for Kai Tak Development to ensure that there would be integration between Kai Tak and its hinterland areas, including Wong Tai Sin, Kowloon City and San Po Kong;

- (b) the proposed twin towers together its adjacent high-rise development would create a big wall segregating the existing urban areas from Kai Tak. Local residents had to walk for about 1,500m via either elevated or underground walkways to reach the open space in Kai Tak;
- (c) the 20,000m² of commercial/office GFA to be displaced due to the preservation of the Bridge Remnants could be accommodated in locations other than the two “CDA” sites. Sustaining Hong Kong’s economic development and competitiveness did not solely rely on the provision of Grade A commercial/office floor space. Human resources and economic development strategy were essential to sustain Hong Kong’s competitiveness; and
- (d) she requested the Board to take this opportunity to review the planning of Kai Tak for a sustainable development.

Representation Team of the Latitude

74. With the aid of a Powerpoint presentation, Ms. Chan Shau Lin made the following main points:

- (a) the amendments to the “CDA(1)” and “CDA(2)” zones were against the principles of sustainable development and people-oriented planning;

Sustainable Development and Principles of Equality

- (b) sustainable development was defined in the report promulgated by the World Commission on Environment and Development in 1987 as ‘developments that meet the needs of the present without compromising the ability of future generations to meet their own needs’. In tandem with achieving the goals for economic development, it was necessary to conserve natural resources and the environment that human beings relied on for survival. This would ensure that the future generations could

sustainably develop and have a stable living environment. Sustainable utilisation of natural resources was the priority consideration in economic and social developments. The pursuance of sustainable development should focus on the needs of human beings;

- (c) sustainable development encompassed the ‘people-oriented’ concept. That included respect for and protection of human rights, i.e. the survival right and development right of each individual citizen. Sustainable development was not only a new concept for guiding development or a modern concept, but a moral standard;
- (d) the principles of equality referred to people having equal opportunities to make choices. That included equality for people of the same generation to make choices; and equality for people of the present and future generations to make choices. The present generation should develop in such manner that would allow the future generations to have the same development prospects. Development by one group of people should not affect the rights of another group of people of the same generation;

Contrary to the Principle of Equality

- (e) the amendments made to the “CDA(1)” and “CDA(2)” zones were contrary to the principles of equality. Kai Tak was planned to be developed into a prime office node to help address the strong demand for Grade A office space from the business sector. The amendments to the development parameters of the two “CDA” zones were to compensate for the commercial/office GFA displaced from the sites affected by the preservation of Bridge Remnants. However, relocating all the displaced GFA to the two “CDA” sites near the Latitude, regardless of it being one 200mPD-building or two 175mPD-buildings, would introduce more tall buildings in the San Po Kong area. The

views of flats in the Latitude would be further deprived. Air and noise pollution would also affect the health of residents in San Po Kong;

- (f) the residential towers of the Latitude would be about 200m and 400m from the two 175mPD-buildings proposed in the “CDA(1)” and “CDA(2)” zones. However, some government buildings at a building height of 100mPD were planned to the north of the two “CDA” zones. Although the current amendments were only related to the “CDA(1)” and “CDA(2)” zones, impacts of these government buildings should also be taken into account;
- (g) she asked how the commercial benefits to be attained from the amendments to the “CDA(1)” and “CDA(2)” sites should be balanced against the health and well-being of residents. Sustainable development required that developments by one group of people should not affect the rights of another group of people of the same generation;
- (h) PlanD had emphasised the need to protect the views of residential developments within Kai Tak. However, the Government had not considered the visual impacts on the Latitude when making amendments to the “CDA(1)” and “CDA(2)” zones. In addition, it would be in line with the principle of equality to extend the greening concept into San Po Kong;

Contrary to the Principle of Sustainable Development

- (i) the amendments made to the “CDA(1)” and “CDA(2)” zones were contrary to the principles of sustainable development. Sustainable development was about the sustainable utilisation of resources and conservation of natural ecological systems;

- (j) during the summer months, it was very hot in San Po Kong with its temperature reaching 37 to 38 degrees Celsius. Its air pollution was at dangerous level, and its noise level had reached a very high level of 96 dB(A);
- (k) rather than meeting the needs of the market, sustainable development should be for satisfying the basic needs of all human beings and allow all human beings to have a satisfactory living environment. The effectiveness of sustainable development should not be measured by the rate of economic growth only but, more importantly, it should be measured by the extent in which the needs of human beings were being satisfied; and
- (l) she concluded that the well-being of the future generations should not be sacrificed to satisfy the well-being of the current generation. She urged Members to give the residents of San Po Kong and their future generations an equal opportunity for having a good living environment.

Representation Team of the Latitude

75. Mr. Lam Him Shing Harry made the following main points:

- (a) he doubted whether the twin towers proposed on the two “CDA” sites, which were located close to each other, were effective in creating a landmark gateway image for Kai Tak. He said that a twin-tower concept was not adopted for development of the International Finance Centre (IFC), despite its prime location within the central business district and that the site was relatively open with no tall building in its vicinity. A twin-tower concept was also not adopted for the development of the International Commerce Centre (ICC). However, a gateway had been created by the IFC and ICC on both sides of Victoria Harbour. When tourists arrived

in Hong Kong by sea, they would have passed through the prominent IFC / ICC gateway at Victoria Harbour. It was unnecessary to create so many gateways in Hong Kong and the proposed small inland gateway at Kai Tak was meaningless;

- (b) the planning intention for Kai Tak was to create a green and low-density environment. Hence, the Government had proposed to provide extensive greening in Kai Tak and to have in-situ preservation of the Bridge Remnants. The Government had also put in a lot of efforts in cleaning up the highly polluted Kai Tak Nullah and converting it into the Kai Tak River. These planning concepts would constitute a unique landmark image for Kai Tak;
- (c) the PlanD had recently proposed not to adopt the twin-tower concept for the CDA sites. However, the building height of the “CDA(1)” site would need to be increased to 200mPD. It was considered that having tall buildings on the “CDA” sites, regardless of one or two towers, was contrary to the original planning intention for Kai Tak, which was to create a green and low-density environment. When viewing from the future cruise terminal in Kai Tak, the tall buildings would block the views of Lion Rock;
- (d) the Kai Tak Development was planned to be a landmark with low-rise developments. Instead of allowing high-rise development in Kai Tak, the Government could find other ways to gain the land revenue and the unique cityscape of Kai Tak should not be compromised;
- (e) some residents of the Latitude had already mentioned the existing noise and air pollution problems as well as the traffic problems they were experiencing. He requested Members to sympathise with these residents and not to agree to the proposed building at 200mPD in the “CDA(1)” site or at least to revert to the development parameters incorporated in the approved OZP gazetted in 2007 [i.e. with BHR of 175mPD on the previous “CDA(1)” zone]. The

environment would be further improved if the Board agreed not to allow high-rise development on these two “CDA” sites. Should it be necessary to provide more commercial floor space within Kai Tak, it should be evenly distributed to other sites; and

- (f) the residents of the Latitude did not intend to challenge the Government nor cause any delay to the Kai Tak Development. They only hoped to strive for better living environment. They also wished to see the expeditious commencement of the Kai Tak Development and its completion as planned and scheduled. It was a waste of land resources for the Kai Tak Development site to be left vacant for so long. They urged Members not to make a decision that would ruin the integrity of the overall cityscape of Kai Tak due to financial considerations. Kai Tak should be developed according to its original planning intention so that people visiting the place in future could walk along the Kai Tak River commanding a good view of Lion Rock. They could also see birds flying over the preserved Bridge Remnants and green spaces around the cruise terminal. Such a vision for Kai Tak Development would only be realised if Members made a correct decision.

Representation Team of the Latitude

76. With the aid of a Powerpoint presentation, Ms. Paula Parodi Brassesco made the following main points:

- (a) her family treated Hong Kong as their permanent home and the flat at the Latitude was the first property they bought in Hong Kong. They had trusted that there was rule of law in Hong Kong and business was done here on a fair basis;
- (b) they had studied many documents and plans, including the statutory town plans made available to the public, before purchasing the flat. Despite some noise and traffic problems, they liked the location of the Latitude and its open view to Kai Tak. Their flat currently had harbour view;

- (c) it was unfair for the Government to propose two commercial towers on the “CDA” zones, which would block the harbour views of their flat. The proposed commercial towers would also result in more congested traffic on PERE that would create dust problem and noise nuisances affecting their well-being;
- (d) she felt being cheated as the Government had now altered the planning of the areas surrounding the Latitude. The Government was losing credibility by breaking their commitments to the long-term plans for the area; and
- (e) she urged the Government to act fairly, to re-consider its plans for the two commercial towers and to maintain its original planning intention for Kai Tak so that they would continue to have an open sea view and less crowded surroundings.

Representation Team of the Latitude

77. Mr. Lam Chi Leung made the following main points:

- (a) he urged the Government to provide a green living environment for him and other residents of the Latitude;
- (b) air quality had been an important issue in all countries. After the World War II, many people in Los Angeles suffered from lung diseases. Since 1963, the US Government had enacted a series of legislations to control air pollution in particular the air quality standards for PM2.5. Increased levels of PM2.5 in the air were linked to health hazards such as respiratory problem and cancer. Many other countries had also imposed stringent air quality standards on PM2.5. P.M 2.5 was mainly caused by emission from vehicles;
- (c) air pollution problem would have negative impacts on Hong Kong’s economic development. The proposed twin-tower would trap

more exhaust fume and airborne particulates from the heavy traffic along PERE;

- (d) he had doubt on the statement made by PlanD that a critical mass of 500,000m² was required for creating an office node. With the Lion Rock at the back, he considered that the BH for the “CDA” site in front of the Latitude should not exceed 100mPD. In fact, there should be an overall planning of the district, including Wong Tai Sin, San Po Kong and Kowloon City. A stepped building height with low-rise development at the sites close to the waterfront with medium/high rise developments in the inland area should be adopted; and
- (e) he urged the Board to consider his representation and reserve a green living environment for the next generation.

Representation Team of the Latitude

78. Mr. Ng Wai Ki made the following main points:

- (a) he appreciated the efforts made by other residents of the Latitude in undertaking researches and collecting detailed information to demonstrate the adverse impacts of the proposed twin-tower development;
- (b) the amendments incorporated in the draft OZP No. S/K22/3 was arbitrary and the gazettal was done in a rush manner;
- (c) the preservation of the Bridge Remnants was good planning. However, the proposed amendments arising from the preservation proposal had caused significant adverse impacts. The TPB Paper had set out the merits/justifications for the amendments incorporated in the draft OZP No. S/K22/3. The Government had put up the public interest to defend the infringement on private property interest. This was against Hong Kong’s core values of respecting contractual spirit and protecting private

property right; and

- (d) Members should take into consideration the interests of all stakeholders in making a fair decision. He requested the Board to revert to the development scheme in the approved OZP No. S/K22/2.

Representation Team of the Latitude

79. Ms. Tsui Siu Ning made the following main points :

- (a) in a recent television programme on the role of the TPB, it was stated that the concerns of the TPB were still on the PR and comprehensive development perspectives. However, in other overseas countries, town planning covered a wider perspective of environmental protection, air ventilation and sustainable development;
- (b) she had a number of questions on the PlanD's responses covered in Annex V (Chinese version) of the TPB Paper No. 9014:
 - i) page 4 – ‘there is a strong demand for well-planned Grade A offices to meet the growth of Hong Kong’s ...’. Ms. Tsui asked which economic sector had the demand and whether there was any specific location required;
 - ii) page 6 – ‘the proposed BH of 175mPD for “CDA(1)” and “CDA(2)” sites or 200mPD at the “CDA(1) site would not breach the 20% building-free zone of the Lion Rock ridgeline’. Ms. Tsui enquired about the location of the vantage point and whether the 20% was measured from the top of the mountain;
 - iii) page 8 – ‘the building developments at both “CDA(1)” and “CDA(2)” sites do not abut the PERE, but at a distance of 100m to 150m away separated by two “G/IC” developments’. Ms. Tsui enquired whether the PERE was widened from

100m to 150m;

- iv) page 15 – ‘A park with aviation theme reflecting the historical role of Kai Tak is planned at the end of the Runway’. Ms. Tsui commented that Kai Tak Airport was part of the collective memories of Hong Kong people. There should be a museum to showcase the historical role of Hong Kong;
 - v) page 22 – ‘PERE is an essential trunk road in Kowloon.....On the provision of noise barriers, DEP advises that the concerned section of PERE is not included in the current programme for implementation of traffic noise mitigation measures.’ Ms. Tsui said that the relevant department had not provided the reason for not including the concerned section of PERE in the concerned programme;
 - vi) page 39 – ‘...the OZP was the result of an extensive 3-stage public engagement exercise, which has wide public support....’. Ms. Tsui said that there were no details on the ‘wide public support’. It was noted that some DCs members had submitted their representations against the amendments;
- (c) the vision of Kai Tak Development was ‘a distinguished, vibrant, attractive and people-oriented Kai Tak by Victoria Harbour’. However, the development scheme was dominated by high-rise buildings. The gateway twin-tower concept was a laughing stock;
- (d) the in-situ preservation of the Bridge Remnants was an important achievement of heritage preservation and a pride of Hong Kong. However, the Government was only concerned about the need to compensate the displaced commercial/office GFA. In designing the landmark for Kai Tak Development, the Government should take into consideration the heritage remains found in the area. A

landmark needed not be a high-rise glossy building. When tourists arrived at the Cruise Terminal in Kai Tak, they would be interested to see the cultural and heritage characteristics of Kai Tak, but certainly not high-rise developments;

- (e) the Government had not specified who needed the Grade A commercial/office floor space and why the floor space had to be provided at the CDA site. Commercial/office floor space could be provided in Hung Shui Kiu and Tin Shui Wai which were new development areas with good transport network; and
- (f) she had carried out research on various documents, including the statutory OZP No. S/K22/2, before purchasing the flat in the Latitude. The proposed twin-tower development arising from the preservation of the Bridge Remnants would have significant adverse impacts on her. She hoped Members would understand the hardships encountered by the residents of the Latitude.

R61 : Lee Tak Hong, President of the East Kowloon District Residents' Committee

80. Mr. Lee Tak Hong made the following main points :

- (a) he was the Chairman of the Wong Tai Sin DC, President of the East Kowloon District Residents' Committee and 東頭邨居民聯會總幹事;
- (b) it was reasonable for the residents of the Latitude to raise their objection against the twin-tower concept on the ground of adverse visual impacts. Apart from visual impacts, many other representers submitted their comments on different aspects. He opposed the twin-tower development and the increased PR and BH of the revised one-tower design mainly from the air ventilation point of view;
- (c) it was due to the strong request made by the Wong Tai Sin DC

that the Government decided not to deck over the Kai Tak nullah and to turn it into an amenity area for public enjoyment;

- (d) Wong Tai Sin DC had made great efforts in preserving and enhancing the air ventilation and wind environment in the district. Kai Tak was one of the three major wind paths which allowed prevailing winds to penetrate from the harbour to the inland areas. The Wong Tai Sin DC had requested the relevant departments to submit wind tunnel tests to demonstrate that development of the Tung Wui Estate (part of the previous Tung Tau Estate) would not have adverse air ventilation impacts. He opposed the proposed twin-tower development as it would have negative air ventilation impacts;
- (e) the busy PERE had caused serious noise and air pollution problems. In formulating the Kai Tai Development proposals, the Government tried to address the problems by designating the sites along 'PERE – Westbound' for commercial use which would act as a noise buffer. However, the Government had not assessed whether the proposed development would worsen the environmental problems and identified any mitigation measures, e.g. planting more trees in its central dividers or providing a landscaped area fronting the PERE;
- (f) the Government had made strong emphasis to design Kai Tak as Hong Kong's showcase for good urban design and landscape. However, the Kai Tak area should not be developed in isolation. The development should integrate with the surrounding areas. For example, the proposed USS should be extended to connect with the previously proposed SCL depot at Tai Hom Village and even to the Kowloon Bay area. The Kai Tak Development could provide development opportunity to transform Kowloon Bay to a business district.

[Miss Annie Tam returned to join the meeting while Mr. Roger Luk left the meeting at this point.]

R1115 : Wat Ki On, New People's Party

81. Mr. Wat Ki On made the following main points :

- (a) he attended the hearing as a Community Organizer (社區幹事) of the New People's Party;
- (b) the Government planned to develop Kowloon East including Kai Tak as CBD2. However, it did not mean that the Kai Tak Development should model on the Central District. The vision of Kai Tak Development as laid down in the Kai Tak Planning Review 2007 was to create 'A Distinctive, Vibrant, Attractive and People-oriented Kai Tak by Victoria Harbour';
- (c) there was no objection to the preservation of the Bridge Remnants. However, this should not be done at the expense of the interests of the local residents. The Government proposed the twin-tower concept on the basis that reduction of Grade A commercial/office GFA due to the preservation of Bridge Remnants would significantly affect the sustainable economic development of Hong Kong and therefore the displaced GFA should be compensated. However, Grade A commercial/office building needed not to be as tall as 80 to 100 storeys high.
- (d) he had great concern on the negative air ventilation impact of the twin-tower development. The wind environment in Tung Tau Tsuen, Rhythm Garden and San Po Kong had already been adversely affected by the Latitude. A stepped building height should be adopted in the Kai Tak Development;
- (e) it was stated in the TPB Paper that the major prevailing wind came from the east and south-east quadrants, and the prevailing

summer wind mainly came from the SE and SW quadrants. That meant the high-rise twin-tower development at the seaward side would block the prevailing summer wind from penetrating into the hinterlands for about nine months of a year. The Government should review the twin-tower concept;

- (f) he had tried to work out with DEP and the relevant departments on the mitigation measures to minimize and address the traffic noise impacts of PERE. However, since the sites along the 'PERE – Eastbound' had already been built-up, there was limited scope to implement any mitigation measures. He was very disappointed to note that the sites along the 'PERE – Westbound' were designated for high-rise developments. It would create a canyon effect and the existing traffic noise and air pollution problems would be worsened. He urged the Board to reconsider the development proposal;
- (g) there was a lack of open space in San Po Kong. The open space provided in Kai Tak was mainly located in the central part of the development area. There should be better integration between the old districts and Kai Tak; and
- (h) Kai Tak should be planned as a sustainable and environmentally friendly development. The Board should strike a balance between the need for economic development and a quality living environment. He requested the Board not to adopt the twin-tower concept and revert to the development scheme incorporated in the OZP No. S/K22/2.

82. As the presentations from the representers and the representatives of the representers had been completed, the Chairman invited questions from Members.

83. In response to the Chairman's enquiry on the difference of the current development scheme and that of the 2007, Mr. Eric Yue, DPO/K said that the 2007

development scheme referred to development proposal incorporated in the OZP No. S/K22/2 which was approved by the CE in C in 2007. Due to the need to preserve the Bridge Remnants which were unearthed in 2008, amendments to the 2007 scheme were required. The in-situ preservation of the Bridge Remnants and the provision of arts and performance related uses had resulted in a loss of commercial/office GFA originally planned for the Kai Tak City Centre. To compensate for the displaced commercial/office GFA and to create a gateway for the Kai Tak Development, a twin-tower concept was incorporated in the current OZP No. S/K22/3. In view of the public comments received, PlanD had no objection to revert to the single-tower design. However, in order to meet the need for creating a critical mass of Grade A offices for sustaining Kai Tak as a commercial hub, there was a need to compensate the displaced commercial/office GFA. PlanD therefore proposed to increase the PR of the “CDA(1)” site from 8.0 to 10.0 and lift up the BH of the tower portion of the site from 175mPD to 200mPD. The site coverage restriction for the site i.e. 65%, however, remained the same as the 2007 development proposal. It should be noted that even with an increase in BH and PR, the “CDA(1)” site could not compensate all the displaced commercial/office GFA while the remaining displaced GFA would need to be redistributed to the “C(6)” and “CDA(3)” zones with corresponding increase in PR and BH. Taking into account the relevant considerations including the public comments, the need to maintain planned quality commercial/office space and the assessments on air ventilation, visual and environmental impacts as set out in the TPB Paper No. 9014, PlanD considered that a BH of 200mPD for “CDA(1)” site was appropriate.

84. Mr. Eric Yue, DPO/K continued and said that any development within the “CDA(1)” zone would require approval of the Board by way of a planning application. In support of the planning application, the future developer had to submit a Master Layout Plan (MLP) on the proposed development and the relevant technical assessments including assessments on visual impact, air ventilation impact, environmental impact, and traffic impact to the Board for consideration. A planning brief would be prepared by PlanD to set out the design concept as well as the planning requirements for the proposed development on the “CDA(1)” site. In this regard, PlanD would take into account residents’ concerns in preparing the planning brief. The planning brief would be submitted for the Board’s approval.

Subject to Members' agreement, PlanD would also consult the relevant DCs on the planning brief of the "CDA(1)" site. Mr. Yue said that there was existing mechanism to control the development within the "CDA" site.

