

**Minutes of the 1162nd Meeting of the  
Town Planning Board held on 30.1.2018, 1.2.2018 and 7.2.2018**

**Present**

Permanent Secretary for Development  
(Planning and Lands)

Ms Bernadette H.H. Linn

Chairperson

Professor S.C. Wong

Mr Lincoln L.H. Huang

Mr H.W. Cheung

Dr Wilton W.T. Fok

Mr Sunny L.K. Ho

Mr Dominic K.K. Lam

Ms Christina M. Lee

Mr H.F. Leung

Mr Stephen H.B. Yau

Dr F.C. Chan

Mr David Y.T. Lui

Dr Frankie W.C. Yeung

Mr Peter K.T. Yuen

Vice-Chairperson

Mr Philip S.L. Kan

Dr Lawrence W.C. Poon

Mr Wilson Y.W. Fung

Dr C.H. Hau

Mr Alex T.H. Lai

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Professor T.S. Liu

Miss Winnie W.M. Ng

Ms Sandy H.Y. Wong

Mr Franklin Yu

Principal Environmental Protection Officer/Strategic Assessment,  
Environmental Protection Department

Mr Raymond W.M. Wong

Director of Lands

Mr Thomas C.C. Chan

Assistant Director of Lands/Regional 3

Mr Edwin W.K. Chan

Chief Traffic Engineer/Hong Kong, Transport Department

Mr Eddie S.K. Leung

Chief Traffic Engineer/New Territories West, Transport Department

Mr B.K. Chow

Chief Engineer (Works), Home Affairs Department

Mr Martin W.C. Kwan

Director of Planning

Mr Raymond K.W. Lee

Deputy Director of Planning/District

Ms Jacinta K.C. Woo

Secretary

**Absent with Apologies**

Professor K.C. Chau

Mr Ivan C.S. Fu

Ms Janice W.M Lai

Mr Patrick H.T. Lau

Mr K.K. Cheung

Mr Thomas O.S. Ho

**In Attendance**

Assistant Director of Planning/Board

Miss Fiona S.Y. Lung

Chief Town Planner/Town Planning Board

Mr Kepler S.Y. Yuen (30.1.2018 a.m. and 7.2.2018 a.m.)

Mr Kevin Ng (30.1.2018 p.m. and 1.2.2018 a.m.)

Senior Town Planner/Town Planning Board

Mr T.C. Cheng (30.1.2018 a.m.)

Mr Stephen K.S. Lee (30.1.2018 p.m.)

Mr Eric Chiu (1.2.2018 a.m.)

Ms Christine C.M. Cheung (7.2.2018 a.m.)

1. The following Members and the Secretary were present in the morning session on 30.1.2018 :

Permanent Secretary for Development  
(Planning and Lands)

Ms Bernadette H.H. Linn

Chairperson

Professor S.C. Wong

Mr Lincoln L.H. Huang

Mr H.W. Cheung

Dr Wilton W.T. Fok

Mr Sunny L.K. Ho

Mr Stephen H.B. Yau

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Dr Lawrence W.C. Poon

Mr Wilson Y.W. Fung

Dr C.H. Hau

Mr Alex T.H. Lai

Miss Winnie W.M. Ng

Ms Sandy H.Y. Wong

Principle Environmental Protection Officer  
(Strategic Assessment), Environmental Protection Department

Mr Raymond W.M. Wong

Director of Lands

Mr Thomas C.C. Chan

Chief Engineer (Works), Home Affairs Department

Mr Martin W.C. Kwan

Vice-Chairperson

**Tuen Mun and Yuen Long West District**

**Agenda Item 1**

[Open Meeting]

Consideration of Representations and Comments in respect of Draft Hung Shui Kiu and Ha Tsuen Outline Zoning Plan No. S/HSK/1  
(TPB Paper No. 10378)

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[The meeting was conducted in Cantonese and English]

2. The Chairperson said that notification had been given to the representers and commenters inviting them to attend the hearing, but other than those who were present or had indicated that they would attend the hearing, the rest had either indicated not to attend or made no reply. As reasonable notice had been given to the representers and commenters, Members agreed to proceed with the hearing of the representations and comments in their absence.

3. The Secretary reported that the draft Hung Shui Kiu and Ha Tsuen Outline Zoning Plan (OZP) No. S/HSK/1 involved zoning of sites for proposed public housing developments by the Housing Department (HD), which was the executive arm of the Hong Kong Housing Authority (HKHA), and AECOM Asia Company Limited (AECOM) was the consultant of the Hung Shui Kiu New Development Area (HSK NDA) Study. The following Members had declared interests on the item for being associated/having business dealings with HD/HKHA, AECOM, Masterplan Limited (Masterplan) (R1), Mass Transit Railway Corporation Limited (MTRCL) (R14), Percy Thomas Partnership (HK) Limited (Percy) (R109), or affiliated with the World Wide Fund for Nature Hong Kong (WWF-HK) (R8), the Conservancy Association (CA) (R117), the co-founder and Chief Executive Officer of Designing Hong Kong Limited (DHKL) (R17) and the Hong Kong Bird Watching Society (HKBWS) (C11) :

Mr Raymond K.W. Lee (as Director of Planning)	-	being a member of the Strategic Planning Committee (SPC) and Building Committee of HKHA
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- Mr Thomas C.C. Chan  
(as Director of Lands) - being a member of HKHA
- Mr Martin W.C. Kwan  
(as Chief Engineer (Works),  
Home Affairs Department) - being an alternative member for the  
Director of Home Affairs who was a  
member of SPC and Subsidized  
Housing Committee of HKHA
- Mr H.F. Leung - being a member of the Tender  
Committee of HKHA, a convenor of  
the Railway Objections Hearing Panel
- Ms Janice W.M. Lai - having current business dealings with  
HKHA and MTRCL, and her spouse  
being a shareholder of a company  
which owned two pieces of land in Ha  
Tsuen
- Mr Patrick H.T. Lau - having current business dealings with  
HKHA, AECOM, MTRCL and Percy
- Mr Thomas O.S. Ho - having current business dealings with  
HKHA and MTRCL, personally  
knowing the co-founder and Chief  
Executive Officer of DHKL and having  
past business dealings with AECOM
- Mr Ivan C.S. Fu - having current business dealings with  
AECOM, MTRCL and Masterplan, and  
past business dealings with HKHA

- |   |   |  |
|---|---|--|
| Dr C.H. Hau                               | - | having current business dealings with HKHA; being a member of HKBWS; a life member of CA and his spouse being the Honorary Secretary of the Board of Directors of CA; and a past member of the Conservation Advisory Committee of WWF-HK |
| Mr K.K. Cheung                            | ] | their firm having current business   |
| Mr Alex T.H. Lai                          | ] | dealings with HKHA and MTRCL   |
| Mr Stephen L.H. Liu                       | ] | having past business dealings with   |
|   | ] | HKHA and MTRCL   |
| Mr Franklin Yu                            | - | having past business dealings with HKHA, AECOM and MTRCL   |
| Professor S.C. Wong<br>(Vice-chairperson) | - | having current business dealings with AECOM and being a member of the Advisory Committee for Accredited Programme of MTR Academy   |
| Dr Lawrence W.C. Poon                     | - | his spouse being a civil servant of HD but not involved in planning work   |
| Mr Peter K.T. Yuen                        | - | being a member of the Board of Governors of the Hong Kong Arts Centre, which had collaborated with the MTRCL on a number of arts projects  |

4. The Secretary reported that Members' interests for having affiliation/business dealings with HD/HKHA were indirect as the proposed public housing developments in

the draft OZP were related to housing sites in general. Members noted that Mr H.F. Leung, Ms Janice W.M. Lai, Mr Patrick H.T. Lau, Mr K.K. Cheung, Mr Thomas O.S. Ho, Mr Ivan C.S. Fu, Mr Stephen L.H. Liu, Mr Franklin Yu and Mr Raymond K.W. Lee had tendered apologies for being unable to attend the meeting. The meeting agreed that the interests of other Members were also indirect as they had no involvement in the HSK NDA Study and representations and they could stay in the meeting.

5. The Secretary also said that during the demonstration by local residents to express their objection to the OZP before the meeting, Mr Shum Ho Kit, the Chairman of Yuen Long District Council, handed in an objection letter expressing residents' objecting views and proposals. According to Section 6(3) of the Town Planning Ordinance, as the letter was received after the statutory period for receiving representations and comments, it should be treated as not having been made. A copy of the letter was tabled for Members' information.

#### Presentation and Question Sessions

6. The following government representatives, representers/commenters or their representatives were invited to the meeting at this point :

#### **Government representatives**

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

- |                   |  |
|-------------------|--|
| Mr David C.M. Lam | - District Planning Officer/Tuen<br>Mun & Yuen Long West<br>(DPO/TM&YLW)     |
| Mr David Y.M. Ng  | - Senior Town Planner/Hung Shui<br>Kiu New Development Area<br>(STP/HSK NDA) |

Mr Alvin C.H. Kan - Town Planner/Hung Shui Kiu New  
Development Area 1 (TP/HSK  
NDA1)

*Civil Engineering and Development Department (CEDD)*

Mr Tony K.L. Cheung - Chief Engineer/West 3 (CE/W3)

Ms Wilda H.Y. Lee - Senior Engineer/5 (SE/5)

Mr Dennis Y.C. Fung - Senior Engineer/6 (SE/6)

Mr Shum Kai Shing - Engineer/13 (E/13)

*AECOM Hong Kong Limited (AECOM)*

Mr Igor W.L. Ho - Executive Director

Mr Samuel Y.H. Sze - Associate

**Representers/Commenters or their representatives**

R1 – Masterplan Limited

C1 – Y.C. Chang

C2 – Ma Hung Shing

C3 – Judith Wong

C4 – Chan Yuk Yee Enid

Mr Ian Brownlee - Representers' and Commenters'  
Ms Wong Oi Chu representatives

R2 – Hong Kong Logistics Association

Mr Stephen Chan ] Representers' representatives

Ms Winnie Lo ]

R4 – Cheung Muk Lam

Mr Cheung Muk Lam - Representer

R6 – Hong Kong Seek Road

Mr Tse Wai Chuen Tony - Representer's representative

R7 – The Real Estate Developers Association of Hong Kong

C7 – Masterplan Limited

Mr Ian Brownlee ] Representer's and Commenter's

Ms Wong Oi Chu ] representatives

Ms Cynthia Chan ]

R8 – World Wide Fund for Nature Hong Kong

Mr Tobi S.K. Lau - Representer's representative

R10 – 鄧廉光

R11 – 羅達賢

Mr Chan Chik Yu - Representers' representative

R17 – Designing Hong Kong Limited

Mr Paul Zimmerman ]

Ms Tang Yuen Ting Kitty ] Representer's representatives

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R19 – 關注洪水橋新發展聯盟

R20/C5 – Ho Hoi Fat

R26/C18 – Ng Tung Sang

R27/C17 – Sin Pui Fan

C14 – 鄭麗和

C23 – Hau Cho Kwong

C24 – 鄭禮雲

C26 – Chu Yuen Ki

Mr Ho Hoi Fat - Representor/Commenter and  
Representers' and Commenters'  
representative

R21 – Yu Chau Sim, Mak Kwok Fai

R22/C20 – Mak Cheuk Wang

R23 – Kwok Shuk Yee

R29 – Yip Sau Shut

R30 – Cheung Mei Ping

C12 – Kwok Tsz In

C19 – Ng Wai Chung

C25 – Mak Cheuk Ki

C28 – Mak Tak Fai

Mr Mak Cheuk Wang - Representor/Commenter and  
Representers' and Commenters'  
representative

R25 – Kan Ka Keung

Mr Kan Ka Keung - Representor

R28 – Ng Ling Hang

Ms Ng Ling Hang Maggie - Representor

R31 – Fu Ka Ho Wright

Mr Fu Ka Ho Wright - Representor

R32/C383 – Tuen Mun Rural Committee

Mr To Shek Yuen - Representor/Commenter's  
representative

R34 – Ha Tsuen Rural Committee

Mr Tang Lai Tung ]  
Mr Tang Ka Leung ] Representers' representatives  
Mr Tang Cheuk Lun ]

R83 – Kong Hung San

Mr Tang Cheuk Hang ] Representer and Representer's  
Mr Tang Kam Fai ] representatives  
Mr Kong Hung San ]

R84 – Tang Hing Ip

Mr Tan Hing Ip - Representer

R85 – 屏山鄉橋頭圍村代表鄧同發及鄧橋南

Mr Tang Tung Fat - Representer

R86 – 屏山鄉洪屋村原居民代表及居民代表

Mr Tang Tze Kwong ] Representer's representatives  
Mr Tang Sing Wah ]

R87 – 廈村鄉新生村代表鄧智友

Mr Tang Chi Yau - Representer

R88 – 屏山鄉洪水橋石埗村居民代表

Mr Lam Kuen - Representer's representative

R89/C31 – Chan Man Sun

Mr Chan Man Sun - Representer/Commenter

R91 – Chan Man Fai

Mr Chan Man Fai - Representer

R92 – Ko Yui Man

Mr Ko Yui Man ] Representer and representer's  
Mr Chan Moon Chee ] representative

R93 – 陳枝河

Mr Chan Ho Kei - Representer's representative

R94 – 唐明

Mr Lo Huen Ki - Representer's representative

R103 – Ko Lok Investment Company Limited

C330 – Chan Man Hin Roger

Mr Ian Brownlee (Masterplan Limited) ] Representer's and Commenter's  
Mr Benson Poon ] representatives

R104 – Hang Tat Sing Investment Company Limited and Linking Wisdom Limited

C331 – Poon Fu Kit Benson

C332 – Choi Sze Chun Michael

Mr Ian Brownlee (Masterplan Limited) ] Commenter and Representer's and  
Mr Benson Poon ] Commenters' representatives

R106 – Hung Uk Tsuen Merchants Association

Mr Ng Kai Hong ] Representer's representatives  
Mr Mak On Fai ]

R107 – All Grace Holdings Limited

Ms Karen Chan ]  
Dr Chong Shing Lok ]  
Mr Wong Chung Lai Frank (Prudential ] Representer's representatives  
Surveyors International Ltd) ]  
Ms Chow Ho Yan ]  
Mr Law Kam Pui Brian ]

R109 – Choong Yin Lin

Mr Choong Yin Lin ] Representer and Representer's  
Mr Kuo Chi Hong ] representative

R111 – Yip Chui Fung

Ms Yip Chui Fung - Representer

R112 – CNEC Good Tiding Church

Ms Chiu Yuk Lan Landy ]  
Mr Chiu Sing Kay ] Representer's representatives  
Mr Leong Kwok Tong ]

R113 – Pronto Star Limited

Ms Betty Ho (PlanArch Consultants ]  
Limited) ] Representer's representatives  
Mr Cheng Pui Kay ]

R114 – Silver Photo Industrial Limited

Mr Man Ming Fai ] Representer's representatives  
Ms Man Mui Fun ]

R115 – Man Chi Chiu

Mr Man Chi Chiu - Representer

7. The Chairperson extended a welcome and briefly explained the procedures of the hearing. She then invited DPO/TM&YLW to brief Members on the background to the representations and comments.

8. With the aid of a PowerPoint presentation, Mr David C.M. Lam, DPO/TM&YLW briefed Members on the representations and comments, including the background of the OZP, the grounds/views/proposals of the representers/commenters, planning assessments and PlanD's views on the representations as detailed in the TPB Paper No. 10378.

[Dr Wilton W.T Fok and Miss Winnie W.M. Ng arrived to join this session of the meeting during DPO/TM&YLW's presentation.]

9. The Chairperson then invited the representers, commenters or their representatives to elaborate on their representations/comments.

