

**Minutes of 1078th Meeting of the
Town Planning Board held on 23.1.2015**

Present

Permanent Secretary for Development

Chairman

(Planning and Lands)

Mr Thomas T.M. Chow

Mr Stanley Y.F. Wong

Vice-Chairman

Mr Roger K.H. Luk

Professor S.C. Wong

Professor P.P. Ho

Professor Eddie C.M. Hui

Dr C.P. Lau

Ms Julia M.K. Lau

Mr Laurence L.J. Li

Ms Anita W.T. Ma

Dr W.K. Yau

Ms Bonnie J.Y. Chan

Professor K.C. Chau

Dr Wilton W.T. Fok

Mr Ivan C.S. Fu

Mr. Sunny L.K. Ho

Mr Lincoln L.H. Huang

Ms Janice W.M. Lai

Mr Dominic K.K. Lam

Mr Patrick H.T. Lau

Mr H.F. Leung

Mr Stephen H.B. Yau

Mr F.C. Chan

Mr David Y.T. Lui

Mr Frankie W.C. Yeung

Mr Peter K.T. Yuen

Deputy Director of Environmental Protection

Mr C.W. Tse

Deputy Director of Lands (General)

Mr Jeff Y.T. Lam (a.m.)

Director of Lands

Ms Bernadette H.H. Linn (p.m.)

Chief Engineer (Works), Home Affairs Department

Mr Martin W.C. Kwan

Principal Assistant Secretary (Transport)

Transport and Housing Bureau

Miss Winnie M.W. Wong

Director of Planning
Mr K.K. Ling

Deputy Director of Planning/District
Mr Raymond K.W. Lee

Secretary

Absent with Apologies

Mr Clarence W.C. Leung

Mr H.W. Cheung

Ms Christina M. Lee

Dr Eugene K.K. Chan

Mr Francis T.K. Ip

In Attendance

Assistant Director of Planning/Board
Miss Fiona S.Y. Lung

Chief Town Planner/Town Planning Board
Ms Lily Y.M. Yam (a.m.)
Mr Louis K.H. Kau (p.m.)

Senior Town Planner/Town Planning Board
Mr Stephen K.S. Lee (a.m.)
Mr K.K. LEE (p.m.)

Agenda Item 1

[Open meeting]

Confirmation of Minutes of the 1077th Meeting held on 9.1.2015

[The meeting was conducted in Cantonese.]

1. The minutes of the 1077th meeting held on 9.1.2015 were confirmed without amendments.

Agenda Item 2

[Open meeting]

[Mr Lincoln L.H. Huang arrived to join the meeting at this point.]

Matters Arising

[The meeting was conducted in Cantonese]

(i) New Town Planning Appeal Received

Temporary Shop and Services (Real Estate Agency) for a Period of 3 Years in “Village Type Development” zone, Lots 4891 RP (Part), 4892 (Part), 4893 (Part) and 4894 in D.D. 116 and Adjoining Government Land, Tai Tong Road, Tai Tong, Yuen Long
(Application No. A/YL-TT/327)

2. The Secretary reported that a Notice of Appeal dated 23.12.2014 against the decision of the Town Planning Board (the Board) on 24.10.2014 to reject on review an application (No. A/YL-TT/327) for temporary shop and services (real estate agency) for a period of 3 years in “Village Type Development” (“V”) zone on the Tai Tong Outline Zoning Plan was received by the Appeal Board Panel (Town Planning). The application was rejected by the Board for the following reasons:

- (a) the applicant failed to demonstrate that the development would not cause adverse traffic, landscape and drainage impacts on the surrounding area; and

(b) previous planning permissions granted to the applicant under Applications No. A/YL-TT/289 and 302 were revoked due to non-compliance of the approval conditions. Approval of the application with repeated non-compliances with approval conditions would set an undesirable precedent for other similar applications, thus nullifying the statutory planning control mechanism.

3. The hearing date of the appeal was yet to be fixed. Members agreed that the Secretary would represent the Board on all matters relating to the proceedings of the Appeal Board Panel (Town Planning) in the usual manner.

(ii) Appeal Statistics

4. The Secretary reported that as at 23.1.2015, 17 cases were yet to be heard by the Appeal Board Panel (Town Planning). Details of the appeal statistics were as follows:

Allowed	:	32
Dismissed	:	135
Abandoned/Withdrawn/Invalid	:	185
Yet to be Heard	:	17
Decision Outstanding	:	0
Total	:	369

Sai Kung and Islands District

Agenda Item 3

[Open Meeting]

Consideration of Representations and Comment in respect of Draft Tai O Town Centre Outline Zoning Plan No. S/I-TOTC/1

(TPB Paper No. 9831)

[The item was conducted in Cantonese.]

Declaration of Interests

5. The following Members had declared interests on this item related to Representer R3 submitted by CLP Power Hong Kong Limited:

Ms Christina M. Lee - being Secretary General of the Hong Kong Metropolitan Sports Events Association which had obtained sponsorship from CLP Power Hong Kong Limited

Dr Eugene K.K. Chan - being Convenor of the Hong Kong Metropolitan Sports Events Association which had obtained sponsorship from CLP Power Hong Kong Limited

Dr W.K. Yau - being Member of the Education Committee (教育委員會) and the Energy Resources Education Committee (能源教育委員會) of CLP

6. Since there were public housing estate and Home Ownership Scheme (HOS) developments within the planning scheme area of the draft Tai O New Town OZP No. S/I-TOTC/1, which were developed and managed by the Housing Department, an executive

arm of the Hong Kong Housing Authority (HKHA), the following Members had declared interests:

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| Mr Stanley Y.F. Wong | - being a member of HKHA and the Strategic Planning Committee as well as Chairman of the Subsidized Housing Committee of HKHA |
| Professor P.P. Ho | - being a member of the Building Committee of HKHA |
| Mr H.F. Leung | - being a member of the Tender Committee of HKHA and having business dealing with HKHA |
| Ms Julia M.K. Lau | - being a member of the Commercial Properties Committee and Tender Committee of HKHA |
| Mr Dominic K.K. Lam |] having business dealing with HKHA |
| Ms Janice W.M. Lai |] |
| Mr Patrick H.T. Lau |] |
| Mr K.K. Ling
(as Director of Planning) | - being a member of the Strategic Planning Committee and the Building Committee of HKHA |
| Mr Jeff Y.T. Lam
(as Deputy Director of Lands) | - being a representative of the Director of Lands who was a member of HKHA |
| Mr Martin W.C. Kwan
(as Chief Engineer (Works),
Home Affairs Department) | - being a representative of the Director of Home Affairs who was a member of the Strategic Planning Committee and Subsidised Housing Committee of HKHA |

Miss Winnie M.W. Wong (as - being a representative of the Secretary for Principal Assistant Secretary for Transport and Housing who was a member of Transport and Housing) the Strategic Planning Committee of HKHA

7. Members noted that Dr Eugene K.K. Chan and Ms Christina M. Lee had tendered their apologies for not being able to attend the meeting and Dr W.K. Yau's interest with CLP were indirect and remote, and the representations and comment with respect to the Tai O Town Centre OZP were not related to the public housing estates or the HOS developments, Members agreed that Dr Yau and the Members who had declared interests regarding HKHA should be allowed to stay and participate in the discussion.

[Miss Winnie M.W. Wong arrived to join the meeting at this point.]

Presentation and Question Session

8. The Chairman said that reasonable notice had been given to the representers and commenter to invite them to attend the hearing. Members agreed to proceed with the hearing of the representations in the absence of the other representers who had indicated that they would not attend or made no reply to the invitation to the hearing.

[Mr Peter K.T. Yuen arrived to join the meeting at this point.]

9. The following government representative, representers, commenter and their representatives were invited to the meeting at this point:

Mr Ivan M.K. Chung - District Planning Officer/Sai Kung & Islands (DPO/SKIs), PlanD

R1 - Yu Hon Kwan

Mr Yu Hon Kwan - Representer

R2 – Tai O Rural Committee

Mr Lou Cheuk Wing - Representer's Representative

R4 and C1 - Asia Field Finance Ltd.

潘麒元先生] Representer and Commenter's

Mr Kong Chee Cheung] Representatives

R5 - 大澳環境及發展關注協會

Ms Ho Pui Han - Representer's Representative

R6 - 謝世傑先生

謝世傑先生 - Representer

R41 - Mr Chow Chi Wing

Mr Chow Chi Wing - Representer

10. The Chairman extended a welcome and explained the procedures of the hearing. He then invited the representative of PlanD to brief Members on the background to the representations.

11. With the aid of a Powerpoint presentation, Mr Ivan M.K. Chung, DPO/SKIs, PlanD, made the following main points as detailed in the Paper:

Introduction

(a) on 25.7.2014, the draft Tai O Town Centre Outline Zoning Plan No. S/I-TOTC/1 (the OZP) was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). During the two-month exhibition period, a total of 41 representations were received. On 17.10.2014, the representations were published for three weeks for public comment. Upon expiry of the publication period on 7.11.2014, one comment was received;

Representations

- (b) to rectify the information contained in the Paper, the name of representer R4 and commenter C1 should be Asia Field Finance Ltd. instead of 潘麒元先生, who was the representative of the company;

[Mr Patrick H.T. Lau arrived to join the meeting at this point.]

- (c) representers R1 and R2 opposed the development restrictions of the “Village Type Development” (“V”) zone while representer R1 supported the “Residential (Group D)” (“R(D)”) zone of the stilted structures; representers R5 to R7 and R9 to R40 opposed the designation of the “R(D)”, “Recreation” (“REC”), and “Commercial” (“C”) zones; representers R3 and R4 opposed the building height restrictions (BHRs) for the “Government, Institution or Community” (“G/IC”) zone for the Tai O Electricity Substation (ESS) and the “C” zone at Shek Tsai Po Street (Lot 387 in D.D. 302) respectively; representer R8 opposed the “R(D)” zone and R41 opposed the blockage of access by the silts on and adjacent to Lots 348RP and 349 in D.D. 302;

Grounds of Representations

Supportive Representation (R1) (part)

- (d) the representer supported designating the areas with stilted structures as “R(D)” for redevelopment into permanent buildings and requested that guidelines should be provided to guide the redevelopment of the stilted structures;

Adverse Representations

Development restrictions of the “V” zone (R1 and R2)

- (e) the development restrictions of the “V” zone had deprived them of their development right and the BHR contravened Articles 5, 6 and 105 of the

Basic Law. The planning of the areas currently zoned “V” should be amended to maintain the status quo;

[Ms Anita W.T. Ma arrived to join the meeting at this point.]

Conservation of the stilted structures at Tai O Creek (R5 to R40)

(f) allowing redevelopment of the stilted structures under the “R(D)” zone to permanent buildings would encourage redevelopment of the stilted structures with permanent materials, which was contrary to the Government’s squatter policy and the planning intention of preserving the stilted structures as a unique culture in Tai O. It would set an undesirable precedent and affect the living environment of some residents of the stilted structures. Adverse impact on river flow and ecology of the wetland in the area would also be resulted;

BHR for the Tai O Electricity Substation (ESS) (R3)

(g) the Tai O ESS was a two-storey building and had been in existence since 1961. It blended well with the rural character of Tai O and the BHR of one-storey would infringe the right permitted under the lease;

Objection against the BHR of the “C” zone at Shek Tsai Po (R4)

(h) there was only BHR of maximum 50 feet but not number of storeys under the land lease granted in 1963. A six-storey tall building would allow better utilization of the site. The proposal would not generate any adverse sewerage, landscape, traffic, fire safety or visual impacts. The proposed themed hotel could help promote the Chinese civilization and boost tourism;

[Mr Dominic K.K. Lam arrived to join the meeting at this point.]

Objection against the “C” zone at Shek Tsai Po (R5 to R7 and R9 to R40)

(i) there were dangerous slopes behind the “C” zone. The Government should resume the concerned private land for slope maintenance works. The site could be used for provision of recreational facilities by

non-government organization (NGO);

Opposing recreational use at Yim Tin Pok (R5 to R7 and R9 to R40)

- (j) Yim Tin Pok Playground and/or its adjoining land should not be planned for recreation or community development as there were many species of birds and dragonflies of ecological importance and it was an important wetland and avian habitat. The proposal in the OZP would work against the original intent of conserving the ecology of the reedbed wetland in Leung Uk;

Blockage of the access to Lots 348RP and 349 in D.D. 302 (R41)

- (k) the stilts on or next to and surrounding Lots 348RP and 349 in D.D. 302 had blocked the access to the lots and hindered development thereon. The Government should reclaim the above lots and construct seawall to protect the houses;

Representer's Proposals

- (l) representer R2 proposed to reserve land at the back of Wing On Street and Tai Ping Street along the drainage channel adjoining Lung Hin Court for the provision of a 4.5 m wide emergency vehicular access (EVA);
- (m) representer R3 proposed to relax the BHR for Tai O ESS from one storey to two storeys;
- (n) representer R4 proposed deletion of the three-storey BHR for "C" zone at Lot 387 in D.D. 302 at Shek Tsai Po;
- (o) representers R5 to R7 and R9 to R40 proposed to rezone (i) Yim Tin Pok Playground and/or its adjacent area to a conservation zoning or "Green Belt" ("GB"); and (ii) the area near Tai O Town Hall to "REC" for the provision of recreational facilities for local people; and

- (p) representer R8 proposed deletion of the “R(D)” zone designated on the draft OZP;

Comment on representation

- (q) commenter C1 disagreed with the representation of R6 regarding the “C” zone at Shek Tsai Po on the following grounds:
- (i) the owner of Lot 387 in D.D. 302 had been undertaking slope maintenance works;
 - (ii) the lot was vacant because the development of Tai O had been under study and consultation by the Government, and no concrete plan was provided;
 - (iii) there was no contravention of the land lease condition. The Board also agreed that the best use of the structure at the “C” zone was for commercial use;
 - (iv) there were already existing recreational facilities in Tai O and they were not fully utilized; and
 - (v) the development of a 150-room hotel would help the tourism industry. It was a significant contribution to culture and would create positive synergy effect to the development of Lantau Island and Tai O;

[Mr David Y.T. Lui arrived to join the meeting at this point.]

