

**Minutes of 1140th Meeting of the  
Town Planning Board held on 5.5.2017**

**Present**

Permanent Secretary for Development  
(Planning and Lands)  
Mr Michael W.L. Wong

Chairman

Professor S.C. Wong

Vice-Chairman

Mr Lincoln L.H. Huang

Mr Sunny L.K. Ho

Ms Janice W.M. Lai

Mr Dominic K.K. Lam

Mr Patrick H.T. Lau

Mr H.F. Leung

Mr Stephen H.B. Yau

Dr F.C. Chan

Mr David Y.T. Lui

Dr Frankie W.C. Yeung

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr Lawrence W.C. Poon

Mr K.K. Cheung

Mr Wilson Y.W. Fung

Mr Alex T.H. Lai

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Ms Sandy H.Y. Wong

Mr Franklin Yu

Deputy Director of Environmental Protection  
Mr C.W. Tse

Deputy Director of Lands/General  
Ms Karen P.Y. Chan

Chief Engineer (Works)  
Home Affairs Department  
Mr Martin W.C. Kwan

Director of Planning  
Mr Raymond K.W. Lee

Deputy Director of Planning/District  
Ms Jacinta K.C. Woo

Secretary

**Absent with Apologies**

Mr H.W. Cheung

Professor K.C. Chau

Dr Wilton W.T. Fok

Mr Ivan C.S. Fu

Ms Christina M. Lee

Dr C.H. Hau

Mr Thomas O.S. Ho

Professor T.S. Liu

Miss Winnie W.M. Ng

Principal Assistant Secretary (Transport 3)

Transport and Housing Bureau

Mr Andy S.H. Lam

**In Attendance**

Assistant Director of Planning/Board

Miss Fiona S.Y. Lung

Chief Town Planner/Town Planning Board

Mr Kevin C.P. Ng (Agenda Items 1 to 4)

Ms Sally S.Y. Fong (Agenda Items 5 and 6)

Senior Town Planner/Town Planning Board

Ms Karen F.Y. Wong (Agenda Items 1 to 4)

Mr K.K. Lee (Agenda Items 5 and 6)

### **Agenda Item 1**

[Open meeting]

#### Confirmation of Minutes of the 1139<sup>th</sup> Meeting held on 21.4.2017

[The meeting was conducted in Cantonese.]

1. The minutes of the 1139<sup>th</sup> meeting held on 21.4.2017 were confirmed without amendments.

### **Agenda Item 2**

[Open Meeting]

#### Matters Arising

[The meeting was conducted in Cantonese.]

##### (i) Approval of Draft Plans

2. The Secretary reported that on 11.4.2017, the Chief Executive in Council (CE in C) approved the Tsuen Wan Outline Zoning Plan (OZP) (renumbered as S/TW/33) and the Cha Kwo Ling, Yau Tong, Lei Yue Mun OZP (renumbered as S/K15/25) under section 9(1)(a) of the Town Planning Ordinance (the Ordinance). The approval of the said OZPs was notified in the Gazette on 28.4.2017. On 25.4.2017, the CE in C approved the Draft Pak Sha O OZP No. S/NE-PSO/1A (renumbered as S/NE-PSO/2) under section 9(1)(a) of the Ordinance. The approval of the said OZP was notified in the Gazette on 5.5.2017.

##### (ii) Reference Back of Approved Plan

3. The Secretary reported that on 25.4.2017, the CE in C referred the Approved Aberdeen & Ap Lei Chau OZP No. S/H15/31 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The reference back of the said OZP was notified in the Gazette on 5.5.2017.

**Sha Tin, Tai Po and North District**

**Agenda Item 3**

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/PSK/16

Proposed Residential Institution cum Ancillary Office (InnoCell) in “Government, Institution or Community” Zone, Government Land at the Junction of Chong San Road and Science Park Road, Pak Shek Kok, Tai Po, New Territories

(TPB Paper No. 10275)

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[The meeting was conducted in Cantonese.]

4. The Secretary reported that the application was submitted by the Hong Kong Science and Technology Parks Corporation (HKSTPC). Kenneth To & Associates Ltd (KTA), Ramboll Environ Hong Kong Limited (Environ) and AIM Group Ltd (AIM) were the consultants of the applicant. The following Members had declared interests on the item:

- |                     |   |   |
|---------------------|---|---|
| Mr Patrick H.T. Lau | - | having current business dealings with KTA   |
| Mr K.K. Cheung      | ] | their firm having current business dealings with  |
| Mr Alex T.H. Lai    | ] | HKSTPC  |
| Mr Ivan C.S. Fu     | ] | having current business dealings with Environ   |
| Ms Janice W.M. Lai  | ] |   |
| Mr Stephen L.H. Liu | - | having past business dealing with HKSTPC, and personally known one of the applicant’s representatives |
| Mr David Y.T. Lui   | - | personally known one of the applicant’s representatives   |
| Mr Peter K.T. Yuen  | - | involving in the preparation of master layout plan for the Hong Kong Science Park (HKSP) in 2000      |

- Mr Dominic K.K. Lam - having business dealing with HKSTPC more than 10 years ago
- Ms Sandy H.Y. Wong - her previous firm rented a premises in HKSP
- Dr Lawrence Poon - his son was working in a company resided in HKSP

5. Members noted that Mr Ivan C.S. Fu had tendered apology for being unable to attend the meeting. Members agreed that Mr Patrick H.T. Lau, Mr K.K. Cheung, Mr Alex T.H. Lai and Ms Janice W.M. Lai could stay in the meeting as they had no direct involvement in the project. Members also agreed that Mr Stephen L.H. Liu, Mr David Y.T. Lui, Mr Peter K.T. Yuen, Mr Dominic K.K. Lam, Ms Sandy H.Y. Wong and Dr Lawrence Poon could stay in the meeting as their interests were indirect, and noted that Mr K.K. Cheung and Mr Alex T.H. Lai had not yet arrived to join the meeting.

#### Presentation and Question Sessions

6. The following representatives from the Planning Department (PlanD) and the applicant's representatives were invited to the meeting :

- Ms Jessica H.F. Chu - District Planning Officer/Shau Tin, Tai Po and North (DPO/STN), PlanD
- Mr C.T. Lau - Senior Town Planner/Tai Po, PlanD

#### *HKSTPC*

- Mrs Fanny Law Fan Chiu Fun ]
- Mr Simon Wong ]
- Mr Lui Sau Shun Ben ]
- Ms Li Chi Man Emily ] Applicant's representatives

#### *KTA*

- Mr Kenneth To ]
- Ms Pauline Lam ]
- Ms Gladys Ng ]

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

8. With the aid of a PowerPoint presentation, Ms Jessica H.F. Chu, DPO/STN, briefed Members on the background of the review application including the consideration of the application by the Rural and New Territories Planning Committee (RNTPC) of the Town Planning Board (the Board), public comments and planning considerations and assessments as detailed in TPB Paper No. 10275 (the Paper).

[Mr Franklin Yu, Mr Alex T.H. Lai and Dr Frankie W.C. Yeung arrived to join the meeting during DPO/STN's presentation.]

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

10. With the aid of a PowerPoint presentation, Mr Lui Sau Shun Ben made the following main points :

- (a) phase 3 development of HKSP had been completed. HKSP Stage 1 Expansion (SPX1) commenced in 2016 which was planned with buildings up to 75mPD. It was expected that HKSP would house 18,000 employees upon full occupation of SPX1. HKSTPC was actively planning to pursue Stage 2 Expansion (SPX2) and Stage 3 Expansion (SPX3) including possible redevelopment of the multi-storey car park, etc. in Phase 1 area to cater for the need beyond 2020. The Site was located next to SPX3;
- (b) researches indicated that a science and technology park planned on the 'learning village model' that comprised businesses, educational centres and residential areas could make it a truly vibrant urban communities. The Chinese University of Hong Kong (CUHK) in proximity was the educational centre and the proposed development could fulfill the need for residential accommodation to make HKSP a learning village. Despite that there was

residential area nearby, the rents of the flats there were high and not affordable to the tenants of HKSP, especially for the incubatees/start-ups;

- (c) the international medical research hub in Mexico City and Connell Tech's Roosevelt Island in New York also had housing elements in their development. As revealed in the large number of supportive comments received for the application, the proposal was welcomed by the Innovation and Technology (I&T) professionals;
- (d) the proposed development would have 500 bedspaces. The targeted tenants would be incubatees/start-ups of HKSTPC, overseas/mainland employees of HKSTPC's existing partner companies and overseas/mainland visiting scientists/researches participating in I&T related projects/programmes in HKSP; and
- (e) the proposed residential institution could provide common space for cross-communication, collaboration and leisure for the occupants which were essential to foster an ambient for I&T development.

