

**Minutes of 1126th Meeting of the  
Town Planning Board held on 25.10.2016, 26.10.2016, 27.10.2016,  
1.11.2016, 2.11.2016, 3.11.2016, 7.11.2016 and 10.11.2016**

**Present**

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

Chairman

Professor S.C. Wong

Vice-Chairman

Mr Lincoln L.H. Huang

Dr Wilton W.T. Fok

Mr Ivan C.S. Fu

Mr Sunny L.K. Ho

Mr Dominic K.K. Lam

Mr Stephen H.B. Yau

Dr F.C. Chan

Mr David Y.T. Lui

Dr Frankie W.C. Yeung

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr Lawrence W.C. Poon

Mr K.K. Cheung

Mr Wilson Y.W. Fung

Mr Alex T.H. Lai

Professor T.S. Liu

Miss Winnie W.M. Ng

Ms Sandy H.Y. Wong

Mr Franklin Yu

Chief Traffic Engineer (New Territories West)  
Transport Department  
Mr Samson S.S. Lam

Chief Engineer (Works), Home Affairs Department  
Mr Martin W.C. Kwan (25.10.2016 a.m.)

Deputy Director of Environmental Protection (1)  
Environmental Protection Department  
Mr C.W. Tse (25.10.2016 a.m., 27.10.2016, 1.11.2016, 7.11.2016 p.m. and 10.11.2016 p.m.)

Principal Environmental Protection Officer (Regional Assessment)  
Environmental Protection Department  
Mr Louis P.L. Chan (25.10.2016 p.m., 26.10.2016 and 3.11.2016 p.m.)

Assistant Director (Environmental Assessment)  
Environmental Protection Department  
Mr K.F. Tang (2.11.2016, 3.11.2016 a.m., 7.11.2016 a.m. and 10.11.2016 a.m.)

Assistant Director/Regional 3, Lands Department  
Mr Edwin W.K. Chan (25.10.2016 a.m., 26.10.2016, 27.10.2016 2.11.2016, 3.11.2016 p.m.  
and 7.11.2016 p.m.)

Assistant Director/Regional 1, Lands Department  
Mr Simon S.W. Wang (25.10.2016 p.m., 1.11.2016 and 10.11.2016)

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

Secretary

**Absent with Apologies**

Mr H.W. Cheung

Professor K.C. Chau

Ms Janice W.M. Lai

Mr Patrick H.T. Lau

Ms Christina M. Lee

Mr H.F. Leung

Dr C.H. Hau

Mr Thomas O.S. Ho

Mr T.Y. Ip

Dr Lawrence K.C. Li

Mr Stephen L.H. Liu

Director of Planning

Mr K.K. Ling

**In Attendance**

Assistant Director of Planning/Board

Miss Fiona S.Y. Lung (25.10.2016, 26.10.2016 and 27.10.2016)

Ms Lily Y.M. Yam (1.11.2016, 2.11.2016, 3.11.2016, 7.11.2016, 10.11.2016)

Chief Town Planners/Town Planning Board

Mr Kevin C.P. Ng (25.10.2016 p.m., 1.11.2016, 3.11.2016 p.m. and 10.11.2016 a.m.)

Ms Doris S.Y. Ting (27.10.2016, 3.11.2016 a.m. and 7.11.2016 p.m.)

Senior Town Planners/Town Planner/ Town Planning Board

Ms Doris S.Y. Ting (25.10.2016 a.m.)

Mr Stephen K.S. Lee (25.10.2016 p.m.)

Ms Karen F.Y. Wong (26.10.2016)

Ms Anissa W.Y. Lai (27.10.2016 and 7.11.2016 p.m.)

Ms W.H. Ho (1.11.2016 and 10.11.2016 p.m.)

Mr Eric C.Y. Chiu (2.11.2016)

Mr K.K. Lee (3.11.2016 a.m.)

Mr Raymond H.F. Au (3.11.2016 p.m. and 10.11.2016 a.m.)

Ms Wendy W.L. Li (7.11.2016 a.m.)

