

**Minutes of 1015th Meeting of the
Town Planning Board held on 13.7.2012**

Present

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

Chairman

Mr. Stanley Y.F. Wong

Vice-chairman

Professor S.C. Wong

Mr. Rock C.N. Chen

Professor Eddie C.M. Hui

Dr. C.P. Lau

Ms. Julia M.K. Lau

Mr. Clarence W.C. Leung

Dr. W.K. Lo

Mr. Roger K.H. Luk

Ms. Anita W.T. Ma

Ms. Bonnie J.Y. Chan

Mr. H.W. Cheung

Mr. Ivan C.S. Fu

Mr. Sunny L.K. Ho

Mr. Lincoln L.H. Huang

Ms. Janice W.M. Lai

Mr. Dominic K.K. Lam

Mr. Patrick H.T. Lau

Ms. Christina M. Lee

Mr. H. F. Leung

Mr. Stephen H.B. Yau

Principal Assistant Secretary for Transport and Housing
Miss Winnie Wong

Deputy Director of Environmental Protection
Mr. Benny Y.K. Wong

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

Director of Lands
Mr. C.H.Wong

Director of Planning
Mr. Jimmy C.F. Leung

Deputy Director of Planning/District
Miss Ophelia Y.S. Wong

Secretary

Absent with Apologies

Mr. Timothy K.W. Ma

Professor Edwin H.W. Chan

Mr. Maurice W.M. Lee

Professor P.P. Ho

Mr. Laurence L.J. Li

Dr. W.K. Yau

Professor K.C. Chau

Dr. Wilton W.T. Fok

In Attendance

Assistant Director of Planning/Board
Ms. Christine K.C. Tse (ag.)

Chief Town Planner/Town Planning Board
Miss H.Y. Chu (am)
Mr. Jerry Austin (ag.) (pm)

Senior Town Planner/Town Planning Board
Ms. Johanna Cheng (am)
Ms. Caroline Tang (pm)

Agenda Item 1

[Open Meeting]

Confirmation of Minutes of the 1014th Meeting held on 22.6.2012

[The meeting was conducted in Cantonese.]

1. The minutes of the 1014th Meeting held on 22.6.2012 were confirmed without amendments.

Agenda Item 2

Matters Arising

- (i) Approval of Draft Outline Zoning Plans (OZPs)/ Development Permission Area (DPA) Plans

[Open Meeting] [The meeting was conducted in Cantonese.]

2. The Secretary reported that on 26.6.2012, the Chief Executive in Council (CE in C) approved the Ho Man Tin Outline Zoning Plan (OZP) (renumbered as S/K7/22), Lai Chi Wo, Siu Tan and Sam A Tsuen Development Permission Area (DPA) Plan (renumbered as DPA/NE-LCW/2), Ko Lau Wan DPA Plan (renumbered as DPA/NE-KLW/2), Mau Ping DPA Plan (renumbered as DPA/ST-MP/2) and Tung A and Pak A DPA Plan (renumbered as DPA/SK-TA/2) under section 9(1)(a) of the Town Planning Ordinance (the Ordinance). The approval of the above plans was notified in the Gazette on 13.7.2012.

- (ii) Reference Back of Approved OZPs

[Open Meeting] [The meeting was conducted in Cantonese.]

3. The Secretary reported that on 26.6.2012, the CE in C referred the Mid-Levels West OZP No. S/H11/15, Aberdeen & Ap Lei Chau OZP No. S/H15/27 and Tsim Sha Tsui OZP No. S/K1/26 for amendment under section 12(1)(b)(ii) of the Ordinance. The reference back of the above OZPs was notified in the Gazette on 13.7.2012.

(iii) Town Planning Appeal Decision Received

[Open Meeting]

Town Planning Appeal No. 12 of 2010

Proposed Temporary Vehicle Repairing Workshop

for a Period of 3 Years in “Agriculture” zone,

Government Land in D.D. 51, Fu Tei Au, Sheung Shui

(Application No. A/NE-FTA/98)

[The meeting was conducted in Cantonese.]

4. The Secretary reported that the decision of the Appeal Board Panel (Town Planning) (TPAB) in respect of the subject appeal was received. The appeal was dismissed by TPAB on 15.6.2012.

5. On 29.1.2010, the Rural and New Town Planning Committee (RNTPC) rejected the subject section 16 application for temporary vehicle repairing workshop for a period of three years in “Agriculture” zone on the draft Fu Tei Au and Sha Ling Outline Zoning Plan No. S/NE-FTA/11 on the grounds that the temporary vehicle repairing workshop was not in line with the planning intention of the “Agriculture” zone and not compatible with the surrounding land uses which comprised a number of domestic structures and some fruit trees, and would create environmental nuisance to the local residents. On 14.5.2010, Town Planning Board (the Board) rejected the section 17 review application on the same grounds.

6. The subject appeal was lodged by the Appellant on 3.8.2010 against the Board’s decision to reject the planning application on review. The appeal was heard by the TPAB on 30.8.2011. On 15.6.2012, the TPAB dismissed the appeal based on the following main considerations:

- (i) there was land on the approved Fu Tei Au and Sha Ling Outline Zoning Plan No. S/NE-FTA/12 that was zoned “Open Storage”, which could be used as vehicle repairing workshop;
- (ii) according to the Agriculture, Fisheries and Conservation Department (AFCD), agricultural land in the vicinity of the appeal site was of

high-quality and was suitable for agricultural use. There were still farming activities near the appeal site. Even though the appeal site had been used as vehicle repairing workshop and was paved, it was still suitable for agricultural use and the possibility of rehabilitating the site for cultivation would not be affected;

- (iii) the TPAB agreed with the planning intention of the “Agriculture” zone which was to safeguard good-quality agricultural land and retain fallow arable land with good potential for rehabilitation for cultivation;
- (iv) the proposed vehicle repairing workshop at the appeal site was not compatible with the surrounding land uses which comprised a number of domestic structures and some fruit trees; and
- (v) there were suspected unauthorised developments in the vicinity of the appeal site. Approval of the subject appeal might set an undesirable precedent.

7. Based on the above considerations, the TPAB decided that the appellant had not provided sufficient justifications to support a departure from the planning intention, even on a temporary basis. The TPAB also confirmed that the TPAB was not the appropriate authority to determine whether the use was an ‘existing use’. The TPAB expressed concern on the delay of the Planning Authority in taking enforcement action against unauthorised development and considered that the situation needed to be improved. The TPAB did not wish to see the situation where operators of unauthorised developments who submitted application for planning permission to regularise the unauthorised use would be refused while those operators who did not submit planning applications could continue with the unauthorised development and would be tolerated. The Secretary said that the Planning Authority would follow up with the above concern raised by TPAB.

8. A copy of the TPAB’s decision and the Summary of Appeal were sent to Members for reference on 9.7.2012.

(iv) Town Planning Appeal Abandoned

[Open Meeting]

Town Planning Appeal No. 6/11

Temporary Open Storage of Vehicles Not Yet Licensed to Run on the Road for a Period of 1.5 Years in “Government, Institution or Community” zone, Various Lots in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long
(Application No. A/YL-HT/684)

[The meeting was conducted in Cantonese.]

9. The Secretary reported that the subject appeal was lodged on 26.4.2011 by the Appellant to the Appeal Board Panel (Town Planning) (TPAB) against the Board’s decision to reject on review Application No. A/YL-HT/684 for temporary open storage of vehicles not yet licensed to run on the road for a period of 1.5 years. The appeal site was zoned “Government, Institution or Community” on the approved Ha Tsuen Outline Zoning Plan No. S/YL-HT/10. On 22.6.2012, the appeal was abandoned by the Appellant on his own accord. The abandonment was confirmed by the TPAB on 6.7.2012 in accordance with Regulation 7(1) of the Town Planning (Appeals) Regulations.

Appeal Statistics

10. The Secretary said that as at 13.7.2012, 28 cases were yet to be heard by the Appeal Board Panel (Town Planning). Details of the appeal statistics were as follows:

Allowed	:	28
Dismissed	:	123
Abandoned/withdrawn/invalid	:	159
Yet to be heard	:	23
Decision outstanding	:	1
Total	:	334

General

Agenda Item 3

[Open Meeting]

North East New Territories New Development Areas - Planning and Engineering Study
Stage Three Public Engagement
(TPB Paper No. 9128)

[The meeting was conducted in Cantonese and English.]

11. Professor S.C. Wong, Mr. Dominic K.K. Lam, Mr. Patrick H.T. Lau and Mr. Ivan C.S. Fu had declared interest in the item as they had current business dealing with Ove Arup and Partners Hong Kong Limited, the consultant of the subject Study. Ms. Janice W.M. Lai had also declared interest in the item as she had current business dealing with ACE Limited, another consultant of the subject Study. As the item was only a briefing to Members as part of the public engagement exercise, Members agreed that the above Members who had declared their interest should be allowed to stay in the meeting and participate in the discussion.

12. The following representatives of the Planning Department (PlanD) and Civil Engineering and Development Department (CEDD) and the consultant team were invited to the meeting at this point:

Ms. Amy Y.M. Cheung	Chief Town Planner / Studies and Research, (CTP/SR), PlanD
Mr. C.M. Li	Senior Town Planner / New Development Areas, PlanD
Mr. M.T. Law	Chief Engineer/Project Division (New Territories North & West, New Territories North and West Development Office, CEDD
Mr. Y.P. Hung	Senior Engineer, New Territories East Development Office, CEDD
Mr. Davis Lee) Ove Arup and Partners Hong Kong Limited
Ms. Teresa Yeung)

Mr. Lee Wai Lam)
Mr. Leung Yin Cheung)
Mr. Thomas Chan)
Mr. Geoff Carey AEC Limited

13. The Chairman extended a welcome and invited the Study team to brief Members on the Paper. With the aid of a powerpoint presentation, Ms. Amy Y.M. Cheung (CTP/SR, PlanD) made the following main points:

Purpose

- (a) the purpose of the briefing was to seek Members' views on the Recommended Outline Development Plans (RODPs) formulated for the three new development areas (NDAs) at Kwu Tung North (KTN), Fanling North (FLN) and Ping Che/Ta Kwu Ling (PC/TKL) under the North East New Territories New Development Areas Planning and Engineering Study (the Study);

Public Engagement

- (b) the Study adopted a three-stage public engagement (PE) programme to foster consensus building. The stage one PE (PE1), completed in early 2009, was to solicit public views on the visions and aspirations for the NDAs. The stage two PE (PE2), completed in early 2010, was to consult the public on the Preliminary Outline Development Plans (PODPs) of the NDAs;
- (c) the on-going stage three PE (PE3) that was being undertaken between June to August 2012 was to consult the public on the RODPs. The public views received from PE3 would be taken into account in refining the recommended development proposals before finalising the Study;

Recommended Outline Development Plans

- (d) an overview of the RODPs were summarized as follows:

Providing Housing Land

- (i) the NDAs would provide about 150 hectares of housing land supply for a total of 53,800 new residential flats to accommodate a population of about 151,600;

Promoting Economic Development

- (ii) taking advantage of their proximity to a number of existing and new boundary control points (BCPs) (including the planned Liantang/Heung Yuen Wai BCP), the Lok Ma Chau Loop and Shenzhen, the NDAs would serve to meet different strategic land use requirements. The NDAs would also provide employment in support of the local needs, including retail, services and community facilities. Over 52,000 new employment opportunities would be created;

Mixture of Different Housing Types and Timely Provision of Facilities

- (iii) a balanced housing mix would help create a socially integrated community. Some 43% of the new residential units were planned for public rental housing and the remaining 57% for various types of private housing;
- (iv) land had also been reserved on the RODPs for a comprehensive range of commercial, retail, open space and government, institution or community (GIC) uses. There would be timely provision of sufficient GIC facilities in tandem with the population built-up through a well-coordinated implementation programme;

Green Living Environment and Conservation of Long Valley

- (v) a 'green design' planning concept would be adopted to create a

green living environment. A series of energy-saving and carbon reduction strategies in respect of town planning, urban design, transportation and green infrastructure had been developed for the three NDAs;

- (vi) some 37 hectares of land in the core area of Long Valley generally of high ecological value were designated as a Nature Park, to be implemented by the Government, as part and parcel of the NDAs project;

Implementation Mechanism and Programme

Conventional New Town Approach

- (e) the conventional new town approach used before for developing the existing new towns, such as the Sha Tin, Fanling/Sheung Shui and Tseung Kwan O new towns, would be adopted for implementing the NDAs. Under this approach, the Government would resume and clear all the private land planned for public works projects, public housing and private developments, carry out site formation works and provide infrastructure before allocating land for various purposes, including disposal of the land planned for private developments in the market. The affected parties would be compensated and/or rehoused according to prevailing government policy;
- (f) this approach would enable synchronisation of various developments with provision of supporting infrastructure and public facilities. It would also ensure balanced development with an appropriate mix of public and private housing, commercial and business uses, open spaces and GIC facilities;

Rehousing Options

- (g) to help maintain the social fabric of the existing communities and to provide more rehousing options, a site of about 3.2 hectares in the

southwestern part of the KTN NDA had been reserved for development of public housing (which might include subsidised housing subject to further study) to facilitate local rehousing of eligible households affected by the NDAs project;

- (h) the Administration was reviewing the existing compensation and rehousing arrangements with a view to facilitating smooth clearance of sites for implementation of major projects such as the NDAs; and

Programme

- (i) the NDAs would be developed in phases. Upon completion of the required statutory and funding approval procedures, construction works were anticipated to commence in 2017, with the first population intake in 2022. The entire NDAs project was expected to be completed by 2031.

14. At this point, a video about the three NDAs were shown and the key points were summarised as follows:

Overview

- (a) the development themes, major land uses and key development parameters of each of the NDAs (as detailed in the PE3 Engagement Digest in Enclosure 2 of the Paper) were summarised as follows:

	KTN NDA	FLN NDA	PC/TKL NDA	Total
Development Theme	Mixed Development Node	Riverside Township	Quality Business/ Residential Area	-
Major Land Uses	Residential; Commercial; Research & Development; Long Valley Nature Park	Residential; Government Facilities	Residential; Special Industry; Government Facilities	-
Total Area (ha)	450	166	171	787
Developable Area^(a) (ha)	251 (56%)	129 (78%)	153 (90%)	533 (68%)

	KTN NDA	FLN NDA	PC/TKL NDA	Total
(% Total)				
New Population^(b)	81,900	52,100	17,600	151,600
New Residential Units	28,700	18,600	6,500	53,800
Housing Mix (Public:Private)	55:45	39:61	0:100	43:57
Plot Ratio	2 – 5	2 – 5	0.75 – 2.5	-
Maximum Height	35 storeys	35 storeys	10 storeys Special Industry: 35m	-
New Employment	35,400	6,000	10,700	52,100

(a) Referring to areas with new developments on the RODPs, excluding areas zoned “Village Type Development”, “Conservation Area”, “Green Belt”, “Agriculture” and “River Channel”, as well as those already occupied by existing/committed developments which have to be retained in future.

(b) Excluding those in indigenous villages and existing/committed developments.