R1 – Masterplan Limited

C1 – Y.C. Chang

C2 – Ma Hung Shing

C3 – Judith Wong

C4 – Chan Yuk Yee Enid

10. Mr Ian Brownlee asked and the Secretary confirmed that hard copies of his representation had been distributed to Members and a soft copy was also made available to Members. Mr Ian Brownlee then tabled Enclosure 2 of his representation, which was extracted from a Legislative Council Paper No. CB(1)817/16-17(08) (LegCo Paper) on implementation of the HSK NDA, for Members' easy reference. With the aid of a PowerPoint presentation, he made the following main points :

- (a) the preparation of the OZP to provide a context for the orderly development of HSK NDA was supported. Some fundamental problems and proposals regarding the existing land ownership rights, issues and opportunities for HSK NDA and its implementation were raised at the public engagement stage in the HSK NDA Study, but their proposals were not accepted without giving any reason;
- (b) in the 1980s, HSK was perceived as a small district centre serving a small rural population. However, with the development of the Shenzhen Bay Bridge, Qianhai and the road link from Tuen Mun to the Hong Kong International Airport, HSK NDA would be the main northern entry point into Hong Kong in Northwest New Territories (NWNT). The OZP was not doing enough to guide the HSK NDA

development towards this direction. Instead of planning ahead, the OZP had incorporated unnecessary controls based on problems in the past. The right of individual property owners was also ignored;

#### General Issues

- (c) underestimating the significance of the OZP – the function of the Regional Centre of HSK NDA as a new central business district (CBD) had been under-played. Instead of planning HSK NDA as a new town like that of Tuen Mun and Tin Shui Wai, it should function as a new CBD similar to Kowloon East;
- (d) under-utilising land resources – a large portion of HSK NDA was reserved for village, low density residential, industrial, logistics and enterprise and technology park developments. The average development intensity for HSK NDA was low and there was scope to increase the development intensity of individual sites in the remaining area. Land was not developed to their full potential according to the standards recommended in the Hong Kong Planning Standards and Guidelines (HKPSG). Similar proposal had been made to increase the plot ratio (PR) of Tung Chung West, Kam Tin South, Fanling and Kwu Tung North but that was not adopted in HSK NDA;
- (e) good proposals dismissed without proper consideration – proposals on many important issues were made during the public engagement and OZP representation stages. They were not accepted by PlanD and there was no attempt to explore whether alternative development options were feasible;
- (f) inadequate assessment by PlanD – representers' proposals were rejected for reasons that technical assessments or justifications had not been submitted to demonstrate their feasibility and possible impacts. As the public had only a statutory period of 2 months to submit their

representations, technical studies of such scale and nature covering HSK NDA could not be prepared in time. While PlanD had an overview of all representations and in possession of technical data and computer models, it had the obligation and was in a better position to carry out the technical studies to facilitate decision making by the Town Planning Board (the Board);

- (g) implications on property rights – the zoning boundaries on the OZP had little consideration on land ownership pattern, hence were not facilitating development by existing land owners. There was no response in the Board paper to some representers’ references to the judgment of the Court of Final Appeal (CFA) on the Hysan case regarding the constitutional rights of land ownership, legitimate public aim and proportionality analysis;
- (h) general planning criteria for consideration of land exchange – the criteria for land exchange had excluded various types of lots. Those land owners could not implement any of the uses permitted under the OZP. The minimum lot size specified for land exchange application were also enormous and owners would have difficulties in assembling land for development;
- (i) deterministic planning – the OZP had taken a deterministic approach in designating sites for specific economic activities such as logistics, port back-up and enterprise and technology. There was no scientific basis for determining the amount of land required for those purposes in the future as some activities were sunset industries which were subject to changes in the trade and economic development. The excessive design requirements for developments in the Regional Centre would stifle any innovation and creativity. There was no flexibility in design and use between commercial and residential uses within the “Other Specified Uses” annotated “Mixed Use” (“OU(MU)”) zone;

HSK NDA Regional Centre

- (j) single development requirement – this requirement had never been stipulated on any other OZPs before and was considered not necessary. The OZP zoning was sub-divided into development sites arbitrarily on the Outline Development Plan (ODP) while the LegCo Paper set out the requirement that the whole development site had to be purchased to pursue a single development for each site. The arbitrary development sites on the ODP were too big for single development, which also had no respect of the land ownership pattern. The criteria for application for land exchange should adopt a minimum lot size of 4,000m<sup>2</sup>, or 10,000m<sup>2</sup> for development with public transport interchange (PTI);
- (k) inadequate traffic arrangements – the single cul-de-sac access road arrangement serving the eastern and western sides of the Regional Centre of HSK NDA was undesirable as the whole area would be blocked off in the event of accident on this access road. Additional access to the Regional Centre could improve the traffic as well as breaking up those over-sized land parcels into smaller lots for some variation in building design and street vibrancy;
- (l) planning intention – the development potential of land adjacent to the future HSK Station was not optimised and the large street block layout would limit the flexibility in urban design and the city form. Smaller sites should be adopted for creation of urban communal spaces which would be linked up to achieve physical connectivity and permeability, enhance ventilation, improve micro-climate and facilitate pedestrian access. Smaller sites would be more adaptive to market change, create vibrancy and variation in building form and would be easier for management and redevelopment. Iconic landmark buildings with higher PR (PR) and building height (BH) should be developed to give identity to the Regional Centre. In general, the PR and/or BH restrictions should be increased to a level similar to those of Kowloon;

- (m) connectivity – the HSK Station, green transit station, the PTIs and the remaining area within the Regional Centre should be well connected through a series of elevated, at-grade or underground walkways;
- (n) urban design study – as the requirements for each site, such as BH and PR restrictions, retail/terrace frontage had been specified on the OZP and the ODP, an urban design study was not necessary. There was no information on how the urban design study would be carried out, the approving authority for the study, the public engagement process and its impact on the timing of HSK NDA development; and
- (o) inflexible phased implementation and public-private partnership – the phasing plan was too rigid and should be more flexible in implementing HSK NDA. Development should be allowed to proceed by private developers if infrastructural facilities serving those sites were available or they could be provided by the developer. Public-private partnership (PPP) should be encouraged as a majority of land in HSK NDA was privately owned. Involvement of private land owners/developers could reduce the scale of land resumption and government outlay, and facilitate earlier implementation of the NDA. Private development rights would be respected while the Government would get premium for the land exchange.

## R2 – Hong Kong Logistics Association

11. Ir Stephen Chan made the following main points :
- (a) he spoke from the perspective of the logistics operation;
  - (b) in order to enhance the land utilisation and the cost efficiency, a maximum PR of 7 should be permitted for logistics use. The higher

floors of multi-storey logistics centre could be used as office, canteen, banking, training centre and carpark;

- (c) the current land parcels of 2 ha to 4.8 ha for logistics use should be further increased to about 6 ha. There was a growing trend in shopping through the websites and modern logistics centres with automated equipment and cold storage would require larger floorspace than the traditional warehouses. As demonstrated by multi-storey logistics centres in Kwai Tsing, the occupancy rate of those centres with small site area of about 2 ha was low and it would be a waste of land resource; and
- (d) more floorspace was also required to meet the stringent requirements to be introduced for the handling of dangerous goods such as hair-spray and hair-dyes etc. Should that requirement come into force, there would be a shortage of floorspace to handle such dangerous goods. HSK NDA would be a suitable place for such provision.

#### R4 – Cheung Muk Lam

12. Mr Cheung Muk Lam made the following main points :

- (a) he was a member of the Yuen Long District Council (YLDC) and was dissatisfied that the OZP was gazetted before the Working Group on HSK NDA under YLDC had finished discussing the NDA proposal;
- (b) the Government had declined YLDC's request for a new rail link from Tuen Mun to Tsuen Wan as such rail service was already provided by the West Rail (WR). However, he doubted that the demand generated from the additional population of more than 200,000 in HSK NDA could be accommodated by WR;

- (c) Tin Ying Road should not be closed as it linked up Tin Shui Wai with Yuen Long Highway. Ping Ha Road would not be able to cope with the high traffic volume and the residents would be adversely affected;
- (d) only some affected logistics operations in HSK NDA would be relocated to multi-storey logistics buildings. For those who could not be accommodated in multi-storey buildings because of operational needs, there was no indication on how and where they would be relocated so as to ensure their operations could continue, and that workers would not be displaced. Those involving large scale operation and heavy machinery could not be relocated indoor, and hence many workers' livelihood would be affected;
- (e) there were also requests from affected local residents that they should be accommodated within the same district. It was unfair to those affected residents that they would be rehoused subject to the asset assessment. For those who were not eligible for rehousing, the compensation they received would not be adequate for acquiring another accommodation in the same area; and
- (f) in order to improve the environmental and hygienic conditions of the area and to tie in with the future developments, the proposed new refuse collection point (RCP) at the junction of Hung Yuen Road and Hung Ping Road should be provided expeditiously to replace the existing RCP at Hung Tai Road.

#### R6 – Hong Kong Seek Road

13. Mr Tse Wai Chuen Tony made the following main points :

- (a) the role of HSK NDA in terms of the long-term development of Hong Kong and the Pearl River Delta Bay Area should be explicitly stated;

- (b) while the OZP was mainly concerned with the land use and spatial planning, there was no control on the policy and implementation process. Without knowing the strategic role of HSK NDA, it could not be ascertained whether reserving 9.97 ha of land, with a PR of 5, for Enterprise and Technology Park development was appropriate;
- (c) it was doubted whether relocating the port back-up and open storage uses to multi-storey buildings would be feasible. Operators of brownfield sites should be compensated and their livelihood should not be affected;
- (d) the land parcel delineated for development should be reduced in size so that participation by small to medium sized developers could be made possible. Large-scale development on large land parcel might not achieve the intention of having a vibrant streetscape;
- (e) part of the regional park (about 15 ha) in Area 49 should be rezoned for mixed commercial/residential development to accommodate a population of about 15,000 while land of similar size in Area 42 originally planned for logistics and port back-up use could be rezoned for open space development. The new open space in Area 42 could connect with the open space in Area 43B as a regional park. The site swapping proposal could be implemented in phases to allow time for relocation of the affected brownfield users;
- (f) it was difficult to visualise how the design of the Regional Plaza could be attractive and thus making HSK NDA a regional centre;
- (g) it was noted that no detailed proposal on the private/public housing mix was stated in the explanatory statement (ES) of the OZP. Instead of simply stipulating the PR and BH restrictions for different types of residential developments on the OZP, the ES should elaborate on how that housing mix could be achieved. Housing Policy should be formulated to rectify the housing type mismatch in the property market;

- (h) there was reservation on the proposed Green Transit Corridor for HSK NDA as an at-grade light rail transit would take up road space and affect other road users while an elevated transit system might have environmental and visual impacts; and
- (i) as illustrated in the ‘Dream City’ competition held by Hong Kong Seek Road last year that submissions with innovative ideas were received, Hong Kong residents were keen to participate in shaping their own city. The Board should liaise more with stakeholders, professional bodies as well as the general public to improve the planning of HSK NDA.

R7 – The Real Estate Developers Association of Hong Kong

C7 – Masterplan Limited

14. With the aid of a PowerPoint presentation, Mr Ian Brownlee and Ms Cynthia Chan made the following main points :

- (a) the Real Estate Developers Association of Hong Kong (REDA) was concerned about the flexibility of the OZP in terms of meeting the changing economic circumstances, the public/private housing mix and the effect on private land ownership;

Higher Intensity and Better Land Use

- (b) the development potential of HSK NDA had not been maximised to fulfil the functions stated in the ES of the OZP in providing land for housing and commercial/economic uses to enable HSK to become the Regional Economic and Civic Hub for the NWNT region. It was technically feasible to achieve a higher development intensity and better land use mix in the HSK NDA;
- (c) the Government’s assessments only confirmed feasibility but did not

demonstrate the maximum development capacity for HSK NDA. There should not be any concern on overloading the infrastructure and creating adverse visual, air ventilation and urban design impacts as infrastructure should be provided correspondingly for NDA development. It was proposed to upgrade the various development sub-zones or to increase the PR restrictions as follows :

- (i) for residential zones – the recommended PR for each residential density zones in the HKPSG should be followed, thereby creating an additional 12,000 flats while maintaining the planned development intensity, spatial pattern, natural lighting and air ventilation. The PR restrictions for the “Residential (Group A)” (“R(A)”) and “OU(MU)” zones should be deleted and to apply the composite formula under the Building (Planning) Regulations to respond to market demand flexibly;
- (ii) for commercial zones – the “OU(MU)” zones for the two WR Stations should be rezoned to “Comprehensive Development Area” and a higher PR restriction be stipulated for higher density commercial developments at transportation nodes. This would create an additional gross floor area (GFA) of 497,500m<sup>2</sup> for more job opportunities and economic expansion. The BH restriction should also be relaxed to allow higher ceiling height for prime office, convention and exhibition facilities; and
- (iii) for industrial, logistics, enterprise and technology park uses – a PR of 7 should be stipulated for these uses, which would create an additional GFA of about 1,500,000m<sup>2</sup> for this important strategic economic and employment node of the territory. The uses always permitted for the logistics, enterprise and technology park were very specific. The list should be expanded to include those uses naturally occurring in industrial area and other compatible uses. However, government, institution or

community (G/IC) uses, which were sensitive uses, should be excluded from these zones and provided for in the non-industrial part of the NDA;

- (d) the public/private housing mix of 69:31 in HSK NDA had taken into account the public housing development in Tin Shui Wai. The 60:40 ratio of the Long Term Housing Strategy should be followed to improve the socio-economic interactions, architectural variation, and private housing ratio to help redress affordability for home ownership and social mobility;

#### Implementation Arrangements

- (e) the detailed design study to be conducted for the Regional Economic and Civic Hub, District Commercial Node and Riverside Promenade should have already been carried out and recommendations incorporated rather than being left to be dealt with under the land lease conditions. This would create uncertainties on the detailed requirements and implementation time frame;
- (f) infrastructure should be provided in parallel, if not prior, to the population intake and the environmentally friendly transport system should be in the form of a light rail system connecting the district and intra-regional transport network;
- (g) a special task force should be formed for better coordination among government departments, to simplify and streamline applications for development related to planning, building and land matters to expedite implementation of the NDA. More resources should be allocated for processing of applications for land exchange, monitoring the progress and meeting the processing deadlines;

- (h) the Enhanced Conventional New Town Approach (ECNTA) on land resumption and the General Criteria for consideration of lease modification that enabled land owners to apply for land exchange for development were overly stringent :
  - (i) General Criteria 2, 3 and 5 regarding the specific uses, size and configuration of lots for land exchange were unreasonable. Private land not meeting these criteria would inevitably be resumed for development, which would infringe private land owner's development right. The constitutional right of private land owners was ignored and in this regard the criteria did not comply with the Basic Law and the judgment of the CFA on the Hysan case. Those requirements were more stringent than that applied to Kwu Tung North and Fanling North NDAs. It was expected that there would be fewer successful land exchange applications; and
  - (ii) development by private land owners would be governed by General Criteria 8, which appeared to be a catch-all criterion in that it required no adverse implications on the planning, layout and urban design of the surrounding area, and that development potential or vehicular access of adjacent land would not be jeopardised. The Government should also consider adding a time clause to enable compulsory resumption only when the existing land owners did not make land exchange applications by the deadline;
- (i) the existing land owners should be allowed to develop their sites to achieve savings in the government upfront expenditure in land resumption, ex-gratia compensation and statutory compensation involving the Land Tribunal, reduce time delay in land resumption and minimise social disruption. The PPP would be consistent with Chief Executive's advocacy promulgated in the Policy Address, and would

help to release readily available resources to facilitate better and faster development for housing production, economic expansion and provision of G/IC facilities and infrastructure; and

- (j) the General Criteria should be simplified to provide the Lands Department (LandsD) with greater discretion in considering applications for land exchange.

