

**Minutes of 942nd Meeting of the
Town Planning Board held on 28.8.2009**

Present

Permanent Secretary for Development
(Planning and Lands)
Mr. Thomas Chow

Chairman

Dr. Greg C.Y. Wong

Vice-Chairman

Mr. Nelson W.Y. Chan

Mr. David W.M. Chan

Mr. Leslie H.C. Chen

Professor David Dudgeon

Mr. Tony C.N. Kan

Mr. Edmund K.H. Leung

Dr. C.N. Ng

Dr. Daniel B.M. To

Mr. Alfred Donald Yap

Ms. Sylvia S.F. Yau

Mr. B.W. Chan

Mr. Walter K.L. Chan

Mr. Felix W. Fong

Ms. Anna S.Y. Kwong

Dr. James C.W. Lau

Mr. K.Y. Leung

Mr. Rock C.N. Chen

Mr. Maurice W.M. Lee

Mr. Timothy K.W. Ma

Principal Assistant Secretary (Transport)

Transport and Housing Bureau

Mr. Fletch Chan

Deputy Director of Environmental Protection

Mr. C.W. Tse

Assistant Director (2), Home Affairs Department

Mr. Andrew Tsang

Director of Lands

Miss Annie Tam

Director of Planning

Miss Ophelia Y.S. Wong

Deputy Director of Planning/District

Mr. Lau Sing

Secretary

Absent with Apologies

Professor N.K. Leung

Professor Bernard V.W.F. Lim

Mr. Stanley Y.F. Wong

Ms. Maggie M.K. Chan

Mr. Raymond Y.M. Chan

Mr. Y.K. Cheng

Professor Paul K.S. Lam

Ms. Starry W.K. Lee

Professor Edwin H.W. Chan

Dr. Winnie S.M. Tang

In Attendance

Chief Town Planner/Town Planning Board
Mr. Ivan M.K. Chung (a.m.)
Ms. Christine K.C. Tse (p.m.)

Senior Town Planner/Town Planning Board
Miss Vivian M.F. Lai (a.m.)
Ms. Doris S.Y. Ting (p.m.)

Agenda Item 1

[Open Meeting]

Confirmation of Minutes of the 941st Meeting held on 14.8.2009

[The meeting was conducted in Cantonese.]

1. The minutes of the 941st meeting held on 14.8.2009 were confirmed without amendments.

Agenda Item 2

[Open Meeting]

Matters Arising

[The meeting was conducted in Cantonese.]

2. The Secretary reported that there were no matters arising.

Agenda Item 3

[Open Meeting (Presentation and Question Session Only)]

Consideration of Representations and Comments in Respect of the Draft Kwai Chung Outline Zoning Plan No. S/KC/22

(TPB Paper No. 8391)

[The hearing was conducted in Cantonese.]

Group 1 :

Representations No. R1 to R93, R95 to R182 and R184 to R762 and

Comments No. C1 to C39

Presentation and Question Session

3. The Secretary reported that, as the Group 1 representations were related to the use of ex-Kwai Chung Police Married Quarters (ex-KCPMQ) site which was zoned “Residential (Group E)1” (“R(E)1”) on the draft Kwai Chung Outline Zoning Plan (OZP)

No. S/KC/22 and planned for public rental housing (PRH) development by the Hong Kong Housing Authority (HKHA) and Group 2 representations were related to adjustment of zoning boundaries to tally with the Vesting Order Boundary of the HKHA Shek Lei Estate, the following Members had declared interests in this item:

- | | |
|---|---|
| Mr. Thomas Chow
as Permanent Secretary for
Development (Planning & Lands) | - Being a representative of the Secretary for
Development who was a member of the
Building Committee (BC) and Strategic
Planning Committee (SPC) of the HKHA |
| Miss Ophelia Y.S. Wong
as Director of Planning | - Being a member of the BC and SPC of
HKHA |
| Mr. Andrew Tsang
as Assistant Director (2) of the
Home Affairs Department | - Being a representative of the Director of
Home Affairs who was a member of the
SPC and Subsidised Housing Committee
of HKHA |
| Miss Annie K.L. Tam
as Director of Lands | - Being a member of HKHA |
| Mr. Stanley Y.F. Wong | - Being a member of HKHA |
| Professor Edwin H.W. Chan | Being a member of the BC of HKHA |
| Mr. Y.K. Cheng | - Spouse being the Chief Architect of the
Housing Department (HD) |
| Dr. Greg C.Y. Wong |] |
| Professor Bernard V.M.F. Lim |] Having business dealings with HKHA |
| Mr. Raymond Y.M. Chan |] |
| Dr. Winnie S.M. Tang | - Being a Member of the Kwai Tsing
District Council (KTDC) |

4. Members noted that Messrs. Stanley Y.F. Wong, Raymond Y.M. Chan and Y.K. Cheng, Dr. Winnie S.M. Tang, Professor Bernard Lim and Professor Edwin Chan had tendered apologies for not attending the meeting, and that Miss Annie K.L. Tam and Dr.

Greg C.Y. Wong had not yet arrived to join the meeting. The Secretary said that, according to the Procedure and Practice, as both the Chairman and Vice-Chairman had declared interests in this item, the Chairman should continue to assume the chairmanship as a matter of necessity. The Chairman remarked that he would refrain from casting any vote on the subject matter, if voting was called for.

[Messrs. Andrew Tsang left the meeting and Miss Ophelia Y.S. Wong left the meeting temporarily at this point.]

5. Messrs. David W.M. Chan and Tony C.N. Kan said that one of the representers, Hon. Lee Wing Tat, was their personal friend due to involvement in various district works and advisory boards. Members considered that their interests were indirect and not substantial and that they should be allowed to stay at the meeting.

6. Mr. Fletch Chan said that although housing policy was under the ambit of the Transport and Housing Bureau (THB), he was now working in the transport branch which was not related to the subject matter. Members agreed that his interest was indirect and not substantial and that he should be allowed to stay at the meeting.

7. Members noted that sufficient notice had been given to invite the representers and commenters to attend the hearing. Other than the representers and commenters to be invited to the meeting below, the rest had either indicated that they would not attend the hearing or made no reply. The Board agreed to proceed with the hearing in their absence.

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

Planning Department (PlanD)

Ms. Heidi Chan	District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK)
Mr. Y.S. Lee	Senior Town Planner/Kwai Tsing (STP/KT)
Mr. Steve S.H. Cheung	Town Planning Graduate/Kwai Tsing

Environmental Protection Department (EPD)

Mr. Edward W.K. Lam Senior Environmental Protection Officer

Housing Department (HD)

Mr. Harry H.Y. Chan Senior Planning Officer (SPO)

Miss Vera S.M. Choi Senior Architect (SA)

Mr. Stephen C.L. Chu Senior Civil Engineer

Mr. Roger Frianeza Consultant

Leisure and Cultural Services Department (LCSD)

Mr. Peter T.S. Kan Chief Executive Officer (Planning) (CEO(P))

Miss Sylvia M.W. Tang Chief Leisure Manager (NTW)

Mr. M.F Wu Chief Librarian (Operations and District Council Management)

Transport Department (TD)

Miss Esther W.M. Kam Transport Officer/Kwai Tsing (TO/KT)

Mr. Benedict W.K. Yau Engineer/Kwai Chung (E/KC)

Representer No. 16 (R16) (Ruth Chan)

Ms. Ruth Chan

R31 (Leung Wai Man, Kwai Tsing District Councillor)

Mr. Leung Wai Man

R39 (Wong Yan Cheung (Convenor of Kwai Fong Terrace Follow-up Concern Group) and

R76 (Wong Yan Cheung)

Mr. Wong Yan Cheung

R40 (New Kwai Fong Gardens Owners' Committee)

R100 (So Fu Cheung, Philip)

R299 (Chan Shun Ying)

R300 (Wong Chi Hang)

R615 (Lao Oi Lei) and

C8 (Chan Shun Ying)

Ms. Chan Shun Ying

Mr. Chung Hau Ping

Lao Oi Lei

R41 (The Association of the Residents of Private Buildings of Kwai Fong District)

Ms. Chan Lai Fong

R44 (Chan Chi Ping, Secretary of Kwai Fong Terrace's Owners & Tenants Association) and

R447 (Chan Ho Cheung)

Mr. Chan Ho Cheung

R50 (Leung Chak Hung, Chairman of Incorporated Owners of Yuet Loong Building)

R54 (Ng Kim Sing, Kwai Tsing District Councillor)

R682 (Cheng Fung Yee) and

R709 (Law Sau Yau)

Mr. Ng Kim Sing

Lam Chu Ling

Mak Kim Wan

Ms. Pang Lai Chun

Kwan Kam Kuen

Wong Yip Pong

R53 (Lee Wing Tat, Kwai Tsing District Councillor) and

R57 (Wan Siu Kin, Kwai Tsing District Councillor)

Mr. Wan Siu Kin

Kong Yan Yan

R60 (Au Kam Wing)

Mr. Au Kam Wing

Lam Sun Wai

R69 (Leung Cheuk Lap)

Mr. Leung Cheuk Lap

R78 (Kwai Chung Community Development Concern Group Convenor

Michelle Leung) and

R178 (Tong Wing So)

Ms. Michelle Leung

Ms. Chan Kit Fong

R99 (Chung Kui Man)

R143 (Lo Wai Yin)

R341 (Ng Kin Sun)

R374 (Fung Kai Leung)

R375 (Fung Lok Yee, Laurie)

R377 (Chung Yi Shing)

R378 (Chung Tsoi Ying)

R396 (Wong Po Chu)

R398 (Chan Lik Wai)

R441 (Fu Hiu Mei)

R443 (Lee Kam Ying)

R573 (Wong Pui Fong)

R581 (Kam Kwok Tung)

R585 (Fu King Wai) and

R669 (Chiang Yee Ling)

Chan Lik Wai

Mr. Lau Yuk Nam

Fu Hiu Mei

Fu King Wai

R100 (So Fu Cheung, Philip)

Ms. Chan Shun Ying

R145 (Lo Yu Chiu)

Mr. Lo Yu Chiu

R147 (Chau Siu Kuen, Freda)

R148 (Wong Tsui Tim) and

R149 (Chau Sin Hing)

Ms. Chau Siu Kuen, Freda

R212 (Chan Ka Fai)

Mr. Chan Ka Fai

R243 and C25 (Loo Yun Sum)

Mr. Loo Yun Sum

R304 (Wong Fung Kiu)

Ms. Wong Fung Kiu

R397 (Chan Chi Yan)

Hon. Leung Yiu Chung

R411 (Chan So Yan)

Chan So Yan

Mr. Chan Ho Cheung

R412 (Chan Yuk Wan)

R541 (Lau Wai)

Mr. Lau Wai

R438 (Yung Shuk Fong)

Ms. Yung Shuk Fong

R448 (Chan Lai Fun)

Ms. Chan Lai Fun

R465 (Ko Yuet Chung)

Mr. Ko Yuet Chung

R525 (Wan Yeuk Ha)

R576, R691 and C11 (Tsoi Wai Kwong)

Mr. Tsoi Wai Kwong

R533 (Yip Wai Keung)

Mr. Yip Wai Keung

R538 (Kwok Kwai Chun)

Ms. Kwok Kwai Chun

R571 and C34 (Yung Wai Hing)

Ms. Yung Wai Hing

R572 (Ngan Kin Wai)

Mr. Ngan Kin Wai

R592 (Cheng Man Kwan)

Ms. Cheng Man Kwan

R609 (Poon Chun Yu)

Ms. Poon Chun Yu

R621 (Chan Shun Fong)

Chan Shun Fong

R639 (Cheung Lai Fong)

Ms. Cheung Lai Fong

R679 (Chan Yuet Kuen)

Ms. Chan Yuet Kuen

Mr. Ng Kim Sing

R702 (Kam Yuet Sheung)

Ms. Kam Yuet Sheung

R713 (Lee Suit Jing)

Lee Suit Jing

Ms. Chan Yuet Kuen

R717 (Leung Man Yi)

Ms. Leung Man Yi

Commenter No. 21 (C21) (Lau Tam Yuk)

Mr. Lau Tam Yuk

Ms. Wong Wai Lan Sign Language Interpreter

Attending Only

R34 (Hong Ping Chor)

Hong Ping Chor

R93 (Lee Kwok Wah)

Chan Lai Wan

R190 (Kwan Yuen Mei)

Kwan Yuen Mei

R211 (Poon Man Shan)

Poon Man Shan

R272 (Lui Chi Kwong)

Lui Chi Kwong

R417 (Li Man Kit)

Li Kan Kit

R570 (Leung Wai Hung)

Leung Wai Hung

R675 (Sham Yuk Ying)

Lau Fung Mee

9. The Chairman extended a welcome and explained the procedures of the hearing. He then invited Ms. Heidi Chan, DPO/TWK, to brief Members on the background to the amendments and the representations.