Kwu Tung North NDA

(b) the key features of the KTN NDA were:

(i) the KTN NDA would be developed into a “Mixed Development Node” with a mix of commercial, residential and research and development uses as well as ecological conservation;

(ii) higher-density public and private residential developments, and community, social welfare and open space facilities would be concentrated around the planned Kwu Tung railway station and the Town Park;

(iii) a cluster of “Commercial, Research and Development” sites along Fanling Highway had the potential to be developed into various

types of office and research uses. It would provide development spaces to support the Six Industries that Hong Kong enjoyed clear advantage, i.e. testing and certification services, medical services, innovation and technology, cultural and creative industries, environmental industries and education services (the Six Industries). Two sites in the northern part of the NDA were earmarked for “Research and Development” uses to support the Lok Ma Chau Loop development;

- (iv) within the NDA, there would also be a variety of recreational facilities such as sports ground, swimming pool, library, schools, and other community and social welfare facilities;
- (v) Long Valley was designated as a Nature Park to protect its ecologically important environment. It would function as a ‘green lung’ and contribute to the creation of a quality living environment; and
- (vi) major roads at the periphery of the NDA and the comprehensive pedestrian and cycle track network would create a car-free environment in the town centre;

Fanling North NDA

- (c) the key features of the FLN NDA were:
 - (i) the FLN NDA would be developed into a "Riverside Township" with a comfortable living environment and sufficient community facilities;
 - (ii) the NDA would be located along the Ng Tung River, which had magnificent riverside scenery and hilly backdrop. The river banks of Ng Tung River would be developed into a unique riverside promenade. Four green spines were designed to link up with the

riverside open space. The green spines would also serve as the major view corridors and breezeways;

- (iii) low-density residential developments were proposed in the northern side of Ng Tung River to integrate with the surrounding rural setting. In the two residential areas in the eastern and western parts of the NDA, there would be public and private housing, retail and community facilities and public transport interchanges;
- (iv) a Central Park, an indoor recreation centre and various social welfare facilities would be developed between the two residential areas for common use by residents of the new and existing communities;
- (v) infrastructure such as the sewage treatment works extension and police training facilities would be developed in the western end of the NDA. They would be suitably separated from the residential areas; and
- (vi) the comprehensive pedestrian and cycle track network along the riverside promenade and open space would connect the major activity nodes within the NDA;

Ping Che / Ta Kwu Ling NDA

- (d) the key features of the PC/TKL NDA were:
 - (i) the PC/TKL NDA would be developed into a "Quality Business/Residential Area", providing development spaces for special industries and the Six Industries, as well as medium and low-density residential developments;
 - (ii) in the northern part of the NDA, land was reserved for high-value

added and non-polluting special industries and the Six Industries. The sewage treatment works and district cooling system plant would be located at the northern end of the NDA;

- (iii) the southern part would be a medium to low-density residential area with retail and community facilities;
- (iv) the central part was for an open space and cultural area, comprising the existing Ping Che Yuen Ha Village, Wun Chuen Sin Kwoon, the new Central Park and a commercial development with public transport interchange;
- (v) promenades would be provided along Ping Yuen River and Shui Hau River. The promenade along Ping Yuen River would be connected to the shopping street in the south. The Central Park could be accessed through the shopping streets and promenade; and
- (vi) pedestrian walkways and cycle tracks would be provided along green corridors and major roads to encourage walking and cycling;

Improving Transport Network and Better Linkage with the Mainland

- (e) the three NDAs would be connected to different parts of Hong Kong and Shenzhen through a comprehensive transport network comprising the following:
 - (i) the planned Kwu Tung railway station on the Lok Ma Chau Spur Line would enhance the accessibility of the Kwu Tung area, serving the new residents in the NDA and also the existing residents in the nearby areas;
 - (ii) in the KTN NDA, an outer ring road was proposed to connect Fanling Highway at the east and west ends. Land was also reserved for a proposed road connecting to the Lok Ma Chau Loop

development;

- (iii) in the FLN NDA, the proposed Fanling Bypass (between Fanling Highway near Wo Hop Shek Interchange and Man Kam To Road) could help improve the traffic condition in the Fanling and Sheung Shui area;
- (iv) in the PC/TKL NDA, a new road would be constructed to link to the planned Liantang/Heung Yuen Wai BCP connecting road to provide convenient and direct connection to Shenzhen; and
- (v) a comprehensive pedestrian and cycle track network would be provided to connect the three NDAs, Fanling/Sheung Shui New Town and the North New Territories cycle tracks currently under construction;

Green Initiatives

- (f) a wide range of infrastructure and community and recreational facilities would be provided promptly. A number of green initiatives such as the reuse of treated sewage for non-potable purposes and district cooling systems for non-domestic developments were proposed; and

Technical Assessments

- (g) detailed technical assessments (including environmental, engineering, sustainability, and air ventilation assessments) had been carried out to examine the feasibility of the proposals in the RODPs. The technical assessments confirmed that the NDAs project was technically feasible and would comply with the statutory requirements under the Environmental Impact Assessment (EIA) Ordinance.

Discussion Session

15. Pertaining to specific issues, the Chairman and Members provided comments and asked questions about the following matters:

Development Intensity

- (a) in view of the demand for more housing land in the territory, the proposed plot ratios (PRs) in the three NDAs appeared to be on the low side. What was the rationale for the proposed PRs?

Options for Rehousing

- (b) the reservation of a site within the NDA to provide an option for local rehousing was supported. However, multi-storey residential developments might not meet the needs of affected residents who might wish to continue farming or live in rural type housing. Had consideration been given to provide different types of housing for the affected residents?

Employment Opportunities and Special Industry Area

- (c) how many of the 52,000 employment opportunities would be for the planned special industries (taken to mean high-value added and non-polluting industries)? What proportion of the planned employment opportunities would be taken up by local residents of the NDAs?
- (d) what was the basis for reserving sites for 'Special Industries' and 'Research and Development' in the NDAs?
- (e) with regard to the experience in Tin Shui Wai, people moved into the new town before businesses / industries were well established. This had led to a lack of employment opportunities for residents and created grievances. For the NDAs, would it be possible to first establish the

businesses / industries in the area before population in-take?

- (f) the zonings in the future outline zoning plans should provide sufficient flexibility for implementation of the special industry area;
- (g) what assumptions were adopted in the EIA to assess the environmental impact of the special industries?

External Transport Connections

- (h) as a large proportion of workers would not live in the NDAs, the Study should give careful consideration to the timely and adequate provision of transport infrastructure to support the daily commuting needs of workers;
- (i) many of the future residents of the NDAs would commute south (to the urban areas) or north (to Mainland) to work in future. What were the transport plans to serve such needs of the workers?

Specific NDAs

- (j) the FLN NDA should be planned as an extension of the existing community in Sheung Shui and not as another 'stand-alone' new town;
- (k) what was the rationale for the layout of the PT/TKL NDA where the special industries were planned in the north and the residential communities were planned in the south? Was the Central Park intended to be a buffer between the industrial and residential uses? Should more open space be provided within the residential communities to serve the residents?
- (l) there were rivers in each of the NDAs. These local natural resources should be better utilized to create special identity for the NDAs. In the FLN NDA, residential uses or promenade for leisure / recreation were planned along the river. However, in the PC/TKL NDA, special

industries and sewage treatment works were planned along the river. What was the planning rationale behind the land use planning concept?

Long Valley and Ecological Impacts

- (m) the designation of Long Valley as a 'Nature Park' was supported. Other than Long Valley, what other ecological aspects had the study assessed?
- (n) the Chairman said that Long Valley was one of the 12 priority sites identified for enhanced conservation under the Environment Bureau's New Nature Conservation Policy, through new measures of management agreement with private landowners or public-private partnership. While the current proposal for the Nature Park at Long Valley would be implemented through land resumption, the enhanced conservation of other priority sites would continue to be pursued according to the New Nature Conservation Policy. The Nature Park at Long Valley was a special case as it was one of the mitigation measures proposed to compensate for wetland habitats affected by the NDAs project;
- (o) the Chairman said that the ecological value of wetland in Long Valley was due to active use of the land for wet agriculture. He asked what measures would be adopted to ensure continuation of wet agriculture to sustain the ecological value of Long Valley;

Green Infrastructure

- (p) the so-called green infrastructure such as district cooling, landscaping or concrete-paved river channel were only 'grey infrastructure'. True green infrastructure should aim to organically revert the land or water bodies back to their natural state to enhance their ecological value;

Provision of Social Welfare and Educational Facilities

- (q) in the Tin Shui Wai experience, the main social problems were due to

residents failing to adapt in a new community. There should be provision of social welfare facilities to cater for such needs in the NDAs;

- (r) what was the approach for provision of some less 'neighbour friendly' social welfare facilities, such as mental rehabilitation centres, in the NDAs?
- (s) there had been concerns on inadequate school places in the North district to serve local students because school places were taken up by children who commuted daily from the Mainland to Hong Kong for schooling. Was there any discussion with the Education Bureau to provide more schools in the NDAs to meet such demand as well as the demand for school places from children of non-Hong Kong resident parents?

16. Ms. Amy Cheung (CTP/SR, PlanD) and the consultants (Ms. Teresa Yeung, Mr. Davis Lee and Mr. Geoff Carey) provided the following responses to the questions:

Development Intensity

- (a) for KTN NDA, a maximum PR of 5 was adopted for developments around the planned Kwu Tung railway station. For sites at the periphery of the NDA, the PRs of the 'Residential Zone 2' and 'Residential Zone 3' sites were 3.5 and 2 respectively. For FLN NDA, a maximum PR of 5 was adopted for the two main residential areas. These development intensities proposed in the NDAs had taken into account various planning, engineering and environmental considerations and were similar to those in the existing Shatin, Fanling/Sheung Shui and Tai Po new towns;
- (b) for the PC/TKL NDA which was not served by mass transit railway system, lower PRs of 0.75 to 2.1 for 'Rural Residential Zone 2' and 'Rural Residential Zone 3' were proposed based on the capacity of the currently planned infrastructure. There would be scope to increase the development intensities should the proposed long-term extension of the

Northern Link come into fruition in the light of the results of the review and update of the Railway Development Strategy 2000 currently in progress;

Options for Rehousing

- (c) the residents affected by the NDAs projects would be compensated and / or rehoused according to the prevailing government policy. For local rehousing of eligible affected households, a site of about 3.2 hectares was reserved in the southwestern part of the KTN NDA for high-rise public rental housing. In addition, land had been reserved near the existing indigenous villages for low-density housing development, which might be used for reprovisioning the affected village houses/building lots under the Village Removal Terms;
- (d) there was existing policy on agricultural rehabilitation to support households who wished to continue farming, and land had been reserved for agriculture purpose in the KTN and FLN NDAs;

Employment Opportunities and Special Industry Area

- (e) according to the assumption adopted in the Study, about half of the 52,000 planned employment opportunities would be generated by the special industries as well as commercial, research and development uses planned in the KTN and PC/TKL NDAs. It was not possible to know how many of the planned employment opportunities would be taken up by residents in the NDAs. However, the employment opportunities provided by the supporting commercial uses (such as shops and eating places) as well as the government uses would more likely be taken up by local residents. To attract more workers of the planned special industries to reside in the NDAs, a variety of housing types had been planned;
- (f) reservation of land for the Six Industries was in line with the

Government's policy and would promote the long-term development of Hong Kong. There was currently high occupancy rate of over 90% in the three existing Industrial Estates, hence there was a clear demand for more floor space for special industries. The PC/TKL NDA was suitable for development of a special industry area because it had the locational advantage of being in proximity to the planned Liantang/Heung Yuen Wai BCP;

- (g) it might not be appropriate to only establish business / industries without residents in the NDAs or vice versa, as the establishment of business / industries and population in-take should be implemented in parallel. Otherwise, it would lead to imbalance of development;
- (h) the comment that the land use zoning should provide sufficient flexibility for implementation of the special industries was noted and would be taken into account in the preparation of OZPs;
- (i) the assumptions adopted in the EIA for assessing the potential impacts from the special industries were in accordance with the requirements of the Environmental Protection Department's Technical Memorandum;
- (j) there would also be employment opportunities outside and in the vicinity of the NDAs. This included the Lok Ma Chau Loop development located to the north of the KTN NDA, which was planned for higher education, hi-tech research and development, and cultural and creative industries. As the Lok Ma Chau Loop development would provide about 29,000 employment opportunities and there was no residential development, workers there might choose to reside in the NDAs;

External Transport Connections

- (k) the KTN NDA would be served by the planned Kwu Tung railway station on the Lok Ma Chau Spur Line. The FLN and PC/TKL NDAs would be served by feeder services to the existing Fanling and Sheung Shui

railway stations. Hence, there would be adequate rail connections to link up the NDAs with the urban areas to serve commuting needs of workers and residents;

Specific NDAs

FLN NDA

- (l) the FLN NDA was planned as an extension of the Sheung Shui New Town. There would be planned pedestrian and vehicular connections to the existing Sheung Shui and Fanling railway stations. A Town Park and various social welfare and recreational facilities would be developed to the immediate north of the existing new town and between the two residential areas of the NDA for use by residents of both the new and existing communities. The Town Park would also serve as a visual corridor to the mountain backdrop and enhance air ventilation in the area;

PC/TKL NDA

- (m) with regard to the layout of the PC/TKL NDA, the special industry area was planned in the north because it would provide more direct access to / from the planned Liantang / Heung Yuen Wai BCP to its north. This would reduce traffic generated by the special industries from entering the residential neighbourhood in the southern portion of the NDA;
- (n) the Central Park would provide a buffer between the special industries and the residential communities to minimize any potential interface problem. Nevertheless, the Central Park was conveniently located to serve both the workers and residents;
- (o) other than the Central Park, local open space would be provided within the residential communities to serve the residents in accordance with the Hong Kong Planning Standards and Guidelines (HKPSG). In addition, green corridors had been designated to provide connections between the

residential communities and the Central Park;

- (p) in the PC/TKL NDA, there were two rivers. The Shui Hau River was in the north of the NDA and the special industry area was planned along this river. This was intended to create a pleasant work environment for the workers and visitors. The Ping Yuen River was located in the south of the NDA and riverside promenade and residential sites were planned along this river;

Long Valley and Ecological Impacts

- (q) an ecological impact assessment was under preparation as part of the EIA to comprehensively assess the ecological impacts of the NDAs project. Long Valley was proposed to be designated as a 'Nature Park' with three complementary objectives of enhancing its ecological value, preserving it as cultural and education resources (in particular, about wet agriculture) and compensating for the loss of wetland habitats arising from the NDAs project. In addition, comprehensive planting of woodland and other landscape mitigation measures would be provided to compensate for areas affected by the NDAs project;
- (r) not all of the land in Long Valley had high ecological value, and the Study proposed to designate 37 hectares of land in the core area of Long Valley generally of high ecological value as a Nature Park. Through proper management, the ecological value of Long Valley which was generally related to its long-term use for wet agriculture could be further enhanced. Some areas were zoned 'Agriculture' to the north and south of the Nature Park to allow continuation of the current farming use, especially wet agriculture;
- (s) Long Valley had been fairly accessible to the public and disturbance to the ecology due to public access should not be a concern. According to the conceptual plan for the Nature Park, there would be different levels of public access in accordance with the ecological value of the areas;

Green Infrastructure

- (t) it was recommended that the ecological value of the rivers in the NDAs be enhanced. Green corridors were proposed along the river banks and the river channels would be grasscrete paved;

Provision of Social Welfare and Educational Facilities

- (u) the timely provision of sufficient GIC facilities in tandem with the in-take of population was recognised to be very important and this would be ensured through a well-coordinated implementation programme. The Social Welfare Department had also provided advice on the type of facilities that should be provided in the NDAs;
- (v) there were different types of GIC sites. Some were stand-alone sites, while others were provided within residential developments. The GIC sites to accommodate the less 'neighbour friendly' social welfare facilities would need to be carefully considered; and
- (w) the number of schools planned in the NDAs were currently based on the requirements laid down in the HKPSG. The Education Bureau had not requested for reservation of additional school sites. However, there were some undesignated GIC sites in the area which would provide flexibility for more schools should such demand arise in future.

17. As Members had no further questions / comments on the Study, the Vice-chairman thanked the Study team for the briefing. The representatives of PlanD and the consultants left the meeting at this point.

[Dr. W.K. Lo left the meeting and the Chairman and Ms. Julia M.K. Lau left the meeting temporarily during the question session.]