11. With the aid of the physical models and a PowerPoint presentation, Mr Kenneth To made the following main points :

*Development Scale and Intensity*

- (a) based on a market survey in 2016, a total of 577 targeted persons indicated the strong demand for accommodation within HKSP. The 500 bedspaces currently proposed under the application were insufficient to meet the demand, not to mention the working population in HKSP would increase from the existing 13,000 to 18,000 upon full occupation of SPX1 in 2020/21 and further increase under HKSP's expansion plan. The Site was the only undeveloped "Government, Institution or Community" ("G/IC") site in the vicinity of HKSP. Given the accommodation need of HKSP and scarce land resources, the Site should be fully utilized;

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

*Responses to RNTPC's Comments*

- (b) improvements were made to the development scheme by reducing the space per person to 18m<sup>2</sup> carpet area as well as the height, length and footprint of the proposed building. The building would setback from Science Park Road to create more open space on the ground floor (G/F) and improve the overall visual quality;
- (c) despite the main roof level of the adjoining Bio-informatics Centre was at 44.7mPD, its architectural feature roof was up to 57.37mPD. The BH of the proposed development with a main roof level at 59mPD was compatible with that of the adjoining Bio-informatics Centre and other buildings along Tolo Highway;
- (d) as shown in the revised photomontages, the visual quality of the area from the viewpoint at the HKSP entrance was improved with adoption of the stepped BH design for the proposed development. When viewing from Ma On Shan Promenade and CUHK, the proposed development falling within the building cluster of HKSP was not visually out-of-context, especially when the new blocks of 75mPD in SPX1 were in place;
- (e) some members of RNTPC had also suggested to reduce overall bulk of the proposed development by enlarging the development site to include adjoining land zoned "Other Specified Use" annotated "Sewage Pumping Station" ("OU(SPS)") and "G/IC" for an existing refuse collection point. The suggestion would involve reprovisioning and rezoning processes, and a lot of technical issues would need to be resolved with various government departments. As such, about 5 to 10 years would be required which could not address the urgent accommodation need of HKSP;
- (f) some members of RNTPC commented that the proposed development were bulky and more like a hotel development. The building design was revised so that the lower floors would be visually less bulky while retaining sufficient floor areas for the ground and mezzanine floors to accommodate common facilities, and such design was also found in some of the existing buildings in HKSP. The proposed development was not a hotel development but an

integral part of HKSP to provide accommodation for I&T professionals in HKSP and would be managed and owned by HKSTPC;

- (g) RNTPC were concerned that the proposed development would breach the ridgeline of Pat Sin Leng. As shown in the photomontage of the proposed development, when viewing from Ma On Shan Promenade (near Oceanaire), the ridgeline descending from Wong Leng and Pat Sin Leng (above 510mPD) to Cloudy Hill (440mPD). HKSP was located away from Pat Sin Leng. The proposed development of 59mPD would be visually comparable to the adjoining buildings in HKSP and would not significantly affect the existing view to the ridgeline; and
- (h) in conclusion, there was a need for the proposed development in HKSP. The Site was the only vacant land and should be fully utilized given the scarce and valuable land resource. The development scheme had been revised to fully address the comments received at the s.16 stage and government departments had no objection/further comments on the application.

12. As the presentation from PlanD's representatives and the applicant's representatives had been completed, the Chairman invited questions from Members.

13. A Member asked whether the revised scheme should be treated as a new scheme requiring a fresh application. In response, the Secretary said that at the s.17 stage, the applicant submitted further information including a revised scheme for the application which was accepted as it would not result in a material change of the nature of the application in accordance with the relevant Town Planning Board guidelines. As such, the Board could consider the revised scheme under the review application and there was no need for a fresh application.

*Need for the Proposed Residential Institution in HKSP*

14. The Chairman and some Members raised the following questions on the need for the proposed residential institution in HKSP:

- (a) how the proposed residential institution could enhance the I&T development of HKSP;

- (b) why HKSTPC agreed to convert the site for HKSP phase 4 development to residential use in 2014 but currently considered that there was a need for residential institution for its tenants;
- (c) whether the primary purpose of the proposed residential institution was for providing affordable housing or convenient housing; and
- (d) whether HKSTPC could co-operate with the nearby hotels or CUHK to provide accommodation to meet its need.

15. In response, Mrs Fanny Law Fan Chiu Fun and Ms Li Chi Man Emily made the following main points :

- (a) residential institution for talents/professionals could be found in the science and technology park in Singapore, Beijing and the United States (US). The Silicon Valley in US was a successful I&T hub because its development had integrated technology and research companies with educational institution and residential institution to create a vibrant community. HKSP was far away from major residential areas and not well served by public transport network. Workers in HKSP usually took scheduled shuttle buses to the public transport node. The provision of the residential institution with common space/facilities, such as reading rooms and common rooms, could encourage the exchange of ideas across different I&T fields even after working hours to enhance innovation and creativity ambient of HKSP. The proposed residential institution could also attract overseas talents to work in Hong Kong;
- (b) HKSTPC agreed to use its phase 4 site for residential development in 2014 after considering the overall need of Hong Kong at the time. The need for providing affordable housing in HKSP was revealed recently when HKSTPC visited overseas countries to recruit I&T companies and talents;
- (c) both affordability and convenience were the main considerations in proposing the residential institution. A convenient location would facilitate I&T talents to gather for collaboration and conduct their

research work in the laboratories around the clock. Incubatees/start-ups, in particular, could not afford the housing accommodation nearby where the monthly rent of a small flat with floor area of about 500 ft<sup>2</sup> was at least \$20,000. The proposed residential institution was also essential to enhance the competitiveness of HKSP against their counterparts overseas; and

- (d) hotel was operated under commercial principle and the monthly rent of the hotels in Ma On Shan and Shatin was at least \$20,000, which was not affordable to the young incubatees/start-ups and I&T professionals. While HKSTPC would explore the opportunities to co-operate with CUHK in the future, the proposed residential institution at the Site could address the immediate need for residential institution in HKSP.

#### *Operation and Design of the Proposed Residential Institution*

16. Some Members raised the following questions on the operation of the proposed residential institution:

- (a) what the targeted tenant groups, rent and tenancy period of the proposed residential institution were;
- (b) whether outsiders could use the common facilities in the proposed residential institution and its walkability and accessibility to the users of HKSP; and
- (c) whether the rooftop of the proposed residential institution could be used as common space.

17. In response, Ms Li Chi Man Emily made the following main points :

- (a) it was intended that about 45% of the tenants would be from incubatees/start-up programmes of HKSTPC who had no local properties, 45% from overseas employees of HKSTPC's existing partner companies and 10% from overseas visiting scientists/researchers. Subject to the

prevailing market value and affordability of the tenants, the monthly rent for a unit would be from \$8,000 to \$10,000 at 2019/20 value. The tenancy period would be at least one month, likely for visiting scientists, and could be up to 4 years depending on the duration of the programmes the tenants engaged in;

- (b) the common facilities in the proposed residential institution were mainly for the tenants while the G/F open space would be opened to the public. There were a lot of common spaces in HKSP to enhance collaboration among the I&T talents, university students and potential start-ups. The Site was within 5 minutes walking/cycling distance to HKSP; and
- (c) consideration would be given to making use of rooftop of the proposed residential institution as common space in the detailed design stage.

#### *Suitability of the Site*

18. Some Members raised the following questions on the suitability of the Site:

- (a) whether there was example of residential development located next to a sewage pumping station (SPS) in Hong Kong;
- (b) how the Site, with SPS and refuse collection point (RCP) nearby, could offer a pleasant environment to attract the targeted tenants; and
- (c) given the small size of the Site, whether it could provide adequate supporting facilities for tenants, such as gymnasium and eating places.

19. In response, Ms Jessica H.F. Chu made the following main points:

- (a) there were examples of residential development locating next to SPS in Tai Po and Ma On Shan. Unlike a sewage treatment plant, SPS would not have any open-air treatment of sewage and thus would not generate substantial odour nuisance. There had been no complaints on odour nuisance since the SPS commenced its operation in 2003; and

- (b) since the proposed development would have central air-conditioning with lockable windows, the Environmental Protection Department had no adverse comments on the application.

20. Ms Li Chi Man Emily, Mr Lui Sau Shun Ben and Mr Kenneth To also made the following main points :

- (a) another example was the residential block locating next to SPS at Long Ping Station of the West Rail Link. The concerned SPS and RCP were well managed and had not generated odour nuisance in the area;
- (b) the design of the proposed residential institution had already taken into account the nearby SPS by placing non-sensitive uses such as storerooms, lift core, staircases and corridor at the façade facing SPS. The proposed residential institution would be a prototype for smart living and technologies invented in HKSP to make it more attractive to young I&T talents; and
- (c) HKSP already had recreational club and eating places which could serve future tenants.

#### *Development Scale*

21. Some Members raised the following questions on the scale of the proposed development :

- (a) whether an average unit space of 18m<sup>2</sup> was large enough to attract talents, especially those from overseas;
- (b) whether the Site could combine with the adjoining SPS site for development on a larger site area; and
- (c) whether the floor spaces of the residential institution could be spread and accommodated in several sites inside HKSP or to develop underground space to reduce the building bulk above ground.

22. In response, Mrs Fanny Law Fan Chiu Fun and Ms Li Chi Man Emily made the following main points :

- (a) given that the room size of the student hostel in the Hong Kong University of Science and Technology was about 150 ft<sup>2</sup>, a bedspace of 18m<sup>2</sup> in the proposed residential institution should be sufficient to attract young local talents and those from other less developed countries. By adopting the smart living design, the rooms in the proposed residential institution would look more spacious and attractive. Depending on the findings of future market study, 3 to 4 floors of the proposed residential institution would have units with interconnected doors which could readily be converted into 2-bedroom or 3-bedroom units to cater for families if required. The number of 2-bedroom and 3-bedroom units would be about 40 each; and
- (b) the existing buildings in HKSP had already high occupancy rate and could not accommodate the proposed use. The laboratories in the existing buildings would also give rise to hazard concerns, and a dedicated site for residential institution was more appropriate. The Site was the only one currently available. Underground development at the Site needed to take into account the pedestrian subway nearby and high development cost. Provision of residential institution in the future expansion plans of HKSP could not meet the immediate need.

23. Ms Jessica H.F. Chu also said that the adjoining SPS site was allocated to the Drainage Services Department. Should the site be included for the proposed development, an alternative site for SPS needed to be first identified and relevant study should be conducted to confirm its feasibility, and rezoning of the site to an appropriate zone would be required, which would take a longer time.

#### *Visual Concern*

24. Some Members raised the following questions on the visual concern:

- (a) whether there were guidelines for protecting the ridgeline for Cloudy Hill and Pat Sin Leng;

- (b) whether comments from Architectural Services Department (ArchSD) at the s.16 stage, particularly regarding the long and monotonous building length of the proposed development, had been addressed under the revised scheme;
- (c) whether greening would be provided at the G/F public open space of the proposed development; and
- (d) how the concerns on the architectural design and built form raised in the s.16 stage were addressed in the revised scheme.

25. In response, Ms Jessica H.F. Chu made the following main points :

- (a) there were urban design guidelines for protecting the ridgeline when viewing from specified vantage points on both sides of Victoria Harbour where a 20% building-free zone was specified, but such guidelines were not applicable to the New Territories area. Given that the proposed development was located next to HKSP and its BH and design were generally compatible with the surrounding buildings, its overall visual impact on the area was not unacceptable. The Chief Town Planner/Urban Design and Landscape of PlanD had no objection to the application; and
- (b) ArchSD considered the revised scheme had addressed his comments raised at the s.16 application stage and had no further comment on the revised scheme at the s.17 review stage.