10. Ms. Heidi Chan said that four Legislative Council Members, namely Hon. James To, Hon. Lee Cheuk Yan, Hon. Leung Yiu Chung and Hon. Lee Wing Tat jointly signed a letter dated 20.8.2009 objecting to the use of the ex-KCPMQ site for PRH. The letter had been delivered to Members before the meeting. Hon. Lee Wing Tat was one of the representers (R42 and R53) and his representative would attend the meeting to make presentation. Hon. Leung Yiu Chung would also attend the hearing as the representative of R397

[Mr. Rock C.N. Chen arrived to join the meeting at this point.]

11. With the aid of a Powerpoint presentation, Ms. Heidi Chan made the following main points as detailed in the Paper:

- (a) the draft Kwai Chung OZP No. No. S/KC/22 was exhibited for public

inspection under section 5 of the Town Planning Ordinance (the Ordinance) on 20.2.2009 to rezone various sites including :

- the ex-KCPMQ site at Kwai Yi Road rezoned from “Government, Institution or Community” (“G/IC”) and ‘Road’ to “Residential (Group E)1” (“R(E)1”) (Amendment Item C);
 - part of a playground and part of the Shek Lei Catholic Primary School in Shek Lei Estate rezoned from “G/IC” to “R(A)” (Amendment Item E);
- (b) during the two-month exhibition period, a total of 765 representations and 39 comments were received. Two representations (R94 and R183) were subsequently withdrawn. The remaining 763 representations were divided into 2 groups. Group 1 (R1 to R93, R95 to R182 and R184 to R762) was related to Amendment Item C, i.e. the rezoning of ex-KCPMQ site for PRH development;

Grounds of representations

- (c) 17 representations (R1 to R17) supported PRH at the ex-KCPMQ site as it was in line with the public policy and supply of PRH. The site was compatible with the surrounding residential use and accessible by MTR. Another 13 representations (R18 to R30) had no comment on the amendment;
- (d) 730 representations (R31 to R93, R95 to R182 and R184 to R762) opposed the amendment item on the following major grounds as detailed in paragraph 2.7 of the Paper :
- i. excessive population and high population density (mentioned by 333 representations): Kwai Chung and Tsing Yi district was overpopulated and 70% of the housing in the district was public housing. The proposed amendment would inject more population

into the area, thus worsening the living environment;

- ii. vehicular and pedestrian traffic problems (mentioned by 200 representations): the existing road networks and the transport infrastructure were unable to handle additional traffic of the PRH development at the ex-KCPMQ site;
- iii. air ventilation and traffic noise problems (mentioned by 158 representations): the proposed high-rise PRH development would create a strong barrier blocking air circulation and sunlight, causing wall effect and affecting residents' health. The ex-KCPMQ site itself was not suitable for residential development as it was subject to traffic noise from Kwai Chung Road and Kwai Yi Road;
- iv. insufficient community/ public facilities (mentioned by 209 representations): the proposed amendment would add burden to the existing facilities which were insufficiently provided and deteriorating. Located in the centre of Kwai Fong area, the ex-KCPMQ site should be developed for community facilities;
- v. insufficient open space (mentioned by 68 representations): the per capita open space provision in the district was only 0.36m^2 , which was below the standard of 1m^2 per person;
- vi. not a suitable location for PRH Development (mentioned by 19 representations): as Kwai Chung did not have many private residential developments, using the ex-KCPMQ site for PRH would be a resource mismatch;
- vii. PRH units not yet being fully occupied (mentioned by 5 representations): the occupancy rate of PRH units had not reached 100%. New PRH should not be built until the vacant PRH units were occupied;

- viii. social problems and public safety/ security (mentioned by 6 representations): the proportion of PRH in Kwai Fong was too high, rendering it a second area being hardest-hit by juvenile and unemployment problems after Tin Shui Wai;
- ix. insufficient public consultation (mentioned by 7 representations): contrary to the pledge Secretary for Development (SDEV) had made to the residents, there was no prior public consultation before the rezoning amendment was submitted to the Board. The notice for attending the two consultation forums held by the Home Affairs Department (HAD) was unreasonably short. Two motions were passed at the District Council (DC) meeting on 12.3.2009 requesting PlanD to reinitiate a public consultation on the use of the ex-KCPMQ site and opposing the proposed amendment;

Representers' proposals

- (e) 37 representations had no proposals. 3 supportive representations (R15 to R17) and 1 no-comment representation (R30) considered that the PRH should incorporate public facilities such as library, study rooms or the site should be developed for government services building. The proposals of other representers as detailed in paragraph 2.10 of the Paper included:
 - i. to revert the ex-KCPMQ site to the original "G/IC" zone for the development of community, cultural, recreational facilities and open space;
 - ii. to develop as private residential and/or commercial uses;
 - iii. to withdraw the proposed amendment first and re-consider the planning for ex-KCPMQ site;
 - iv. to plan for low-density development with a plot ratio (PR) restriction

of 2.5;

Commenters' views

- (f) C1 supported R1, which was supportive of Amendment Item C. C2 to C39 disagreed with R1 to R14 who supported Amendment Item C. C2 to C39 further proposed to plan the ex-KCPMQ site for community, recreational and cultural facilities and open space;

PlanD's views

- (g) planning considerations and assessments, and responses to grounds of representations and comments on representations as detailed in paragraph 5 were summed up below :

- i. the supportive and no-comment representations were noted;

Population and population density:

- ii. the infrastructures, utilities and community facilities for Kwai Chung and Tsing Yi were designed to accommodate a future population of 555,000. The development scale and resultant population of the proposed PRH (three 30-storey blocks with 1,000 units for 2,800 person, PR 5) were similar to those of the ex-KCPMQ site (four 21-storey blocks with 819 units for 2,140 persons, PR 4.95). No significant increase in population was expected;

Vehicular and pedestrian traffic problems:

- iii. the scale of the proposed PRH was similar to that of the ex-KCPMQ, and the existing traffic situation would unlikely worsen. TD was planning to provide some public transport facilities at Container Port Road near the Kwai Fuk Road

roundabout for the relocation of all the existing non-franchised bus services and part of the existing taxi pick up/ drop off points on Kwai Yan Road and Hing Ning Road. Also, the subway connecting Kwai Fong MTR Station with Kwai Fuk Road roundabout would be completed in late 2009. The additional public transport services/ facilities would help alleviate the traffic condition in Kwai Fong area. The preliminary TIA had also confirmed that no adverse traffic impacts would be generated by the proposed PRH. HD would liaise with TD to address local concerns on transport facilities;

Air ventilation and traffic noise aspects:

- iv. EPD advised that the site was exposed to excessive traffic noise impact from Kwai Chung Road. The Environmental Assessment Study (EAS) commissioned by HD in 2008 indicated that no air and noise problem would be envisaged from the PRH development with the incorporation of mitigation measures in the design. The proposed PRH would not pose adverse environmental impact on the surroundings. Under the proposed “R(E)1” zone, “flat” development required permission from the Board and the technical assessments forming part of the application would be subject to the Board’s consideration;

Provision of community / public facilities:

- v. based on the existing and planned population of Kwai Chung and in particular, Kwai Fong area under Kwai Tsing DC, the provision of community and recreational facilities could generally meet the requirements of Hong Kong Planning Standards and Guidelines (HKPSG). To meet the local needs, an integrated family service centre (about 535m²) would be incorporated into the proposed PRH development. HD was studying the feasibility to incorporate other community facilities, e.g. library, study room, multi-purpose

ball-court, into the proposed PRH development;

Open space provision:

- vi. Kwai Chung and Tsing Yi districts had 73 parks/ playgrounds/ sitting-out areas, providing about 124 ha of public open space. In the long term, the provision of open space would be 158 ha. The provision met the requirements of the HKPSG to cater for the existing and future population. In Kwai Fong, the 18 ha open space provision including the Central Kwai Chung Park, Hing Fong Road playground, Kwai Yi Road playground and Shing Fong Street rest garden were within 10 minutes walking distance from the ex-KCPMQ site. Within the proposed PRH development, passive and active open space would also be included.

Location for PRH:

- vii. the ex-KCPMQ site was previously occupied by residential blocks. The proposed PRH would be compatible with the surrounding uses. Preliminary traffic and environment assessments conducted by HD demonstrated that the proposed development would not cause insurmountable traffic and environmental problems. The acceptability of the future development would need to be supported by technical assessments under the planning application and was subject to the Board's approval;

Demand for New PRH Units:

- viii. in view of the large number of applications (over 110,000) on the PRH waiting list, it was necessary to allocate the vacant flats as well as construct new PRH to meet the pledged 3-year average waiting time. The PRH vacancy rate in Kwai Chung and Tsing Yi (i.e. 1.2%) was below the average rate in the territory (1.4%). The PRH resources in the district had been effectively utilized;

Public consultation:

- ix. the exhibition of the proposed amendment on the OZP and the provision for representations and comments formed parts of the statutory public consultation process under the Town Planning Ordinance. Before, during and after the exhibition of the OZP, 8 briefings/meetings on the subject amendment were held to brief Legislative Council, District Council (DC), residents, organizations and the public. District Officer (DO) also issued a consultation paper on 23.3.2009 and held briefings to the locals. The PRH development would require planning permission from the Board, in which public comments would be sought and incorporated for the Board's consideration;

Social problems and public safety/ security:

- x. the concern on social problems and public safety was a matter of law enforcement. The Police had no comment on the rezoning in that regard.

Proposal to revert to "G/IC" zone and provision for related facilities or open space :

- xi. sufficient open space and Government, institution and community (GIC) facilities had been provided in Kwai Chung district in accordance with HKPSG to cater for the existing and planned population. Government departments had not requested additional facilities on the ex-KCPMQ site;

Proposal to use the site for private development :

- xii. in view of the waiting list for PRH and the pledged time, the ex-KCPMQ site was required for PRH development to meet the

public housing demand of the community. On the concern on resource-mismatch issue, District Lands Office (DLO) advised that there was an established mechanism to decide the appropriate use of government land either for PRH or private housing/ commercial development after considering various factors;

Proposal to withdraw the rezoning :

- xiii. all representations would be considered by the Board which would decide to amend or not to amend the zoning of the site;

Proposal to lower the PR to 2.5 :

- xiv. the scale and intensity of the proposed PRH at a PR of 5 were similar to the previous staff quarters at a PR of 4.95. Residential development would require planning permission from the Board. The applicant had to support his planning application to demonstrate that PR of 5 was acceptable in terms of environment, traffic and infrastructural impacts; and

- (h) recommended the Board not to uphold the representations on grounds as set out in paragraph 7 of the Paper.

12. The Chairman then invited the representatives of representers and commenters to elaborate on their submissions.

[Ms. Anna S.Y. Kwong left the meeting temporarily at this point.]

R31 (Leung Wai Man, Kwai Tsing District Councillor)

13. With the aid of photos, Mr. Leung Wai Man made the following main points:

- (a) the KTDC had passed two motions against the PRH use on the ex-KCPMQ site. DO had also relayed the opposing views of the residents

to the Board;

- (b) the Kwai Fong MTR Station and the adjoining bus terminus were always flooded with people. The environmental quality, in particular air quality, of the area was very poor. As such, no more development in the vicinity should be allowed without improvement of the traffic and transport facilities. Otherwise, the future PRH residents would have to suffer from the deteriorating environment;
- (c) the Central Kwai Chung Park, situated at the eastern hill slopes, was remotely located and inaccessible to the public. Most of the Kwai Fong residents did not know where it was, and even for the few who were aware of its existence, they would not go there. The utilisation rate of the park was very low. The Kwai Chung Park in the south was further away from the station and was always locked up. Though established for some 20 years, that park did not provide any suitable facilities for a leisure walk. Platforms in that park were only reserved for such sports as the Hong Kong Jockey Club International BMX park for cycling competition of the East Asian Games (EAG) and the cricket sports. Such sports facilities were not popular to local residents;
- (d) other existing community facilities like the Kwai Hing library and the Kwai Fong Wai open space had been in place for more than decades. No major improvement was committed to cope with the growing population in the area; and
- (e) to avoid the creation of wall effect due to the development of PRH, the ex-KCPMQ site should be retained for GIC use.