85. Noting that many representers had raised their concerns on the visual and air ventilation impacts of the proposed development on the "CDA(1)" site, a Member enquired about the total GFA to be provided on the site. Mr. Eric Yue, DPO/K replied that the "CDA(1)" site was subject to a maximum PR of 10.0 and a BH restriction of 200mPD. He estimated that a total of about 177,000m² of GFA could be provided in the "CDA(1)" site. As compared to the previous maximum PR of 8.0, the currently proposed maximum PR of 10.0 for the site could provide an additional GFA of 35,400m² with the BH relaxed from 175mPD to 200mPD (i.e. increase of 25m).

86. Another Member asked whether there was any scope to adjust the disposition of the development on the "CDA(1)" site. Mr. Eric Yue, DPO/K said that the "CDA(1)" site comprised two parts. Part of the site which had a BH restriction of 40mPD was planned for low-rise development with cascading building profile to match with the adjacent Kai Tak River whereas the remaining part of the site had a BH restriction of 200mPD to allow for a landmark building. The design concept was similar to Namba Station Development at Osaka. As mentioned earlier, the "CDA(1)" site was subject to a maximum site coverage of 65%. The developer needed to submit a MLP to indicate the disposition and layout of the development for the Board's approval.

87. Mr. Chan Ki Tak said that Board members were welcomed to conduct a site visit to the Latitude so as to have a better understanding of the concerns they presented. Members noted.

88. In response to Mr. Eric Yue's clarifications, Ms. Lam Lik Kwan made the following two main points:

- (a) although the developer needed to submit a MLP for the Board's approval, the development parameters for the "CDA" site had been incorporated in the OZP which was a statutory town plan.

There were uncertainties on how the residents' concerns could be addressed and whether these could be controlled through the MLP submission. These uncertainties might lead to further disputes or legal proceedings;

- (b) an increase of 25m in BH (i.e. from 175mPD to 200mPD) could only provide an additional 35,400m² commercial/office GFA. The increase in BH would, however, cause significant air quality and environmental problems which would affect the health of the local residents. As compared with the social cost on medical expenses, the proposed increase of BH was not cost effective. The Board should revert to the '2007 Development Scheme'. Although the preservation of the Bridge Remnants would affect the provision of commercial/office GFA, its intangible benefits would out-weight the loss of GFA. The Board should make the decision from the preservation and people-oriented planning point of view;

89. Mr. Lee Kin Wah Augustine said that apart from the "CDA(1)" and "CDA(2)" sites, the Government should consider whether the displaced commercial/office GFA could be accommodated in other parts of the Kai Tak Development or Kowloon East.

90. Ms. Tsui Siu Ning made the following main points:

- (a) the proposed landmark building should feature the unique history of Hong Kong. It was not appropriate to duplicate the icon building of other countries. There were many renowned architects in Hong Kong. The Government could launch a design competition for the landmark development in Kai Tak;
- (b) although there were restrictions on the BH and PR for the "CDA" sites, the developer might increase the floor area and building height by various means, resulting in 'inflated building';

and

- (c) the unique history of Kai Tak was an important part of the life and culture of Hong Kong people. It should be taken into account in the planning and development of Kai Tak.

91. Ms. Lee Wing Yee Winnie said that a landmark would not necessarily be a high-rise development. She considered that a landmark should not be defined by its BH. For instance, the Connaught Centre was once regarded as the landmark as it was the tallest building of Hong Kong at that time. It was then replaced by Hopewell Centre, IFC and ICC. High-rise development would have adverse air ventilation impact which was a major concern of the residents. The BH restriction set out in the OZP was a statutory planning control that the developer had to comply with. However, if the Government kept amending the BH restriction without strong justification, it would set a bad example and private developers might also submit applications to request further relaxation of the BHR.

92. As Members had no further question to raise, the Chairman said that the hearing procedures had been completed and the Board would deliberate on the representations in the absence of the representers and their representatives. They would be informed of the Board's decision in due course. The Chairman thanked the representers and their representatives as well as the representatives of PlanD and CEDD for attending the hearing. They all left the meeting at this point.

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

Deliberation Session

93. Members agreed to note the support of R94, R1109 and R1110 on the preservation of Bridge Remnants. They also noted R1109's adverse representation, amongst others, that the preservation corridor was considered too narrow and a 15m-wide strip of land fronting the Preservation Corridor should be provided for 'Shop and Services' and 'Easting Place' uses so as to enhance the vibrancy and attractiveness of the corridor for public enjoyment. Members agreed with PlanD's assessment on the width of the Preservation Corridor as set out in paragraph 4.3 of

the Paper and highlighted in PlanD's presentation, and considered that the 30m wide Preservation Corridor was appropriate. Members also noted that the proposed retail and commercial uses could be provided at the adjoining "CDA" zones and the relevant requirements would be set out in the planning briefs to be prepared by PlanD. Members considered that the proposed "O(3)" zoning for the Preservation Corridor, which could define a clear area for public appreciation of the Bridge Remnants, was appropriate.

94. Members considered that the proposed location of the "OU(Arts and Performance Related Uses)" zone was appropriate as it allowed for the provision of a distinctive giant platform that merged with the bridge deck of the curvilinear walkway. The platform could be used for public viewing and outdoor arts/cultural performance.

95. A Member said that the concerns raised by the representers on the twin-tower concept were noted. Based on the AVA studies on other projects, building separation was an important consideration in assessing the air ventilation impacts. Given there was sufficient separation between the twin towers, the twin-tower design would not have significant adverse effects on air ventilation inside the Kai Tak Development and the hinterland. Notwithstanding, as PlanD had no objection to reverting to the single-tower design, the representers' concerns could be addressed. This Member also opined that in considering the planning for the two "CDA" sites, the Board had to strike a balance in meeting the needs for preserving the heritage remains, providing a quality living environment as well as sustaining economic growth of Hong Kong. On balance, the proposed development of "CDA(1)" zone, i.e. a single tower of 200mPD with a PR of 10.0, was considered appropriate.

96. Another Member said that the Board had followed the statutory procedures in processing the amendments to the OZP. Regarding the residents' concerns on air ventilation and visual impacts of the development on the "CDA" site, there was a mechanism under the "CDA" zone to ensure planning control on the detailed design of the development. With the need to preserve the Bridge Remnants and maintain the planned commercial/office GFA, some of commercial/office GFA originally planned at the site had to be displaced. Under the 'Energizing Kowloon East', Kowloon East including Kai Tak Development would be developed into a

CBD to sustain Hong Kong's economic development. There was a genuine need to compensate the displaced commercial/office GFA in the "CDA(1)" site. From the air ventilation perspective, this Member opined that a single tower design might be better than a twin-tower concept, and a single tower high-rise development with distinctive design could also provide an attractive urban form in Kai Tak. Whether it should be a landmark building was not a crucial issue.

97. The Chairman concluded Members' views that the support of R1 to R34 and R719 on the twin-tower development/concept, the support of R1109 to the preservation of Bridge Remnants, the planning control for the layout of the surrounding development sites and the realignment of USS, and the support of R94 and R1110 to the preservation of the Bridge Remnants were noted. As the single tower design and the twin-tower design were two townscape design concepts with different emphasis/merits and the single tower design concept had been incorporated in the approved OZP No. S/K22/2, Members agreed to partially uphold 68 representations by reverting to the single tower design and amending the PR and BH restrictions stipulated for the "CDA(2)" zone from 8.0 to 4.5 and 175mPD to 40mPD respectively. To maintain the planned commercial/office GFA for the Kai Tak Development, the PR restriction stipulated for the "CDA(1)" zone was revised from 8.0 to 10.0 with the BH of the subzone for the tower portion increased from 175mPD to 200mPD and the boundary of the subzone be realigned. The PR and BH restrictions for the "CDA(3)" zone were amended from 4.0 to 5.0 and 70mPD to 80mPD respectively, and the PR and BH restrictions for the "C(6)" zone were amended from 5.0 to 6.0 and 80mPD to 100mPD respectively.

98. Members also decided not to uphold the remaining parts of the representations. According to the assessments on air ventilation, visual, traffic, noise and air quality impacts as set out in the TPB Paper No. 9014, the proposed commercial developments at the "CDA(1)" and "CDA(2)" sites would not have significant adverse impacts. Reduction of BH for "CDA(1)" zone would lead to a loss of the commercial/office GFA and undermine the creation of a viable office node for Kai Tak City Centre. The original planned commercial/office GFA for Kai Tak City Centre should be maintained. The "CDA" zoning for the sites allowed the Board to vet the design of the development through the submission of MLP and various detailed

technical assessments in the planning application process. The public could also submit their comments on the MLP of the “CDA” site during the planning application stage. Prior to the gazettal of the proposed amendments incorporated in the OZP No. S/K22/3, public consultation had been conducted. After publication of the OZP, consultation with the public was carried out during the two-month exhibition period in accordance with the established practice. These statutory and administrative consultation procedures were considered adequate. Property prices were a complex interplay of a number of market factors. The enhancement in urban design and the provision of commercial/office GFA were for the public good and in the interest of the community. It was noted that the proposed amendment to the PR for the “OU(Mixed Use)” zone was to readjust the proportion of the domestic PR and the non-domestic PR. The overall PR and the BH for the zones had been maintained as compared with the previous OZP and there was no increase in building intensity. Members also agreed that the USS incorporated in the OZP No. S/K22/3 was appropriate.

Representations No. 1 to 34 and 719

99. After further deliberation, the Board noted the support of R1 to R34 and R719 and agreed to advise the representers of R12, R13, R34 and R719 of the following:

relocation of the commercial developments at the “Comprehensive Development Area (1)” (“CDA(1)”) and Comprehensive Development Area (2)” (“CDA(2)”) sites outside Kai Tak City Centre would undermine the provision of a critical mass for Grade A offices in Kai Tak. Commanding a landscaped riverside location and coupled with the curvilinear elevated walkway, a landmark development at “CDA(1)” site could pronounce a prominent image in the locality.

Representations No. 41 to 72, 75 to 82, 85, 93, 112, 119 to 123, 132, 142, 143, 148, 160, 162, 183, 186, 187, 196, 204, 216, 527, 666, 844, 847, 849, 909 and 1011

100. After further deliberation, the Board decided to partially uphold the representations of R41 to R72, R75 to R82, R85, R93, R112, R119 to R123, R132,

R142, R143, R148, R160, R162, R183, R186, R187, R196, R204, R216, R527, R666, R844, R847, R849, R909 and R1011 by amending the plot ratio (PR) and building height (BH) restrictions stipulated for the “Comprehensive Development Area (2)” (“CDA(2)”) zone from 8.0 to 4.5 and 175mPD to 40mPD respectively. To maintain the planned commercial/office gross floor area (GFA), the PR restriction stipulated for the “Comprehensive Development Area (1)” (“CDA(1)”) zone should be amended from 8.0 to 10.0 with the BH of the subzone amended from 175mPD to 200mPD and the BH subzone boundary realigned. The PR and BH restrictions for the “Comprehensive Development Area” (3)” (“CDA(3)”) zone were amended from 4.0 to 5.0 and 70mPD to 80mPD respectively, and the PR and BH restrictions for the “Commercial (6)” (“C(6)”) zone were amended from 5.0 to 6.0 and 80mPD to 100mPD respectively.

101. The Board also decided not to uphold the remaining parts of the representations of R41 to R72, R75 to R82, R85, R93, R112, R119 to R123, R132, R142, R143, R148, R160, R162, R183, R186, R187, R196, R204, R216, R527, R666, R844, R847, R849, R909 and R1011. Members then went through the suggested reasons for not upholding the representations as detailed in 6.3 to 6.5 and Annex V of the Paper and agreed that they should be suitably amended as follows:

- (a) the land use rearrangement in the Kai Tak City Centre arose from the need for in-situ preservation of the Bridge remnants unearthed during the archaeological investigation in 2008 after the approval of the previous Kai Tak Outline Zoning Plan (OZP) in 2007. The provision of arts and performance related uses at the previous “Commercial (5)” (“C(5)”) zone was considered appropriate in the land use rearrangement. However, this would lead to a loss of the commercial/office GFA originally planned for the Kai Tak City Centre. The “Comprehensive Development Area (1)” (“CDA(1)”) and “Comprehensive Development Area (2)” (“CDA(2)”) sites were considered appropriate to accommodate the displaced GFA given its central and prominent location in the commercial belt in the Kai Tak City Centre and being well served by transport facilities;

- (b) the Kai Tak Planning Review recommended a well balanced mix of land uses to meet public needs and aspirations and the sustainable growth of Hong Kong. There was a strong demand for well-planned Grade A offices to meet the growth of Hong Kong's economy and sustain Hong Kong as a regional business hub. Reduction of BH for the "CDA(1)" zone would lead to a loss of the commercial/office GFA and undermine the creation of a viable office node for the Kai Tak City Centre. The planned original commercial/office GFA for the Kai Tak City Centre should be maintained;
- (c) in formulating the urban design proposal, the BH profile and the broad urban design framework set out in the Kai Tak Planning Review and the approved Kai Tak OZP had been duly considered. The intent of protecting the ridgelines as recommended in the Urban Design Guidelines in the Hong Kong Planning Standards and Guidelines would not be compromised;
- (d) the commercial developments at the "CDA(1)" and "CDA(2)" zones would not result in adverse visual, air ventilation, environmental and traffic impacts;
- (e) the administrative public consultation prior to the publication of the amendments to the OZP and the statutory consultation procedures after the publication had been conducted under the established practice and were considered adequate;
- (f) relocation of the commercial developments at the "CDA(1)" and "CDA(2)" sites outside the Kai Tak City Centre would undermine the provision of a critical mass for Grade A offices in Kai Tak. Commanding a landscaped riverside location and coupled with the curvilinear elevated walkway, a landmark development at the either "CDA" site could pronounce the prominent image in the locality (*R52 to R56, R77, R93, R112, R142 and R187*);

- (g) property prices were the complex interplay of a number of market factors. The proposed enhancement in urban design and the provision of commercial/office GFA were for the public good and in the interest of the community (*R41, R85, R112, R142, R187, R204 and R909*);
- (h) the proposed BH of 300mPD at the “C(6)” zone was considered unacceptable from the urban design perspective as this would substantially breach the 20% building-free zone, thus hindering the protection of the Lion Rock ridgeline. The road access to the “C(6)” site would also need to be critically reviewed, in particular, the eastern part of the site was served by a local road for loading/unloading only (*R204*);
- (i) the development sites in Kai Tak would adopt a higher greening ratio to ensure abundant green landscaping at pedestrian zone and rooftop level so as to enhance the visual amenity of the environment and achieve the planning vision of developing into a green hub (*R204*);
- (j) the proposed urban design enhancement had already increased the area zoned “Open Space” (“O”) from 98 ha to 100 ha. This accounted for about one-third of the total area (100 ha) in Kai Tak which was considered sufficient (*R41, R68, R93, R112, R119, R132, R142, R160, R162, R204, R847 and R1011*); and
- (k) the Kai Tak Planning Review had recommended a well-balanced mix of land uses to meet the needs/aspirations from various community sectors as well as to sustain the growth of Hong Kong in long term. This included the development of tourism and leisure hub in the Runway, the sports hub in the north apron west and commercial/residential development in the Kai Tak City Centre (*R68, R119, R187 and R196*).

Representation No. 94

102. After further deliberation, the Board noted the support of R94 and decided not to uphold the remaining part of the representation of R94. Members then went through the suggested reasons for not upholding the representation as detailed in 6.4 and 6.5 of the Paper and agreed that they were appropriate :

- (a) the land use rearrangement in the Kai Tak City Centre arose from the need for in-situ preservation of the Bridge Remnants unearthed during the archaeological investigation in 2008 after the approval of the previous Kai Tak Outline Zoning Plan (OZP) in 2007. The provision of arts and performance related uses at the previous “Commercial (5)” (“C(5)”) zone was considered appropriate in the land use rearrangement. However, this would lead to a loss of the commercial/office gross floor area (GFA) originally planned for the Kai Tak City Centre. The “Comprehensive Development Area (1)” (“CDA(1)”) and “Comprehensive Development Area (2)” (“CDA(2)”) sites were considered appropriate to accommodate the displaced GFA given its central and prominent location in the commercial belt in the Kai Tak City Centre and being well served by transport facilities;
- (b) in formulating the urban design proposal, the building height (BH) profile and the broad urban design framework set out in the Kai Tak Planning Review and the approved Kai Tak OZP had been duly considered. The intent of protecting the ridgelines as recommended in the Urban Design Guidelines in the Hong Kong Planning Standards and Guidelines would not be compromised;
- (c) the commercial developments at the “CDA(1)” and “CDA(2)” zones would not result in adverse visual, air ventilation, environmental and traffic impacts; and
- (d) the administrative public consultation prior to the publication of

the amendments to the OZP and the statutory consultation procedures after the publication had been conducted under the established practice and were considered adequate.

Representation No. 1109(part)

103. After further deliberation, the Board noted the support of R1109(part) and decided to partially uphold the representation of R1109(part) by amending the plot ratio (PR) and building height (BH) restrictions stipulated for the “Comprehensive Development Area (2)” (“CDA(2)”) zone from 8.0 to 4.5 and 175mPD to 40mPD respectively, and the PR and BH restrictions stipulated for the “Commercial (6)” (“C(6)”) zone from 5.0 to 6.0 and 80mPD to 100mPD respectively. To maintain the planned commercial/office gross floor area (GFA), the PR restriction stipulated for the “Comprehensive Development Area (1)” (“CDA(1)”) zone be amended from 8.0 to 10.0 with the BH of the subzone amended from 175mPD to 200mPD and the BH subzone boundary realigned. The PR and BH restrictions for “Comprehensive Development Area (3)” (“CDA(3)”) zone were also amended from 4.0 to 5.0 and 70mPD to 80mPD respectively.

104. The Board also decided not to uphold the remaining part of the representation of R1109(part). Members then went through the suggested reasons for not upholding the representation as detailed in 6.3 to 6.5 of the Paper and agreed that they should be suitably amended as follows:

- (a) the land use rearrangement in the Kai Tak City Centre arose from the need for in-situ preservation of the Bridge Remnants unearthed during the archaeological investigation in 2008 after the approval of the previous Kai Tak Outline Zoning Plan (OZP) in 2007. The provision of arts and performance related uses at the previous “Commercial (5)” (“C(5)”) zone was considered appropriate in the land use rearrangement. However, this would lead to a loss of the commercial/office GFA originally planned for the Kai Tak City Centre. The “CDA(1)” and “CDA(2)” sites were considered appropriate to accommodate the displaced gross

floor area (GFA) given its central and prominent location in the commercial belt in the Kai Tak City Centre and being well served by transport facilities;

- (b) the Kai Tak Planning Review recommended a well balanced mix of land uses to meet public needs and aspirations and the sustainable growth of Hong Kong. There was a strong demand for well-planned Grade A offices to meet the growth of Hong Kong's economy and sustain Hong Kong as a regional business hub. Reduction of the BH for "CDA(1)" zone would lead to a loss of the commercial/office GFA and undermine the creation of a viable office node for the Kai Tak City Centre. The planned original commercial/office GFA for the Kai Tak City Centre should be maintained;
- (c) the 30m-wide preservation corridor incorporated in the OZP was sufficient to accommodate the 4m wide Bridge together with necessary display facilities for public enjoyment and was in accordance with the main stream of public views collected in the public engagement exercise;
- (d) the proposed "Open Space (3)" ("O(3)") zoning for the preservation corridor could define a clear area for public appreciation of the Bridge Remnants while the adjoining "Comprehensive Development Area" ("CDA") zones which were for commercial and residential purposes could foster an all-day vibrancy ambience. The proposed land use arrangement was considered appropriate;
- (e) the proposed location of the "Other Specified Use" ("OU") annotated "Arts and Performance Related Uses" zone was appropriate as it allowed the provision of a distinctive giant platform that merged with the bridge deck of the curvilinear walkway. This platform could be used for public viewing and

outdoor arts/cultural performance;

- (f) the current size of the “CDA” zones surrounding the Preservation Corridor was sufficient to accommodate a retail belt. Enlargement of the “CDA” zones was not necessary; and
- (g) the underground shopping street (USS) had been planned primarily for connecting the Kai Tak hinterland areas with the Shatin to Central Link (SCL) Kai Tak Station. Within the Kai Tak area, a comprehensive open space network would be provided, pedestrian circulation between the SCL Kai Tak Station and the surrounding developments should not be an issue. The feasibility and viability of extending the USS to the Grid Neighbourhood and public housing sites had not been established and was also in conflict with the existing drainage reserve.

Representation No. 1110

105. After further deliberation, the Board noted the support of R1110 and decided not to uphold the remaining part of R1110. Members then went through the suggested reasons for not upholding the representation as detailed in 6.5 of the Paper and agreed that they were appropriate :

- (a) designation of non-building areas (NBAs) could serve multi-purposes including enhancement of air ventilation, improvement of visual permeability and promotion of urban design concept. As the NBAs served a positive planning purpose and had positive planning benefits, such designation was justified;
- (b) the proposed amendments to the plot ratio (PR) for the “Other Specified Uses” (“OU”) annotated “Mixed Use” zones were for readjusting the proportion of the domestic PR and the non-domestic PR. The overall PR and the building height (BH) for the zones were maintained as compared with the previous

Outline Zoning Plan (OZP) and there was no increase in building intensity;

- (c) the proposed amendment to the PR of the “Comprehensive Development (1)” and “Comprehensive Development Area (2)” zones were to accommodate the commercial/office gross floor area (GFA) displaced from the previous “Commercial (5)” sites as part of the land use rearrangement arose from the in-situ preservation of Lung Tsun Stone Bridge. There was no increase in the total planned commercial/office GFA in these three sites; and
- (d) the administrative public consultation prior to the publication of the amendments to the Outline Zoning Plan and the statutory consultation procedures after the publication had been conducted under the established practice and were considered adequate.