Agenda Item 4

[Open Meeting]

Planning Study on Future Land Use at Anderson Road Quarry – Feasibility Study
Draft Recommended Outline Development Plan
(TPB Paper No. 9129)

[The meeting was conducted in Cantonese.]

18. Professor S.C. Wong, Mr. Dominic K.K. Lam, Mr. Patrick H.T. Lau and Mr. Ivan C.S. Fu had declared interest in the item as they had current business dealing with Ove Arup and Partners Hong Kong Limited which was the consultant of the subject Study. As the item was only a briefing to Members as part of the community engagement exercise, Members agreed that the above Members who had declared their interest should be allowed to stay in the meeting and to participate in the discussion.

19. The following representatives of the Planning Department (PlanD) and members of the consultant team were invited to the meeting at this point:

Mr. Eric Yue	Chief Town Planner / Housing and Office Land Supply (CTP/HOLS), PlanD
Mr. K.W. Ng	Senior Town Planner / HOLS, PlanD
Dr. Leung Kam Shing] Ove Arup and Partners Hong Kong Limited
Ms. Carmen Chu]
Ms. Theresa Yeung]

20. The Vice-chairman extended a welcome and invited the Study team to brief Members on the Paper. Mr. Eric Yue made a brief introduction covering the following main points:

- (a) in January 2011, the PlanD commissioned the Planning Study on Future Land Use at Anderson Road Quarry – Feasibility Study (the Study);
- (b) from August to November 2011, the PlanD carried out the Stage 1 Community Engagement (CE) on the initial land use options. The

Study team provided a briefing to the Board in September 2011;

- (c) having regard to the public views collected in the Stage 1 CE, a preferred land use option and a draft Recommended Outline Development Plan (RODP) had been formulated. The PlanD was currently undertaking the Stage 2 CE from late June to late September 2012; and
- (d) the purpose of the briefing was to inform Members about the public views collected in the Stage 1 CE and to seek Members' comments on the draft RODP.

[The Chairman returned to join the meeting at this point.]

21. With the aid of a powerpoint presentation, Dr. Leung Kam Shing made the following main points as detailed in the Paper:

Study Site and Development at Anderson Road

- (a) the Anderson Road Quarry site (the Study Site) was located on the southwestern slope of the Tai Sheung Tok Hill in East Kowloon. It covered an area of about 86 hectares, including a platform of about 40 hectares. The Development at Anderson Road (DAR), which was for public rental housing (PRH) with a planned population of about 48,300, was mainly located to the southwest of the Study Site;

Stage 1 Community Engagement

- (b) a report on the Stage 1 CE was uploaded to the Study website and the major public views collected were summarized below:
 - (i) population level and housing mix - the respondents generally accepted the proposed population level of 22,000 to 30,000 and private-to-subsidized housing ratio of 80:20;
 - (ii) scale of development - a number of the consulted bodies

suggested keeping the future developments on the Study Site at a medium scale so as to avoid compromising the unique setting of the quarry site and to provide greening and a spacious living environment;

- (iii) land uses – it was generally agreed that apart from housing, the Study Site had potential for public open space, sports/recreational facilities and community facilities. The proposed Quarry Park was very well received with a strong request for a quarry museum;
- (iv) urban design and landscape - the proposed preservation of the Tai Sheung Tok ridgeline, creative use of the rock face, rock climbing facilities and connections of the hiking trails on the rock face to the Wilson Trail in Sai Kung were well supported. Some suggested organising a design ideas competition on the Quarry Park and the future treatment of the rock face;
- (v) rock cavern - no strong view on the proposed rock cavern developments was received, though some raised concerns on the possible high construction costs and the relevant building regulations/requirements;
- (vi) traffic impacts – the traffic impacts of future developments at the Study Site and the DAR had attracted much concerns from the locals. There were requests for enhancing the road network in the area;
- (vii) pedestrian connections - there was general support for the proposed enhancement of pedestrian connections to the DAR and the Kwun Tong town centre with mechanically-assisted vertical circulation facilities; and
- (viii) environmental aspect - some expressed concerns on the possible air and noise pollutions from the future developments during the

construction and operation stages;

Draft Recommended Outline Development Plan

- (c) having regard to the public views collected and other relevant considerations, a preferred land use option, comprising housing developments, a Quarry Park and related attractions on the rock face, had been drawn up. The preferred land use option provided the basis for the formulation of the draft RODP;

Planning and Design Concepts

- (d) to achieve the planning objective of creating a green and sustainable residential community, the following planning and design concepts were adopted in the draft RODP:
 - (i) a sizable Quarry Park as a green focus;
 - (ii) multiple lookouts at different levels on the rock face with hiking trails;
 - (iii) a Civic Core in the central part as a community focus in the Study Site and the wider Sau Mau Ping area;
 - (iv) two residential communities in the northern and southern portions of the Study Site mainly for residential developments with supporting Government, Institution or Community (GIC) facilities;
 - (v) gentle vegetated slopes to provide gradual transitions between platforms at different levels;
 - (vi) green pedestrian corridors in the Civic Core, and the northern and southern residential communities;

- (vii) a building height profile that would respect the Tai Sheung Tok ridgeline and the proposed Quarry Park, preserve existing visual corridors, and define the neighbourhood characters; and
- (viii) sustainable site planning and building design;

Planned Population, Housing Mix and Development Parameters

- (e) planned population - taking into account the different land use requirements, urban design considerations and the technical and infrastructural constraints identified in the earlier stage of the Study, it was concluded that 23,000 was the optimal population level;
- (f) housing mix - the Sau Mau Ping area was already dominated by public housing and the adjacent DAR would be entirely for PRH. As there was public aspiration for a more balanced housing mix in the area, the proposed private-to-subsidized housing ratio of 80:20 was retained. The subsidized housing site was considered suitable for the new Home Ownership Scheme (HOS) development;
- (g) flat supply - it was estimated that about 6,920 private housing flats and about 1,730 subsidized housing flats could be provided, contributing to a total supply of 8,650 flats;
- (h) the major planning parameters adopted in the draft RODP were summarised below:

Total Planned Population (No. of Flats)*	about 23,000 (about 8,650 flats)
Private Housing Population (No. of Flats)*	about 18,400 (about 6,920 flats)
Subsidised Housing Population (No. of Flats)*	about 4,600 (about 1,730 flats)

Private-to-subsidised Housing Ratio	80:20
Plot Ratio (PR)	
Private Housing	3.5 to 5.5
Subsidized Housing	6
Average Flat Size	
Private Housing	60m ²
Subsidized Housing	50m ²

* Assumed persons-per-flat was 2.66 for both private and subsidized housing.

Key Land Use Proposals

- (i) the draft RODP comprised four key land use proposals as follows:

Quarry Park

- (i) the Quarry Park was zoned 'Regional Open Space' on the draft RODP and had a total area of about 17 hectares, including about 11 hectares on the platform and about 6 hectares on the rock face;
- (ii) the platform portion comprised a core part near the northern end of the Study Site, a green promenade along the south-western edge and a recreational ground in the southern portion;
- (iii) the Quarry Park was intended to be a regional park with a quarry museum and an array of leisure, sports and recreational facilities such as an amphitheatre, an amenity lake, a rock climbing centre and some sports facilities;
- (iv) the quarry museum was proposed to be a rock cavern development with an internal pedestrian connection to the hiking trails on the rock face via lifts and staircases;

Civic Core

- (v) the Civic Core was mainly for low-rise commercial and government facilities, open space and a plaza serving the residents and visitors. It comprised three 'Commercial' ('C') sites (about 1.2 hectares in total), one 'Government' ('G') site (about 0.8 hectare) and three 'District Open Space' sites (about 1.7 hectares in total);
- (vi) two of the 'C' sites would be on the platform while the remaining one would be on the rock bench for uses like wine cellar and spa in rock caverns. The 'G' site was proposed for an indoor sports complex to mainly serve the local residents and the wider Sau Mau Ping area;

Residential Communities

- (vii) two residential communities were proposed in the southern and northern portions of the Study Site. They would be linked by green pedestrian corridors running in the north-south direction;
- (viii) the Southern Community comprised four residential sites and six GIC sites. Three of the residential sites were zoned 'Residential Zone – 2' ('R2') for private housing (at PRs of 3.5 to 4); while the remaining site was zoned 'Residential (Subsidized Housing)' for subsidized housing (at PR of 6.0) preferably for new HOS development;
- (ix) the Northern Community comprised six 'R2' sites for private housing (at PRs of 3.5 to 5.5), one 'C' site to mainly serve local needs, and two GIC sites;
- (x) the residential blocks would have different building heights:
 - low-rise blocks ranging from 30 to 45m (8 to 13 storeys) would

be located on sites fronting the Quarry Park and along the green pedestrian corridor in the north to create a more human scale environment;

- high-rise blocks ranging from 78 to 98m (24 to 31 storeys) would be located closest to the rock face backdrop; and
- medium-rise blocks ranging from 50 to 73m (15 to 22 storeys) would be built in-between the low-rise and high-rise blocks to create stepped height profiles;

Rock Face

(xi) the rock face was mainly zoned 'Green Belt' (about 38 hectares) with a network of hiking trails on the rock benches and proposed connections to the Wilson Trail Stage 3 in Sai Kung;

(xii) lookouts would be provided at different levels for public enjoyment. Some lookouts would provide spectacular views of East Kowloon and Victoria Harbour, while one would be zoned 'C' for some commercial facilities in rock caverns; and

(xiii) in order to enhance the accessibility of the rock face (particularly for the elderly and disabled), the feasibility of a vertical transport system (such as funicular) linking up the rock face and the platform would be further explored;

Rock Cavern Development

(j) three rock cavern developments were proposed. One was proposed for the quarry museum within the Quarry Park and the remaining two were proposed for commercial facilities on the rock face;

(k) another area with potential for rock cavern developments had also been identified at the rock face fronting the internal main road in the

northeastern portion of the Study Site

- (l) more detailed engineering assessments were required to further confirm the technical feasibility of all these proposed rock cavern developments;

Technical Issues

Road Improvement Measures

- (m) to address the cumulative traffic impacts of the future developments at the Study Site and the DAR, a traffic assessment (TA) had been undertaken which concluded that subject to the following road improvement measures, in addition to those for five road junctions identified for the DAR, the proposed developments shown on the draft RODP would not significantly affect the traffic conditions in the area:
 - (i) to eliminate the existing traffic queue of right-turn movement at the signal junction of Lin Tak Road and Sau Mau Ping Road by constructing new slip roads to make the future junction operate in free-flow movement;
 - (ii) to widen Lin Tak Road near Hong Wah Court to incorporate new bus bays with passing lane for accommodating the on-street loading/unloading activities currently blocking the passing vehicles;
 - (iii) to further improve the junction of Clear Water Bay Road and Anderson Road in addition to those measures for the DAR by providing a U-turn facility to the east of the junction to increase the weaving distance; and
 - (iv) to widen the portion of New Clear Water Bay Road near Shun Lee Tsuen Road by increasing the Kowloon-bound lane from one lane to two lanes to eliminate the existing traffic queue at this bottleneck location;

- (n) to further address the overall traffic congestion problems in the area, improvement of the Choi Hung Interchange might also be needed as a long-term measure;

Internal Road System and Public Transport Facilities

- (o) the proposed vehicular access points to/from the Study Site would be at the central and southern portions to match with the key land use proposals. The main internal road was designed in a single-four lane configuration;
- (p) a public transport terminus was proposed at the northern end adjacent to the Quarry Park. A public transport lay-by with turn-around facilities was proposed outside the Study Site near the central access at the Civic Core. This was mainly to serve residents in the DAR. Apart from the Kwun Tong MTR station, feeder services would be provided to the Lam Tin and/or Yau Tong MTR Stations;

Pedestrian Connectivity

- (q) internal pedestrian linkages would be provided to connect different parts of the Study Site, largely through the pedestrian corridors and the Quarry Park. Four external footbridges with lift towers had already been planned to connect the Study Site with Shun Lee Estate, Shun Tin Estate, Sau Mau Ping Estate and Po Tat Estate via the DAR. Four new routes of footbridges with lift towers and escalator were proposed to further extend the planned pedestrian network to Kwun Tong town centre;

Visual

- (r) the 'building free zone' at the highest 20% of the Tai Sheung Tok ridgeline would be protected while the existing visual corridor between the Tai Sheung Tok summit and Jordan Valley would be preserved as viewed from the Hong Kong Convention and Exhibition Centre and Jordan Valley. Nonetheless, most of the views to the proposed

developments on the Study Site would be blocked by the DAR at its immediate boundary;

Others

- (s) technical assessments on sewerage, drainage, environment, geotechnical, water supply, utilities and sustainability aspects had also been undertaken. All the assessments concluded that the proposed developments under the draft RODP were broadly feasible without insurmountable problem subject to appropriate improvement and mitigation measures;

Development Phasing

- (t) the proposed developments would be implemented in two phases. The Phase I development would cover the Southern Community and part of the Civic Core. Sites were expected to be available for development starting from 2019/20. A temporary public transport terminus would be provided to tie in with the population in-take;
- (u) Phase II development would cover the Northern Community and the remaining part of the Civic Core. Its implementation would follow the Phase I development but subject to the prevailing market condition at that time;
- (v) the timing and implementation agent for the Quarry Park and the proposed facilities on the rock face would be further considered;

Next Steps

- (w) the Stage 2 CE to collect public views on the draft RODP for the Study Site was being undertaken from late June to late September 2012. In addition to roving exhibitions and briefings sessions to relevant organisations and bodies, a design ideas competition on the proposed Quarry Park and the future treatment of the rock face was also being organised as part of the Stage 2 CE; and

- (x) the Civil Engineering and Development Department (CEDD) would undertake an engineering feasibility study after this Study. The required site formation works, road works and infrastructure provisions would follow upon completion of the engineering feasibility study.

Discussion Session

22. Pertaining to specific issues, the Chairman and Members provided comments and asked questions about the following matters:

Rock Face

- (a) the holding of a design ideas competition for the Quarry Park and treatment of the rock face, and the proposals for lookouts on the rock face and a vertical transport system (such as funicular) to the rock face were supported;
- (b) the design ideas competition should not only be confined to proposals for a Quarry Park. The idea of a design competition for housing development on the rock face might also be explored;
- (c) the development on the rock face should integrate with the whole development on the Study Site;
- (d) there were many problems about greening of steep rock face that had to be resolved;
- (e) the landscaping on the rehabilitated rock face would be in distinct layers rather than a smooth looking slope. Would there be ways to further improve in this regard?

Rock Cavern Development

- (f) the relationship between the proposed rock cavern developments on the Study Site and CEDD's 'Study on Enhanced Use of Underground Space in Hong Kong'. In this regard, the Chairman said that the latter study was about the feasibility of relocating existing territorial public utilities (such as sewage treatment plant) into rock caverns to release sites occupying prime locations for other kinds of developments;

Hiking Trails

- (g) how could the proposed hiking trails on the rock face be accessed?
- (h) would the hiking trails on the rock face be linked up with the Wilson Trail?

Civic Core

- (i) the proposal of having two residential communities with a low-rise Civic Core in the center to preserve a visual corridor was generally supported. However, instead of concentrating all commercial facilities in the Civic Core, consideration might be given to provide commercial facilities within the two individual residential communities so that they could be located within walking distance for the residents;

Visual

- (j) what was the building height concept for the Study Site?
- (k) the Study proposal seemed to be focused on housing development. In particular, the proposed lookout would probably only offer views of housing developments in the locality rather than more distant views towards Victoria Harbour;

Traffic

- (l) having regard to the traffic impact of the proposed development on the Study Site and DAR, the Chairman said that the necessary mitigation measures such as road / junction improvements should be implemented at an early stage before actual occupancy of the residential communities. The traffic impacts during the construction stage should also be addressed. The Transport and Housing Bureau was asked to carefully consider the implementation and phasing of the traffic improvement measures;
- (m) what would be the traffic arrangement to cater for the holding of major events at the Civic Core? and
- (n) the place would likely become a new tourist attraction. Had sufficient parking and loading/unloading facilities for tourist coaches been reserved in the draft RODP?