R39 (Wong Yan Cheung (convenor of Kwai Fong Terrace Follow-up Concern Group) and R76 (Wong Yan Cheung)

14. Mr. Wong Yan Cheung made the following points :

- (a) the future use of the ex-KCPMQ site needed to be carefully considered from the environmental perspective;
- (b) high density development in Kwai Chung had resulted in heat island effect as manifested by temperature difference between the central part and peripheral area of Kwai Chung;

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

- (c) the agglomeration of high-rise living blocks accommodating more than 30,000 people in Kwai Fong area, the inter-mixture of commercial and industrial activities and the high volume of vehicular and passenger flows around the Kwai Fong MTR Station as a major transport hub had been contributing to the deterioration of air and noise quality to an unacceptable level; and
- (d) no more population should be injected into the area.

R40 (New Kwai Fong Gardens Owners' Committee)

R100 (So Fu Cheung, Philip)

R299 (Chan Shun Ying)

R300 (Wong Chi Hang)

R615 (Lao Oi Lei) and

C8 (Chan Shun Ying)

15. With the aid of the photos presented by R31, Ms. Chan Shun Ying made the following main points :

- (a) the traffic on the roads around the Kwai Fong MTR Station was very busy and congested. The roadside lane was also used for stops for mini-bus, causing potential traffic safety risks to the passengers and pedestrians. The TIA commissioned by HD had underestimated the traffic volume in the area, and TD should reconsider the accuracy of the findings of the TIA;

- (b) there was inadequate public consultation by the Government on the rezoning of the ex-KCPMQ site. The notices for attending the consultation forums held by HAD were unreasonably short. For the HAD's consultation forum held on 3.4.2009, the local residents were required to confirm their attendance within one day. It appeared that HAD did not intend to invite the local residents to the meetings. The consultation was not a genuine one;
- (c) the Kwai Chung Park, which was locked up most of the time, was close to unwelcoming land uses such as cemetery, funeral parlour and crematorium. It was not appealing to residents even when it was open;
- (d) a survey in the New Kwai Fong Gardens showed that an overwhelming majority voted against the PRH development due to the possible wall effect and resultant increase in population. The current problem of high population density would be exacerbated. In addition, in view of the heavy pedestrian and traffic flows in the Kwai Fong MTR Station and its interchange, air quality and noise problem and the lack of community facilities, there should not be PRH development on the ex-KCPMQ site;
- (e) there were only three libraries in the Kwai Chung district which fell far short of the demand; and
- (f) the Government should make use of ex-KCPMQ site for the provision of community facilities, such as library, study room, and an indoor heated water swimming pool to cater for the needs of different age groups of the local residents.

16. Mr. Chung Hau Ping, the representative of R299, added that because of the lack of government facilities and library in Kwai Fong, the ex-KCPMQ site should be reserved for the development of government building and public facilities to meet the needs of the public. He supported the development of PRH, but it should be located elsewhere.

R41 (The Association of the Residents of Private Buildings of Kwai Fong District)

17. Ms. Chan Lai Fong made the following main points :

- (a) the roads in the vicinity of Kwai Fong transport interchange were always jammed, and conflicts occurred not only between vehicles and pedestrians, but also among vehicles;
- (b) Kwai Fong MTR Station and its public transport interchange (PTI) served as district wide transport hub for local residents as well as the commuters in the nearby fast-growing districts like Kwai Shing and Tsing Yi. The ex-KCPMQ site being close to the busy transport hub could help to share the increasing load on the transport interchange; and
- (c) there was a lack of facilities for the elderly. The aged people/ retirees found it difficult to walk up to the Central Kwai Chung Park. The proposal of building an indoor heated water swimming pool at the ex-KCPMQ site was supported.

R44 (Chan Chi Ping, Secretary of Kwai Fong Terrace's Owners & Tenants Association) and R447 (Chan Ho Cheung)

18. With reference to a set of notes tabled at the meeting, Mr. Chan Ho Cheung made the following main points,:

Traffic and Pedestrian Flow

- (a) the Kwai Fong MTR transport interchange was the terminus of 40 bus routes and 20 mini-bus routes. According to a 2005 study by the KTDC, the traffic volume of the two-lane Kwai Yan Road, between Kwai Fong MTR Station and the Metroplaza, could reach 1,066 trips per hour. Kwai Yan Road accommodated the stops for 12 bus routes and some mini-buses, private coaches and taxis. The traffic volume of Kwai Foo

Road and Kwai Chung Road had already exceeded their capacities;

- (b) there were insufficient pedestrian facilities around the area especially those in and around Kwai Yan Road and Kwai Foo Road. The two shopping centres of Kwai Chung Plaza and Metroplaza, with their carparks always full in weekends, further overloaded their servicing road, Hing Ning Road. The pedestrian paths were always packed with people queuing for mini-buses. From the 2006 By-Census, about 600,000 people passed by the town centre daily. He had conducted a recent survey on pedestrian flow at the exits of the Kwai Fong MTR Station, which amounted to 62,000 in the afternoon peak hour;
- (c) the Government should not add another 10,000 PRH residents to the ex-KCPMQ site which would adversely affect the heavily-loaded interchange area;

Open Space

- (d) the 27-ha Kwai Chung Park, established in 1992, was formerly the Gin Drinkers Bay landfill. Owing to the possible presence of inflammable gas, it was not open to the public. The proposed BMX park there would only be accessible to club members, and the general public could not gain access to it. The park might not be appealing to the public even if it was open due to its close proximity to the cemetery, funeral parlour and crematorium;
- (e) the 10.56-ha Central Kwai Chung Park was not convenient to residents as they needed to go through the seriously polluted industrial area via Kwai Chung Road before reaching the park. The park was seldom visited by residents;
- (f) the existing parks were either in lack of suitable facilities or dilapidated. The ex-KCPMQ site, being accessible to the public, was a suitable space for the development of an open park;

Air Quality

- (g) air quality in Kwai Fong was not satisfactory. The sulphur dioxide concentration was the highest in Hong Kong with high level of particulates according to EPD's preliminary 2008 figures;

Community Facilities

- (h) the existing libraries in Kwai Hing could not serve the 95,000 students and 540,000 residents in the Kwai Tsing district. Such a population in the district deserved a central library with at least 5,200m² in size;
- (i) the total number of seats in study rooms was fewer than 900, which was far from sufficient for the 95,000 students of the Kwai Tsing district. The Government should make use of the ex-KCPMQ site to provide a study room of at least 500 seats;
- (j) the size of the community hall and the provision of sports and recreation centre did not meet the standards of the HKPSG for residents and the working population. Social services and facilities provided for the youth, ethnic minority and the elderly were insufficient. Additional provision of cooked food centre, art performing centre and post office was required;

Major responses to the TPB Paper No. 8391

- (k) paragraph 5.4.3(c) – the current traffic and transport situation of the Kwai Fong MTR Station and the nearby PTI was already intolerable to residents;
- (l) paragraph 5.4.3(e) – the TD's proposal to build public transport facilities at Container Port Road near Kwai Fuk Road roundabout would unlikely be used by the non-franchised buses services because the location was a long distance from the MTR Station;

- (m) paragraph 5.4.3(f) – despite similar development scale, the occupancy rate of the ex-KCPMQ site was low whereas that of the proposed PRH would be high. The travel-to-work pattern of the families previously living in the KCPMQ would be significantly different from that of the future PRH residents. The no-adverse-impact conclusion of HD’s preliminary TIA report was not convincing;
- (n) paragraph 5.4.3(g) – it was not feasible to accommodate mini-bus stations within the ex-KCPMQ site given the constraints of Kwai Yi Road and Kwai Chung Road;
- (o) paragraph 5.4.3 (h) - contrary to the findings of HD’s EAS, the future PRH residents would be subject to serious air and noise nuisance from Kwai Chung Road;
- (p) paragraph 5.4.3(r) – even without the development of ex-KCPMQ site, there existed insurmountable traffic and environmental problems in that locality;
- (q) paragraph 5.4.3(s) –the ex-KCPMQ site could cater for demand of PRH units, but the future PRH residents of that site would suffer from the deteriorating environment; and

Proposals

- (r) HD to update the preliminary TIA report which was based on 2006 data, improvement to the local traffic and transport problems was urgently required; and the development of a 20-storey municipal building accommodating all required GIC facilities and an open space/ plaza at the ex-KCPMQ site.

R50 (Leung Chak Hung, Chairman of Incorporated Owners of Yuet Loong Building)

R54 (Ng Kim Sing, Kwai Tsing District Councillor)

R682 (Cheng Fung Yee) and

R709 (Law Sau Yau)

19. With the aid of photos, Mr. Ng Kim Sing made the following main points:
- (a) the future use of the ex-KCPMQ site had been a major concern of the local residents for a long time. However, the rush to consult the public prior to the publication of the rezoning amendment was highly unsatisfactory. On 16.2.2009 DC Members was only informed of a briefing to be held on 18.2.2009, which was just two days before the publication of the amended OZP;
 - (b) as early as 2004, KTDC had studied the congestion problems in Kwai Fong MTR Station and the PTI, and called for urgent measures to address the problems. The problem had been getting worse. Triple parking on the roads and around the MTR Station was common. It was necessary to use the ex-KCPMQ site as a solution space to resolve the current problems;
 - (c) the HD's preliminary TIA had underestimated the trip generation as Kwai Yan Road and Hing Ning Road had not been included in the TIA. It was further undermined by the adoption of some wrong assumptions such as using occupation rate, instead of turnover rate, to assess the performance of the transport interchange;
 - (d) according to the HKPSG, local open space (LOS) and district open space (DOS) should be provided at the rate of 1m^2 each per person. While LOS was sufficient for Kwai Tsing area, the provision of DOS was only at a rate of about 0.36m^2 per person, which was far below the standard. The provisions of LOS and DOS should not be mixed together for the calculation of open space provision. In fact, even if the existing inaccessible Central Kwai Chung Park was counted towards the open space provision, there was a shortage of 9 ha DOS in the Kwai Tsing District; and

- (e) Kwai Tsing district with a total population of 520,000, ranked seventh among all districts in terms of population. It deserved the provision of more up to standard and improved GIC facilities, like library. PRH development should not take precedence over the provision of much-needed GIC facilities..

[Mr. Maurice W.M. Lee arrived to join the meeting at this point.]

20. Ms. Pang Lai Chun, the representative of R54, supplemented the following main points:

- (a) the volume of books of the Kwai Hing library was small, and the seats available at the reference book library were inadequate. There was a deficit of study rooms to cope with the need of the students in Kwai Tsing district. More libraries including study rooms were required;
- (b) the Osman Ramju Sadick Memorial Sports Centre had been open for more than 10 years and the facilities there were unable to meet the demand of the population which had been increasing in the past years due to the redevelopment and development of housing sites; and
- (c) due to the ageing population in Kwai Tsing, there was a corresponding need to provide more elderly facilities.

21. The Chairman received a request from Mr. Lau Wai, the representative of R412 and R541, to present first as he had to leave early. The representers and commenters at the meeting had no objection to the request.

R412 (Chan Yuk Wan)

R541 (Lau Wai)

22. Mr. Lau Wai said that, as compared to Shek Kip Mei and Pak Tin, there was a shortfall of elderly facilities in Kwai Tsing. More community facilities for the elderly should be provided.

R53 (Lee Wing Tat, Kwai Tsing District Councilor) and
R57 (Wan Siu Kin, Kwai Tsing District Councillor)

23. Mr. Wan Siu Kin made the following main points :

- (a) the views of the representer of R44, who had provided a detailed account of the problems in the area, were agreed;
- (b) it was understood that TD intended to improve the traffic conditions of Kwai Yan Road and Kwai Yi Road, but it was difficult to find land in the built-up area to alleviate the congestion;
- (c) as to the provision of GIC facilities in Kwai Tsing district, the figures provided by the Government did not represent the true picture; and
- (d) the consultation on the PRH proposal was carried out in a rush manner without any intention to solicit public views.

R60 (Au Kam Wing)

24. Mr. Au Kam Wing said that there was a grave deficit of community facilities in the area. For example, the only conference room in the community hall was always over-booked and he had to wait for 2 months to reserve a room for local meetings. That was undesirable. A new community hall with conference room facilities should be provided to meet the local needs.