#### R8 – World Wide Fund for Nature Hong Kong

15. With the aid of a PowerPoint presentation, Mr Tobi S.K. Lau made the following main points :

- (a) WWF-HK did not oppose to the OZP, but only offered comments;
- (b) the environmental condition of areas surrounding San Sang San Tsuen Egretty was not ideal and the number of egret was declining. The “Green Belt” and “Open Space” zonings in Area 45 were supported for the protection of the egretty;
- (c) although the “OU (Enterprise and Technology Park)” zone in Area 44A and Areas 44B/46 located to the north and southeast of the egretty respectively was subject to a BH restriction of 90mPD, a stepped BH profile was not specified. For better protection of the egretty and to provide an open flight path for the birds, a BH profile of 15mPD to 90mPD should be specified for these areas. It was proposed that a clause should be added to the Remarks of the relevant “OU” zone to adopt a stepped BH profile for Areas 44A, 44B and 46; and
- (d) WWF-HK also supported urban agriculture/community farming provided that such activities would adopt agro-ecological production methods and soil cultivation. The vegetation in urban agriculture/community farm would provide a resting place for wild life,

increase the greening area in the city and help maintaining ecological resilience in the urban ecological system. While the Hong Kong 2030+ : Towards a Planning Vision and Strategy Transcending 2030 (HK2030+) had identified the need to promote and regulate recreational and community farming, 'Community Farming' was not featured in the Notes of the OZP as a type of land use. As the scale and mode of operation of community farm might be different, it would be more appropriate that 'Community Farming' should be permitted in HSK NDA, subject to planning permission being obtained from the Board so that any potential issues identified in HK2030+ could be suitably addressed.

R10 – 鄧廉光

R11 – 羅達賢

16. Mr Chan Chik Yu made the following main points :

- (a) he represented the HSK Merchants Association, which had been operating in HSK for decades to serve various businesses in the area. He hoped that the HSK Merchants Association could be retained to continue serving the business operators; and
- (b) his house was a permanent building on a house lot granted by LandsD. His right to continue living in his house should be respected and his house should be excised from the development area.

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

R17 – Designing Hong Kong Limited

17. With the aid of a PowerPoint presentation, Mr Paul Zimmerman made the following main points :

- (a) he supported the OZP in order that more land could be developed more efficiently. HSK NDA would be a regional centre in NWNT. It was therefore desirable to increase the development intensity in HSK, taking into consideration the land supply strategies and the difficulties encountered in increasing the land supply. The development intensity in a large part of the HSK NDA remained on the low side. The Government should seriously consider up-zoning some of these areas for development with higher intensity and promoting more village resettlements as part of the new town development;
  
- (b) the HSK NDA development was based on a number of assumptions on land resumption procedures, costing and compensation. He doubted whether the Commerce and Economic Development Bureau had provided input on the relocation of open storage and port back-up uses from the perspectives of economic and business operation to demonstrate how their businesses could survive after being relocated. There were about 190 ha of open storage/port back-up land in HSK, involving over 300 operators, but there would only be about 73 ha in HSK NDA for such uses. As the rent in multi-storey buildings would be significantly higher than what they had been paying, it was likely that they would move to other areas where rent was cheap, e.g. the coastal protection area to the north of HSK. Although the Government stated that they would take enforcement action against any unauthorised land use/operation, the effectiveness of such action was doubted due to limited resources; and
  
- (c) in developing HSK NDA, the Government should carefully consider whether those brownfield users displaced would cause damages to the environment in other areas. There should be a Conservation Bill to enable the Government to protect land reserved for conservation and agriculture from eco-vandalism and incompatible uses, as well as some corresponding changes in law and provision of resources to relevant departments to carry out enforcement actions against unauthorised uses.

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

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

R19 – 關注洪水橋新發展聯盟

R20/C5 – Ho Hoi Fat

R26/C18 – Ng Tung Sang

R27/C17 – Sin Pui Fan

C14 – 鄭麗和

C23 – Hau Cho Kwong

C24 – 鄭禮雲

C26 – Chu Yuen Ki

18. With the aid of a PowerPoint presentation, Mr Ho Hoi Fat made the following main points :

- (a) he represented the several non-indigenous villages in HSK and queried the reasonableness and feasibility of the HSK NDA;
- (b) the OZP was gazetted before the HSK NDA proposal was thoroughly discussed and approved by the Panel on Development of the LegCo. The concept of HSK NDA development was wrong and the proposal was based on wrong assumptions or some misleading facts;
- (c) WR was currently running at 104% of its capacity during the morning peak hours. It had been confirmed by MTRCL that the train frequency was operated at maximum capacity. At present, WR was operating 20 trains per hour and about 70% of their trains were 8-car trains. The train frequency could not be further increased to 28 trains per hour with an increase in the carrying capacity of 60% by enhancing the signalling system as claimed by the Government, or connecting WR with the Shatin to Central Link (SCL) and the Ma On Shan Line (MOSL). The

bottleneck of WR was at Kam Sheung Road Station towards Tsuen Wan West and connecting WR with SCL and MOSL would not help solving the problem. The possible connection with the Northern Link might aggravate the congestion problem at Kam Sheung Road to Tsuen Wan West section. Hence, a significant increase in population through HSK NDA development would be catastrophic as the demand for commuting could not be met;

- (d) WR commenced its operation since 2003 and had a maximum carrying capacity of about 41,500 passenger/time per hour, i.e. a total of about 125,000 passengers during the morning peak hours. This was far from meeting the commuting demand from Tuen Mun and Yuen Long, let alone the additional demand from the future HSK NDA. It was wrong to develop HSK NDA, especially high density residential buildings around HSK Station as recommended in the HSK NDA Study. In reality, there was a tendency for residents to move in sub-divided flats in the urban area than spending hours in commuting;
- (e) HSK NDA development relied heavily on WR for transportation. The HSK NDA Study had no data on the commuting demand and the carrying capacity of WR, and hence the target development intensity of HSK NDA was not reasonable. According to the 2016 By-census, the total population in Tuen Mun and Yuen Long was about 1.1 million, about 36.4% of that population would need to travel to other districts for school and work, i.e. there were about 400,000 commuting population. Assuming a similar commuting demand for HSK NDA, about 64,000 of the additional population in HSK NDA would need to travel to other districts. Although about 150,000 new job opportunities would be created in HSK NDA, as some of those jobs might be taken up by people from outside, the number of commuting population would still be significant. There was no response from the Government on this issue in the consultation with Tuen Mun Rural Committee during Stage 2

Public Engagement of the HSK NDA Study as well as in the Panel on Development of LegCo on 9.10.2015;

- (f) the new job opportunities had included about 42,000 jobs to be created in port back-up, storage, workshop and logistics facilities. However, about 3,850 workers were currently employed in the brownfield sites in HSK. The number of workers was expected to drop significantly as some of those brownfield sites would be relocated and the remaining operations would be accommodated in multi-storey buildings with automated machineries. There was no justification to support the claim of 42,000 new job opportunities;
- (g) the proposed HSK NDA development was discriminating against the five non-indigenous villages as these villages would be cleared for development while the indigenous villages in the surrounding areas would be retained. The proposed HSK NDA infringed the Basic Law in that the lifestyle of residents should be protected. It was not sustainable and not in line with the HKPSG that the proposed HSK NDA was in the public interest;
- (h) public housing developments were planned on the northeastern side of the proposed HSK NDA. A section of Tin Ying Road was proposed to be closed for public housing development to amalgamate with those public housing cluster in Tin Shui Wai to make up the target public/private housing mix in HSK NDA. The proposed public housing development was scheduled at Phase 4 of HSK NDA development in 2031-2038. There should be time to plan HSK NDA afresh; and
- (i) the long waiting time for public housing should not be used as an excuse to develop HSK NDA.

[Ms Sandy H.Y. Wong arrived during the presentation of Mr Ho Hoi Fat.]

[Mr Wilson Y.W. Fung and Mr Alex T.H. Lai left this session of the meeting at this point.]

19. Mr Ho Hoi Fat said that his eligible speaking time had not been used up and would like to make use of the remaining time later to respond to the points raised by other representers/commenters and/or Members' questions. In response to the Chairperson's query, Mr Ho confirmed that his presentation was completed. The Chairperson clarified that Members would raise questions in the Question and Answer session after all representers/commenters that had indicated to make oral submission in this session of the meeting had finished their presentations.

20. The meeting was adjourned for lunch break at 12:15 p.m.

21. The meeting was resumed at 1:45 p.m. on 30.1.2018.
22. The following Members and the Secretary were present at the resumed meeting:

Permanent Secretary for Development  
(Planning and Lands)  
Ms Bernadette H.H. Linn

Chairperson

Professor S.C. Wong

Vice-chairperson

Mr Lincoln L.H. Huang

Mr H.W. Cheung

Mr Sunny L.K. Ho

Mr Stephen H.B. Yau

Dr F.C. Chan

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Dr C.H. Hau

Ms Sandy H.Y. Wong

Assistant Director/Regional 3, Lands Department  
Mr. Edwin W.K. Chan

Principal Environmental Protection Officer/Strategic Assessment,  
Environmental Protection Department  
Mr Raymond W.M. Wong

Chief Traffic Engineer/New Territories West, Transport Department  
Mr B.K. Chow

Presentation and Question Sessions (Continued)

[Open Meeting]

23. The following government representatives and the study consultant, representers, commenters and their representatives were invited to the meeting at this point:

**Government Representatives**

*Planning Department (PlanD)*

Mr David C.M. Lam	-	District Planning Officer/Tuen Mun & Yuen Long West (DPO/TM&YLW)
Mr David Y.M. Ng	-	Senior Town Planner/Hung Shui Kiu New Development Area (STP/HSK NDA)
Mr Alvin C.H. Kan	-	Town Planner/HSK NDA (TP/HSK NDA)

*Civil Engineering and Development Department (CEDD)*

Mr Tony K.L. Cheung	-	Chief Engineer/West 3, West Development Office (WDO) (CE/W3)
Ms Wilda H.Y. Lee	-	Senior Engineer/5(West), WDO (SE/5(W))
Mr Dennis Y.C. Fung	-	Senior Engineer/6(West), WDO (SE/6(W))
Mr K.S. Shum	-	Engineer/13(West), WDO (E/13(W))

*CEDD's Consultant (AECOM)*

Mr Igor W.L. Ho	-	Executive Director
Mr Samuel S.Y. Hung	-	Associate
Mr Vincent Au Yeung	-	Technical Director

**Representers, Commenters and their representatives**

R1 - Masterplan Limited

C1 - Y C Chang

C2 - Ma Hung Shing

C3 - Judith Wong

C4 - Chan Yuk Yee Enid

*Masterplan Limited*

Mr Ian Thomas Brownlee	]	Representer's and Commenters'
Ms Wong Oi Chu	]	representatives
Mr Chin Kim Meng	]	

R7 - The Real Estate Developers Association of Hong Kong

C7 - Masterplan Limited

*Masterplan Limited*

Mr Ian Thomas Brownlee	-	Representer's and Commenter's representative
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R8 - World Wide Fund for Nature Hong Kong

Mr Tobi Lau	-	Representer's representative
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R19 - 關注洪水橋新發展聯盟

R20 / C5 - Ho Hoi Fat

R26 / C18 - Ng Tung Sang

R27 / C17 - Sin Pui Fan

C14 - 鄭麗和

C23 - Hau Cho Kwong

C24 - 鄭禮雲

C26 - Chu Yuen Ki

Mr Ho Hoi Fat	-	Representer and Commenter and Representers' and Commenter's representative
Ms Sin Pui Fan	-	Representer and Commenter
Mr Hau Cho Kwong	-	Commenter

R21 - Yu Chau Sim, Mak Kwok Fai

R22 / C20 - Mak Cheuk Wang

R23 - Kwok Shuk Yee

R29 - Yip Sau Shut

R30 - Cheung Mei Ping

C12 - Kwok Tsz In

C19 - Ng Wai Chung

C25 - Mak Cheuk Ki

C28 - Mak Tak Fai

Mr Mak Cheuk Wang	-	Representer and Commenter and Representers' and Commenters' representative
Ms Cheung Mei Ping	-	Representer
Ms Ng Wai Chung	-	Commenter

R25 - Kan Ka Keung

Mr Kan Ka Keung	-	Representer
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R28 - Ng Ling Hang Maggie

Ms Ng Ling Hang Maggie	-	Representer
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R32 / C383 - Tuen Mun Rural Committee

Mr To Shek Yuen	-	Representer's and Commenter's representative
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R34 - Ha Tsuen Rural Committee

Mr Tang Lai Tung	]	
Mr Tang Ka Leung	]	Representer's representative
Mr Tang Cheuk Lun	]	

R83 – Kong Hung San

Mr Kong Hung San	-	Representer
Mr Tang Cheuk Hang	]	Representer's representatives
Mr Tang Kam Fai	]	

R84 – Tang Hing Ip, District Council Member

Mr Tang Hing Ip	-	Representer
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R85 -屏山橋頭圍村代表鄧同發及鄧橋南

Mr Tang Tung Fat	-	Representer
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R86 -屏山鄉洪屋村原居民代表及居民代表

Mr Tang Tze Kwong	]	Representer's representatives
Mr Tang Sing Wah	]	

R87 -厦村鄉新生村代表鄧智友

Mr Tang Chi Yau	-	Representer
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R88 -屏山鄉洪水橋石埗村居民代表

Mr Lam Kuen	-	Representer's representative
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R89 / C31 – Chan Man Sun

Mr Chan Man Sun	-	Representer and Commenter
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R91 – Chan Man Fai

Mr Chan Man Fai	-	Representer
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R92 – Ko Yui Man

Mr Ko Yui Man	-	Representer
Mr Chan Moon Chee	-	Representer's representative

R93 -陳枝河

Mr Chan Ho Kei	-	Representer's representative
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R94 -唐明

Mr Lo Huen Ki	]	Representer's representatives
Mr Lo Sai Hung	]	

R103 - Ko Lok Investment Company Limited

C330 - Chan Man Hin Roger

*Masterplan Limited*

Mr Ian Thomas Brownlee	]	Representer's and Commenter's
Mr Benson Poon	]	representatives
Mr Adrian Chiu	]	
Mr Michael Choi	]	
Mr Roger Chan	]	

R104 - Hang Tat Sing Investment Company Limited and Linking Wisdom Ltd

C331 - Poon Fu Kit Benson

C332 - Choi Sze Chun Michael

*Masterplan Limited*

Mr Ian Thomas Brownlee	]	Representer's and Commenters'
Mr Benson Poon	]	representatives
Mr Adrian Chiu	]	
Mr Michael Choi	]	
Mr Roger Chan	]	

R106 - Hung Uk Tsuen Merchants Association

Mr Ng Kai Hong	]	Representer's representatives
Mr Mak on Fai	]	

R107 - All Grace Holdings Limited

*All Grace Holdings Limited*

Ms Karen Chan	]	Representer's representatives
Dr Chong Shing Lok	]	

*Prudential Surveyors International Ltd*

Mr Wong Chung Lai Frank	]	Representer's representatives
Ms Chow Ho Yan	]	
Mr Law Kam Pui Brian	]	

R109 – Percy Thomas Partnership (HK) Ltd.

Mr Choong Yin Lin	]	Representer's representatives
Mr Kuo Chi Hong	]	

R111 – Yip Chui Fung

Ms Yip Chui Fung	-	Representer
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R112 - CNEC Good Tidings Church

Ms Chiu Yuk Lan Landy	]	Representer's representatives
Mr Chiu Sing Kay	]	
Mr Leung Kwok Tong	]	

R113 - Pronto Star Limited

*PlanArch Consultants Ltd*

Ms Betty Ho	]	Representer's representatives
Mr Cheng Pui Kan	]	

R114 - Silver Photo Industrial Limited

Mr Man Ming Fai	]	Representer's representative
Ms Man Mui Fun	]	

24. The Chairperson extended a welcome to the government representatives, and the study consultant, representers, commenters and their representatives. She then invited the representers, commenters and their representatives to give their oral submissions.