Representations No. 73, 74, 83, 84, 86 to 92, 95 to 111, 113 to 118, 124 to 131, 133 to 141, 144 to 147, 149 to 159, 161, 163 to 182, 184, 185, 188 to 195, 197 to 203, 205 to 215, 217 to 302, 304 to 526, 528 to 665, 667 to 718, 720 to 843, 845, 846, 848, 850 to 908, 910 to 1010, 1012 to 1108, 1115 to 1117

106. After further deliberation, the Board decided not to uphold the representations of R73, R74, R83, R84, R86 to R92, R95 to R111, R113 to R118, R124 to R131, R133 to R141, R144 to R147, R149 to R159, R161, R163 to R182, R184, R185, R188 to R195, R197 to R203, R205 to R215, R217 to R302, R304 to R526, R528 to R665, R667 to R718, R720 to R843, R845, R846, R848, R850 to R908, R910 to R1010, R1012 to R1108, R1115 to R1117. Members then went through the suggested reasons for not upholding the representations as detailed in 6.4, 6.5 and Annex V of the Paper and agreed that they should be suitably amended as follows:

- (a) the land use rearrangement in the Kai Tak City Centre arose from the need for in-situ preservation of the Bridge Remnants unearthed during the archaeological investigation in 2008 after the

approval of the previous Kai Tak Outline Zoning Plan (OZP) in 2007. The provision of arts and performance related uses at the previous “Commercial (5)” zone was considered appropriate in the land use rearrangement. However, this would lead to a loss of the commercial/office gross floor area (GFA) originally planned for the Kai Tak City Centre. The “Comprehensive Development Area (1)” (“CDA(1)”) and “Comprehensive Development Area (2)” (“CDA(2)”) sites were considered appropriate to accommodate the displaced GFA given its central and prominent location in the commercial belt in the Kai Tak City Centre and being well served by transport facilities;

- (b) in formulating the urban design proposal, the building height (BH) profile and the broad urban design framework set out in the Kai Tak Planning Review and the approved Kai Tak OZP had been duly considered. The intent of protecting the ridgelines as recommended in the Urban Design Guidelines in the Hong Kong Planning Standards and Guidelines would not be compromised;
- (c) the commercial developments at the “CDA(1)” and “CDA(2)” zones would not result in adverse visual, air ventilation, environmental and traffic impacts;
- (d) the administrative public consultation prior to the publication of the amendments to the OZP and the statutory consultation procedures after the publication had been conducted under the established practice and were considered adequate;
- (e) there was a strong demand for well-planned Grade A offices to meet the growth of Hong Kong’s economy. Further reduction of building height would lead to a loss of the commercial/office GFA and significantly undermine the critical mass for creation of a viable office node in Kai Tak (*R84, R86, R87, R88, R89, R111, R115, R118, R133, R136, R140, R161, R169, R170, R171, R175,*

R178, R181, R188, R189, R190, R192, R197, R227, R508, R747, R935, R1010, R1014, R1065, R1069 and R1083);

- (f) relocation of the commercial developments at the “CDA(1)” and “CDA(2)” sites outside Kai Tak City Centre would undermine the provision of a critical mass for Grade A offices in Kai Tak. Commanding a landscaped riverside location and coupled with the curvilinear elevated walkway, a landmark development at either “CDA” site could pronounce the prominent image in the locality (*R88, R92, R95 to R110, R147, R159, R180, R211, R223, R461, R652, R747, R756, R821, R935, R1063, R1077, R1106*);
- (g) property prices were the complex interplay of a number of market factors. The proposed enhancement in urban design and the provision of commercial/office GFA were for the public good and in the interest of the community (*R91, R97, R115, R116, R136, R157, R158, R176, R215, R510, R512, R515, R567, R618, R678, R923, R964, R969, R1018, R1061, R1062, R1080, R1084, R1100*);
- (h) the proposed urban design enhancement had already increased the area zoned “Open Space” (“O”) from 98 ha to 100 ha. This accounted for about one-third of the total area (100 ha) in Kai Tak which was considered sufficient (*R97, R129 to R131, R134 to R137, R146, R149, R151, R154 to R158, R161, R164, R169, R170, R173, R174, R179, R185, R191, R194, R195, R198, R199, R248, R515, R631, R845, R935, R1010, R1015, R1023, R1091, R1096*);
- (i) the Kai Tak Planning Review had recommended a well-balanced mix of land uses to meet the needs/aspirations from various community sectors as well as to sustain the growth of Hong Kong in long term. This included the development of tourism and leisure hub in the Runway, the sports hub in the north apron west and commercial/residential development in the Kai Tak City

Centre (*R99, R104, R124 to R128, R138, R141, R144, R149, R152, R157, R158, R163 to R167, R170, R171, R174, R182, R193, R248, R207 and R634*);

- (j) the proposed amendments did not involve the building height of the “Government, Institution or Community” (“G/IC”) sites reserved for government offices cluster. Proposed footbridges and underground shopping streets connecting the Kai Tak area and its hinterland areas had been included in the OZP (*R111*);
- (k) the location of the government offices cluster would enable the government services to be more accessible to both the existing and future population (*R146*);
- (l) the OZP had incorporated a number of proposed elevated walkways/subways and underground shopping streets between Kai Tak and its hinterland areas (*R90 and R168*);
- (m) the “CDA” zoning for the selected important sites would ensure that the Board could vet the design of these important areas through the planning application process with the submission of the Master Layout Plan (*R99 and R116*);
- (n) the incorporation of a 30m wide Preservation Corridor for preserving the Bridge Remnants in Kai Tak OZP was the public consensus reached in the public engagement exercise for the remnants. The “CDA” zoning for the three sites adjoining the Preservation Corridor would ensure that the Board could vet the design of these important areas through the planning application process with the submission of the Master Layout Plan (*R821*);
- (o) the BH restrictions on the OZP had taken into account urban design consideration recommended in the Kai Tak Planning Review, as well as the need to provide a well balanced mix of

land uses. Residential developments in the Grid Neighbourhood area would comprise podium-free residential towers and low blocks to achieve diversity in building mass/form for a more interesting building height profile in the area (*R1115*);

- (p) with the incorporation of the urban design enhancement proposals in the Kai Tak Development, the area of “O” zone was increased from 98 ha to 100 ha which would be about one-third of the total area in Kai Tak. As there were also strong demands for housing and commercial/office development, further increase in open space at the expense of other planned development was not desirable (*R1115*);
- (q) an existing subway was located next to the planned elevated walkway from the Rhythm Garden to Kai Tak and the enhancement works for this subway was also being carried out. The planned walkway on the OZP was an additional crossing over the Prince Edward Road East to further enhance pedestrian connection. It was therefore not necessary to replace the elevated walkway with subway. An entrance of the underground shopping street (USS) was also planned in San Po Kong which was within the walking distance of the Rhythm Garden residents (*R1115*); and
- (r) the USS was an integrated part of the pedestrian network in Kai Tak and one of the main land use planning features arising from the extensive public engagement programme for the Kai Tak Planning Review conducted between 2004 and 2007 and had received wide local public support. Non-building areas (NBAs) were designated in various zones to serve multiple purposes including enhancement of air ventilation, improvement of visual permeability and promotion of urban design concept. The incorporation of the NBAs and the USS in the OZP could ensure the implementation of these important features under the statutory

planning control mechanism (*R1116*).

[Professor Edwin H.W. Chan and Dr. W.K. Lo left the meeting at this point.]

107. The morning session of the meeting was adjourned at 5:45p.m.

108. The meeting resumed at 5:45 p.m.

109. The following Members and the Secretary were present in the afternoon session:

Mr. Thomas Chow

Chairman

Mr. K.Y. Leung

Mr. Y.K. Cheng

Ms. Anna S.Y. Kwong

Dr. C.P. Lau

Professor S.C. Wong

Deputy Director of Environmental Protection

Mr. Benny Y.K. Wong

Director of Lands

Miss Annie Tam

Director of Planning

Mr. Jimmy Leung

Agenda Item 4

[Open Meeting (Presentation and Question Session only)]

Consideration of Representations and Comment to the Wong Nai Chung Outline Zoning Plan No. S/H7/16

(TPB Paper No. 9016)

[The hearing was conducted in Cantonese.]

R1 to R11 and C1

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

- | | |
|--|---|
| Mr. Y.K. Cheng | - Jointly owned with his spouse a flat at San Francisco Towers, Ventris Road and the concerned Incorporated Owners (IOs) had submitted a representation (R11) |
| Mr. Maurice Lee | - Owned a flat at Link Road and a flat at Wun Sha Street |
| Miss Annie Tam (as Director of Lands) | - Owned a flat at Broadwood Road and the concerned IOs had submitted a representation |
| Miss Ophelia Wong (as the Secretary) | - Owned a flat at Broadwood Road and the concerned estate management company had submitted a representation |

111. Members noted that Mr. Maurice Lee had tendered apology for not being able to attend the meeting while Mr. Y.K. Cheng had not yet arrived at the meeting. Members also noted that Miss Annie Tam had temporarily left the meeting for this item. Regarding the Secretary's interest, Members agreed that as the role of the Secretary was mainly to provide information and advice on procedural matter, and would not take part in decision-making, she could stay at the meeting.

Presentation and Question Session

112. The Chairman said that sufficient notice had been given to invite the representers and commenter to attend the hearing, but other than those that were present at the meeting, the rest had either indicated not to attend the hearing or made no reply. As sufficient notice had been given to these representers and commenter, Members agreed to proceed with the hearing in their absence.

113. The following government representatives, representers, representer's representatives and commenter's representatives were invited to the meeting at this point:

- | | | |
|------------------|---|--|
| Ms. Brenda Au | - | District Planning Officer/Hong Kong, Planning Department (DPO/HK, PlanD) |
| Mr. Louis Kau | - | Senior Town Planner/Hong Kong (STP/HK), PlanD |
| Mr. Victor Loong | - | Senior Engineer/Wan Chai, Transport Department (SE/Wanchai, TD) |

R8 - Incorporated Owners of Villa Lotto

- | | | |
|---------------|---|-------------------------------|
| Mr. K.K. Lee |] | Representer's representatives |
| Ms. Mimi Kwok |] | |

R9 – John Ching

- | | | |
|----------------|---|-------------|
| Mr. John Ching | - | Representer |
|----------------|---|-------------|

C1 - Hong Kong - Macao Conference of Seventh-day Adventists

- | | | |
|-----------------|---|-----------------------------|
| Mr. Truman Chan |] | |
| Mrs. Maria Lee |] | |
| Mr. Alain Lau |] | Commenter's representatives |
| Mr. Joe Ma |] | |
| Ms. Grace Leung |] | |
| Mr. Tony Cheng |] | |
| Mr. Edmund Kwok |] | |

114. The Chairman extended a welcome and explained the procedures of the hearing. He

then invited the representatives from the Government to brief Members on the background to the representations.

115. With the aid of a Powerpoint presentation, Ms. Brenda Au, DPO/HK, made the following main points as detailed in the Papers:

Background

- (a) on 26.8.2011, the draft Wong Nai Chung Outline Zoning Plan (OZP) No. S/H7/16 (the Plan), incorporating amendments to rezone a site at 17A Ventris Road to relax its building height restrictions (BHRs), was exhibited for public inspection under section 7 of the Town Planning Ordinance (the Ordinance). The amendments included the rezoning of the northern part of the site from “Government, Institution or Community” (“G/IC”) to “G/IC(1)” with revision of the BHR from 2 storeys to 5 storeys (Amendment Item A1) and the rezoning of the southern part of the site from “G/IC” to “G/IC(1)” with revision of the BHR from 8 storeys to 90mPD (Amendment Item A2);
- (b) during the two-month exhibition period, a total of 11 representations were received. On 4.11.2011, the representations were published for three weeks for public comments. One comment was received. The representations were all related to the site at 17A Ventris Road (the representation site);

The Representation Site

- (c) the site (about 2,659m² and at a level of about 20mPD) was currently occupied by a 2-storey church (i.e. the Pioneer Memorial Church) and a vacant school, i.e. the former Hong Kong Sam Yuk Secondary School. Part of the school premises was currently used by the Autism Partnership School. It was governed by the lease to be used for a church, a non-profit-making school, ancillary offices and quarters, and a playground/multi-purpose sports hall. It was surrounded mainly by residential developments and St. Paul’s Primary and Secondary Schools;
- (d) Hong Kong-Macao Conference of Seventh-day Adventists (the proponent)

intended to redevelop the site into a new complex of church facilities, residential care home for the elderly (RCHE) and senior hostel. The northern part of the site was proposed to be redeveloped into a 5-storey (excluding basements and about 45mPD) church building, and the southern part for a 20-storey complex building (i.e. about 90mPD) consisting of senior hostel, church facilities and RCHE. The Secretary for Home Affairs (SHA) and Secretary for Labour and Welfare (SLW) had given in-principle policy support for the church and RCHE respectively. The Land and Development Advisory Committee (LDAC) also supported the scheme;

OZP Amendments and Restrictions

- (e) in view of the policy support and acceptance by the concerned government departments, the BHRs were amended to facilitate the proposed redevelopment. The amendments to the OZP were considered by the Metro Planning Committee (MPC) on 5.8.2011 and the specific development restrictions were agreed by MPC on 19.8.2011. The development within the “G/IC(1)” zone covering the representation site was restricted to maximum BH of 5 storeys (excluding any basement floors) and 90mPD for the northern and southern parts of the zone respectively, a maximum of plot ratio (PR) of 5 and a maximum site coverage (SC) of 62% (not exceeding 15m above ground level) and 46% (over 15m above ground level). In addition, a building gap with a minimum width of 4m in an east-west direction above 25mPD (except for fence wall not exceeding 2m in height) should be provided between the buildings for church and elderly facilities at the northern and southern parts of the zone respectively in order to facilitate air ventilation through the representation site and to provide a visual break;

Public Consultation

- (f) the OZP amendments were presented to the Development, Planning and Transport Committee (DPTC) of the Wan Chai District Council (WCDC) on 1.9.2011. A local consultation forum was also held at Leighton Hill Community Hall, Happy Valley on 6.10.2011. The major local concerns were

summarised in paragraph in 2.9 of the Paper which included adverse visual and air ventilation impacts generated by the proposed redevelopment at the representation site as well as the increase in traffic loading of Happy Valley;

Grounds of Representations and Comments and their Proposals

- (g) among the 11 representations, 2 representations (**R1** and **R2**), submitted by members of the public, supported Amendment Item A2. **R3 – R11** were submitted by local residents, members of the public, an estate management company and three Incorporated Owners (IO) of residential developments in the surrounding areas including Beverly Hill (Estate Management) (**R6**), Villa Rocha (**R7**), Villa Lotto (**R8**), and San Francisco Towers (**R11**). **R3** opposed Amendment Item A2, but supported Amendment Item A1. **R4 – R6** opposed the relaxation of the BHRs for the redevelopment of the representation site under both Amendment Items. **R7 – R11** (with **R8** attaching 160 signatures from the local residents) opposed all the amendments;
- (h) the only comment, **C1**, was submitted by the Hong Kong-Macao Conference of Seventh-day Adventists. It provided responses to the issues raised in R3 – R11;
- (i) the main grounds of representations and comments and their proposals as detailed in paragraphs 3 and 4 of the Paper were summarised as follows:

Supportive Representations

- (i) R1 and R2 supported the provision of senior hostel and RCHE under Amendment Item A2 as the proposed redevelopment would meet the tremendous need of senior citizens in the area and echoed the Policy Address on the Community and Home Care Services for Elderly;
- (ii) R3 (part) supported Amendment Item A1 for the reason that the BHR of 5 storeys for the church building was considered acceptable;

Adverse Representations

Traffic Impact (R3, R4, R6 – R9 and R11)

- (iii) the proposed redevelopment would increase the population of the area and severely affect the traffic conditions at Ventris Road and nearby streets;

- (iv) the elderly might be put at risk when they needed to be sent to hospital for urgent treatment or rescue, as there was traffic congestion on Ventris Road. As Ventris Road allowed only single file traffic with car parks on both sides, it was not a good location to build facilities for the elderly;

Visual Impact (R3, R4, and R8 – R11)

- (v) the proposed redevelopment would affect the views of the developments at Broadwood Road and Ventris Road. It would create a screening effect when viewed from the race course, and the visual impact to the Happy Valley area would be intolerable;

Air Ventilation and the Environment (R4, R8 and R9)

- (vi) the BH of 20 storeys would affect air ventilation and sunlight and result in “wall effect”. The proposed redevelopment would adversely affect air quality along Wong Nai Chung Gap Road and Broadwood Road;

Planning Intention and Range of Uses

- (vii) the proposed redevelopment appeared to be contrary to the Government’s intention of not encouraging the conversion of G/IC sites to other uses so as to avoid profit-making developments (R10);

- (viii) the proposed rezoning might provide an opportunity to develop uses such as Animal Boarding Establishment, Animal Quarantine Centre, Columbarium, Correctional Institution, Crematorium, Funeral Facility, Petrol Filling Station or Zoo. These uses would seriously affect the environment, public security and hygiene of the area (R6);

Population Density

- (ix) owing to rapid development, the present population density of the area was much higher than an acceptable level (R8);

Representers' Proposals

- (x) other alternatives to accommodate the proposed redevelopment were proposed, e.g. swapping of sites and enlarging the school portion of the site in situ to lower the height of the proposed redevelopment (R9);
- (xi) to delete the amendments or reduce the maximum BH to its former levels (R10);

Comment

- (xii) C1 provided responses to the objection grounds raised in R3 - R11 by stating that the proposed re-development of the representation site would make better use of the under-utilized site for providing a composite building with comprehensive church and social facilities serving the local community, particularly the elderly. A Preliminary Visual Impact Assessment and a Preliminary Traffic Impact Assessment (TIA) conducted for the proposed redevelopment demonstrated that the lifting of BHR would have minimal visual impact to the surrounding neighbourhood and there would be no adverse impact arising from the redevelopment;

PlanD's Responses

- (j) PlanD's responses to comments as detailed in paragraph 5.4 of the Paper were summarised as follows:

Supportive Representations

- (i) the support from R1 and R2 for the revised BHR of 90mPD on the

southern part of the representation site to cater for the redevelopment into elderly facilities, and from R3 for the BHR of 5 storeys on the northern part of the site was noted;

Adverse Representations

Traffic Impact

- (ii) a Preliminary TIA conducted by the proponent demonstrated that the proposed redevelopment would not have any adverse traffic impacts. The TIA was considered acceptable in principle by TD;
- (iii) according to the TIA, the proposed redevelopment would bring minimal additional traffic volume in weekday afternoon peak hours and Saturday mornings and a negative amount in weekday morning peak hours. The net difference in traffic generation between the proposed redevelopment and the existing use was found to be insignificant, which would not exacerbate the existing traffic condition in the area during peak hours. The junctions with Ventris Road and the nearby network were also within their capacities;
- (iv) with the provision of on-site loading/unloading facilities at the G/F of the proposed redevelopment, loading/unloading activities at the road-side causing blockage on Ventris Road was not envisaged;
- (v) the provision of elderly housing at the representation site would require planning permission from the Board. Detailed TIA would need to be submitted for the consideration of the Board at the planning application stage;
- (vi) for the concern on the location of the proposed elderly facilities, the Director of Fire Services (D of FS) had no objection to the proposal;

Visual Impact

- (vii) the new church building at the northern part of the representation site would be only 5m taller than the existing church building, as the existing

2-storey Pioneer Memorial Church (about 40mPD) was built on an elevated platform of about 25mPD. The elevated platform would be removed to facilitate the building of the new 5-storey church building above 2 basement floors with a BH of about 45mPD;

- (viii) as for the southern part of the representation site, the BHR of 90mPD had been set lower than the BHRs stipulated for the adjacent “Residential (Group A)” (“R(A)”) (100mPD), “Residential (Group B)6” (“R(B)6”) (115mPD) and “Residential (Group B) 9” (“R(B)9”) (115mPD) zones along Ventris Road and the “Residential (Group C) 1” (“R(C)1”) zone along the nearest section of Broadwood Road (ranging from 170mPD to 240mPD). It would allow a transition in height from the 5-storey church building to the adjoining “R(B)6” developments along Ventris Road. The BHR was considered compatible with the existing developments in the neighborhood and was acceptable in visual terms;
- (ix) the visual impact when viewed from the race course would not be significant and a stepped BH profile could be maintained as illustrated in the photomontage on Plan H-5 of the Paper. In addition, the “R(A)” sites in front of the representation site abutting Wong Nai Chung Road were subject to a BHR of 100mPD on the OZP. When these sites were redeveloped in future, the proposed redevelopment at the representation site would be of similar BH as the surrounding residential developments;
- (x) while protection of private view was not the Board’s major planning consideration, the possible impact in view of the concerns raised by the residents of the surrounding residential developments including Villa Rocha, Villa Lotto and San Francisco Towers was assessed. The BHR of 90mPD would be around the podium levels of Villa Rocha (about 85mPD) and Villa Lotto (90mPD to 92mPD) on Broadwood Road, and the visual impact of the proposed redevelopment was illustrated in the photomontages at Plans H-6 and H-7 of the Paper. As the main façades of the nearest Block B of Villa Rocha and Block D of Villa

Lotto were facing west and south-west respectively (Plan H-2 of the Paper), any impact on the private view should not be significant. As for San Francisco Towers, its view toward the proposed redevelopment was shielded by other existing developments;

Air Ventilation and the Environment

- (xi) as the proposed church building would be only 5m taller than the existing church, the gap above the existing church could still be maintained. In addition, a building gap of at least 4m wide was required to be provided in between the church building and the complex building to provide a visual break and allow the downhill north-easterly prevailing wind to flow across Broadwood Road towards St. Paul's Secondary School to the valley floor of Happy Valley. The revised BHRs would not have significant air ventilation impact on the surrounding area;

Planning Intention and Range of Uses

- (xii) the "G/IC" zone was intended primarily for the provision of G/IC facilities serving the needs of the local residents and/or a wider district, region or the territory. The proposed redevelopment of the representation site, which was owned by C1, for church and elderly facilities would cater for the needs of the church and serve the community better, which was in line with the planning intention;
- (xiii) the representation site had been rezoned from "G/IC" to "G/IC(1)" mainly to stipulate the development restrictions. There was no change in the Schedule of Uses which was applicable to all "G/IC" sites under the OZP. The Board had sufficient planning control over those Column 2 uses for the "G/IC" zone (including "G/IC(1)") and planning permission was required from the Board;

Population Density

- (xiv) the proposed redevelopment would accommodate only about 300 residents, which was less than 1% of the existing population of the area

(i.e. about 32,700) and the impact was considered minor;

Representers' Proposals

- (xv) regarding R9's suggestion to enlarge the southern part of the representation site by encroaching upon the hillside behind, the Head of the Geotechnical Engineering Office of the Civil Engineering and Development Department had advised that it would affect the man-made slope(s)/retaining wall(s) and the existing hillside. In addition, the slope area was zoned "Green Belt" ("GB") on the OZP and there was a general presumption against development within such zone. As the slope area was government land, the District Lands Officer/Hong Kong East had also advised that policy support from the relevant policy bureau and/or approval from Executive Council would be required for any granting of additional land to the lot owner;
- (xvi) as for the suggested swapping of sites by R9, the use of the representation site for the proposed church and elderly facilities was considered suitable and it was also considered acceptable to all government departments;
- (xvii) the proposal by R10 to delete the amendments to the OZP or reduce the maximum BH of the representation site to its former levels was not supported;
- (k) PlanD's views –
 - (i) noted the support of R1, R2 and R3(part); and
 - (ii) did not support R3(part), R4 to R11 and considered that they should not be upheld for the reasons as set out in paragraph 7.2 of the Paper.