R69 (Leung Cheuk Lap)

25. With reference to Plan H-4 of the Paper, Mr. Leung Cheuk Lap made the following main points :

- (a) unlike large sites like On Yam Estate, the ex-KCPMQ site could not accommodate a low-rise shopping arcade in-between the high-rise PRH

blocks. Without the possibility of varying height profile, the proposed 3 new PRH blocks on a 0.98ha site would create wall effect. Development of PRH at the ex-KCPMQ site was contrary to the principle of sustainable development currently promoted by the Government; and

- (b) Kwai Fong was a built-up area with little opportunity for redevelopment as a means to improve the living environment, as compared to Kwun Tong and Wan Chai. The ex-KCPMQ site should be carefully planned as a solution space to address the existing problems of the area.

[Ms. Anna S.Y. Kwong and Dr. Daniel B.M. To left the meeting at this point.]

R78 (Kwai Chung Community Development Concern Group Convenor - Michelle Leung)
and

R178 (Tong Wing So)

26. Ms. Michelle Leung made the following main points :

- (a) the public consultation on the rezoning of the ex-KCPMQ site was too rush;
- (b) the Paper did not provide accurate information on the quality of the existing community facilities and public open space in the area;
- (c) the previous staff quarters on the ex-KCPMQ site were undesirable land use in view of the environmental constraints of the area. Should the site be developed for PRH, the future PRH residents would have to face similar environmental problem; and
- (d) the ex-KCPMQ site was the only space to provide an opportunity to improve the living environment of Kwai Fong area.

27. Members noted that a letter from Kwai Chung Community Development Concern Group (R78) enclosing 855 signatures requesting for community facilities on the

ex-KCPMQ site was received during the petition in that morning. The letter had been tabled at the meeting.

R100 (So Fu Cheung, Philip)

28. Ms. Chan Shun Ying, the representative of R100, noted from the Paper that HD considered reserving area for a convenience store within the proposed PRH development on the ex-KCPMQ site. She was not satisfied with HD's response as the area needed community facilities more than a convenience store.

R99 (Chung Kui Man)

R143 (Lo Wai Yin)

R341 (Ng Kin Sun)

R374 (Fung Kai Leung)

R375 (Fung Lok Yee, Laurie)

R377 (Chung Yi Shing)

R378 (Chung Tsoi Ying)

R396 (Wong Po Chu)

R398 (Chan Lik Wai)

R441 (Fu Hiu Mei)

R443 (Lee Kam Ying)

R573 (Wong Pui Fong)

R581 (Kam Kwok Tung)

R585 (Fu King Wai) and

R669 (Chiang Yee Ling)

29. Mr. Lau Yuk Nam, the representative of R398, said that a joint petition letter by the Mutual Aid Committees of various blocks of the Kwai Fong Estate had been submitted to the Board. Members noted that the said letter had been tabled at the meeting. Mr. Lau objected to the PRH development because there were already traffic and environment problems in the area and injection of an additional population would aggravate the problems. HA had the responsibility to provide a proper living environment to its residents, including the existing Kwai Fong Estate residents and the future PRH residents. The joint letter proposed to use the ex-KCPMQ site for open space, or low-rise

community hall with the ground floor used for transport facilities.

R145 (Lo Yu Chiu)

30. Mr. Lo Yu Chiu said that the PRH development on the ex-KCPMQ site would worsen the current traffic, air and noise problems of the area instead of resolving them. Kwai Fong MTR Station together with the neighbouring PTI functioned as an important interchange in the area. However, the lack of supporting transport facilities to cope with the increasing passengers and vehicles had resulted in traffic problems in the area. Priority should be given to address the traffic problems. The preliminary TIA commissioned by HD utilising 2006 data should be updated and the public should be further consulted for the future use of the ex-KCPMW site.

R147 (Chau Siu Kuen, Freda)

R148 (Wong Tsui Tim) and

R149 (Chau Sin Hing)

31. Ms. Chau Siu Kuen, Freda made the following main points :

- (a) it was inappropriate to assess the adequacy of the community facilities and open space provision in Kwai Tsing based on the population of the 2006 By-Census. Given the observable increase in population and pedestrian flow in Kwai Fong in recent years, the planning for transport, community facilities and open space in the district should take account of the large volume of working population and transient population;

[Messrs. David W.M. Chan and Rock C.N. Chen left the meeting at this point.]

- (b) according to a study on Kwai Tsing district, the low-income families were mostly found in Kwai Hing, Kwai Shing, Kwai Chung Estate and Kwai Fong Estate. Library and study rooms were needed for the students from those families; and
- (c) the ex-KCPMQ site was small and could only provide 1000 PRH units,

which would not contribute much to shorten the long waiting list for PRH. On the other hand, additional population resulted from the PRH would put pressure on the already overloaded transport and environment capacities of the area. With a view to optimizing the use of the ex-KCPMQ site, the Government was obliged to review the need for GIC facilities thoroughly rather than amending the zoning haphazardly.

R212 (Chan Ka Fai)

32. Mr. Chan Ka Fai made the following main points:

- (a) although the development scale of the proposed PRH was similar to the previous staff quarters at the ex-KCPMQ site and there would not be a significant increase in population, the future PRH residents would likely have different travel patterns and the daily trips would as a result increase. The impact on the existing transport infrastructure including road network and public transport facilities could be significant; and
- (b) HD had paid lip service to the local requests in planning for the ex-KCPMQ site. The proposed 535m² integrated family service centre accounted for only 1% of the total GFA. The convenience store proposed to be reserved within the development could not be accepted as a GIC facility. There was also no commitment from HD to address the local concerns on transport facilities by accommodating mini-bus stations within the ex-KCPMQ site.

33. The Chairman received a request from Mr. Ngan Kin Wai, the representative of R572, to present first as he had to leave early. The representers and commenters at the meeting had no objection to the request.

R572 (Ngan Kin Wai)

34. Mr. Ngan Kin Wai made the following points :

- (a) due to the proximity to the Kwai Chung Container Terminal, a lot of supporting industries like warehouses, logistics and transport industries were commonly found in the Kwai Fong area. The operations of these companies had resulted in large number of vehicle trips, particular those made by container vehicles through the local roads in Kwai Fong;
- (b) his company owning a fleet of 6 vehicles could generate 20 daily trips along Hing Fong Road during the low season. On top of that there were about 30 courier trips. In order to save time, the container or truck driver always drove their vehicles to collect the delivery items direct from the couriers waiting at the exits of Kwai Fong MTR Station. The queue of vehicles could be from Hing Fong Road up to Kwai Hing. It was estimated that there were about 2,500 to 3,000 mail account services of the logistics companies operating in that mode. That had contributed to the congestions in the local roads near the Kwai Fong MTR Station; and
- (c) there was a shortfall of elderly facilities in Kwai Fong area. More elderly facilities should be provided in Kwai Fong.

35. The Chairman said that Ms. Ruth Chan, representer of R16, had arrived at the meeting and he invited her to present her submission at this juncture.

R16 (Ruth Chan)

36. With the aid of a sketch plan, Ms. Ruth Chan made the following main points :

- (a) the development of 3 blocks of PRH at the ex-KCPMQ site was supported because it provided affordable housing units to the low income families;
- (b) to alleviate the shortage of space for bus stops and interchange facilities, the open space to the immediate south of Kwai Fong Terrace, i.e. Kwai Yi Road playground, could be converted as an extension of the transport interchange; and

- (c) the development of PRH could be above a 5-storey podium block within which library and community centres could be provided to serve the local residents.

R243 and C25 (Loo Yun Sum)

37. Mr. Loo Yun Sum opined that PRH should be developed on large sites instead of small sites like the ex-KCPMQ site. The subject site should be reserved for GIC as well as transport facilities.

R304 (Wong Fung Kiu)

38. Ms. Wong Fung Kiu said that the site should not be used for PRH development as there were insufficient community facilities in the district..

R411 (Chan So Yan)

39. Mr. Chan Ho Cheung, the representative of R411, said that the Kwai Chung Park, though zoned “Open Space”, was not open to public. It would be misleading to count it as DOS.

R438 (Yung Shuk Fong)

40. Ms. Yung Shuk Fong said that the population in Kwai Fong was now over 30,000 as compared to the population of 10,000 in 1978. The rapid increase in population, however, was not supported by corresponding provision of GIC facilities. Therefore , a multi-purpose community hall to serve local residents of all ages was more suitable for the ex-KCPMQ site.

R448 (Chan Lai Fun)

41. Ms. Chan Lai Fun said that, while recognising the high demand for public transport facilities in Kwai Fong as a regional transport hub, TD should make use of the ex-KCPMQ site as a solution space to meet the public demand for improving the public

transport facilities. Moreover, there was only one elderly centre in Kwai Fong, causing a lot of inconvenience to the elderly. Consideration should be given to providing more community facilities in the area for the elderly.

[Messrs. Fletch Chan, B.W. Chan and Walter K.L. Chan left the meeting at this point.]

R465 (Ko Yuet Chung)

42. Mr. Ko Yuet Chung opposed the PRH development at the ex-KCPMQ site mainly on traffic grounds. He said that the current traffic problem in Kwai Fong was already at an unacceptable level calling for urgent improvement actions. Such traffic problems had already affected the business of the shop operators in Kwai Fong. Further injection of population in the ex-KCPMQ site would aggravate the traffic problems. Therefore, PRH development at the ex-KCPMQ site was not supported.

R525 (Wan Yeuk Ha)

R576, R691 and C11 (Tsoi Wai Kwong)

43. Mr. Tsoi Wai Kwong made the following main points :

- (a) he was against the rezoning of the ex-KCPMQ site for PRH use because it was done in a haphazard manner. The rezoning could not help solve the current problems in the district like the inadequacy of and deterioration of community facilities. The data / analysis prepared by the Government did not reflect entirely the existing situation and the needs of the residents. The representation site should be developed for new or improved GIC facilities;
- (b) the proposed high-rise PRH blocks would create wall effect and worsen the existing traffic, air ventilation and environment. There was already a high proportion of public housing in Kwai Tsing. Further development of public housing in the district was not supported; and
- (c) the ex-KCPMQ site should be developed for a low-density multi-purpose

community hall and central library for the enjoyment of the public.

[Mr. Maurice W.M. Lee left the meeting at this point.]

R538 (Kwok Kwai Chun)

44. Ms. Kwok Wai Chan was concerned about the inadequate facilities for children and students, such as library, study room and community hall. At present, schools in Kwai Fong had to compete with schools in other districts in using the facilities in Tsuen Wan Town Hall.

R571 and C34 (Yung Wai Hing)

45. Ms. Yung Wai Hing said that it would be a waste of scarce land resources should the ex-KCPMW site be developed for PRH. Instead, childcare centre and elderly facilities should be provided on the representation site.

C21 (Lau Tam Yuk)

46. Mr. Lau Tam Yuk proposed the development of an integrated community centre at the representation site providing services to both the disabled persons and the general public.

R533 (Yip Wai Keung)

47. Mr. Yip Wai Keung opined that the proposed PRH development was in conflict with the concept of sustainable low-density development advocated by the Government in that the PRH blocks would not be conducive to better environment in the old district. There was a grave concern on the deteriorating air quality as well as additional vehicular and pedestrian flows arising from the PRH development. The proposed PRH development was not supported. In view of the shortfall in community facilities, the ex-KCPMQ site should instead be developed for such facilities.

R592 (Cheng Man Kwan)

48. Ms. Cheng Man Kwan said that given the acute deficiency of elderly facilities, the proposed PRH on the ex-KCPMQ site would be a waste of public resources as it did not represent the best use of the land. Other alternative sites for PRH should be examined.

R609 (Poon Chun Yu)

49. Ms. Poon Chun Yu did not support PRH development at the ex-KCPMQ site as there was already an abundant supply of PRH units in Kwai Fong and many of them were left vacant. She would like to have more facilities for the elderly so that they needed not gather under the MTR viaduct for leisure and social activities.

R639 (Cheung Lai Fong)

50. Ms. Cheung Lai Fong made the following main points:

- (a) Kwai Fong was a regional transport hub for the neighbouring districts. Planning for the area should cater not only for the resident population, but also the transient population; and
- (b) other than the ex-KCPMQ site, there was no suitable space for extending the transport interchange or re-providing the on-street mini-bus stops. It should be planned for transport facilities and other community facilities like multi-purpose community complex, rather than for PRH development.