26. Ms Li Chi Man Emily and Mr Kenneth L.K. To also made the following main points :

- (a) with reference to the photomontage shown in the PowerPoint, from the vantage point at Ma On Shan Promenade, the ridgeline from Pat Sin Leng to Cloudy Hill was mostly intact;
- (b) with reference to a landscape master plan shown on the visualizer, the G/F open space for public would have abundant greening and tree planting; and

- (c) to address the concern on architectural design and built form, they had reduced the BH and building length of the proposed residential institution, adopted a stepped BH design, provided a further setback from Science Park Road, and redesigned the G/F layout to remove the podium-like structure in the revised scheme.

27. In response to the question of Mr Raymond K.W. Lee, the Director of Planning, Ms Li Chi Man Emily said that there were two new building blocks with a maximum BH of 75mPD in SPX1. SPX2 and SPX3 were still under planning. Subject to lease modification, the BH in SPX2 and SPX3 would be up to 82 mPD. SPX2/3 and SPX1 would each form a gateway at the two ends of HKSP. The proposed development was located near to the gateway and its BH was commensurate with the future developments of HKSP.

*Planning Intention of “Government, Institution or Community” (“G/IC”) zone*

28. A Member asked whether the proposed development was regarded as a GIC use, and if not, whether rezoning would be more appropriate in accordance with the TPB Guidelines. In responses, Ms Jessica H.F. Chu said that the proposed development was to provide dormitory/hostel for HKSP which was generally in line with planning intention of the “G/IC” zone to provide land for uses directly related to or in support of the work of the institutional establishments serving the needs of the community.

*Others*

29. Some Members raised the following questions:

- (a) whether there was an overall government policy for providing residential institution in support of the I&T industry in Hong Kong, instead of HKSTPC’s current piecemeal and ad hoc approach to identify a small site for development which could not meet the huge demand; and
- (b) details of the incubation programmes.

30. Mr Raymond K.W. Lee said that the Government was planning the development of another science and technology park in Lok Ma Chau Loop in which supporting accommodation and residential institution would be provided. The Government was also

carrying out a study for a possible science park development near Liantang/Heung Yuen Wai Boundary Control.

31. Mr Lui Sau Shun Ben and Ms Li Chi Man Emily said that the incubation programme was detailed in HKSTPC's website, and in gist, the programme was opened to applications from both local and overseas talents. There were 200 incubatees in the programme currently with the majority being local talents, and HKSTPC intended to increase the number of incubatees to 500 in future. The incubation programme had not set any minimum quota for the number of local and overseas incubatees.

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

#### Deliberation Session

33. The Chairman invited Members to consider the review application taking into account the written and oral submissions.

34. The Vice-chairman and some Members made the following main points:

##### *Need for the Proposed Development and Suitability of the Site*

- (a) the proposed residential institution in HKSP could foster collaboration of talents across fields which would be conducive to the advancement of I&T industry in Hong Kong;
- (b) it was recognized that housing issue was one of the main hurdles in attracting overseas talents to work in Hong Kong. There was also a genuine need for HKSTPC to provide residential institution for HKSP as its location was inconvenient and served mainly by scheduled shuttle buses;

- (c) the Site was suitable for the proposed development as it was located within walking distance to HKSP. The use of the Site for the proposed residential institution to support HKSP was supported in general;

*Visual Concern*

- (d) the applicant had already reduced the scale and intensity of the proposed development, and improved its architectural design and built form to address the concerns raised by the RNTPC at the s.16 stage to render it more compatible with the surrounding developments;
- (e) given that the existing building nearby including the architectural feature roof was already up to 57mPD and the planned buildings in HKSP expansion would be up to 75mPD, it was considered that the proposed development with a BH of 59mPD would not be visually out-of-context. The environment of the locality would also be improved by setting back the proposed development from Science Park Road and enlarging the G/F open space area for public use and landscaping; and
- (f) despite that the proposed development would breach the lower part of the ridgeline of Cloudy Hill at some local vantage points. The proposed development was located within the development cluster of HKSP. The overall visual impact arising from the proposed development on the area was considered not unacceptable.

35. Some Members had reservation on the review application and made the following main points:

- (a) the scale and intensity of the proposed development were only slightly reduced in the revised scheme, the BH was not in line with the current stepped BH profile of HKSP and a hostel could not serve as an iconic building for HKSP that merited a higher BH. The expansion plans of HKSP in different phases were still on drawing board. In considering the current review application, it should not presume that the buildings in SPX2 and SPX3 could be built up to 82mPD as claimed by the applicant would be in place. The saw-tooth built form of the proposed

development did not tally with the streamlined built form of the existing buildings;

- (b) the development scale should be further reduced to avoid breaching the ridgeline; and
- (c) the Government should provide affordable housing to I&T professionals to support the industry in Hong Kong as a whole, instead of HKSTPC's approach to address the issue in a piecemeal and ad hoc manner. The Site was too small for forming the critical mass required for effective collaboration.

36. Some Members had the following views on the proposed scheme under review application:

- (a) the proposed saw-tooth floor layout of the development would pose constraints in converting the bedspaces into 2-bedroom or 3-bedroom units to cater for different needs. The applicant should explore design that could allow more flexibility for provision of different size units in the detailed design stage;
- (b) given that the proposed development would breach the ridgeline of Cloudy Hill, mitigation measures should be taken to soften the hard edge of its rooftop; and
- (c) local incubatees/start-ups should have priority in the allocation of the units in the proposed development, and there should be a mechanism in monitoring the rental of the units.

37. As Members had different views on the review application, the Chairman suggested and Members agreed to vote on the matter. A voting was conducted and a majority of Members supported the review application.

38. After deliberation, the Board decided to approve the review application, on the terms of the application as submitted to the Board. The permission should be valid until 5.5.2021, and, after the said date, the permission should cease to have effect unless before the said date, the

development permitted was commenced or the permission was renewed. The permission was subject to the following approval conditions:

- “ (a) the design and provision of open space of not less than 1,000m<sup>2</sup> on the ground floor of the proposed development for public use, as proposed by the applicant, to the satisfaction of the Director of Planning or of the Town Planning Board;
- (b) the submission of a revised traffic impact assessment and implementation of the recommendations identified therein to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (c) the submission and implementation of a tree preservation and landscape proposal to the satisfaction of the Director of Planning or of the Town Planning Board; and
- (d) the provision of fire service installations and water supplies for fire fighting to the satisfaction of the Director of Fire Services or of the Town Planning Board. ”

39. The Board also agreed to advise the applicant to note the advisory clauses as set out at Annex J of the Paper.

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

[Ms Janice W.M. Lai, Mr Stephen H.B. Yau and Mr Martin W.C. Kwan left the meeting at this point. Mr Lincoln L.H. Huang arrived to join the meeting at this point. Ms Sandy Wong left the meeting temporarily at this point.]

#### **Agenda Item 4**

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Representations and Comment in respect of the Draft Tai Tan, Uk Tau, Ko Tong and Ko Tong Ha Yeung Outline Zoning Plan No. S/NE-TT/1

(TPB Paper No. 10274)

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[The meeting was conducted in Cantonese.]

40. The Secretary reported that R1 was submitted by Hong Kong Bird Watching Society (HKBWS), R2 by World Wide Fund for Nature Hong Kong (WWF-HK) and R4 by Designing Hong Kong Limited (DHK). The following Members had declared interests on the item :

- Dr C.H. Hau - being a member of HKBWS, and a past member of the Conservation Advisory Committee of WWF-HK
- Mr Thomas O.S. Ho - personally knowing the co-founder and Chief Executive Officer of DHK

41. The meeting noted that Dr C.H. Hau and Mr Thomas O.S. Ho had tendered apologies for being unable to attend the meeting.

42. The Chairman said that sufficient notice had been given to all the representers and commenter inviting them to the hearing, but other than those who were present or indicated that they would attend the meeting, the rest had either indicated not to attend the hearing or made no reply. As reasonable notice had been given to the representers and commenter, Members agreed to proceed with the hearing in their absence.

#### Presentation and Question Sessions

43. The following government representatives, representers, commenter and their representatives were invited to the meeting:

##### **Government representatives**

##### *Planning Department (PlanD)*

- Ms Jessica H.F. Chu - District Planning Officer/Shia Tin, Tai Po and North (DPO/STN)
- Ms Channy C. Yang - Senior Town Planner/Country Park Enclave

(STP/CPE)

*Agriculture, Fisheries and Conservation Department (AFCD)*

Ms Ho Ching Yee, - Senior Nature Conservation Officer (South)

Dr Leung Ngo Hei June - Nature Conservation Officer (Sai Kung)

**Representers, Commenter and their Representatives**

R1- HKBWS

Ms Woo Ming Chuan - Representer's representative

R2 – WWF-HK

Mr Chan Chung Ming - Representer's representative

R3 - Kadoorie Farm & Botanic Garden (KFBG)

Mr Nip Hin Ming Tony ] Representer's representatives

Ms Wong Wai Yee ]

Mr Chiu Sein Tuck ]

C1 - Ng Chun Wing Miffy

R4 - Designing Hong Kong Ltd

Ms Kitty Tang - Representer's representatives

Ms Ng Chun Wing Miffy - Commenter and representer's representatives

R5 - 高塘下洋村居民代表李寶書

Mr Lee Bo Shu - Representer

Mr Li Ming - Representer's representative

R6 - 高塘村原居民代表黃來生

Mr Wong Loy Sang - Representer

Mr Tang Kam Chuen, Lioner - Representers' representative

R7 - 高塘居民代表何漁生

Mr Ho Yu Sang - Representer

Mr Ho Fay Hong ] Representers' representatives

Mr Ho Wai Hong ]

R8 - 高塘下洋原居民代表何偉成

Mr Ho Wai Shing - Representer

R9 - 林艷鳳

Ms Lam Yim Fung - Representer

R10 - 高塘 201 居民

Mr Sit Lai Ho ] Representers' representatives

Ms Sit Yuk Wah ]

44. The Chairman extended a welcome and briefly explained the procedures of the hearing. He said that government representatives would be invited to brief Members on the background to the representations and comment. He would then invite the representers or their representatives to make oral submission. To ensure efficient operation of the hearing, each representer/commenter or their representative was allotted 10 minutes for making presentation. There was a timer device to alert the representers or their representatives two minutes before the allotted 10-minute time was to expire and when the allotted 10-minute time limit was up. Question and answer (Q&A) sessions would be held after all attending representers/commenter or their representatives had completed their oral submissions. Members could direct their questions to government representatives, representers/comment or their representatives. After the Q&A sessions, government representatives, representers/commenter or their representatives would be invited to leave the meeting; and the Board would deliberate on the representations in their absence and inform the representers/commenter of the Board's decision in due course

45. The Chairman then invited government representatives to brief Members on the background to the representations and comment.