116. The Chairman then invited the representers, their representatives and the commenter's representatives to elaborate on their representations and comment.

R9 – John Ching

117. With the aid of some photos, Mr. John Ching made the following points:
- (a) as a resident of Villa Lotto, he requested the Board to respect his right to enjoy the existing view towards the race course. When he bought his flat in Villa Lotto, he expected that the redevelopment of Hong Kong Sam Yuk Secondary School at the representation site would not be taller than the adjacent Pioneer Court which was acceptable to him. However, the current redevelopment proposal with a much higher BH had completely upset his aspiration. Though the redevelopment was claimed to be in line with the government policies, it had an adverse impact on the right of the residents;
 - (b) the photomontage presented by PlanD did not truly reflect the visual impact created by the future redevelopment at the representation site. The proposed complex building was only two to three storeys lower than the high-rise Ventris Place and would impose a huge wall effect to Villa Lotta. Hence, he did not agree with PlanD that there would only be insignificant visual impact on Villa Lotto. Besides, one of the residential blocks in Villa Lotto was actually facing the race course;
 - (c) for the sake of the interest of the nearby residents, the Government, together with the non-government organisation, should explore his proposed alternative to extend the site into the hillside behind so as to lower the height of the new building. Though this option would encroach into the “GB” zone, he considered that there was already abundant provision of “GB” zone in Wan Chai area. The Board should ask government departments to consider the option;
 - (d) despite that policy support had been obtained for the provision of the RCHE, the Government should carefully consider if the representation site was suitable for the provision of such facilities based on a balanced consideration of the interest of the local community, e.g. the concern on air ventilation and traffic impact in the area;

- (e) the site was not suitable for the provision of RCHE in view of the existing traffic congestion along Ventris Road. Although D of FS had no objection to the proposed redevelopment, the emergency vehicular access would likely be blocked at time of traffic congestion. This would pose severe risk to the elderly if emergency services were required. The TIA conducted by the proponent was not able to resolve the problem;
- (f) as illustrated by the eleven photos taken by him on 9.2.2012, Ventris Road was subject to serious traffic congestion. The two sides of Ventris Road were parked with cars, leaving only one lane for vehicles. There were always long queues of private cars, mini-buses and school buses waiting to turn into Broadwood Road and Link Road. There was also traffic jam in the nearby road network such as Caroline Hill Road and Leighton Road. People living in Happy Valley could either travel via Wong Nai Chung Road, which was often congested with traffic, or via Ventris Road to Broadwood Road to Causeway Bay. The proposed redevelopment at the site would further exacerbate the existing traffic congestion problem;
- (g) the Happy Valley area was an old district subject to high redevelopment pressure. A number of residential redevelopment projects were in progress in the vicinity of the site and further redevelopment was also anticipated in future. While redevelopment at these private residential sites was inevitable due to market forces, the Government should carefully consider the redevelopment need of the “G/IC” sites taken into account the cumulative traffic impact in the area; and
- (h) although he could not provide any data on the air ventilation aspect, he noted that a major part of Ventris Road had become a dark narrow corridor with the existence of high-rise residential buildings on both sides. The existing low-rise schools and churches were the only visual and breathing spaces remained in the area. It would be disappointing if such uses were also redeveloped into high-rise buildings.

[Ms. Anna Kwong and Dr. C.P. Lau left the meeting at this point.]

R8 - Incorporated Owners of Villa Lotto

118. Mr. K.K. Lee made the following points:

- (a) as a representative of the IO of Villa Lotto, he did not agree with PlanD that most of the residential blocks of Villa Lotto were not facing the race course and the proposed redevelopment at the representation site would have insignificant visual impact on Villa Lotto. He clarified that the majority of the flat units in Blocks B, C and D of Villa Lotto were actually facing the race course and currently enjoyed an open view towards the race course. The proposed redevelopment at the proposed BHR at the representation site would block such an open view. The Government should respect the need of the local residents;
- (b) there was no guarantee that the proposed redevelopment at the representation site would not have significant air ventilation impact on the surrounding area, e.g. the adjacent school. Such impact was still subject to further study; and
- (c) the Government should carefully consider the adverse traffic impact of the proposed RCHE and senior hostel which would accommodate about 300 residents. Ventris Road was a narrow road with on-street parking on both sides. It was doubtful if ambulances would be able to access the representation site at time of emergency which would in turn pose severe risk to the elderly. Besides, Ventris Road was also subject to traffic congestion. With the additional time required for the picking up and dropping off of elderly along Ventris road, it would create much nuisance to the local residents in Happy Valley. It was also not clear if the proposed basement carpark at the representation site was for the use of the church or the elderly services; and
- (d) in the light of the above, the representation site was not a suitable site for the provision of elderly facilities. The Government should consider other alternative sites in the less congested and more remote areas.

C1 - Hong Kong - Macao Conference of Seventh-day Adventists

119. With the aid of a Powerpoint presentation, Mrs. Maria Lee made the following points:

- (a) on behalf of Paster Chiloe Fan, she explained the history of the Seventh-day Adventists and the background of the representation site. The Seventh-day Adventists were global churches with its headquarter located in USA. Gospel work had commenced in Hong Kong since 1888 and Hong Kong-Macao Conference of Seventh-day Adventist (the commenter) had been officially registered as a non-profit organisation since 1983. The organisation currently ran two hospitals, four secondary schools/post-secondary colleges and seven elderly care centres in Hong Kong with the mission to serve the interest of the community; and
- (b) the commenter bought the representation site in Government auction in 1937 for the establishment of the Pioneer Memorial Church. In 1948, the Hong Kong Sam Yuk Secondary School was built at the representation site. Due to change in education policy and the lack of student demand, the school had stopped operation since 2008. Noting the pressing need for elderly facilities, the commenter decided to redevelop the site into a new complex of church facilities, residential care home for the elderly and senior hostel to serve the community.

120. With the aid of a Powerpoint presentation, Mr. Truman Chan made the following points:

- (a) as the architect of the Hong Kong-Macao Conference of Seventh-day Adventist, he explained the design of the redevelopment proposal at the representation site. The northern part of the site would be redeveloped from the existing 2-storey church into a four and a half- storey church (at 45mPD) so as to cater for the operational need of the church. The southern part of the site, currently occupied by Hong Kong Sam Yuk Secondary School, would be redeveloped into a 20-storey complex building (at 89.9mPD) comprising the RCHE at the

lower portion and senior hostel at the upper portion;

- (b) three sets of photomontages were prepared to compare the existing situation and the situation after redevelopment from two vantage points at Ventris Road and one vantage point at Broadwood Road. They demonstrated that there was insignificant visual impact generated by the proposed redevelopment on the surrounding area and the height of the proposed redevelopment (90mPD) was compatible with the adjacent existing development e.g. Ventris Place (about 130mPD) and Pioneer Court (about 74 mPD);
- (c) the BHR of 90mPD for the representation site was compatible and even lower than the BHRs stipulated for the “R(A)” sites (100mPD) in front of the site where Amigo Mansion and Champion Court were located and the “R(B)9” site (115mPD) to the north where Pioneer Court was located. As shown in the computer-simulated model, the proposed new complex building at the site would be compatible with the surrounding developments when these sites were redeveloped in future and would impose insignificant visual impact to the area; and
- (d) a setback from Ventris Road would be proposed to allow for the provision of pick-up and drop-off lay-bys for the elderly so as to avoid blockage of Ventris Road. This would be further studied at the detailed building design stage.

121. As the presentations from the representers, their representatives and commenter’s representatives had been completed, the Chairman invited questions from Members.

122. Members had the following questions:

- (a) noting the representers’ concern on the traffic congestion on Ventris Road which would put the elderly at risk when they had to be sent to hospital at time of emergency, would there be any arrangement in the redevelopment proposal to resolve this problem?
- (b) whether the architect had considered the incorporation of a green roof in the

future redevelopment of the representation site, so as to provide a more pleasant view to the surrounding residential developments, as well as a facility for the elderly who would live there?

- (c) whether there would be 24-hour medical care services provided by doctors and nurses within the proposed redevelopment?

123. In response to Members' question (a) on traffic impact and the arrangement in case of emergency, Mrs. Maria Lee (C1) said that Hong Kong Adventist Hospital was located in the vicinity of the site which would provide emergency support to the proposed RCHE. Besides, pick-up and drop-off laybys would also be provided in the future redevelopment for use of ambulances and other emergency vehicles. However, she did not envisage that there would be frequent need for emergency transfer of the elderly to the hospital. There would be doctors and registered nurses in the future RCHE to provide daily medical care services to the elderly. She said that the proposed RCHE and senior hostels were mainly to cater for the need of the elderly aged over 60 so that they could enjoy their life within their original neighbourhood after retirement.

124. Mr. Edmund Kwok, the traffic consultant of C1, said that the site was suitable for the provision of elderly facilities since there were three private/public hospitals within 2 km of the site including Hong Kong Adventist Hospital, Hong Kong Sanatorium and Hospital and Ruttonjee Hospital. In respect of the representers' concern on the traffic congestion problem, he said that in case of emergency, the emergency vehicles would make use of the less congested Wong Nai Chung Road to the respective hospitals, instead of Broadwood Road, Link Road and Caroline Hill Road. Regarding the traffic impact on Ventris Road, he said that pick-up and drop-off laybys and on-site car parking spaces would be provided within the future redevelopment. In this regard, some of the on-street parking spaces currently used by church users could then be released after the redevelopment. He did not anticipate that there would be any blockage of Ventris Road due to pick-up/drop-off of the elderly and increase in road-side activities such as parking.

125. Mr. John Ching (R9) said that there was regular traffic congestion at Ventris Road as shown by the photos taken by him on 9.2.2012. It was thus impossible for ambulances and emergency vehicles to enter the representation site which was located in the middle of Ventris Road during traffic congestion. The Hong Kong-Macao Conference of Seventh-day Adventist

was acting against its mission to provide a good living place for the elderly since the proposed redevelopment would pose risk on the elderly. Regarding the on-street car-parking spaces, Mr. Ching said that they could not be removed as they were essential to serve the need of the adjacent residential developments which had no provision of car parks within the development.

126. Mr. K.K. Lee (R8) said that since there were no public transport facilities (e.g. MTR or buses) serving the Happy Valley area, the proposed new complex building would pose additional traffic burden in the area as visitors would likely arrive there by taxi. He did not agree with the traffic consultant of C1 that the emergency vehicles would only make use of Wong Nai Chung Road and said that in case of traffic congestion, long traffic queue often occurred at Ventris Road leading up to Blue Pool Road.

127. In response to Members' question (b) on the provision of green roof, Mr. Truman Chan (C1) said that the proposed redevelopment would be designed in accordance with the new requirement of the Sustainable Building Design Guidelines of Buildings Department in which 20% greenery areas should be provided. Besides, under the conceptual design, a podium roof with greenery facing Ventris Road would be provided to enhance the view of the pedestrians. This would be subject to further detailed design at the building design stage.

128. In response to Members' question (c) on the provision of medical care services, Mrs. Maria Lee (C1) said that the number of registered nurses and the duration of service would be provided in accordance with the law. There would also be two doctors (for elderly services and General Practitioners respectively) in the RCHE from 9:00 a.m. to 5:00 p.m. and on-call services would be provided for the remaining hours. Besides, the proposed RCHE would be fully supported by Hong Kong Adventist Hospital.

129. As the representers, their representatives and the commenter's representatives had finished their presentations and Members had no further questions, the Chairman said that the hearing procedures had been completed and that the Board would deliberate on the representations in their absence and inform them of the Board's decision in due course. The Chairman thanked them and the government's representatives for attending the hearing. They all left the meeting at this point.

Deliberation Session

130. The Chairman invited Members to consider the representations taking into consideration all the written submissions and the oral representations and materials presented at the meeting.

131. Mr. Jimmy Leung, the Director of Planning, pointed out that according to the proposed redevelopment scheme as shown in Drawing H-2 of the Paper, there was provision of pick-up and drop-off laybys and carparking spaces at the ground floor and basements of the redevelopment respectively. The representers' concern on the on-street parking and pick-up and drop-off of passengers and the adverse traffic impact on Ventris Road should have been addressed by the provision of such off-street facilities.

132. A Member did not agree that there would be significant risk on the elderly as claimed by the representers since there were adequate nurses and doctors in the proposed RCHE. Besides, though traffic congestion was sometimes observed at Ventris Road to Broadwood Road and Link Road, the traffic condition on the left turn from Ventris Road leading to Wong Nai Chung Road was much better. The existing traffic congestion problem would unlikely be exacerbated by the proposed RCHE. Besides, while protection of private view was not the Board's major planning consideration, this Member noted that there would only be minimal visual impact generated by the proposed redevelopment on the surrounding area. This was because the podium levels of those residential developments at Broadwood Road were at about 85mPD to 90mPD which were at a similar height with the BHR of 90mPD at the representation site. Moreover, the future redevelopment would be much lower than the existing Ventris Place of about 130mPD. Hence, this Member did not support the representations.

133. Members noted that the major concern of the representers were on visual, air ventilation and traffic impact of the proposed redevelopment at the representation site. They also noted that the new church building at the northern part of the site would only be 5m taller than the existing church building, and the complex building at the southern part of the site with proposed BHR of 90mPD was lower than the BHRs stipulated for the adjacent "R(A)" (100mPD), "R(B)6" and "R(B)9" (115mPD) and "R(C)1" sites (ranging from 170mPD to 240mPD). Members agreed that the BHR was compatible with the existing developments in the surrounding area and

was acceptable in visual terms. Members generally agreed that the existing gap above the existing church and the building gap of at least 4m wide between the church building and the complex building would help the downhill wind flow and the proposed BHRs would not have significant air ventilation impact on the surrounding area. Members also agreed that the redevelopment would have no adverse traffic impact on Ventris Road and its nearby road network, and noted that the provision of elderly housing required planning permission from the Board for which detailed TIA would need to be submitted for consideration of the Board. Members considered that there was insufficient justification to uphold the representations.

134. After deliberation, Members noted the support of R1, R2 and R3(part) and the comments made by C1. Members agreed not to uphold the remaining part of R3 and R4 to R11. Members then went through the reasons for not upholding the representations as stated in paragraph 7.2 of the Paper and considered that they were appropriate.

Representations No. R1 and R2

135. After further deliberation, the Board noted the support of Representations No. R1 and R2.

Representation No. R3

136. After further deliberation, the Board noted the support of part of Representation No. R3 but decided not to uphold the remaining part of Representation No. R3 for the following reasons:

- (a) in amending the BHRs for the representation site, the Board had thoroughly considered the proposed redevelopment scheme for the site and the relevant factors, including the planning intention of the “G/IC” zone, the needs of the Church, surrounding land uses, compatibility with the surrounding developments and visual, air ventilation and traffic considerations;
- (b) the BHRs of the representation site were not incompatible with the surrounding developments and would not have any significant visual impact; and

- (c) according to the preliminary TIA conducted for the proposed redevelopment at the representation site, the redevelopment would have no unacceptable and adverse traffic impact on Ventris Road and its nearby road network.

Representation No. R4

137. After further deliberation, the Board decided not to uphold Representation No. R4 for the following reasons:

- (a) in amending the BHRs for the representation site, the Board had thoroughly considered the proposed redevelopment scheme for the site and the relevant factors, including the planning intention of the “G/IC” zone, the needs of the Church, surrounding land uses, compatibility with the surrounding developments and visual, air ventilation and traffic considerations;
- (b) the BHRs of the representation site were not incompatible with the surrounding developments and would not have any significant visual impact;
- (c) according to the Preliminary TIA conducted for the proposed redevelopment at the representation site, the redevelopment would have no unacceptable and adverse traffic impact on Ventris Road and its nearby road network; and
- (d) with the imposition of the specific development restrictions on BH, SC and building gap requirement, there would not be any significant impact on air ventilation and sunlight penetration in the area.

Representation No. R5

138. After further deliberation, the Board decided not to uphold Representation No. R5 for the following reason:

- (a) in amending the BHRs for the representation site, the Board had thoroughly considered the proposed redevelopment scheme for the site and the relevant factors, including the planning intention of the “G/IC” zone, the needs of the

Church, surrounding land uses, compatibility with the surrounding developments and visual, air ventilation and traffic considerations.

Representation No. R6

139. After further deliberation, the Board decided not to uphold Representation No. R6 for the following reasons:

- (a) in amending the BHRs for the representation site, the Board had thoroughly considered the proposed redevelopment scheme for the site and the relevant factors, including the planning intention of the “G/IC” zone, the needs of the Church, surrounding land uses, compatibility with the surrounding developments and visual, air ventilation and traffic considerations;
- (b) according to the Preliminary TIA conducted for the proposed redevelopment at the representation site, the redevelopment would have no unacceptable and adverse traffic impact on Ventris Road and its nearby road network; and
- (c) while the representation site had been rezoned from “G/IC” to “G/IC(1)”, there was no change in the Schedule of Uses for the ‘G/IC’ zone. The possible uses of concern were under the Column 2 of the Notes for the zone and required planning permission from the Board. There was planning control on such uses.

Representation No. R7

140. After further deliberation, the Board decided not to uphold Representation No. R7 for the following reasons:

- (a) in amending the BHRs for the representation site, the Board had thoroughly considered the proposed redevelopment scheme for the site and the relevant factors, including the planning intention of the “G/IC” zone, the needs of the Church, surrounding land uses, compatibility with the surrounding developments and visual, air ventilation and traffic considerations; and

- (b) according to the Preliminary TIA conducted for the proposed redevelopment at the representation site, the redevelopment would have no unacceptable and adverse traffic impact on Ventris Road and its nearby road network.

Representation No. R8

141. After further deliberation, the Board decided not to uphold Representation No. R8 for the following reasons:

- (a) in amending the BHRs for the representation site, the Board had thoroughly considered the proposed redevelopment scheme for the site and the relevant factors, including the planning intention of the “G/IC” zone, the needs of the Church, surrounding land uses, compatibility with the surrounding developments and visual, air ventilation and traffic considerations;
- (b) the BHRs of the representation site were not incompatible with the surrounding developments and would not have any significant visual impact;
- (c) according to the Preliminary TIA conducted for the proposed redevelopment at the representation site, the redevelopment would have no unacceptable and adverse traffic impact on Ventris Road and its nearby road network;
- (d) with the imposition of the specific development restrictions on BH, SC and building gap requirement, there would not be any significant impact on air ventilation and sunlight penetration in the area; and
- (e) given the scale of the proposed redevelopment, its impact on the population density of the area was considered minimal.