R679 (Chan Yuet Kuen)

51. With the aid of a video, Mr. Ng Kim Sing, the representative of R679, made the following points:

- (a) in daytime, many aged persons gathered underneath the MTR viaduct in between Kwai Hing to Kwai Fong, which indicated the lack of indoor elderly facilities; and

- (b) the way from the representation site to the Central Kwai Chung Park was inconvenient and unpleasant in that visitors had to pass through the heavy-trafficked Kwai Chung Road and the unpopular industrial blocks of Tai Lin Pai industrial area before reaching the park.

R397 (Chan Chi Yan)

52. Hon. Leung Yiu Chung, the representative of R397, made the following main points :

- (a) it would be a tough decision for the Board Members to reject the PRH proposal at the ex-KCPMQ site in view of the long waiting list and the strong public objection to some other planned PRH projects by HA;
- (b) HD had all along presented the same reasons, i.e. long waiting list for PRH units and lack of available land, in resuming land for public housing projects. The main consideration governing the suitability of the ex-KCPMQ site for PRH was whether it was necessary to use the only piece of available land near the transport interchange for PRH development rather than other uses. Thoughts should be given to the best land use on the ex-KCPMQ site in the interest of the community, bearing in mind that the benefit to the long waiting list was trivial should the site be developed for PRH providing some 1,000 units only;
- (c) the lack of a population policy and facilities planning to support the growing population was the main reason leading to the competition for the scarce land resources. Executive departments, like HD, had to fight for more land for their own development outside of the overall context of a population policy. It was also noted that while HD was competing for the use of the 0.98 ha ex-KCPMQ site, land resumed in Hung Shui Kiu was planned for private low-density development;
- (d) the long waiting list for PRH units had existed for years, and the current

mode of redeveloping whatever pockets of vacant government land as PRH did not work. The Government was obliged to work out a long-term solution to tackle the problem;

- (e) the preliminary TIA report in 2008 done by HD was misleading as 2006 traffic data was used. So far HD had not committed meeting the request to add transport facilities to the PRH project at the ex-KCPMQ site. That implied that traffic was a real problem in the Kwai Fong interchange area, and the traffic problem would be exacerbated when the future PRH units were occupied;
- (f) the subject proposed amendment did not follow the usual practice in that locals were not properly consulted and consensus / support was not obtained in advance, and there were doubts on the reasons for the deviation; and
- (g) Members should make use of this opportunity to press the Government to reconsider the best use of the ex-KCPMQ site, as well as to work out a population policy together with appropriate land allocation and planning.

R702 (Kam Yuet Sheung)

53. Ms. Kam Yuet Sheung said that elderly facilities were needed in the district.

R713 (Lee Suit Jing)

54. Ms. Chan Yuet Kuen, the representative of R713, requested Members to consider the requests of the Kwai Fong residents and the foregoing representers and make a fair decision on the land use of the ex-KCPMQ site.

R717 (Leung Man Yi)

55. Ms. Leung Man Yi made the following main points:

- (a) concerns were repeatedly raised to government departments on traffic, air and noise aspects in the area but no feedback/ solution to the problems had been received;
- (b) given the traffic congestions around the Kwai Fong MTR Station, development of PRH at the ex-KCPMQ site would further aggravate the problem; and
- (c) she had closely followed up with concerned departments as to the redevelopment of the ex-KCPMQ site. She was not satisfied with the unreasonably short notice for attending the public consultation forums/ meetings.

56. The Chairman asked if there were any further remarks from the representers before proceeding to question session. Mr. Ng Kim Sing (R54) supplemented that SDEV had not kept her promise to consult the public on the redevelopment proposal of the ex-KCPMQ site prior to submission to the TPB for consideration, and there would be more residents attending the meeting to express their grievances and objections were the hearing of representation not held on a weekday.

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

Housing development

58. Members asked the following questions :

- (a) whether there were a comprehensive plan to acquire land for PRH development and whether it was a government policy to use land previous occupied by government staff quarters for public housing;
- (b) whether it was feasible to reduce the scale of the PRH development so as to incorporate more GIC facilities into the ex-KCPMQ site;

- (c) the PRH vacancy rate in Kwai Fong; and
- (d) the representation site would yield about 1,000 units at a PR of 5, which would contribute little to the long-standing PRH waiting list. As such, whether the site could be released to solve the existing problems of the district.

59. Mr. Harry H.Y. Chan, SPO of HD, replied that:

- (a) for PRH development, large sites were generally preferred by HD because more supporting facilities could be incorporated into the housing estate. However, supply of new land in the urban area was limited without reclamation or redevelopment of large housing sites. In some instances, HD had to surrender previous housing sites like those in Wong Chuk Hang and North Point to the Government. The Home Ownership Scheme (HOS) units, being held up from sale due to change in policy, were converted to government staff quarters. HD could therefore secure some of the previous staff quarters sites for public housing development. These ex-staff quarters sites were suitable for continuation of residential use considering the land use compatibility and that no additional adverse impacts on the surroundings would be resulted;
- (b) HD would not object to the co-location of the PRH and community facilities at the ex-KCPMQ site. On that premise, the future PRH development could be planned with the incorporation of the transport facilities, library, study rooms, elderly facilities and/or open space, if needed;
- (c) there was no figure in hand as to the vacancy rate of PRH in Kwai Fong. For reference, the overall vacancy rate in Kwai Chung and Tsing Yi was about 1.2%. Nevertheless, apart from catering for the demand of the new applicants for PRH units, some of the vacant units had to be reserved for relocation or compassionate rehousing; and

- (d) both large and small sites were of paramount importance in contributing PRH units to meet the supply target of 15,000 units per year.

60. On reducing the development scale for housing to incorporate GIC facilities, Ms. Heidi Chan, DPO/TWK, supplemented that:

- (a) the PR of 5 for the representation site was based on the PR of the ex-staff quarters as well as the maximum domestic PR permissible in Kwai Chung. The acceptability of future housing development to its maximum PR would need to be supported by technical assessments to be submitted in support of the planning application which was subject to the approval of the Board; and
- (b) in view of the small size of the site, premises-based community facilities would be more appropriate for inclusion into the future PRH development. HD would provide an integrated family service centre to meet the local needs. Inclusion of stand-alone community facilities might constrain the design of the PRH.

Traffic and transport facilities

61. Members had the following concerns :

- (a) whether TD agreed that the traffic and transport infrastructure in Kwai Fong was unable to sustain the current service demand and the future traffic generated by the PRH development; if the advice was in the affirmative, any solution to the problem;
- (b) whether it was possible to re-plan the area without any constraints, whether TD would plan a PTI adjacent to the Kwai Fong MTR Station;
- (c) the utilisation rate of the Kwai Fong multi-storey carpark located to the south-west of the MTR station; and

- (d) whether the data of HD's TIA report were outdated or underestimated, as commented by the representers.

62. Mr. Benedict W.K. Yau, E/KC of TD replied as follows :

- (a) the Kwai Fong MTR Station, the adjacent PTI and its vicinity, including Kwai Yan Road and Hing Ning Road were over-crowded by terminating/passing public transport services, and TD was concerned about the current situation. As there was no space in the immediate surroundings to channel the transport services off the PTI, TD was planning to relocate the non-franchised bus services and part of the taxi stands to Container Port Road. A subway connecting Kwai Fong MTR to Kwai Fuk Road would soon be completed to help divert the pedestrian flow. TD had also made suggestions to HD to improve transport improvement facilities within the future ex-KCPMQ site;
- (b) provision of a PTI including feeder services next to MTR Station was a normal practice in transport planning though the scale of the PTI would depend on the demand forecast and traffic flows;
- (c) he did not have the figures in hand regarding the utilisation rate of the Kwai Fong multi-storey carpark; and
- (d) HD had commissioned a consultant to conduct the TIA, on which TD had no comment on the trip counts. However, roadside vehicle waiting and passengers picking up/dropping off activities and the road junctions' configuration might affect the capacity of the roads.

Open space, recreational and community facilities

63. Members raised the following questions :

- (a) the utilisation rate of Central Kwai Chung Park and Kwai Chung Park;

- (b) whether the age profile of the local residents had been taken into account in planning open space so as to make it accessible and suitable for them;
- (c) whether Kwai Chung Park, which was not open to public, was included in the existing DOS provision and the distribution of the existing and planned DOS and LOS;
- (d) the total number of seats available in the study rooms of Kwai Chung;
- (e) whether the “G/IC” land was sufficient in the Kwai Chung particularly Kwai Fong area;
- (f) whether community facilities were in shortage, and could the facilities proposed by the representers be accommodated within the representation site.

64. Mr. Peter T.S. Kan, CEO (P) of LCSD and Ms. Sylvia M.W. Tang, CLM/NTW of LCSD replied that :

- (a) Kwai Chung Park was not popular due to its remote location and its ex-use as landfill site. Upon consultation with KTDC, the lower platform of Kwai Chung Park was planned for a BMX park whereas the upper platform would be for ball games open for public use. Central Kwai Chung Park was also not popular because of its relatively steep gradient; and
- (b) accessibility and suitability were prime considerations in planning for an open space. LCSD mainly gathered the local requirements via the DCs in the detailed design of the reserved OS sites. After completion of the design stage, the DC would also be consulted before commencement of construction works. The DC consultation process would ensure that the future park would best satisfy the local needs.

65. With the aid of a plan showing the distribution of existing an planned DOS and

LOS, Ms. Heidi Chan gave the following response:

- (a) about 124ha of open space were provided in Kwai Chung and Tsing Yi district at present, and would be increased to 158 ha in the long term. In the calculation of open space provision on sloping terrain, slope correction factors would be applied according to the HKPSG. Parks that were not readily available to the public, like the Kwai Chung Park, were counted as planned provision. Various factors, like accessibility and land ownership, would affect the designation of open space sites and efforts had been made to ensure that the housing sites were well within the catchments of the open space;
- (b) subject to checking, a total of about 900 study room seats were available in the district;
- (c) there was no rigid ratio as to the size of “G/IC” land per person. Nevertheless, every effort would be made to reserve appropriate GIC land to serve the growing population; and
- (d) concerned departments were first consulted to identify any need for GIC facilities in connection with the PRH development at the ex-KCPMQ site. There was no request from non-government organisations or departments except that for an integrated family service centre from the Social Welfare Department (SWD). SWD’s request was incorporated into the PRH proposal accordingly. With reference to the list of community facilities and open space provision in Annex VIII of the Paper, there was an overall deficit of 29 primary school classrooms in Kwai Chung. However, such shortage could be absorbed in the other “G/IC” sites.

66. With reference to the grievance from representers on the short notice to consultation meetings, the Chairman asked PlanD to clarify the briefings / meeting arrangements relating to the proposed amendment. Mr. Y.S. Lee, STP/KT, went through the list of briefings/meetings as attached in Annex VII of the Paper and explained the details including the nature, convenor of the briefings/ meetings and notification periods.

67. In response to Members' question on the utilisation rate of Kwai Fong multi-storey carpark, Mr. Ng Kim Sing, representative of R50, R54, R682 and R709 commented that KTDC had once studied the low usage rate of the carpark and come up with some redevelopment proposals. Two years ago, there was once a proposal to use the site for drivers' training centre. In connection with the preliminary TIA commissioned by HD, Mr. Ng reiterated that the assessment had not included updated traffic data and those in Kwai Yan Road and Hing Nang Road, and therefore the findings could not be accepted.

68. Concerning the PRH vacancy rate in Kwai Fong, Ms. Chan Lai Fung, representer of R448, said that in attending a HAD forum, she was told that rate was about 1.4%, which was equivalent to 1600 units. Given that the vacancy units in Kwai Fong were more than the units to be yielded by the ex-KCPMQ site, she questioned the need to build PRH on the ex-KCPMQ site. Mr. Wong Yan Cheung, representer of R76, reiterated the heat island effect of the dense development in Kwai Fong. Further development of PRH would only worsen the problem.

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

Deliberation Session

70. Members acknowledged the need for PRH development in the urban area. A Member considered that, as the representation site was near the MTR Station, there was a good potential for PRH to provide a convenient access for the future residents. Some other Members, however, had reservation to use the site for public housing. They recalled that the representation site itself was subject to traffic noise as advised by EPD. In addition, all the adverse representations pointed out that there were area-wide problems in terms of traffic, environment and provision of GIC facilities in the district which should be dealt with before injecting new population into the area.