R21 - Yu Chau Sim, Mak Kwok Fai

R22 / C20 - Mak Cheuk Wang

R23 - Kwok Shuk Yee

R29 - Yip Sau Shut

R30 – Cheung Mei Ping

C12 - Kwok Tsz In

C19 – Ng Wai Chung

C25 - Mak Cheuk Ki

C28 - Mak Tak Fai

25. With the aid of a PowerPoint presentation and video clips of individual villagers, Mr Mak Cheuk Wang made the following main points:

- (a) he represented 10 representers / commenters and local residents in his neighbourhood to raise concerns on the inaccurate estimates on employment, demand for commercial uses and transportation infrastructure as well as failure of the consultation process to reflect the local views to the Town Planning Board (the Board). The District Council (DC) had not been fully consulted before the Outline Zoning Plan (OZP) was gazetted. The act of bypassing the DC to publish the land use proposals of Hung Shui Kiu (HSK) was blatantly unacceptable. The villagers who were to be adversely affected had not been adequately consulted;
- (b) the OZP was objected to for the following reasons:

Unavailability of supporting data

- (i) the land use proposals were not supported by facts and data, which should have been considered by the consultant in the Hung Shui Kiu New Development Area (HSK NDA) Planning and Engineering Study (the Study). There were deficiencies in the environmental impact assessment report and there was no information on the number of commuters in the past five years;

#### Unrealistic employment estimates

- (ii) there was no basis for the estimated 150,000 new employment opportunities to be provided in the area. Among them, the Study estimated that 42,000 new jobs would be created by the industrial, logistics, port back-up, storage and workshop uses, which was inconceivable as that would be 5.5 times the number of jobs currently being provided in the Kwai Chung Container Port. Besides, some 3,850 workers were currently employed in the port back-up, storage uses etc. in brownfield sites in the New Territories. The multi-storey buildings (MSBs) to be built could only accommodate about 10% of the existing operations and thus could provide only about 400 jobs. There was also insufficient information to support that the commercial uses and the enterprise and technology park would provide 75,000 and 19,000 jobs respectively. The experience of the Cyber Port and Tin Sau Bazaar had shed light on how difficult it would be for the proposed technology park and commercial developments to succeed;

#### Overestimation of carrying capacity of West Rail Line

- (iii) the transportation network was inadequate to cope with the planned developments. The West Rail Line (WRL) was overcrowded with a bottleneck between the Kam Sheung Road Station and Tsuen Wan West Station. Local residents in Yuen Long had to rely on WRL for commuting to Tsuen Wan and the capacity of WRL had

reached 104% in the morning peak hours in 2015. Currently, people had to wait for three trains before they could get on board. Without a new mass transit system or major road network, WRL alone would not be able to handle the additional demand arising from the 150,000 new jobs in HSK;

- (iv) WRL was originally designed for trains with seven compartments at an hourly frequency of 20 services in each direction for a capacity of 64,000 passengers per hour as claimed by the Government, which was much higher than the figure of 34,000 passengers per hour announced by MTR Corporation Limited (MTRCL). Besides, if the number of compartments for each train was to be increased from seven to eight, it would only increase the carrying capacity by 14%. Even coupled with the improvement of hourly train frequency from 20 to 28 in each direction and with the resultant 60% increase in the carrying capacity of WRL, it would still not be sufficient to meet the demand arising from the proposed developments in HSK;
- (v) the Government tried to cover up the fact that further improvement to the WRL service was feasible by using the 'East-West Corridor' concept to claim that train service could be increased to 28 per hour. The proposed improvements to the railway services would not benefit the HSK area as the increase in frequency of train services to 28 per hour applied to the Shatin Central Link (SCL) and the Ma On Shan Line (MOSL) only but not WRL;
- (vi) the Government only stressed that WRL would increase its carrying capacity with the improvement measures in place but never mentioned about the reduction in the carrying capacity of WRL with the introduction of the Tuen Mun Southern Extension and HSK Station. It was estimated that the extended WRL service to Tuen Mun South would incur a waiting time at Tuen Mun South

Station of four minutes and an increase of the total travelling time of WRL, resulting in a reduction of the carrying capacity by 14%. The waiting time at HSK Station for two minutes would further reduce the carrying capacity by 4.4%. As a result, there would be a total reduction of the carrying capacity of WRL by 18.4%. As such, the increase in carrying capacity of 14% owing to the adoption of eight-compartment trains could still not offset the reduction caused by the Tuen Mun Southern Extension and the HSK Station;

- (vii) even when there were local employments, local residents might continue to commute to the other districts for work. Taking Tsuen Wan and Kwai Tsing districts as examples, 38.8% of the population commuted to work or school despite jobs were available locally. Therefore, the creation of new jobs in HSK could not preclude the need for a mass transit system for the anticipated large number of commuters. The transportation infrastructure in North West New Territories (NWNT) had already lost its balance. It could not adequately cope with the current 400,000 daily commuters. It was estimated that among the 176,000 new population in HSK NDA, 64,000 would be commuters which would create significant demands in public transport with which the WRL could not be able to cope even with the proposed improvements. It should be noted that MTRCL had indicated that further improvement of the frequency of the WRL service was infeasible as the signaling system of WRL had already worked to its maximum capacity. There was a significant discrepancy between claims of the Government and MTRCL;

[Mr David Y.T. Lui returned to join this session of the meeting at this point.]

Insufficient public consultation on environmental protection

(viii) the proposed developments in HSK would have irreversible impact on the environment, particularly the ecology of Deep Bay and Ha Pak Nai, causing damages to the habitats of birds. The public was not given sufficient information to understand the impacts and no proper channel was available for the public to express their views. The Government was not enthusiastic in soliciting views from the local villagers in the public consultation process. If it was not for the activities organized by volunteers to inform residents / stakeholders, the villagers would have missed the chance to submit timely representations or comments on the OZP. The Government had neglected the public's right of participation in the environmental protection matters of the HSK development, including failing to explain to the public about the environmental issues in layman terms nor conduct a questionnaire survey to solicit public views on the matter;

Compensation and rehousing issues not yet resolved

(ix) many villagers did not want to move as they had been living and doing business in the area for decades. The representations and requests of the villagers should be considered sympathetically. If their land had to be resumed, the Government should review the current compensation rate of land resumption and rehousing arrangement so that the villagers would receive reasonable compensation and need not be subject to the means test requirements for rehousing;

(x) according to the Basic Law, all people born in Hong Kong had the right of abode. Under the current proposal, the five non-indigenous villages accounting for about 10% of the area in HSK had to be removed whilst the 20 indigenous villages

occupying a total area doubling the size of the non-indigenous villages were allowed to stay. Such proposal was discriminatory. The Basic Law had made no differential treatments to the rights of the indigenous and non-indigenous villagers and so should the Government in handling the rehousing and clearance issues;

#### Unrealistic planning

(xi) most of the planned uses / facilities were not practical. For example, there was no information available to demonstrate the need for a community centre, and in view of the current shortage of medical personnel, the proposed hospital would unlikely be adequately staffed. It was also unreasonable to designate sites for commercial development while there were insufficient sites for relocating the displaced residents; and

(xii) with an increase in population, the Environmentally Friendly Transport Services (EFTS) or Light Rail system should be on an elevated platform to avoid accidents. All the container vehicle parks and open storage yards as well as the recycling uses causing traffic congestion and pollution to the area should be removed.

#### R25 – Kan Ka Keung

26. Mr Kan Ka Keung made the following main points:

- (a) Sha Chau Lei (II), which was split from Sha Chau Lei as a separate village, was amongst the five non-indigenous villages that would be resumed for the HSK development. He had been living in Sha Chau Lei for a long time and had never heard of Sha Chau Lei (II) until the Government promulgated the names of the non-indigenous villages that had to be cleared for the development. The legal status of Sha Chau Lei (II) was in doubt and he suspected that the village was formed without

going through proper procedures. If the HSK development was to proceed, the Government should compensate and rehouse all residents who had registered their residence in 1982, regardless of whether they were indigenous villagers or not. It was double standard to clear the non-indigenous villagers while keeping the indigenous villages in the area; and

- (b) it was doubtful that 150,000 new jobs would be created in HSK taken into account the total population of HSK was only 200,000 persons upon clearance of the five non-indigenous villages. The transportation network in NWNT could not support additional new developments. Even with the use of eight-compartment trains, the WRL would still be overcrowded. In his experience, it would take him at least 1.25 hours to go home in Sha Chau Lei from his work place in Tseung Kwan O. Tuen Mun Road and Tolo Highway were already very congested during peak hours. With more traffic brought about by new infrastructure, such as the Hong Kong–Zhuhai–Macao Bridge and Liangtang Boundary Control Point, the congestion problem would be further aggravated. The Government should maintain open dialogues with the stakeholders for mutually acceptable land use proposals and arrangements.

R28 – Ng Ling Hang Maggie

27. Ms Ng Ling Hang Maggie made the following main points:

- (a) she and her family lived in Tin Sum San Tsuen and considered the HSK developments should not be proceeded for the following reasons:

Insufficient transportation support

- (i) WRL was overcrowded during the morning peak hours. Local residents had to take the Tuen Mun bound trains to the terminal for trains to Tsuen Wan West. WRL was the principal transportation

mode in NWNT and was currently running at 104% of its capacity. It could not support an additional population of 176,000 even with an increase in frequency of service to 28 trains of eight compartments per hour and for being part of the “East-West Corridor” linking up with the Shatin Central Link and the Ma On Shan Line. Over-crowdedness of WRL persisted despite over 70% of its trains had used eight-compartment trains since September 2017. Besides, the assumption of having 28 trains per hour in each direction was also dubious given that a three-minute interval between trains would usually be required, which would result in the maximum train services of only 20 trains per hour. She suspected that the Government had made use of the “East-West Corridor” to disguise the fact that running 28 trains per hour was only feasible for SCL and MOSL but not WRL. The section from Kam Sheung Road to Tsuen Wan West would be the bottleneck of WRL. The proposed Tuen Mun Southern Extension and HSK Station would delay the traveling time of WRL by eight minutes and in turn reduce the capacity of WRL by 18.4%. The reduction would offset the increase in capacity brought by an increase of train compartments from seven to eight but the information had never been released by the Government for general information;

[Ms Sandy H.Y. Wong returned to join this session of the meeting at this point.]

Ineffective public consultation

- (ii) local views on the HSK development were not treated seriously. Her family had been living in HSK for over 50 years and was worried that their home would be cleared without sufficient compensation for them to acquire new accommodation elsewhere; and
- (b) there was no strong justification for the HSK development if it was not

supported by adequate infrastructure and the compensation matter remained unresolved.

R32 / C383 - Tuen Mun Rural Committee

28. Mr To Shek Yuen made the following main points:

- (a) he was the Principal Vice-chairman of Tuen Mun Rural Committee (TMRC) and a member of the Tuen Mun District Council (TMDC);
- (b) when the public consultation on HSK development commenced in 2013, TMRC had requested the retention of Yick Yuen Tsuen. The government representatives nevertheless said that compensation and rehousing were to be dealt with separately by relevant bureaux / departments. The rehousing issues of Yick Yuen Tsuen remained unresolved;
- (c) in the 1970s and 1980s, the Government had been thoughtful in handling the rehousing issues of villagers, including the provision of village resites for Leung Tin Tsuen, San Wai Tsai, Wong Ka Wai, San Hing Tsuen and Tuen Mun Kau Hui. Both residents in permanent and temporary structures were entitled for rehousing. The policy changed after 1997 and a more stringent approach was adopted to handle the land clearance issues. A development proposal for environmentally friendly living was shelved due to unresolved compensation matter; and
- (d) noting that special arrangement had been made for villagers in Tsoi Yuen Tsuen and Chuk Yuen Village, it was incomprehensible why such arrangements could not be made for Yick Yuen Tsuen. The Government could consider rezoning areas for rehousing the some 50 to 200 temporary housing in Yick Yuen Tsuen so as to allow the affected villagers to continue living in the area instead of rehousing them in sites near Hung Fuk Estate.

R34 - Ha Tsuen Rural Committee

29. Messrs Tang Lai Tung and Tang Ka Leung made the following main points:

Mr Tang Lai Tung

- (a) he was the Chairman of Ha Tsuen Rural Committee (HTRC). Among the some 700 ha of land in HSK, some 400 ha were owned by the Ha Tsuen Heung villagers. Without the support of HTRC, it would be difficult for the Government to implement the land use proposals on the OZP;
- (b) although consultation with HTRC had begun since 2013, the Government had kept ignoring the comments made by its members and the local residents including refusing to name the OZP after Ha Tsuen;
- (c) the Government did not take 'Fung Shui', which affected the well-being of the villagers, as a consideration in planning for the HSK area;
- (d) villagers received less compensation as the Government had resumed land for expansion of the San Wai Sewage Treatment Plant (STP) in advance. The Government had not respected the rights of the villagers and had not been fair in the land resumption matter. Since all landowners paid the same land rent to the Government, they should be compensated at the same rate when their land was resumed;
- (e) since planning for HSK was not conducted in an open manner and views of the locals were not respected, he and the local residents strongly objected to the HSK development;

Mr Tang Ka Leung

- (f) he was an elected member of YLDC and a village representative of Sik Kong Wai with no land and business interests in HSK NDA;
- (g) the participation rate of residents and stakeholders in the various consultation sessions in relation to the Study since July 2013 was encouraging. Although the local residents and stakeholders had submitted many reasonable and constructive comments on the design and planning of HSK, their views were not respected or reflected in the OZP. Noting that the local views had not been taken on board, the Working Group on HSK NDA of YLDC passed a motion at its meeting on 14.6.2017 to request the Government to submit a revised proposal for their consideration;
- (h) he had gathered the following local comments:
  - (i) more than 95% of land within HSK was within Ha Tsuen Heung and most of them were private Tso Tong land owned by the Tang clan with a Grade 1 historic building. There was no reason why the request for naming the OZP after Ha Tsuen could not be acceded to;
  - (ii) most private land in HSK was rented to business operators for income, thus, most land owners did not want their land to be resumed. The land resumed by the Government might be resold later for private developments at a high price, which was unfair to the land owners. Besides, the ex-gratia zonal compensation for agricultural land and building land at a rate of about HK\$1,000 and 2,000 per square foot respectively would not be adequate for the owner to purchase a flat in the area, which costed about HK\$12,000 per square foot in Tan Kwai Tsuen three years ago. Although there was compensation policy for land resumption, there should be

- flexibility to align the ex-gratia allowance with the market price;
- (iii) the outdated means test requirement for public rental housing (PRH) might just render the affected people homeless as the compensation of about HK\$4 to 5 million would make them not eligible for PRH while at the same time it was not enough for them to purchase private flats. The Government should review its compensation policy;
  - (iv) there had been strong requests from YLDC, HTRC and local residents for retention of Tin Ying Road for direct and efficient connection to Yuen Long Highway to relieve the traffic burden in Tin Shui Wai North and Ha Tsuen but their views were not accepted. As for Ping Ha Road, which was already very congested, the Government's proposal to widen it from a dual two-lane carriageway to a dual three-lane carriageway would reduce the buffer area, causing adverse air and noise impacts on the adjoining village developments;
  - (v) putting high-rise developments in areas between Tin Ying Road and Ping Ha Road was undesirable. The request to increase the buffer distance between the development zones and village houses to the west of Ping Ha Road to avoid the potential overlooking problems had been rejected;
  - (vi) the Government also refused to accept another proposal to rezone a piece of land between Shek Po Tsuen and San Sang Tsuen from "Open Space" ("O") to "Comprehensive Development Area" ("CDA") to take advantage of easy access of the site to the Kong Sham Western Highway (KSWH) and Yuen Long Highway, and rezone the development sites to the north of the ancestral hall in Ha Tsuen Shi to "O" to improve the living environment of the ten indigenous villages and Tin Shui Wai. The Government's

unreasonable rejection of local residents' suggestions had aroused discontent;

(vii) the existing Light Rail in Yuen Long and Tuen Mun had always been a subject of criticism. There was no justification to introduce another bulky EFTS to surround the villages in HSK, hindering their future access improvements. It should be noted that there had been calls from Yuen Long and Tuen Mun residents to remove the Light Rail which had taken up much of the road surface;

(viii) Lau Fau Shan, which was currently famous for sea food restaurants, had potential to be further developed as a tourist spot for visitors from the Mainland. The proposal of developing Lau Fau Shan as a gourmet centre had nevertheless not been further pursued by the Government; and

(i) Members were invited to note the deficiencies of and request revisions acceptable to the locals be made to the OZP.