Location of Tai O Town Centre

- (r) the Planning Scheme Area (the Area) covered a total area of about 46.14 ha in the north-western corner of Lantau. It was located about 9 km to the southwest of Tung Chung and about 14 km west of Mui Wo. The Area

lay on a low-lying alluvial plain bounded by Fu Shan in the northwest, mangrove stands in the northeast and Tai O reedbed in the south;

- (s) the Area was rural in character and separated into two major parts by Tai O Creek. It covered Tai O village proper, Shek Tsai Po and Yim Tin residential area. The main traditional village settlements were located along the banks of Tai O Creek and characterized with traditional village houses and domestic structures on stilts. Village houses were mostly three storeys in height;
- (t) the Area was once a vibrant fishing village and an important salt production base. Subsequent to the decline of the traditional industries and migration of the villagers, the economy in the Area was mainly dependent on small-scale fishing and commercial activities for visitors;

Major planning considerations

- (u) the “Study on Revitalisation of Tai O” recommended infrastructure improvement and preservation of the special character of Tai O. There would also be opportunities for commercial developments, preservation of historic buildings and nature conservation;

Responses to representations and proposals

Development restrictions of “V” zone (R1 and R2)

- (v) areas were zoned “V” to reflect the existing village developments;
- (w) the BHR was considered appropriate to conserve the character of the area. Minor relaxation of the BHR might be permitted by the Board through planning application to provide design flexibility for individual development;
- (x) redevelopment up to six storeys or above was considered not compatible with the existing village character and new development (other than New

Territories Exempted House (NTEH)) might be submitted to the Board for consideration through the planning application mechanism;

- (y) legal advice sought indicated that Articles 5, 6 and 105 of the Basic Law had not been contravened as the Town Planning Ordinance (the Ordinance) was enacted before the handover, the right to use land was subject to planning restrictions in the first place and planning restrictions did not constitute ‘deprivation’ of property rights;

The proposal for provision of EVA (R2)

- (z) the provision of EVA was always permitted within the “V” zone. It was noted that the Fire Services Department (FSD) and other departments had no such requirement;

Conservation of the stilted structures at Tai O Creek (R5 to R40)

- (aa) the stilted structures were zoned “R(D)” to primarily preserve the general character of the structures. Redevelopment of the existing domestic structures on stilts was always permitted;
- (bb) the BHR of 4.6m (excluding stilts) was in line with the general building height and character of the area. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD advised that the planning intention of the “R(D)” zone could maintain Tai O’s unique built form as a fishing village; the Antiquities and Monument Office (AMO) had no objection to the “R(D)” zone; and the District Lands Officer/Islands, Lands Department (DLO/Is, LandsD) advised that only rebuilding of the stilted structures held under Government Land Licence (GLL) in temporary materials up to 15 feet in height would be permitted;
- (cc) there were temporary structures and village houses scattered within the “R(D)” zone. Some private lots were old schedule house lots. The planning intention of the “R(D)” zone also allowed upgrading and improvement of such existing temporary structures;

(dd) the Director of Marine advised that as there was no redevelopment proposal provided, no apparent marine impact could be foreseen and the Director of Agriculture, Fisheries and Conservation (DAFC) advised that any potential ecological impact resulted from the redevelopment should be assessed on case specific basis;

BHR for the Tai O ESS (R3)

(ee) DLO/Is, LandsD advised that the BHR stipulated under the lease was 2 storeys and CTP/UD&L, PlanD advised that a maximum building height of two storeys was considered compatible with the surrounding environment. As such, there was no objection to amend the BHR from one storey to two storeys;

Objection against the BHR of the “C” zone at Shek Tsai Po (R4)

(ff) the BHR was to ensure that new development would be compatible with the local village character. CTP/UD&L, PlanD was of the view that the site was in a low-rise setting on the narrow Shek Tsai Po Street, BHR of three storeys of the subject site was considered compatible with the local village character and the general building height profile of the area. As such, she did not support the proposal;

(gg) the Commissioner for Transport (C for T) and the Chief Engineer/Development (2), Water Supplies Department (CE/Dev(2), WSD) advised that the representer had not provided sufficient information to demonstrate that there would be no adverse impacts on traffic of public roads and water supply system in Tai O generated from the proposal;

(hh) minor relaxation of the BHR could be considered by the Board through planning application with full justifications;

Objection against the “C” zoning (R5 to R7 and R9 to R40)

(ii) sports and recreational facilities were to be provided in accordance with the Hong Kong Planning Standards and Guidelines, having regard to the needs of the community and the views of the Director of Leisure and Cultural

Services (DLCS). As advised by DLCS, there was no plan for development of such facilities in the area concerned;

- (jj) there were existing recreational facilities and other areas planned for recreational use in Tai O including the area zoned “REC” at Yim Tin Pok;
- (kk) the site, which was zoned “C” to reflect the permitted use under the lease, had potential to be developed for commercial uses to serve the neighbourhood and cater for visitors’ needs. Resumption of the site for long-term management and maintenance by the Government or other NGOs was not justified;
- (ll) the slope behind the “C” site was a registered slope maintained by the lot owner. As advised by the Geotechnical Engineering Office of the Civil Engineering and Development Department (GEO of CEDD), a Dangerous Hillside Order had been issued to the lot owners to investigate and carry out remedial works in 2005 and there was no impending danger imposed by the slope;

Opposing recreational use at Yim Tin Pok (R5 to R7 and R9 to R40)

- (mm) Yim Tin Pok Playground had been allocated under Permanent Government Land for the purpose of a sports ground. The “Open Space” (“O”) zoning was to reflect the current use;
- (nn) the site adjoining the Yim Tin Pok Playground was zoned “REC” for a possible campsite/holiday accommodation recommended by the “Study on Revitalization of Tai O”;
- (oo) the area concerned had been filled and was partly covered by grass with no particular landscape or ecological value. According to DAFC, rezoning the area to “GB” or a conservation zoning was unjustified in view of the site conditions and the area surrounding the “REC” site zoned “GB” would serve as a buffer area;

Blockage of the access to Lots 348RP and 349 in D.D. 302

- (pp) the area occupied by stilted structures and village houses was zoned “R(D)” and “V” to reflect the existing use. Road was always permitted under both zones. Land resumption for the provision of access and construction of seawall was not necessary;

PlanD's view

- (qq) PlanD noted the supportive representation R1 (part) and considered that the OZP should be amended to meet the representation R3 by amending the BHR of the existing Tai O ESS site under the “G/IC” zone at Shek Tsai Po from one storey to two storeys; and
- (rr) PlanD did not support the adverse representations R1 (part), R2 and R4 to R41.

12. The Chairman then invited the representers, commenter and their representatives to elaborate on their representations/comment.

R1 – Yu Hon Kwan

13. Mr Yu Ho Kwan made the following main points:

- (a) as a Member of the Islands District Council (IsDC), he represented the views of the residents of Tai O but he also declared his interest on owning 50% of the property at Nos. 34 and 38 on Wing On Street;

[Mr Sunny L.K. Ho arrived to join the meeting at this point.]

Preservation of stilted structures

- (b) while agreeing to conserving the stilted structures of Tai O and allowing rebuilding of such structures to a maximum height of 15 feet, he had concern on whether the rebuilding of the structures with permanent

materials, such as concrete, under the “R(D)” zoning would change the character of the area and lead to blockage of river course. PlanD or other relevant government departments should consider issuing guidelines to require, for example, the use of the traditional Pontianak wood for rebuilding;

Height restriction of the “V” zone

(c) the designation of the areas around Wing On Street, Tai Ping Street, Shek Tsai Po Street, Kat Hing Street and Kat Hing Back Street to “V” was opposed to. Like the two lots he owned, there was no height restriction in the lease of the building lots in the area. Since people in Tai O in general did not have the financial means to submit building plans for approval, the houses in the area were in the form of NTEHs of up to three storeys in height;

[Dr Wilton W.T. Fok arrived to join the meeting at this point.]

(d) according to Article 105 of the Basic Law, the Hong Kong Special Administrative Region should, in accordance with law, protect the right of individuals and legal persons to the acquisition, use, disposal and inheritance of property and their right to compensation for lawful deprivation of their property;

(e) the right of inheritance of property passing down from the ancestors of the Tai O residents hundred years ago as well as the right to build and rebuild in accordance with the terms and conditions of the lease should be respected. The BHR should be relaxed to allow higher buildings. Although FSD advised that EVA was not required in Wing On Street and Yim Tin Village noting that the existing houses in the area were generally of two to three storeys, planning should be forward looking and take into account that the leases of the lots in the area concerned had not forbidden the building/rebuilding of houses higher than three storeys. The right of erecting higher buildings explained why the Tai O Rural Committee (TORC)

requested the construction of an EVA to cater for future need and the residents submitted objection against the OZP. The Board should respect that the area concerned was a commercial area of Tai O and land should be allowed to be used to its full entitlement under the lease; and

Rezoning an area adjacent to the Yim Tin Pok Playground to “Recreation”

- (f) he had no objection to the proposal as Tai O needed recreational facilities and the need had been recognized in the Improvement Works for Tai O Facelift – Feasibility Study. The proposed youth hostel in the “REC” zone would benefit Tai O. However, to cater for future Tai O development, opportunities should be taken to provide public car parking spaces on the ground floor of the proposed developments in the “REC” zone;

R2 – Tai O Rural Committee

14. Mr Lou Cheuk Wing made the following main points:

- (a) being vice-chairman of the TORC, he supported some proposals and objected to others on the OZP ;

Height restriction for developments in the “V” zone

- (b) as pointed out by R1, private property in Wing On Street, Tai Ping Street, Tai O Market Street and Kat Hing Street was covered by old leases with no restriction on building height. Restricting building height in the “V” zone to 27 feet was a deprivation of private property right. Developments in the “V” zone should be in accordance with the leases, which had no BHR;

Future developments in Tai O

- (c) all Home Ownership Scheme (HOS) developments had been completed and Lung Tin Estate and Lung Hin Court had been in existence for 30 years and over 10 years respectively. Future developments should be on vacant land,

such as the abandoned site adjacent to Yim Tin Pok. The request for rezoning the site to “GB” by the environmentalists was unjustified since the site had been formed. The proposed development of a youth hostel on the site was supported;

- (d) there was a shortfall of about 200 car parking spaces in Tai O. Provision of additional car parking spaces in the abandoned site adjacent to Yim Tin Pok was recommended to reduce the reliance of Tai O on public transport;

Request for construction of EVA

- (e) Wing On Street and Tai Ping Street were currently inaccessible to fire engines rendering fire fighting in the area difficult. Construction of an EVA was recommended so as to raise the efficiency and effectiveness of fire fighting; and

The stilted structures

- (f) Tai O was characterized by stilted structures, dolphins, natural ecology and religion. Stilted structures in Tai O, which had been in existence for over 200 years, were worthy of preservation. Residents in the Tai O stilted structures were disciplined and they preferred using wood and corrugated sheets to concrete for rebuilding their structures. Legal restriction on the use of temporary materials to rebuild the stilted structure was unnecessary.

R4 and C1 – Asia Field Finance Ltd.

15. With the aids of plans, pictures and documents on the visualizer, 潘麒元先生 and Mr Kong Chee Cheung made the following main points:

The proposed hotel development in the “C” zone

Width of access road

- (a) the access road to Lot 387 in D.D. 302 (the Lot) was wider than 1.8 m. Measurement taken on site revealed that the area between the Tai O Town Hall and the lot was more than 9 m. The paved area of the access road alone was already 2.2 m, which was wide enough for passage of fire engines. If the Lot was considered not suitable for hotel development because of the EVA concern, the Tai O Heritage Hotel should not have been built in the first place because access to that hotel was via the same street;
- (b) as shown on a survey sheet prepared by the Government, the Lot was well set back from the footpath which provided sufficient room for EVA and road widening;

Visual impact

- (c) the nearest development to the Lot was CLP's ESS and the height of the slope to the north of the Lot was 120 mPD. Taking into account the surrounding areas of the Lot, the maximum building height of the proposed hotel of about 15 m would not cause any adverse visual impact on the surrounding areas;

[Dr Wilton W.T. Fok left the meeting temporarily at this point.]

Traffic impact

- (d) the number of rooms of the proposed hotel was reduced from 200 to 150. Assuming that the occupancy was two persons per room, the hotel could accommodate a maximum of 300 persons. The transportation need of the hotel guests could be coped with by six coaches, which could be handled well by the existing transportation infrastructure of the area. A survey done on a Saturday afternoon revealed that the coach park in Tai O, which could park 20 to 30 coaches, was quite empty and at 5:30 p.m., there were only a few people waiting for coaches. Traffic and parking need generated by an additional six coaches would not be a problem;

Sewage treatment

- (e) the hotel would engage a company to use biochemical means to treat sewage generated by the hotel and there would also be special treatment for grease. The proposed hotel with the lower two floors designed for museum purpose would not cause pollution to Tai O;

Water supply

- (f) as the lower two floors of the hotel would be used as a museum, there would only be four levels of hotel rooms. It was estimated that the demand for water of the four levels of hotel rooms was about 123 tonnes/day whilst that of three levels was 101 tonnes/day. WSD had a responsibility to ensure sufficient water supply to meet the needs and development of Tai O, including that for the hotel development;

Tourism development

- (g) with the Mainland being accepted as a member of the World Trade Organization and Taiwan taking up many of the trading opportunities, Hong Kong's advantages for trade development had dwindled. Hong Kong's position as a tourist hotspot was also threatened by the completion of various tourist attractions in the Mainland. Hong Kong therefore needed new attractions for the tourism industry. Exhibition of the artefact of the Hongshan Culture in the museum floors of the hotel offered an opportunity;
- (h) there were only some thirty artefacts of Hongshan Culture kept in Taiwan's museums. In contrast, a collection of about 30,000 artefacts would be exhibited in the proposed hotel;
- (i) the Lantau Development Advisory Committee had proposed a road linking Sha Lo Wan to Tai O. Apart from the provision of an addition of six shuttle bus service to Tai O, Hong Kong Ngong Ping 360 was also contemplating extension of a cable car route from Ngong Ping to Tai O.

These all offered opportunities for hotel development. The lease of the Lot was granted in 1963 with a height restriction of 50 feet, which made development of a 6-storey building possible. The Government could not impose a new BHR of three stories to deprive the owner of their development right under the lease without adequate compensation;

[Dr Wilton W.T. Fok returned to join the meeting at this point.]

- (j) the demand for hotel rooms in Tai O was genuine. It was very difficult to book a room in the Tai O Heritage Hotel. As said, Tai O needed new tourist attractions. Other than dolphins, the stilted structures and the Hong Kong Shaolin Wushu Culture Centre, Tai O needed more attractions for continual tourism development. The proposed hotel development would be an incentive for the introduction of a cable car service to Tai O and the creation of an ‘Entrance Plaza’. The new facilities would in turn facilitate the external connection of Tai O and provide employment opportunities; and

Request for use of the “C” site for recreational use

- (k) the request for use of the Lot for indoor recreation use was unrealistic. The recreational facilities of Tai O were under-utilized. There was no imminent need for new facilities. Should there be such a need, redevelopment of the Tai O Town Hall into a building of two to three storeys should be considered first.

R5 -大澳環境及發展關注協會

16. With the aid of pictures and plans on the visualizer, Ms Ho Pui Han made the following main points:

Proposed recreational use at Yim Tin Pok

- (a) while the concerns of the Tai O residents were understood, development of

Tai O should not only focus on how much the value of land in Tai O could be raised but also take the conservation of the natural environment and existing human activities, which were the basic attractions of Tai O, into account;

- (b) Tai O was very special. There were wetland, mangrove and cultural heritage. People should treasure the natural resources of Tai O so as to allow the wetland and creek to continue to exist. The stilted structures were designed hundred years ago as a response to tidal movements, allowing existence of mangroves and egrety;
- (c) while there was no objection to hostel development in other parts of Tai O, the proposed development of a youth hostel on the abandoned land in Yim Tin Pok was opposed to because the area was a roosting ground for egrets. Egrets returned to the area in the evenings forming a nice scene which had once been captured by Mr Martin Williams, a renowned photographer. Apart from the site being a roosting ground for egrets, other grounds against hostel development in Yim Tin Pok could be summarized as follows:
 - (i) there was no comprehensive sewage treatment facility in Tai O to handle the sewage generated by the hostel;
 - (ii) although part of the area had been filled, the area as a whole was a salt pan where salt water and fresh water converged for growth of mangroves. The area was ecologically sensitive. A small move would lead to death of fish and mangroves; and
 - (iii) glare, water pollution and noise generated by recreational activities would adversely affect the roosting ground for egret, driving the birds to leave the area;

The stilted structures

- (d) the stilted structures in Tai O formed a beautiful scenery. Rebuilding the stilted structure with permanent materials would defeat its function of allowing free flow of water, which would have adverse impact on the ecology of wetland in the area;
- (e) the stilted structures were very responsive to the natural tidal movements in preventing flooding. Although Tai O might follow the footsteps of Venice to be submerged under water sooner or later, before the day came, measures should be taken to prevent rebuilding the stilted structures with permanent materials to hinder free flow of water. It was noted that the residents were willing to surrender their land if the Government was willing to resume the area for preservation purpose; and

Future development of Tai O

- (f) Tai O was not well served by a comprehensive sewerage system. Further development of Tai O with more tourist activities would have adverse impacts on the ecosystem. Before green light was given to development, mitigation measures and supporting facilities should be put in place to address the various environmental and other issues.