71. A Member opined that, given the representation site was previously zoned “GIC”, it was necessary to scrutinize the need for keeping the site for community facilities before rezoning the site for PRH use. Based on the information provided in the TPB Paper No. 8391, a Member was of the view that, in quantity terms, the provision of GIC and open space were adequate in the Kwai Chung district. The crux of the problem was lack of space to relieve the congestion in the Kwai Fong PTI. In this regard, the representation site might be a solution space to the problem. The Member cast doubt on the effectiveness of the additional PTI site planned at Container Port Road, being far away from the MTR station, in addressing the problem. Members considered that the representation site might provide a solution space to address the traffic and transport issues.

72. A few Members cautioned that there would be additional noise and air impact if the representation site was planned for another PTI. In that case, a PTI might be equally unacceptable to the local residents.

73. While considering that traffic and transport issues important, a Member said that the supply of other community facilities like study rooms might also fall short of meeting the demand. Since relatively higher proportion of households in the district came from the low-income group, there was a stronger demand for more communal space, i.e. a higher person to facility ratio, for the students to study and to play. Another Member pointed out that not all of the 90,000 students studying in Kwai Tsing district resided in Kwai Chung. They might visit libraries and/or study rooms within their home districts. Furthermore, the usage of facilities like study room would be seasonal in that high demand only occurred before and during examinations.

74. A Member suggested lowering the PR of proposed PRH and reducing the number of blocks in order to leave more space for needed community facilities and/or open spaces. Another Member, however, was of the view that given the good accessibility of the representation site, a higher PR should be considered, be it developed for PRH blocks or a government building, or else there would be a waste of land resources.

75. Noting that the GIC provisions in the district generally satisfied the requirements of the HKPSG and as a result the concerned departments might not commit

resources to add new GIC facilities as suggested by the representers and commenters, a Member suggested rezoning the ex-KCPMQ site to “Comprehensive Development Area” (“CDA”) so as to impose appropriate requirements as well as to control the planning and implementation of its future redevelopment. However, some members were concerned that changing the site to “CDA” would mean keeping the site hanging in the air for years as “CDA” sites took time to materialise.

76. The Chairman summed up that the views expressed by Members were mainly related to area-wide traffic and transport issue, and the possible approaches to address the concern were:

- (a) to keep the “R(E)1” zone and leave HD to address the transport and traffic problems in detail during the planning application stage;
- (b) to rezone the ex-KCPMQ site to “CDA” so as to impose requirements to tackle the traffic and transport problem in the area; or
- (c) to defer a decision on the representations and comments pending submission of further information such as an updated TIA report.

77. The majority of Members agreed to defer making a decision. A Member remarked that a message should be relayed to HD that solution to the traffic problem of the area should be identified and addressed first prior to making a decision on the zoning of the representation site.

78. A Member commented that unlike typical TIA report which focused on the impact of the proposed development on the surroundings, the project proponent should be requested to study and propose solution to the area-wide traffic and transport problems. The Member also requested for more comprehensive information on the provision of open space and other community facilities in the district, especially those for youngsters and elders, and the feasibility to incorporate them as needed into the proposed development. Members agreed.

79. After further deliberation, the Board decided to defer a decision on the Representations No. R1 to R93, R95 to R182 and R184 to R762 pending the submission by HD of the following:

- (a) an update of the preliminary TIA with specific suggestions to resolve the current traffic problems in the area, in particular, in the area around the Kwai Fong MTR Station, the adjoining PTI and the vicinity; and
- (b) comprehensive information on the provision of open space and other community facilities, particularly those for the students and elderly, in the Kwai Chung area and assessment of the feasibility to incorporate the needed facilities, if any, into the ex-KCPMQ site.

[Messrs. Leslie H.C. Chen and Timothy K.W. Ma left the meeting at this point.]

Group 2 :

Representations No. R763 to R765

80. Members had declared interests in the item as stated in paragraph 3 above. It was noted that Messrs. Stanley Y.F. Wong, Raymond Chan and Y.K. Cheng, Professor Bernard Lim, Professor Edwin Chan and Dr. Winnie S.M. Tang had tendered apologies for not attending the meeting, and that Miss Annie K.L. Tam and Dr. Greg Wong had not yet arrived to join the meeting. Mr. Andrew Tsang had left the meeting, and Miss Ophelia Y.S. Wong had left the meeting temporarily at this point. The Chairman should continue to assume the chairmanship out of necessity.

81. Members also noted that all the Group 2 representers had indicated that they would not attend the hearing. The Board agreed to proceed with the hearing in their absence.

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

Ms. Heidi Chan	District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK)
Mr. Y.S. Lee	Senior Town Planner/Kwai Tsing (STP/KT)

83. The Chairman invited Ms. Heidi Chan, DPO/TWK, to brief Members on the background to the amendments and the representations.

84. With the aid of a Powerpoint presentation, Ms. Heidi Chan made the following main points as detailed in the Paper:

- (a) background of the proposed Amendment Item E as set out in paragraph 4 of the Paper;
- (b) during the two-month exhibition period, a total of 3 representations were received against Amendment Item E, i.e. rezoning of part of a playground and part of Shek Lei Catholic Primary School from “Government, Institution or Community” (“G/IC”) to “Residential (Group A)” (“R(A)"). No comment was received;
- (c) the major grounds of representation were that:
 - i. Shek Lei Estate had already been fully developed;
 - ii. the representation site was for students taking physical education lessons and was part of the new extension of the school;
 - iii. the school faced the problem of insufficient space to meet students’ needs. If the representation site was to be acquired for residential development, the shortage would be exacerbated;
 - iv. acquiring the representation site for residential development would affect the learning environment, and was against the education principle;

- (d) PlanD's response – the school and the adjacent ball courts were within the Vesting Order boundary of Shek Lei Estate. The major portion of the school and the ball courts were already zoned “R(A)” on the previous OZP. The amendment was technical in nature. The school would remain in-situ and there was no intention to relocate the school; and
- (e) PlanD's views – the representations should not be upheld on the ground as set out in paragraph 7 of the Paper.

85. Members had no questions on the background to the amendments and the representations. The Chairman then thanked PlanD representatives for attending the meeting. They left the meeting at this point.

Deliberation Session

86. Members agreed with PlanD's assessments and views as set out in paragraphs 5 and 7 of the Paper in that the amendment was technical in nature, and noted that the school would remain in situ. Members considered that the representations should not be upheld.

Representations No. R763 to R765

87. After further deliberation, the Board decided not to uphold Representations No. R763 to R765 for the reason that rezoning the representation site to “Residential (Group A)” was a technical amendment to tie in with the Vesting Order boundary of Shek Lei Estate.

88. The meeting was adjourned at 2:45 pm.

89. The meeting resumed at 3:25 p.m.
90. The following Members and the Secretary were present after the lunch break:
- | | |
|------------------------|---------------|
| Mr. Thomas Chow | Chairman |
| Dr. Greg C.Y. Wong | Vice-Chairman |
| Mr. Nelson W.Y. Chan | |
| Mr. Edmund K.H. Leung | |
| Ms. Sylvia S.F. Yau | |
| Mr. K.Y. Leung | |
| Director of Planning | |
| Miss Ophelia Y.S. Wong | |

Agenda Item 4

[Open Meeting (Presentation and Question Session only)]

Review of Application No. A/H12/23

Proposed Minor Relaxation of Building Height Restriction of 2 Storeys for Proposed Residential Development in “Residential (Group C) 2” zone, 12 Shiu Fai Terrace, Mid-levels East, Hong Kong

(TPB Paper No. 8383)

[The meeting was conducted in Cantonese.]

91. The application was submitted by Stable Castle Ltd. with AGC Design Ltd. (AGC) as one of the consultants. The Secretary reported that Professor Bernard V.W.F. Lim, having current business dealing with AGC, had declared interest in the item. The Committee noted that Professor Lim had tendered an apology for not being able to attend the meeting.

92. Dr. Greg C.Y. Wong declared an interest on the item as his company had worked with AGC on some projects. The Secretary said that according to the recently

revised Town Planning Board Procedure and Practice, Member working with the applicant's consultant in a project team not related to the subject matter under consideration had to declare interest but normally needed not withdraw from the meeting. Noting that Dr. Wong's business dealing with AGC was not related to the application, Members considered that his interest was indirect and not substantial, and agreed that he should be allowed to stay in the meeting.

93. The Secretary informed Members that the Secretariat had received a petition from the Shiu Fai Terrace Concern Group in the morning objecting to the application. Copies of the petition had been tabled at the meeting for Members' information.

Presentation and Question Session

94. The following representatives of Planning Department (PlanD) and the applicant were invited to the meeting:

Ms. Brenda Au	- District Planning Officer/Hong Kong (DPO/HK)
Mr. Derek Cheung	- Senior Town Planner/Hong Kong (STP/HK)
Ms. Betty Ho)
Ms. Cheung Hoi Yee) Applicant's representatives
Mr. Franz Wong)

95. The Chairman extended a welcome and explained the procedures of the review hearing. He then invited Ms. Brenda Au to brief Members on the background of the application.

96. With the aid of a Powerpoint presentation, Ms. Brenda Au presented the application and covered the following aspects as detailed in the Paper:

- (a) the background of the application as set out in paragraph 1 of the Paper. The application site fell within an area zoned “Residential (Group C)2” which was subject to a building height restriction of 12 storeys above 1 storey of carport under the Outline Zoning Plan (OZP). To the east of the application site was Greenville Garden and to the west was Moon Fair Mansion. The subject application for minor relaxation of building height restriction for an additional 2 storeys for entrance lobby/electrical and mechanical (E&M) facilities/carpark/clubhouse use for a proposed residential development was approved by the Metro Planning Committee (MPC) on 27.2.2009 subject to five approval conditions as detailed in paragraph 1.2 of the Paper. According to the approved scheme, the LG2 floor at street level of Shiu Fai Terrace would comprise the entrance lobby and E&M facilities, the LG1 floor would be used for carpark and clubhouse, while the G/F level which was the platform level of Moon Fair Mansion would be used for car park;
- (b) the applicant requested the Board to reword condition (a) to “the disposition of the residential tower of the proposed development to maintain a separation distance of at least 2.5m from the site boundary abutting Moon Fair Mansion to the satisfaction of the Director of Planning or of the Town Planning Board”;
- (c) the justifications submitted by the applicant in support of the review application were summarised in paragraph 3 of the Paper. The space between the application site and Moon Fair Mansion was not an Emergency Vehicular Access or an access road as confirmed by Buildings Department (BD) and Fire Services Department (FSD). The intention and function of the building separation was to enhance visual openness. The application site was subject to a lot of constraints. It was elongated in shape sited on a 10m high platform and had a very narrow frontage of 21.335m abutting Shiu Fai Terrace. The setting back of the whole podium on the side adjoining Moon Fair Mansion by 2.5m would impose insurmountable difficulties to accommodate the necessary car parking facilities, ancillary services, plant rooms and manoeuvring areas

to meet the current building regulations. Thoughtful design was adopted to achieve visual openness by setting back the residential tower from Shiu Fai Terrace by 10.25m and from the lot boundary abutting Moon Fai Mansion by 2.5m to maintain the original separation distance of 5m from Moon Fair Mansion. The ground level carport would also adopt permeable design with parapet wall of 1.1m in height and landscaping would be provided above the carport fronting Moon Fair Mansion to add greenery and to enhance visual amenity to the neighbourhood. The total separation between the proposed residential tower and the two adjoining buildings would remain at about 8.1m which was the same as the situation before redevelopment though the residential tower would shift towards Greenville Garden;

- (d) departmental comments – departments consulted had no objection to the application and maintained their previous comments which were summarised in paragraph 5 of the Paper. District Lands Officer/Hong Kong East, Lands Department had no objection to the application and advised that there was no provision under the lease restricting the location of the building except that there was a building set back area of 20 feet (6.1m) measured from Shiu Fai Terrace. Chief Town Planner/Urban Design and Landscape, Planning Department had no objection to the revision of approval condition (a) as proposed by the applicant. Director of Architectural Services commented that the proposed development was not incompatible with other recently completed buildings. The revised design and layout of the carport at ground floor were considered acceptable and its visual impact was insignificant. District Officer (Wan Chai) advised that all local personalities maintained their objections to the review application;
- (e) public comments – during the statutory publication period, a total of 732 opposing public comments mainly from the residents and Incorporated Owners of buildings in the vicinity of the site, members of the Wan Chai District Council and local concern group were received. Their major grounds of objection were that condition (a) was feasible and should be

retained; there was actually a 6m protrusion towards Shiu Fai Terrace as compared with the original building; the site constraints were self imposed by an attempt to intensify the proposed development or by poor building design; the total separation distance of the proposed building from the two adjoining buildings was reduced from 10m to 7.5m which would reduce the ventilation between buildings by 25%; the 5m separation distance between the application site and Moon Fair Mansion which had been used as a common driveway for more than 30 years could no longer be maintained should a wall or fence be put up; the deed of right of way for using Moon Fair Mansion's access road was invalid; the loss of the common driveway would adversely affect the fire safety of Moon Fair Mansion and aggravate traffic problems in the area; and the proposed excavation works to accommodate the podium storeys would affect slope safety; and

- (f) PlanD's views – PlanD had no objection to the review application to revise condition (a) as proposed by the applicant based on the assessment as stated in paragraph 7 of the Paper. The MPC considered that the original separation distance of 5m should be maintained mainly to preserve the visual openness and noted that the applicant could seek a review on condition (a) if there were difficulties in making such a provision. In the review application, the applicant had explained in detail the site constraints and the tight carpark layout. The applicant had also made effort to achieve the principle of enhancing the visual openness of the area by setting back the residential tower above podium by 2.5m to maintain a building separation of 5m from Moon Fair Mansion and adopting a permeable design for the carport at ground level. As regards the public concern on reduction of separation distance between the proposed residential tower and the adjoining buildings, the applicant had explained that the total separation distance of 8.1m had remained unchanged as before. Other grounds of objection of public comments were generally similar to those received at s.16 application stage, which had been duly considered by the MPC.