### R83 – Kong Hung San

30. Mr Tang Cheuk Hang made the following main points:

- (a) he objected to the HSK development. His company had been running container storage and later logistics business in Ha Tsuen since the 1990s. Although the brownfield operators had continually expressed their views in the past public engagement exercises, an agreement had not been arrived at between the Government and the operators on the relocation and compensation matter. It was therefore premature to proceed with the HSK development;
- (b) there were about 190 ha of brownfield sites in HSK, mainly for vehicle parking, workshops, logistics, port back-up uses, etc. supporting the

employment of thousands of workers. While many of the traditional industrial buildings had been converted to offices, shops and other uses, HSK was essential to provide land at reasonable prices for the open storage, logistics and workshop uses;

- (c) the Government had proposed to use MSBs to accommodate some of the logistics and workshop uses in HSK but no details were available so far. With a PR of 5 for the MSBs, it would require improvement in the road infrastructure to handle the increased traffic demand. Besides, high construction and maintenance cost of MSBs would result in high rents which would not be affordable for most of the operators. MSBs were also not effective in handling loading and unloading of heavy goods. Since only 24 ha of land would be provided for open storage, logistics and port back-up uses after the resumption of the 190 ha of brownfield sites, the provision of land would not be adequate to accommodate the displaced brownfield operations and about one-third of the operators would be forced to close their business. The closing down of business would cause unemployment and the running cost of the construction and logistics industries would be driven up due to shortage of cheaper land for storage uses. It would in turn affect the stability of the society and the competitiveness of Hong Kong. While the Government was taking forward the HSK development, it would be detrimental to the operators, who had contributed a lot in improving the infrastructure of the area and, invested a large sum to conform with the various environmental protection standards and government requirements for their operations;
- (d) the stringent criteria for land exchange was a hurdle to private initiatives to participate in the development projects in HSK. According to the Enhanced Conventional New Town Approach (ECNTA), only private land larger than 4,000m<sup>2</sup> for commercial or private residential development and in conformity to the Outline Development Plan (ODP) without encroaching into government land would be eligible for land exchange. Due to the high threshold, it was envisaged that the chance

for successful application for development on private land was slim. The policy was a deprivation of the property rights of landowners. Besides, ex-gratia allowance was only payable to business which had been in operation for 10 years or more and the relevant lease had not been in breach. The delay in payment, which happened sometimes, would also weaken the buying power of the affected operators as land price was constantly on the rise;

- (e) the Government should relax the restrictions on the use of land for storage and port back-up uses. Areas of less ecological value in Deep Bay and Lung Kwu Tang should be made available for such developments. The Government should learn from the Shenzhen experience to grasp the opportunities offered by the new town development to make the optimal use of land, instead of leaving them idle which had no economic return; and
- (f) Members were requested to note the economic benefits brought about by the port back-up and logistics uses, understand that the low compensation rate and high running cost in MSBs would only drive the current uses out of business and consider to withdraw the OZP to avoid causing hardship to the people affected.

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

31. Mr Tang Kam Fai said that a large area of HSK and Ha Tsuen had been used for open storage and logistics uses as the rents in the area were lower than those areas near the container terminal in Kwai Chung. Although MSBs were proposed for accommodating the current open storage uses, the rents of MSBs would unlikely be affordable by small and medium enterprises. Land use restrictions in the surrounding areas of HSK such as Lau Fau Shan and Pak Nai should be relaxed to allow accommodation of the industries affected by the HSK development.

32. Upon request of Representatives R84, R85, R86 and R88, the Chairperson agreed

that they could make their oral submission together.

R84 – Tang Hing Ip, District Council Member

R85 -屏山橋頭圍村代表鄧同發及鄧橋南

R86 -屏山鄉洪屋村原居民代表及居民代表

R88 -屏山鄉洪水橋石埗村居民代表

33. Mr Tang Hing Ip made the following main points:

- (a) the HSK NDA was mainly for high-rise developments to address the current housing shortage problem. However, due regard had not been given to the basic planning principles and the provision of supporting infrastructure and the views of the operators and stakeholders collected in the three stages of public consultations had been neglected. There had been no positive responses from the Government with respect to the comments on issues relating to traffic, brownfield uses, rehousing and compensation. With all the relevant issues remained unresolved, there was doubt on how the proposed developments could be implemented successfully;
- (b) YLDC had formed a working group to consider the OZP but the OZP was gazetted on 26.5.2017 before the relevant issues including traffic and infrastructural arrangements and other issues arising from the increase in population could be discussed in the working group;
- (c) Tin Ying Road was currently taking up part of the traffic load of Ping Ha Road which helped maintain a smooth traffic flow in Tin Shui Wai, Ha Tsuen and Lau Fau Shan. With the proposed deletion of Tin Ying Road, Ping Ha Road alone would not be able to cope with the heavy traffic brought about by the expected population increase in the HSK NDA; and
- (d) the wellbeing of the villages, such as Kiu Tau Wai, Hung Uk Tsuen and Shek Po Tsuen, which were on the periphery of the planning scheme area should properly be safeguarded. He proposed to rezone Area 19A and

19B to “O” and low-density development respectively and rezone a “Government, Institution or Community” (“G/IC”) site in Shek Po Tsuen to “Village Type Development” (“V”) to avoid subjecting Kiu Tau Wai and Shek Po Tsuen to the wall effect of high density developments as well as to realign a proposed road in Hung Uk Tsuen to avoid cutting the village into halves. The demolition of an industrial building in Kiu Tau Wai had already caused cracks on the walls of some 30 village houses. The magnitude of damages to the villages when high-rise buildings were built in their vicinity would be beyond imagination.

34. Mr Tang Tung Fat made the following main points:

- (a) although there had been consultations, the OZP had not been agreed and the villagers objected to the land use proposals. He was concerned that the construction of high-rise buildings of some 40 storeys of 160m tall would cause damages to the village houses. A demolition of a building in the past had already caused cracks to 38 village houses. The Government should take the lives and properties of the villagers seriously and not to build high-rise buildings in the vicinity of the villages;
- (b) the Government resumed land at low cost in 1991 and 1992 for the construction of a through road connecting Hung Chi Road and Ping Kwai Road but the road project had not been commenced over the years. The villagers were concerned that the Government would resume their land again at low cost while there was no programme for the HSK development; and
- (c) more land should be zoned “V” to meet the demands as there was insufficient land for Small House developments.

35. Mr Tang Tze Kwong made the following main points:

- (a) villagers of Hung Uk Tsuen, Kiu Tau Wai and Shek Po Tsuen objected to the proposed hospital because it was too close to the village houses and it

was also not well served by public transport. They also objected to the construction of a new road cutting through their villages, which would serve the future commercial developments only. The new road on a higher level would have adverse drainage impacts on the villages. The construction of Kiu Hung Road had already subject their villages to flood risk;

- (b) as a lot of land in HSK was owned by Tso Tong and no development would be allowed in “Fung Shui” area, he doubted how the proposed development could be implemented;
- (c) there were more than 100 applications for Small Houses in Hung Uk Tsuen but only a few of them had been approved in the past 10 years. In addition, part of the “V” zone had been rezoned to “G/IC” for a religious group. The “V” zone was not large enough and it should be extended to meet demand; and
- (d) the proposed new road in Hung Uk Tsuen should be realigned to run along the foothills of knolls to avoid encroaching upon the villages.

36. Mr Lam Kuen made the following main points:

- (a) the area of Shek Po Tsuen had been shrinking over the years. Land was resumed for flood prevention projects in the 1970s and 1980s, for road works in the 1990s and for construction of Hung Fuk Estate in the 2000s. Land under “V” zone was decreasing in the past decades and it was not enough to meet the demand of some 500 Small Houses under application. Besides, there was also no land for the villagers to continue their farming activities; and
- (b) the proposed hospital to be built near Hung Uk Tsuen and Shek Po Tsuen would have significant impacts on the villagers and the proposal should be withdrawn.

R87 - 厦村鄉新生村代表鄧智友

37. Mr Tang Chi Yau made the following main points:

- (a) he was a village representative of San Sang Tsuen. The views of the villagers given in the three stages of public consultations had not been taken into account. While the importance of development was noted, the rights and benefits of the villagers should also be respected. About 80 to 90% of land in HSK was within Ha Tsuen Heung and mainly Tso Tong land. Resumption of land would weaken their fraternal bond as there would be no place for them to hold festive events, leading to destruction of their tradition. Should resumption of land be necessary, it should be carried out in a way acceptable to the stakeholders and the villagers;
- (b) traffic was a concern in developing HSK. There were five to six villages in Ha Mei Road in Ha Tsuen Heung. The proposed deletion of Tin Ying Road would force traffic to use Ping Ha Road and Tin Ha Road which were already busy. The livelihood of the villagers and the required infrastructure had not been given due regard in the planning of HSK. There were no proposals to improve the living environment of the villages. It was unfair to build new housing in HSK but not allowing expansion of the “V” zone to meet demand;
- (c) the ‘Fung Shui’ corridor in front of the ancestral hall of Ha Tsuen Heung had been respected when Tin Shui Wai was developed but now its alignment would be shifted away from the ancestral hall as shown on the OZP; and
- (d) the proposed EFTS surrounding the villages would aggravate the living conditions of the villagers. Members were requested to be empathetic to the requests of the local villagers with a view to achieving a harmonious community and a win-win situation.

R92 – Ko Yui Man

38. Mr Chan Moon Chi made the following main points:

- (a) he was an indigenous villager. While he recognized the need for development, he objected to the clearance of his village. The report that only five non-indigenous villages would be cleared for development was not true. His village, which had been in existence for some 300 years and was an indigenous village, had to be cleared under the proposed land use layout;
- (b) the threshold for land exchange at a minimum size of 4,000m<sup>2</sup> was too high. A prerequisite for Small House development was the villagers had to own land within the “V” zone. The Government had refused to expand the “V” zone by rezoning the “Green Belt” land owned by the villagers to meet the demands. Besides, “V” zones were not adequately served by infrastructure, such as water supply, making Small House development more difficult; and
- (c) it was unreasonable that woodland and the sea had been conserved for birds and dolphins respectively while villages in which people had lived for 300 years had to be cleared under the proposed land use layout. There should be land for the affected villagers to rebuild their homes and they should be adequately compensated. The “Rural Residential - Zone 4” (“RR4”) of Tsing Chuen Wai on the Revised Recommended ODP (RODP) for HSK NDA should also be enlarged.

R93 - 陳枝河

39. Mr Chan Ho Kei made the following main points:

- (a) he was an indigenous villager. He had all along been advised that the HSK development would not affect the indigenous villagers. When he learned from the newspaper that his house would become part of a park in

the HSK development, he approached PlanD and was advised that he would be consulted. However, he and his father, who was 71 years old and practised farming in his leisure time, had never been consulted. If it was not because he noted that he could submit representation on the OZP, he would have missed the chance to express his views; and

- (b) his family had been living in the village for over 300 years. Even if the Government could resume land on public interest ground, the affected villagers should be approached to discuss about the compensation and rehousing matters, but the Government had never attempted to do so. In response to his father's request to reallocate all the Small Houses from Area 34 to Area 27C adjoining Tin Sam, PlanD had replied that Area 27C had already been reserved for residential development to meet the housing needs of other people without indicating where they could be relocated. The affected villagers were very worried.

R94 -唐明

40. Mr Lo Huen Ki made the following main points:

- (a) he was a member of 洪水橋新發展區聯村關注組 and represented Representer R94, an elderly, to make oral submission;
- (b) in formulating a land resumption policy for HSK development, the Government must apply the principles as laid down in Chairman Xi's speech in the 19<sup>th</sup> National Congress of the Community Party of China, i.e. to improve the public services by ensuring people's basic quality of life and keeping up with their ever-growing needs for a better life, so as to allow the people to live and work harmoniously in HSK and to build up a sense of fulfilment, happiness, and security;
- (c) Mr Tong, Representer R94, was 73 years old and retired. He had been living in Yick Yuen Tsuen since 1975. His first home in Yick Yuen was

cleared for the construction of WRL. He built his new house in 2004, which was conveniently located within 10 to 15-minutes' walk to WRL, and did not want to move. If it was necessary for him to move, the Government should provide him with rehousing at a convenient location in HSK. The meagre compensation received from the Government would not allow him to secure a reasonable accommodation in the same district. The Government should review its outdated compensation policy, properly compensate or rehouse the villagers affected by the development projects, and should not discriminate against the rights of the non-indigenous villagers;

- (d) the Secretary for Development in answering a question by Hon Kenneth Lau Ip-keung in the Legislative Council (LegCo) meeting on 10.1.2018 explained that the situation of Chuk Yuen Village in the North District was very unique in that the indigenous and non-indigenous villagers had lived in the village for a long time forming a tight-knit community, which warranted a special rehousing / compensation treatment. He considered that there was no difference between the non-indigenous villagers of Chuk Yuen Village and Yick Yuen Tsuen. Even if the villagers of Yick Yuen Tsuen might not be rehoused in cottages as those provided for villagers of Chuk Yuen Village, they should at least be properly rehoused before clearance; and
  
- (e) in a meeting between the villagers and PlanD in 2016, PlanD had promised to work out a land resumption policy catering for the special circumstances of HSK. The promise had yet to be fulfilled. The land resumption issue was discussed in another meeting with the Development Bureau (DEVB) in 2017. The DEVB's commitment to further discuss the issue had not been undertaken before the OZP was gazetted. He suspected that people, who did not actually live there, were taking actions to make them eligible for rehousing. It would be unfair if those people were rehoused but not the non-indigenous villagers of Yick Yuen Tsuen who had been living in the village for a long period of time.

R103 - Ko Lok Investment Company Limited

C330 - Chan Man Hin Roger

41. Mr Ian Thomas Brownlee reiterated the following main points he made in the morning session:

- (a) the OZP was prepared on a wrong basis without taking into account the Court's ruling on the judicial review lodged by Hysan Group against the Board in relation to private land ownership rights; and
- (b) no consideration was made to the submissions received through the public consultation process, and many of the important views were ignored.