R6 -謝世傑先生

17. With the aid of pictures, plans and documents shown on the computer, 謝世傑先生 made the following main points:

- (a) as a resident of Tai O, he had some responses to the oral submission of the previous representers on various aspects;

Future development of Tai O

- (b) the character of Tai O was formed both by its natural environment and the

existing fisherman culture. Although the residents generally welcomed the growth in the number of visitors to Tai O because it would benefit the local economy and provide employment, the adverse impacts brought about by such growth should also be addressed;

[Dr W.K. Yau left the meeting temporarily at this point.]

- (c) visitors came to Tai O because of the existing culture and landscape of the area. Tai O did not need large-scale concrete developments to make it a better place. Improvement to infrastructure was a prerequisite for further development;

Proposed hostel use at Yim Tin Pok

- (d) the proposed youth hostel at Yim Tin Pok Playground was opposed to because there were still other abandoned and under-utilized sites available for such use. The Hong Kong Shaolin Wushu Culture Centre could be considered for conversion into a youth hostel or other uses in view of its low utilization rate, same for the premises allotted to Christian Zheng Sheng College as it had remained vacant for many years;
- (e) the proposed youth hostel was very close to Lung Hin Court and Lung Tin Estate. The site was not suitable for holiday camp since the noise and glare of the camp would be nuisance to people living in the area;

The stilted structures

- (f) the preservation of the stilted structures was good news to both the residents and visitors since these structures formed the unique character of Tai O. However, he had the following main concerns on allowing rebuilding of the stilted structures with permanent materials:
 - (i) stilted structures were built on mud subject to tides, and it was uncertain whether the mud floor could withstand the heavy load of

concrete structures;

- (ii) such rebuilding was in conflict with the squatter policy. Under the current policy, only temporary materials were permitted for rebuilding squatters. Although some of the materials used for the current stilted structures were difficult to find, there were other temporary materials, such as fire-resistant plywood, available for rebuilding purpose. The use of permanent materials for rebuilding would have adverse impacts on the residents and the squatter cluster as a whole;
- (iii) in response to a question by a Legislative Councilor in 2010, the then Secretary for Development said that one of the reasons for rejection of application for rebuilding squatter was that the occupant intended to rebuild the squatter, which was in an area with potential for development or of dense squatter cluster, with permanent materials. Since the stilted structures in Tai O were densely clustered together, approval for rebuilding the stilted structures with permanent materials would not be in line with the current policy and would contribute to loss of the character of Tai O by replacing stilted structures with concrete structures;
- (iv) there was already a squatter control policy to handle rebuilding of stilted structures with permanent materials and LandsD would consider application for such in accordance with the prevailing policy and guidelines. Prior application to the Board for planning permission was considered superfluous;

[Dr W.K. Yau returned to join the meeting at this point.]

- (v) the ‘R(D)’ zone for the stilted structures would be an incentive for amalgamation of stilted structures for low-rise residential developments, hence defeating the original planning intention of the ‘R(D)’ zone to preserve the general character of the structures. As there was an existing squatter control policy, the ‘R(D)’ zoning for

areas covered by stilted structures was not necessary;

Proposed recreational use in the area zoned “C”

- (g) there was a shortage of recreational facilities in Tai O. Starting from the public consultation of the Tai O Revitalization proposal, there had been requests for more recreational facilities in Tai O. Noting that the existing building in the “C” zone had been vacant for a long time and there was a dangerous slope at the back of the site, the Government should consider resuming the site for recreational use. The lack of community facilities was a push factor driving people away from Tai O. It was the friendly people but not shopping malls that drew visitors to the place. Therefore, it was important to keep people in Tai O; and
- (h) more diversified job opportunities should also be provided. There was no residential care centre for the elderly in Tai O. People had to leave Tai O or Lantau for the facilities. Unlike tourism, elderly centre could provide a wide range of employment opportunities from medical and nursing care to physical therapy. The vacant building in the “C” zone should be resumed for community use.

R41 – Mr Chow Chi Wing

18. Mr. Chow Chi Wing made the following main points:

- (a) he was born in 1945 on a boat in Tai O. He realized lately that the land he bought several years ago was partly on land and partly in the water and could not be developed;
- (b) stilted structures were once very common in Hong Kong. They were found in areas such as the Yau Ma Tei Typhoon Shelter, Lau Fau Shan and Tsuen Wan. The stilted structures in the said areas had been redeveloped. Such structures were still found in clusters in Tai O because of their remote location rendering them not subject to imminent redevelopment pressure.

These structures were long overdue for redevelopment and not worthy of preservation. Tai O had lost its population tremendously over the years and was in great need of development. The requests for conservation as well as those for more recreational facilities, given the aged population of Tai O, were not justified;

- (c) as far as conservation was concerned, the relevant parties should pay more attention to the threats to dolphins caused by the high speed boating activities in the water to the west of Tai O. Regarding Pontianak wood, it was no longer available, rendering preservation and rebuilding of the stilted structures with the original materials unrealistic;
- (d) to revitalize Tai O, it was more important to improve the infrastructure and facilities in the area. There was no café or bar in Tai O. Even the provision of public convenience was insufficient. Under such circumstances, it was difficult to promote tourism; and
- (e) regarding the land he purchased, it was not protected by seawall. It was ridiculous for the Government to continue to collect rates from him while doing nothing on his land.

[Mr Frankie W.C. Yeung arrived to join the meeting at this point.]

19. As the presentations were completed, the Chairman invited questions from Members.

20. The Chairman asked Mr Ivan M.K. Chung, DPO/SKIs, PlanD and Mr Jeff Y.T. Lam, Deputy Director of Lands (DD of Lands) to explain respectively the types of structures found in the “R(D)” zone, the type of structures that required planning permission from the Board for redevelopment and those that required permission from LandsD alone. In response, Mr Ivan M.K. Chung said that it had been stated in the OZP that the “R(D)” zone was intended primarily for preservation of the character of the domestic structures on silts. With the aid of a picture shown on the computer, Mr Chung said some of the stilted structures in Tai O Creek were squatters while the others were under GLL. Redevelopment

of stilted structure with temporary materials was always permitted in the “R(D)” zone, while no new stilted structures would be allowed. Taking into account the character of the area, the maximum building height allowed for redevelopment of stilted structure was 4.6 m (excluding stilts). Rebuilding of the stilted structures required permission of LandsD under the GLL concerned or squatter control policy. It was noted that LandsD would not allow rebuilding of stilted structures with permanent materials. The “R(D)” zone also covered private lots with building entitlement and other temporary structures. Some of those structures were partially in water and partially on land. Redevelopment of those temporary structures with permanent materials required planning permission from the Board to ensure that the proposal would not have adverse impacts on the environment and on the infrastructure of Tai O. Mr Jeff Y.T. Lam said that occupants of structures with Squatter Control number had to submit their application to the Squatter Control Unit of LandsD for rebuilding with temporary materials. As for structures under GLL, they were allowed to be rebuilt with temporary materials only.

21. A Member was concerned about the composite nature of temporary structures which were partially on stilt and partially on solid ground, and wondered if it was possible to confine the boundary of the “R(D)” zone to cover only the stilted structures but not those on land. In response, Mr Ivan M.K. Chung said that apart from the temporary structures partially in water and partially on land, there were also inland temporary structures raised from ground by bricks to avoid flooding. The OZP was broadbrush in nature showing only broad land uses. The “R(D)” zone was considered appropriate to reflect the general planning intention of the area concerned. Rebuilding of stilted structures was still subject to control under the squatter control policy or GLL concerned. As stated in the ES for the “R(D)” zone, about 500 temporary domestic structures built on stilts under GLL were administered by LandsD and/or the uses had been recorded by the Squatter Control Survey. There were records kept by LandsD about the dimensions of the temporary structures. Information of the old schedule lots was also available to facilitate processing of the redevelopment applications.

22. In response to the questions of the Chairman, the Vice-chairman and a Member on the measurement of the width of the access road to the proposed hotel site, the rationale for imposing a BHR of three storeys on the “C” zone and whether the BHR could be amended to reflect the 50 feet permissible under the lease of the Lot, Mr Ivan M.K. Chung

said that ‘Hotel’ was a use always permitted in the “C” zone. FSD had no requirement for EVA. With the aid of a plan on the visualizer, Mr Chung went on to illustrate his point and said that the whole Shek Tsai Po Street was about 1.8 m wide. The section of Shek Tsai Po Street measured by the representer included some existing amenity areas. To widen the whole street to more than 1.8 m would inevitably involve private lots and the existing stilted structures. Regarding the BHR, it had taken into account the height of the village houses and community facilities in the surrounding areas. With a maximum BHR of three storeys, the owner might erect a building of up to 50 feet in height if it could be justified and comply with the Buildings Ordinance (BO). However, whether the floor to floor height of the building was excessive would be important consideration for approval of the building plans. As no proposal of the hotel was available when the OZP was prepared, it was not possible to assess the visual impact of the proposed hotel of 50 feet in height on the surrounding areas. Mr Chung added that imposition of the BHR in terms of maximum number of storeys, instead of the absolute building height, was usually adopted for low-rise and low density development in the New Territories for flexibility. The minor relaxation clause was included in the Notes for the “C” zone to provide flexibility for developments exceeding the height restriction, which would be considered on a case by case basis under the planning application mechanism.

[Dr W.K. Yau left the meeting at this point.]

23. A Member asked if there were any standards available to guide the redevelopment of stilted structures so that the general character of these structures could be preserved. Mr Chung said that for redevelopment of temporary structures with permanent materials, planning permission had to be obtained from the Board. It had been stipulated in the ES of the OZP about the maximum building area and building height of the replacement housing for temporary structures. Mr Jeff Y.T. Lam said that for rebuilding of temporary structures under GLL, relevant government departments, such as PlanD would be consulted on the proposal, but that for rebuilding of squatter structures, usually no departmental consultation would be conducted. However, the rebuilding of squatter structures had to be in compliance with the squatter control policy in terms of the use of materials and dimensions of the structure, amongst others.

24. A Member asked if there was survey done to take stock the actual uses of the

stilted structures, such as the percentage of those used for residential purpose and the percentage for hostel or shop use. Mr Chung responded that LandsD had records on the use of the temporary structures and enforcement action could be taken against unauthorized use in accordance with the existing policy. However, detailed statistics asked by the Members were not available.

25. In response to the Chairman's question on representer R1's proposal of rezoning the "V" zone to "R(D)", Mr Chung said that one of the planning intentions of the "R(D)" zone was for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of the structures into permanent buildings. The village houses mentioned by representer R1 were not temporary houses, but NTEHs. According to the established practice, areas covered by these NTEHs would be zoned "V" for the retention of existing villages.

26. A Member asked whether the preservation of the stilted structures was based on the views of the local residents, the visitors or the environmentalists and whether there were existing or planned sewerage facilities in Tai O for its further development. In response, Mr Chung said that it was a general request from the society for preservation of the stilted structures. When the OZP was prepared in 2014, the IsDC, TORC as well as the local residents had been consulted on the proposals. Residents in general supported the "R(D)" zone to preserve the character of the stilted structure although there were divergent views on whether redevelopment should be with temporary or permanent materials. Regarding the provision of sewerage facilities, Mr Chung said that there was a planned sewage treatment facility in the Tai O Fringe area and the Drainage Services Department was also studying how to improve the sewerage facilities for the area.

27. In response to the Chairman and three Members' questions on how long the artefacts of the Hongshan Culture would be exhibited in the proposed hotel, whether there was any intention that the representer would donate his collection to the museum in Hong Kong, why exhibition of the artefacts could not be accommodated in a building of three storeys in height, whether the artefacts were owned by a private individual or by a company and whether they would consider using the existing 2-storey building on site solely for exhibition purpose or alternatively to erect a three-storey building for hotel use only without exhibiting the artefacts in Tai O, 潘麒元先生 said that that the artefacts were very precious.

Placing one piece of his collection on the visualizer, 潘麒元先生 said that he would display his collection permanently in the proposed hotel. As two levels of hotel floors could only house about 5,000 pieces of artefacts at one time, there would be periodic change of displays. Some of the artefacts were exhibited at Hong Kong Ngong Ping 360 two days ago. As the artefacts were of study value, he would donate some of them to the University of Hong Kong for study purpose or lend it to the Mainland at a nominal rent. Since it needed time to appreciate the artefacts, it was necessary to provide sufficient hotel rooms for archaeologists to stay in Tai O. The proposal of provision of 150 hotel rooms in four levels was reasonable. If Hong Kong people did not treasure these artefacts, which were collected by some 70 to 80 scholars from overseas, he would rather donate them to Singapore, Taiwan or some other countries. His proposal of setting up a museum hotel in Tai O was not for profit making but for promotion of culture. The existing 2-storey building would be redeveloped into a new hotel building. Slope investigation works had already been carried out and they envisaged that the hotel would help revitalize Tai O.

28. A Member asked how the BHR of the “C” zone could respect the entitlement of the Lot for a 50 feet high building under the lease. The Member also recalled that representer R1 had mentioned that their land within the “V” zone allowed buildings of up to 50 feet in height, and enquired whether there was a mechanism for them to build up to 50 feet. In response, Mr Chung said that the lots representer R1 referred to were old schedule lots which had no BHR. If the representers wanted to erect buildings other than NTEHs, they had to submit building plans to the Buildings Department (BD) for approval. BD would then consider if the building proposal complied with BO.

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

[Mr H.F. Leung arrived to join the meeting at this point.]

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

Deliberation

30. The Chairman invited Members to consider the representations and comment taking into account all the written submissions, the oral presentations and materials presented at the meeting.

Development restrictions of “V” zone

31. Regarding the designation of the “V” zone, Members noted that DPO/SKIs, PlanD had explained that the “V” zone was to reflect the existing village developments. Future developments within the zone had to be compatible with the surroundings. In this regard, the “V” zone was appropriate in the light of the planning intention. In relation to the stilted structures in areas under the “R(D)” zoning, DPO/SKIs had also explained that for rebuilding of temporary structures with permanent materials on building lots, planning permission was required. As regards temporary structures under GLL and squatter control structures, Mr Jeff Y.T. Lam, DD of Lands explained that application for rebuilding of such structures to LandsD needed to be made and if permitted, temporary materials should be used.

Conservation of stilted structures under “R(D)” zone

32. A Member and the Vice-chairman asked whether there were sufficient control, guidelines or policy on preserving the stilted structures so that redevelopment of the stilted structures could achieve the desired result. The Member wondered if it was possible to impose more conditions or advisory clauses under the “R(D)” zone, such as requiring certain forms of built structure to be adopted, certain types of materials to be used and advice from the Antiquities and Monuments Office (AMO) to be sought for redevelopment. The Member advised that after the fire incident in Tai O, the AMO and the Architectural Services Department were involved in the redevelopment process to see how redevelopment could preserve the character of the stilted structures. The Antiquities Advisory Board (AAB) had also discussed if the stilted structures could be graded but found the issue too complicated and had not reached any conclusion.