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

97. The Chairman then invited the applicant's representative to elaborate on the application.

98. With the aid of a Powerpoint presentation, Ms. Betty Ho made the following main points:

- (a) the applicant did not dispute the MPC's intention to preserve the visual openness of the area. The review application was submitted to clarify the measurement of the separation distance of 5m from Moon Fair Mansion as required under approval condition (a) and to explain to the Board the technical difficulties in complying with approval condition (a) if unchanged;
- (b) the grounds of objections raised by the residents and Incorporated Owners of Moon Fair Mansion on the proposed redevelopment project had been duly considered by the MPC when the application was approved in February 2009;
- (c) regarding the concern of the residents of Moon Fair Mansion that the proposed new development would protrude towards Shiu Fai Terrace as compared with the original building, the proposed building was only required under the lease, as other sites at Shiu Fai Terrace, to maintain a setback area of 20 feet (i.e. 6.1m) from Shiu Fai Terrace. While other redevelopment projects along Shiu Fai Terrace had only provided a minimum setback of 6.1m, the applicant had proposed an additional building setback of 3.925m which made up a total setback of more than 10m from Shiu Fai Terrace in order to enhance the visual openness;
- (d) the applicant considered that the original approval condition (a) was not clear on how the separation distance of 5m from Moon Fair Mansion should be measured, and whether fence wall, car park, planters or landscape decks were allowed within the separation

distance. Moreover, it was not clear if the requirement for a 5m separation distance was for EVA use since BD and FSD had clarified that the area between the application site and Moon Fair Mansion was not intended for EVA;

- (e) the applicant proposed to reword the condition (a) to “the disposition of the residential tower of the proposed development to maintain a separation distance of at least 2.5m from the site boundary abutting Moon Fair Mansion”, which would allow the original separation distance of 5m between the proposed residential tower and Moon Fair Mansion be maintained, and the specific point for measurement of the separation distance be clearly defined;
- (f) in line with the revised condition, the applicant proposed to revise the original scheme by setting back the residential tower above the carport podium by 2.5m from the common site boundary. As illustrated in the G/F layout plan of the proposed development, only 24 parking spaces and one loading/unloading bay would be provided for 24 flats and there would be no visitor car park. There were practical difficulties in setting back the carport podium by 2.5m from the site boundary as that would result in a loss of 4 car parking spaces at G/F and it was technically not feasible to relocate those car parking spaces to the lower ground levels due to the narrow site configuration. The current provision of car parking spaces at a ratio of 1 space per flat was a reasonable provision meeting the requirement of TD and the lease. To address the MPC’s concern on the preservation of visual openness, the carport would adopt a permeable design with landscaped deck above and greening provided above the fence wall. That would allow a 5m separation distance between Moon Fair Mansion and the residential tower above the carport podium; and
- (g) the total separation distance between the proposed building and the adjoining buildings would be maintained at 8.1m same as that before the redevelopment. The applicant had adopted a sensitive design to

preserve the visual openness and living quality of the surrounding area as far as practicable. Should the applicant decide not to provide an additional two storeys for the proposed residential development, the applicant would have the right to adopt whatever building design and disposition within his own site boundary in order to maximise the view for the future residents.

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

Deliberation Session

100. A Member said that in view of the site constraints, the elongated configuration and the need to provide the required number of car parking spaces to serve the residents, the revised design with the residential tower set back from the site boundary abutting Moon Fair Mansion was a sensible design. Noting that there were strong objections from the residents and Incorporated Owners of Moon Fair Mansion, the Member pointed out that as the site was situated on a platform with a retaining wall at the back, further setting back of the carport podium from the site boundary by 2.5m would not bring significant improvements to the visual quality or air ventilation of the area. The Member considered that the revised wording of approval condition (a) as proposed by the applicant would provide a clear and unequivocal interpretation on how to measure the separation distance from Moon Fair Mansion, and allow the applicant to achieve a reasonable design of the proposed development while still preserving the visual openness of the area. Members generally agreed that the revised wording to condition (a) was acceptable.

101. After further deliberation, the Board decided to revise the approval condition (a) on the terms of the application as submitted to the Board. The permission should be valid until 27.2.2013, and that after the said date, the permission should cease to have effect unless before the said date the development permitted was commenced or the permission

was renewed. The permission was subject to the following conditions:

- (a) the disposition of the residential tower of the proposed development to maintain a separation distance of at least 2.5m from the site boundary abutting Moon Fair Mansion to the satisfaction of the Director of Planning or of the Town Planning Board;
- (b) the design and provision of car parking spaces and a loading/unloading bay to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (c) the submission and implementation of a tree preservation proposal with special attention to root protection of the two existing trees within the lot boundary of Moon Fair Mansion and a landscape proposal to the satisfaction of the Director of Planning or of the Town Planning Board;
- (d) the submission and implementation of a report to assess the geotechnical feasibility of the proposed development to the satisfaction of the Director of Civil Engineering and Development or of the Town Planning Board; and
- (e) the provision of water supplies for fire-fighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board.

102. The Board also agreed to advise the applicant:

- (a) to note the comments of the Director of Architectural Services and the Chief Town Planner/Urban Design and Landscape, Planning Department to maximize the separation distance above the podium from the adjoining Moon Fair Mansion to improve the air and visual permeability of the area;

- (b) to apply for lease modification from the District Lands Officer/Hong Kong East, Lands Department;
- (c) to note the comments of the Director of Buildings that the provision of electrical and mechanical rooms on LG2 & LG1 floors and their sizes should be justified in view of the scale of the development;
- (d) to note the comments of the Director of Fire Services regarding the compliance of the Code of Practice for Means of Access for Firefighting and Rescue; and
- (e) to note the comments of the Head, Geotechnical Engineering Office that the proposed building works should not cause damage to any building, structure, land, street or services.

Agenda Item 5

[Open Meeting (Presentation and Question Session only)]

Review of Application No. A/TM-LTYT/181

Temporary Vehicular Access Road, Car Parking Spaces, Sitting Out Area, Children's Play Area and Plantation for Trees for a Period of 3 Years in "Green Belt" zone, Lot Nos. 1558 (Part), 1559 (Part), 1560 (Part), 1564 (Part), 1565 (Part), 1566 (Part), 1567 (Part) in D.D. 130 and Adjoining Government Land, Tuen Mun
(TPB Paper 8384)

[The meeting was conducted in Cantonese.]

Presentation and Question Session

103. Ms. Amy Cheung, District Planning Officer/Tuen Mun and Yuen Long, Planning Department (DPO/TMYL, PlanD) and the following applicant's representatives were invited to the meeting at this point:

Mr. Lau Tak

Mr. Leung Chik Keung

104. Members noted that a replacement page (p.4) rectifying a typo error in paragraph 4.2.1(c) of the Paper had been tabled at the meeting. The Chairman extended a welcome and explained the procedures of the review hearing. He then invited Ms. Amy Cheung to brief Members on the background to the application.

105. With the aid of a Powerpoint presentation, Ms. Amy Cheung presented the application and covered the following aspects as detailed in the Paper:

- (a) the applicant sought planning permission to use the application site (about 2,355m²) zoned “Green Belt” (“GB”) on the Lam Tei and Yick Yuen Outline Zoning Plan (OZP) for temporary vehicular access road, car parking spaces, sitting out area, children’s play area and plantation of trees for a period of 3 years;
- (b) according to the applicant’s submission, the proposed development on the application site comprised a vehicular road, a public car park with 6 private car parking spaces, sitting out area, a children’s play area at the northeast corner of the site and plantation of trees along the site boundary. The proposed facilities were intended to serve the residents of the area;
- (c) on 22.5.2009, the Rural and New Town Planning Committee (RNTPC) decided to reject the application for the reasons that the proposed width and area of the vehicular access were excessive; the proposed road layout failed to demonstrate that the proposal would not create road safety problems or affect the adjacent Small House developments; and the approval would set an undesirable precedent resulting in a general degradation of the environment of the area;
- (d) the applicant had not submitted further information to support the review application;

- (e) to the east of the application site was a “Village Type Development” (“V”) zone which had been developed for Small Houses (i.e. Tsing Chuen Wai Village). To the northwest of the application site were some open storage yards and vehicle repair workshops which were suspected unauthorised developments. The site had been largely vacant, paved and with a few vehicles parked thereat;
- (f) according to the aerial photos taken in 1993 and 2006, the application site was then generally covered with vegetation. At present, the application site had largely been cleared for vehicular track serving the inner part of the area;
- (g) the application site was subject to planning enforcement action for unauthorised filling of land. An Enforcement Notice and a Reinstatement Notice were issued to the responsible parties, the latter requiring removal of the hard paving on the land and grassing of the land;
- (h) departmental comments – all departments consulted maintained their previous views which were mainly technical and their comments were summarised in paragraph 4 of the Paper;
- (i) public comment – during the statutory publication period, no public comment was received; and

(Miss Annie K.L. Tam arrived to join the meeting at this point.)

- (j) PlanD’s views – PlanD did not support the application based on the assessment and reasons in paragraphs 6 and 7.1 of the Paper. According to the applicant, the predominant use of the application site was for 6 public car parking spaces, and vehicular access serving nearby new developments and inner parts of the area. The proposed width (from 7m to over 20m) and area (about 2,355m²) of the vehicular access were

considered excessive. To the immediate east of the application site were six Small Houses with two completed and four under construction. However, the applicant did not explain the feasibility of the proposed vehicular access which would cut across a completed Small House abutting the south-eastern corner of the application site. Moreover, the applicant did not propose any measures to segregate the children's play area from the vehicular road which might create road safety problems. Approval of the application would set an undesirable precedent for similar application within "GB" zone resulting in a general degradation of the environment of the area and further extensive clearance of the existing landscape. There was no change in planning circumstances since the RNTPC meeting on 22.5.2009.