42. With the aid of a PowerPoint presentation, Mr Benson Poon made the following main points on the site at Yick Yuen Tsuen:

The representation site

- (a) the representation site at Yick Yuen Tsuen, with an area of 4,719 m<sup>2</sup>, was private land owned by the representer. The site was connected via a paved access road to Castle Peak Road and could access to the Light Rail Transit (LRT) near the Chung Uk Tsuen Station;
- (b) the site was partly zoned "Residential (Group B)2" ("R(B)2") with a maximum plot ratio (PR) of 1.26 and building height (BH) of 21m, and partly zoned "G/IC" on the previous OZP. The site was now within Planning Area 27A and zoned "Residential (Group A)2" ("R(A)2) on the OZP designated for PRH development with ancillary facilities with a maximum PR of 6 and BH of 160mPD. The zoning would mean that the Government was going to resume the private land for public housing development;

- (c) the representer objected to the OZP and paragraph 11.3.2 (b) of the Explanatory Statement (ES) in relation to the “R(A)2” zoning of the site in respect of its restriction for public rental housing (PRH), and paragraph 17.2 of the ES in respect of land resumption and implementation policy which was too inflexible and restrictive;

#### The Hung Shui Kiu Study

- (d) the Study was completed in 2016 after three stages of public engagement exercise. The RODP formulated under the Study formed the basis of land-use framework of the OZP. However, there were some public concerns raised during the public engagement period not yet fully addressed, including inadequate provision of residential flats and request to increase the development intensity at the ‘Regional Economic and Civic Hub’ which was in proximity of the railway station;
- (e) the representer had submitted two options during public engagement of the Study proposing to increase the development intensity but both were rejected without adequate reason;
- (f) a paper on the implementation arrangement of HSK NDA was submitted to LegCo in April 2017 which had included the General Planning Criteria for Consideration of Lease Modification Applications in the HSK NDA (the General Planning Criteria). The representer’s proposal of private housing development did not meet criteria 1 and 2 of the General Planning Criteria in respect of “location” and “confinement within the planned private development site” but the site could meet the remaining criteria in terms of its “size and ownership”, “configuration”, “vehicular access provision”, “compliance with OZP” and “no adverse impacts”. There was no reason to restrict the site for PRH only and prevent the owner from applying for land exchange;

- (g) two amendment options were proposed :
  - (i) Option 1 - rezoning Area 27D to a “R(A)2” sub-zone for subsidized sale flats (SSF) in conjunction with private residential development with a PR of 6 and BH restriction of 160mPD and to be implemented by Public Private Partnership (PPP). Correspondent amendments to paragraph 11.3.2(b) of the ES should also be incorporated;
  - (ii) Option 2 - extending the “Other Specified Uses” annotated “Mixed Use” (“OU(MU)”) zone in Area 28A through the representation site to connect Castle Peak Road forming a commercial / residential spine linking the LRT stop to the new regional centre. A PR of 6 with no minimum requirement on residential component and a maximum BH of 160mPD were proposed;
- (h) according to the Long Term Housing Strategy of 2014, SSF with private sector involvement played a crucial role in meeting the acute housing shortage especially for sandwich middle-class. Under the PPP approach, which was similar to Hong Kong Housing Authority’s Private Sector Participation Scheme (PSPS) and Tenant Purchase Scheme, the private sector could build and design, then pass a proportion of flats to the Government to rent to eligible tenants or to sell at a subsidized rate. Reference was also made to the “Starter Homes” Scheme announced in the 2017 Policy Address 2017 (paragraphs 150 and 151) which also required partnership with private sector to implement;
- (i) according to paragraph 6.70 of the Town Planning Board Paper No. 10378 (the Paper), the proposal to rezone part of the “R(A)2” zone to allow private residential development would affect the proposed housing mix and public housing flat production. However, the total residential gross floor area (GFA) would remain 49,500m<sup>2</sup> and provide

about 800 SSF / private flats. The public and private ratio would still be 51:49 and would not have significant impact on the overall flat production. The “OU(MU)” zone option with the same domestic PR, would only provide more commercial space. The splitting of the “R(A)2” zone would retain the development intensity, and the building design / layout of each sub-zone could be justified by technical assessments. Imposition of lease conditions could enable an integration of landscaping and urban design;

- (j) the “R(A)2” zone was too large and elongated compared with other residential sites. Smaller sites would ensure better pedestrian connectivity, better urban design with private housing or mixed use. A monolithic public housing estate would defeat the intention of good planning and urban design. Private sector development would have better quality of design. The diversity of the mixed uses would also compliment the “OU(MU)” zone as a whole;
- (k) the site was earmarked for ‘Advance Works – Phase 3’ in the implementation phasing plan and ready for development, with vehicular access and locational advantage. Through a transparent PPP approach, housing would be provided at a much earlier date. The site could be developed by phase from 2026 to 2029 and would take 10 to 11 years for completion;
- (l) the representer was capable of carrying out the private residential development on his own land, subject to lease modification, and payment of land premium would generate additional revenue for Government. If the “R(A)” zoning remained, the land would be resumed for public housing and the owner’s land rights would be completely removed. It was an unreasonable encroachment into private development rights. As it had been established under the judicial review case lodged by Hysan Group, a balancing approach should be taken to protect private land ownership rights when imposing

development restrictions; and

- (m) in short, the proposed amendments would result in better urban design and housing mix, provide private and SSF flats to meet housing demand, streamline the implementation process, remove unreasonable encroachment into private land ownership rights, and generate additional government revenue.

43. Mr Ian Thomas Brownlee supplemented that the proposed amendments were reasonable as it would provide sufficient number of SSF flats to meet the planning intention. There would be no change to the flat production. A minor amendment to the zoning of the site and ES would avoid land resumption and the proposal could be achieved by land exchange.

R104 - Hang Tat Sing Investment Company Ltd and Linking Wisdom Ltd

C331 - Poon Fu Kit Benson

C332 - Choi Sze Chun Michael

44. Mr Ian Thomas Brownlee said that the subject representation related to two sites (Sites S and K) which were owned by the Citic Pacific Limited. With the aid of a PowerPoint presentation, Mr Benson Poon made the following main points:

- (a) the representers (R104) were land owner of Sites S and K at San Sang San Tsuen and Kiu Tau Wai Industrial Area respectively. The sites though located far from each other, were uniquely linked by their common ownership and the NDA implementation mechanism;

Site S at San Sang San Tsuen

- (b) Site S in Planning Area 36 was partly zoned “Industrial” (“I”) (72%) and subject to a maximum PR of 3 and BH of 80mPD, and partly fell within an area shown as ‘Road’. Being located to the west of KSWH and next to the ‘Regional Economic and Civic Hub’ of HSK NDA, the site

possessed locational advantages. The rezoning application (No. Y/YL-HT/2) for a residential development was rejected by the Board in 2016, one of the rejection reasons was because it was pre-mature to approve the application as the area was subject to the on-going Study. Notwithstanding that, some Members of the Board considered that residential use might not be entirely unacceptable in the future context;

- (c) during the Stage 2 public engagement of the HSK NDA Study in 2015, the site was included within the NDA boundary and designated for industrial use. One of the representers had submitted an objection and proposed that the site to be used for residential purpose. In the Stage 3 public engagement in 2016, the site remained for industrial use, specifically for the relocation of the affected industrial operators including Site K at the Kiu Tau Wai Industrial Area;

#### Site K at Kiu Tau Wai

- (d) Site K was occupied by an industrial building developed in 2011 with a total GFA of 13,000m<sup>2</sup> and BH of 15.4m and currently operating as a motor service centre by Dah Chong Hong (DCH). The site was now partly zoned “Commercial (2)” and partly zoned “OU(MU)” on the OZP with a maximum PR of 8 and 7 respectively and BH 160mPD. The proposed EFTS would cut through the western part of the site;
- (e) during the public engagement of the Study, the site was proposed for mixed residential and commercial use and fell within the ‘District Commercial Node’ and the catchment of MTR Tin Shui Wai Station. The existing industrial operators including the representer, mainly engaged in car repairing industry, had raised concerns on the lack of relocation and compensation package, and the adverse impact on their business operations;

The General Planning Criteria

- (f) currently, both sites were not eligible for land exchange as they could not meet the specified criteria set out in the LegCo Paper of 25.4.2017. For Site S, it failed to meet Criteria 2(b) as it was zoned “T” and surrender of lots within “T” zone would not be accepted. Site K could not meet Criteria 3(a) in that the site was less than the total area in the single development site designated in the RODP, and Criteria 4 in that private lots within the sites were not in single or joint venture ownership;
- (g) as the owner of both sites, it could easily construct a new industrial building at Site S to relocate its operations at Site K in a timely manner if not for the overly stringent General Planning Criteria. With the proposed minor zoning amendments, it could easily enable both sites to comply with the General Planning Criteria and to facilitate the timely implementation of the NDA and support the planning intention of the OZP;

The Representation and Proposed Amendments

*Site S*

- (h) the representer objected to the “T” zoning with a maximum PR of 3 and BH of 80mPD and paragraph 11.7.1 of the ES, and proposed to rezone portion of the “T” zone to “I(1)” sub-zone and increase the maximum PR from 3 to 5 and BH from 80 to 100mPD respectively while revising paragraph 11.7.1 of the ES to “Industrial operators with private lots affected by the new OZP at Kiu Tau Wai that meet the land exchange application criteria, and who own private land at the “I(1)” sub-zones at Planning Area 36, would be given priority and the opportunity to relocate their operations to the “I(1)” sub-zone. This would help facilitate the early implementation of the HSK NDA.”;

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

- (i) the unique common ownership merited the special “I(1)” sub-zone and the justifications were as follows:
  - (i) the full compliance with the General Planning Criteria and would significantly reduce the government resources on resumption and speed up the implementation process;
  - (ii) it would be in line with the planning intention of the “T” and “OU” / “C(2)” zones to help redistribute industrial activities to free up land at more central location;
  - (iii) compared with the ECNTA applied to the Kwu Tung North and Fanling North NDAs, the criteria for land exchange were overly stringent and there was no reason to exclude the “T” zone from land exchange;
  - (iv) both sites would need to be resumed and the site owner could not use Site S to relocate the industrial activities in Site K due to the stringent set of criteria for land exchange. This would be a disproportionate encroachment into the private land ownership rights. As ruled by the Court in the judicial review lodged by Hysan Group, the landowners’ property rights versus societal interest must be balanced through proportionality analysis when imposing restrictions. Besides, the OZP phasing plan was unclear and inconsistent, which had led to Site K being partly within “Advanced Works” and partly within “Stage 3 Works”. PlanD’s response that zoning boundaries did not necessarily have to align with the land ownership pattern was not respecting private land ownership rights;
  - (v) there was a lack of a relocation plan, detailed implementation arrangements and compensation packages for affected industrial

operators at Kiu Tau Wai. The proposed amendments by the representer would not pre-empt the relocation arrangement but would facilitate the implementation process;

- (vi) while PlanD had stated that the arrangements for affected landowners were outside the scope of the OZP, the OZP set out the basis of land-use framework and contained a phasing plan of the land resumption and construction program. Criteria 7 of the General Planning Criteria also required compliance with the OZP;
- (vii) the scarce and valuable land resources and the locational advantage of “I(1)” sub-zone should be reasonably optimized to a maximum PR of 5 and BH of 100mPD which was compatible with the development intensity of the “I” sites and those residential development across the KSWH with development restrictions of PR of 6 and BH of 160mDP. Besides, there was no technical basis of PR 3 for “I” zone. The proposed increase to PR of 5 would enable a larger floor space of industrial operations and would provide more than 5,000 jobs near the regional centre, and would strengthen its strategic role as an employment node and boost the local economy;

*Site K*

- (j) the representer objected to the zoning boundaries of the “C(2)” and “OU(MU)” zones which had unnecessarily cut through Site K into two portions, the EFTS alignment which cut through part of the site, and the OZP phasing plan which included a portion of the site in the Advanced Works Area while the remaining part fell within the Stage 3 Works Area;
- (k) the representer proposed to shift the alignment of the EFTS to the west so that it would fall outside the site and to adjust the zoning boundaries such that the site would be covered by a single zoning under either “C” or

“OU(MU)” and to amend the phasing plan demarcation for the Advance Works and Stage 3 Works Areas to ensure Site K would fall within a single phase;

- (l) as the EFTS was subject to the findings of a feasibility study commenced in March 2017 and no public engagement had been carried out yet, it was confusing to have both a zoning and indicative alignment of the EFTS indicated on the OZP. There was also inadequate information on the implications on owners’ right of the private land involved;
- (m) the response in para. 6.71 of the Paper that adjusting the zoning boundaries would result in an irregular configuration of the “C” and “OU(MU)” zones was not reasonable. The resultant shapes of adjacent zones were not irregular and there would be sufficient space for good urban design and building layouts without affecting development potential of the sites; and
- (n) to sum up, the proposals with only minor zoning amendments could easily enable the two sites to comply with the General Planning Criteria and to facilitate the relocation of industrial operators, speedy implementation of the NDA and support the planning intention; optimise the land-use to contribute to industrial floor space; respect private land ownership rights, and reduce the Government expenditure in land resumption.

45. Mr Adrian Chui made the following main points:

- (a) he represented Dah Chong Hong who was the existing land owner and operator at the Dah Chong Hong Motor Centre in Kiu Tau Wai (i.e. Site K). The motor centre operated at the site since 2011 and was for newly imported Japanese cars. The number of new cars handled in the motor centre during the past six years exceeded 10,000 annually and the operation involved more than 100 employees. The motor centre was a

building of modern design providing up-to-date facilities and was one of the landmark buildings in the area providing synergy effect in the area;

- (b) with the benefits from the recent economic development brought by the “One Belt One Road” Initiative, Guangdong-Hong Kong-Macau Bay Area, and the Hong Kong –Zhuhai –Macau Bridge under construction, the logistics industry, automobile industry as well as the financial market would be boosting. The Northern New Territories would play an important role in the economic cooperation between Hong Kong and the Mainland; and
- (c) with a GFA of 102,041 m<sup>2</sup> and the need for lengthy car ramps, it was difficult to find another site for such use. The proposed change of use would thus impose adverse impact on their business and operation.

46. Mr Ian Thomas Brownlee supplemented that it was ridiculous that the owner of a site could not build a replacement building on its own site due to the stringent General Planning Criteria. Site S was close to the employment hub and regional centre of HSK NDA and development of a motor centre would help providing jobs for the new town development. The site was large enough to attract more industrial activities of various types to provide good quality jobs to supplement the employment hub. Only a minor amendment to the OZP would enable the above proposal.

[Dr C.H. Hau left this session of the meeting at this point.]

#### R107 - All Grace Holdings Limited

47. With the aid of a PowerPoint presentation, Mr Wong Chung Lai Frank made the following main points:

- (a) the representer was a private company with more than 30 years' experiences in the provision of residential care and rehabilitation

services for the elderly, including 18 residential care homes for the elderly (RCHE) with three contract homes providing subsidized places and six under the Bought Place Scheme. It also had four rehabilitation services centres, community care centres, day care centres for the elderly and provided support to home care services;

- (b) the representer had been supporting and participating in Social Welfare Department's (SWD) plan in enhancing the quality of elderly care services. To join the scheme to encourage provision of RCHE premises in new private developments announced in July 2003, the representer purchased a site in HSK and submitted a land exchange application before publication of the Study which was subsequently rejected due to implementation of the ECNTA;

#### Proposed amendments

##### *Amendment A*

- (c) he proposed to rezone the "G/IC" portion of the representation site at Planning Area 8 to "G/IC(1)" with amendments to the Notes and ES to facilitate private RCHE development on the following grounds :
  - (i) it was in line with the planning intention of the "G/IC" zone and would shorten the implementation time of RCHEs. The home care services provided in the proposed RCHE would cover the HSK and Tong Yan San Tsuen areas and could serve different market segments which was in line with the policy objective of the Government;
  - (ii) since the proposed amendment was only to divide the "G/IC" zone into two sub-zones ("G/IC" and "G/IC(1)") to facilitate the provision of private RCHE, it did not change the planning intention of providing RCHE in the area. As the configuration

of “G/IC” zone was maintained, there would still be sufficient space for the planned clinic while the representer could implement the RCHE in a timely manner. It would be in line with ECNTA and the intention of the Government to provide a 250-place RCHE in Areas 8;

- (iii) the land resumption process for proposed RCHE facilities would possibly last about three to five years under the conventional new town approach with possible delay under the current political environment. However, if a private initiative was adopted, i.e. through the land exchange procedure, the duration of implementation process would probably be shortened to around 18 months. As the representer was well-experienced in providing elderly services in private developments, it was expected that a smooth land exchange application could be obtained;
- (iv) the site was at a central location of HSK NDA covering a service area within 500 to 1000m of the proposed developments. It would provide more than 250 places with an average room size of 11m<sup>2</sup> to achieve a quality facility;

*Amendment B*

- (d) he proposed to delineate the site in Planning Area 10 from “R(A)2” into two sub-zones (a) and (b) and to amend the Notes and ES to allow private rehousing project correspondingly:
  - (i) to stipulate in the Notes for “R(A)2” subzone (b) that development of rehousing project should be provided by way of private initiatives and revise the ES on “R(A)2” zone to allow the site be implemented as part of the rehousing project under private initiatives via the lease control mechanism;

- (ii) the proposal was in line with the current policy of SWD, i.e. to encourage private provision of RCHE in new private developments for quality purpose-built RCHE premises. It was intended to provide RCHE at the lower floors of development within the proposed “R(A)2” subzone (b). Together with the proposed “G/IC(1)” which was for provision of RCHE, a synergy effect could be generated; and
- (iii) the proposed PPP for rehousing would help increase short and medium term housing land supply and in line with the “Hong Kong Property for Hong Kong People” measure.