33. A Member advised that the stilted structures were a transformation of fishing boats. To avoid flooding due to tidal movements, these boat structures were supported on stilts. That form of construction was later adopted by the others and stilted structures were once a common presence in Hong Kong. The forms of the stilted structures kept on evolving over the years and some recent ones were built on concrete stilts. While it was very difficult to define stilted structures, it might be advisable for the applicant to consult AMO, as suggested by another Member. The Chairman said that it might depend on whether AMO had the necessary guidelines on how the character of the stilted structures should be preserved.

34. In response to the Chairman's enquiry, Mr Jeff Y.T. Lam said that it was not a current practice for LandsD to consult AMO on rebuilding of squatter control structures. Squatter control structures might need to be demolished on safety grounds.

35. A Member considered that the stilted structures were not a common type of squatters, and that it might be worthwhile for universities to study the matter in order to come up with a set of guidelines to guide future redevelopment. The Chairman, however, pointed out that objective standards might not be available.

36. A Member noted that the stilted structures were not permanent structures, and that the "R(D)" zone might give people a false impression that permanent structures were allowed. The Chairman said that despite the "R(D)" zone, redevelopment of squatters and temporary structures still required permission from LandsD. As for replacement of temporary structures with permanent buildings on building lots within the "R(D)" zone, planning permission from the Board was required.

37. A Member said that there was no data on the actual uses of the stilted structures. Some of the structures might have already been converted from domestic to other uses, which might have a bearing on the decision of the Board on the representations. There was also a dilemma on the preservation issue. On the one hand, squatter control structures were not allowed to be rebuilt with permanent materials under the current squatter control policy while on the other hand, for preservation sake, permanent materials might be more desirable.

[Dr Wilton W.T. Fok left the meeting temporarily and Professor K.C. Chau left the meeting

at this point.]

38. A Member expressed reservation on preserving the stilted structures and said that different people might have their own agenda in supporting preservation of the stilted structures. Whether the right of redevelopment of these structures could be inherited would also have a bearing on the consideration of the “R(D)” zone. To avoid giving any expectation of entitlement to permanent development, it might be worth considering changing the “R(D)” zone to “Other Specified Uses” zone with appropriate annotation. Before the heritage value of the stilted structures was established, consultation with AMO on redevelopment of stilted structures was unnecessary and should not be stipulated as a requirement.

39. In response to Members’ concerns, Mr K.K. Ling, Director of Planning (D of Plan) said that the “R(D)” zone was a comparatively more pragmatic and balanced approach to reflect the planning intention of the area clustered with stilted structures and other temporary structures. It had been stated in the Notes and ES of the OZP under the “R(D)” zone that redevelopment of existing temporary structures into permanent buildings required planning permission from the Board as a form of planning control. It would not be necessary to stipulate in the OZP the requirement of consultation with AMO as it was already an established procedure to consult relevant government departments on planning applications. As regards the lack of information about the actual uses of the stilted structures, Mr Ling said that there was practical difficulty in conducting detailed survey in the course of preparation of OZPs. Besides, the “R(D)” zone was a common zoning for rural areas scattered with squatters under various land titles in need of improvement and upgrading. Taking into account the relevant considerations, he considered that the “R(D)” zone should be kept.

[Dr Wilton W.T. Fok returned to join the meeting at this point.]

40. Regarding whether GLL could be inherited, Mr Jeff Y.T. Lam said that under normal circumstances, such licence was not transferrable. However, applications would be considered on individual merits.

41. Regarding the BHR of the ESS, Members noted that PlanD had no objection to amending the BHR to two storeys and agreed to amend the BHR of the ESS from one storey to two storeys.

BHR under the “C” zone

42. Members noted that the site near Shek Tsai Po was zoned “C” to reflect the permitted use under the lease. With respect to the BHR under the “C” zone, the Chairman said that the BHR of three storeys was to ensure that future development on site would be compatible with the surrounding environment. Flexibility of higher headroom might be allowed if the owner could provide sufficient justifications to BD. Members noted and agreed that there was no special reason why exhibition of the artefacts of the Hungshan Culture would need to be put in the proposed hotel in Tai O.

43. Mr K.K. Ling, D of Plan said that the BHR had taken into account the surrounding environment and constraints of the site in terms of water supply, sewage treatment and width of the access road. For minor increase in building height, it could be considered through the planning application system.

44. Although Shek Tsai Po Street was currently not accessible by vehicles, Members noted that the possible adverse traffic impacts on public roads arising from the proposed hotel development would still be a valid concern if more people went to visit Tai O.

Proposed rezoning for conservation purpose

45. Regarding the proposal of rezoning the “REC” and “O” to a conservation zoning or “GB”, Members considered that the areas concerned had been filled and was of no particular landscape or ecological value.

Proposed construction of seawall

46. In respect of the proposal of constructing seawall, Members noted that the area concerned was far away from the common navigation channel. There was very limited

marine traffic implication. As such, Members agreed that construction of seawall was not justified.

47. After further deliberation, Members noted the support of representation R1 (part) regarding designating the areas with stilted structures as “R(D)”.

48. Members decided to uphold representation R3 and that the OZP should be amended to meet the representation by amending the BHR of the existing Tai O ESS site under “G/IC” zone at Shek Tsai Po from one storey to two storeys.

49. Members decided not to uphold representations R1 (part), R2 and R4 to R41 for the following reasons:

R1 (part) and R2

- “(a) the “V” zone is intended for the provision of land for the retention and expansion of the existing village. Tai O Wing On Street, Tai O Tai Ping Street, Tai O Market Street, Kat Hing Street, Kat Hing Back Street and Shek Tsai Po Street are mainly occupied by existing village houses most of which are two to three storeys tall. To avoid undesirable disturbance to the rural village character, the maximum building height restriction of three storeys is appropriate for conserving the character of the area;
- (b) redevelopment of existing village houses up to six storeys or above is not compatible with the existing village character. Nevertheless, any new development (other than NTEH) may be submitted to the Board for consideration through the planning application mechanism and each case would be considered on its individual merits;
- (c) the imposition of building height restriction for development within the “V” zone does not contravene Articles 5, 6 and 105 of the Basic Law; and
- (d) the provision of Emergency Vehicular Access (EVA) is always permitted

within the “V” zone. Its need and feasibility would be subject to further study by relevant government departments, as appropriate (R2).”

R5 to R40

- “(a) the unique built form of the domestic structure on stilts along Tai O Creek together with the waterway features embodies the identity of Tai O as a fishing village. These stilted structures are zoned “R(D)” on the draft OZP to primarily preserve the general character of the structures;
- (b) the planning intention of the “R(D)” zone allows upgrading of and improvement to the existing temporary structures through redevelopment into permanent buildings, and low-rise, low-density residential development, subject to planning permission from the Board, to ensure that the redevelopment proposal would not affect the character of the domestic structures on stilts. Each case will be considered on its individual basis; and
- (c) any potential marine and ecological impacts resultant from redevelopment of the existing stilted structures to other forms of development shall be assessed on case specific basis through the planning application mechanism (R5).”

R4

- “(a) the “C” zone reflects the permitted use under lease. The BHR of three storeys is to ensure that new development is compatible with the local village character and the general building height profile of the area; and
- (b) sufficient traffic evidences should be provided to demonstrate that the proposed six-storey themed hotel development would not cause adverse traffic impacts on public roads. As hotel is a substantial water consumer, implementation programme on additional waterworks facilities may be required and the representer has not provided sufficient information to

demonstrate that no adverse impacts will be generated from the proposal.”

R5 to R7 and R9 to R40

- “(a) the site near Shek Tsai Po is zoned “C” to reflect the permitted use under lease. The proposal for resumption of the site for long-term management and maintenance by the Government or other non-governmental organizations is not justified;
- (b) the concerned slope behind the “C” site at Shek Tsai Po is a registered slope maintained by the lot owners. The lot owners are required to closely monitor the stability of the slope and give warning of impending danger until the completion of the remedial/preventive works;
- (c) Yim Tin Pok Playground is allocated under Permanent Government Land Allocation to LCSD for the purpose of a sports ground. The “O” zoning reflects the current use of the site (R5); and
- (d) the site to the east of Yim Tin Pok Playground zoned “REC” is reserved for a possible campsite/holiday accommodation to promote Tai O as a tourism node. It has been filled and is partly covered by grass with no particular landscape or ecological value. Rezoning Yim Tin Pok Playground and/or its adjoining land to “GB” or a conservation zoning is not justified.”

R41

- “(a) the concerned area is at present occupied by stilted structures and village houses. The zonings of “R(D)” and “V” are to reflect the existing uses. For the access to the subject lot, ‘road’ use is always permitted under both zones. Land resumption for the provision of access and construction of seawall is not necessary.”

[Mr Laurence L.J. Li, Dr Wilton W.T. Fok and Mr Patrick H.T. Lau left the meeting and Ms Julia M.K. Lau arrived to join the meeting at this point.]

Tsuen Wan and West Kowloon District

Agenda Item 4

[Open Meeting]

Park Development of the West Kowloon Cultural District

(TPB Paper No. 9832)

[The meeting was conducted in Cantonese and English.]

Declaration of Interests

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

- | | |
|-----------------------|--|
| Dr W.K. Yau | - being a Member of the West Kowloon Cultural District Authority (WKCDA) Consultation Committee |
| Professor S.C. Wong | - being a Member of the WKCDA Development Committee |
| Mr Frankie W.C. Yeung | - being an advisor of the Xiqu Centre of WKCDA |
| Mr Patrick H.T. Lau | - having business dealing with Dennis Lau & Ng Chun Man Architects & Engineers (Hong Kong) Ltd. (DLNCM), which is a consultant of the Park Design Team |
| Professor P.P. Ho | - being the Director of the School of |

Architecture of the Chinese University of Hong Kong which has received donations from DLNCM, a consultant of the Park Design Team

Ms Janice W.M. Lai - having business dealing with ACLA Ltd., which is a consultant of the Park Design Team

51. As the item was only a briefing to Members of the design and development of the Park within the WKCD, Members agreed that the above Members who had declared interests should be allowed to stay in the meeting.

Presentation Session

52. The following representatives from the WKCDA and Park Design Team were invited to the meeting at this point:

WKCDA Representatives:

Mr Derek Sun

Ms Wendy Lam

Ms Helen Chu

Mr Y.M. Fu

Park Design Team Representatives:

Mr Martin Biewenga

Mr Bruce Law

Mr Mark Ng

53. The Chairman then invited the representatives of WKCDA and Park Design Team to brief Members on the design and development of the Park within WKCD.

54. With the aid of a PowerPoint and video presentation, Mr Derek Sun and Mr Martin Biewenga presented the design and development of the Park and covered the

following main points:

- (a) after the Development Plan (DP) of the WKCD had been approved, the design of the cultural and arts facilities of WKCD was underway. As part of the WKCD was occupied by works area of the Express Rail Link, construction could only commence when the area was returned to the WKCDA. The works of Phase 1 for the cultural facilities, e.g. the Xiqu Centre and the M+ Museum, had commenced and the park development of WKCD (the Park) was scheduled for commencement in mid 2015;
- (b) the design of the Park was subject to various constraints of the site, including the two existing ventilation buildings of the Western Harbour Crossing, the entrance of the Harbour Tunnel and an MTR ventilation building connecting to the MTR Kowloon Station;
- (c) the two ventilation buildings on site were large and visible. On the eastern part of the Park was the M+ Museum. An Artist Square in front of the museum with a large lawn area was linked by a new footbridge with the “Elements”. Two cultural buildings, namely the Arts Pavilion and the Black Box Theatre, as well as a performance space would be provided within the Park. A temporary outdoor stage connecting with the facilities in the Black Box Theatre would be provided to the west of the theatre. A large open lawn, which could accommodate some 10,000 visitors as an open-air venue, would be provided to the further west. To the south of the Black Box Theatre was a small lawn for small-scale events. An event lawn and a promenade would be provided as a large open green space on the waterfront. To the north of the waterfront promenade on the southern part of the site was a double edged design. On the north-western part of the site was an existing nursery with mature trees and plants. Those trees would eventually be transplanted in the Park. The nursery would be open to the public later in the year;
- (d) the heart of design of the Park was the Cultural Boulevard, which was an

extension of the Avenue evolved from the “Foster” Master Plan. The Avenue was a cultural area with theatres, performance venues and restaurants. It was extended into the Park, winding all the way down from the north-east, linking up all the different types of activities in the Park;

- (e) the Cultural Boulevard was basically a park-like promenade with large tall trees. Shading and shelters would be provided along the main pathway. The pathway would slope gently into the Park from the M+ Museum. There would be different activities along the boulevard, such as an Arts Pavilion for small-scale exhibition, a performance venue and an open lawn with places for light dining and coffee. The boulevard would provide a park-like setting with trees;
- (f) along the waterfront, there would be an open and accessible promenade of about 1.2 km long stretching from the “Elements”, the typhoon shelter, the existing walkway and all the way, as planned, back to the city to the east. The width of the promenade would be wider along the southern waterfront to allow people to enjoy the view of the harbour and the skyline of Hong Kong, as well as to allow events to be held;
- (g) a waterfront event space was introduced on the southeastern part of the Park for the magnificent view of the harbor. The two levels of area along the southern waterfront were named ‘Double Edge’. It was introduced to maximize the view of the harbour for the public as well as to enable visitors on the second level of the ‘Double Edge’ to continue to enjoy the harbour vista when there was event on the waterfront;
- (h) apart from studying the site constraints, the use of the site in the past had also been studied. Since the site was flat and open, large cultural events such as sculpture exhibition, open air festivals and wine and dine had been held. Details including how people accessed the site, the number of visitors and area requirements for these events were analyzed to provide information on how these events could continue to be provided

in the Park in future;

- (i) winding down from the Cultural Boulevard, there were different areas where events could be held. The lawn in front of the M+ Museum could hold events relating to the exhibitions and art programme of the museum. There were a big lawn for open-air performance, a small lawn, a waterfront event area and a botanical grove at the foot of the M+ Museum;
- (j) the Park should cater for day-to-day use by families and residents as well as for accommodating events for a much larger audience. It would be a landmark both as a Park as well as an event space;
- (k) between the Cultural Boulevard and the waterfront promenade was a green area with trees to create a strong sense of a park. There were points for retail, dining and entertainment (RDE) with one on the north, one on the southeast and another one on the south enjoying beautiful view of the harbour. The two restaurants on the south would integrate into the landscape design of the Double Edge. In Phase 2 of the development, restaurants on the northern part of the site would be provided;
- (l) there were public toilets in different locations of the Park for day-to-day use and events with large audience;
- (m) at the back of the big lawn, a temporary stage could be set up for events. The small lawn was an intimate and shaded space for family outing as well as for small-scale performance. In the summer time, it would be a warm place to stay;
- (n) from the Park, visitors could have a 270 degree views of the Hong Kong harbour, including industrial areas to the north, typhoon shelter to the northwest and open sea to the west;

- (o) the waterfront event space could be used for different types of activities. In a normal day, it was a beautiful waterfront area and on special occasions, it was large enough for waterfront market or food festivals. Programming the use of space without disturbing visitor circulation and public access to the Park was possible;
- (p) art would be integrated into the design of the Park. Art pieces would be found and placed in the Park for public enjoyment;
- (q) as a continuation of what the WKCDA had done, the bike route would be extended into the Park all the way from the northern entrance to the waterfront. There were two bike stations along the route. In the long term with the completion of the promenade to the east, the bike route could be further extended to join the cycle network in the district;
- (r) landscape design was an important part of the Park. Large linear groups of shading trees and shelters along the main route would be provided for comfort of the visitors especially in the summer time. Banyan, as a natural beautiful umbrella, would be a tree to be used for shelters. Blossoming trees would also be introduced to give a strong sense of seasonal changes in the Park. Large trees would hide the two prominent ventilation buildings giving an illusion effect; and
- (s) the plant nursery would be open as a temporary park this year to serve as a pilot project to test the effect of pavement, lighting and tree planting. Majority of the Park including the boulevard was scheduled for completion in 2017.