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

107. Members noted that the applicant's representatives had tabled a document to support the review application.

108. With the aid of a Powerpoint presentation, Mr. Lau Tak made the following main points:

- (a) the application was submitted out of the good will of the applicant who intended to provide vehicular access, car parking spaces, sitting out area and children's play area to serve the villagers of the area;
- (b) with reference to the aerial photos taken in 1993, 2006 and 2008 as shown on Plan R-3 of the Paper prepared by PlanD, the area surrounding the application site was mostly occupied by agricultural land in 1993. In 2006, a number of Small Houses were constructed to the east and southeast of the application site and an earth track branching off from a public road (i.e. Tsing Chuen Wai Road) was formed leading to the application site from the south. The access to the application site was proposed in the absence of any knowledge about the Small House

development abutting the south-eastern corner of the application site when the application was submitted. Knowing that there was a completed Small House at such location, the applicant proposed to divert the access westward along an alternate route of the track to avoid encroaching onto the Small House development. That would still allow access to the application site from its southern boundary. As shown on the aerial photo taken in 2008, the vegetation within the application site had been substantially cleared for vehicular access;

- (c) a number of private lots to the immediate west of the application site had been fenced off from public passage. The poor and muddy condition of the existing earth track during rainy days would render the area to the north of the application site almost inaccessible to vehicles and pedestrians;
- (d) while the applicant supported PlanD's intention to preserve the greenery of the area, the Reinstatement Notice, which required the responsible parties to remove the hard paving on the land and to grass the land, would make the applicant's proposal technically not feasible since the residual portion of land within the application site, which would not be grassed, would be inadequate to serve as vehicular access for the local villagers and the alignment of the track have to cut across the Small House development at Lot 1549 section F;
- (e) areas to the north, east, and further south of the application site were currently zoned "V" on the OZP and the private land within the "V" zone had either been used or was under application for Small House developments. The application site was the only site nearby which could be used as a vehicular access serving the local villagers;
- (f) apart from using the application site for vehicular access, the applicant also intended to use the area as a gathering place for special events. To address PlanD's concern on the vehicular access point and the excessive width and area of the access, the applicant proposed to access the

application site from the south and to reduce the width of the proposed asphalt-paved vehicular track to 4.5m and 6.5m, and segregate the sitting out areas cum pedestrian/cycle track from the vehicular track by tree planting on both sides so as to enhance the safety of the pedestrians and users of the children's play area. The proposal would be subject to future detailed design;

- (g) the approval of the planning application would bring about planning gains including the provision of a much needed access road serving the local villagers, the upgrading of the existing earth track to a workable condition, the provision of greening and other community facilities such as sitting out area and children play area to meet the local demand; and
- (h) the applicant urged the Board to give sympathetic consideration to the application and also requested the Board not to impose the approval condition (c) as set out in paragraph 7.2 (c) regarding the provision of a proper vehicular access to the site within 3 months as the vehicular access fell on land not owned by the applicant and hence there were practical difficulties for the applicant to comply with such a planning condition.

109. In response to Miss Annie Tam's enquiries on the future management and maintenance of the vehicular access, landscaping area and children's play area and what to be gained by the applicant from the proposal, Mr. Lau Tak said that the applicant would undertake simple repairing and maintenance work such as repairing the road surface or replacing the dead trees when required. Being one of the villagers of Tsing Chuen Wai Village, the applicant merely intended to provide the needed facilities for other local villagers, to facilitate the transportation of large-size goods in and out of the village and to ease the over-crowded situation in the village.

110. Noting that the applicant's intention was to provide a vehicular access to serve the need of the villagers, a Member asked if the applicant would build a permanent access road instead of a temporary one under the current application. Mr. Lau Tak responded that the applicant could only afford to build a temporary road as the construction of a permanent

road would be very expensive and required detailed design to comply with other government requirements. Besides, the maintenance of a permanent vehicular access would be costly and the land owners of the application site would unlikely give consent to the applicant for prolonged usage of their land.

111. Another Member asked how many villagers would be using the free access road provided by the applicant. Mr. Lau Tak responded that no such information was available. However, in view of the extensive area of the surrounding “V” zone, even excluding those Small Houses located in more remote areas to the further north and north-west of the application site, it was estimated that the number would be rather substantial.

112. A Member asked whether there was any existing vehicular access serving the inner part of the village and what was the comment of Transport Department on the application. Ms. Amy Cheung said that an existing vehicular access (i.e. Tsing Chuen Wai Road) to the south of the application site was constructed by the Government to serve the village. Although the Government had yet to construct any vehicular access to serve the villagers residing in the adjoining “V” zone, there was an existing informal earth track along the northern boundary of the application site serving the area. She further said that the concern of the Transport Department was mainly on the need for the applicant to demonstrate that there was a proper vehicular access to the application site.

113. Mr. Lau Tak supplemented that the existing informal track along the northern boundary of the application site was only a pedestrian access, and hence the inner part of the village was not accessible by vehicles.

114. The Chairman enquired how the applicant could use the application site which was not under his ownership. Mr. Lau Tak said that the applicant, being a relative of the Village Representative of Tsing Chuen Wai Village, had submitted the application on behalf of the entire village and had already sent the necessary notification to the land owners.

115. As the applicant’s representatives had no further comment to make and Members had no further question, the Chairman informed them that the hearing procedures

for the review application had been completed. The Board would further deliberate on the application in the absence of the applicant's representatives and inform them of the Board's decision in due course. The Chairman thanked Ms. Amy Cheung and the applicant's representatives for attending the meeting. They all left the meeting at this point.

Deliberation Session

116. A Member opined that the proposed vehicular access which intended to serve the long-term need of the villagers could not be regarded as a temporary access road. Normally, temporary roads would serve temporary uses such as those in construction sites. Approving the construction of a permanent access road within the "GB" zone would create an undesirable precedent for other similar applications. The Member did not support the application and considered that the applicant should explore alternative ways to provide a permanent vehicular access for the village.

117. A Member considered that the "GB" zone should be reinstated as required by the Government. The Member was sympathetic to the lack of a proper vehicular access for local villagers, but pointed out that the applicant should propose alternative route for the construction of a vehicular access. The Member further remarked that the Government should consider providing a road to serve the inner part of the "V" zone.

118. Another Member noted that there was no support from the local villagers to the review application though the applicant claimed that the proposed access would benefit the local villagers.

119. Miss Ophelia Wong drew Members' attention to the background of the application in that the application site was involved in unauthorised landfilling activities and was subject to an Enforcement Notice and a Reinstatement Notice issued by the Planning Authority. According to the Notes of the OZP, there was no provision for the application of a permanent road not constructed by Government but the applicant could submit application for temporary use not exceeding a period of three years notwithstanding that the use was not provided for in terms of the Plan. Under such circumstances, the applicant could only submit a temporary vehicular access for a period of three years which appeared to be the first application of such type in the area received by the Board.

120. The Chairman noted that Members generally did not support the application and concluded that the application should be rejected. Moreover, Members also considered that the application site should be reinstated as required under the Reinstatement Notice issued by the Planning Authority.

121. After further deliberation, the Board decided to reject the application on review and the reasons were:

- (a) the proposed width and area for the vehicular access serving only six car parking spaces and a few adjacent houses were considered excessive;
- (b) the proposed road layout was unclear and failed to demonstrate that the proposal would not create road safety problems or affect the adjacent Small House developments; and
- (c) the approval of the application, even on a temporary basis, would set an undesirable precedent for similar applications within the “Green Belt” zone. The cumulative effect of approving such applications would result in a general degradation of the environment of the area.

Agenda Item 6

[Open Meeting]

Submission of the Draft Kowloon Tong Outline Zoning Plan No. S/K18/15A to the Chief Executive in Council for Approval
(TPB Paper No. 8388)

[The meeting was conducted in Cantonese.]

122. The Secretary reported that Mr. Timothy K.W. Ma, owning a property at Ho Tung Road, had declared interest on this item. The Board noted that Mr. Ma had already left the meeting.

123. The Secretary introduced the Paper. He said that the OZP had been amended twice and gazetted under sections 5 and 7 of the Ordinance on 27.6.2008 and 22.5.2009 respectively. Major amendments included rezoning an area at Grampian Road from “Government, Institution or Community (4)” (“G/IC(4)”) to “G/IC(10)”, incorporation of building height restriction for the “Other Specified Uses” (“OU”) annotated “Petrol Filling Station” zone, incorporation of minor relaxation clause on plot ratio/gross floor area restriction to various zones, rezoning a site at 322 Junction Road from “Commercial (1)” (“C(1)”) to “G/IC(11)”, and rezoning a strip of land at 322 and 330 Junction Road from “C(1)” and “G/IC(7)” to an area shown as ‘Road’ to reflect the existing road alignments. No representation on those proposed amendments was received.

124. After deliberation, the Board:

- (a) agreed that the draft Kowloon Tong OZP No. S/K18/15A and its Notes at Annexes I and II respectively of the Paper were suitable for submission under section 8 of the Town Planning Ordinance to the Chief Executive in Council (CE in C) for approval;
- (b) endorsed the updated Explanatory Statement (ES) for the draft Kowloon Tong OZP No. S/K18/15A at Annex III of the Paper as an expression of the planning intention and objectives of the Board for the various land use zonings of the draft OZP and issued under the name of the Board; and
- (c) agreed that the updated ES was suitable for submission to the CE in C together with the draft OZP.

Agenda Item 7

[Open Meeting]

Confirmation of Proposed Amendments to Draft Shau Kei Wan Outline Zoning Plan No. S/H9/15A and Submission of the Draft Plan to the Chief Executive in Council for Approval (TPB Paper No. 8393)

[The meeting was conducted in Cantonese.]

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

- | | | |
|------------------------------|---|---|
| Dr. Daniel B.M. To | - | owning a property at Shau Kei Wan Main Street East and being a Member of Eastern District Council |
| Dr. Greg C.Y. Wong |) | having business dealings with Hong Kong |
| Professor Bernard V.W.F. Lim |) | Housing Society (HKHS) (one of the representers (R10)) |
| Mr. Y.K. Cheng |] | |
| Mr. B.W. Chan |] | |
| Mr. Walter K.L. Chan |] | being members of the HKHS |
| Mr. Timothy K.W. Ma |] | |
| Miss Ophelia Y.S. Wong |] | |
| | | as the Director of Planning |
| Miss Annie K.L. Tam |] | |
| | | as the Director of Lands |

126. The Board noted that Dr. Daniel B.M. To, Messrs. B.W. Chan, Walter K.L. Chan and Timothy K.W. Ma had already left the meeting while Professor Bernard V.W.F. Lim and Mr. Y.K. Cheng had tendered apologies for not being able to attend the meeting. As the item was procedural in nature and no deliberation was required, the Board agreed that the remaining Members should be allowed to stay in the meeting.

127. The Secretary introduced the Paper. He said that on 7.11.2008, the draft Shau Kei Wan OZP No. S/H9/15, incorporating amendments to impose building height restrictions for areas zoned “Comprehensive Development Area” (“CDA”), “Residential (Group A)”, “Government, Institution or Community” and “Other Specified Uses”, together with various zoning amendments and technical amendments to the Notes of the Plan, was exhibited for public inspection. On 29.5.2009, after giving consideration to 10 representations and 3 comments, the Board decided to propose an amendment to the Plan to partially meet one representation (R8) by incorporating a minor relaxation clause for the non-building area restriction in the Notes for the “CDA” zone. On 19.6.2009, the proposed

amendment was published for 3 weeks and no further representation was received. In accordance with section 6G of the Town Planning Ordinance, the Plan should be amended by the proposed amendment. Since the representation consideration process had been completed, the draft OZP was now ready for submission to the Chief Executive in Council (CE in C) for approval.

128. After deliberation, the Board:

- (a) noted that there was no further representation in respect of the proposed amendment to the Plan and in accordance with section 6G of the Ordinance, the Plan should be amended by the proposed amendment;
- (b) agreed that the draft Shau Kei Wan OZP No. S/H9/15A and its Notes at Annexes II and III respectively of the Paper were suitable for submission under section 8 of the Ordinance to the CE in C for approval;
- (c) endorsed the updated Explanatory Statement (ES) for the draft Shau Kei Wan OZP No. S/H9/15A at Annex IV of the Paper as an expression of the planning intention and objectives of the Board for the various land-use zonings on the draft OZP and to be issued under the name of the Board; and
- (d) agreed that the updated ES was suitable for submission to the CE in C together with the draft OZP.

Remarks

129. The Chairperson said that Agenda Item 8 would not be open for public viewing since it was related to the confirmation of proposed amendments to the Outline Zoning Plan gazetted under the Pre-amended Town Planning Ordinance.

Agenda Item 8

[Closed Meeting]

Confirmation of Proposed Amendments to Draft Quarry Bay Outline Zoning Plan
No. S/H21/26 under Section 6(9) of the Pre-amended Town Planning Ordinance

[The meeting was conducted in Cantonese.]

Agenda Items 9 to 10

[Closed Meeting]

134. Those items were recorded under confidential cover.

Agenda Item 11

[Open Meeting]

Any Other Business

[The meeting was conducted in Cantonese.]

135. There being no other business, the meeting was closed at 4:40 p.m.