48. Ms Karen Chan made the following main points:

- (a) there were insufficient elderly services in the HSK area. As at 2016, the percentage of elderly population in the territory was 16.6% of which 6% were residing in RCHE. The current waiting list for government funded RCHE exceeded 30,000 people. The 2 to 3 sites reserved for RCHE on the OZP would not meet the demand of the number of elderly which was about 6% of the total planned population of about 218,000 in HSK; and
- (b) quality RCHE premises would be provided by the private market with a shorter implementation period. As government funded RCHE normally took 5 to 10 years to be implemented, private RCHE requiring a much shorter time should be encouraged.

49. Dr Chong Shing Lok said that according to his experience in medical care for the elderly, elderly people staying in RCHEs with health care services had less dependence on public medical facilities. The provision of good quality RCHE would not only alleviate the shortfall of residential care services but would also reduce the pressure on the requirement for medical services.

50. With the aid of a PowerPoint presentation, Mr Wong Chung Lai Frank made the following responses to PlanD's view mentioned in the Paper (No. 10378):

- (a) although implementation was outside the scope of the OZP, it was the intention of the representer to amend the ES to specify the implementation arrangement;
- (b) while compensation and rehousing arrangements were not directly related to the OZP, the representer intended to take the opportunity to invite concerned departments to consider the feasibility whether local rehousing could be taken forward through private sector participation;
- (c) the concerns of the representer on the land exchange criteria under the ECNTA had not been included in the Paper; and
- (d) he requested that the Board should give consideration to the above proposed amendments which would shorten the project implementation period and speed up the rehousing process.

R109 - Percy Thomas Partnership (HK) Ltd.

51. With the aid of a PowerPoint presentation, Mr Choong Yin Lin made the following main points:

- (a) apart from Northern Lantau, HSK would become Hong Kong's next Central Business District (CBD). The HSK NDA covered an area of 707 ha with a total planned population of about 218,000, of which 176,000 were new population, and would provide 150,000 employment opportunities. Being located in the proximity of Shenzhen and served by WRL, it was positioned as an important gateway and regional hub;
- (b) HSK NDA was close to Tin Shui Wai, Yuen Long, and Tuen Mun new

towns and would be a regional economic and civic hub providing substantial retail, office, hotel and residential spaces. The WRL HSK station was planned as the core of the NDA and would be one of the early phases of development;

#### Vehicular access

- (c) there was inadequate vehicular access to HSK Station and its surrounding core area. According to the current plan, Road D7 was the only vehicular access to the commercial core of the HSK NDA. There were two secondary roads of dual-carriageway branching off Road D7 towards the north and south but all three roads would end with a cul-de-sac. While Road D7 was connected with Road P1 to the west, regional traffic generated via strategic highways such as KSWH and Yuen Long Highway was mainly channelled through Road P1. With no alternative routes to divert the traffic generated from the commercial core which comprised a total GFA of 920,000m<sup>2</sup> (excluding the “G/IC sites), the capacities of Road P1 and Road D7 were questionable. The development scale of the proposed HSK commercial core was comparable to Taikoo Place / Cityplaza which had seven existing vehicular accesses. Taking the Kowloon Station Development for comparison, it had a total GFA of 1,096,000m<sup>2</sup> and was served by four existing vehicular accesses, and it had still encountered traffic problems;
  
- (d) an additional road was proposed to connect Roads D7 and D6 near the Regional Plaza to enhance the accessibility of the commercial core. The proposed road would not have any gradient problem nor conflict with the primary distributor, would not require any additional junction at Road P1, and would not affect the planned green transit corridor. With the additional road, four accesses through road connections would be achieved bringing better accessibility and minimizing the potential traffic problems;

### Smaller sites

- (e) smaller sites could still achieve the planning objectives of the Study. There were 12 planning themes and urban design concepts under the OZP which could be boiled down to four major elements of legibility, walkability, vibrancy, and permeability. However, the zoning areas of the largest mixed-use and commercial developments under the current OZP were up to 4.3 ha. Legibility, walkability, vibrancy and even permeability would be lower for large sites due to its size and homogeneous building design. Smaller development parcels could provide greater opportunities of participation for different developers, help create diversity, sense of place and vibrancy, and allow more opportunities for provision of view corridors and breezeways. As such, it would be more appropriate to rationalise the development parcels to smaller sites of about 1 ha to achieve a sustainable, people-oriented and balanced community;
- (f) Kai Tak Development was a good example of integrated small site approach which provided opportunities for good landscape and urban design. The non-integrated large site approach used in HSK was not conducive to the development of a sustainable, people-oriented and balancing community; and

### Implementation approach

- (g) the sizeable and fragmented private land within NDA including the Tso Tong land would impose adverse implications on implementation of the NDA. It was proposed that an alternative implementation approach could be adopted to facilitate timely implementation and capitalise joint public and private participation. Under the proposed alternative approach, various privately owned land parcels in an area would be jointly assembled by the Government and land owners while

stakeholders would be invited to contribute to the costs of implementation, including provision of infrastructures, development of open space and other public facilities.

R111 – Yip Chui Fung

52. Ms Yip Chui Fung made the following main points:

- (a) she was an existing operator in the logistics business located in Hung Uk Tsuen. Her operation was first established in Tsing Yi and was subsequently moved to Tai Po, then to the current site for nine years. She was very concerned about the substantial removal costs for the re-establishment of her operation again when her site was cleared for HSK NDA development; and
- (b) the reduction of land designated for open storage and port back-up uses in Yuen Long would result in higher rents for the logistics industry. Alternative relocation sites, instead of MSBs, within the same district should be identified since most of their operation could not be accommodated in MSBs due to the need to use heavy equipment and machineries in their operation.

R112 - CNEC Good Tidings Church

53. Ms Chiu Yuk Lan Landy made the following main points:

- (a) the CNEC Good Tidings Church was first established in 1949 at Ngan Yuen HSK and then moved to Shun Fung Wai in Tuen Mun since 1963. The church building was unique with historic value. The church had been actively involved in community services including operation of kindergarten and tutorial classes, visits to the elderly, assistance to funeral arrangement, improvements works for neighbourhood and living environment, and provision of community farming activities, etc.;

and

- (b) the representer opposed the resumption of the church site for other development, and requested the Board to consider on-site preservation of the existing church building to allow continuation of services for the neighbourhood. Should retaining the church at the site be infeasible, a reprovisioning site or premises in nearby location should be provided in the area for the church to continue its activities and community services.

#### R113 - Pronto Star Limited

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

##### The Representation site

- (a) she requested to rezone part of the “G/IC” zone in HSK Planning Area 20 to “G/IC(1)”. The subject “G/IC” zone covered an area of 72,851m<sup>2</sup> was reserved for a hospital including polyclinic / specialist clinics and subject to a maximum BH of 80mPD. The representor’s site, which was under unified ownership and covered a small proportion of the “G/IC” zone (0.22ha), was currently occupied by a concrete batching plant with a planning permission;
- (b) “G/IC” zone was intended to provide GIC facilities and land for social services. The proposed hospital including polyclinic / specialist clinics was supported. However, it was considered that elderly services including residential care services and elderly housing should be provided at the same time;

##### Residential services for the elderly

- (c) the proposed residential care services and elderly housing were in line

with the 2017 Policy Address. With an increasing ageing population, the Government had to explore solutions to ensure more effective use of limited resources. The Elderly Services Programme Plan which provided the basis for the future development and planning for elderly services was thus formulated. It concluded that the insufficiency in the supply of subsidised services had significantly affected the timely access to residential care services and recommended (i) to better utilise the quality places in the private sector; (ii) to develop multiple providers for a diversity of services to cater for the diverse needs and aspirations of the elderly population; and (iii) to encourage initiatives in PPP in filling up the service gap;

- (d) according to the topical paper ‘An Inclusive and Supportive City for All Ages’ of the Hong Kong 2030+ study, the private sector had not yet played any active role in the provision of elderly housing and measures to encourage provision in the private market should be explored;
- (e) there had been a long waiting list for subsidised residential care services for the elderly. According to the Secretary for Labour and Welfare, a total of 458 of RCHE would be required between 2037 and 2047 and it would be impossible to achieve taking into account the current programme. There had been a strong demand for private senior citizen housing, and the places under the existing senior citizen housing schemes were already fully occupied. For those who were more financially able, turning to private sector provisions would reduce the pressure on the public sector as well as utilise the potentials of private sectors in filling up the service gap;

#### The Proposed development

- (f) a private elderly home with about 200 beds on lower floors and 56 self-contained rental units designed for the elderly on upper floors was proposed at the site to meet community needs. The proposed

10-storey development would have a GFA of about 8,500m<sup>2</sup>, a PR of 3.9 and a BH of less than 40mPD;

The Proposed hospital development

- (g) there were currently five hospitals within the catchment area of the Tuen Mun and Yuen Long Districts. The latest hospitals in new towns including the Tin Shui Wai Hospital, North Lantau Hospital, Tseung Kwan O Hospital were having a site area of 1.3 ha, 1.7 ha (and a reserved area of 4.9 ha) and 2 ha respectively. The North District Hospital was also about 2 ha, while Queen Elizabeth Hospital, a major hospital in Central Kowloon, was 5 ha. As such, the hospital planned at HSK should require an area of around 2 ha to 5 ha;
- (h) according to the Government, there would be three proposed RCHE reserved in HSK providing 600 places. The proposed development by the presenter would meet the demand for private elderly home and senior citizen housing and contribute to meeting the policy on supporting all ages. The site was a suitable location for private elderly home cum senior citizen housing and would subsequently phase out the existing concrete batching plant. As the proposal would only reduce the proposed hospital site from 7.3 ha to 7.1 ha, it would not have significant implications on the proposed hospital with specialist clinic / polyclinic development; and
- (i) it was proposed that a small part of the “G/IC” zone (2,200m<sup>2</sup>) to be rezoned to “G/IC (1)” to allow for provision of elderly homes and senior citizen housing to meet the urgent community needs.

R114 - Silver Photo Industrial Limited

55. Ms Man Mui Fun made the following main points:

- (a) the representation site at Lots 194 to 196 in D.D. 128 was located in the northern fringe of the HSK NDA. The rezoning of the representer's private land from "CDA" to "O" was opposed to;
- (b) while the lands surrounding the representation site were rezoned from "CDA" to residential uses, the representation site was rezoned "O" prohibiting development. Comparing with the surrounding land, the site was relatively of flat terrain and would involve a lower development cost. It was thus unreasonable and questionable why it was proposed to upzone the surrounding plots for development but the representation site had been downzoned. That would be a waste of resource and create adverse environmental impact on the nearby residents;
- (c) while the government policy to support small and medium enterprises was introduced not long ago to enhance their competitiveness, the current zoning under the OZP would affect the land value of the site, the existing brownfield operations and the representer's livelihood; and
- (d) part of the site was the subject of a planning application approved by the Board since 2014 for temporary warehouse use. Upon approval, the applicant (i.e. the representer) had invested substantially to implement the proposed development and the operation had now employed more than 30 workers. A change of use at the site would displace the existing operation and workers, and create serious financial burden on the representer.

[The meeting was adjourned for a short break of 5 minutes and Mr Sunny L.K. Ho left this session of the meeting at this point.]

#### Question & Answer (Q&A) session

56. As the presentations from the representers / commenters and their

representatives had been completed, the meeting proceeded to the Q&A session. The Chairperson explained that Members would raise questions and would invite the representers / commenters, their representatives and / or the government representatives to answer. The Q&A session should not be taken as an occasion for the attendees to direct questions to the Board or for cross-examination between parties. The Chairperson then invited questions from Members.

57. A Member asked how the planned population and the development density were determined. In response, Mr David C.M. Lam, DPO/TM&YLW, said with the aid of a PowerPoint slide, that in planning for new towns, there was a need to provide a livable environment. HSK was planned to be a regional node in NWNT. Factors including optimizing the utilization of land resources, infrastructural capacity, urban design principles, the Hong Kong Planning Standards and Guidelines (HKPSG), compatibility with surrounding environment, layout of different developments, etc. had been taken into account. In general, higher BH and development intensity were concentrated at the two WRL stations and gradually descending towards the north and west to be in harmony with the existing village settlements and rural environment.

58. With regard to some of the representers' proposal of increasing the development intensity of the development zones, Mr. David C.M. Lam pointed out that their proposals were not supported by relevant technical assessments. The Chairperson asked if assessments supporting a higher development intensity were available in future after approval of the OZP, whether there would still be scope for making zoning amendments. A Member also asked whether minor amendments could be made during the course of development. In response, Mr David C.M. Lam said that the current land use proposals on the OZP were supported by detailed technical studies and hence the proposals were considered appropriate based on information currently available. Since it would take some 20 to 30 years to complete the HSK NDA, there would be scope for land use reviews and amendments to zoning and other planning restrictions, where appropriate, in the course of NDA implementation to cater for changes in circumstances.

59. As some of the representers / commenters had stated that smaller land parcels might facilitate implementation of the proposed land uses, a Member asked what the

rationale was for adopting the minimum site area requirement for land exchange in the ECNTA for HSK. In response, Mr David C.M. Lam said that according to the proposed criteria for land exchange under the ECNTA, developments in the “Commercial” (“C”) and “OU(MU)” zones would require larger sites of not less than the total area of the land within the corresponding development sites designated in the ODP for a comprehensive and integrated approach. Besides, some sites might have to accommodate large-scale public facilities such as public transport interchange. On the other hand, applications for land exchange for developments in residential zones would require a site area of not less than 4,000 m<sup>2</sup> and where the development would not preempt the development potential of the remaining land. The OZP was intended to show the broad-brush land uses. The detailed subdivision of development sites would be demarcated on the ODP. To follow up, the Chairperson asked how a balance could be struck between the need for large-scale development for effective layout and small-scale development for flexibility and whether the current OZP would preempt future development of small pieces of land. In response, Mr David C.M. Lam said that large-scale developments were mainly in the commercial areas around the two WRL stations. As the delineation of development sites of various sizes was shown on the ODP but not the OZP, the OZP being a broad-bush plan would not preempt future changes to the ODP where appropriate to facilitate implementation of developments in a smaller size.

60. In response to a Member’s question on whether the local villagers had been consulted with respect to the proposed land uses on the OZP and the compensation and rehousing issues, Mr David C.M. Lam said that the villagers and stakeholders were engaged in the three stages of public consultation of the Study in 2011, 2013 and 2015 and a team of social workers was also set up in 2015 to liaise and communicate with the villagers. The compensation and rehousing package would make reference to that for the North East New Territories (NENT) NDA, and the compensation framework was pending the approval of the Finance Committee of LegCo. To facilitate rehousing of the eligible villagers in the same district, two sites near Hung Fuk Estate had been reserved and was proposed to be developed by the Hong Kong Housing Society (HKHS) for rehousing purpose.

61. A Member asked about the compensation and rehousing arrangement and

whether steps had been taken to inform the villagers on the arrangement to ease their worries as some of the attendees had said that such information was not available to the affected villagers. In response, Mr David C.M. Lam said that the compensation and rehousing arrangement for HSK NDA project was set out in the relevant LegCo paper. In gist, the affected residents where eligible could be rehoused in PRH or would receive an ex-gratia allowance as per the prevailing arrangements. As special compensation and rehousing arrangements, there would also be options of special ex-gratia cash allowance up to a maximum of HK\$600,000, renting units in the rehousing blocks with less stringent means test, or buying rehousing units without the need for means test for those who were eligible. The affected villagers were approached in the public engagement exercises of the Study. The team of social workers formed during the third public engagement of the Study in May 2015 was commissioned to liaise with the villagers and convey their concerns to the Government. An open and direct dialogue between the villagers and the Government had all along been maintained.