23. Mr. Eric Yue (CTP/HOLS, PlanD) and the consultants (Dr. Leung Kam Sing and Ms. Carmen Chu) made the following responses to the questions:

Rock Face

- (a) the feasibility of developing housing on the rock face had been explored in an earlier stage of the Study. However, since the rock face at the Study Site was very steep (at about 54 degrees), it might only be feasible to build very limited number of low-rise houses (say six to eight number of 2 to 3-storey houses) on the rock face and costly infrastructure would be required. Moreover, a small scale low-rise housing development on the rock face would not be compatible with the existing and planned developments in the area, which were dominated by public housing. Hence, it was decided that the Study Site should be more effectively utilized by providing housing of different built forms on the platform and the rock face would be used as public space;

- (b) the proposals submitted for the design ideas competition should not treat the Quarry Park and rock face in isolation. The proposals would need to consider the integration and compatibility of the Quarry Park and rock face with the rest of the developments on the Study Site;
- (c) with regard to greening of the rock face, the quarry company had commissioned a landscape company to prepare a rehabilitation plan in 2008. According to the rehabilitation plan, a planting space (about 8m to 20m in width) with certain depth of soil, rather than planters, was reserved along the rock face at 20m-intervals. There was also careful selection of plant species. The landscape proposal of the Study Site was developed on the basis of that rehabilitation plan and more uses and hiking trails were added to enable better utilization of the upper levels of the rock face;
- (d) the distinct layers of landscaping on the rock face could become a unique feature of the Study Site. They could be enhanced by special designs and / or colour schemes of the landscaping;

Rock Cavern Development

- (e) the Study Site had a long and unique history of being a quarry since 1956 and it would be rehabilitated in 2016. The distinct landform on the Study Site was suitable for rock cavern developments. After preliminary assessment, three rock cavern developments were proposed. One was proposed for a quarry museum and the other two would be for commercial uses. The CEDD would conduct more detailed engineering assessment to confirm the technical feasibility of the proposed rock cavern developments;
- (f) an area that had direct access to the main road had been reserved as 'area with potential for rock cavern development' in the draft RODP. Such area might be used for relocation of some existing public utilities or

community uses from other places for better utilization of land resources;

Walking Trails

- (g) six pedestrian routes linking the platform area with the hiking trails on the rock face were shown on the preliminary landscape master plan in Plan 3 of the Paper. Those pedestrian routes would be provided through the Quarry Park or the lift in the Quarry Museum in the north, a landscaped deck connecting the Civic Core, a vertical transport system (such as a funicular) and two other green pedestrian corridors (via gentle vegetated slopes);
- (h) two connections to Wilson Trail Stage 3 were being explored. One connection would be from the lookout in the north. The other connection would be in the south at the summit of Tai Sheung Tok (at 395mPD). Both connections would require further engineering feasibility study;

Civic Core

- (i) the commercial and government facilities in the Civic Core would be within walking and / or cycling distance from both the Southern and Northern Communities. The Civic Core would comprise low-rise developments to preserve a visual corridor to the Tai Sheung Tok summit and to the views of Kowloon East and Victoria Harbour from the lookouts on the rock face;

Visual

- (j) a stepped building height profile was proposed in the Study Site. Low-rise blocks (8 to 13 storeys) would be located on sites fronting the Quarry Park and along the green pedestrian corridor in the north to create a more human scale environment. High-rise blocks (about 24 to 31 storeys) would be located closest to the rock face backdrop.

Medium-rise blocks (15 to 22 storeys) would be built in between the low-rise and high-rise blocks to create a stepped building height profile;

- (k) the DAR with high-rise buildings was mainly located to the southwest of the Study Site. The visual corridor proposed in the Study Site would align with the visual corridor reserved in DAR, and extending it to the rock face of Tai Sheung Tok;
- (l) looking southward from the lookout at 310mPD (i.e. a level higher than the buildings in DAR at around 290mPD) would be the views of Jordan Valley and Victoria Harbour. The feasibility to extend the hiking trails on the rock face to the summit of Tai Sheung Tok at 390mPD was being studied. At that higher level, there would be more open view of Victoria Harbour and East Kowloon;

Traffic

- (m) if there were major events at the Civic Core, the plazas and open areas therein and in the surroundings would provide sufficient space as waiting area and for crowd dispersion. A large lay-by area, which could accommodate a considerable number of public transport vehicles, was reserved to the immediate south of the Civic Core near the main access. This area would provide sufficient flexibility for temporary deployment of public transport during major events. The Civic Core was also near a proposed footbridge with lift tower that would connect to the areas downhill. The design and capacity of the lift tower would be subject to further study during the engineering feasibility study;
- (n) for the amphitheatre in the northern end within the Quarry Park, there would be direct road access and a public transport terminus to cater for crowd dispersion and public transport needs during major events; and
- (o) the internal access road as well as the public transport terminus would have the capacity to accommodate tourist coach traffic to the Study Site.

In addition, there would be underground parking for tourist coaches at the Civic Core.

24. As Members had no further questions / comments on the Study, the Chairman thanked the Study team for the briefing and asked them to take Members' comments into account when finalising the Study. The representatives of PlanD and the consultants left the meeting at this point.

Shatin, Tai Po and North District

Agenda Item 5

[Open Meeting (Presentation and Question Session only)]

Consideration of Further Representations No. F1, F2 and F4 to F110

Draft Yim Tin Tsai and Ma Shi Chau Development Permission Area Plan No. DPA/NE-YTT/1

(TPB Paper No. 9130)

[The meeting was conducted in Cantonese.]

25. As sufficient notice had been given to the representers, commenters and further representers to invite them to attend the meeting, Members agreed to proceed with the hearing of the further representations in the absence of the other representers, commenters and further representers who had indicated that they would not attend or had made no reply to the invitation to the hearing.

26. The following government representatives were invited to the meeting at this point:

Ms. Jacinta K.C. Woo	District Planning Officer/Shatin, Tai Po and North (STN), Planning Department (PlanD)
Mr. Edward W.M. Lo	Senior Town Planner/STN, PlanD

the “R(D)” zone (the proposed amendments);

- (c) on 27.4.2012, the proposed amendments were published under section 6C(2) of the Ordinance. Upon expiry of the 3-week exhibition period, a total of 150 further representations were received;
- (d) on 8.6.2012, the Board decided that further representations No. F3 and F111 to F150 (i.e. 41 further representations), which were submitted by the original representers and commenters, were invalid and should be treated as not having been made under section 6D(1) of the Ordinance. The Board also decided to hear further representations No. F1, F2, F4 to F110 (i.e. 109 valid representations) collectively in one group as they were related to the proposed rezoning of land from “R(D)” to area designated as ‘Unspecified Use’;
- (e) in accordance with section 6F(3) of the Ordinance, the original representers No. R12 to R67, the related commenters No. C1 to C32 and the further representers No. F1, F2, F4 to F110 had been invited to attend the meeting;

The Further Representations

- (f) all of the valid further representations were against the proposed rezoning of Sam Mun Tsai New Village, Luen Yick Fishermen Village and the surrounding area (the further representation site) from “R(D)” to area designated as ‘Unspecified Use’ (i.e. proposed Amendment Item A);
- (g) the further representations were submitted by Tai Po District Councillors, the Executive Board of the Tai Po Rural Committee (TPRC), representatives of various villages in Tai Po district and the local residents of Sam Mun Tsai New Village and Luen Yick Fishermen Village;

Grounds and Proposals of the Further Representations

- (h) F1, F2, F4 to F110 objected to the designation of the further representation site as 'Unspecified Use', as it would restrict the redevelopment and future development of the villages. F1, F2, F4 to F110 proposed to rezone the further representation site to "V" as there was a village 'environs' ('VE') and a number of indigenous villagers living in the area;
- (i) F2, F4 to F110 requested extension of their proposed "V" zone to cover more adjacent 'Unspecified Use' areas for future village expansion;

The Further Representation Site and Its Surrounding Areas

- (j) Sam Mun Tsai New Village and Luen Yick Fishermen Village were occupied by some village houses and temporary domestic structures. Their adjoining areas were covered by steep slopes, and native and mature trees. The two villages were built in the 1960s by the Government and charity groups for the settlement of fishermen at that time. Existing village houses/building structures were mostly under government licences that restricted the structures to 400sq.ft. and two storeys (5.18m) high;

Sam Mun Tsai New Village

- (k) according to the District Lands Officer/Tai Po (DLO/TP), the ex-Sam Mun Tsai Fishermen Village, originally at the northeastern shore of Plover Cove Reservoir, was not a recognized village but was once a settlement area for the fishermen. In 1965, fishermen of the ex-Sam Mun Tsai Fishermen Village were relocated to Sam Mun Tsai to make way for the Plover Cove Reservoir Project. The relocated area was then named Sam Mun Tsai New Village and became a recognized village. The 'VE' of Sam Mun Tsai New Village was drawn up in 1999 based on a 300-foot radius from the edge of the village type house at Lot 103 in D.D. 27 (which was granted in 1960s prior to the implementation of New Territories Small House Policy in 1972);

- (l) there was neither Indigenous Inhabitant Representative (IIR) nor future Small House demand forecast for Sam Mun Tsai New Village. There were only fishermen representative and resident representative. According to DLO/TP's record, there was currently no Small House application at Sam Mun Tsai New Village. In the 1990s, there had been seven Small House applications but were all rejected by DLO/TP as the applicants were not indigenous villagers. As to whether the residents living in Sam Mun Tsai New Village were indigenous villagers, the DLO/TP advised that his office had neither such information nor record of this nature being kept;

Luen Yick Fishermen Village

- (m) Luen Yick Fishermen Village was not a recognized village and there was no 'VE' for the village;

Responses to Grounds and Proposals of the Further Representations

- (n) at the representation hearing on 13.4.2012, the Board noted the recognized village status of Sam Mun Tsai New Village and its 'VE' and considered that a "R(D)" zone would not be the most appropriate zoning for the further representation site. Given the fact that there was neither Indigenous Inhabitant Representative nor future Small House demand forecast for Sam Mun Tsai New Village as advised by the DLO/TP, it would not be feasible to consider and, if appropriate, to delineate a suitable "V" zone for the village at this stage;
- (o) the Board proposed to rezone the land under "R(D)" zone to 'Unspecified Use' area to partially uphold representations No. R12 to R67. The Board considered that more time was required for further background studies/ assessments and consultation with relevant government departments and stakeholders to establish the appropriate land use zonings for the further representation site during the preparation

of an Outline Zoning Plan (OZP) that would replace the DPA plan in three years' time. In the meantime, Small House developments within the 'Unspecified Use' area, if any, could be submitted to the Board for consideration;

- (p) the further representers' proposal to rezone the further representation site to "V" was originally raised by R12 to R67, and that proposal was considered and not accepted by the Board at the representation hearing;
- (q) regarding the further representers' proposal to rezone more adjacent 'Unspecified Use' area to "V", it was explained that it would not be feasible to consider and, if appropriate, to delineate a suitable "V" zone for the village at this stage without further assessment/studies and consultation with government departments and stakeholders. F1, F2, F4 to F110 had not provided sufficient justification for rezoning the further representation site and /or more adjacent 'Unspecified Use' area to "V";
- (r) as the DPA Plan was an interim plan and would be replaced by an OZP in three years' time, the further representers' proposals would be taken into account and considered during the preparation of the OZP;

PlanD's Views

- (s) based on the planning assessments and considerations set out in paragraph 3 of the Paper and summarized above, PlanD did not support the further representations and considered that the Plan should be amended by the proposed amendments; and
- (t) should the Board decide to amend the Plan by the proposed amendments or the proposed amendments as further varied, such amendments shall form part of the draft Yim Tin Tsai and Ma Shi Chau DPA Plan No. DPA/NE-YTT/1.

30. The Chairman then invited the further representer and the representer's representatives to make their presentations.

F1 – Lau Chee Sing (Tai Po District Councillor)

Dr. Lau Chee Sing

31. Dr. Lau Chee Sing made the following main points:

- (a) many villagers had reflected their concerns about the Board's proposed rezoning of Sam Mun Tsai New Village, Luen Yick Fishermen Village and the surrounding area to areas designated as 'Unspecified Use'. Within 'Unspecified Use' area, any development would require applications to the Board which was a hurdle for villagers;
- (b) some of the villagers had lived in the area for many years and they should only be required to apply to the District Lands Office for any redevelopments within the 'VE';
- (c) it was clearly stated in paragraph 3.5 of the Paper that the Sam Mun Tsai New Village was a recognised village with a 'VE'. The TPRC had also confirmed that there were indigenous villagers living in Sam Mun Tsai New Village. The villagers had already lived in Sam Mun Tsai New Village for 30 to 40 years and hence, should have the right to build Small House in the village;
- (d) he considered that having an IIR was not a pre-requisite for zoning a village as "V" on statutory town plans. He said that there was an example of a village in Yuen Long that was zoned "V" but there was no IIR; and
- (e) he urged the Board to rezone Sam Mun Tsai New Village to "V".

R12 – Tai Po Rural Committee

Mr. Lee Wing Keung (Representer's representative)

32. Mr. Lee Wing Leung made the following main points:

- (a) the TPRC opposed designating the further representation site as 'Unspecified Use' because all development would need to be submitted to the Board for consideration and it would cause inconvenience for villagers;
- (b) when the Government drew up the 'VE' for Sam Mun Tsai New Village in 1999, it must have considered the local conditions and considered the area to be suitable for building Small Houses. Hence, Sam Mun Tsai New Village was suitable to be zoned "V";
- (c) the DLO/TP advised that there was no IIR nor future Small House demand forecast for Sam Mun Tsai New Village. However, the Board should clarify whether a village could not be zoned "V" if there was no IIR;
- (d) according to his understanding, it was not necessary for a village to have an IIR before it could be zoned "V". The Shung Ching San Tsuen (崇正新村) in Yuen Long was an example. There must be cogent reasons if there was to be differential treatment of villages in Yuen Long and Tai Po;
- (e) it was indicated by PlanD that during preparation of the OZP, further assessment/studies and consultation with the relevant stakeholders, TPRC and concerned government departments was required to ascertain whether the further representation site should be zoned "V". However, the Government should have considered relevant factors when drawing up the boundary of the "R(D)" zone on the DPA plan. He questioned why the drawing up of a "V" zone boundary would need a few more

years. He requested that the area should be rezoned “V”; and

- (f) with regard to their proposal to rezone more adjacent ‘Unspecified Use’ areas to “V”, it should be noted that other than steep slope, those adjacent areas also contained some land with only vegetation or fallow agricultural land under private ownership. Those land was suitable for Small House developments to meet their future village expansion needs. For developments on sites with steep topography, the villagers could employ professionals to prepare the necessary supporting assessments. Villagers would not fell mature trees extensively for the purpose of their Small House developments.

33. As the further representer and the representer’s representatives had completed their presentations, the Chairman invited questions from Members.

34. The Vice-chairman asked whether there were any new developments or Small House applications in Sam Mun Tsai New Village over the years to accommodate the increase in population since 1965. In response, Ms. Jacinta Woo (DPO/STN) said that in 1965, the fishermen of the ex-Sam Mun Tsai Fishermen Village was relocated to Sam Mun Tsai to make way for the Plover Cove Reservoir Project. The existing 2-storey houses were all built by the Government or charity groups at that time for the settlement of the fishermen. There were no recent new developments in Sam Mun Tsai New Village. With regard to Small House applications, she said that there had been seven Small House applications in the 1990s, but they were all rejected by DLO/TP as the applicants were not indigenous villagers.