46. With the aid of a PowerPoint presentation, Ms Channy C. Yang, STP/CPE, PlanD, briefed Members on the representations and comment, including the background of the proposed amendments to the draft Tai Tan, Uk Tau, Ko Tong and Ko Tong Ha Yeung Outline Zoning Plan No. S/NE-TT/1 (the draft OZP), the views and proposals of the representations and comment, planning assessments and PlanD's views on the representations and comment, as detailed in the TPB Paper No. 10274.

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

R5 - 高塘下洋村居民代表李寶書

48. With the aid of the visualizer, Mr Li Ming made the following main points:

- (a) the local villagers of Tai Tan were very disappointed by the Government and the Board as they had made suggestions on several occasions but all were not accepted; and
- (b) the Board was requested to make a fair decision and Small House development should be allowed within 300 ft of the traditional village boundary.

R6 - 高塘村原居民代表黃來生

49. With the aid of the visualizer, Mr Tang Kam Chuen made the following main points:

- (a) the Board should respect the rights of indigenous villagers, and Small House development should be allowed within 300 ft of the traditional village boundary. Land on the other side of Pak Tam Road was excluded from the village 'environs' ('VE') despite it was within 300 ft radius of the traditional village boundary. Some villagers only had land within the excluded area and they should be compensated by allocating government

land to them for Small House development. Those villagers could not apply for public housing as they owned properties;

- (b) despite PlanD indicated that the “Village Type Development” (“V”) zone had been enlarged as compared with the Development Permission Area (DPA) plan for the area and included some of the area falling outside ‘VE’, the enlarged portion was in odd shape which was difficult for Small House development. Moreover, development was not allowed within 15m of a major road and therefore they could not build any Small House along Pak Tam Road even the area was zoned “V”;
- (c) as indicated on the aerial photo taken in 1963, the area to the northeast of the Ko Tong village was used as agricultural land. Hence, the area should be considered as a natural extension of the Ko Tong village and zoned “V”, instead of “Green Belt” (“GB”) despite there was vegetation overgrown. As the ‘VE’ did not cover the entire area within 300 ft of the village boundary, the “V” zone on the OZP should be extended to include the fallow agricultural land to reflect the original size of the ‘VE’. As shown in an aerial photo, the “V” zone in Yuen Long covered a large area outside ‘VE’ of the four traditional villages nearby. That “V” zone also comprised fallow agricultural land with vegetation overgrown;
- (d) the entrance of Ko Tong village was included in the “V” zone. The area was used for holding village events, rather than for Small House development. The “V” zone should be extended westwards to cover the area where there were existing village houses.

[Mr David Y.T. Lui left the meeting at this point.]

R7 - 高塘居民代表何漁生

50. Mr Ho Yu Sang made the following main points:

- (a) while he supported environmental protection, the draft OZP would make it difficult for the villagers to apply for Small Houses. At the moment, many villagers could not build a Small House in their life time and were

homeless. It was unreasonable that the environmentalists were kind to the wildlife but cruel to the villagers;

- (b) two villagers had applied for building Small Houses within 'VE' for 14 years and were still not successful because of the objection from the environmentalist and the concerned government departments. Environmentalists claimed that the sites were not suitable as there were several trees at the sites and the proposed Small Houses would affect the environment. The planning of the rural area had discriminated against the villagers and did not respect their rights; and
- (c) he objected to any unfair planning and requested the Board to consider the proper planning under the draft OZP and make a decision fair to the villagers.

51. Mr Ho Wai Hong made the following main points:

- (a) regarding consultation on the draft OZP, some of the government departments consulted such as Education Bureau and Social Welfare Department were irrelevant. The villagers did not understand the planning terms such as "Coastal Protection Area" and "GB", but they had good understanding and views on the planning of the villages where they had lived there for years. The environmentalist accused the villagers of selling the Small House rights to outsiders, but they forgot that many urban areas such as Kwai Chung and Tsing Yi were developed from rural areas;
- (b) a book about the history of New Territories over the past hundred years illustrated that the government officials then liaised with the local villagers in drawing up the 'VE' boundary and areas for environmental protection, not simply by making reference to the site photographs taken as in the current case; and
- (c) consultation on the draft OZP involved only several meetings held with the Tai Po District Council and Sai Kung North Rural Committee. The draft OZP had not even been posted on the village's notice boards.

52. With the aid of the visualizer, Mr Ho Fay Hong made the following main points:
- (a) as illustrated in the land status plan, there was limited government land in the undeveloped areas within the “V” zone on the draft OZP which rendered those villagers without their own land difficult to apply for Small Houses; and
  - (b) the Board was misled by the Government that there was sufficient land in the “V” zone to accommodate the outstanding 31 Small House applications under processing. Land should not be zoned for conservation simply because the areas were green according to the aerial photographs.

R8 - 高塘下洋原居民代表何偉成

53. Mr Ho Wai Shing made the following main points:
- (a) he was disappointed with the consultation on the draft OZP. While PlanD had consulted the rural committee and held ad hoc meetings with the villagers, they did not involve the villagers in their preparation of the draft OZP. PlanD only informed them of what the draft OZP intended to achieve, and requested them to submit proposals. He had asked the government officials to have a site visit with the villagers but was refused. It was not fair to the villagers as they had no rights to participate in the planning of the villages they were living;
  - (b) over the past 10 years, no Small House application could obtain approval. In his own case, he had applied for a Small House development for 30 years and his application was still on the waiting list without any definite time for approval;
  - (c) when Pak Tam Road was constructed in the 1970s, it took away half of the ‘VE’ area. The current ‘VE’ boundary was left in odd shape and covered some hillslopes. It was not fair as villagers provided land for construction of the road in return for a reduction in the size of ‘VE’. Due to such reduction in ‘VE’ area, DLO did not process their Small House applications on the ground that the ‘VE’ boundary could not be

confirmed. It was unreasonable not to enlarge the “V” zone on the ground that the land was included in the Country Park or the area on the other side of the road was a seasonal wetland. The seasonal wetland only appeared in rainy season;

- (d) he doubted whether the undeveloped area in the “V” zone for Ko Tong Ha Yeung with about 0.17 ha could accommodate 7 Small Houses as it might include access road and other supporting facilities. PlanD said that the deficit in land for Small House development could be addressed under the cross-village application mechanism. However, cross-village application for Small House was only feasible if the villagers owned land at the other villages and obtained the consent from the concerned villagers. In fact, the land in other villages could not even meet their own needs, let alone for outsiders; and
- (e) it was unreasonable for the environmentalists to claim that the Small House demand was fraudulence and requested deleting the “V” zone. He asked whether the “V” zone could be enlarged if evidence could be presented to illustrate the Small House demand was genuine.

R9 - 林艷鳳

54. Ms Lam Yim Fung made the following main points:

- (a) she had lived in Ko Tong village for 40 years and did not understand why the area was zoned “GB” as her residence would not cause any harm to the environment and ecology of the area;
- (b) she hoped that the Board could let her family continue to live there.

R10 - 高塘 201 居民

55. Ms Sit Yuk Wah made the following main points:

- (a) her family had lived in the area for 40 years. They did not want it to be zoned “GB” as it would attract a lot of tourists bringing nuisance to her family; and

- (b) she did not want to have any change in her neighborhood and objected to the “GB” zoning.

### R1- HKBWS

56. With the aid of a PowerPoint presentation, Ms Woo Ming Chuan made the following main points:

#### *Ecological Importance of the Area*

- (a) as stated in the Explanatory Statement (ES) of the draft OZP, the area within the draft OZP (the Area) comprised mainly woodlands, shrublands, fallow agricultural lands, streams, mangroves, backshore vegetation and sandy shore. The wooded area was ecologically linked to the natural habitats in the surrounding Country Parks. The Tai Tan Ecologically Important Stream (EIS) was a freshwater fish hotspot supporting a high diversity of fish species. In general, the Area was natural and rural in character, and had high landscape and scenic value. It was worthy of conservation while the scale of the village development should be compatible with the surrounding landscape and rural setting;
- (b) HKBWS had recorded 107 bird species in the Area with 24 species of conservation concern. Brown Fish Owl was found in the Area which was a species of regional concern and listed under Class II protection in the Mainland. The woodlands in the Area were roosting grounds for the Owl and unpolluted natural streams and their riparian vegetation were suitable foraging grounds and perches of the Owl. It indicated that the woodland and stream habitats in the Area were of high ecological value and was worthy of protection;

#### *Hong Kong Planning Standards and Guidelines (HKPSG)*

- (c) HKPSG recommended to ‘retain significant landscapes, ecological and geological attributes and heritage features as conservation zones’ and ‘control adjoining uses to minimise adverse impacts on conservation zones and optimise their conservation value’;

*Planning Intention of the draft OZP*

- (d) the planning intention as stated in ES of the draft OZP was ‘to protect its high conservation and landscape value which complements the overall naturalness and the landscape beauty of the surrounding Country Parks’. Therefore, the provision of conservation zonings should be applied to the plan to reflect the planning intention and the conservation principles of HKPSG;

*‘Destroy First, Build Later’*

- (e) at various locations in the Area, the natural environment had been destroyed. The Board should keep its promise as stated in the press release in 2011, i.e. the Board would not tolerate any deliberate action to destroy the rural and natural environment in the hope that the Board would give sympathetic consideration to subsequent development on the site concerned. Therefore, sites that had suffered from eco-vandalism should not be designated as “V” zone and should be covered by conservation-related zonings to reflect their conditions before the destruction activities occurred;
- (f) regarding the plant nursery at Uk Tau, it was stated in the Paper that the provision of plant nursery was always permitted and the Chief Town Planner/Central Enforcement and Prosecution, PlanD had advised that there was insufficient evidence of unauthorized development in the area. However, HKBWS surveyor’s report and aerial photographs showed that there was an apparent change in landscape at the concerned location including dramatic drop/disappearance of wetland dependent species. It led to the suspicion that filling of marsh/wetland had been conducted for the plant nursery development. The Board should not facilitate ‘destroy first, build later’ activities and reward the offender with the designation of “V” zone for the damaged sites. “V” zone covering the plant nursery site should be reverted to the original boundary as appeared in the DPA plan;

*Inadequate Protection of Natural Habitats*

- (g) “V” zones – given the adverse impacts of Small House developments (e.g. tree felling, vegetation clearance and potential water pollution), the “V”

zones should not encroach onto the woodland, marshes, riparian zones of the EIS and natural streams; and

- (h) “GB” zones - for the past 10 years or so, the approval rate of Small Houses applications in “GB” zone was over 56%. “GB” zone was vulnerable to Small House development. In order to better protect the natural environment and to respect the redevelopment right of villagers, the current “GB” zones should be rezoned to “GB(1)” or “Conservation Area”(“CA”).