Discussion Session

55. As the presentation by the WKCDA and the Park Design Team had been completed, the Chairman invited questions and comments from Members.

56. The questions and comments made by the Chairman and Members were

summarized as follows:

- (a) noting that traffic in Kowloon West was already very busy, whether the area could cope with the additional traffic brought about by the bike route;
- (b) apart from lawns, woods, harbour views and a pathway running continuously from one place to another which led people to nowhere, it seemed that there was no particular emphasis on space. Whether there could be one or two special features, e.g. a certain type of plant, art space or water features that children could play around, so as to form attractions of the Park;
- (c) the existing seawalls in Hong Kong, such as those in Island Resort and Heng Fa Chuen, were too tall for children to enjoy sea views. Whether the design of the seawall in the Park had taken that concern into account;
- (d) whether the lawns of the Park were designed in such a way that people could run, play and lie down;
- (e) whether the toilets of the Park were designed for normal use or for special events that might attract 10,000 visitors or more;
- (f) it was noted that there would be some palm trees and many other imported trees. Whether it was intended to have a selection of themed trees or more locally grown trees;
- (g) how the pump houses of the Park would be hidden;
- (h) as the lawns would be used as event venues subject to heavy loading, whether there would be special treatments for the drainage layer and soiling. It was noted that frequent use of lawns for events would lead to poor grass condition;

[Mr Frankie W.C. Yeung left the meeting at this point.]

- (i) as weather was hot in Hong Kong, whether there were food and beverage or retailing points available in the Park for visitors to get refreshment;
- (j) as footpaths were found adjacent to the ventilation buildings, whether there were any air quality concerns that needed to be addressed;
- (k) the Black Box Theatre needed not be above ground by nature. There might be opportunity to put the theatre or part of it, except the entrance, underground. The form of the theatre could be more responsive to the landscape. At the moment, the indicative built form of the theatre was very polygonal. If the theatre was sunken, there would be opportunity to make the entrance more responsive to the organic landscape design;
- (l) ways could be explored to have more green open space between the two very prominent ventilation buildings;
- (m) more details regarding the provision of bike stations, such as the mode of operation, needed to be provided;

[Professor S.C. Wong left the meeting at this point.]

- (n) introduction of some mobile carts for snacks or ice-cream stations in the Park was recommended as an attraction to both local and foreign visitors. Mobile carts might also be more flexible in serving the public when events were held; and
- (o) since it was a big park, some level difference within the Park was supported.

57. Regarding the concerns on the bike service, Mr Derek Sun said that since the current Smart Bike programme was very popular, it would continue. Noting that it was a global trend of using more environmentally friendly transportation means, the use of bikes

would be encouraged as far as possible taking into account the special circumstances of Hong Kong. As said, in the long run, the cycle track could be extended further into the West Kowloon District after the transportation and other infrastructural issues had been addressed. As in the current stage, use of bikes was confined within the WKCD. Further improvement to the cycling facilities would be explored.

58. In respect of the toilet issue, Mr Sun said that the public toilets in the Park would be of higher standards than those provided by the Leisure and Cultural Services Department. The permanent toilet facilities were designed for normal use of the Park. For large events, temporary facilities would be provided. Regarding the pump houses, Mr Sun said that they would be provided underground together with the other infrastructural facilities as far as possible.

59. With respect to the design of the Park, Mr Biewenga said that to cater for the needs of various activities, wifi, power and water supply would be provided. Small carts or pop-up RDE could just plug into the system of the Park to get power and water supply. The Park would be a very convenient place and designed with flexibility to accommodate the needs of various activities. Maintenance of the lawns was a subject of much discussion in the design process as lawns would be soaked with water after heavy rainfall and frequent use of lawns would affect the quality of the grass. As such, the lawns would be serviced with subsoil drainage. With this provision, even after heavy rainfall, the lawns would be dried within hours to make it accessible for public use again. The gently sloping lawn was a natural way to drain excessive water. The lawns were also well supported to withstand loads of small vehicles.

60. Regarding the seawall, Mr Biewenga said that basically the existing seawall would be kept. In fact, it was not a wall but a rock armour, a rocky transition from the promenade to the water. The current level of the rock armour could withstand flooding even under the effect of global warming. Railing, forming an open and visually pleasing network, would be provided along the waterfront to prevent people from falling or climbing onto the rock armour.

[Mr Stephen H.B. Yau left the meeting at this point.]

61. Mr Biewenga said that the Design Team had tested if the Black Box Theatre could be put underground to allow more space for landscaping. The financial concern of building such an expensive underground structure had prevented the proposal from being pursued further. The current task underway was how to integrate the theatre well with the landscape. As regards the planting strategy, Mr Biewenga said that they aimed to use as many native species as possible. It was not their intention to use 100% native species as some of them were not very suitable for a park and were not resistant to diseases and intensive use. Tree species that would thrive in Hong Kong's climate would be selected because it was very important to have a living park but not a park with dying trees. To supplement, Mr Mark Ng said that they had incorporated many of the native trees listed in the Environmental Impact Assessment (EIA) Report. There was a mix of native, exotic, flowering, deciduous and evergreen trees in the Park to make it an interesting place to visit. Lawns in the Park would not be fenced off. They would be provided for public use.

[Professor Eddie C.M. Hui and Dr C.P. Lau left the meeting, and Mr David Y.T. Lui left the meeting temporarily at this point.]

62. Regarding the air quality around the ventilation buildings, Mr Derek Sun said that it had been looked into in the environmental assessment when the DP was prepared. It was noted that no adverse impact would be caused to the park users under normal operation of the ventilation facilities. Details regarding attractions of the Park were still under study. The current work was to provide the necessary support, such as power, water and digital facilities to make different types of activities in the Park possible. Artworks in the Park were not just display. These artworks would be objects that children could climb and play. They would continue to keep track of what people liked and introduce popular activities in the Park for public enjoyment.

63. The Chairman concluded the discussion and hoped the comments made by Members would help the design team in their next stage of work. He thanked the representatives of the WKCD and the Park Design Team for attending the meeting. They left the meeting at this point.

[Ms Janice W.M. Lai left the meeting at this point.]

Agenda Item 5

64. As the applicant's representatives for Agenda Item 6 had already arrived, Members decided to consider Agenda Item 6 first.

Kowloon District

Agenda Item 6

[Open Meeting]

Review of Application No. A/K11/210

Proposed Columbarium in "Government, Institution or Community" zone, Level 4 (Part) and Level 5 (Part) of East Wing and West Wing of Fat Jong Temple, 175 Shatin Pass Road, Tsz Wan Shan, Kowloon

(TPB Paper No. 9834)

[The meeting was conducted in Cantonese.]

Declaration of Interests

65. Mr K.K. Ling had declared an interest in this item as his relative's ashes were stored in Fat Jong Temple, the premises under application. Since Mr Ling's interest was direct, Members agreed that he should be invited to leave the meeting for this item. Mr K.K. Ling left the meeting temporarily at this point.

Presentation and Question Session

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

PlanD's Representative:

Mr Tom C.K. Yip - District Planning Officer/ Kowloon (DPO/K), PlanD

Applicant's Representatives:

Mr Tom Tsang]	
Mr Fung Chi Keong]	Applicant's representatives
Ms Abby Lau]	
Mr Kelvin Leung]	

67. The Chairman extended a welcome and explained the procedure of the review hearing. He then invited DPO/K to brief Members on the application.

68. With the aid of a Powerpoint presentation, Mr Tom C.K. Yip, presented the application and covered the following main points as detailed in the Paper:

The application

- (a) on 20.9.2012, the applicant, the Fat Jong Temple Limited represented by Knight Frank Petty Limited, sought planning permission under section 16 of the Town Planning Ordinance (the Ordinance) for additional columbarium niches in 8 rooms on Level 4 (Rooms 6 to 8 of West Wing and Rooms 9 to 12 and 18 of East Wing) and 4 rooms on Level 5 (Room 1 of West Wing and Rooms 13, 15 and 16 of East Wing) (the Premises) of Fat Jong Temple (the Temple), which fell within an area zoned "Government, Institution or Community" ("G/IC") on the Tsz Wan Shan, Diamond Hill & San Po Kong Outline Zoning Plan;
- (b) on 21.3.2014, the Metro Planning Committee (MPC) of the Town Planning Board (the Board) decided to reject the application for the following reasons:
 - (i) the proposed increase of niches at the Premises was considered excessive and would result in a congested environment for visitors to the columbarium especially during Ching Ming and Chung Yeung Festivals (festive periods); and

- (ii) the applicant failed to demonstrate that there would be adequate circulation and worshipping space within the Temple and that feasible crowd management measures would be adopted to handle the large amount of visitors within the Temple during festive periods;

The review application

- (c) in the section 17 review application, the applicant proposed to reduce the number of additional columbarium niches from 7,200 to 5,760 (-20% or -1,440 niches) with a niches/m² ratio of 4.85 which was comparable with PlanD's survey for ten public columbaria which ranged from 2.02 to 4.38;
- (d) the major revised parameters of the proposed additional niches were as follows:

Total GFA	220 m ²
Total No. of Additional Niches	5,760
No. of Niche Rooms	12
Floor Area of Each Room	18 m ² (10 Rooms) & 20 m ² (2 Rooms)
Max. No. of Niches in Each Room	480
Max. No. of Tiers	10
Floor to Floor Height	3 m to 3.2 m
Dimension of Niche	230 mm(H) x 200 mm(W) x 210 mm(D)

- (e) the width of corridors and staircases ranged from 1.26 m to 1.5 m and from 1.2 m to 3.3 m respectively. The clear width of typical niche bay within each niche room was 2.5 m;

- (f) the Internal Pedestrian Traffic Impact Assessment (IPTIA) concluded that the Volume/Capacity ratio was considered acceptable during the peak hours of festive periods;
- (g) to address the concerns of the MPC, the applicant proposed to adopt the following crowd management measures during festive periods:
 - (i) appropriate warning/notices would be posted at the prominent locations of the critical circulation spaces to avoid congestion;
 - (ii) no censer would be placed in the new niche rooms and burning of joss sticks inside niche room was not allowed;
 - (iii) temple staff would be employed to monitor the crowd to avoid congestion at the critical circulation spaces; and
 - (iv) the applicant would establish a website to notify the visitors the expected peak hours/days each year and encourage visitors to visit the Temple during non-peak hours/days;

Justifications of the review application

- (h) there was still ample space around those courtyard areas of the Temple for circulation or carrying out worshipping activities;
- (i) since the 5,437 existing columbarium niches had been in existence for over 14 years, visitors to the existing columbarium should have been adapted to the temple environment during festive periods. No accident had been reported so far;
- (j) by observation, visitors usually stayed for less than 5 minutes inside the niche rooms;

- (k) the applicant would apply the crowd management measures during festive periods;

Previous application

- (l) the Temple comprised a Main Pavilion, West Wing, East Wing and West Pavilion with a total gross floor area (GFA) of about 2,308 m². 5,437 niches of the Temple were approved on 19.5.2000 under the previous application No. A/K11/127;

Departmental comments

- (m) the Secretary for Food and Health (SFH) and Food and Environmental Hygiene Department (FEHD) had no objection to the application but commented that the columbarium had to comply with all other relevant requirements. There was no standard guideline for internal layout of niche arrangement. For those columbaria managed by FEHD, the clear width between 2 facing niche blocks was in a range of 2.2 m to 3.8 m while the clear width of corridor of balcony type was in a range of 1.4 m to 1.7 m;
- (n) the Chief Building Surveyor/Kowloon, Buildings Department (CBS/K, BD) had no objection subject to the condition that the proposed works would be carried out in compliance with the Buildings Ordinance (BO) and its allied regulations;
- (o) the District Lands Officer/Kowloon, Lands Department (DLO/K, LandsD) had no objection and advised that a lease modification was required to effect the proposal. It was noted that part of the Premises was already being used for unauthorized columbarium use;
- (p) the Commissioner for Transport (C for T) had no comment on the IPTIA report provided that the development would be implemented in phases and the temporary traffic management scheme and traffic improvement

measures would be implemented by the applicant;

- (q) the Director of Environmental Protection (DEP) had no objection provided that the proposed mitigation measures would be implemented. Approval conditions were suggested to require that no additional joss paper furnace should be installed and the existing joss paper furnace should be replaced by a properly designed joss paper furnace;
- (r) Other government departments had no objection to or no comment on the application;

Public Comments

- (s) 13 public comments were received. All of them objected to or raised concern on the review application. The grounds of objection and concern were summarised below:
 - (i) there would be adverse traffic, environmental and hygiene impacts arising from the additional niches of the Temple;
 - (ii) the development was not in line with the land use of the “G/IC” zone and was incompatible with the surrounding land uses;
 - (iii) the additional niches in the Temple were excessive;
 - (iv) the columbarium use in the Temple contravened the non-profit making religious use of a temple; and
 - (v) there was objection raised by local residents and schools in the vicinity of the Temple;

Planning Consideration and Assessments

- (t) the applicant had proposed to reduce the number of additional

columbarium niches from 7,200 in the section 16 application to 5,760 (-20% or -1,440 niches) in the review application;

- (u) there would be no internal congestion and pedestrian circulation problem as demonstrated in the IPTIA;
- (v) there were no objection or adverse government departmental comments. The proposal was subject to compliance with the building design and safety requirements under BO at the building plan submission stage;
- (w) on the traffic and environmental concerns raised in the public comments, C for T and DEP had no objection to the review application from traffic and environmental perspectives respectively; and

PlanD's views

- (x) PlanD had no objection to the review application.

69. The Chairman then invited the applicant's representatives to elaborate on the review application. Mr Tom Tsang made the following main points:

- (a) the Temple had been established for more than 20 years and the applicant had more than 20 years of experience in running a columbarium;
- (b) the applicant had employed consultants and prepared a technical report to address all the environmental, traffic and internal pedestrian circulation issues;
- (c) in response to the rejection reasons for the section 16 application, the applicant had decreased the number of niches by 20% and had prepared an IPTIA as well as crowd management measures to mitigate the impacts caused by an increase in the pedestrian flow; and
- (d) Members were requested to give favourable consideration to the review

application.

70. As the presentation of the applicant's representatives had been completed, the Chairman invited questions from Members.