35. Ms. Jacinta Woo continued and explained the unique background of Sam Mun Tsai New Village. She pointed out that the ex-Sam Mun Tsai Fishermen Village was not a recognised village. After it was relocated and renamed as Sam Mun Tsai New Village at the current location, it had been given a recognised village status and a ‘VE’ was drawn up for the village in 1999. The main reason for not rezoning the area as “V” at this stage was that there was currently insufficient information to consider and, if appropriate, to delineate a suitable “V” zone for the village. An appropriate land use zoning would be worked out in the preparation of the OZP, after collecting more background information

and further assessment of the local circumstances.

36. Mr. Lee Wing Keung said that there were indigenous villagers living in Sam Mun Tsai New Village, including Mr. Shek Kwong Yin who was present at the meeting. Mr. Shek Kwong Yin said that he was a member of the TPRC and he was an indigenous villager. He said that his ancestors had been living in the ex-Sam Mun Tsai Fishermen Village before 1898. The ex-Sam Mun Tsai Fishermen Village was relocated to the existing location, which was close to the sea, as many villagers were fishermen. In the ex-Sam Mun Tsai Fishermen Village, the houses ranged from 400 to 1000 sq.ft. and there were nine to 30 persons in each household. When the ex-Sam Mun Tsai Fishermen Village was relocated to the current location, the Government only compensated the villagers with a small house with no basic amenities and of not more than 300 sq.ft. The Government should give special consideration to the villagers of the Sam Mun Tsai New Village as they had sacrificed a lot to help solve the water supply problem for the people of Hong Kong.

37. In response to the Chairman's question, Mr. Shek Kwong Yin said that there was not much new developments in the village. He explained that at the time when they moved to Sam Mun Tsai New Village, there were 36 households; and now there were 160 households with 1,600 villagers living there.

38. The Chairman asked DPO/STN to clarify the representer's query about whether "V" zones could only be designated for indigenous villagers to build Small Houses. In response, Ms. Jacinta Woo said that "V" zones were not only designated for Small House developments for indigenous villages. A "V" zone would also be designated for other villages based on the local background, characteristics and scale of development.

39. In response to a Member's question, Ms. Jacinta Woo said that the 'VE' of Sam Mun Tsai New Village was drawn up by the DLO in 1999 based on a 300-foot radius from the edge of a village type house that was in existence at the time. She said that it was DLO's policy that indigenous villagers could apply for Small House developments within the 'VE'.

40. As the further representer and representer's representatives had finished their presentations and Members had no further question to raise, the Chairman said that the hearing procedures had been completed and the Board would deliberate on the further representations in their absence and would inform them of its decision in due course. The Chairman thanked them and the Government's representatives for attending the hearing. They all left the meeting at this point.

Deliberation

41. The Chairman invited Members to consider the further representations taking into consideration all the written submissions, the oral elaboration during the presentation session as well as the clarifications made at the question and answer session.

42. The Chairman said that in the representation hearing held on 13.4.2012, the Board had recognised the unique background of Sam Mun Tsai New Village as a recognised village with a 'VE'. Nevertheless, given the fact that there was neither IIR nor future Small House demand forecast for Sam Mun Tsai New Village, the Board considered that there was insufficient information and it would not be feasible to consider and, if appropriate, to delineate a suitable "V" zone for the village at this stage. Hence, at the representation hearing, the Board agreed to rezone the Sam Mun Tsai New Village, Luen Yick Fishermen Village and the surrounding area to 'Unspecified Use' area so that appropriate land use zonings could be worked out in the OZP preparation stage. Further background studies / assessment and consultation with relevant government departments (including the District Office and DLO) would be required. He said that the Board recognised the needs of the villagers but more time was required to establish the facts before deciding on the appropriate land use zoning for the area. The Chairman asked whether Members agreed that the further representations should not be upheld and the 'Unspecified Use' designation should be retained for the Sam Mun Tsai New Village, Luen Yick Fishermen Village and the surrounding areas. Members agreed.

43. A Member said that whether the Sam Mun Tsai New Village was a recognised village should be a fact that relevant government departments should be able to confirm at this stage. Mr. C.H. Wong, Director of Lands, said that according to the New Territories Small House Policy implemented since 1972, an indigenous villager of a recognised

village could apply for permission to erect a Small House on a suitable site within his own village. The Chairman supplemented that a recognised village generally referred to a village that was in existence in 1898. The background of the recognised village status of Sam Mun Tsai New Village and its implication on future Small House demand was still being subject to verification by relevant government departments.

44. After further deliberation, Members agreed that further representations No. F1, F2 and F4 to F110 should not be upheld and the DPA plan should be amended by the proposed amendments i.e. to designate the further representation site as 'Unspecified Use'.

45. The Chairman summarised the main reasons for not upholding the further representations, which were that there was insufficient information, particularly on Small House demand for Sam Mun Tsai New Village, and it was not feasible to consider and, if appropriate, to rezone the further representation site to "V" at this stage. It was appropriate and prudent to designate the further representation site as 'Unspecified Use' area so that the appropriate land use zonings, including the delineation of a suitable "V" zone as appropriate, could be worked out after further assessment/studies and consultation with the relevant stakeholders during the preparation of the OZP. Members agreed.

Further Representations No. F1, F2 and F4 to F110

46. After further deliberation, the Board decided not to uphold the further representations No. F1, F2 and F4 to F110. Members then went through the reasons for not upholding the further representations as detailed in section 5 of the Paper and considered that they were appropriate. The reasons were:

- (a) as there was insufficient information, particularly on Small House demand for Sam Mun Tsai New Village, it was not feasible to consider and, if appropriate, to rezone Sam Mun Tsai New Village, Luen Yick Fishermen Village and their surrounding areas to "V" at this stage. It was considered appropriate and prudent to designate the subject area as "Unspecified Use" area so that the appropriate land use zonings, including the delineation of a suitable "V" zone as appropriate, could be worked out after further assessment/studies and consultation with the

relevant stakeholders in the preparation of the OZP; and

- (b) the DPA Plan was an interim plan which would be replaced by an OZP within 3 years. Detailed land use zonings would be worked out during the OZP preparation taking into account relevant assessments/studies on various aspects including traffic, environmental, sewerage, landscape, geological and geotechnical, etc. The currently proposed 'Unspecified Use' area was considered appropriate for protection of the natural environment and at the same time respecting the villagers' development rights in the interim period.

47. The meeting was adjourned for lunch break at 12:30pm.

48. The meeting was resumed at 2:15 p.m.

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

Mr. Thomas T.M. Chow

Chairman

Mr. Stanley Y.F. Wong

Vice-chairman

Professor S.C. Wong

Mr. Rock C.N. Chen

Mr. H.W. Cheung

Mr. Ivan C.S. Fu

Mr. Sunny L.K. Ho

Professor Eddie C.M. Hui

Mr. Dominic K.K. Lam

Dr. C.P. Lau

Mr. Patrick H. T. Lau

Ms. Julia M.K. Lau

Mr. Clarence W.C. Leung

Mr. H. F. Leung

Mr. Roger K.H. Luk

Mr. Stephen H.B. Yau

Deputy Director of Environmental Protection

Mr. Benny Y.K. Wong

Assistant Director (2), Home Affairs Department

Mr. Eric K.S. Hui

Director of Lands

Mr. C.H. Wong

Director of Planning

Mr. Jimmy C.F. Leung

Tuen Mun and Yuen Long District

Agenda Item 6

[Open Meeting (Presentation and Question Session only)]

Review of Application No. A/YL-TYST/576

Temporary Open Storage of Scrap Vehicles (Vans and Lorries)

for a Period of 3 Years in “Residential (Group D)” and “Residential (Group B) 1” zones,

Lots 591 and 592 in D.D. 121, Tong Yan San Tsuen, Yuen Long, New Territories

(TPB Paper No. 9136)

[The hearing was conducted in Cantonese.]

Presentation and Question Session

50. The following representative of the Planning Department (PlanD), the applicant and her representative were invited to the meeting at this point:

- | | |
|---------------------|--|
| Mr. W.W. Chan | - District Planning Officer/Tuen Mun and Yuen Long (DPO/TMYL), PlanD |
| Ms. Cheung Wai Lung | - Applicant |
| Mr. Yeung Kam Lo | - Applicant’s representative |

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

52. With the aid of a Powerpoint presentation, Mr. W.W. Chan, DPO/TMYL, presented the review application and covered the following main points as detailed in the Paper:

- (a) the applicant sought planning permission for temporary open storage of scrap vehicles (vans and lorries) for a period of three years at the application site which fell within an area zoned “Residential (Group D)” (“R(D)”) (about 75.6%) and “Residential (Group B) 1” (“R(B)1”) (about

24.4%) on the approved Tong Yan San Tsuen Outline Zoning Plan (OZP) No. S/YL-TYST/10;

- (b) the application site, with an area of about 400m², would be used for storing 10 scrap vehicles, including vans and lorries. A meter room with a floor area of about 1.5m² and a building height of about 2m would also be built within the site;
- (c) the application was rejected by the Rural and New Town Planning Committee (RNTPC) on 16.3.2012 and the reasons were:
 - (i) the applied use was not in line with the planning intention of the “R(B)1” and “R(D)” zones stated in the Notes for the respective land use zones on the Tong Yan San Tsuen OZP. The site was intended primarily for residential development. No strong planning justification had been given in the submission to justify a departure from the planning intention, even on a temporary basis;
 - (ii) the application did not comply with the Town Planning Board Guidelines No. 13E in that no previous planning approval had been granted for the applied use on the site, no relevant technical assessments had been included in the submission to demonstrate that the applied use would not generate adverse environmental and landscape impacts on the surrounding area, and there were adverse departmental comments on the application. The applied use was also not compatible with the current and planned residential use in the surrounding area; and
 - (iii) as no approval for similar uses had been granted in the subject “R(B)1” zone and no planning approval for similar uses had been granted in the subject “R(D)” zone since 2002, approval of the application, even on a temporary basis, would set an undesirable precedent for similar uses to proliferate into the

“R(B)1” and “R(D)” zones. The cumulative effect of approving such applications would result in a general degradation of the rural environment of the area;

[Dr. C.P. Lau arrived to join the meeting at this point.]

- (d) the applicant had not submitted any justifications in support of the review application;
- (e) the application site was currently used for open storage of scrap vehicles. The surrounding area was mixed with open storage yards, residential structures, vacant land and unused land. To the immediate west of the application site was a hill where some graves existed. There were scattered residential structures to its north, east and south. The open yards in the vicinity were mostly suspected unauthorised developments and were subject to enforcement action to be taken by the Planning Authority;
- (f) the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance (TPB-PG No. 13E) were relevant to the application. The application site fell partly within Category 3 areas and partly within Category 4 areas under the said Guidelines;
- (g) the departmental comments were detailed in paragraph 4 of the Paper. The Director of Environment Protection (DEP) did not support the application as there were sensitive receivers of residential structures in the vicinity of the application site and along the access road leading to the application site, and environmental nuisance was expected. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD had reservation on the application from the landscape planning point of view as the open storage use was not compatible with the adjacent rural environment and natural landscape;

- (h) public comments – no public comment was received on the review application; and
- (i) PlanD’s view – PlanD did not support the review application based on the planning considerations and assessments as set out in paragraph 6 of the Paper which were summarised below:
 - (i) the development was not in line with the planning intention of the “R(D)” and “R(B)1” zones which were primarily for residential developments in rural areas. No strong planning justification had been given for a departure from the planning intention, even on a temporary basis;
 - (ii) the development was incompatible with the planned residential use and the existing residential structures scattered in the surrounding area. Although there were open storage yards in the vicinity of the application site, they were mostly suspected unauthorised developments and were subject to enforcement action to be taken by the Planning Authority;
 - (iii) the application did not comply with the Town Planning Guidelines No. 13E in that there was no previous approval granted at the application site and there were adverse comments on the application from DEP and CTP/UD&L, PlanD;
 - (iv) the applicant had not submitted any technical assessment/proposal to demonstrate that the development would not generate adverse environmental and landscape impacts on the surrounding area;
 - (v) approval of the application, even on a temporary basis, would set an undesirable precedent for other similar applications; and
 - (vi) given that there was no change in the planning circumstances

since the consideration of the s.16 application, PlanD maintained its previous view of not supporting the review application.

53. The Chairman then invited the applicant to elaborate on the review application.

54. Mr. Yeung Kam Lo, the applicant's representative, made the following main points:

- (a) he had been living in this area for over 20 years;
- (b) as he and his wife (the applicant) were old and had no income, they wanted to lease the land to other people for temporary storage of scrap vehicles use in order to earn a living;
- (c) there was no residential use in the vicinity. Instead, the area had undergone substantial changes with the proliferation of various types of storage uses, such as vehicles and vehicle parts, construction materials and miscellaneous items. Approval of the subject application would not set a precedent; and
- (d) as the application was only for temporary use of the site, it would not jeopardise the long term planning intention of the application site.

55. In response to the Chairman's enquiry about the previous approvals that had been granted for open storage use in the "R(D)" zone, Mr. W.W. Chan said that those applications were approved before the existing guidelines on processing open storage uses (i.e. TPB-PG No. 13A) were adopted by the Board. Since the promulgation of TPB-PG No. 13A in 2002, no planning permission had been granted for open storage uses in the subject "R(D)" zone.

56. In response to the Vice-chairman's enquiry on the length of time that the application site had been used for open storage, Mr. Yeung Kam Lo said that the application site had been subject to prosecution before and was currently left vacant and

was grown with wild vegetation. Mr. Yeung said that the subject application was submitted because a tenant wanted to rent the application site for storage of wrecked vehicles.

57. A Member asked whether the applicant was the owner or tenant of the application site. Ms. Cheung Wai Lung, the applicant, said that she was the landowner.

58. A Member enquired about the access road leading to the application site and the impact of the applied use on the residential developments on both sides of the road. The Chairman noted that the access road leading from Tong Yan San Tsuen Road to the site and the existing uses along the road were shown on Plan R-3 of the Paper. Mr. Yeung Kam Lo said that the access road did not pass by any residential dwellings as the surrounding area was mostly vacant except for some open storage yards.

59. In response to a Member's enquiry on the open storage yards in the vicinity of the application site, Mr. W.W. Chan said that the open storage yards in the vicinity were suspected unauthorised developments and were subject to enforcement action to be taken by the Planning Authority.

60. In response to a Member's enquiry about the implementation status of the "R(B)", "R(C)" and "R(D)" zones near to the application site, Mr. W.W. Chan said that there were temporary domestic structures scattered around the application site and a few residential developments had been completed in the "R(B)" zone such as Recours La Serre. Mr. Yeung Kam Lo, however, reiterated that except Lots 613 and 614, there were no other residential developments in the vicinity.

61. As the applicant and her representative had no further comment to make and Members had no further question, the Chairman informed the applicant and her representative that the hearing procedures for the review application had been completed. The Board would further deliberate on the review application in their absence and inform the applicant of the Board's decision in due course. The Chairman thanked DPO/TMYL, the applicant and her representative for attending the meeting. They all left the meeting at this point.

Deliberation Session

62. The Chairman noted that the application was not in line with the planning intention of the “R(B)1” and “R(D)” zones, it did not comply with the Town Planning Board Guideline No. 13E, and no approval had been granted for similar uses in the subject “R(B)1” zone or in the subject “R(D)” zone since 2002. Members agreed that the review application should be rejected.