## R2- WWF -HK

57. With the aid of a PowerPoint presentation, Mr Chan Chung Ming made the following main points:

### *Support the General Planning Intention of the Draft OZP*

- (a) the Area was surrounded by Country Parks and Ko Tong Hau. As shown in the aerial photograph and the habitat map prepared by KFBG in 2013, the Area was densely vegetated and largely comprised secondary woodland similar to the surrounding Country Parks. WWF-HK supported the general planning intention of the draft OZP which was ‘to protect its high conservation and landscape value which complements the overall naturalness and the landscape beauty of the surrounding Country Parks’;

### *Concerns on EIS*

- (b) Tai Tan had one of the 33 EISs in Hong Kong, and as stated in the ES of the draft OZP, it was a freshwater fish hotspot supporting high diversity of fish species. Philippine Neon Goby was recorded in the EIS which was a species of global concern and recognised by AFCD as having conservation concern. The EIS connected to Ko Tong Hau with mangroves and backshore vegetation was of high conservation value;
- (c) the EIS was situated within ‘VE’ and in between the two existing village settlements. Village houses locating too close to the EIS would pose high risk of pollution arising from the untreated construction/operation

runoff, and riparian vegetation would also be cleared for site formation. “GB” zone was not sufficient to protect the EIS and its riparian area. WWF-HK suggested the EIS and its 30m riparian area on each side be rezoned to “GB(1)” / “CA”; and

*Eco-vandalism at Uk Tau*

- (d) vegetation clearance was found to be carried out at Uk Tau in 2014. The degraded site was turned into a plant nursery afterwards. The plant nursery was of low utilization as observed during WWF-HK’s site visit, but the freshwater marsh existed before at the plant nursery site was removed. Designating the degraded area into “V” zone might give expectation to the landowners in the Country Park enclaves that development zone would be designated if the ecological value of their lands were downgraded. Therefore areas suffered from eco-vandalism should not be zoned as “V”.

R3 – KFBG

58. With the aid of a PowerPoint presentation, Mr Nip Hin Ming Tony made the following main points:

*Destruction Works in Tai Tan*

- (a) KFBG’s site visits over the past years revealed that the traditional village houses were demolished. New village houses were built between two streams which were in pristine conditions and close to the EIS and sensitive coastal mangrove area. The muddy water arising from the construction sites of new village houses was found to be discharged into the streams in 2014;
- (b) the incident was reported to the Environmental Protection Department (EPD). However, EPD replied that the streams next to the construction site were found clear during their inspection, and would continue to monitor the situation and take enforcement action as necessary;
- (c) tree felling in Tai Tan was also found at the locations where there were

Small House applications;

*Plant Nursery in Uk Tau*

- (d) it was observed that the plant nursery in Uk Tau only had a few shrubs along its edge while the majority of its area was barren with only vegetation overgrown. The observation was reported to the government departments. EPD replied that they did not identify any fly tipping or dumping of construction waste, PlanD replied that most of the site was cleared of vegetation but planting was in progress, and LandsD replied that they would look into the matter and appropriate action would be taken if necessary. It was found in a TPB paper that the plant nursery site had once been proposed for a number of village houses. He doubted whether the site was genuinely used for plant nursery;

*Vegetation Clearance*

- (e) several spots of vegetation clearance in the Ko Tong, Uk Tau and Tai Tan areas were clearly visible in the aerial photographs taken from 2008 to 2016;

*Current Situation*

- (f) in 2016/17, the newly built village houses were found to be vacant despite the local villagers claimed that there was high housing demand;

*“V” Zones*

- (g) the designation of “V” zone at the plant nursery site in Uk Tau would violate the Board’s promise that it ‘will not tolerate any deliberate action to destroy the rural and natural environment’ stated in the press release in 2011;
- (h) it was unreasonable to extend the “V” zone for Tai Tan southwards as there were only a few village houses in existence. The extension area was outside the ‘VE’ without any approved planning applications and Small House grant, and was close to the stream and road. The effluent of the future Small House would likely discharge through a suspected sewerage outfall into the natural streams and then the mangrove area;

- (i) the “V” zone for Ko Tong not only covered the approved planning applications but also a large area with dense vegetation;
- (j) apart from the Small House development, road would be constructed to support the development which would bring pollution to the streams, additional land would be formed for parking residents’ vehicles, and natural environment would be disturbed by human activities; and
- (k) natural environment should be for the enjoyment of the public and be protected for the next generation. The “V” zone should be confined to the existing village clusters and approved Small House sites.

C1 - Ng Chun Wing Miffy

R4 - DHK

59. With the aid of PowerPoint and video presentation, Ms Ng Chun Wing Miffy made the following main points:

- (a) the consideration of the draft OZP by the Board involved a fundamental choice between incremental development and conservation of the Country Parks. The Area was connected with the surrounding Country Parks and had high ecological, landscape and recreational values similar to the Country Parks. DHK had visited the area during a heavy rainstorm and found that a large volume of muddy water overflowed from the construction sites into the streams and coastal area affecting the natural environment;

*Illegal Transfer of Small House Right*

- (b) it was understood that the illegal transfer of Small House right through Front Men Scheme had already existed for 20 years. Such illegal practice was only revealed when the disputes between the developer and villagers were taken to the Court;
- (c) possible Front Men Schemes could be discovered when there were frequent transfers of the land ownership at the concerned sites, the land

transaction were conducted at below market prices, and the Small House applicants were ordinarily residing overseas;

- (d) up to 12.1.2016, 94 Small House applications in the Area had been received since the publication of the DPA plan. Based on the land status search conducted by DHK, out of the 94 applications, 70 application sites were located on private land while others were on government land or with unknown location or repeated applications. Out of the 70 Small House applications, 52 applications (over 70%) involving 56 Small House sites were suspected to have fraudulent behavior as the sites were acquired by developer(s) and sold to the villagers at below market prices. Those Small Houses applications were rejected by the Board or withdrawn by the applicants. The planning application mechanism was therefore necessary for the Board to scrutinize the proposals for Small House development and the public to submit comments. However, on the draft OZP, the approved Small House applications and 29 Small House sites with suspected involvement in Front Men Scheme were included in the “V” zone;
- (e) a number of orderly arrayed new Small Houses with standard design had been built recently in an area zoned “V” in Tai Tan on the DPA plan. It was found that those Small Houses were owned by a single company or its subsidiary;

#### *Small House Demand*

- (f) for Ko Tong Ha Yeung, there was only one Small House application since the publication of the DPA, but the 10-year forecast demand for Small House was 175. As indicated in a letter from the village representative to the Tai Po District Lands Office, over 100 applicants were residing overseas. She doubted whether such a large number of villagers would reside in the village;
- (g) despite that Small House applicant was required to expressly warrant that he had never made any arrangements to transfer his right to develop a Small House or his eligibility to apply for a Small House grant, the

applicant was only required to fill in and sign a simple form. With such a large proportion of fraudulent behavior in Small House development, she doubted whether the Small House demand should be taken into account when drawing up the “V” zone;

*DHK's Proposals*

- (h) DHK proposed to restrict the “V” zone to the existing Small House area, and the Small House development should be subject to the planning application mechanism, and remove ‘House (New Territories Exempted House only)’ use from “Green Belt” zone, or to replace “GB” zone by “GB (1)”/ “CA”;

*Rehabilitation of Agricultural Land*

- (i) local villagers requested allowing rehabilitation of the agricultural land in the Area. Vegetation at the seasonal wetland was cleared as a protest. However, it was found that the seasonal wetland was largely owned by a developer while some of the owners of the remaining land did not know the vegetation clearance action in advance and indicated their concern on their land being disturbed. As the approval rate for Small House development in “AGR” zone was high, the villagers might request designating the land as “AGR” zone and later applied for Small House development; and

*Disturbance associated with Small Houses Development*

- (j) she doubted whether the assessment of the government departments had included the traffic impact arising from the future Small House development. DHK estimated that there would be a substantial increase in population in Sai Kung Country Parks area based on the forecast Small House demands for the villagers in the Country Park enclaves. For the Area, as 77 new Small Houses would be allowed in the “V” zone and the 10-year Small House demand was 116, future residents would bring in about 231 to 348 private cars. Land would be formed for car parking which might encroach onto the “GB” zone. The street lights of the road would also need to be upgraded to highway standard and the strong

illumination of the upgraded street lights would have impacts on the wildlife. All those facilities and works would make the environment of the rural area chaotic.

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

[Ms Sandy H.Y. Wong returned to join and Mr Stephen L.H. Liu left the meeting at this point.]

60. As the presentations from the representers, commenter and their representatives were completed, the Chairman invited questions from Members.

61. Some Members raised the following questions:

- (a) how the complaints on illegal transfer of Small House rights would be handled by the Government;
- (b) whether the large sewerage outfall at Tai Tan as pointed out by Mr Nip Hin Ming Tony (representative of R3) was an approved sewerage facility, and if not, whether follow-up action would be taken by the Government;
- (c) what action would be taken by the Government against the environmental pollution caused by the construction works of the Small Houses; and
- (d) whether the existing use of the residence of Ms Lam Yim Fung (R9), who had been living in Ko Tong for 40 years, would be affected by the current "GB" zoning of the OZP.