Representation No. R9

142. After further deliberation, the Board decided not to uphold Representation No. R9 for the following reasons:

- (a) in amending the BHRs for the representation site, the Board had thoroughly considered the proposed redevelopment scheme for the site and the relevant factors, including the planning intention of the “G/IC” zone, the needs of the Church, surrounding land uses, compatibility with the surrounding developments and visual, air ventilation and traffic considerations;
- (b) the BHRs of the representation site were not incompatible with the surrounding developments and would not have any significant visual impact;
- (c) according to the Preliminary TIA conducted for the proposed redevelopment at the representation site, the redevelopment would have no unacceptable and adverse traffic impact on Ventris Road and its nearby road network; and
- (d) with the imposition of the specific development restrictions on BH, SC and building gap requirement, there would not be any significant impact on air ventilation and sunlight penetration in the area.

Representation No. R10

143. After further deliberation, the Board decided not to uphold Representation No. R10 for the following reasons:

- (a) in amending the BHRs for the representation site, the Board had thoroughly considered the proposed redevelopment scheme for the site and the relevant factors, including the planning intention of the “G/IC” zone, the needs of the Church, surrounding land uses, compatibility with the surrounding developments and visual, air ventilation and traffic considerations;
- (b) the BHRs of the representation site were not incompatible with the surrounding developments and would not have any significant visual impact; and
- (c) the BHRs for the proposed redevelopment at the representation site were considered acceptable. Deletion of the amendments to the OZP or reduction of

the maximum BHRs to the previous levels would frustrate the proposed redevelopment.

Representation No. R11

144. After further deliberation, the Board decided not to uphold Representation No. R11 for the following reasons:

- (a) in amending the BHRs for the representation site, the Board had thoroughly considered the proposed redevelopment scheme for the site and the relevant factors, including the planning intention of the “G/IC” zone, the needs of the Church, surrounding land uses, compatibility with the surrounding developments and visual, air ventilation and traffic considerations;
- (b) the BHRs of the representation site were not incompatible with the surrounding developments and would not have any significant visual impact; and
- (c) according to the Preliminary TIA conducted for the proposed redevelopment at the representation site, the redevelopment would have no unacceptable and adverse traffic impact on Ventris Road and its nearby road network.

145. Members noted that no presenter and applicant would attend the hearing of Item 5 and Item 7. Since the meeting had already fallen behind schedule and the applicants for the review hearing of Items 6, 8 and 9 had been waiting for a long time, Members agreed to proceed with these review hearings first.

Agenda Item 6

[Open Meeting (Presentation and Question Session only)]

Review of Application No. A/SK-HC/193

Temporary Agricultural Use, Barbecue Spot and Educational Use for a Period of Three Years in "Green Belt" zone, Lots 228(Part), 229(Part), 231, 232(Part), 233(Part), 234, 235, 237-240, 241(Part), 243, 244, 245(Part), 246-250, 252, 253(Part), 254, 255, 256(Part), 257, 258(Part), 259(Part), 261(Part), 262-273, 275(Part), 276(Part), 277, 278(Part), 279(Part), 283(Part) and 284(Part) in D.D. 247 and Adjoining Government Land, Ho Chung, Sai Kung (TPB Paper No. 9018)

[The meeting was conducted in Cantonese.]

146. Ms. Anna Kwong had declared interest in this item as she had business dealings with one of the applicant's consultant. Members noted that Ms. Kwong had already left the meeting.

[Mr. Y.K. Cheng arrived to join the meeting at this point.]

147. The following government representatives and the applicant's representatives were invited to the meeting at this point:

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| Mr. Ivan Chung | - District Planning Officer/Sai Kung & Islands (DPO/SKI), PlanD |
| Mr. Charles Yum | - Senior Town Planner/Sai Kung (STP/SK), PlanD |
| Mr. Chan Hon Fai |) |
| Ms. Yuting Lam |) Applicant's Representatives |
| Mr. Kan Mei Ha |) |

148. The Chairman extended a welcome and explained the procedures of the review hearing. He then invited DPO/SKI to brief Members on the review application.

149. With the aid of a Powerpoint presentation, Mr. Ivan Chung, DPO/SKI, presented the review application and covered the following main points as detailed in the review paper:

- (a) the applicant sought planning permission for the temporary agricultural, barbecue and educational use for a period of 3 years on the application site zoned “Green Belt” (“GB”) on the approved Ho Chung Outline Zoning Plan (OZP) No. S/SK-HC/9;
- (b) the Rural and New Town Planning Committee (RNTPC) rejected the application on 2.9.2011 for the reasons that the development was not in line with the planning intention of the “GB” zone; the proposed development did not meet the TPB Guidelines No. 10 for ‘Application for Development within “GB” Zone’ in that the application would affect the existing natural landscape of the surrounding area and had adverse landscape and noise impacts; the proposed development would increase the pollution risks to the water quality within the water gathering grounds (WGG); the submission failed to demonstrate that there was no adverse traffic impact from the proposed development; and the approval of the application would set an undesirable precedent for other similar applications within the “GB” zone;
- (c) the justifications put forth by the application in support of the review application were included in paragraph 3 of the Paper and summarised below:
 - (i) the proposed educational and organic farming use was in line with the planning intention of “GB” zone and barbecue sites were ancillary facilities to support green lifestyle for youngsters;
 - (ii) some trees affected by the parapet wall for the protection of the WGG were already in poor condition and recommended to be felled. There would be compensatory planting and a formal landscape and tree preservation proposal would be submitted upon approval;
 - (iii) the applicant would regulate any noise nuisances generated on-site and no activities will be allowed after 8:00pm. The noise from about 200 people would be below the Acceptable Noise Level;
 - (iv) four portable chemical toilets would be provided. Any discharge of sewage would not affect the WGG. A 1m high parapet wall was proposed to protect the WGG from surface runoff. No use of detergent or chemical would be allowed on site. The wash water would be treated by a Membrane Bio-Reactor and recycled back for use

- in the composting trench, irrigation and floor washing;
- (v) there was no need for a Traffic Impact Assessment (TIA) in the development proposal as there was no vehicular access point to the site. The applicant would implement management control of illegal parking outside the site. No parking space would be provided and visitors were encouraged to take public transport;
 - (vi) the applicant would submit relevant information to fulfill Fire Services Department's requirement upon the Board's approval;
- (d) the site (about 80% private land and 20% government land) was generally flat and partly paved and partly covered with grass. It was located within the upper indirect WGG and at the eastern bank of Ho Chung River. The surrounding area was rural in character with dense vegetation to the north, south and west. To the immediate south-east was Shing Fung Film Studio which was a temporary use;
- (e) as illustrated in the proposed site layout plan submitted by the applicant (Drawing R-1) of the Paper, the proposed development included a piece of organic farmland (about 1,300m²), a composting trench (about 140m²), some sheds for sitting, dining and social area, farming workshops, art and crafts workshops and an open-air area with barbecue stoves. A 1m high parapet wall was also proposed along the south-western part of the site;
- (f) the site was the subject of two previous planning applications (No. A/SK-HC/110 and 157) for a temporary golf driving range and a temporary horticulture and barbecue site respectively. Both applications were rejected by the RNTPC/the Board. The applicant of A/SK-HC/110 had lodged an appeal against the Board's decision but it was dismissed by the Town Planning Appeal Board;
- (g) the planning intention of "GB" zone was primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlet. There was a general presumption against development within this zone. The Town Planning Board Guidelines No. 10 (TPB-PG No. 10) for 'Application for Development within "Green Belt" zone under section 16 of the Town Planning Ordinance' (the TPB

Guidelines) were relevant to this application;

- (h) departmental comments – the departmental comments were summarised in paragraph 5 of the Paper. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) maintained his objection as there was no information on the impact on some existing trees and the landscape proposal and the intention of tree preservation had little merits in supporting the proposed development in the “GB” zone. Approval of the application would set an undesirable precedent for similar applications in the area. The Chief Engineer/Development(2), Water Supplies Department (CE/D(2), WSD) objected to the application as the proposed agricultural, barbecue and educational use would increase the pollution risks to the water quality within the WWG due to the runoff, litter, food residues and wastes from the barbecue site. The sewage generated due to food processing for the barbecue site had not been addressed. The Director of Environmental Protection (DEP) commented that the applicant had not addressed the water quality concerns. Surface runoff might bring bacteria or other pathogen in the compost to the water system resulting in biological pollution of the potable water source. The proposed use of a parapet wall could not provide adequate protection to eliminate such risk. For the proposed Membrane Bio-Reactor system and the reuse of wash water on site, the applicant should examine and ascertain the Environmental Impact Assessment Ordinance (EIAO) implications of his proposal. The Commissioner for Transport (C for T) had reservation on the application and considered that a TIA should be conducted to assess the traffic impact of the proposed development to the nearby road network, including the requirement for the provision of parking spaces;
- (i) public comments - during the statutory publication period of the review application, 33 public comments were received from two Sai Kung District Council (DC) members and other general public. One DC member held an open attitude to the review application whereas the other commenters objected to it as it was not in line with the planning intention of the “GB” zone and there were adverse traffic, environmental, fire safety, hygienic and security problems. During the publication of the further information, 15 public comments were received from two Sai Kung DC members and other general public. Except for

one DC member who held an open attitude, others objected to the application on similar grounds; and

- (j) PlanD's views – PlanD did not support the review application based on the planning considerations and assessments as set out in paragraph 7 of the Paper and summarized below:
 - (i) only the proposed agricultural use was a permitted use within “GB” zone. The proposed education centre and barbecue site were not ancillary uses and also not in line with the planning intention of the “GB” zone, which was primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There was a general presumption against development within this zone. There were no strong justifications provided in the submission to warrant a departure from this planning intention, even on a temporary basis;
 - (ii) the proposed development did not meet the TPB Guidelines No. 10 for ‘Application for Development within “GB” Zone’ in that the application would affect the existing natural landscape of the surrounding area and have adverse landscape. CTP/UD&L maintained his objection to the review application as the impact on the existing tree groups in close proximity to the application site boundary could not be fully ascertained;
 - (iii) the proposed development would increase the pollution risks to the water quality within the WGG. The submission had not included sufficient information to demonstrate that the WGG would not be affected by the proposed development. CE/D(2), WSD objected to the application as the proposed agricultural, barbecue and educational use would increase the pollution risks to the water quality within the WGG due to the runoff, litter, food residues and wastes from the barbecue site. DEP advised that the proposed use of a parapet wall could not provide adequate protection to eliminate the risk on water quality, in particular during rainy days. The feasibility of the proposed Membrane Bio-Reactor system and the EIAO implications had yet to be ascertained;
 - (iv) the applicant failed to demonstrate that there was no adverse traffic impact arising from the proposed development and no TIA had been included in

- the submission. C for T had reservation about the application; and
- (v) the approval of the application would set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effect of approving such similar applications would result in a general degradation of the natural environment.

150. The Chairman then invited the applicant’s representatives to elaborate on the review application. With the aid of a Powerpoint presentation, Mr. Chan Hon Fai made the following main points:

Existing Environs and Operation

- (a) the site was mostly an undeveloped land surrounded by trees. There were a few residential houses located in the vicinity of the site (two within 100m-150m and one over 300m). Shing Fung Film Studio was also located adjacent to the site. The site had been used for horticulture with limited barbecue facilities and pavilions for leisure uses;

Land Ownership

- (b) the total site area was about 8,890m² and the applicant had secured owners’ consent to use a major part of the site (about 4,778m²). There were some land lots (about 2,402m²) with unknown ownership and part of the site (about 1,710m²) was on government land;

The Proposal

- (c) as the site fell within the “GB” zone, the applicant was aware that large scale development could not be undertaken. Hence, the applicant was only applying for a small-scale development within the site for temporary agriculture, barbecue and educational use with a view to promoting environmental awareness. There would be a maximum of 200 visitors at the site. The operating hours would be from noon to 8:00 p.m. The on-site activities included organic farming, composting, ecology workshops, art and craft activities and barbecue facilities which aimed to educate the younger generations to respect and be responsible for the well-being of the environment. The site would offer a convenient place for socialising, farming practice and art and craft workshops;

- (d) about 1,334m² of the site would be used for organic farming. This facility aimed to educate the visitors on farming with due respect for the environment and the ecosystem. The visitors could have hands-on experience on ploughing, seeding, fertilising and harvesting;
- (e) about 142m² of the site would be used for composting trench. This facility aimed to educate the visitors on the theory and practice in recycling organic waste into nutrient-rich soil conditioner for the farmland. This included incubating symbiotic bacteria (non-parthogenic) to digest the organic matters and turn them into nutrients for plant growth;
- (f) workshops on topics including environmental issues and local ecosystem would be organised under the pavilions;
- (g) art and crafts activities would be held under the pavilions for traditional painting and ceramic making. The visitors would be taught to reuse waste collected on site for the artwork which could be donated to charitable organisations;
- (h) about 20 to 30 barbecue stoves would be provided which occupied less than 2% of the site area. The visitors were encouraged to consume produce grown on the farm within the site, or bring in food from outside. Only limited drinks, e.g. soft drinks, would be provided in the site. As compared with the public barbecue pits within the Country Park area, the barbecue stoves within the site would be under better management by the applicant and would generate less environmental impact on the surrounding areas;

Landscape Mitigation Measures

- (i) about 68% of the site would remain as open area and only 15% of the site would be converted to a farmland which was always permitted within the “GB” zone. Besides, over 80% of the site would remain natural soil cover while 10% of the site would be occupied by some sheds. There would not be extensive clearance of existing natural vegetation as no mature tree was found on the site and there would be minimum visual impacts on the surrounding environment;

- (j) though the proposed parapet wall construction would affect some trees of Tree Group 9 (*Musa paradisiaca L.*), these trees were outside the site boundary. Only the tree roots might extend into the site. Other plants in close proximity to Tree Group 9 were not qualified as “Trees” under the Environmental, Transport and Works Bureau (ETWB) Circular (Works) 3/2006;
- (k) no trees would be felled without approval from relevant departments. Formal landscape proposal and tree preservation proposal would be submitted. Compensatory planting was proposed at a ratio of no less than 1:1 in terms of quality and quantity within the site;

Noise Mitigation Measures

- (l) no loud speakers would be allowed and no activities would be allowed on site after 8:00 pm. For the nearest noise sensitive receivers located at 100m from the activity area of the site, it should be noted that normal unaided human voice from 200 people was less than 56dB(A) which was much lower than that of the Acceptable Noise Level applicable to general noise in rural area between 7:00 a.m. and 11:00 p.m. (i.e. 60dB(A) according to the Noise Control Ordinance (NCO)). The applicant was aware that he was liable for any offences under the NCO which might lead to premature termination of the planning permission;

Drainage and Water Mitigation Measures

- (m) a 1m high parapet wall was proposed along the western boundary of the site to protect the WWG from any surface runoff. Similar measures had been approved by WSD for the adjacent Shing Fung Film Studio within the same WWG. Besides, a U-channel of 300mm wide and 550mm deep would be constructed to divert surface runoff. Since 80% of the site was natural soil cover, it was expected that the surface runoff should be relatively low and Ho Chung River should not be adversely affected;
- (n) four portable chemical toilets would be provided on site and a licensed collector would be employed to collect the sewage at regular intervals;
- (o) since water supply on site was very limited, the amount of wash water generated would also be minimal. If necessary, a Membrane Bio-Reactor would be

provided to treat wash water so that it could be recycled back for use in the composting trench, irrigation and floor washing. It should be noted that using a Membrane Bio-Reactor on the site was not a designated project under the EIAO. According to the EIAO, a project generating over 15,000 tonnes of wash water per day would be regarded as a designated project. It was impossible that the proposed development would generate such a huge amount of wash water per day;

- (p) the applicant would institute strict guidelines for visitors to protect the WWG and implement preventive measures on site. In particular, the application of organic fertiliser to farmland and composting trench would be monitored;

Traffic Mitigation Measures

- (q) no parking would be provided on site. There was no vehicular access leading to the site. The visitors would be encouraged to take public transportation to the site and the public light bus terminus was located within 10 minutes' walk from the application site. The applicant did not see the need for a TIA for the proposal;

Conclusion

- (r) the proposed educational and organic farming at the site was in line with the planning intention of the "GB" zone and the Government's policy to promote sustainable living. The ancillary facilities, e.g. barbecue sites, would support green lifestyle for youngsters. There were currently very few similar education sites in Hong Kong and there was a demand for it. Promoting sustainable living in the long run would help preserve the natural environment and conserve natural resources; and
- (s) the applicant had received four supporting letters from the VR of Ho Chung village, a Sai Kung DC member, the Vice-Chairman of Sai Kung DC and the Chairman of Sai Kung DC respectively for the proposed development at the site.

151. The Chairman and Members had the following questions:

Public Barbecue Sites

- (a) was there any proper management on the use of the public barbecue sites within the Country Park area? Besides, in selecting and designating these sites, had government departments considered the environment impact on the Country Park e.g. water quality, sewage and surface runoff?
- (b) did public barbecue sites within the Country Park area fall within “GB” zone?

Operation of the Site

- (c) whether barbecue facilities were essential for the operation of the proposed organic farm and educational use at the site?
- (d) who would be the instructors for the farming activities as well as workshops relating to environmental education and protection?
- (e) noting the applicant’s claim on the types of visitors at the site, would there be any restriction on the type of visitors visiting the proposed development and would food be provided to the visitors?
- (f) since the applicant claimed that the site would be closed at 8:00 p.m., would it be able to cater for the demand of the young people?
- (g) noting that the site was subject to planning enforcement action, whether the unauthorized development was currently in operation and how long had it been operating?

Impact on Water Quality

- (h) would water be provided to the visitors for washing hands and barbecue forks, noting that according to the information provided by the applicant, only a small amount of water would be used at the site?

- (i) if the proposal was not a designated project under EIAO, would the Board need to take into account the impact on the WWG when considering the application?
- (j) whether the applicant would consider establishing a Membrane Bio-Reactor system based on his estimation that there would only be 0.4 tonnes of wash water per day?
- (k) while the applicant claimed that licenced collector would be employed to collect the sewage at the four portable chemical toilets, how would the wash water be collected, treated and removed from the site?
- (l) how was the existing sewage treatment arrangement at Shing Fung Film Studio just next to the site?

Traffic Impact

- (m) noting the applicant's claim that no parking would be provided within the site and a TIA was not necessary for the proposed use, had the applicant considered the potential traffic impact generated by the visitors who would park their cars at the nearby road and then walk to the site, as well as the increase in demand on the public light bus services?

Public Barbecue Sites

152. In response to Members' question (a), Mr. Ivan Chung, DPO/SKI, said that the public barbecue sites within Country Parks were under the management of the Agricultural, Fisheries and Conservation Department (AFCD). AFCD would ensure that there would be no adverse sewerage and environmental impact generated by the use of the barbecue sites. The mode of operation and management of public barbecue sites was different from that of the private barbecue sites and hence they were not comparable. Mr. Chan Hon Fai said that the management of a private barbecue spot would not be inferior to that of a public one managed by the Government. In fact, he rarely saw AFCD's staff at the public barbecue sites. For the subject case, the applicant would employ staff to closely manage the operation of the site to ensure that there would be no adverse environmental or sewage impact. The applicant was fully aware that

if the site was not properly managed, the planning permission would be revoked.

153. Regarding the selection of public barbecue sites inside Country Parks. Mr. Ivan Chung said that concerned government departments would carefully consider the environmental impact on the surrounding areas including the water quality and sewage aspects before a particular spot was selected as barbecue spot. The Chairman said that under the Country Parks Ordinance, barbecue activities were only allowed at designated barbecue sites. There were strict requirements on the selection of sites and the concerned government departments would ensure the sites selected were suitable for barbecue facilities. Mr. Chan Hon Fai said that the applicant would also undertake various environmental mitigation measures to ensure that proposed development would have no adverse impact on the surrounding areas as detailed in his presentation earlier on. For the concern on water quality, he said that since a major part of the site was covered by natural soil, the surface runoff on the site should be relatively low. The proposed 1m high parapet would provide adequate protection to Ho Chung River such that there would be no pollution risks to the water quality due to runoff and waste from the barbecue site.

154. In response to Members' question (b), Mr. Ivan Chung said that all Country Parks were designated under the Country Parks Ordinance and they would not be zoned "GB" on the OZPs. On this point, Mr. Chan Hon Fai considered that the requirement for a development within a Country Park should be more stringent than that in a "GB" zone since all uses and developments within a Country Park required consent from the Country and Marine Parks Authority. In this regard, he did not understand why barbecue sites were allowed within Country Parks but not the "GB" zone.

Operation of the Site

155. In response to Members' question (c), Mr. Chan Hon Fai said that barbecue facilities were not an essential but an ancillary use for the operation of the proposed organic farm. The applicant intended to provide a variety of facilities for the visitors and the barbecue facilities would serve the purpose of providing a social gathering and eating place for the visitors after their farming activity.

156. In response to question (d), Ms. Kan Mei Ha said that the applicant would invite experienced farmers to teach the visitors on the traditional way of farming and composting.