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

- (a) the development was not in line with the planning intention of the “Residential (Group B) 1” (“R(B)1”) and “Residential (Group D)” (“R(D)”) zones stated in the Notes for the respective land use zones on the Tong Yan San Tsuen Outline Zoning Plan. The site was intended primarily for residential development. No strong planning justification had been given in the submission to justify a departure from the planning intention, even on a temporary basis;
- (b) the application did not comply with the Town Planning Board Guidelines No. 13E in that no previous planning approval had been granted for the proposed use on the site, no relevant technical assessments had been included in the submission to demonstrate that the development would not generate adverse environmental and landscape impacts on the surrounding area, and there were adverse departmental comments on the application. The development was also not compatible with the current and planned residential use in the surrounding area; and
- (c) as no approval for similar uses had been granted in the subject “R(B)1” zone, and none in the subject “R(D)” zone since 2002, approval of the application, even on a temporary basis, would set an undesirable precedent for similar uses to proliferate into the “R(B)1” and “R(D)” zones. The cumulative effect of approving such applications would

result in a general degradation of the rural environment of the area.

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

Hong Kong District

Agenda Item 7

[Open Meeting (Presentation and Question Session only)]

Review of Application No. A/H3/402

Proposed Office, Eating Place and Shop and Services Uses in

“Residential (Group A)” zone, 2-4 Shelley Street, Sheung Wan, Hong Kong

(TPB Paper No. 9137)

[The hearing was conducted in Cantonese.]

Presentation and Question Session

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

Ms. Ginger Kiang	- District Planning Officer/Hong Kong (DPO/HK), Planning Department (PlanD)
Ms. April Kun	- Senior Town Planner/Hong Kong (STP/HK), PlanD
Mr. Philip Lam	- Engineer/Central & Western, Transport Department (TD)
Mr. Wong Chung Kwong]
Mr. Chan Cheung Kit]
Mr. Lee Chun Kit, Anson]
Mr. Yau Yik Chung, Renzo] Applicant’s representatives
Mr. Chin Kim Meng]
Mr. Yu Lin Keung, Gabriel]
Mr. Leung Wai Kwong, Leo]
Mr. Cheung Chung Yu]

65. The Chairman extended a welcome and explained the procedures of the review hearing. He then invited the representatives of PlanD to brief Members on the review application.

66. With the aid of a Powerpoint presentation, Ms. April Kun, STP/HK, presented the review application and covered the following main points as detailed in the Paper:

- (a) the applicant sought planning permission for a 22-storey (119.63mPD at main roof) commercial building at a plot ratio (PR) of 12 with eating place and shop and services uses at the lowest three floors and offices above. No car parking and loading/unloading facilities would be provided within the application site;
- (b) the application site, with an area of about 310.79m², fell within an area zoned “Residential (Group A)” (“R(A)”) and was subject to a maximum building height of 130mPD and a minimum setback of 2m from the lot boundary above 15m measured from mean street level abutting Old Bailey Street on the draft Sai Yung Pun and Sheung Wan Outline Zoning Plan (OZP) No. S/H3/25 at the time of submitting the s.16 application. The zoning and development restrictions remained unchanged on the current OZP No. S/H3/27;
- (c) the Town Planning Board Guidelines for Application for Office Development in “Residential (Group A)” Zone under Section 16 of the Town Planning Ordinance (TPB PG-No. 5) were relevant to the application;
- (d) the application site was currently occupied by two existing 6-storey composite buildings built in 1970 and 1973 respectively with the G/F and cockloft floor as eating place and the upper floors for domestic use;
- (e) the surrounding area was mixed with commercial and residential developments with the G/F mainly used as eating place;

- (f) the application site was located at Shelley Street between Hollywood Road and Staunton Road in the Soho area. There was no direct vehicular access to the application site and the application site was located next to the Mid-levels Escalator which ran along Shelley Street;
- (g) the application was rejected by the Metro Planning Committee (MPC) on 7.10.2011 and the reasons were:
 - (i) the applicant failed to demonstrate that the proposed development, in particular the loading/unloading activities and movement of goods and customers generated, would not cause adverse impacts on the local traffic condition and interfere with the main pedestrian flow on the Mid-levels Escalator; and
 - (ii) the proposed office development could not meet the planning criteria as laid down in the Town Planning Board Guidelines on Application for Office Development in “Residential (Group A)” Zone under Section 16 of the Town Planning Ordinance (TPB PG-No. 5) in that the loading/unloading facilities/arrangement were not to the satisfaction of TD and the proposed office development would cause congestion and disruption to the traffic and pedestrian flows of the locality;
- (h) the justifications put forth by the applicant in support of the review application were summarised in paragraph 3 of the Paper and below:
 - (i) as the GFA for retail/shop and service/eating place uses for the existing development and the proposed development was similar, it was reasonable to conclude that the lower floors for the above uses would have no resulting traffic impact when comparing the existing development and the proposed development. Regarding the trip generation between the permitted residential building and the proposed office

development, the latter would result in an increase of only 2 passenger car units (pcu) during AM and PM peak hours. The traffic impact was negligible and there was sufficient capacity at the road junctions to cater for the resultant increase in traffic;

- (ii) according to interviews conducted and on-site observation, goods delivery vehicles serving the application site and buildings in the vicinity mostly made use of the Old Bailey Street and occasionally Staunton Street for loading/unloading activities. The existing kerbside/lay-bys was sufficient to cater for the loading/unloading needs generated from the proposed development;
- (iii) the proposed office would generate only 2.2 goods delivery trips per day. Moreover, future delivery of goods would take place via the open yard (i.e. the service lane in the south) from Old Bailey Street and no goods would be stacked along Shelley Street. The interference with the Mid-levels Escalator and the additional pedestrians generated from the proposed office were negligible;
- (iv) the following additional measures would be implemented to avoid potential congestion and disruption to traffic and pedestrian flows:
 - a building setback of 1.75m at the lower ground floor along Shelley Street would be provided in order to widen the walkway to around 3m;
 - the proposed secondary entrance fronting the service lane would be widened to 1.8m and a goods delivery area would be provided at the lobby of the proposed development to ensure that goods would only be delivered via the service lane from Old Bailey Street;

- bollards would be planted at the open yard to eliminate goods delivery to the proposed development from Shelley Street which would clash with the pedestrian flow of the Mid-levels Escalator; and
 - signage would be posted to guide goods delivery activities and the building management staff would be thoroughly instructed to ensure that loading/unloading activities would not be carried out at Shelley Street;
- (i) the departmental comments were detailed in paragraph 5 of the Paper. The Commissioner for Transport (C for T) had reservation on the review application for the following reasons:
- (i) the proposed development would generate considerable loading/unloading activities along the kerbside of Staunton Street, Old Bailey Street and Hollywood Road aggravating the existing traffic condition on these roads where limited kerbside space was available for loading/unloading;
 - (ii) temporary stacking of goods on the steep Shelley Street was not desirable;
 - (iii) the movement of goods and customers from Shelley Street to the proposed development would clash with the main pedestrian flow on the Mid-levels Escalator and might interfere with the normal operation of the Mid-levels Escalator, which was not desirable;
 - (iv) the application, if approved, would set a precedent for similar applications in the district and aggregate the cumulative adverse traffic impact on the on-street loading and unloading facilities/transport facilities/roads;

- (v) assessment of the resulting traffic based on the proposed development (i.e. office cum eating place and retail/shop and services uses) compared with the existing condition was required but had not been done. Ignoring traffic impact resulting from these uses was not appropriate taking into account that this was a landlocked site with no vehicular access and internal transport facilities;
- (vi) the methodology and base information for deriving the trip rates (which were low when compared with the rates in the Transport Planning and Design Manual (TPDM)) from the independent surveys were not sufficient to support the claim that the proposed trip generation/attraction rates for offices and residential developments were appropriate and conclusive, especially when the duration of the surveys conducted were considered short and not adequate for the type of study;
- (vii) the applicant claimed that the proposed development would generate 2.2 goods delivery trips a day based on the GFA of the proposed site compared with Kinwick Centre. In view of the sample size and insufficient information for justification, he had hesitation to agree to the assessment;
- (viii) the applicant claimed that the lay-bys at Staunton Street had spare capacity and submitted a video recording with screen capture to show the utilisation of lay-bys at Staunton Street on a single day at the respective locations. However, based on TD's observation and experience, the utilisation rate of the lay-bys at Staunton Street was high;
- (ix) TD had received complaints concerning goods/materials being delivered via the Mid-levels Escalator recently. Apart from causing adverse impact to pedestrian flow, it would affect the function and operation of the transport facility which was not

designed for carrying goods/materials; and

- (x) there was no comment on the proposed voluntary building setback along Shelley Street if the setback area was for public passageway. However, it was noted that similar area along Shelley Street had been used for catering services;

- (j) the District Officer (Central & Western), Home Affairs Department (DO(C&W), HAD) advised that members of Central and Western District Council (C&WDC) were in general concerned about the development density in the district, including the likely impact of high-rise buildings on traffic flow, air ventilation and air quality. The proposed development might also bring additional pedestrian and traffic flow to the surrounding area;

- (k) other government departments had no objection to or comments on the review application;

- (l) public comments – 44 public comments were received during the s.16 application stage. Four public comments were received on the review application and all commenters raised objection mainly on the grounds of land use compatibility, traffic congestion, and adverse visual, health and safety impacts; and

- (m) PlanD's view – PlanD did not support the review application based on the planning considerations and assessments as set out in paragraph 7 of the Paper which were summarised below:
 - (i) the application site was located in an area mixed with commercial and residential developments. The proposed development for office, eating place and shop and services uses was considered not incompatible with the surrounding developments in terms of land use;

- (ii) in terms of building height, the proposed building height of 119.63mPD (at main roof) was within the statutory height restriction of 130mPD. As for the proposed PR at 12, it was considered generally not incompatible with the residential developments with permitted PR of 8 to 10 and the surrounding commercial/office buildings with PR ranging from 9.1 to 15.8;
- (iii) the application was rejected by MPC mainly on traffic grounds. While the applicant had submitted further information in the review application to address the traffic issues, C for T still had reservation on the review application mainly for the reasons that the applicant failed to demonstrate that the proposed development would not cause adverse impacts on the traffic condition and pedestrian flow in the locality, and that the planning criteria under TPB PG-No. 5 could not be met in that the loading/unloading facilities were not to the satisfaction of TD and the proposed development would cause congestion and disruption to the traffic and pedestrian flow of the locality; and
- (iv) there were 44 public comments received objecting to the s.16 application and four public comments received objecting to the review application.

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

68. Mr. Chan Cheung Kit and Mr. Chin Kim Meng made the following main points:

- (a) the application site was located within the Soho area at the fringe of Central;
- (b) the applicant proposed to redevelop the application site into a commercial building. The lowest three floors were proposed for eating

place and shop and services uses, which were always permitted in the “R(A)” zone. The retail GFA proposed (574m²) was less than the maximum that was permitted (i.e. 632m²) on the lowest three floors. The concern was related to the proposed office use on the upper floors;

- (c) the application was rejected solely on traffic grounds in relation to the non-provision of loading/unloading facilities within the application site and the impact on the traffic and pedestrian flows generated from the proposed development;

Land Use Compatibility

- (d) the proposed uses and development intensity were compatible with the surrounding developments;

Demand for Small Offices

- (e) there was an increasing demand for small offices in areas outside the Central Business District in Central but a shortage of supply was envisaged as there was no new land for small office development in these areas;
- (f) the proposed development would provide a floor plate of about 177m², which could be further sub-divided into smaller units. The size range was most suitable for small and medium enterprises. The new supply could help slow down the rising office rent, in particular for small businesses;

[Mr. Eric Hui arrived to join the meeting at this point.]

Loading/Unloading Facilities

- (g) according to the independent survey conducted by their traffic consultant, non-provision of loading/unloading facilities within the proposed development would not be a problem as there was sufficient capacity at the kerbside/lay-bys at Old Bailey Street and Staunton Street to cater for the loading/unloading needs of the proposal;

- (h) comparing the traffic impact generated from a permitted residential development (retail GFA of 632m² and 42 flats), the proposed office development (retail GFA of 574m² and office GFA of 3,156m² with 10 persons per floor) and the existing development (retail GFA of 492m² and 9 flats), the amount of vehicular traffic generated by the proposed development would be minimal;
- (i) a secondary entrance of 1.8m wide would be provided fronting the service lane with access from Old Bailey Street and a goods delivery area would be provided at the lobby of that entrance to encourage the delivery of goods at Old Bailey Street rather than along Shelley Street;

Pedestrian Flow of the Mid-levels Escalator

- (j) the existing Level of Service of the Mid-levels Escalator near the proposed development was B (i.e. at a flow rate of 16 – 23 pedestrians per minute per metre (ped/min/m)) which was acceptable and in fact better than the design standard which only required Level of Service C (i.e. at a flow rate of 23 – 33 ped/min/m)¹;

[Mr. Clarence W.C. Leung left the meeting at this point.]

Accessibility

- (k) the application site was well served by road-based public transport such as buses and mini-buses, and the MTR and trams were within a walking distance of only 5 to 8 minutes;

Traffic Impact Assessment

- (l) the approach suggested by TD, i.e. comparing the existing residential

¹ Level of Service Grade B was defined as sufficient space was provided for pedestrians to freely select their walking speeds, to bypass other pedestrians and to avoid crossing conflicts with others. At this level, pedestrians began to be aware of other pedestrians and to respond to their presence in the selection of walking paths. Level of Service Grade C was defined as sufficient space was available to select normal walking speeds and to bypass other pedestrians primarily in unidirectional stream. Where reverse direction or crossing movement existed, minor conflicts would occur, and speed and volume would be somewhat lower.

development with the proposed office use (resulting in 6 additional pcu (2-way) during the AM and PM peak hours), was considered inappropriate as the existing residential development which had a low occupancy rate would soon be demolished. Instead, the traffic impact generated by the office proposal and a permitted residential development at the site should be compared;

- (m) according to the traffic impact assessment (TIA) conducted, the performance of the key junctions in 2019 showed that all junctions would have sufficient capacity to cater for the future demand generated by the proposed office. These findings were consistent with the results of the TIA conducted for the proposed development of the Former Central Police Station site;
- (n) it was considered more appropriate to adopt the trip generation rates derived from the independent surveys conducted by the traffic consultant rather than to adopt the rates provided in the TPDM as the land use, scale and characteristics of the development at the survey sites were more akin to the proposed development of the application site, and the survey sites were located nearby;
- (o) while the TPDM trip rates were mainly derived from large office developments with internal parking spaces, the independent survey conducted by the traffic consultant mainly covered office developments with a GFA of 3,000m² to 4,000m² and residential developments with 46 to 78 flats within 200m of the application site on two days (AM and PM peak hours);
- (p) additional surveys to record goods delivery trips had also been conducted at Kinwick Centre which was located on the opposite side of Shelley Street from the application site for five consecutive weekdays between 9:00 – 18:00 hours. Kinwick Centre with a total GFA of 15,000m² generated an average of 10.2 goods delivery trips per day. Based on this rate, it was estimated that the proposed office development with a

GFA of 3,186m² would generate 2.2 goods delivery trips per day;

- (q) it was noted from their interviews with some office tenants that goods deliveries were normally distilled water (about 1 to 2 times per week), stationery (about 1 to 2 times per month) and sundry items (about once per month);
- (r) according to their interviews with various distilled water suppliers, they were already providing delivery services to the Shelley Street area about 1 to 2 times per week, even without the proposed office;
- (s) the survey on the lay-bys/kerbside at Staunton Street and Old Bailey Street showed that the average utilisation rates was about 48% to 60%. A video recording conducted on 9.2.2012 and 14.2.2012 between 9:00 – 19:00 hours shown to Members illustrated that the part of the kerbside at Old Bailey Street between Staunton Street and Hollywood Road, which was closest to the proposed office, had an average utilisation rate of 11%. The spare capacity was more than sufficient to serve the goods delivery trips generated by the proposed office;

Planning Gain

- (t) in order to alleviate the potential congestion and disruption to pedestrian flow along Shelley Street, a building setback of 1.75m along Shelley Street would be provided to widen the walkway between the proposed building and the Mid-levels Escalator to 3m, which was the same as the existing footpath in front of the adjacent Lilian Court at 8 Shelley Street. This would enlarge the area between the proposed building and the entrance of the Mid-levels Escalator, and the manoeuvring space for pedestrians would be greatly improved. A model showing the setback was used to demonstrate benefits to the pedestrians. If the application was not approved, the opportunity for such improvement would be lost;

Other Improvement Measures

- (u) other than the proposed secondary entrance and goods delivery area, the

following improvement measures were also proposed to avoid potential congestion and disruption to traffic and pedestrian flows of the locality:

- (i) bollards would be planted at the service lane on the Shelley Street side to prohibit goods delivery to the proposed development from Shelley Street. Goods delivery activities along Shelley Street would not be increased due to the proposed development; and
- (ii) signage would be prominently posted to guide goods delivery activities;

Implication on Similar Applications

- (v) a survey of the building lots in the vicinity with no street frontage had been conducted. Owing to their small site area and fragmented ownership, only a few sites that were similar to the application site had the potential for redevelopment. In this regard, it was quite unlikely that the approval of the application would set an undesirable precedent;

Similar Site Conditions with Queen's Road Central Sites

- (w) the application site had similar site condition with those along Queen's Road Central which were not provided with loading/unloading facilities. It would be inconceivable to consider a similar site along Queen's Road Central as not suitable for office use; and
- (x) by referring to a physical model of the proposed development, the applicant demonstrated the visual effect of the proposed building setback along Shelley Street to Members.