62. In response, Ms Jessica H.F. Chu, DPO/STN, made the following points:

*Illegal Transfer of Small House Right*

- (a) applications for Small House grant were processed by LandsD. If a complaint on illegal transfer of Small House right was received, LandsD would investigate any abuse and fraud under the Small House Policy, and refer the case to the Independent Commission Against Corruption (ICAC) for further action where necessary;

*Enforcement Against Unauthorised Works / Activities*

- (b) there was no existing or planned public sewer in Tai Tan. For Small House development, the design and construction of the septic tank and soakaway system needed to comply with relevant standards and regulations as stipulated by LandsD and EPD for protecting the water quality of the area;
- (c) if unauthorised construction of sewerage system was found, relevant departments could take appropriate enforcement actions under their purview. For example, if it involved illegal discharge of sewage causing water pollution, enforcement action could be taken by EPD under the Water Pollution Control Ordinance. If the construction works involved unauthorised excavation of land in the conservation zones, enforcement action could be taken by PlanD under the Town Planning Ordinance;
- (d) when approving a Small House development, LandsD would issue Certificates of Exemption (C of E) in respect of building works, site formation works and/or drainage works to the applicant. The applicant would be required under the C of E to maintain good site practice. LandsD could take action against any non-compliance with the requirements of the C of E; and

*Implication of “GB” Zoning*

- (e) if the residence of R9 was in existence before the exhibition date of the draft DPA Plan on 8.11.2013, it could continue to exist until there was a material change of use or the house was redeveloped.

63. A Member asked Ms Ng Chun Wing Miffy (C1 and representative of R4) to elaborate on her findings of the suspected illegal transfer of Small House rights in the area. In response, Ms Ng Chun Wing Miffy repeated the relevant information she presented earlier (as detailed in paragraphs 59(c) and (d) above) and added that illegal transfer of Small House right was difficult to be detected. The developer would first purchase a large piece of agricultural land in the village, then sub-divided it into smaller lots, and sold the lots to the male indigenous villagers at below market prices for their application for Small House grants. The applicants were often residing overseas, and the land transactions were usually handled by the same company having close relationship with the developer.

64. Mr Nip Hin Ming Tony (representative of R3) supplemented that in areas such as Pak Sha O and Pak Lap, they had previously observed the possession of large pieces of land by companies, which were sub-divided and transferred to a number of indigenous villagers within a short period of time, leading them to suspect if illegal transfers of Small House rights were involved. It was apparent that most of the newly built Small Houses in the New Territories were not resided by the indigenous villagers. The Board should consider carefully whether the designation of “V” zone was in effect meeting the housing need of the indigenous villagers.

65. In response to Mr Raymond K.W. Lee, Director of Planning, Ms Jessica H.F. Chu explained that the main consideration in the designation of “V” zone was whether the land was suitable for village type development. The boundaries of the “V” zones were drawn up around existing village clusters on the OZP having regard to the ‘VE’, the number of outstanding/approved Small House applications, Small House demand forecast, local topography and site constraints. Areas of difficult terrain, dense vegetation, ecologically sensitive areas, stream courses and burial grounds had been avoided as far as possible. As for the “V” zone of Uk Tau, while the green groups suspected that the previous conversion of a marsh to the north of the village into a plant nursery had involved ‘destroy first, build

later' activities, there was insufficient evidence to establish any unauthorised development on the site. It should be noted that provision of plant nursery at the site was always permitted under the DPA Plan. As the site of the plant nursery was adjoining the existing village cluster of Uk Tau, accessible by Pak Tam Road and existing footpath, with gentle topography and relatively less vegetation, it was considered as a suitable location within the 'VE' for designation of "V" zone to meet the Small House demand.

66. In response to a Member's enquiries on the information shown in Table 1 of the Paper regarding the Small House demand situation of the four villages in the area, Ms Jessica H.F. Chu said that (1) the figures in the first and third columns of the table were the numbers of outstanding Small House applications in the villages in 2013 and 2017 respectively; (2) the outstanding Small House demand figures as shown in the table were the number of applications for Small House grants that had been received by LandsD; (3) as the designation of "V" zone was mainly based on the suitability of the land for village type development, the size of the "V" zones and hence the amount of the available land for Small House development in different villages would vary. As such, there was difference in the percentages of the Small House demands being met by the available land in the four villages respectively as shown in the last column of the table; and (4) an indigenous villager could apply for Small House grant outside his own village if he could find suitable site in another village within the same Heung.

67. As Members had no further question to raise, the Chairman said that the hearing procedures were completed. The Chairman thanked the government representatives as well as the representers, commenter and their representatives for attending the meeting and said that the Board would deliberate on the representations and comment in their absence and would inform the representers and commenter of the Board's decision in due course. The government representatives, the representers, commenter and their representatives left the meeting at this point.

[Mr Patrick H.T. Lau left the meeting during the question and answer session.]

Deliberation Session

68. In response to Members' questions on the Small House Policy, Ms Karen P.Y. Chan, Deputy Director/General, LandsD, made the following points:

- (a) if the concerned Small House was situated on private land (usually private agricultural land), the Small House land grant, if approved, would be issued by way of a free building licence, which was subject to restriction on alienation for five years after a Certificate of Compliance was issued to certify completion of the Small House. If the Small House was to be sold within the five-year period, the indigenous villager had to pay a land premium to the Government for removal of the alienation restriction;
- (b) if the concerned Small House was situated on government land, the Small House land grant, if approved, would be issued by way of a private treaty grant, which was subject to restriction on perpetual alienation. The indigenous villager had to pay a land premium to the Government whenever the Small House was sold for removal of the perpetual alienation restriction;
- (c) the sale of a Small House to a third party was not a breach of the land grant conditions issued under the Small House Policy provided that the required land premium was paid for removal of the alienation restriction as appropriate;
- (d) renting out a Small House to a third party was permitted under the Small House land grant conditions;
- (e) any male indigenous villager over the age of 18 was entitled for a Small House land grant once in a lifetime on the condition that his application could be approved. There was no specific requirement for the eligible indigenous villager to be a usual resident of Hong Kong before he submitted his application for a Small House land grant;

- (f) if an indigenous villager used a piece of private land to apply for a Small House land grant, that piece of private land should be under his ownership; and
- (g) carving out or sub-division of a large piece of private agricultural lot into smaller portions was a normal procedure during land transactions and LandsD usually raised no objection under the land grant conditions.

69. Members considered that DPO/STN had adequately explained how the “V” zones on the OZP were designated, which was mainly based on the suitability of the land for village type development; the current zonings on the OZP had balanced the needs for protecting the natural environment and village development; the alleged ‘destroy first, build later’ activities at the plant nursery site zoned “V” to the north of the village cluster of Uk Tau could not be verified; there were no convincing grounds provided by the representers and commenter to justify any proposed amendment to the OZP; and the suspected cases on illegal transfer of Small House rights in the area had no direct relation with the designation of suitable land as “V” zone for village type development.

70. Members also agreed that the grounds and proposals of the representations and comment had adequately been responded to in paragraphs 6.15 to 6.36 of the Paper.

71. After deliberation, the Board noted the supportive view of Representation R1(part) on the draft OZP.

72. The Board also decided not to uphold Representations R2 to R10 and the remaining part of Representation R1, and considered that the draft OZP should not be amended to meet the representations. The reasons were:

“Ecological Importance of the Area (R1, R3 and R4)”

- (a) conservation zones, including “Conservation Area” (“CA”), “Coastal Protection Area” (“CPA”) and “Green Belt” (“GB”) under which there is a general presumption against development, have been designated to cover areas having high conservation and landscape value to protect the

natural environment of the Area and the ecologically linked Sai Kung East and West Country Parks under the statutory planning framework;

Designation of “GB” Zones (R1, R2, R9 and R10)

*To Designate All Woodlands, Ecologically Important Stream, Nature Streams/Tributaries and 30m Riparian Zones as “GB(1)” or “CA” Zone and To Rezone “GB” to “GB(1)” or “CA” (R1 and R2)*

- (b) environmentally sensitive areas in the Area are mainly zoned as “CA”, “CPA” and “GB”. All these are conservation zonings with a general presumption against development and are considered appropriate in protecting the natural environment of the Area;

*Implications of the “GB” Zoning (R9 and R10)*

- (c) private land in the “GB” zone is primarily demised for agricultural purpose under Block Government Lease and ‘Agricultural Use’ is in general always permitted therein. No action is required to make the use of any land or building which was in existence immediately before the first publication in the Gazette of the notice of the draft Development Permission Area Plan conform to the draft OZP;

Designation of “Village Type Development” (“V”) Zones (R1 to R8)

*Proposals of Confining “V” Zones (R1 to R4) and Re-planning the Ko Tong and Ko Tong Ha Yeung Areas (R5 to R8)*

- (d) “V” zones have been designated at suitable locations to meet Small House demand of indigenous villagers in the Area. The boundaries of the “V” zones have been drawn up having regard to the village ‘environs’, Small House demand, settlement pattern, local topography, areas of ecological importance as well as other site-specific characteristics. The “V” zones are to strike a balance between meeting

development needs and enhancing nature conservation. Meanwhile, there are provisions to allow for application to the Board for development or redevelopment of Small House outside the “V” zone under the OZP;

*Small House Demand (R4)*

- (e) the Small House demand forecast is only one of the factors in drawing up the “V” zones and the forecast is subject to variations over time;

*Environmental Impacts of the Small House Development (R1 to R3)*

- (f) there is sufficient control in the current administrative system to ensure that individual Small House development would not entail unacceptable impacts on the surrounding environment;

Incorporation of the Area into the Sai Kung East and West Country Parks (R1)

- (g) incorporation of the Area into Country Parks is under the jurisdiction of the Country and Marine Parks Authority governed by the Country Parks Ordinance (Cap. 208) which is outside the purview of the Board. Preparation of the statutory plan would not preclude any future designation of Country Parks; and

Local Consultation (R5 to R8)

- (h) the Board has considered the views of villagers and other stakeholders in formulating the draft OZP and would take into account the relevant planning considerations and the representations and comment received in respect of the draft OZP before making a decision.”