71. A Member asked whether the relevant authority had reviewed the IPTIA report submitted by the applicant as it was stated in C for T's comments that the internal pedestrian circulation within the building structure of a private lot was outside the purview of the Transport Department (TD). In addition, another Member also asked why there were different figures on the number of visitors per hour used in the IPTIA report. With a doubling of niches if the review application was approved, the ultimate in-flow of visitors should be over 1,000/hour instead of 770/hour. Regarding the design standard, the Member asked why, with an increase of 5,760 niches, the additional GFA would only be 220 m² as against the current standard of 282 m² for the existing 5,437 niches in the Temple. As regards the width of corridors, the current proposal was 1.26 m. For those columbaria managed by FEHD, the clear width between two facing niche blocks was in a range of 2.2 m to 3.8 m while the clear width of corridor of balcony type was in a range of 1.4 m to 1.7 m. The current proposal appeared to be on the low side of the government standard and the Member wondered if the current proposed standard was too low to be acceptable.

[Mr Sunny L.K. Ho left the meeting at this point.]

72. In response to Members' questions, Mr Tom C.K Yip said that the IPTIA report submitted by the applicant had been circulated to TD, the Buildings Department (BD) and the Architectural Services Department (ArchSD) for comments. C for T advised that he had no specific comment on the applicant's IPTIA with flow capacity assumption based on the capacity of public pedestrian bridges and subways. According to the BD's Practice Note on Design Requirements for Columbarium Facilities and Code of Practice for Fire Safety in Buildings 2011, the occupancy factor of the columbarium should be 2 m² of usable floor area per person for the purpose of means of escape provision. The applicant had mentioned in the report that the said requirement had been complied with, and BD and ArchSD also had no comment on the applicant's submission. Basically, no government departments had query on the data and assumptions used in the IPTIA report and the applicant's proposal was generally in compliance with the BO's requirements on fire safety and density.

73. Regarding the internal layout of niche arrangement, Mr Tom C.K. Yip said that there was no standard guideline. According to PlanD's survey findings of 10 existing public columbaria, the number of niches/m² ratio ranged from 2.02 to 4.38. The ratio was derived from public columbaria. It might not be used as a benchmark for private columbaria because private and public columbaria had different design standards. With a reduction in the number of proposed additional niches to 5,760 under the review application, if the current application was approved, there would be a total of 11,197 niches in the Temple resulting in a niches/m² ratio of 4.85, which was close to the upper range of the public columbaria. Regarding the clear width of 2.2 m to 3.8 m between two facing niche blocks and the clear width of corridor of 1.4 m and 1.7 m, they were figures derived from public columbaria. The current proposal of a clear width of 2.5 m for a typical niche bay was within the range of 2.2 m to 3.8 m of the public columbaria, while the corridor width of 1.26 m to 1.5 m was close to the standard of 1.4 m to 1.7 m of the columbaria provided by the public sector. These standards had been shown in the applicant's submission and had been circulated to relevant government departments. BD did not raise objection to the proposal as far as the fire safety and design requirements were concerned. After taking into account the departmental comments, PlanD considered that the application was acceptable. In response to the Chairman's question on whether building plans submission was required for change of use and alterations and additions works, Mr Tom C.K. Yip said that an application under section 25 of BO for the change of use was required.

74. Regarding the size of the niche rooms, Mr Tom Tsang said that unlike public columbaria, all areas for joss paper furnace and worship were outside the niche rooms. That explained why the niches/m² ratio was seemingly lower than that of the public columbaria where burning and worshipping activities were permitted within the rooms. With respect to the in-flow of pedestrians, past experience showed that the number of visitors to the niches decreased with years since the niches were in use. It was also a trend that visitors would avoid visiting the Temple on the festival days. The IPTIA report had reasonably reflected the ultimate pedestrian flow. To supplement, Mr Kelvin Leung, the traffic consultant of the applicant, said that the figure for the current pedestrian flow included not only visitors to the niches but also those to the ancestral tablets. Taking that and the observation that visitors would decrease with years into account, the ultimate pedestrian flow would not double the current level.

75. As Members had no further question, the Chairman informed the applicant's representatives that the hearing procedure for the review application had been completed. The Board would deliberate on the review application in their absence and inform the applicant of the Board's decision in due course. The Chairman thanked the applicant's representatives and DPO/K for attending the meeting. They left the meeting at this point.

Deliberation

76. The Chairman said that with respect to the rejection reasons of the section 16 application that excessive niches would result in a congested environment for visitors and the applicant had failed to demonstrate that there would be adequate circulation and worshipping space within the Temple, the applicant had reduced the number of niches by 20% and government departments had no adverse comments on the proposal. DPO/K also confirmed that submission to BD had to be made for change of use and the means of escape (MOE), circulation and loading would be examined in detail in the building plan submission stage. Members were invited to consider whether or not the review application should be supported.

77. A Member raised concern on whether the approval of the current application would set a precedent for similar columbarium proposals. The Secretary said that there was no established standard for columbarium development, such as niches/m² ratio or the clear width between niche blocks. The survey done by PlanD on public columbaria was only information for reference purpose, and should not be taken as standard in consideration of similar applications.

78. A Member considered that the Temple had long been used as a columbarium, and if the issue of pedestrian flow could be addressed, the proposed increase in niches should be acceptable. The area requirement of niches was comparatively less relevant in the consideration of the application.

79. Another Member opined that it might not be correct to use the flow capacity for public pedestrian bridges and subways in the analysis of the internal pedestrian flow of the Temple. Other than PlanD, no government departments had expressed their views on whether the IPTIA report was acceptable. The Member also considered that higher

standards should be adopted for new niches for a more comfortable environment. Besides, there were also traffic concerns raised by district council members and residents. In response, the Chairman said that the standards of provision should not be set by the Board. The findings of the survey conducted by PlanD provided only a range of figures for Members' reference. It was noted that the Food and Health Bureau was introducing a Private Columbarium Bill under which a licensing regime would be established to regulate the operation of private columbaria. With the enactment of the Bill, columbaria seeking licence must comply with all statutory and government requirements. For the current application, TD had no adverse comment on the external traffic generated by the proposal. As for internal pedestrian flow, BD would consider the MOE and circulation requirements during the building plan submission stage.

80. After deliberation, the Board decided to approve the application on review, on the terms of the application as submitted to the Board. The planning permission should be valid until 23.1.2019 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. Members then went through the approval conditions and advisory clauses as stated in paragraph 8.2 of the Paper and considered that they were appropriate. The permission was subject to the following conditions:

- “(a) the maximum number of niches within the application premises should not exceed 5,760;
- (b) no additional furnace should be installed within the Fat Jong Temple;
- (c) the design and installation of a new type of joss paper furnace to replace the existing joss paper furnace within the Fat Jong Temple, as proposed by the applicant, within 6 months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the Town Planning Board by 23.7.2015;
- (d) the provision of fire services installation to the satisfaction of the Director of Fire Services or of the Town Planning Board;

- (e) the submission and implementation of traffic mitigation measures to the satisfaction of the Commissioner for Transport or of the Town Planning Board; and
- (f) if the above planning condition (c) is not complied with by the specified date, the approval hereby given should cease to have effect and should on the same date be revoked without further notice.”

81. The Board also agreed to advise the applicant on the following:

- “(a) to note the requirement of obtaining prior planning permission before operating the columbarium at the application premises;
- (b) to note the comments of the District Lands Officer/Kowloon East, Lands Department:
 - (i) to apply to the LandsD for a lease modification to effect the proposal. There is no guarantee that such lease modification application will be approved. If such application is approved, it will be subject to such terms and conditions, including the payment of a premium, as considered appropriate by LandsD acting in the capacity of landlord;
 - (ii) prior to obtaining the necessary approval from LandsD, the applicant should cease any advertising, promotion or selling of niches under application;
- (c) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department (BD) to appoint an Authorised Person (AP) to assess the feasibility of the proposed change of use/alterations and additions works and ensure that any proposed works/change of use are/is carried out in compliance with the Buildings Ordinance (BO) and its allied regulations, in particular:

- (i) the applicant should note that for unauthorized building works (UBW) erected on private buildings/leased land, enforcement action may be taken by BD to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary and that the granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the application premises under BO;
- (ii) the applicant should note that if the proposed use under application is subject to the issue of a licence, any existing structures on the application premises intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority;
- (iii) the AP appointed by the applicant should ensure that the proposed columbarium facilities are in compliance with Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-154 on Design Requirements for Columbarium Facilities;
- (iv) in assessing the required fire resistance rating (FRR) and fire compartment limitations, a columbarium is regarded as "Other Assembly Premises" as set out in Table C1 of the Code of Practice for Fire Safety in Buildings 2011 (FS Code). Adequate FRR should be provided for the proposed columbarium facilities;
- (v) in the circumstances that an emergency vehicular access (EVA) cannot be provided or when the EVA so provided cannot meet the standards as stipulated in the FS Code, an application for exemption/modification should be made on Form BA16 with full justification;
- (vi) the provision of sanitary fitments in a columbarium should

comply with the requirements listed in Table 1 of PNAP APP-154;

- (vii) a columbarium is required to be planned for use by persons with a disability in accordance with Building (Planning) Regulation 72 and the Design Manual: Barrier Free Access 2008;
 - (viii) the design dead load and imposed load for a columbarium are set out in the Code of Practice for Dead and Imposed Loads 2011;
 - (ix) for the purpose of means of escape provision, the occupancy factor of the columbarium should adopt 2m² of usable floor area per person in accordance with the FS Code. Except the area of the niches and the staircases, the prescribed width of exit routes including corridors of balcony approach design and the circulation areas such as lift lobbies etc. should be included in the calculation of usable floor area of a columbarium;
 - (x) detailed comments under the BO will be provided at the building plan submission stage;
- (d) to note the comments of the Director of Environmental Protection to post notices at prominent locations to make known the proposed mitigation measures to all parties including temple staff, the public and the government departments;
- (e) to note the comments of the Director of Fire Services that detailed fire services requirements will be formulated upon receipt of formal submission of general building plans;
- (f) to note the comments of the Secretary for Food and Health and Director of Food and Environmental Hygiene that:
- (i) the columbarium operation should comply with all statutory and

government requirements, such as those on town planning, building and fire safety, as well as land lease;

- (ii) to devise practicable transport and crowd control/management plans; and
- (iii) to implement mitigation measures to the satisfaction of the parties concerned, such as centralizing joss paper burning activities in the columbarium and providing greening where possible.”

82. The meeting was adjourned for lunch break at 2:10 p.m.

83. The meeting was resumed at 3:00 p.m.

84. The following Members and the Secretary were present at the resumed meeting:

Mr Thomas T.M. Chow

Chairman

Mr Stanley Y.F. Wong

Vice-chairman

Mr Roger K.H. Luk

Professor P.P. Ho

Ms Julia M.K. Lau

Ms Bonnie J.Y. Chan

Mr Ivan C.S. Fu

Mr Lincoln L.H. Huang

Mr Dominic K.K. Lam

Mr H.F. Leung

Mr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Deputy Director of Environmental Protection

Mr C.W. Tse

Director of Lands
Ms Bernadette H.H. Linn

Director of Planning
Mr K.K. Ling

85. As the attendees of agenda item 8 had arrived, the Chairman suggested and Members agreed to proceed with agenda item 8 first.

Sha Tin, Tai Po and North District

Agenda Item 8

[Open Meeting (Presentation and Question Sessions only)]

Further Consideration of Review of Application No. A/NE-LT/471
Proposed Three Houses (New Territories Exempted Houses – Small Houses) in
“Agriculture” Zone, Lots 742 S.E, 742 S.G and 742 S.H in D.D. 10, Ng Tung Chai, Tai Po
(TPB Paper No. 9838)

[The meeting was conducted in Cantonese.]

86. The following government representatives and the applicants' representatives were invited to the meeting at this point:

Mr C.K. Soh - District Planning Officer/Sha Tin, Tai Po and North (DPO/STN), Planning Department (PlanD)

Mr Yu Kwok Wing - Senior Land Executive/Small House 1 (SLE/SH1), Tai Po District Lands Office (TPDLO), Lands Department (LandsD)

Mr K.M. Leung, Chris]	
Mr Poon Wood Keung]	
Mr H.P. Chan]	
Mr Yip Fook Wah, Raymond]	Applicants' representatives
Mr Sham Yu Kam]	
Mr Sham Yu Ting]	
Mr Sham Yu Leung]	

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

88. With the aid of a Powerpoint presentation, Mr C.K. Soh, DPO/STN, presented the review application and covered the following main points as detailed in the Paper:

- (a) the applicants sought planning permission to build three houses (New Territories Exempted Houses (NTEHs) – Small House) on the application site under s.16 of the Town Planning Ordinance (the Ordinance). The site fell within an area zoned “Agriculture” (“AGR”) on the approved Lam Tsuen Outline Zoning Plan (OZP) No. S/NE-LT/11;
- (b) on 8.2.2013, the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board) rejected the application for the following reasons:
 - (a) the proposed development did not comply with the interim criteria for consideration of application for NTEH/Small House in New Territories (the Interim Criteria) in that there was still sufficient land available within the “Village Type Development” (“V”) zone to fully meet the future Small House demand; and
 - (b) the applicants failed to demonstrate in the submission why there was no alternative land available within areas zoned “V” for the proposed development;

- (c) on 20.3.2013, the applicants applied for a review of the RNTPC's decision to reject the application. Subsequent to the applicants' request for deferment and the submission of further information by the applicants in January 2014, the review application was considered by the Board on 28.3.2014;
- (d) in considering the review application on 28.3.2014, the Board raised concerns on the 10-year Small House demand forecast provided by the village representative (VR) of Ng Tung Chai, which had been changed over the years. After deliberation, the Board decided to defer making a decision on the application pending further information to be provided by the VR of Ng Tung Chai and the District Lands Officer/Tai Po (DLO/TP), LandsD in relation to the 10-year Small House demand forecast and the relevant Small House figures in the past 10 years;
- (e) the site, comprising two separate portions, was located on a slightly sloping area covered with weeds and was within the village 'environs' ('VE') of Ng Tung Chai. It was accessible via a footpath. The surrounding areas were predominantly rural in character with a mix of village houses, agricultural land, undisturbed vegetated fields, woodland trees and scattered temporary structures;
- (f) previous application – there was no previous application for Small House development at the site;
- (g) similar applications – there were five similar applications (No. A/NE-LT/350, 395, 399, 400 and 499) for Small House developments in the vicinity of the site and within the same "AGR" zone since the first promulgation of the Interim Criteria on 24.11.2000. Two applications (No. A/NE-LT/395 and 399) were rejected and three (No. A/NE-LT/350, 400 and 499) were approved by RNTPC or by the Board on review;

- (h) departmental comments – the departmental comments were summarised in paragraph 5 of Appendix FR-1 of the Paper. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from the agricultural point of view as there were active agricultural activities in the vicinity and the site had high potential for rehabilitation of agricultural activities. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD advised that although the landscape proposals submitted in the review application were acceptable, he had reservation on the application as the subject “AGR” zone was of good landscape quality. Other relevant government departments had no objection to or no adverse comments on the application;
- (i) public comments – during the statutory publication period of the review application, a total of seven objecting public comments were received. The commenters objected to the application mainly on the grounds of environmental, traffic, drainage and sewage impacts, not in line with the planning intention of the “AGR” zone, no technical assessment was submitted and most of the Small House developments were for financial gain rather than accommodation;
- (j) further information – in response to the Board’s request of 28.3.2014, PlanD had liaised with DLO/TP to obtain further information from the VR of Ng Tung Chai Village on the current 10-year Small House demand forecast. In July 2014, the VR provided LandsD a list containing names of the villagers. He also explained the changes in the demand forecast figures over the years. In November 2014, LandsD provided PlanD with a list showing the 10-year Small House demand estimation figures of five past years (viz. 2005, 2009, 2010, 2013 and 2014) varying from 30 to 99 provided by the VR of Ng Tung Chai. Based on the latest information provided by DLO/TP, the 10-year Small House demand forecast obtained from the VR remained at 99 and the outstanding Small House applications of Ng Tung Chai was 20, compared to 13 when the review application was first

considered by the Board on 28.3.2014. DLO/TP advised that the numbers of Small House applications and Small Houses approved in Ng Tung Chai in the past 10 years were 22 and 2 respectively;

(k) PlanD's view – PlanD's planning considerations and assessments were set out in paragraph 3 of the Paper, which were summarised below:

(i) as requested by the Board, the VR of Ng Tung Chai submitted further information on the 10-year Small House demand including names and numbers of villagers as well as explanation on the change in Small House forecast. Nevertheless, the VR had not provided any genealogy or other similar documents to support the 10-year Small House demand forecast;

[Mr C.W. Tse returned to join the meeting at this point.]