69. Upon the Chairman's enquiry, Mr. Chan Cheung Kit confirmed that proposed mitigation measures that were presented at the meeting had been included in their submissions and incorporated in the Paper. Regarding the implementation of the proposed mitigation measures, Mr. Chan said that the applicant was prepared to dedicate the proposed 1.75m setback from Shelley Street as a public passageway if required by the

Board. He supplemented that the signage would be put up at the relevant entrances and the building management staff of the future development would help monitor the operation of the goods delivery activities at the designated area.

70. In response to the Chairman's enquiry, Mr. Philip Lam said that TD was mainly concerned with the loading/unloading activities and the impact on the Mid-levels Escalator. While TD had no strong views on the proposed building setback, it was noted that such areas along Shelly Street would often be used as an outside seating area, without much improvement to pedestrian flow. Regarding the posting of signage, no detailed information was available at this stage.

71. Noting TD's comments on the methodology for the derivation of trip rates in the TIA as contained in the Paper, a Member enquired whether it was more appropriate to adopt the trip rates given in the TPDM or those derived from site specific surveys as proposed by the applicant. In response, Mr. Philip Lam said that for the subject application, TD did not have a complete understanding of all the detailed assumptions adopted in the TIA and the trip rates were low as compared with the figures in TPDM. However, Mr. Chin Kim Meng said that the traffic data for the TIA were derived from their independent survey of similar developments near to the application site. In conducting the independent survey, reference was made to the methodology used in the Traffic Generation Survey (TGS) 2006 (TD Contract 05/2006). Mr. Chin added that the trip generation rates provided in the TPDM were not applicable to the specific circumstances of the current application.

72. The Chairman enquired whether there was spare capacity at the key junctions in the vicinity of the application site. In response, Mr. Chin Kim Meng confirmed that there was spare capacity and said that the TIA conducted for the subject application had made reference to the TIA conducted for the proposed redevelopment at the Former Central Police Station site.

73. A Member asked if TD's reservation on the review application was related to the methodology of the TIA or the non-provision of loading/unloading facilities within the proposed development. In response, Mr. Philip Lam said that TD was concerned about the availability of loading/unloading facilities along the section of Old Bailey Street near to

the application site. Noting that medium or heavy goods vehicles over 5.5 tonnes were prohibited along this section of Old Bailey Street, the loading/unloading of goods from these vehicles could only be carried out at Staunton Street. Moreover, some of the existing car parking spaces provided on the western side of Old Bailey Street would need to be relocated to the eastern side or deleted due to the construction of a footbridge connection from the Mid-levels Escalator to the Former Central Police Station site. Under such circumstances, loading/unloading activities could only be conducted on the eastern side of Old Bailey Street in future, which was undesirable from the safety point of view as delivery of goods would have to be provided cross the road to reach the application site. Mr. Lam also said that the utilisation rate of the kerbside/lay-bys along this section of Old Bailey Street at 11%, as claimed by the applicant, was doubtful as TD's estimation of the utilisation rate in the vicinity was about 80% to 90%.

74. In response to the Chairman's enquiry, Mr. Philip Lam said that the proposed change in the car parking spaces at Old Bailey Street would be a permanent arrangement. He also confirmed that the subject area was not a black spot of traffic accidents.

75. Noting that Hollywood Commercial House was located adjacent to the application site, a Member enquired about its loading/unloading arrangement. In response, Mr. Philip Lam said that he believed that loading/unloading activities carried out by medium or heavy goods vehicles exceeding 5.5 tonnes would be conducted at Staunton Street while loading/unloading activities by goods vehicles not exceeding 5.5 tonnes would be undertaken at Old Bailey Street. Mr. Chin Kim Meng said that according to information obtained from the management of that commercial building, all loading/unloading activities would be carried out at the kerbside/lay-bys along Old Bailey Street. Mr. Chin supplemented that, as shown from the video recording, space was available along the kerbside of Old Bailey Street most of the time during the survey period for goods delivery vehicles to carry out loading/unloading activities.

76. In response to the Chairman's enquiry, Mr. Chin Kim Meng said that according to the traffic sign as shown in the video, the loading/unloading of goods from goods vehicles not exceeding 5.5 tonnes was permitted at this section of Old Bailey Street.

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

Deliberation Session

78. In view of the small size of the application site, a Member considered that the loading/unloading activities generated by the proposed office development should be minimal and TD seemed to be over-concerned about the traffic impact of the development. The Vice-chairman added that he had no strong view on whether the application site should be used for residential or office development as the area comprised mainly composite buildings. A Member said that as the lower floors of most buildings in this area had already been used as restaurants, an office development at this location would be more appropriate as that would avoid exposing to environmental nuisance caused by the restaurants at night. Another Member said that there were a lot of public complaints against the noise generated from the restaurants in this area at night. It would be better to develop the site for office use instead of residential purpose.

79. The Vice-chairman supported the proposed building setback along Shelley Street as it would improve the pedestrian flow and provide some visual relief to the crowded urban space. He said that consideration should be given to requiring the applicant to dedicate the setback area for public use. While supporting the proposed building setback, a Member considered it unnecessary for the setback area to be dedicated to the public as such dedication could only prevent the restaurant operators from placing tables on the public passageway but could not stop the customers from gathering in the public passageway. The Chairman said that the dedication of the setback area for public purpose would enable the developer to claim bonus plot ratio, which might result in an increase in building height. A Member, however, noted that unless the dedication was required by the Government for the purpose of footpath widening, the Building Authority would not normally grant bonus plot ratio for the proposed dedication.

80. The Chairman considered that dedication of the setback area was outside the purview of the Board and would be difficult to be enforced by the relevant authorities. In general, Members agreed that dedication of the proposed setback area as a public passageway was not necessary.

81. Two Members raised concern on the status of the service lane on the southern side of the application site and whether its status would affect the feasibility of the proposed loading/unloading arrangement which needed to make use of the service lane. Referring to the Planning Statement submitted by the applicant at Appendix 1a of Annex A of the Paper, a Member noted that the service lane (i.e. Inland Lot 116 (P)) was included as part of Inland Lot 116RP and therefore formed part of the application site.

82. Noting that many commercial buildings in the area did not provide internal loading/unloading facilities, a Member considered that the subject application was not unacceptable. This Member considered that it was not reasonable to reject the application due to the lack of provision of loading/unloading facilities. Another Member shared the same view and opined that TD's reasons for not supporting the application were not robust enough.

83. A Member noted that while TD held the view that the findings and recommendations of the TIA submitted by the applicant were not acceptable from the technical point of view, sympathetic consideration could be given in view of the small size of the site and the minimal impact of the proposal. In response to the Chairman's enquiry on the planning guidelines for these cases, the Secretary said that according to the Town Planning Board Guidelines on Application for Office Development in "Residential (Group A)" Zone under Section 16 of the Town Planning Ordinance (TPB PG-No. 5), one of the planning criteria was that there should be adequate provision of parking and loading/unloading facilities within the site in accordance with the Hong Kong Planning Standards and Guidelines and to the satisfaction of the Transport Department. For sites with narrow frontage where on-site loading/unloading requirement could not be met, the applicant should demonstrate that there were alternative locations for loading/unloading facilities to the satisfaction of the Transport Department. She supplemented that while TD was responsible for providing professional advice on the traffic aspect to the Board, it

was entirely up to the Board to decide whether to approve or reject an application. The Board could also defer making a decision on the application and request TD to provide more information or to approve the application notwithstanding TD's adverse comments on the TIA submitted by the applicant.

84. Noting that TD was unable to provide information on some of the queries, a Member considered that TD's clarification should be sought before making a decision.

85. A Member, however, considered that it was not unreasonable for the applicant not to adopt the trip rates of TPDM and to conduct an independent survey to derive trip rates specifically for the subject application. The Vice-chairman and a few Members considered that the incremental increase in the traffic impact generated by the proposed change of use from residential to office should be insignificant and could well be negative and that the non-provision of on-site loading/unloading facilities for the proposed development should not be a problem. They considered that the application should be approved notwithstanding the adverse views of TD.

[Ms. Julia M.K. Lau returned to join the meeting at this point.]

86. A Member noted that according to the Hong Kong Planning Standards and Guidelines, one loading/unloading bay for goods vehicles was required for every 2,000m² to 3,000m² GFA for office use. As the proposed development would provide about 3,700m² office GFA, loading/unloading facilities should be provided. In response, the Secretary said that according to past experience, TD might accept non-provision of car parking spaces for some office buildings with good accessibility but was often more concerned about the loading/unloading requirement.

87. The Chairman noted that TD only had reservation on the subject application and that the concern was on the loading/unloading requirement. The Chairman said that the future loading/unloading pattern of the proposed development would depend on a number of factors such as availability of loading/unloading facilities, enforcement action taken by the Police and effectiveness of the mitigation measures, etc. In view of the small scale of the proposed development, the Chairman considered the loading/unloading activities generated would be insignificant. A Member echoed the same view and

considered that the proposed mitigation measures proposed should be adequate to resolve the problem.

88. A Member proposed that the application could be approved subject to an approval condition requiring the submission of a revised TIA and implementation of the mitigation measures identified to the satisfaction of the C for T. In response, the Secretary said that TD's concerns were mainly on the loading/unloading arrangement of the proposed development and thus whether the submission of a revised TIA was necessary would need to be carefully considered. The Chairman supplemented that TD did not challenge the findings of the junction capacities in the vicinity but only raised concerns on whether the loading/unloading arrangement was practical.

89. A Member was concerned that approving the application would set a precedent for other similar applications and the cumulative effect of approving such applications, given that the on-street loading/unloading facilities in the district were limited. Members, however, noted that each application would be considered on its own individual merits.

90. A Member considered that the subject application could be approved as the site area was small, the additional loading/unloading activities generated from the proposed office was not significant as compared with a permitted residential development. Indeed, a residential development might generate more traffic. Any adverse traffic impact generated as a result of the non-provision of on-site loading/unloading facilities should be insignificant. As the space of each floor was small, Members considered that the frequency of delivery of stationery, distilled water containers, etc. should be low.

91. The Chairman concluded the discussion and said that Members had duly noted TD's reservation on the application but generally considered that the application should be approved for the reasons that the scale of the proposed development was small, the loading/unloading activities generated from the proposed development would be relatively insignificant; the increase in trip generation rate resulting from the change of a permitted residential development to the proposed office development should be relatively small or negative and the resultant traffic impact should be insignificant. Members agreed.

92. After further deliberation, the Board decided to approve the application on review, on the terms of the application as submitted to the Board. The planning permission should be valid until 13.7.2016, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. Members then went through the approval conditions and advisory clauses as stated in paragraph 8.2 of the Paper and agreed that they should be suitably amended to reflect the above discussion. The permission was subject to the following conditions:

- (a) the submission of a Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (b) the implementation of the local sewerage upgrading/sewerage connection works identified in the Sewerage Impact Assessment to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (c) the implementation of the mitigation measures for loading/unloading activities, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (d) the provision of setback of not less than 1.75m at the lower portion of the building along Shelley Street, as proposed by the applicant, to the satisfaction of the Director of Planning or of the Town Planning Board;
- (e) the submission and implementation of a landscape proposal to the satisfaction of the Director of Planning or of the Town Planning Board;
and
- (f) 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.

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

- (a) the approval of the application did not imply that any proposal on building design elements to fulfil the requirements under the Sustainable Building Design Guidelines, and any proposal on bonus plot ratio and/or gross floor area (GFA) concession for the proposed development would be approved/granted by the Building Authority. The applicant should approach the Buildings Department direct to obtain the necessary approval. If the building design elements and the GFA concession were not approved/granted by the Building Authority and major changes to the current scheme were required, a fresh planning application to the Town Planning Board might be required;
- (b) to apply to the District Lands Officer/Hong Kong West & South, Lands Department for a licence to remove the offensive trade clause of the subject lots and to carry out necessary survey to ensure the accuracy of site area;
- (c) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department to provide vertical greening on the lower portion of the building at the setback area and landscape planting on podiums or flat roofs as far as practical; and
- (d) to note the comments of the Director of Fire Services that detailed fire service requirements would be formulated upon receipt of formal submission of general building plans and the arrangement of emergency vehicular access should comply with Part VI of the Code of Practice for Means of Access for Firefighting and Rescue.

Sha Tin, Tai Po and North District

Agenda Item 8

[Open Meeting (Presentation and Question Session only)]

Review of Application No. A/DPA/NE-STK/1

Proposed House (New Territories Exempted House – Small House)

in “Green Belt” and “Village Type Development” zones,

Government Land in D.D. 40, Shan Tsui Village, Sha Tau Kok, New Territories

(TPB Paper No. 9131)

[The hearing was conducted in Cantonese.]

Presentation and Question Session

94. Ms. Jacinta Woo, District Planning Officer/Shan Tin, Tai Po and North (DPO/STN), Planning Department (PlanD) was invited to the meeting at this point. Members noted that the applicant had indicated that he would not attend the meeting. The Board agreed that the review hearing should proceed in the absence of the applicant. The Chairman then invited DPO/STN to brief Members on the review application.