Besides, teachers and parents could also take the opportunity to teach their students and children in the art and crafts workshops. She said that the proposed development would provide a social gathering place for family and school groups.

157. In response to question (e), Mr. Chan Hon Fai said that the mission of the proposed development, with the provision of organic farming, barbecue and other educational facilities, was to educate the younger generations to respect and protect the environment and to provide a social gathering place for the general public. If the visitors did not respect the environment, they would be requested to leave the site. He said that the visitors would need to bring their own food to the site. No food would be provided to them by the operator.

158. In response to Members' question (f), Mr. Chan Hon Fai said that the site would be closed by 8:00 p.m. so as to avoid creating nuisance to the surrounding residential areas. The closing time was considered appropriate as it would be difficult to leave the site late at night given its remote location.

159. In response to Members' question (g), Ms. Kan Mei Ha said that the Central Enforcement and Prosecution Section of PlanD had inspected the application site recently and no operation of the proposed development had been identified. The existing staff at the site was only employed to take care of the vegetation at the site. She admitted that there was a previous unauthorized development at the site and hence would like to seek planning permission prior to implementation of the proposed development. She hoped that the Board could approve the application and was willing to accept the approval conditions imposed by the Board.

Impact on Water Quality

160. In response to Members' question (h), Mr. Chan Hon Fai said that in order to protect Ho Chung River from pollution, only a small amount of water would be provided to the visitors for washing hands and barbecue forks. He said that assuming one person consumed 2 litres of water for such purpose per day, a total of 400 litres (0.4 tonne) of wash water would be generated by 200 visitors at the site per day. That amount was far below the benchmark set for a designated project under EIAO, i.e. over 15,000 tonnes per day.

161. In response to Members' question (i), Mr. Ivan Chung said that DEP advised that "an

activity for the reuse of treated sewage effluent from a treatment plant” was a designated project under the EIAO and requested the applicant to examine and ascertain the EIAO implications of the proposed Membrane Bio-Reactor system. Since the applicant did not submit any details on the proposed system, the feasibility of the system and the EIAO implication had yet to be ascertained. Hence, no conclusion had been made on whether the proposed Membrane Bio-Reactor system was a designated project under the EIAO. Nevertheless, he emphasised that the adverse impact on the WWG was a main concern of the subject application. As clearly stated in the Paper, WSD raised objection to the application as the proposed use would increase the pollution risks to the water quality within the WWG due to the runoff, litter, food residues and wastes from the barbecue site.

162. In response to Members’ question (j), Mr. Chan Hon Fai said that the Membrane Bio-Reactor system, per se, was not a designated project under the EIAO. It was the reuse of treated sewage effluent that should be regarded as a designated project. Under the subject application, the applicant proposed to use chemical toilets and there was no reuse of sewage effluent. The applicant only planned to reuse the wash water (about 0.4 tonnes) which involved a simple treatment system and a Membrane Bio-Reactor System was only a back-up facility. However, if the Board considered it necessary, the applicant had no objection to use the Membrane Bio-Reactor System or include the provision of Membrane Bio-Reactor System as an approval condition.

163. In response to question (k), Mr. Chan Hon Fai said that there would be water for washing hands inside the portable chemical toilets and the wash water would be stored in the basins of the toilets. Water taps would be provided at the site for the visitors at the barbecue site and the organic farm, and the wash water would be kept in a storage tanks for treatment, after which the water would be reused for activities at the site, e.g. for irrigation. The details of the treatment proposal would be submitted to concerned government departments for approval. He said that the water taps would be located away from Ho Chung River so as to protect the water quality.

164. In response to question (l), Mr. Ivan Chung said that the latest planning application for the temporary film studio use at the Shing Fung Film Studio site was approved with conditions by RNTPC on 11.6.2010. In one of the approval conditions, the applicant was required to submit detailed proposals to ensure that no pollution would occur to the WGG to the satisfaction of the

Director of Water Supplies (DWS). According to PlanD's record, measures which included the construction of a 1m high parapet wall to protect the water quality of the WGG, and the maintenance of the existing drainage system had been proposed by the applicant and approved by DWS. However, the subject application did not warrant the same consideration as Shing Fung Film Studio. As stated in paragraph 5.2.2(b) of the Paper, WSD raised objection to the subject application as the proposed agricultural, barbecue and educational use would increase the pollution risks to the water quality within the WGG due to the runoff, litter, food residues and wastes from the barbecue site. Moreover, the sewage generated due to food processing for the barbecue site had not been addressed.

Traffic Impact

165. In response to Members' question (m), Mr. Chan Hon Fai said that as there was no vehicular access leading to the site, it was unlikely that visitors would drive there. The existing public light bus services should have adequate capacity to cater for the demand of the proposed development. Ms. Kan Mei Ha said that no parking space would be provided at the site and visitors would not be encouraged to drive there. To promote awareness in environmental protection, visitors would be encouraged to take public transport and walking from the public road to the site would only take about 10 to 15 minutes. She said that visitors needed to pass through Shing Fung Film Studio before arriving the site and there was also no parking provision for outside visitors at Shing Fung Film Studio. Besides, it was also unlikely that visitors would park their cars in the vicinity of the application site as the only public car parking spaces which were near the entrance of Ho Chung Village had already been used by the villagers and there was no other spaces, even for illegal parking. Mr. Chan Hon Fai supplemented that the application site was in the vicinity of some well-known hiking trails and the proposed development would serve as a good rest place for hikers. No parking provision would be required for the hikers.

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

166. As the applicant's representatives had no further comment to make and Members had no further questions, the Chairman informed the applicant's representatives that the hearing procedures for the review application had been completed. The Board would inform the applicant of the Board's decision in due course. The Chairman thanked the applicant's representatives and the representative of the PlanD for attending the meeting. They all left the

meeting at this point.

Deliberation Session

167. A Member did not support the application as the proposed development was not in line with the planning intention of the “GB” zone and the proposed barbecue facilities would have adverse impact on the WGG.

168. Mr. Benny Wong, Deputy Director of Environmental Protection, said that apart from the barbecue facilities, the applicant had not provided sufficient justification to demonstrate his intention to provide organic farming, composting facilities and environmental education activities at the site. Mr. Wong also questioned the necessity of the proposed Membrane Bio-Reactor system given that the amount of wash water generated by the proposed development was very limited which might not be commensurate with the high cost of the system.

169. Members generally agreed to reject the application as the proposed development was not in line with the planning intention of the “GB” zone and there was insufficient information to demonstrate that the WWG would not be affected by the proposed development.

170. After further deliberation, the Board decided to reject the application on review. Members then went through the reasons for rejection as stated in paragraph 8.1 of the review paper and considered that they were appropriate. The reasons were:

- (a) the proposed development was not in line with the planning intention of the “GB” zone which was primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There was no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the proposed development did not meet the TPB Guidelines No. 10 for ‘Application for Development within “GB” Zone’ in that the application would affect the existing natural landscape of the surrounding area and have adverse landscape impact;

- (c) the proposed development would increase the pollution risks to the water quality within the water gathering grounds. The submission had not included sufficient information to demonstrate that the water gathering grounds would not be affected by the proposed development;
- (d) the submission failed to demonstrate that there was no adverse traffic impact from the proposed development and no traffic impact assessment had been included in the submission; and
- (e) the approval of the application would set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effect of approving such similar applications would result in a general degradation of the natural environment.

[The meeting adjourned for a five-minute break.]

Agenda Item 9

[Open Meeting]

Review of Application No. A/H18/67

Proposed Minor Relaxation of Plot Ratio and Site Coverage Restrictions for permitted House Development in "Residential (Group C) 4" zone, 45 Tai Tam Road, Hong Kong

(TPB Paper No. 9024)

[The meeting was conducted in Cantonese.]

Presentation and Question Session

171. The following government representative and the applicant's representatives were invited to the meeting at this point:

Ms. Brenda Au - District Planning Officer/Hong Kong
(DPO/HK), Planning Department (PlanD)

| | | |
|-------------------|---|-----------------------------|
| Mr. Ian Brownlee |] | |
| Ms. Jannette Chan |] | Applicant's representatives |
| Ms. Camay Lam |] | |
| Ms. Katherine Ng |] | |

172. The Chairman extended a welcome and explained the procedures of the review hearing. He then invited DPO/HK to brief Members on the review application.

173. With the aid of a Powerpoint presentation, Ms. Brenda Au, DPO/HK, presented the review application and covered the following main points as detailed in the review paper:

- (a) the applicant sought planning permission for minor relaxation of plot ratio (PR) and site coverage (SC) to not more than 0.9 and 30.7% respectively for permitted house development at the application site zoned "Residential (Group C)4" ("R(C)4") on the approved Tai Tam and Shek O Outline Zoning Plan (OZP) No. S/H18/10. The application site was a platform on a vegetated slope at the mid-level of a hillside adjoining Tai Tam Road and overlooking Tai Tam Bay;
- (b) the application site was zoned "R(C)4" which was subject to a maximum building height (BH) of 4 storeys including carports. For a development of 3 domestic storeys, the corresponding maximum PR was 0.75 and maximum SC was 25%. If 4 storeys were used for domestic purposes, the maximum PR and maximum SC were 0.9 and 22.5% respectively. The application was for minor relaxation of the PR and SC restrictions of 0.75 and 25% (applicable to a development of 3 domestic storeys) under the OZP to 0.9 and 30.7% respectively to facilitate the proposed development of 7 houses with 3 domestic storeys above one level of basement carpark and plant rooms;
- (c) the Metro Planning Committee (MPC) rejected the application on 2.9.2011 for the reasons that there were insufficient planning and design merits to justify the proposed relaxation of PR and SC restrictions for the proposed development and that the proposed plant rooms and lift and associated lobbies at basement were considered excessive;

- (d) a comparison of the previously approved scheme (No. A/H18/65), OZP complying scheme and the current application at s.16 and s.17 stages was provided in paragraph 3.2 of the Paper and summarised below:

| | Approved Scheme A/H18/65 (4.3.2011) | OZP Complying Scheme (Building plans approved on 30.5.2011) | A/H18/67 s.16 Stage | A/H18/67 Review Stage |
|---|--|---|--|--|
| Site Area (m ²) (about) | 3,009 | 3,009 | 3,009 | Same |
| PR | 0.9 | 0.9 | 0.9 | Same |
| SC | 34.1% | 22.5% | 30.7% | Same |
| No. of Storeys | 3 domestic storeys above 1 storey of basement carpark | 4 domestic storeys above-ground | 3 domestic storeys above 1 storey of basement carpark | Same |
| <u>BH</u> Overall (m) (including basement) | 16.4 | 15.1 | 16.3 | Same |
| Above ground (m) | 11.5 | 15.1 | 11.5 | Same |
| mPD | 60.35 | 63.65 | 61.05 | Same |
| GFA concessions (m ²) (about) | 491 (245m ² for plant rooms and 246m ² for carport) (about 18.13% of total GFA) | N.A. | 1,383 (399m ² for plant rooms, guard house, etc., and 984m ² for carport) (about 51.07% of total GFA) | 1,319.78 (306.08m ² for plant rooms, guard house, etc., and 1,013.7m ² for carport) (about 48.74% of total GFA) |
| No. of Blocks | 2 | 7 | 7 | Same |
| Car-parking Spaces | 4 | 14 | 14 | Same |

- (e) the justifications put forth by the applicant in support of the review application were provided in paragraph 3.1 of the Paper and summarised below:

- (i) *Building Height*: the BH was reduced by one storey above ground as compared with the OZP complying scheme (4 domestic storeys above

ground) and a classical architectural design concept, including variation in façade form, setback at upper level and provision of terraces on 2/F was adopted;

- (ii) *Basement Design*: as compared to the s.16 application scheme, the size of the basement floor was further reduced from 1,911m² to 1,839m² by adjusting the area of some plant rooms and carpark layout. Compared with the approved general building plans (OZP complying scheme), the revised basement plant rooms were of comparable size and not considered excessive;
 - (iii) *GFA Concessions*: the GFA concessions of the proposed development had been reduced from 1,383m² (399m² for plant rooms, guard house, etc., and 984m² for carport) as compared to the s.16 application scheme to 1,319.78m² (306.08m² for plant rooms, guard house, etc., and 1,013.7m² for carport);
 - (iv) *Landscape Design*: the current scheme was considered to be better than the previously approved scheme and the OZP complying scheme in that the total landscaped area was increased from 1,086m² (excluding the shotcrete slope of about 190m² in area) and 1,135m² respectively to 1,147m²;
 - (v) *Shotcrete Slope*: to improve visual appearance of the shotcrete slope, a vertical retaining wall and a platform at ground level was created where planting could be allowed along the bottom of the new retaining wall and creepers to be provided at the top of the slope; and
 - (vi) *Separation between Houses*: the space between houses increased from 2m and 2.4m wide and would be planted with species suitable for the location. To further improve the visual impact, an alternative disposition of the houses to increase the space between houses 3 and 4 from 2m to not less than 5m, while keeping the original 2m gaps between the remaining houses was proposed. The wider gap between houses 3 and 4 would break up the linear building mass and create additional landscape space while also enabling the increased provision of tree planting on site;
- (f) departmental comments – the departmental comments were summarised in

paragraph 5 of the Paper. The District Lands Officer/Hong Kong West and South, Lands Department (DLO/HKW&S, LandsD) advised that in accordance with the tree preservation clause of the existing lease, a tree felling and compensatory landscape application based on a design of 2-house type development was approved on 3.10.2011 subject to the implementation of a compensatory re-planting scheme. The Commissioner for Transport (C for T) advised that the traffic impact of the proposed development to the existing road network should be minimal. The Chief Building Surveyor/Hong Kong West, Buildings Department (CBS/HKW, BD) had no in-principle objection to the planning application under the Buildings Ordinance. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) advised that as compared with the scheme approved by Buildings Department (OZP complying scheme), the proposed scheme would minimize the visual impact by reducing the BH above ground from 4 storeys to 3 storeys. However, despite the increase in building gap from 2m to 2.4m, the proposed 7 houses would create a longer and bulkier building mass. She had some reservation on the quality of the landscape proposal under the 7-house scheme as the landscape areas were fragmented. Subsequently, with the alternative disposition of houses submitted by the applicant on 10.2.2012, a wider gap (5m in width) between houses 3 and 4 with suitable tree planting was proposed which would help break up the building mass and improve the landscape quality of the scheme and address her previous visual and landscape concern;

- (g) public comments - during the first three weeks of the statutory publication period, nine public comment were received from Incorporated Owner of Pacific View, Kai Shing Management Services Limited, Designing Hong Kong Limited and members of the public objecting to the review application mainly on traffic, visual, landscape and environmental grounds; and
- (h) PlanD's view – PlanD had no objection to the review application based on the planning considerations and assessments as set out in paragraph 7 of the Paper and summarized below:
 - (i) the proposed scheme would minimise the visual impact by reducing the height by one storey when compared with the OZP complying scheme.

As this was one of the major design merits, it was recommended that an approval condition be imposed to cap the proposed BH (i.e. 61.05mPD) to ensure that there would be no increase in the BH;

- (ii) the proposed relaxation of SC under application did not exceed the general guideline adopted by the Board (i.e. maximum 50% for sites falling within Residential Zone 3 Areas in Metro and New Town areas), and the proposed minor relaxation of SC was mainly to cater for design flexibility. It was generally in line with the guideline;
- (iii) the alternative disposition of the 7 houses to create additional landscaping space of not less than 5m wide in the central part of the site would provide a wider gap which would help break up the long building mass and provide an opportunity for better quality landscape design; and
- (iv) the reduction in the overall SC of the houses and the increase in the total landscaped area in the current scheme had some design merits. To ensure an improved development layout and enhanced landscape design, approval conditions were recommended to be imposed for the submission and implementation of a revised layout of the proposed development to adjust the disposition of the houses to provide separation of not less than 5m wide between houses 3 and 4 in the central part of the site and minimum 2m wide for the remaining houses; and the submission and implementation of tree preservation and landscape proposals.

174. The Chairman then invited the applicant's representatives to elaborate on the review application. Mr. Ian Brownlee said that the applicant and his consultant team had been working closely with concerned government departments in the past few months to improve the development scheme under application. There were significant improvements in the revised scheme submitted in the review application which should have addressed the MPC's and government departments' concerns. He said that the proposed BH of 3 domestic storeys above basement was lower than the four domestic storeys as permitted under the OZP and the proposed SC relaxation under application was in accordance with the general guideline adopted by the Board for similar applications. The imposition of approval conditions in relation to the maximum BH of 61.05mPD of the proposed development and the submission and implementation of a revised layout to provide separation of not less than 5m wide between houses 3 and 4 and minimum 2m wide for the remaining houses was acceptable to the applicant. The applicant

would continue to improve the landscape and tree preservation proposals during the submission and implementation process. He said that the proposed scheme was a high-quality and high-class development and hoped that the Board would accept PlanD's recommendation.

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

Deliberation Session

176. Members generally noted that the current scheme submitted in the review application with refinement to the design, layout and disposition of the houses and increased provision in tree planting had addressed Members' previous concerns at the s.16 stage. In this regard, Members agreed to approve the application with suitable approval conditions imposed to ensure an improved development layout and enhanced landscape design and that there would be no further increase in the BH.

177. After further deliberation, the Board decided to approve the application on review, on the terms of the application as submitted to the Board. The permission should be valid until 17.2.2016, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the following conditions:

- (a) the building height of the proposed development should not exceed 61.05mPD;
- (b) the submission and implementation of a revised layout of the proposed development to adjust the disposition of the houses to provide separation of not less than 5m wide between houses 3 and 4 in the central part of the site and minimum 2m wide for the remaining houses to the satisfaction of the Director of Planning or of the Town Planning Board;
- (c) the submission and implementation of tree preservation and landscape proposals to the satisfaction of the Director of Planning or of the Town Planning Board;

and

- (d) the provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board.

178. Members also agreed to advise the applicant:

- (a) that the approval of the application did not imply that any proposal on building design elements to fulfil the requirements under the Sustainable Building Design Guidelines and any proposal on gross floor area (GFA) concession for the proposed development would be approved/granted by the Building Authority. The applicant should approach the Buildings Department direct to obtain the necessary approval. If the building design elements and the GFA concession were not approved/granted by the Building Authority and major changes to the current scheme were required, a fresh planning application to the Board might be required;
- (b) to apply to the District Lands Officer/Hong Kong West and South, Lands Department for lease modification;
- (c) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department in paragraph 5.2.5 of the Paper regarding the quality of landscape provision;
- (d) to note the comments of the Director of Environmental Protection in paragraph 5.2.7 of the Paper regarding the need to comply with relevant pollution control ordinances;
- (e) to note the comments of the Chief Engineer/Hong Kong & Islands, Drainage Services Department in paragraph 5.3.1 of the Paper regarding the requirements on the maintenance of the existing sewers and storm drains and the submission of drainage plans to the Building Authority for approval; and

- (f) to note the comments of the Director of Fire Services in paragraph 5.3.2 of the Paper regarding the compliance of the Code of Practice for Means of Access for Firefighting and Rescue.

Agenda Item 8

[Open Meeting (Presentation and Question Session only)]

Review of Application No. A/NE-TKL/375

Proposed House (New Territories Exempted House - Small House) in "Green Belt" zone, Lot 26 S.B (part) in D.D.46, Tai Tong Wu, Fanling, New Territories
(TPB Paper No. 9020)

[The meeting was conducted in Cantonese.]

179. The following government representative and the applicant's representatives were invited to the meeting at this point:

| | | |
|--------------------|---|---|
| Mr. W.K. Hui | - | District Planning Officer/Shatin, Tai Po and North, (DPO/STN), Planning Department (PlanD) |
| Mr. K.K. Sit |) | Applicant's Representatives |
| Mr. Tang Shui Ping |) | |

180. The Chairman extended a welcome and explained the procedures of the review hearing. He then invited DPO/STN to brief Members on the review application.