(ii) according to DLO/TP, the outstanding Small House applications was 20 and the latest 10-year Small House demand forecast for the same village as provided by the VR was 99. Based on the latest estimation on land availability (about 2.23 ha of land which was equivalent to about 89 Small House sites), there was insufficient land in the subject “V” zone to meet the demand of Small House (i.e. about 2.98 ha of land which was equivalent to about 119 Small House sites) in the long run;

(iii) based on the available information and if the demand forecast provided by the VR was considered acceptable by the Board, the application generally met the Interim Criteria in that more than 50% of the footprint of each of the proposed Small Houses fell within the ‘VE’ of Ng Tung Chai and there was insufficient land within the subject “V” zone to meet the Small House demand, and the proposed developments located within water gathering grounds (WGG) would be able to be connected to the planned sewerage system;

- (iv) when the RNTPC or the Board previously considered the similar applications for Small House developments within the same “AGR” zone, whether the Small House demand could be met by the land available within the “V” zone was a key consideration, despite the 10-year Small House demand forecast figures provided by the VR varied from time to time;
- (v) PlanD maintained its previous views as set out in TPB Paper No. 9571 which was considered by the Board on 28.3.2014, i.e. whether the proposed development generally complied with the Interim Criteria, in that whether there was a general shortage of land within the “V” zone for Small House development, would be a key consideration to decide whether the application should be approved; and
- (vi) Members might consider whether the change in Small House demand forecast was justified. It should be noted that the applicants had not submitted any information to address Members’ concern as to why no alternative land within the “V” zone was available for the Small house developments.

89. The Chairman then invited the applicants’ representatives to elaborate on the review application. Mr K.M. Leung, Chris and Mr Yip Fook Wah, Raymond then made the following main points:

- (a) the RNTPC rejected the application in 2013 as it was estimated that there was still sufficient land available within the “V” zone to meet the future Small House demand. However, the figures of outstanding Small House applications for Ng Tung Chai from DLO/TP and 10-year Small House demand forecast from the VR were not up-to-date at that time;
- (b) an updated 10-year Small House demand forecast figure was provided by the VR when the current review application was first considered by

the Board on 28.3.2014. However, some Members queried the drastic increase in the updated 10-year Small House demand forecast figure provided by the VR, which was crucial for determining whether the application should be approved. The Board then requested PlanD to obtain further information in relation to the Small House demand forecast from the VR and DLO/TP and deferred a decision on the review. The Small House demand forecast figure as verified by the VR and DLO/TP was now presented to the Board for a reconsideration of the review; and

- (c) as regards the RNTPC's concern as to why the applicants did not use the available land within the "V" zone for the Small house developments, it should be noted that most of the vacant land within the "V" zone belonged to *Tso Tong*. The applicants found it very difficult to acquire those land belonged to *Tso Tong* unless the consents of all the concerned villagers to sell the land were obtained.

90. As the presentation of DPO/STN and the applicants' representatives had been completed, the Chairman invited questions from Members.

91. In response to the Chairman and a Member's enquiries, Mr C.K. Soh, DPO/STN, said that the latest 10-year Small House demand forecast figure for Ng Tung Chai as provided and confirmed by the VR was 99. There were 22 Small House applications in Ng Tung Chai in the past 10 years and 2 of them were approved.

92. Ms Bernadette H.H. Linn, Director of Lands, said that according to the presentation made by the applicants' representatives, the 10-year Small House demand forecast figure from the VR had been verified by LandsD. She asked Mr Yu Kwok Wing, SLE/SH1, TPDLO, to explain to the Board the current practice of LandsD on obtaining the Small House demand forecast figures from the VRs. In response, Mr Yu said that under their prevailing practice, the Small House demand figures obtained from the VRs would not be verified by the staff of LandsD.

93. In response to the Chairman's request, Mr Soh outlined the assessment criteria for planning application for Small House development under the Interim Criteria. He said that sympathetic consideration might be given to a planning application if not less than 50% of the proposed Small House footprint fell within the 'VE' of a recognised village and there was a general shortage of land in meeting the demand for Small House development in the "V" zone of the village. The Small House demand was based on the number of outstanding applications for Small House grant being processed by LandsD and the 10-year demand forecast provided by the VR. If the proposed development was located within WGG, it should be able to be connected to existing or planned sewerage system in the area. In the subject case, the footprint of the three proposed Small Houses fell wholly within the 'VE' of Ng Tung Chai. The updated number of outstanding Small House applications and the 10-year Small House demand forecast were 20 and 99 respectively (i.e. a demand of 119 Small House sites), which could not be met by the available land in the village (i.e. about 2.23 ha or 89 Small House sites). Although the proposed Small Houses were located within WGG, they could be connected to the planned sewerage system. Based on the above considerations, the subject application might warrant sympathetic consideration under the Interim Criteria, provided that it would not cause adverse traffic, environmental or landscape impact on the surrounding areas.

94. A Member said that the decision on the application was deferred on 28.3.2014 as the 10-year Small House demand forecast figure provided by the VR could not be verified at that time. However, it was indicated in the Paper that the VR had still not provided any genealogy or other similar documents of the village to support the 10-year Small House demand forecast. This Member asked if the information currently available to the Board was similar to that of 28.3.2014. In response, Mr Soh said that three pieces of additional information had been obtained for the consideration of the Board at the current meeting, including the VR's confirmation that the 10-year Small House demand forecast for Ng Tung Chai should be 99, the VR's explanations as to why the demand forecast figures were changed in the past years, and the updated figure of 20 outstanding Small House applications from LandsD.

95. A Member asked if it was necessary for the VR to produce the genealogy of the village to the Board for verification. In response, Mr Soh said that some Members had previously raised that genealogy or other similar documents of the village could be

taken as evidence to support the 10-year Small House demand forecast figures from the VRs. In this case, the VR had provided a name list of the villagers to LandsD. However, the name list was not included in the Paper as it was not certain whether all people on the list agreed to disclose their names to the public.

96. The Vice-chairman noted from the aerial photo (Plan FR-3) of the Paper that there was still some land available within the “V” zone of Ng Tung Chai for Small House development and asked the applicants’ representatives whether they had tried to find land within the “V” zone for their developments. In response, Mr K.M. Leung, Chris said that most of the available land within the “V” zone belonged to *Tso Tong* and could not be acquired easily. The applicants only wished to use their own land, which was inherited from their ancestors, for building their houses. They had no intention to make profit from the proposed developments.

97. In response to a Member’s enquiry, Mr Soh affirmed that the Small House demand of Ng Tung Chai was 119 (i.e. 20 outstanding Small House applications plus a 10-year demand forecast of 99) requiring about 2.98 ha of land, and the estimated availability of land within the “V” zone was about 2.23 ha, which was equivalent to about 89 Small Houses.

[Mr Ivan C.S. Fu left the meeting at this point.]

98. In response to the Chairman’s question on why a similar application (No. A/NE-LT/350) for Small House development within the same “AGR” zone was approved in 2005, Mr Soh said that according to the information available at that time, it was estimated that there was insufficient land to meet the then Small House demand. Given that the footprint of that proposed Small House fell entirely within the ‘VE’ of Ng Tung Chai, sympathetic consideration was given to approving that application. Mr Leung supplemented that their current development proposal had met the requirements of landscaping, drainage and protection of WGG which were the subjects of the approval conditions imposed under Application No. A/NE-LT/350.

99. Ms Linn said that a prescribed form was designed by LandsD last year with a view to helping the VRs to provide the 10-year Small House demand forecasts for their

villages in a more systematic manner, e.g. the VRs were guided to indicate in the form the number of male indigenous villagers of over 18 years old in Hong Kong and overseas and how many of them had submitted their Small House applications. She asked SLE/SI1 if the VR of Ng Tung Chai had been given the new form to provide his 10-year Small House demand forecast. In response, Mr Yu said that according to their current practice, LandsD would ask the VRs to update their 10-year Small House demand forecasts in December each year. The last updating exercise was carried out in December 2014 using the new prescribed form. The Chairman remarked that the information currently provided by the VR of Ng Tung Chai might not be based on the new form.

100. As the applicants' representatives had no further comments to make and Members had no further questions to raise, the Chairman informed them that the hearing procedure for the review application had been completed. The Board would further deliberate on the review application in their absence and inform the applicants of the Board's decision in due course. The Chairman thanked the applicants' representatives and the government representatives for attending the meeting. They left the meeting at this point.

Deliberation

101. A Member noted that while the reported Small House demand of Ng Tung Chai was 119 (including the 20 outstanding applications being processed by LandsD and a demand forecast of 99 as indicated by the VR), there was still 2.23 ha of land available within the "V" zone according to PlanD's estimate, which could accommodate about 89 Small Houses. As the land available within the "V" zone was already sufficient to meet all the outstanding applications, the Board should not approve the subject application for building Small Houses outside the "V" zone. Another Member concurred and considered that the application should not be approved based on the information currently available.

102. A Member said that as a new prescribed form had been designed by LandsD for the VRs to provide their 10-year Small House demand forecasts, it would be easier for the Board to consider the reliability of the demand forecast figures in future based on the information provided by the VRs in the new form.

103. The Vice-chairman said that there were signs that the criterion of assessing whether there was a general shortage of land in meeting the Small House demand in the “V” zone as set out in the Interim Criteria, which had long been relied on by the Board in considering the planning applications for Small House development, was being abused. It was seen in some cases that the VRs had provided LandsD with exaggerated demand forecast figures, creating an overall picture of land shortage in the “V” zone. While the genealogy of the village might help justify the Small House demand forecast figure, the VR had not provided the Board with such information in this case. It would be prudent for the Board not to approve Small House applications outside the “V” zone unless there was concrete evidence to indicate that land was insufficient within the “V” zone to meet the demand for Small House development. He did not support the subject application.

104. The Chairman said that although a similar application (No. A/NE-LT/499) was approved by the RNTPC in 2014 based on the same 10-year Small House demand forecast of 99, the site of that application fell partly within the “V” zone and partly within the “AGR” zone. In the current application, the site of which fell entirely within the “AGR” zone.

105. A Member shared the views of the Vice-chairman and considered that the amount of land available within the “V” zone for Small House development should be taken into account in assessing the planning application. This Member observed that some VRs might have provided varying Small House demand forecast figures to LandsD over time, and considered that the Board should be more cautious on the 10-year Small House demand forecast figures obtained from the VRs. As the VR of Ng Tung Chai had not provided sufficient information as previously requested by the Board to support the demand forecast, this Member did not support the application.

106. After further deliberation, the Board decided to reject the applications on review. Members then went through the reasons for rejection of the review application as stated in paragraph 4.2 of the Papers and considered that they were appropriate. The reasons were:

- “(a) the proposed development does not comply with the Interim Criteria for Consideration of Application for New Territories Exempted

House/Small House in New Territories in that the applicants fail to demonstrate that there is a general shortage of land within the “Village Type Development” (“V”) zone to fully meet the future Small House demand; and

- (b) the applicants fail to demonstrate in the submission why there is no alternative land available within areas zoned “V” for the proposed development.”

107. As the attendees of agenda items 9 and 10 had arrived, the Chairman suggested and Members agreed to proceed with the two agenda items first.

Agenda Items 9 and 10

[Closed Meeting]

108. These two items were recorded under confidential cover.

[Ms Bonnie J.Y. Chan arrived and Ms Julia M.K. Lau returned to join the meeting, and Mr H.F. Leung, Mr Roger K.H. Ho and Professor P.P. Ho left the meeting during the consideration of agenda items 9 and 10.]

109. As the attendee of agenda item 5 had arrived, the Chairman suggested and Members agreed to proceed with agenda item 5 first.

Tuen Mun and Yuen Long West District

Agenda Item 5

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/YL-TT/336

Temporary Open Storage of Construction Material for a Period of 3 Years
in “Agriculture” Zone, Lots 1937 (Part), 1938 (Part), 1939 (Part), 1940 (Part), in D.D. 118
and Adjoining Government Land, Sung Shan New Village, Tai Tong, Yuen Long
(TPB Paper No. 9833)

[The meeting was conducted in Cantonese.]

110. Mr David C.M. Lam, District Planning Officer/Tuen Mun and Yuen Long West (DPO/TM&YLW), Planning Department (PlanD) was invited to the meeting at this point.

111. The Chairman extended a welcome and informed the meeting that the applicant had decided not to attend the hearing. He then invited DPO/TM&YLW to brief Members on the review application.