62. The Chairperson said that the hearing was to consider the representations and comments on the land use zonings on the OZP. Villagers and stakeholders were informed of the proposals on the OZP in previous briefing sessions and workshops. The drawing up of an OZP was in the upstream of the development process, whereas discussions with individual households and operators on the compensation arrangements would take place later. The affected residents and operators had nevertheless been advised that their compensation and rehousing arrangements would be similar to those for the Kwu Tung North and Fanling North, i.e. the NENT NDAs. The compensation issue was still being examined and the Government would let the public know about the details in due course. A Member asked whether it was an established practice to settle the compensation issues when OZPs were prepared. The Member also requested information in relation to some of the attendees' allegation that the Government had resumed land for expansion of the San Wai STP with a view to avoiding higher resumption payment. In response, Mr David C.M. Lam said that there was no hard and fast rule requiring the compensation and rehousing matters to be settled in the OZP process. For example, the compensation and rehousing arrangement for NENT NDA was proposed after completion of the OZP process. Regarding land resumption for the expansion of the San Wai STP, the STP expansion was not part of the NDA development and had to be implemented in a

timely manner to meet the demand.

63. With respect to the WRL service and Tin Ying Road, some Members and the Chairperson raised the following questions:

- (a) how the increase in frequency of train service from 20 to 28 trains per hour and the increase in train compartments from 7 to 8 could bring about an increase in the carrying capacity of WRL by 60% and whether WRL would reach its capacity with the continual growth of development in the area; and
- (b) why the local's request to keep Tin Ying Road not acceded to.

64. In response, Mr Tony K.L. Cheung, CE/W3, WDO, CEDD said that the 60% increase the carrying capacity of WRL was a compound calculation of the increase in capacity by 14% by increasing the train compartments from 7 to 8, which had been progressively taken place since 2016, and the increase in the frequency of train services from 20 to 28 trains per hour for each direction, subject to actual patronage, with the improvement of the signaling system upon commencement of the 'Tai Wai to Hung Hom Section' of Shatin to Central Link. It had been explained to the public on various occasions that an increase in services of the major railway lines from 20 to 28 trains per hour at peak hours was feasible. The estimated demand for WRL, particularly for the section from Kam Sheung Road to Tsuen Wan West, was 59,000 passengers per hour including all the committed planned developments in NWNT, Yuen Long South, HSK and Kam Tin South, by 2031. The carrying capacity of WRL in 2031 was about 53,000 passengers per hour based on four persons (standing) per square metre (ppsm). The current standard was 6 ppsm. It was noted that the train compartments would be more crowded during peak hours in 2031 to handle the demands but the Government had been bidding fund for studies to review the transportation network in NWNT and would recommend improvement works to meet the demand set out in the Hong Kong 2030+ study.

65. In relation to Tin Ying Road, Mr David C.M. Lam said that the Government

had explained to YLDC as well as stated in the response to comments collected during the various stages of public engagement of the Study that Tin Ying Road would be in conflict with the alignment of the proposed EFTS and its high level separating developments on its sides would not be conducive to integrated use of land. As such, alternative traffic arrangements were proposed to handle the traffic in the area. Mr Tony K.L. Cheung, CE/W3, WDO, CEDD supplemented with the help of a plan on the visualizer that the residents had been consulted on the traffic rearrangements. The residents' major concern was related to whether through and direct traffic from the northern part of Tin Shui Wai to Tin Shui Wai Station would be hindered by the rearrangement. It had been explained to the residents that only a section of Tin Ying Road would be affected. To handle the traffic in the area, Ping Ha Road would be upgraded to a dual two-lane carriageway with sufficient capacity to cope with the traffic demand from the northern part of Tin Shui Wai to the Tin Shui Wai Station. Eight major roads had been planned in HSK NDA. Heavy vehicles from the industrial or port back-up related zones in the north-western part of the HSK NDA would make use of Road P1 to get onto Yuen Long Highway and to the urban area without using the other local roads in HSK NDA and hence reducing the burden of the internal roads including Ping Ha Road. With a reduction of heavy vehicles in local roads, it was estimated that the volume capacity (V/C) ratio of Ping Ha Road would be 0.4 and no significant traffic impacts was anticipated to be arisen from the traffic rearrangements. The proposed EFTS would also provide a fast and convenient way to Tin Shui Wai Station.

66. In response to the Chairperson's questions on whether Ping Ha Road would be upgraded to a dual three-lane carriageway as claimed by a representer and whether there would be measures to mitigate the potential air and noise pollution of the road on the surrounding developments, Mr Tony K.L. Cheung, with the aid of a plan on the visualizer, confirmed that Ping Ha Road would only be a dual two-lane carriageway with a central divider of 3m wide. To mitigate the potential environmental impacts of the road on the surrounding developments, a buffer area including an amenity verge, pavement and cycle tracks, and a non-building area of 5 m wide would be provided on the western and eastern sides of the road respectively to separate it from the villages and the development areas. The central divider of the road and the pavements would also be landscaped.

67. In respect of the 'Fung Shui' corridor, a Member asked whether some representers' claim that the 'Fung Shui' corridor had no regard to the location of the Tang Ancestral Hall in Ha Tsuen Shi was true and what criteria had been adopted in designating the corridor. In response, Mr David C.M. Lam, with the aid of a plan on the visualizer, said that the 'Fung Shui' corridor was reserved to keep a visual corridor in planning for HSK. Although the ancestral hall of Ha Tsuen Shi did not fall directly within the alignment of the 'Fung Shui' corridor, the "O" zone abutting the 'Fung Shui' corridor would provide an open view for the ancestral hall. Mr Tang Chi Yau, R87, nevertheless said that the 'Fung Shui' corridor would be blocked by planned high-rise developments in the direction towards TSW. In response to two Members' follow-up questions on the alignment of the 'Fung Shui' corridor, Mr David C.M. Lam said that the buildings within the development zones along the 'Fung Shui' corridor would be subject to future urban design study. Open view of the ancestral hall would be respected as far as possible in the detailed design of the disposition of the building blocks in the relevant zones. Furthermore, the alignment of the "Fung Shui" corridor in HSK had also taken into account the existing visual corridor in TSW New Town, which was flanked by building developments.

68. Regarding Small House applications, the development of community farming, detailed use of the logistics facilities and the new jobs to be created, the Chairperson and some Members raised the following questions:

- (a) as some attendees claimed that the approval rate of Small House applications was low, whether information regarding the number of Small House applications received and the number of applications approved was available;
- (b) whether community farming, as suggested by World Wide Fund for Nature Hong Kong, R8, in NDAs such as HSK was an always permitted use in the "O" zone;
- (c) whether it was possible to have office use in logistics centres; and

(d) how the 150,000 new employment opportunities were derived.

69. In response, Mr David C.M. Lam said that according to the District Lands Office, there were 567 outstanding Small House applications in HSK up to February 2017. As the applications were considered by the Lands Department (LandsD), he did not have the rate of approved Small House applications in hand. Regarding the question on community farming, it was stated in the ES of the OZP that such activities were considered in line with the planning intention of the “O” zone and thus would be allowed. If those activities were provided within park managed by the Leisure and Cultural Services Department, they would be considered as ancillary use to ‘Park and Garden’, which was an always permitted use in the “O” zone. While there were “C” zones designated on the OZP for general office development, office use could also be allowed in “OU” annotated “Port Back-up, Storage and Workshop Uses” zone through planning applications. The 150,000 new jobs to be created in HSK were not confined to the logistics and port back-up uses. They also included news jobs to be created due to the commercial, shops and services, GIC and industrial uses, etc. For employment opportunities in relation to business and industrial uses, the number of jobs to be created was estimated based on the guidelines for worker densities under the HKPSG. For those employments not covered by HKPSG, the number of jobs to be created was estimated with reference to the employment figures in similar businesses and the comments of relevant departments.

70. Since Representatives R113 and R107 had proposed their private lots for elderly home uses, the Chairperson and a Member asked about the current use of their sites and whether the landowners concerned had experience in running elderly homes. In response, Ms Betty Ho, representative of R113, said that her client’s land was currently used for concrete batching. Apart from the portion to be resumed for road works, her client would like to make optimal use of the land while serving the public. As the site was zoned “G/IC” for hospital use, the proposed private senior citizens residence and elderly home were generally in line with the planning intention of the zone and would bring about benefits to the community. The landowner would employ an operator with relevant experience to run the home if the proposal was agreed by the Board. Ms Karen Chan, representative of representer R107 said that their company’s site in HSK was currently vacant. Their company was running some 10 private elderly homes in different parts of

the territory, including the one in Dills Corner which had provided residential, day care and home visit services for the community for 30 years and would need to be cleared under the NENT NDA project. Ms. Karen Chan pointed out that among some 60,000 elderly homes in Hong Kong, only about 18,000 were run by the Government, the rest of some 43,000 elderly homes were privately run. Therefore, they wanted to make best use of their land to provide quality residence services to the elderly, including those in Dills Corner who were not eligible for the elderly residence services of the Government. To follow-up, a Member asked Ms Chan if the company had policy support for running elderly home services. In response, Ms Chan said that although SWD generally welcomed private initiatives in providing elderly services, unless they were non-government organization (NGO), they would not have policy support from the relevant bureau. LandsD had promulgated a Practice Note in relation to an incentive scheme to encourage provision of RCHE premises in new private developments. Under the scheme, LandsD might grant concessions to exempt eligible RCHE premises of a maximum GFA of 5,400 m<sup>2</sup> from payment of land premium in respect of relevant land transactions. Although their company was not an NGO, noting that large developers were charging high price for elderly services, they wanted to make use of their land of some 5,000 m<sup>2</sup> in HSK to provide 250 elderly home spaces to meet the demand.

71. In relation to the transportation matter of HSK, two Members raised the following questions:

- (a) since the current Light Rail in Yuen Long was quite bulky, in considering the EFTS for HSK NDA, whether lighter transportation modes would be proposed; and
- (b) Mr Choong Yin Lin, representative of R109, had mentioned in his oral submission that the urban design guidelines in respect of promoting accessibility had not been applied in planning the future road network in HSK, whether his claim was valid.

72. In response, Mr David C.M. Lam, DPO/TM&YL, PlanD said that the EFTS would be further studied to identify the appropriate option in terms of, amongst others,

operational aspect and cost, pedestrian connectivity, and impacts on the surroundings. Mr Tony K.L. Cheung, CE/W3, WDO, CEDD, with the help of pictures and plan on the visualizer, supplemented that different EFTS options, including electrical bus, automatic people mover, modern tram, light rail transit, etc. were under study since March 2017. The demand for feeder service generated by the new population and employment opportunities was great and the EFTS would be a green and convenient transportation system catering for the special requirements of HSK NDA. To match the development programme of HSK NDA, public consultation on the EFTS would be launched in 2018.

73. In relation to the planned road network, Mr David C.M. Lam, with the aid of a PowerPoint slide, said that the OZP was a broad-brush plan and the ODP should be referred to with respect to more detailed design and detailed urban design study for the town centre would also be conducted at a later stage. Detailed road alignment would be formulated at the detailed design stage. However, it was considered that too many road accesses at local roads would interfere with traffic and there would also be technical difficulties in roadsafety design. On this point, Mr Choong Yin Lin, representative of R109, said that to have separate single access for the western and eastern parts of HSK was very short-sighted and it would not be able to allow emergency vehicles to get through in times of road accidents. He was disappointed that his proposal of connecting Road D7 to Road D6, which was technically feasible, had been completely ignored. It would be an improvement to the road network if Road D7 could be connected to Road D6 at grade for through traffic from west to east and it could be implemented by way of PPP. In response to Mr Choong's proposal, Mr Tony K.L. Cheung, CE/W3, WDO, CEDD said that according to a report by their consultant, the V/C ratio of Road D7 was only 0.5, and there would be technical difficulty to directly connect Road D7 with Road D6, as the latter was partly a submerged road. A more technically feasible option would be to connect Road D7 to Road D6 by slip roads. However, such connection would have adverse impacts on the connectivity of pavements and cycle tracks and would encourage traffic coming from the western part of HSK NDA using Road D6, thereby giving rise to various traffic problems. Since Road D7 was a dual two-lane carriageway, traffic arrangement could be made to allow emergency vehicles to get through in times of road accidents. The current road proposals on the OZP would encourage direct link to external roads to avoid excessive use of local roads.

74. In response to a Member's follow-up question on whether slip roads could be provided in the detailed design, Mr Tony K.L. Cheung said that as the proposed EFTS was still under study, the road network for HSK NDA would be reviewed and amendments could be made, where appropriate, in the detailed design stage. In response to the Member's question on whether PPP was feasible for projects involving provision of infrastructure, Mr Choong Yin Lin, representative of R109, said that collaboration between private enterprises and the Government to provide infrastructure together with private developments was possible. Roppongi in Japan was a successful example of PPP in infrastructure provision through private initiative. Mr Choong also reiterated that it was inadequate to serve an area of some 92,000 m<sup>2</sup> with a single access only. Traffic arrangement in Tai Koo Shing, Tai Koo Place and West Kowloon had proved that a single access was insufficient.

75. In relation to Representations R103 and R104, a Member asked the representers to elaborate on why they could not use one of their two sites in HSK to relocate the industrial activities for the other site under the prevailing policy. In response, Mr Ian Thomas Brownlee, representative of R103 and R104, with the aid of PowerPoint slides, said that application for land exchange by the representers for relocating their industrial use in Site K to Site S, which was zoned "T", would not be accepted because it did not comply with the criteria for land exchange. Criteria 2 stated that surrender of lots within industrial sites would not be accepted even if the applied use conformed to the OZP. In order to use the land, his clients had to wait for the Government to resume Site S and put it up for land sale. His client then had to successfully bid for Site S before he could use it to relocate their industrial activities in Site K. He requested the Board to give them a zoning which would enable his client to build industrial buildings on land they owned in Site S to accommodate the industrial uses to be relocated from Site K in Kiu Tau Wai. Under such a scenario, the Government did not have to resume land in Site S and hence no compensation issue would arise in relation to that piece of land. In response to the Member's question on the rationale for restricting the PR of the "T" zones to 3, Mr David C.M. Lam, DPO/TM&YLW, said that given the setting of the area, where the "T" zones were abutting an area zoned "Conservation Area" of Yuen Tau Shan, a PR of 3 for the "T" zones was considered appropriate. With the aid of PowerPoint slides, Mr Ian

Thomas Brownlee said that instead of PR 3, a PR of 5 allowing the provision of an additional 12,000 flats would be more appropriate especially considering that the developments across the KSWH to the east of the site were also restricted to PR 5. The site was also within walking distance of the WRL HSK Station. As compared with a PR of 7 in some other sites in HSK, a PR of 3 for the “T” zones would be a waste of scarce land resources. Optimizing the use of land in the “T” zones would help create new jobs and provide facilities for accommodating industrial activities. Mr Benson Poon, representative of R103 and R104, supplemented that the technical study conducted by the Government was based on a PR of 3 of the “T” zones. An alternative PR of 5 for the zones should also be adopted in the study to demonstrate if a higher development density for the “T” zones was feasible.

[Dr F.C. Chan left this session of the meeting during the Q&A session.]

76. As Members had no more question to raise, the Chairperson said that the hearing on the day was completed. She then thanked the government’s representatives, consultants as well as the representers / commenters and their representatives for attending the meeting and said that the Board would resume the hearing session on 1.2.2018. The Board would deliberate the representations and comments in closed meeting after completing all the hearing sessions and would inform the representers and commenters of the Board’s decision in due course. The government’s representatives, the consultants as well as the representers / commenters and their representatives left this session of the meeting at this point.

77. This session of the meeting was adjourned at 7:45 p.m..