**Tuen Mun and Yuen Long West District**

**Agenda Item 5**

[Open Meeting]

Consideration of New Draft Hung Shui Kiu and Ha Tsuen Outline Zoning Plan (OZP)  
(TPB Paper No. 10276)

**Agenda Item 6**

[Open Meeting]

Proposed Amendments to the

- (i) Approved Lau Fau Shan and Tsim Bei Tsui OZP No. S/YL-LFS/7
- (ii) Approved Ping Shan OZP No. S/YL-PS/16
- (iii) Approved Tin Shui Wai OZP No. S/TSW/12
- (iv) Approved Lam Tei and Yick Yuen OZP No. S/TM-LTYYY/8 and
- (v) Approved Ha Tsuen OZP No. S/YL-HT/10

(TPB Paper No. 10277)

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[The items were conducted in Cantonese.]

73. Members noted that the new draft Hung Shui Kiu and Ha Tsuen OZP (HSK OZP) under Agenda Item 5 and the proposed amendments to the five approved OZPs under Agenda Item 6 were interrelated and agreed that the two items could be considered together.

74. Two replacement pages (p.5 of Annex II of Appendix A and Figure 8 of Annex III of Appendix A) of TPB Paper No. 10276 had been sent to Members before the meeting.

75. The Secretary reported that the draft HSK OZP No. S/HSK/C involved zoning of sites for proposed public housing developments by the Housing Department (HD), which was the executive arm of the Hong Kong Housing Authority (HKHA), and development of a proposed West Rail Hung Shui Kiu (HSK) Station by the Mass Transit Railway Corporation Ltd. (MTRCL). The following Members had declared interests on the item:

Mr Raymond K.W. Lee - being a member of the Strategic Planning  
(as Director of Planning) Committee (SPC) and the Building Committee

of HKHA

- Ms Karen P.Y. Chan  
*(as Deputy Director/  
General, Lands Department)* - being an alternate member of the Director of  
Lands who was a member of HKHA
- Mr Martin W.C. Kwan  
*(as Chief Engineer (Works),  
Home Affairs Department)* - being the representative of the Director of  
Home Affairs who was a member of the SPC  
and the Subsidised Housing Committee of  
HKHA
- Mr H.F. Leung - being a member of the Tender Committee of  
HKHA and being a convenor of the Railway  
Objections Hearing Panel
- Ms Janice W.M. Lai - having current business dealings with HKHA  
and MTRCL, and her spouse was a shareholder  
of a company which owned two pieces of land  
in Ha Tsuen
- Mr Patrick H.T. Lau ] having current business dealings with HKHA  
Mr Thomas O.S. Ho ] and MTRCL
- Mr Ivan C.S. Fu - having current business dealings with MTRCL  
and past business dealings with HKHA
- Dr C.H. Hau - having current business dealings with HKHA
- Mr K.K. Cheung ] their firm having current business dealings  
Mr Alex T.H. Lai ] with HKHA and MTRCL
- Mr Stephen L.H. Liu ] having past business dealings with HKHA and  
Mr Franklin Yu ] MTRCL

- Professor S.C. Wong - being a member of the Advisory Committee for Accredited Programme of MTR Academy, and being the Chair Professor and Head of Department of Civil Engineering of the University of Hong Kong where MTRCL had sponsored some activities of the Department before
- Dr Lawrence W.C. Poon - his spouse being a civil servant of HD but not involved in planning work

76. As the land owned by the spouse of Ms Janice W.M. Lai would be affected by the zoning proposals of the new OZP, her interest was considered direct. Members noted that Ms Janice W.M. Lai had already left the meeting.

77. The Secretary said that according to the procedure and practice adopted by the Town Planning Board (the Board), as the proposed public housing sites and railway station were the subjects of proposals on new OZP proposed by the Planning Department (PlanD), the interests of those Members having affiliation/business dealings with HKHA and MTRCL mentioned above on the item only needed to be recorded and they could be allowed to stay in the meeting. Members also noted that Mr Thomas O.S. Ho, Mr Ivan C.S. Fu and Dr C.H. Hau had tendered apologies for not being able to attend the meeting, and Mr H.F. Leung, Mr Patrick H.T. Lau and Mr Stephen L.H. Liu had already left the meeting.

78. The Secretary reported that a petition letter submitted by the Ha Tsuen Rural Committee objecting to the land use planning of the HSK New Development Area (NDA) was received by the Secretariat before the meeting. The petition letter was tabled at the meeting for Members' reference.

#### Presentation and Question Sessions

79. The following government representatives were invited to the meeting:

- Mr David C.M. Lam - District Planning Officer/Tuen Mun and Yuen Long West (DPO/TM&YLW), PlanD
- Mr David Y.M. Ng - Senior Town Planner/HSK NDA, PlanD
- Mr Tony K.L. Cheung - Chief Engineer/New Territories West 3 (CE/NTW3), Civil Engineering and Development Department (CEDD)
- Ms Wilda H.Y. Lee - Senior Engineer/5 (New Territories West), CEDD

80. The Chairman extended a welcome and invited DPO/TM&YLW to brief Members on the Papers. With the aid of a PowerPoint presentation, Mr David C.M. Lam, DPO/TM&YLW, briefed Members on the new draft HSK OZP, including its background, the major development parameters of HSK NDA, the special features of the OZP and the land use proposals, the associated proposed amendments to the five approved OZPs mainly related to the adjustment of the planning scheme boundaries and the consultation arrangements for the draft OZPs upon their exhibition, as detailed in TPB Papers No. 10276 and 10277.

81. As the presentation of DPO/TM&YLW was completed, the Chairman invited questions and comments from Members.

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

82. Some Members raised the following questions and comments:

*Development Potential of Yuen Tau Shan*

- (a) whether the area of Yuen Tau Shan and Tsing Shan to the west of Kong Sham Western Highway (KSWH), in particular the area near the proposed HSK Station, had potential for development;

*Transport Facilities*

- (b) the design intention and the rationale of the alignment of the proposed Environmentally Friendly Transport Services (EFTS) in facilitating the transportation of passengers and goods in the NDA;
- (c) in Yuen Long and Tuen Mun new towns, the tracks of the Light Rail Transit (LRT) had bisected the roads and pedestrian links in the district, thus affecting the overall connectivity. It would be undesirable to see the repetition of such situation in the NDA;
- (d) whether facilities had been planned in the NDA to support and encourage the use of electric vehicles and bicycles as forms of sustainable transport;

*Shopping Streets*

- (e) how the special design on provision of shopping streets in the NDA would be implemented under the HSK OZP for enhancing street vibrancy; and

*Commercial Provision in “Residential (Group A)” (“R(A)”) Zone*

- (f) noting that the “R(A)” zone of the HSK OZP only permitted commercial uses on the lowest two floors, whether such a control would also apply to public rental housing developments within the NDA, which usually required more commercial floorspace to serve the need of the residents.

83. Regarding development intensity, a Member considered that future demand for commercial floorspace in the NDA could be high as it was close to the border with the Mainland, and wondered whether the currently proposed maximum plot ratio (PR) of 9.5 for the “Commercial” (“C”) zone in the NDA could be further increased, with corresponding increase in the maximum building height (BH). Another Member, however, expressed a different view and opined that the NDA was located at the fringe of the New Territories and

surrounded by rural areas. The currently proposed development intensity compared with the intensities of other new towns was already rather high. When applying the proposed PRs of 6.5 and 9.5 to large residential and commercial sites respectively, the resultant built form might be very bulky.

84. Mr David C.M. Lam, DPO/TM&YLW, and Mr Tony K.L. Cheung, CE/NTW3, CEDD, made the following responses:

*Development Potential of Yuen Tau Shan*

- (a) while the north-western part of HSK NDA to the east of KSWH was planned as the 'Logistics, Enterprise and Technology Quarter' to serve as a major employment cluster, the sites at the foothill to the west of KSWH were zoned "Industrial" for general industrial uses. As Yuen Tau Shan to the west of KSWH comprised largely of steep and natural terrain with dense vegetation, it was zoned "Conservation Area" on the Ha Tsuen Fringe OZP to avoid adverse impact on the natural environment;

*Transport Facilities*

- (b) the proposed EFTS was intended to provide an environmentally friendly, convenient and rapid transit service mainly for residents/workers travelling between the major development clusters, including the existing and planned residential areas and the employment nodes, and connecting to the Tin Shui Wai and HSK railway stations;
- (c) CEDD had commissioned a study in March 2017 to examine the proposed EFTS. Details such as the alignment of the EFTS, whether it would be rail-based or road-based, and whether it would be elevated or underground would be subject to further study;
- (d) in the planning of the proposed EFTS, one of the main considerations was to avoid conflict with other road users, including pedestrians and

cyclists. As such, the EFTS might be grade separated from the roads, cycle tracks and pedestrian walkways at certain locations. To provide parking and operational facilities serving the EFTS, an “Other Specified Uses” annotated “Parking and Operational Facilities for EFTS” zone was planned at an appropriate location within the NDA;

- (e) as a condition under the approved Environmental Impact Assessment report for HSK NDA, CEDD should ensure adequate land reserve in the NDA for the provision of power supply and associated infrastructure enabling the establishment of electric vehicle charging facilities to facilitate the use of electric vehicles;
- (f) as shown in Figure 9 of the Explanatory Statement (ES) of the draft HSK OZP, a comprehensive cycling network with dedicated cycle tracks had been planned in the NDA, and supporting facilities, such as cycle parking areas, would be provided at various locations near railway stations, public transport interchanges, major residential developments and open spaces;

#### *Shopping Streets*

- (g) with reference to Figure 8 of the ES of the draft HSK OZP, shopping streets were planned in the town core and along major open spaces in the NDA, including the areas around the proposed HSK Station and along the riverside. The terrace frontage design for residential sites with setback on the first floor of the retail podium would enhance the visual amenity and pedestrian environment of the streets. As the OZP was to provide a broad land use framework, detailed development controls and guidance on the planning, urban design and engineering aspects of the shopping streets, including the specific setback requirements, would be incorporated into the departmental Outline Development Plan (ODP) to guide future implementation;

*Commercial Provision in “R(A)” Zone*

- (h) the control on commercial podium up to two storeys in the “R(A)” zone of the HSK OZP was to avoid massive podium structures. Such control would apply to all high-density residential developments zoned “R(A)” on the OZP including both public and private housing developments. Nevertheless, to allow design flexibility, commercial uses were also permitted in free-standing purpose-designed non-domestic buildings of up to five storeys in the “R(A)” zone. HD had been consulted and would take account of the requirements in the design of their public housing estates;

*Development Intensity*

- (i) only a few selective sites, for example, the sites zoned “C(1)” in close proximity to the proposed HSK Station would have a maximum PR of 9.5. Such a PR was the maximum non-domestic PR stipulated in other new towns, such as Tuen Mun and Yuen Long. A considerable amount of non-domestic floorspace had been planned for employment uses in the NDA, which would facilitate the provision of about 150,000 employment opportunities;
- (j) assessments on air ventilation and visual impact had been conducted to demonstrate that the maximum PR of 9.5 for the “C(1)” zone was acceptable. Other “C” sub-zones in the NDA were stipulated with lower PRs ranging from 1.5 to 8; and
- (k) the BH of 200mPD was also the maximum BH stipulated in the NDA, which was intended for the development of some landmark buildings. To achieve a holistic design and create a distinct sense of place, further urban design studies would be conducted for the areas around the railway stations and regional plaza. The opportunity for enhancement of the general massing and layout of developments could be explored in the urban design studies.