95. With the aid of a Powerpoint presentation, Ms. Jacinta Woo, DPO/STN, presented the review application and covered the following main points as detailed in the Paper:

- (a) the applicant sought planning permission for a proposed house (New Territories (NTEH) – Small House) at the application site. The application site was previously zoned “Green Belt” (“GB”) on the draft Sha Tau Kok Development Permission Area (DPA) Plan No. DPA/NE-STK/1 at the time of submitting s.16 application. The application site was currently zoned “GB” (about 85.3%) and “Village Type Development” (“V”) (about 14.7%) on the approved Sha Tau Kok DPA Plan No. DPA/NE-STK/2;

- (b) the application site was located within the ‘village environs’ of Shan Tsui Village. It was currently vacant and covered by dense and tall bushes, and adjacent to clusters of mature trees. It was accessible via a track leading to Shan Tsui Village Road;
- (c) clusters of trees were found to its immediate surroundings and a police post was located to its east across the cul-de-sac. The existing village houses of Shan Tsui Village were mainly located to the further south of the application site;

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

- (d) on 30.7.2010, the draft Sha Tau Kok DPA Plan No. DPA/NE-STK/1 was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). During the two-month exhibition period, 14 valid representations were received. Among them, one representation objected to the “GB” zone, which covered the subject application site, and proposed to rezone the private land in the “GB” zone to “V” for Small House developments;
- (e) the applicant submitted the subject application on 9.11.2010. According to the Town Planning Board Guidelines on ‘Deferment of Decisions on Representations, Comments, Further Representations and Applications made under the Town Planning Ordinance’ (TPB PG-No. 33), a decision on a section 16 application would be deferred if the zoning of the application site was subject to outstanding adverse representation yet to be submitted to the Chief Executive in Council (CE in C) for consideration and the substance of the representation was relevant to the subject application. On 23.12.2010, the Board agreed to defer a decision on the application pending the CE in C’s decision on the draft Sha Tau Kok DPA Plan No. DPA/NE-STK/1 and the adverse representations;

- (f) on 25.2.2011, the Board considered the representations and comments and decided to defer the consideration of the representations and comments pending further review on the land use proposals by PlanD, in particular on the “V” zones, taking into account the views of the representers and commenters and any other relevant planning considerations;
- (g) on 8.9.2011, the Board further considered the representations and comments and decided to propose amendments to revise the respective “V” zones (including an area to the northeast of Shan Tsui Village adjoining the application site) on the draft Sha Tau Kok DPA Plan to partially meet the representations. On 16.9.2011, the proposed amendments were published for public inspection. Upon expiry of the three-week public inspection, two further representations were received. On 11.11.2011, the Board considered the further representations and decided not to uphold them. The Board also decided that the proposed amendments to the DPA Plan No. DPA/NE-STK/1 would form part of the DPA Plan under section 6F(8) of the Ordinance;
- (h) on 21.2.2012, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Sha Tau Kok DPA Plan, which was subsequently renumbered as DPA/NE-STK/2. In this regard, the subject application was reactivated and submitted to the Board for consideration;
- (i) on 16.3.2012, the application was rejected by the Rural and New Town Planning Committee (RNTPC) of the Board and the reasons were:
 - (i) the proposed development was not in line with the planning intention of the “GB” zone which was primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets and there was a general presumption against development within this zone;

- (ii) the proposed development was not in line with the Town Planning Board Guidelines for ‘Application for Development within Green Belt Zone under Section 16 of the Town Planning Ordinance’ (TPB-PG No. 10) and the ‘Interim Criteria for Consideration of Applications for NTEH/Small House Development in the New Territories’ (the Interim Criteria) in that it would cause adverse landscape impacts on the surrounding area; and
- (iii) the approval of the application would set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effects of approving such applications would cause adverse landscape impacts on the surrounding area;
- (j) the applicant had not submitted further information in support of the review application. However, the applicant submitted a letter dated 20.4.2012 stating that he felt very frustrated towards the decision made by RNTPC to reject the subject application and the biased views and inaccurate facts provided by relevant government departments and officials that affected the decision;
- (k) the departmental comments were detailed in paragraph 5 of the Paper. The relevant government departments had no further views/comments on the review application and maintained their previous views on the s.16 application. The Director of Agriculture, Fisheries and Conservation (DAFC) advised that the application site and its vicinity were vegetated and located away from other Small Houses of Shan Tsui Village and approval of the application would set an undesirable precedent for other similar applications. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD objected to the review application as the proposed Small House was incompatible with the existing landscape character of the surroundings. A large number of existing mature trees in the adjacent area would be felled during the construction and associated site formation, resulting in severe adverse landscape impact.

The landscape quality of the area would deteriorate and the intactness of the “GB” zone would be undermined. The Commissioner for Transport had reservation on the review application as he considered that the Small House development should be confined within the “V” zone as far as possible. The District Officer (North), Home Affairs Department advised that the Chairman of Sha Tau Kok District Rural Committee, the concerned North District Council member and a concerned Village Representative (VR) did not express any comment while another concerned VR raised objection to the review application as it would affect the fung shui woodland;

- (l) public comments – two public comments on the review application were received. One commenter supported the review application while the other (Kadoorie Farm & Botanic Garden Corporation) objected to the review application mainly on the grounds of the planning intention, tree felling involved, setting of undesirable precedent and cumulative adverse environmental impacts; and
- (m) PlanD’s view – PlanD did not support the review application based on the planning considerations and assessments as set out in paragraph 7 of the Paper which were summarised below:
 - (i) the planning intention of “GB” zone was primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There was a general presumption against development within this zone;
 - (ii) DAFC had adverse comments on the application. CTP/UD&L, PlanD considered that approval of the application would lead to deterioration of the landscape quality of the area and intactness of the “GB” zone;

- (iii) the proposed development did not comply with the assessment criteria under TPB PG-No. 10 and the Interim Criteria as it would cause adverse impacts on the surrounding area, and the proposed development would further affect the existing natural landscape, causing adverse landscape impacts on the surrounding area;
- (iv) there was sufficient land in the “V” zone of Shan Tsui Village and Tam Shui Hang Village to meet the demand for village houses;
- (v) approval of the application would lead to deterioration of the landscape quality of the area and undermine the intactness of the “GB” zone;
- (vi) approval of the application would set an undesirable precedent for other similar applications and the cumulative impacts of approving such application would cause adverse landscape impacts on the surrounding area; and
- (vii) there was no change in the planning circumstances since the consideration of the s.16 application.

96. As Members had no question on the application, the Chairman thanked DPO/STN for attending the meeting. Ms. Jacinta Woo left the meeting at this point.

Deliberation Session

97. Members noted that the applicant had not submitted any further information in support of the review application. The Chairman concluded Members’ views that the review application should be rejected as the proposed development was not in line with the planning intention of the “GB” zone, the application did not comply with TPB-PG No. 10 and the Interim Criteria, and approval of the application would set an undesirable precedent for other similar applications.

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

- (a) the proposed development was not in line with the planning intention of the “Green Belt”(“GB”) zone which was primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets and there was a general presumption against development within this zone;
- (b) the proposed development was not in line with the Town Planning Board Guidelines for ‘Application for Development within Green Belt Zone under Section 16 of the Town Planning Ordinance’ (TPB-PG No. 10) and the ‘Interim Criteria for Assessing Planning Applications for NTEH/Small House Development in the New Territories’ in that it would cause adverse landscape impacts on the surrounding area; and
- (c) the approval of the application would set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effects of approving such applications would cause adverse landscape impacts on the surrounding area.

Agenda Item 9

[Open Meeting]

Request for Deferral for Review of Application No. A/NE-TK/383

Proposed House (New Territories Exempted House – Small House)

in “Green Belt” zone, Taxlord Lot 215 s.B in D.D. 26, Ha Tei Ha, Tai Po

(TPB Paper No. 9132)

Agenda Item 10

[Open Meeting]

Request for Deferral for Review of Application No. A/NE-TK/384
Proposed House (New Territories Exempted House – Small House)
in “Green Belt” zone, Taxlord Lot 215 s.C in D.D. 26, Ha Tei Ha, Tai Po
(TPB Paper No. 9132)

Agenda Item 11

[Open Meeting]

Request for Deferral for Review of Application No. A/NE-TK/385
Proposed House (New Territories Exempted House – Small House)
in “Green Belt” zone, Taxlord Lot 215 s.D in D.D. 26, Ha Tei Ha, Tai Po
(TPB Paper No. 9132)

Agenda Item 12

[Open Meeting]

Request for Deferral for Review of Application No. A/NE-TK/386
Proposed House (New Territories Exempted House – Small House)
in “Green Belt” and “Village Type Development” zones,
Taxlord Lot 215 s.F in D.D. 26, Ha Tei Ha, Tai Po
(TPB Paper No. 9132)

[The meeting was conducted in Cantonese.]

99. Members noted that as the four applications were for the same use and the application sites were located close to each other, they could be considered together. The Secretary said that under each application, the applicant sought a review of the Rural and New Territories Planning Committee’s decision to reject their application for one proposed house (New Territories Exempted House – Small House) at each of the application site respectively.

100. The Secretary reported that on 13.6.2012 and 14.6.2012, the applicants wrote to the Secretary of the Town Planning Board (the Board) requesting the Board to defer making a decision on the four review applications for two months in order to address the comments raised by government departments. Members noted that the justifications for deferment met the criteria for deferment as set out in the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Town Planning Ordinance (TPB PG-No. 33) in that the applicant needed more time to prepare supplementary information for the review hearing, the deferment period was not indefinite and the deferment would not affect the interest of other relevant parties.

101. After deliberation, the Board agreed to defer consideration of the review applications as requested by the applicants. The Board also agreed that the review applications should be submitted for its consideration within three months upon receipt of the further submission from the applicants. The applicants should be advised that the Board had allowed a maximum period of two months for preparation of submission of further information, and no further deferment would be granted unless under very special circumstances.

Procedural

Agenda Item 13

[Open Meeting]

Information Note and Hearing Arrangement for Consideration of Representations and Comments to the Draft Ma On Shan Outline Zoning Plan No. S/MOS/17
(TPB Paper No. 9138)

[The meeting was conducted in Cantonese.]

102. The Secretary said that Mr. Dominic K.K. Lam had declared interest in this item as his spouse owned two flats at Marbella. As the item was procedural in nature and no deliberation was required, Members agreed that Mr. Lam could stay in the meeting.

103. The Secretary reported that on 24.2.2012, the draft Ma On Shan Outline Zoning Plan No. S/MOS/17 was exhibited for public inspection under section 5 of the Town Planning Ordinance. During the two-month exhibition period, 1,079 representations were received. On 18.5.2012, the representations were published for public comments, and 62 comments were received.

104. The 1,079 representations could be divided into two groups. The first group of representations (R1 to R5, R6(part) and R7(part)) was related to Amendment Items A1 to A6 on the rezoning of the sites at Whitehead. The second group of representations (R6(part), R7(part) and R8 to R1079) was related to Amendment Items B1 to B3 on the site at On Chun Street.

105. The Secretary continued and said that as the nature and reasons of representations were different between the two groups of representations, and the proposed amendments had attracted wide local interests, it was recommended that the representations and related comments should be heard by the full Board in two groups, as follows:

- (a) Group 1: collective hearing of R1 to R5, R6(part), R7(part) and related comments with respect to the rezoning at Whitehead; and
- (b) Group 2: collective hearing of R6(part), R7(part), R8 to R1079 and related comments with respect to the rezoning at On Chun Street.

106. After deliberation, the Board agreed that the representations and comments should be heard collectively in two groups by the Board in the manner as proposed in paragraph 3.2 of the Paper.

Agenda Item 14

[Open Meeting]

Information Note and Hearing Arrangement for Consideration of Representations and
Comments to the Draft Tuen Mun Outline Zoning Plan No. S/TM/29
(TPB Paper No. 9139)

[The meeting was conducted in Cantonese.]

107. The following Members had declared interest in this item:

Mr. Rock C.N. Chen - his father owned textile companies at Tai
Hing Gardens Phases I and II

Dr. C.P. Lau - owned a flat at Kwun Tsing Road

108. As the item was procedural in nature and no deliberation was required,
Members agreed that the above Members could stay in the meeting.

109. The Secretary reported that on 23.3.2012, the draft Tuen Mun Outline Zoning
Plan No. S/TM/29 was exhibited for public inspection under section 5 of the Town
Planning Ordinance. During the two-month exhibition period, 19 representations were
received. On 1.6.2012, the representations were published for public comments, and 5
comments were received.

110. The 19 representations could be divided into two groups. The first group of
representations (R1 to R7(Part a)) was related to the rezoning of industrial sites in Area 9.
The second group of representations (R7(Part b) to R19) was related to the rezoning of
“Government, Institution or Community” (“G/IC”) sites in Areas 44 and 56 and a “Green
Belt” (“GB”) site in Area 41.

111. The Secretary continued and said that as some of the representations and
comments were similar in nature and interrelated, and the proposed amendments had
attracted wide public interest, it was recommended that the representations and related
comments should be heard by the full Board in two groups, as follows:

- (a) Group 1: collective hearing of 7 representations (R1 to R7(Part a) and 1 comment (C5) with respect to the rezoning of the industrial sites in Area 9; and
- (b) Group 2: collective hearing of 13 representations (R7(Part b) to R19) and 4 comments (C1 to C4) with respect to the rezoning of “G/IC” sites in Areas 44 and 56 and a “GB” site in Area 41.

112. After deliberation, the Board agreed that the representations and comments should be heard collectively in two groups by the Board in the manner as proposed in paragraph 2.4 of the Paper.

Agenda Item 15

[Open Meeting]

Information Note and Hearing Arrangement for Consideration of Representations and Comments to the Draft Tsuen Wan Outline Zoning Plan No. S/TW/29
(TPB Paper No. 9140)

[The meeting was conducted in Cantonese.]

113. The Secretary reported that on 24.2.2012, the draft Tsuen Wan Outline Zoning Plan No. S/TW/29 was exhibited for public inspection under section 5 of the Town Planning Ordinance. During the two-month exhibition period, 7 representations were received. On 4.5.2012, the representations were published for public comments, and 620 comments were received.

114. All the 7 representations were related to the imposition of building height restrictions (BHRs). R1 opposed the BHRs imposed on 10 electricity substation (ESS) sites. R2 objected to the BHR imposed on the Chuen Yuen Church site. R3 to R7 mainly raised objection to the BHRs, non-building areas (NBAs) and building gaps of various development zones.

115. The Secretary continued and said that as some of the representations were of similar or related nature and the proposed amendments had attracted wide public interest, it was recommended that the representations and related comments should be heard by the full Board in three groups, as follows:

- (a) Group 1: hearing of 1 representation (R1) and 5 related comments (C616 to C620) regarding the BHRs of 10 ESS sites;
- (b) Group 2: hearing of 1 representation (R2) and 614 related comments (C1 to C614) regarding the BHR of the Chuen Yuen Church site; and
- (c) Group 3: collective hearing of 5 representations (R3 to R7) and 2 related comments (C614 and C615) mainly regarding the BHRs, NBAs and building gaps of various development zones.

116. After deliberation, the Board agreed that the representations and comments should be heard in three groups by the Board in the manner as proposed in paragraph 2.6 of the Paper.

Agenda Item 16

[Open Meeting]

Confirmation of Proposed Amendment to the
Draft Ngau Tau Kok and Kowloon Bay Outline Zoning Plan No. S/K13/27
(TPB Paper No. 9141)

[The meeting was conducted in Cantonese.]

117. The Secretary briefly introduced the Paper. On 14.10.2011, the draft Ngau Tau Kok and Kowloon Bay Outline Zoning Plan (OZP) No. S/K13/27 (the Plan) was exhibited for public inspection under section 7 of the Town Planning Ordinance (the Ordinance). Upon expiry of the exhibition periods, a total of 184 representations and one comment were received. On 25.5.2012, after considering the representations and comment, the Town planning Board (the Board) agreed to propose further amendment to

the Plan under section 6C(2) of the Ordinance to meet some of the representations by rezoning a strip of land at Tai Yip Street from “Government, Institution or Community (1)” to an area shown as ‘Road’. On 15.6.2012, the proposed amendment was published for three weeks for further representations, and no further representation was received.

118. Members noted that no further representation in respect of the proposed amendment to the Plan was received and in accordance with section 6G of the Ordinance, the Plan should be amended by the proposed amendment(s). After deliberation, Members agreed that:

- (a) the proposed amendment made by the Board as shown in Annex I of the Paper should form part of the draft Ngau Tau Kok OZP No. S/K13/27 and in accordance with section 6H of the Ordinance, the Plan should thereafter be read as including the amendment;
- (b) the amendment should be made available for public inspection until the Chief Executive in Council had made a decision in respect of the draft plan in question under section 9 of the Ordinance; and
- (c) administratively, the Building Authority and relevant government departments would be informed of the decision of the Board and would be provided with a copy/copies of the amendment.

Agenda Item 17

[Open Meeting]

Any Other Business

[The meeting was conducted in Cantonese.]

119. There being no other business, the meeting closed at 4:20 p.m.