112. With the aid of a Powerpoint presentation, Mr David Lam, DPO/TM&YLW, presented the review application and covered the following main points as detailed in the Paper:

- (a) the applicant sought planning permission for temporary open storage of construction material for a period of 3 years at the application site (the site) which fell within the “Agriculture” (“AGR”) zone on the approved Tai Tong Outline Zoning Plan (OZP) No. S/YL-TT/16;
- (b) the site was accessible from Tai Shu Ha Road East via a local track. It was formed and partially fenced off, and currently used for open storage purpose without valid planning permission. Its surrounding areas were rural in character predominated by scattered residential structures, fallow agricultural land, some open storage yards and storages, latrine

and some unused land and vacant structures. The nearest residential structure was located about 5m to the immediate east of the site;

- (c) on 26.9.2014, the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board) rejected the application and the reasons were:
 - (a) the development was not in line with the planning intention of the “AGR” zone which was primarily to retain and safeguard good quality 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. No strong planning justification had been given in the submission for a departure from the planning intention, even on a temporary basis;
 - (b) the development under application did not comply with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No.13E) in that there was no previous planning approval granted to the site and there were adverse departmental comments and local objection against the application;
 - (c) the applicant failed to demonstrate that the development would not generate adverse environmental and drainage impacts on the surrounding areas; and
 - (d) the approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such applications would result in a general degradation of the rural environment of the area;

- (d) on 31.10.2014, the applicant applied for a review of the RNTPC's to reject the application. The applicant had not submitted any written representation in support of the review. The justifications put forth by the applicant in support of the application during the section 16 stage were summarised in paragraph 2 of Annex A of the Paper;
- (e) previous application – the site was the subject of a previous application (No. A/YL-TT/68) for temporary open storage of construction materials and containers with ancillary office for a period of 3 years, which was rejected by the Board on review on 9.6.2000 mainly on the grounds that the development was not in line with the planning intention of the “AGR” zone; the development was not compatible with the surrounding areas which were predominantly rural in character; there was insufficient information in the submission to demonstrate why suitable sites within the two “Open Storage” (“OS”) zones on the Tai Tong OZP could not be made available for the applied use; and approval of the application would set an undesirable precedent for similar uses to penetrate into the “AGR” zone, the cumulative effect of which would result in a general degradation of the environment of the area;
- (f) similar applications – there were five similar applications (No. A/YL-TT/234, 256, 292, 323 and 339) for temporary open storage with or without warehouse and ancillary office/workshop uses within the subject “AGR” zone, which were all rejected either by the RNTPC or the Board on review mainly on the grounds that the proposed developments were not in line with the planning intention of the “AGR” zone and not compatible with the surrounding area which was generally rural in character; the applications were not in line with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13E) in that there was no previous planning approval granted for the sites and there were adverse departmental comments; there was insufficient information to demonstrate that the proposed developments would not cause adverse

environmental, landscape and/or drainage impacts on the surrounding areas; there was no information in the submission to demonstrate why suitable sites within the two “OS” zones on the Tai Tong OZP could not be made available for the proposed development; and approval of the applications would set undesirable precedent for similar uses to proliferate into the “AGR” zone;

- (g) departmental comments – the departmental comments were summarised in paragraph 4 of the Paper. Relevant government departments had no further views/comments on the review application and maintained their previous views on the section 16 application. The Director of Agriculture, Fisheries and Conservation (DAFC) did not support the application from the agricultural development point of view as road access and irrigation source were available and the site could be used for plant nursery and greenhouse cultivation. The Director of Environmental Protection did not support the application as there were sensitive receivers of residential uses in the vicinity. Moreover, there was a substantiated environmental complaint received in 2011 in relation to construction waste found on the site;
- (h) public comments – during the statutory publication period of the review application, two public comments were received from World Wide Fund for Nature Hong Kong (WWF-HK) and a local resident, raising objection to the review application. WWF-HK objected to the review application mainly on the grounds that the development was not in line with the planning intention of the “AGR” zone; approval of the application would set an undesirable precedent for similar applications; and suspected land use change of the site without prior approval of the Board should not be tolerated. The other commenter objected to the review application mainly on environmental and traffic grounds, and considered that the applicant should find other suitable sites for the use. An objection from the Residents Association of Yuen Long Sung Shan New Village was also received by the District Officer (Yuen Long); and

- (i) PlanD's view – PlanD did not support the review application based on the planning considerations and assessments set out in paragraph 6 of the Paper, which were summarised below:
- (i) the development was not in line with the planning intention of the “AGR” zone. DAFC maintained his view of not supporting the application;
- (ii) the site fell within Category 3 areas under the TPB PG-No. 13E. The development did not comply with TPB PG-No. 13E in that there was no previous approval granted at the site for open storage use and there were adverse comments from the relevant departments and local objections against the application;
- (iii) the applicant failed to demonstrate that the development would not generate adverse environmental and drainage impacts on the surrounding areas;
- (iv) the previous application at the site and the similar applications for temporary open storage use within the same “AGR” zone were all rejected either by the RNTPC or the Board on review; and
- (v) approval of the application would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such similar applications would result in general degradation of rural environment.

113. As the presentation from DPO/TM&YLW had been completed, the Chairman invited questions from Members. As Members had no question, the Chairman thanked Mr Lam for attending the meeting. Mr Lam left the meeting at this point.

Deliberation

114. Members generally noted that there was no major change in the planning circumstances of the case since the rejection of the application by the RNTPC. After discussion, Members agreed that the application for review should be rejected.

115. After deliberation, the Board decided to reject the application on review. Members then went through the reasons for rejection of the review application as stated in paragraph 7.1 of the Paper and considered that they were appropriate. The reasons were:

- “(a) the development is not in line with the planning intention of the “Agriculture” (“AGR”) zone which is primarily to retain and safeguard good quality 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. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the development under application does not comply with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No.13E) in that there is no previous planning approval granted to the site and there are adverse departmental comments and local objection against the application;
- (c) the applicant fails to demonstrate that the development would not generate adverse environmental and drainage impacts on the surrounding areas; and
- (d) the approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “AGR” zone. The cumulative effect of approving such applications would result in a general degradation of the rural environment of the area.”

Sha Tin, Tai Po and North District

Agenda Item 7

[Open Meeting]

Request for Deferment of Review of Application No. A/ST/658-2
Proposed Amendment to Previously Approved Scheme for
Comprehensive Development with G/IC Facilities and Public Transport Interchange
in “Comprehensive Development Area (1)” Zone, East Rail Fo Tan Station and its
Adjoining Area at Au Pui Wan Street and Lok King Street, Sha Tin
(TPB Paper No. 9835)

[The meeting was conducted in Cantonese.]

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

Mr Clarence W.C. Leung - his spouse owning a flat in Fo Tan

Mr Frankie W.C. Yeung - owning with spouse a flat at Sui Wo Road,
Fo Tan

Professor K.C. Chau - owning a flat at Royal Ascot, Fo Tan

Mr Ivan C.S. Fu - having current business dealings with
Masterplan Limited, the applicant’s
consultant

117. Members noted that Mr Clarence W.C. Leung had tendered apologies for not able to attend the meeting, and Mr Frankie W.C. Yeung and Professor K.C. Chau had left the meeting. As Mr Ivan C.S. Fu had no involvement in the project, Members agreed that he could stay in the meeting.

118. The Secretary reported that on 13.1.2015, the applicant’s representative wrote to the Board and requested the Board to defer making a decision on the review application for two months to allow time for the applicant to consider the relevant information

provided by the Planning Department and to submit further submission, if any, which might have a material effect on the review application. This was the first request from the applicant for deferment of the review application.

119. Members noted that 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) in that the applicant required more time to consider and address the substance of the review application, the deferment period was not indefinite and the deferment would not affect the interests of other relevant parties.

120. After deliberation, the Board agreed to defer a decision on the review application as requested by the applicant pending the submission of further information by the applicant. The Board also agreed that the review application should be submitted for its consideration within three months upon receipt of the further submission from the applicant. If the further information submitted by the applicant was not substantial and could be processed within a shorter time, the application could be submitted to an earlier meeting for the Board's consideration. The Board also agreed to advise the applicant that the Board had allowed a period of two months for preparation of the submission of further information and no further deferment would be granted unless under very special circumstances.

Procedural Matters

Agenda Item 11

[Open Meeting]

Submission of the Draft Shau Kei Wan Outline Zoning Plan No. S/H9/17A under Section 8 of the Town Planning Ordinance to the Chief Executive in Council for Approval
(TPB Paper No. 9836)

[The meeting was conducted in Cantonese.]

121. Professor Eddie C.M. Hui had declared an interest in this item as he owned 50% of a flat at Oi Yin Street, Shau Kei Wan. Members noted that Professor Hui had left the meeting.

122. The Secretary briefly introduced the Paper. On 31.10.2014, the draft Shau Kei Wan Outline Zoning Plan (OZP) No. S/H9/17, incorporating amendments mainly to rezone a site at A Kung Ngam Village Road from “Other Specified Uses” annotated “Business” (“OU(B)”) to “OU(B)1” with ‘Hospital (for “OU(B)1” only)’ incorporated under Column 2 of the Notes of the “OU(B)” zone, was exhibited for public inspection under section 5 of the Town Planning Ordinance. Upon expiry of the two-month exhibition period, no representation was received. As the plan-making process had been completed, the draft OZP was ready for submission to the Chief Executive in Council (CE in C) for approval.

123. After deliberation, the Board:

- (a) agreed that the draft Shau Kei Wan OZP No. S/H9/17A and its Notes at Annexes I and II of the Paper respectively were suitable for submission under section 8 of the Ordinance to the CE in C for approval;
- (b) endorsed the updated Explanatory Statement (ES) for the draft Shau Kei Wan OZP No. S/H9/17A at Annex III 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
- (c) agreed that the updated ES was suitable for submission to the CE in C together with the draft OZP.

Agenda Item 12

[Open Meeting]

Submission of the Draft Tung Chung Town Centre Area Outline Zoning Plan No. S/I-TCTC/19A under Section 8 of the Town Planning Ordinance to the Chief Executive in Council for Approval
(TPB Paper No. 9837)

[The meeting was conducted in Cantonese.]

124. As this item was concerned with a proposed Home Ownership Scheme (HOS) development by the Housing Department, which is the executive arm of the Hong Kong Housing Authority (HKHA), the following Members had declared interests in the item:

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|---|--|
| Mr Stanley Y.F. Wong
(Vice-chairman) | - being a member of HKHA and its Strategic Planning Committee and Chairman of its Subsidised Housing Committee |
| Professor P.P. Ho | - being a member of the Building Committee of HKHA |
| Ms Julia M.K. Lau | - being a member of the Commercial Properties Committee and the Tender Committee of HKHA |
| Mr H.F. Leung | - being a member of the Tender Committee of HKHA and having business dealings with HKHA |
| Mr K.K. Ling
(as Director of Planning) | - being a member of the Strategic Planning Committee and the Building Committee of HKHA |

Ms Bernadette H.H. Linn - being a member of HKHA
(as Director of Lands)

Mr Martin W.C. Kwan - being the representative of the Director of Home Affairs who was a member of the Strategic Planning Committee and the Subsidised Housing Committee of HKHA
(as Chief Engineer
(Works), Home Affairs Department)

Ms Janice W.M. Lai]
Mr Patrick H.T. Lau] having business dealings with HKHA
Mr Dominic K.K. Lam]

125. As the item was procedural in nature and no discussion was required, Members agreed that the above Members could stay in the meeting. Members also noted that Professor P.P. Ho, Mr Martin W.C. Kwan, Ms Janice W.M. Lai and Mr Patrick H.T. Lau had left the meeting.

126. The Secretary briefly introduced the Paper. On 17.10.2014, the draft Tung Chung Town Centre Area Outline Zoning Plan (OZP) No. S/I-TCTC/19, incorporating amendments mainly related to the rezoning of a site bounded by Yu Tung Road, Chung Yan Road and Tung Chung Road in Tung Chung Area 27 from “Government, Institution or Community” to “Residential (Group A)1” for a proposed HOS development and the associated zoning boundaries adjustments, was exhibited for public inspection under section 5 of the Town Planning Ordinance. Upon expiry of the two-month exhibition period, no representation was received. As the plan-making process had been completed, the draft OZP was ready for submission to the Chief Executive in Council (CE in C) for approval.

127. After deliberation, the Board:

(a) agreed that the draft Tung Chung Town Centre Area OZP No. S/I-TCTC/19A and its Notes at Annexes I and II of the Paper respectively were suitable for submission under section 8 of the Ordinance to the CE in C for approval;

- (b) endorsed the updated Explanatory Statement (ES) for the draft Tung Chung Town Centre Area OZP No. S/I-TCTC/19A at Annex III 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
- (c) agreed that the updated ES was suitable for submission to the CE in C together with the draft OZP.

Agenda Item 13

[Open Meeting]

Information Note and Hearing Arrangement for the Consideration of Representations and Comment in respect of the Draft Shek Kip Mei Outline Zoning Plan No. S/K4/28
(TPB Paper No. 9839)

[The meeting was conducted in Cantonese.]

128. This item involved amendments to the approved Shek Kip Mei Outline Zoning Plan (OZP) No. S/K4/27 to facilitate public housing developments by the Hong Kong Housing Authority (HKHA) and a proposed private residential development to the north of Yin Ping Road. The Chairman and the following Members had declared interests in this item for owning properties in the Shek Kip Mei district or having affiliation with HKHA:

Mr Thomas T.M. Chow - owning with spouse a flat at Parc Oasis, Yau
(Chairman) Yat Tsuen

Mr Peter K.T. Yuen - owning with spouse a flat at Parc Oasis, Yau
Yat Tsuen

Mr H.W. Cheung - owning a flat at Parc Oasis, Yau Yat Tsuen

- Mr Clarence W.C. Leung - his mother owning a flat at Dynasty Heights,
Yin Ping Road
- Mr Stanley Y.F. Wong - being a member of HKHA and its Strategic
(Vice-chairman) Planning Committee and Chairman of its
Subsidised Housing Committee
- Professor P.P. Ho - being a member of the Building Committee of
HKHA
- Ms Julia M.K. Lau - being a member of the Commercial Properties
Committee and the Tender Committee of
HKHA
- Mr H.F. Leung - being a member of the Tender Committee of
HKHA and having business dealings with
HKHA
- Mr K.K. Ling - being a member of the Strategic Planning
(as Director of Planning) Committee and the Building Committee of
HKHA
- Ms Bernadette H.H. Linn - being a member of HKHA
(as Director of Lands)
- Mr Martin W.C. Kwan - being the representative of the Director of
(as Chief Engineer Home Affairs who was a member of the
(Works), Home Affairs Strategic Planning Committee and the
Department) Subsidised Housing Committee of HKHA
- Ms Janice W.M. Lai]
- Mr Patrick H.T. Lau] having business dealings with HKHA
- Mr Dominic K.K. Lam]

129. As the item was procedural in nature and no discussion was required, Members agreed that the above Members could stay in the meeting. Members also noted that Mr H.W. Cheung and Mr Clarence W.C. Leung had tendered apologies for not able to attend the meeting, and Professor P.P. Ho, Mr Martin W.C. Kwan, Ms Janice W.M. Lai and Mr Patrick H.T. Lau had already left the meeting.

130. The Secretary briefly introduced the Paper. On 18.7.2014, the draft Shek Kip Mei OZP No. S/K4/28 was exhibited for public inspection under section 5 of the Town Planning Ordinance. The amendments mainly involved amendment to the building height restrictions (BHRs) of two “Residential (Group A)” sites at Pak Tin Street covered by Shek Kip Mei Estate Redevelopment Phases 3 (part) and 7 from 30mPD to 55mPD and 60mPD respectively (Amendment Items A and B), and rezoning of a site to the north of Yin Ping Road from “Green Belt” to “Residential (Group C)13” (Amendment Item C).

131. During the two-month exhibition period, a total of 5,112 representations were received. The representations were published for three weeks and one comment was received. Subsequently, one representer (R406) wrote to the Board indicating that he had not submitted the representation. As such the total number of representations was revised to 5,111. Amongst the representations, two were related to the proposed public housing sites under Amendment Items A and B and 5,109 were related to the proposed private housing site under Amendment Item C.

132. Based on the subject of the representations and comment, it was suggested that the representations and comment be heard by the full Board in two groups, as follows:

- (a) Group 1: collective hearing for two representations (R1 and R5111) in respect of Amendment Items A and B; and
- (b) Group 2: collective hearing of 5,109 representations (R2 to R405, R407 to R5110 and R5112) and the comment (C1) in respect of Amendment Item C.

133. Due to the large number of representations and comment received, and to ensure efficiency of the hearing, it was recommended that a maximum of 10 minutes

presentation time be allotted to each representer/commenter in the hearing session. The hearing was tentatively scheduled for March 2015.

134. After deliberation, the Board agreed that the representations and comment should be heard by the Board in the manner proposed in paragraph 3 of the Paper.

Agenda Item 14

[Open Meeting]

Any Other Business

[The meeting was conducted in Cantonese.]

Approval of Draft Outline Zoning Plans

135. The Secretary reported that on 6.1.2015, the Chief Executive in Council approved the Kowloon Tong Outline Zoning Plan (OZP) (renumbered as S/K18/19), Cheung Chau OZP (renumbered as S/I-CC/7) and Lamma Island OZP (renumbered as S/I-LI/11) under section 9(1)(a) of the Town Planning Ordinance.

136. The approval of the Kowloon Tong OZP, Cheung Chau OZP and Lamma Island OZP had been notified in the Gazette on 16.1.2015.

137. There being no other business, the meeting was closed at 5:15 p.m.