85. The Vice-chairman and some Members raised the following questions and comments:

*Specific Set of Covering Notes*

- (a) further elaboration of the special features of the covering Notes of the HSK OZP;

*Housing Mix*

- (b) noting that the mix of public and private housing in the NDA was about 50 : 50 and there was a keen demand for public housing, whether the proportion of public housing could be raised to address the demand;

*Provision of Government, Institution and Community (GIC) Facilities*

- (c) what types of GIC facilities had been planned in the NDA;
- (d) while the planning of GIC facilities was based mainly on the demand of the existing population according to the Hong Kong Planning Standards and Guidelines, whether future demographic change, such as the anticipated ageing population, had been taken into account in the planning process;
- (e) in view of the ageing population in Hong Kong, HSK NDA should be planned as an elderly-friendly community;

*Accommodation of Affected Brownfield Operations*

- (f) noting that the successful implementation of HSK NDA would depend on whether the affected brownfield operations could be accommodated in multi-storey buildings in a land efficient manner and that a feasibility study was being conducted for the purpose, what the progress of the feasibility study and its findings were;

- (g) in addition to logistics and technology industries, there were a number of construction-related industries in the NDA currently, such as warehouses and storage yards for construction materials. Whether the feasibility study had given due regard to and made provision to cater for the affected construction-related industries;

*Integration of Existing Villages and Future Developments*

- (h) the size and percentage of land designated as “Village Type Development” (“V”) zone on the HSK OZP;
- (i) whether the Small House demand of the existing villages in Ha Tsuen and the integration of the villages with the new urban developments had been catered for in the planning of the NDA;

*Smart City and Green Building Initiatives*

- (j) whether the design of the NDA had given due regard to the initiatives on ‘smart city’ development;
- (k) whether the NDA had any design features to enhance its resilience to climate change and promote the development of green buildings; and
- (l) whether centralised underground refuse collection and recycling facilities would be adopted in the NDA.

86. Mr David C.M. Lam, DPO/TM&YWL, and Mr Tony K.L. Cheung, CE/NTW3, CEDD, made the following responses:

*Specific Set of Covering Notes*

- (a) as the planning scheme area of the draft HSK OZP had included areas previously covered by Interim Development Permission Area (IDPA)/Development Permission Area (DPA) plans and new town OZP,

a special set of covering Notes integrating the provisions in the covering Notes for urban/new town OZPs and for rural OZPs in respect of the enforcement of unauthorised developments and planning control on temporary uses had been prepared, with reference to the Kwu Tung North and Fanling North OZPs. In gist, if planning permission was required for temporary uses on land falling within the previous OZP, it would continue to be required under the HSK OZP;

#### *Housing Mix*

- (b) the public and private housing mix of HSK NDA was 51 : 49. If Tin Shui Wai new town with a 80 : 20 public and private housing mix was taken into account on a wider district basis, the overall housing mix for the area would be about 70 : 30. To promote a more balanced and socially integrated community, it might not be desirable to further increase the public housing ratio in HSK NDA;

#### *Provision of GIC Facilities*

- (c) there would be adequate provision of open space on the HSK OZP to serve the local population. A government complex comprising government offices, community hall, magistrates' court, post office and performance venue was planned in Planning Area 26A near the proposed HSK Station. Sites for 17 primary schools, 11 secondary schools, 3 public markets and a GIC complex for accommodating social welfare and community facilities had also been reserved in the NDA. Moreover, 7 sites in various locations were reserved for government use to cater for future needs;
- (d) as land use planning was an on-going process and the land use proposals of the HSK OZP would take a long timeframe to implement progressively, the Government would keep monitoring the community's demand on different facilities, including those catering for the ageing population, and review their provision as necessary;

*Accommodation of Affected Brownfield Operations*

- (e) the feasibility study on using multi-storey buildings for brownfield operations was commenced in end 2016. CEDD and the consultant had conducted overseas visits to Europe, Japan and Singapore to examine the experiences of other countries in accommodating brownfield operations in multi-storey buildings. It was considered that the proposed arrangement was technically feasible and could be adopted in Hong Kong. The consultant would, in consultation with the industries including the construction-related operators, explore the possible building designs and financial models that could suit the local context and meet the requirements and operational needs of the industries. It was expected that the study could be completed by 2018 with recommendations made to the Government for consideration;

*Integration of Existing Villages and Future Developments*

- (f) about 118 ha or 16.7% of land was zoned “V” on the draft HSK OZP, comprising about 80 ha of “V” zones from the original Ha Tsuen OZP and 30 ha from the Ping Shan OZP;
- (g) the boundaries of the “V” zones on the draft OZP were drawn up having regard to the village ‘environs’, the local topography, site constraints and the Small House demand. It was estimated that the areas of the “V” zones designated would be sufficient to cater for the outstanding Small House applications;
- (h) to minimise incompatibility between the existing villages and the future urban developments, some buffer areas had been reserved at the periphery of the “V” zones to separate the new developments from the village areas. Moreover, *fung shui* lanes had been retained and would serve as view corridors and breezeways for the villages. A heritage trail was also proposed within the NDA to link up the heritage features of the villages;

*Smart City and Green Building Initiatives*

- (i) HSK NDA was planned to be a smart, green and resilient city adopting a sustainable and energy saving strategy in building design, transportation and infrastructure provision. The future building developments in the NDA would adhere to the Sustainable Building Design Guidelines promulgated by the Government;
- (j) there would be follow-up studies to explore the appropriate green initiatives to be adopted. Reusing treated sewage effluent and harvested rainwater for non-potable purposes, such as toilet flushing and irrigation, would be explored so as to promote sustainable use of water, Revitalisation of the existing drainage channels within the NDA would also be pursued;
- (k) while the implementation of automatic solid waste collection system in the NDA was technically feasible, the operation and management issues had to be resolved and would be subject to further study; and
- (l) on adaptation to climate change, the design of drainage facilities in the NDA would aim to improve the area's flood resilience capacity in anticipation of the possible increase in sea level in future. Flood retention lake within the central park and other flood retention facilities which could blend in with the environment and allow public access and enjoyment in dry season were proposed.

[Mr Alex T.H. Lai left the meeting during the question and answer session.]

87. After deliberation, Members agreed that:

- (a) the draft Hung Shui Kiu and Ha Tsuen OZP No. S/HSK/C (to be renumbered as S/HSK/1) and its Notes (at Annexes I and II of Appendix A of TPB Paper No. 10276) were suitable for public exhibition under section 5 of the Town Planning Ordinance (the Ordinance);

- (b) the ES (at Annex III of Appendix A of TPB Paper No. 10276) was suitable to serve as an expression of the planning intentions and objectives of the Board for various land use zonings of the draft Hung Shui Kiu and Ha Tsuen OZP and that the ES should be issued under the name of the Board and published together with the draft OZP;
- (c) the proposed amendments to the following OZPs and their Notes were suitable for exhibition under section 5 of the Ordinance:
  - (i) approved Lau Fau Shan and Tsim Bei Tsui OZP No. S/YL-LFS/7 (to be renumbered as S/YL-LFS/8) (at Annexes A and B of Appendix I of TPB Paper No. 10277);
  - (ii) approved Ping Shan OZP No. S/YL-PS/16 (to be renumbered as S/YL-PS/17) (at Annexes A and B of Appendix II of TPB Paper No. 10277);
  - (iii) approved Tin Shui Wai OZP No. S/TSW/12 (to be renumbered as S/TSW/13) (at Annexes A and B of Appendix III of TPB Paper No. 10277);
  - (iv) approved Lam Tei and Yick Yuen OZP No. S/TM-LTYYY/8 (to be renumbered as S/TM-LTYYY/9) (at Annexes A and B of Appendix IV of TPB Paper No. 10277); and
  - (v) approved Ha Tsuen OZP No. S/YL-HT/10 (to be renamed as Ha Tsuen Fringe OZP and renumbered as S/YL-HTF/11) (at Annexes A and B of Appendix V of TPB Paper No. 10277); and
- (d) the revised ESs (at Annex C of Appendices I to V of TPB Paper No. 10277) for the respective OZPs at (c) above as an expression of the planning intentions and objectives of the Board for the various land use zonings on the Plans and the revised ESs would be published together with the draft OZPs.

88. Members noted that, as a general practice, the Secretariat of the Board would undertake detailed checking and refinement of the draft OZPs including the Notes and ES, if appropriate, before their publication under the Ordinance. Any major revision would be submitted for the Board's consideration.

89. The Chairman thanked the government representatives for attending the meeting. They left the meeting at this point.

**Agenda Item 7**

[Open Meeting]

Any Other Business

[The item was conducted in Cantonese.]

90. There being no other business, the meeting was closed at 5:00 p.m.