181. With the aid of some plans, Mr. W.K. Hui, DPO/STN, presented the review application and covered the following main points as detailed in the review paper:

- (a) the applicant sought planning permission to build a house (New Territories Exempted House (NTEH) – Small House) on the application site zoned “Green Belt” (“GB”) on the Approved Ping Che and Ta Kwu Ling Outline Zoning Plan (OZP) No. S/NE-TKL/14;

- (b) the Rural and New Town Planning Committee (RNTPC) rejected the application on 18.11.2011 for the reasons that the proposed development was not in line with the planning intention of the “GB” zone; the proposed development was not in line with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “GB” Zone under Section 16 of the Town Planning Ordinance’ and the ‘Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories’ (‘Interim Criteria’) in that it would cause adverse landscape impacts on the surrounding areas as the mature trees in close proximity of the application site were likely to be affected; and the approval of the application would set an undesirable precedent for other similar applications within the “GB” zone;

- (c) the justifications put forth by the application in support of the review application were provided in paragraph 3 of the Paper and summarised below:
 - (i) the application site fell entirely within the “GB” zone and that was why the applicant was applying for a planning application;
 - (ii) the Board was not a trial court and the Director of Agricultural, Fisheries and Conservation (DAFC) was not a prosecutor. The applicant had never been charged the offence of site preparation (i.e. paving) for small house development. The accusation (destroy first and build later) on the irreversible ‘malpractice’ should come to a stop, especially the applicant had been repeatedly charged in the last 3 previous applications which violated the Common Law Principle;
 - (iii) District Lands Officer/North (DLO/N) said that pruning of tree branch while avoiding encroaching other’s land was the responsibility of the landowner concerned. Therefore, the tree pruning responsibility of other landowner should not be a negative factor to the application;
 - (iv) both the current application and application No. A/TP/509 were for small house development in “GB” zone and were considered in the same RNTPC meeting on 18.11.2011. However, Application No. A/TP/509 with more negative comments was approved by the RNTPC;
 - (v) the applicant had the genuine intention of building his small house on the site and therefore had taken premature step in paving the site;

- (d) there had been no material change of the situations of the application site and its

surrounding areas since the consideration of the application by RNTPC;

- (e) departmental comments – the departmental comments were summarised in paragraph 5 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) commented that the application site was well-vegetated in 2008. However, extensive vegetation clearance and paving with asphalt had occurred at the application site in 2009 and the affected area had been further extended in 2011. Approval of this application might further encourage such malpractice. Besides, removal or significant pruning of the mature trees in close vicinity of the site seemed unavoidable if the construction of the Small House were to proceed. The Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) objected to the application from the landscape planning point of view. Some existing trees within the site had been felled when compared with the situation in 2009 and significant disturbance to the existing landscape resources had taken place. Besides, the construction works for the Small House would likely affect the existing large mature trees close to the site but no assessment of the likely impacts and mitigation measures had been provided. The District Officer/North (DO/N) advised that one Village Representative (VR) of Tai Tong Wu supported the application while the Chairman of Sha Tau Kok District Rural Committee (STKDRC) did not express any comment during the consultation period;
- (f) public comments - during the first three weeks of the statutory publication period, one public comment was received from a North District Council member who supported the application; and
- (g) PlanD's views – PlanD did not support the review application based on the planning considerations and assessments as set out in paragraph 7 of the Paper and summarized below:
 - (i) the proposed development was not in line with the planning intention of the “GB” zone which was primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets;
 - (ii) although sympathetic consideration might be given to the application in that about 99.8% of the footprint of the proposed NTEH/Small House was

located within the 'Village Environ' ('VE') of Tai Tong Wu Village and there was a general shortage of land in meeting the demand for Small House in the "V" zone of the same village, the proposed development did not meet the Interim Criteria in that the construction of the proposed NTEH/Small House would affect the existing mature trees nearby, which would cause adverse landscape impacts on the surrounding areas;

- (iii) the site was previously well-vegetated in 2008 but was now paved and cleared of vegetation. The applicant had acknowledged that the application site was cleared and formed to prepare for Small House development. It appeared that the applicant had taken a 'destroy first and build later' approach, which should not be encouraged, and there was no clear indication that the site had been reinstated;
- (iv) both DAFC and CTP/UD&L, PlanD had concern/objected to the application as the proposed development would affect the mature trees in the vicinity of the application site. The application did not comply with the assessment criteria under the Town Planning Board Guidelines for Application for Development within Green Belt Zone under Section 16 of the Town Planning Ordinance in that the proposed development would further affect the existing natural landscape, causing adverse landscape impacts on the surrounding area;
- (v) the application site was the subject of three previous applications for proposed Small House development submitted by the same applicant and the applications were rejected by the RNTPC / the Board on review. There had been no material change in the site condition and planning circumstances since the rejection of the previous applications and the applicant had not submitted any planning reasons to address RNTPC's concern which warranted a departure from its previous decisions; and
- (vi) for the applicant's comment about another similar application (No. A/TP/509) for Small House development within "GB" zone which had more negative comments than the current application, that application was approved on the consideration that the technical concerns could be addressed by the imposition of relevant approval condition. However, for the current review application, the development proposal was considered to have adverse impacts on the mature trees nearby and on its landscape of

surrounding areas; and

- (vii) on the applicant's legal argument on the Common Law principle, legal advice said that the Board was an administrative board and was not a court.

The relevant legal doctrine was not applicable to the subject case.

182. The Chairman then invited the applicant's representatives to elaborate on the review application. With the aid of some plans and photos, Mr. K.K. Sit made the following main points:

- (a) at the s.16 planning application stage, PlanD had assessed the application against 13 assessment criteria. Among them, there were only three negative factors which were against the application, i.e. the site did not fall within "V" zone; the site was not compatible with the planning intention of "GB" zone and there was adverse landscape impact;
- (b) the applicant submitted a planning application to the Board as the site fell within an area zoned "GB". If the site fell within the "V" zone, planning application would not be necessary. In this regard, the assessment criterion on the compatibility with the planning intention of "GB" zone was misleading and should not be included;
- (c) the site had been paved since early 2009 and government departments claimed that the affected area had been further extended in 2011 which led to extensive vegetation clearance. Given that it was the applicant's intention to pave the site to build a Small House, there was no point for the applicant to reinstate the site by removing the paving. It was also not necessary for him to undertake any mitigation measures as requested by PlanD. As shown in those site photos prepared by PlanD (Plan R-4 of the Paper), the site was already covered with grass;
- (d) the applicant did not adopt a "destroy first and build later" approach at the site. As shown in the photos, the applicant had not destroyed the site and the applicant only paved it with asphalt. The site was an abandoned agricultural land. The applicant did not use it for car repair workshop and no warning or charges had ever been received from government departments. The applicant had not built

anything on the site in the past two years prior to obtaining planning permission. Hence, it was wrong to accuse the applicant of adopting a “destroy first and build later” approach;

- (e) the proposed Small House would not affect the mature trees behind. Regarding the tree just next to the site, it was not in good condition and hence it was unlikely that the branches of the tree would extend onto the application site. Besides, it should be the responsibility of the landowner where the tree was located to undertake the pruning of tree branches if necessary. This had been pointed out in DLO/N’s letter of 7.10.2011 to the applicant;
- (f) the applicant had no intention to cut any trees for the proposed Small House development. Due to public complaint, the applicant had received a letter of 1.8.2011 from DLO/N requesting him to clear the weeds at the site to tackle mosquito breeding problem. The paving of the site with asphalt would help address the hygiene and mosquito problem arising from the weeds at the site and hence help improve the environment;
- (g) it was wrong for the CTP/UD&L to object to the application just because the site fell within the “GB” site. The responsible officer should assess thoroughly the land use compatibility and landscape impact of the proposed Small House. As shown by the perspective drawing, the proposed Small House was a decent development and would not be incompatible with the surrounding area;
- (h) another similar application (No. A/TP/509) for Small House development within “GB” zone in Tai Po was approved by the RNTPC at the same meeting on 18.11.2011 even though the application had received more negative comments than the subject application (i.e. 6 negative comments out of the 13 assessment criteria). In particular, CTP/UD&L had raised objection to this similar application as it would likely involve slope cutting, retaining wall construction, vegetation clearance and site formation works. It was unfair to reject the subject application as the site in Tai Po was more well-vegetated than the subject site which was only an abandoned agricultural land; and
- (i) the applicant had the right to continue to apply for planning permission for the proposed Small House development at the subject site, even if the Board rejected

the subject application. The Board should not refuse to approve the application for the reason that it was a “destroy first and build later” case.

183. Members had the following questions:

- (a) noting that the applicant had been requested by DLO/N to clear the weeds within the site, whether paving the site with asphalt was considered as an acceptable measure?
- (b) whether future site formation work of the proposed Small House would affect the adjacent mature tree, in particular its roots?
- (c) which departments considered that the proposed development would affect the mature trees in the vicinity of the site?
- (d) when did the paving of the site take place and when was the applicant requested by DLO/N to clear the weeds within the site?

184. In response to Members’ question (a), Mr. W.K. Hui, DPO/STN, said that the clearing of weeds at the site would not contravene the planning intention of the “GB” zone. However, paving of the site with asphalt was similar to some kind of site formation work which would create adverse landscape impacts on the surrounding areas and hence was not in line with the planning intention of the “GB” zone. The Chairman pointed out that as indicated in DLO/N’s letter, the applicant was only requested to clear the weeds instead of paving the site with asphalt. On this point, Mr. K.K. Sit said that if the site was not paved and left vacant, there would be adverse environmental and hygiene problem. Hence, it was the applicant’s good intention to pave the site in order to improve the environment even though it did not comply with the planning intention.

185. In response to Members’ question (b), Mr. K.K. Sit said that according to his observation, there would be a 3 to 4-metre buffer between the proposed Small House and the adjacent tree. As the tree was not in good condition, it was unlikely that it would have extensive roots or tree crown extending onto the subject site. Although he could not provide any concrete evidence, he considered that the impact of the site formation work of the proposed Small House on the adjacent tree would be insignificant.

186. In response to Members' question (c), Mr. W.K. Hui, DPO/STN, said that DAFC commented that some mature trees close to the application site were likely to be affected by the proposed development. Besides, by comparing two site photos taken in 2010 and 2011 which were presented at the meeting, Mr. Hui said that DAFC advised that the area subject to vegetation clearance (the affected area) had been further extended at the northern boundary of the application site. Hence, if the subject application was approved, it might set an undesirable precedent for other similar applications within the "GB" zone, hence affecting the integrity of the "GB" zone. By referring to the same two photos, Mr. K.K. Sit said that the so-called affected area was only covered by patches of weeds of about two inches long and would unlikely be affected by the future development. He wondered if it should be a reason to reject the application.

187. In response to Members' question (d), Mr. K.K. Sit said that the site was paved with asphalt in 2009 and on 1.8.2011, DLO/N had sent a letter to the applicant requesting him to clear the weeds within the application site for controlling mosquito breeding.

188. As the applicant's representatives had no further comment to make and Members had no further questions, the Chairman informed the applicant's representatives that the hearing procedures for the review application had been completed. The Board would inform the applicant of the Board's decision in due course. The Chairman thanked the applicant's representatives and representative of the PlanD for attending the meeting. They all left the meeting at this point.

Deliberation Session

189. Members noted that the application site was paved in 2009 prior to DLO/N's letter of 1.8.2011 requesting the applicant to clear the weeds within the site. In this regard, the justification put forth by the applicant that the paving was undertaken in response to DLO/N's letter to resolve the mosquito problem at the site and to improve the environment was not substantiated.

190. Noting that the applicant had adopted a "destroy first and build later" approach by paving the site to facilitate the proposed Small House development under application, the Chairman asked the Secretary to remind Members of the approach previously agreed by the Board

in dealing with “destroy first and build later” cases. The Secretary said that according to the previous legal advice obtained on the subject, the Board should defer a decision on a rezoning application or a planning application in order to investigate a case of unauthorized development (UD) where there was prima facie evidence to indicate that the UD was of such a nature that it might constitute an abuse of the process so as to determine whether the application might be rejected for such reason. Furthermore, where the application site was subject to enforcement action and a reinstatement notice (RN) had been served, if the enforcement of the RN impinged on the physical state or individual characteristics of the site, the Board should take into account the state of the site as required in the RN in considering whether there were sufficient merits or planning gains to justify the application. She said that the application site was not subject to any enforcement action or RN. The Secretariat would request the Central Enforcement and Prosecution Section of PlanD to follow up with this case as appropriate.

191. A Member said that the proposed development was not in line with the planning intention of “GB” zone and the proposed development would have adverse landscape impacts on the surrounding areas. Noting DAFC’s expert advice, this Member was not convinced that the nearby mature trees would not be affected by the proposed development and the applicant did not provide any evidence on that aspect.

192. Members noted and agreed that the proposed development was not in line with the planning intention of the “GB” zone and the relevant Town Planning Board Guidelines as well as the Interim Criteria in that it would cause adverse landscape impacts on the surrounding areas as the mature trees in close proximity to the application site were likely to be affected. Besides, the approval of the application would set an undesirable precedent for other similar applications within the “GB” zone. The “destroy first and build later” approach adopted by the applicant should not be encouraged. Members agreed to reject the application.

193. After further deliberation, the Board decided to reject the application on review. Members then went through the reasons for rejection as stated in paragraph 8.1 of the review paper and considered that they were appropriate. The reasons were:

- (a) the proposed development was not in line with the planning intention of the “Green Belt” zone which was primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as

well as to provide passive recreational outlets and there was a general presumption against development within this zone;

- (b) the proposed development was not in line with the Town Planning Board Guidelines for Application for Development within Green Belt Zone under Section 16 of the Town Planning Ordinance and the Interim Criteria for Consideration of Planning Applications for NTEH/Small House in New Territories in that it would cause adverse landscape impacts on the surrounding areas as the mature trees in close proximity to the application site were likely to be affected; and
- (c) the approval of the application would set an undesirable precedent for other similar applications within the “GB” zone. The cumulative impacts of approving such application would affect the intactness of the “GB” zone and cause adverse landscape impacts on the surrounding areas.

Agenda Item 5

[Open Meeting (Presentation and Question Session only)]

Consideration of Representations to the Tung A and Pak A Outline Zoning Plan No. S/DPA/SK-TA/1

(TPB Paper No. 9017)

[The hearing was conducted in Cantonese.]

R1 to R4

Presentation and Question Session

194. The Chairman said that sufficient notice had been given to invite the representers to attend the hearing, but they had either indicated not to attend the hearing or made no reply. As sufficient notice had been given to the representers, Members agreed to proceed with the hearing in their absence.

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

- | | |
|-----------------|---|
| Mr. Ivan Chung | - District Planning Officer/Sai Kung & Islands (DPO/SKI), PlanD |
| Mr. Charles Yum | - Senior Town Planner/Sai Kung (STP/SK), PlanD |

196. The Chairman extended a welcome and invited the representatives from PlanD to brief Members on the background to the representations.

197. With the aid of a Powerpoint presentation, Mr. Charles Yum, STP/SK, made the following main points as detailed in the Papers:

Background

- (a) on 19.8.2011, the draft Tung A and Pak A Development Permission Area (DPA) Plan No. DPA/SK-TA/1 was exhibited for public inspection for two months under section 5 of the Town Planning Ordinance (the Ordinance);
- (b) during the exhibition period, four representations were received. They were submitted by World Wide Fund (WWF), Hong Kong (R1), Designing Hong Kong Limited (R2), Mr. Wong Fook Ning, Village Representative (VR) of Pak A Village (R3) and Mr. Kong Sai Ying, VR of Tung A Village (R4). No comment was received during the exhibition period of the representations;

The Representation Sites

- (c) the representation sites covered the whole area of the DPA Plan. Owing to the urgency of preparing the DPA Plan, the planning scheme area (the Area) was designated as “Unspecified Use” and “Village Type Development” (“V”) zone pending detailed analysis and studies to establish the appropriate land uses in the course of the preparation of an Outline Zoning Plan (OZP). Land within the “V” zone was primarily intended for development of Small Houses by indigenous villagers. It was also intended to concentrate village type development within this zone for a more orderly development pattern,

efficient use of land and provision of infrastructures and services;

Public Consultation

- (d) during the two-month exhibition period, the Sai Kung District Council (SKDC) was consulted at its meeting on 30.8.2011. SKDC members commented that the PlanD should take the initiative to listen to the views of the indigenous villagers actively so as to prepare an OZP that would meet the needs of the villagers. They also expressed their views that the “V” zone was too small to accommodate the future Small House development in the Area. The Chairman of SKDC concluded that members generally did not support the draft DPA Plan;
- (e) PlanD also presented the draft DPA Plan to Sai Kung Rural Committee (SKRC) at its meeting on 10.10.2011. Both VRs of Tung A Village and Pak A Village had the views that there was not sufficient land for future Small House development in view of the size of the “V” zone on the DPA Plan;

Grounds of Representations

- (f) the main grounds of representations as detailed in paragraph 4 of the Paper were summarised as follows:

Supportive Representations (R1 & R2)

- (i) R1 and R2 were in support of the DPA Plan and the need for preserving the natural environment and preventing damages by incompatible development;

Adverse Representations (R3 & R4)

- (ii) R3 and R4 opposed the DPA Plan as it would affect the future development of Tung A and Pak A Villages and the rights of the indigenous villagers as the area designed as “Unspecified Use” could not be developed.

Representers' Proposals

- (g) representers' proposals as detailed in paragraph 5 of the Paper were summarised as follows:

Supportive Representations (R1 & R2)

- (i) to designate conservation zonings such as "Conservation Area" on those ecologically sensitive areas and areas adjacent to the streamcourses and coastal areas in order to prevent any potential developments from affecting the natural streams and marine ecology (R1);
- (ii) to incorporate the ecologically sensitive area into the Sai Kung East Country Park (R1);
- (iii) to prepare DPA Plans for all areas which had yet to be covered (R2);
- (iv) to suspend the processing of land grant applications under the New Territories Exempted House (NTEH) policy so as to avoid adding more development pressure and increasing demand for compensation (R2);
- (v) to resume the preparation of village layout plans for all villages. Priority should be accorded to the Frontier Closed Area and the enclaves within and adjacent to Country Parks and all other areas with special landscape, geological or ecological value. Detailed layout plan should be prepared and implemented to ensure a sustainable layout before approval of further development (R2);

Adverse Representations (R3 & R4)

- (vi) to expand the "V" zone covering both Tung A Village and Pak A Village to accommodate future Small House demand from villagers in Hong Kong and overseas. There were 44 households of indigenous villagers with around 36 male villagers living in Hong Kong and around 112 people living overseas, and they all planned to construct houses in Pak A Village in future;

PlanD's Responses

- (h) PlanD's responses to grounds of representations and representers' proposals as detailed in paragraph 6 of the Paper were summarised as follows:

Supportive Representations

- (i) the support of R1 and R2 to the preparation of the draft DPA plan to protect the Area was noted;

Impose conservation zonings

- (ii) the Plan was an interim plan which would be replaced by an OZP within 3 years. Detailed land use zonings of the Area would be worked out at the OZP preparation stage taking into account the results of relevant assessments/studies on various aspects including development need, conservation value, the environment, infrastructure, landscape character, etc.;

Incorporate the Area into Sai Kung East Country Park

- (iii) the incorporation of the Area into the Sai Kung East Country Park, which was under the jurisdiction of the Country and Marine Parks Board (CMPB) under the Country Park Ordinance, was outside the purview of the Board. The justifications for incorporating the Area as part of the Sai Kung East Country Park would be subject to further consideration of the Director of Agriculture, Fisheries and Conservation (DAFC) and the CMPB;

Cover others areas by DPA Plans

- (iv) it had been the Government's long-term target to prepare OZPs for all areas of Hong Kong except areas covered by Country Parks. The 2010-2011 Policy Address had also stated that the Government would either include the remaining 'enclaves' into Country Park, or determine their proper uses through statutory planning in order to meet

conservation and development needs;

Suspend the processing of land grant applications

- (v) processing of land grant applications under NTEH policy was outside the purview of the Board. As far as the draft DPA Plan was concerned, apart from “V” zone, development of Small House within the “Unspecified Use” area was subject to the approval of the Board;

Resuming Village Layout

- (vi) PlanD had prepared a number of village layout plans covering various recognized villages in the territory. For the existing village layout plans, the PlanD would continue to monitor the situation and update them if required. The preparation of new village layout plans for villages covered by existing OZPs would depend on a number of factors such as availability of resources for implementation, and manpower and priority of works within PlanD;
- (vii) for DPA Plans, OZPs with definite zonings should be prepared before layout plans could be contemplated. Meanwhile, the DPA Plan provided adequate development control for the Area;

Adverse Representations

Affect future development of Pak A and Tung A

- (viii) development of Small House was always permitted within “V” zone. ‘Agricultural Use’ and some uses which were permitted in the covering Notes of the Plan were always permitted within the “Unspecified Use” areas. Designation of “Unspecified Use” would not prohibit developments nor affect the indigenous villagers’ right to Small House development. The provision for application to the Board for developments in the Area would provide a mechanism for striking a balance between development and environmental conservation through addressing the possible impacts arising from developments;

Expanding “V” zone

(ix) according to DAFC, the area proposed for the extension of “V” zones by R3 and R4 were generally wooded. Flora species of conservation interest were also found in some of the concerned area. Head of Geotechnical Engineering Office of Civil Engineering and Development Department also advised that the proposed “V” zones by both R3 and R4 were located below steep natural hillside and might be affected by potential natural terrain hazards. Further assessments were required to determine whether the proposed areas were suitable for future Small House development during the OZP preparation stage, when relevant assessment/studies on various aspects including Small House demand and developments, conservation value, the environment, infrastructure, landscape character, etc. were carried out;

(i) PlanD’s views –

- (i) noted the support of R1(part) and R2(part) to the DPA Plan; and
- (ii) did not support R1(part), R2(part), R3 and R4 and considered that they should not be upheld for the reasons as set out in paragraph 8.2 of the Paper.

198. As the presentation from PlanD’s representative had been completed, the Chairman invited questions from Members. Members had no questions.

199. As the government representative had finished his presentation and Members had no further questions, the Chairman said that the hearing procedures had been completed and that the Board would deliberate on the representations in the absence of the representers and inform them of the Board’s decision in due course. The Chairman thanked the government’s representatives for attending the hearing. They all left the meeting at this point.

Deliberation Session

200. The Chairman invited Members to consider the representations taking into consideration all the written submissions.

201. The Chairman said that the draft DPA Plan was an interim plan which would be replaced by an OZP within three years. Members generally agreed that detailed land use zonings for the Area, including the proposed imposition of conservation zonings by R1, should be worked out at the OZP preparation stage taking into account the results of relevant assessments/studies on various aspects including development need, conservation value, the environment, infrastructure, landscape character, etc. Regarding R1's proposal to incorporate the Area into Sai Kung East Country Park, Members agreed that the matter was under the jurisdiction of the CMPB under the Country Parks Ordinance and was outside the purview of the Board. Whether there would be justifications for incorporating Tung A and Pak A as part of the Sai Kung East Country Park would be subject to further consideration of the DAFC and the CMPB. The Chairman said that R2's suggestion to suspend the processing of land grant applications under the Small House Policy was also outside the purview of the Board.

202. Members considered R2's proposal to resume the preparation of village layout plans and agreed that the preparation of new village layout plans for villages covered by existing OZPs would depend on a number of factors such as availability of resources for implementation, and manpower and priority of works within PlanD. Besides, definite zonings should be drawn up in the context of an OZP before layout plans could be contemplated. Meanwhile, the "V" zones on the DPA Plan provided an interim control for the village development. The boundaries of the "V" zones would be further reviewed taking account of Small House demand and developments, conservation value, the environment, infrastructure and landscape character, etc. at the OZP stage in consultation with relevant stakeholders. The need for preparation of new village layout plans for the "V" zones covered by these OZPs would then be reviewed as appropriate.

203. After deliberation, Members noted the support of R1(part) and R2(part) to the DPA Plan and agreed not to uphold the R1(part), R2(part), R3 and R4. Members then went through the reasons for not upholding the representations as stated in paragraph 8.2 and considered that they should be suitably amended.

Representation No. R1

204. After further deliberation, the Board noted the support of R1(part) but decided not to uphold the remaining part of Representation No. R1 for the following reasons:

Impose conservation zonings

- (a) the proposed imposition of conservation zonings such as “Conservation Area” in order to prevent deterioration of the quality of the nearby stream courses and marine ecology was noted. Detailed land use zoning of the area would be worked out taking account of the results of relevant assessments/studies on various aspects including development needs, consideration value, the environment, infrastructure and landscape character etc. during the preparation of the OZP stage; and

Incorporate the Area into Sai Kung East Country Park

- (b) the designation of the Area as part of the Sai Kung East Country Park was under jurisdiction of the CMPB under the Country Park Ordinance (Cap. 208) which was outside the purview of the Board. The justifications for incorporating the Area as part of the Sai Kung East Country Park would be subject to further consideration of the DAFC and the CMPB.

Representation No. R2

205. After further deliberation, the Board noted the support of R2(part) and agreed to advise R2 of the following:

Cover other areas by DPA Plan

- (a) subject to resources, it had been the Government’s long-term target to prepare OZPs for all areas of Hong Kong except areas covered by Country Parks. With regard to the protection of Country Park enclaves, the 2010-2011 Policy Address had also stated that the Government would either include the remaining ‘enclaves’ into Country Park, or determine their proper uses through statutory planning in order to meet conservation and social development needs;

Suspending the processing of land grant applications

- (b) processing of land grant application under the Small House Policy was outside the purview of the Board; and

Resuming Village Layout

- (c) the preparation of new village layout plans for villages covered by existing OZPs would depend on a number of factors such as availability of resources for implementation, and manpower and priority of work within PlanD. Besides, definite zonings should be drawn up in the context of an OZP before layout plans could be contemplated. Meanwhile, the “V” zones on the DPA Plan provided an interim control for the village development. The boundaries of the “V” zones would be further reviewed taking account of Small House demand and developments, conservation value, the environment, infrastructure and landscape character, etc. at the OZP stage in consultation with the relevant stakeholders. The need for preparation of new village layout plans for the “V” zones covered by these OZPs would then be reviewed as appropriate.

Representations No. R3 and R4

206. After further deliberation, the Board decided not to uphold Representations No. R3 and R4 for the following reasons:

Affect the future development of Pak A and Tung A

- (a) in order to provide planning guidance and development control and enable planning enforcement action to be taken against unauthorized developments, statutory planning control through designating Tung A and Pak A as a DPA was considered necessary. Development of Small House was always permitted within “V” zone. Besides, the designation of “Unspecified Use” would not prohibit developments nor affect the indigenous villagers’ right to Small House development. The provision for application to the Board for development within the Plan would provide a mechanism for striking a balance between development and environmental conservation; and

Expanding "V" zone

- (b) the areas proposed for expanding "V" zone were generally wooded and located below steep natural hillside. Flora species of conservation interest were also found in some of the concerned area. Further assessments were required to determine whether the proposed areas were suitable for future Small House development during the OZP preparation stage, when relevant assessment/studies on various aspects including Small House demand and developments, conservation value, the environment, infrastructure, landscape character, etc. were carried out.

Agenda Item 7

[Open Meeting (Presentation and Question Session only)]

Review of Application No. A/NE-LYT/444

Temporary Private Vehicle Park for Coaches with Ancillary Staff Rest Room and Storage of Repair Equipment for Coaches and Miscellaneous Items for a Period of 3 Years in "Agriculture" and "Residential (Group C)" zones, Lots 869 S.F, 870 RP (Part), 871 and 2141 RP (Part) in D.D. 83, 36A Hai Wing Road, Fanling, N.T.

(TPB Paper No. 9019)

[The hearing was conducted in Cantonese.]

Presentation and Question Session

207. The Chairman informed the meeting that the applicant indicated that he would not attend the hearing. The following representative of the Government was invited to the meeting at this point:

Mr. W.K. Hui - District Planning Officer/Shia Tin, Tai Po and North
(DPO/STN), Planning Department (PlanD)

208. The Chairman extended a welcome and then invited DPO/STN to brief Members on the review application.

209. With the aid of some plans, Mr. W.K. Hui, DPO/STN, presented the application and covered the following main points as detailed in the Paper:

- (a) the applicant sought planning permission for temporary private vehicle park for coaches with ancillary staff rest room and storage of repair equipment for coaches and miscellaneous items for a period of 3 years at the application site (the site) partly zoned “Agriculture” (“AGR”) (about 53.2%) and partly zoned “Residential (Group C)” (“R(C)”) (about 46.8%) on the approved Lung Yeuk Tau and Kwan Tei South Outline Zoning Plan (OZP) No. S/NE-LYT/14 at the time of submission and currently in force;
- (b) the Rural and New Town Planning Committee (RNTPC) rejected the application on 4.11.2011 for the reasons that the development was not in line with the planning intentions of the “AGR” and “R(C)” zones in the Lung Yeuk Tau and Kwan Tei South area which were primarily to retain and safeguard good agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes; and for low-rise, low-density residential developments respectively; and that the applicant had failed to demonstrate that the development would not generate adverse environmental and traffic impacts on the surrounding areas;
- (c) the applicant had not submitted any written representation in support of the review;
- (d) there had been no material change of the situations of the application site and its surrounding areas since the consideration of the application by RNTPC;
- (e) departmental comments – the departmental comments were summarised in paragraph 4 of the Paper. Commissioner for Transport (C for T) advised that there was no information of a scaled plan showing the vehicular access, parking, loading/unloading and manoeuvring space arrangement within the application site and he could not offer support to the application at this stage. Director of Environmental Protection (DEP) did not support the application as there were sensitive uses in the vicinity of the site and along the access road, and

environmental nuisance was expected. There was no record of pollution complaint for the application site in the past three years. Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from agricultural development standpoint. The application site was zoned “AGR” which was categorized as “good” grading agricultural land and had high potential for agricultural rehabilitation. Agricultural activity in the vicinity of the application site was active. District Officer/North (DO/N) advised that the Indigenous Inhabitants Representative and Residents Representative of Ma Liu Shui San Tsuen had raised objections to the application on traffic and environmental grounds and land use compatibility;

- (f) public comments - during the statutory publication period, one public comment was received from a North District Council member who offered views that traffic conditions at the application site should be considered and it was important to obtain comments of nearby villagers; and
- (g) PlanD’s views – PlanD did not support the review application based on the planning considerations and assessments as set out in paragraph 6 of the Paper and summarized below:
 - (i) the development was not in line with the planning intentions of the “AGR” and “R(C)” zones. DAFC did not support the application from agricultural development stand point;
 - (ii) the development was not compatible with the surrounding areas which were predominantly rural in character with active and fallow agricultural land and domestic uses. DEP did not support the application as the development might cause adverse environmental nuisance to the surrounding areas;
 - (iii) the applicant had failed to demonstrate that the proposed development would not generate adverse traffic impact on the surrounding areas. The application site was accessible by Hai Wing Road which was a narrow access road serving the residential developments within the “R(C)” zone and adjoining village settlement of Ma Liu Shui San Tsuen. C for T advised that there was no information of a scaled plan showing the vehicular access, parking, loading/unloading and manoeuvring space

arrangement within the application site and he could not offer support to the application at this stage;

- (iv) although there were 3 similar applications (No. A/NE-LYT/196, 308 and 396) involving one site for temporary car parking and loading/unloading area within the same “R(C)” zone, the consideration of the current application was different from these applications. They were approved with conditions by the RNTPC on sympathetic grounds that the development would provide parking and loading/unloading area for the adjoining workshop which was previously approved by the Director of Planning on 11.4.1991 as the original parking and loading/unloading area of the workshop was resumed by the Government for road widening. Moreover, the development was of small scale and would not have significant traffic / environmental / drainage / landscape impacts on the surrounding areas and relevant Government departments had no objection to the application; and
- (v) there had been no material change in planning circumstances for the site and its surrounding areas since the rejection of the application which warranted a departure from the RNTPC’s previous decision. Moreover, the applicant had not provided any planning grounds or assessments to address the RNTPC’s previous concern.

210. As Members had no further question, the Chairman thanked the representative of the PlanD for attending the meeting. Mr. W.K. Hui left the meeting at this point.

Deliberation Session

211. Members noted that the applicant had not provided any further information to address the RNTPC’s previous concern and there had been no material change in planning circumstances for the site and its surrounding areas since the rejection of the application which warranted a departure from the RNTPC’s previous decision. Besides, the applicant had not turned up for the hearing to present his case.

212. After deliberation, the Board decided to reject the application on review. Members then went through the reasons for rejection as stated in paragraph 7.1 of the Paper and considered

that they were appropriate. The reasons were:

- (a) the development was not in line with the planning intentions of the “Agriculture” and “Residential (Group C)” zones in the Lung Yeuk Tau and Kwan Tei South area which were primarily to retain and safeguard good agricultural land/farm/fish ponds for agricultural purposes and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes; and for low-rise, low-density residential developments respectively. There was no strong planning justification in the submission for a departure from such planning intentions, even on a temporary basis; and
- (b) the applicant had failed to demonstrate that the development would not generate adverse environmental and traffic impacts on the surrounding areas.

Agenda Item 10

[Open Meeting]

Request for Deferral for Review of Application No. A/YL-HT/756

Filling of Land (by 1.2m) for Permitted Agricultural Use in "Green Belt" zone, Lots 1369 and 1370 in D.D. 125, Ha Tsuen, Yuen Long

(TPB Paper No. 9023)

[The meeting was conducted in Cantonese.]

213. The Secretary reported that on 4.11.2011, the Rural and New Town Planning Committee (RNTPC) rejected an application for land filling to a depth of about 1.2m for permitted agricultural use at a site zoned “Green Belt” (“GB”) on the approved Ha Tsuen Outline Zoning Plan (OZP) No. S/YL-HT/10. On 17.1.2012, the applicant’s representative wrote to the Secretary of the Board and requested the Board to defer consideration of the review application for a period of 2 months in order to allow time for him to address the relevant departmental comments. The justifications for deferment met the criteria for deferment as set out in the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications (TPB PG-No. 33).

214. After deliberation, the Board agreed to defer a decision on the review application and

the review application would be submitted for its consideration within 3 months upon receipt of further submission from the applicant. The Board also agreed to advise the applicant that the Board had allowed a period of 2 months for the preparation of submission of further information and no further deferment would be granted unless under very special circumstances.

Agenda Item 11

[Open Meeting]

Request for Deferral for Review of Application No. A/DPA/NE-TKP/4

Proposed 16 Houses (New Territories Exempted Houses - Small Houses) in areas designated as "Unspecified Use", Various Lots in D.D. 293, To Kwa Peng, Sai Kung North
(TPB Paper No. 9029)

[The meeting was conducted in Cantonese.]

215. Ms. Anna Kwong had declared interest in this item as she was the Authorized Person of the project. Members noted that Ms. Kwong had already left the meeting.

216. The Secretary reported that on 22.7.2011, the Rural and New Town Planning Committee (RNTPC) rejected an application for proposed 16 houses (New Territories Exempted House) (NTEH) – Small Houses) at a site zoned “Unspecified Use” on draft To Kwa Peng and Pak Tam Au Development Permission Area (DPA) Plan No. DPA/NE-TKP/1 (at time of submission). On 25.11.2011, the Board decided to defer consideration of the review application upon request by the applicants to allow more time for the applicants to prepare further information to address the comments/concerns from government departments. However, no further information had been received. On 18.1.2012, the applicants wrote to the Secretary of the Board and requested the Board to defer consideration of the review application for another 2 months in order to allow time for them to explore possible solutions in order to address the concerns of the Agriculture, Fisheries and Conservation Department, Environmental Protection Department and Landscape Unit of the Planning Department. The justifications for deferment met the criteria for deferment as set out in the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications (TPB PG-No. 33).

217. After deliberation, the Board agreed to defer a decision on the review application and the review application would be submitted for its consideration within 3 months upon receipt of

further submission from the applicants. The Board also agreed to advise the applicant that the Board had allowed a further period of 2 months for preparation of submission of further information. Since this was the second deferment, the Board had allowed a total period of 4 months of deferment including the previous one, and no further deferment would be granted unless under very special circumstances

Agenda Item 12

[Open Meeting]

Information Note and Hearing Arrangement for Consideration of Representations to the Draft Lai Chi Wo, Siu Tan and Sam A Tsuen Development Permission Area Plan No. DPA/NE-LCW/1
(TPB Paper No. 9025)

[The meeting was conducted in Cantonese.]

218. The Secretary introduced the Paper. On 26.8.2011, the draft Lai Chi Wo, Siu Tan and Sam A Tsuen Development Permission Area (DPA) Plan No. DPA/NE-LCW/1 was exhibited for public inspection under section 5 of the Ordinance. A total of 6 representations were received, including 4 representations (R3, R4, R5 and R6) showing support or appreciation to the DPA Plan, one representation (R2) opposing to the DPA Plan and one (R1) expressing views on the DPA Plan. Since there were only 6 representations and the representations were similar and closely related, it was recommended that the representations should be heard collectively in one group by the full Board.

219. After deliberation, the Board agreed to the proposed hearing arrangement for the consideration of representations as detailed in paragraph 2 of the Paper.

Agenda Item 13

[Open Meeting]

Information Note and Hearing Arrangement for Consideration of Representations to the Draft Mau Ping Development Permission Area Plan No. DPA/ST-MP/1
(TPB Paper No. 9026)

[The meeting was conducted in Cantonese.]

220. The Secretary introduced the Paper. On 26.8.2011, the draft Mau Ping Development Permission Area (DPA) Plan No. DPA/ST-MP/1 was exhibited for public inspection under section 5 of the Ordinance. A total of 6 representations were received, including 5 representations (R1-R5) showing support to the DPA Plan, and one representation (R6) expressing views on the DPA Plan. Since there were only 6 representations and the representations concerned similar areas or areas in close proximity to one another, it was recommended that for a balanced view of issues, the representations should be heard collectively in one group by the full Board.

221. After deliberation, the Board agreed to the proposed hearing arrangement for the consideration of representations as detailed in paragraph 2 of the Paper.

Agenda Item 14

[Open Meeting]

Information Note and Hearing Arrangement for Consideration of Representations to the Draft Ko Lau Wan Development Permission Area Plan No. DPA/NE-KLW/1
(TPB Paper No. 9027)

[The meeting was conducted in Cantonese.]

222. The Secretary introduced the Paper. On 26.8.2011, the draft Ko Lau Wan Development Permission Area (DPA) Plan No. DPA/NE-KLW/1 was exhibited for public inspection under section 5 of the Ordinance. A total of 3 representations were received, including 1 representation (R1) showing support to the DPA plan and 2 representations (R2 and R3) opposing to the DPA plan. Since there were only 3 representations and the representations were similar and closely related, it was recommended that the representations should be heard collectively in one group by the full Board.

223. After deliberation, the Board agreed to the proposed hearing arrangement for the consideration of representations as detailed in paragraph 2 of the Paper.

Agenda Item 15

[Open Meeting]

Information Note and Hearing Arrangement for Consideration of Representations and Comments to the Draft Yim Tin Tsai and Ma Shi Chau Development Permission Area Plan No. DPA/NE-YTT/1 (TPB Paper No. 9028)

[The meeting was conducted in Cantonese.]

224. The Secretary introduced the Paper. On 2.9.2011, the draft Yim Tin Tsai and Ma Shi Chau Development Permission Area (DPA) Plan No. DPA/NE-YTT/1 was exhibited for public inspection under section 5 of the Ordinance. A total of 67 representations and 32 comments were received. In view of the significant geological and specific scientific interests of Yim Tin Tsai and Ma Shi Chau area and that the subject of representations and comments were closely inter-related, it was recommended that the representations should be heard collectively in one group by the full Board.

225. After deliberation, the Board agreed to the proposed hearing arrangement for the consideration of representations as detailed in paragraph 2 of the Paper.

Agenda Item 16

[Open Meeting]

Confirmation of Proposed Amendments and Submission of the draft Tseung Kwan O OZP to the Chief Executive in Council for Approval under section 8 of the Town Planning Ordinance (TPB Paper No. 9030)

[The meeting was conducted in Cantonese.]

226. Members noted that Mr. Benny Wong, being the Deputy Director of Environmental Protection, had declared interest on this item as the proposed amendments of the draft Tseung Kwan O (TKO) OZP No.S/TKO/18 were related to the South East New Territories Landfill (SENTLF) and its proposed extension (SENTLFX) under the purview of the Environmental Protection Department (EPD). As this item was on procedural matter, Members agreed that Mr. Wong could stay at the meeting.

227. The Secretary introduced the Paper. On 7.5.2010, the draft Tseung Kwan O (TKO) OZP No. S/TKO/18 incorporating amendments to rezone 2 sites in Area 78 (Pak Shing Kok) for Government, Institution or Community (G/IC) uses; and to rezone/zone the existing SENTLF, a site in Area 137 and a site proposed to be excised from the Clear Water Bay Country Park to “Open Space (2)” (“O(2)”) for landfill use in the interim was exhibited for public inspection under section 5 of the Ordinance. A total of 2,479 representations and 205 comments were received. On 13.5.2011, the draft TKO OZP No. S/TKO/19 was exhibited for public inspection under section 7 of the Ordinance. It was to incorporate amendments into the OZP and its Notes in relation to the rezoning of a site to the south of the TKO sewage treatment works in Area 85 to “G/IC(9)” for the proposed Radio Television Hong Kong new broadcasting house and undesignated GIC uses. A total of 4,095 representations and 18 comments were received.

228. The Secretary reported that the representations and comments to the two OZPs were considered by the Board on 16.11.2011, 30.11.2011, 1.12.2011, 2.12.2011, 3.12.2011, 7.12.2011, 9.12.2011 and 13.12.2011. On 16.12.2011, the proposed amendments, resulting from the consideration of the representations and comments to the draft TKO OZP No. S/TKO/18 to exclude a piece of land adjoining Area 137 zoned “O(2)” from the planning scheme area of the OZP and to rezone a piece of land in Area 137 from “O(2)” to “OU(DWI)” zone, together with the deletion of ‘Country Park’ under Column 1 use in the “O(2)” zone of the Notes of the draft OZP and an updated Explanatory Statement (ES), were published under section 6C(2) of the Ordinance for three weeks for further representations. Two further representations were received but were considered invalid by the Board on 3.2.2012.

229. Since no valid further representation had been made upon expiry of the three-week exhibition period, in accordance with section 6G of the Ordinance, the draft OZP should be amended by the proposed amendments which were not the subject of any further representations. Since the plan-making process had been completed, the draft TKO OZP was now ready for submission to the Chief Executive in Council (CE in C) for approval.

230. After deliberation, the Board:

- (a) agreed that the draft OZP should be amended by the proposed amendments in accordance with section 6G of the Ordinance;

- (b) agreed that the draft TKO OZP No. S/TKO/19A and its Notes at Annexes II and III of the Paper respectively were suitable for submission under section 8 of the Ordinance to the CE in C for approval;
- (c) endorsed the updated ES for the draft TKO OZP No. S/TKO/19A at Annex IV of the Paper as an expression of the planning intention and objectives of the Board for the various land-use zonings on the draft OZP and issued under the name of the Board; and
- (d) agreed that the updated ES was suitable for submission to the CE in C together with the draft OZP.

Agenda Item 17

[Open Meeting]

Any Other Business

[The meeting was conducted in Cantonese.]

231. The Secretary reminded Members of the Board's local site visit to be held on 23.2.2012.

232. There being no other business, the meeting closed at 9:30 p.m.

CHAIRMAN
TOWN PLANNING BOARD