1. The following Members and the Secretary were present in the morning session on 25.10.2016:

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

Chairman

Professor S.C. Wong

Vice-Chairman

Mr Lincoln L.H. Huang

Mr Ivan C.S. Fu

Mr Sunny L.K. Ho

Mr Dominic K.K. Lam

Mr Stephen H.B. Yau

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Mr K.K. Cheung

Mr Wilson Y.W. Fung

Mr Alex T.H. Lai

Professor T.S. Liu

Miss Winnie W.M. Ng

Ms Sandy H.Y. Wong

Mr Franklin Yu

Chief Traffic Engineer (New Territories West)  
Transport Department  
Mr Samson S.S. Lam

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

Deputy Director of Environmental Protection (1)  
Environmental Protection Department  
Mr C.W. Tse

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

**Tsuen Wan and West Kowloon District**

**Agenda Item 1**

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Further Representations on Proposed Amendments to Draft Tsing Yi Outline Zoning Plan No. S/TY/27 Arising from Consideration of Representations and Comments

(TPB Paper No. 10190)

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[The item was conducted in Cantonese]

2. The Chairman extended a welcome and said that as the Secretariat would need more time to conduct the registration and verification of authorizations, the meeting would adjourn for a short while.

[The meeting resumed at 9:10 a.m.]

**Presentation and Question Sessions**

[Open Meeting]

3. The following government representatives and the further representers/representers/comments or their representatives were invited to the meeting at this point:

**Government Representatives**

*Planning Department (PlanD)*

- |                       |   |  |
|-----------------------|---|--|
| Mr Lawrence Y.C. Chau | - | District Planning Officer/Tsuen Wan & West Kowloon (DPO/TWK) |
| Ms Fannie F.L. Hung   | - | Senior Town Planner/Kwai Tsing                               |

*Housing Department (HD)*

- |                    |   |                  |
|--------------------|---|------------------|
| Ms Emily W.M. IP   | - | Planning Officer |
| Ms May S. S. Yeung | - | Architect        |
| Mr Chow Kwok Sang  | - | Civil Engineer   |

*Transport Department (TD)*

Mr Patrick K.H. Ho - Senior Engineer/Kwai Tsing

**Further Representers, Representers, Commenters and their representatives**

F3 – Sing Wang

F1325 - 何子盛

F1361 – 董淑宜

F1632 – 馮雪梅

F1648 - 梁影金

F1661 - 陳惠玲

F2022 - Chung Pak Hei

F2039 - 蔡惠

R552 – 卓麗華

R918 – Lui Shun Wan

R947 - Tam Kar Kin, Samuel

Hon Wan Siu Kin, Andrew - Further Representers' and Representers' representative

F4 – Hung Mui

R73 - 陳彩蓮

R82 - Wong Hei Man

R87 – 毛澤友

R93 - 何嘉欣

R97 - 黎仲明

R110 - Chu Wing Tong

R117 – Chan Chi Yeung

R120 – Cheung Kwei Lan

R123 – Lam King Fai

R134 - Tso Ka Lee

R678 – Chan Chin Fung

C2 - Owners' Committee of Rambler Crest

C26 – Lam Kai Hung

C28 - Hung Siu Lai

C29 - Hung Siu Kuen

Mr Chan Wai Yip, Andy

- Further Representer's, Representatives' and Commenters' representative

F5 – Chan Wai

F1196 – Lai Chun Keung

F1201 - 梁華昌

F1433 – Leung Kam Keung

F1578 - Tse Fan Fan

F1592 - Ngan Lai Ching

F1593 - Ng Tze Ching

F1633 – 馮雪芸

F1636 – 馮雪清

F1646 - 莊沃鈞

F1672 - 潘曉楓

F1674 - 潘志雲

F1786 - 吳麗容

F1787 - 黃勝華

F1883 - 李加議

F1934 - 何禹俊

Mr Lai Chi Wai

] Further Representatives' representatives

Ms Chong Wai Fan

]

F6 - Kee Ng

F676 - Yau Shuk Fun

R179 - Leung Mi Ling Elza

R193 - Wong Tsun Ho

R197 – Liu Hong Chung

R204 - Au Choi Ying

R213 - Wong Miu Kam

R216 - Leung Kit Lai Katrina

R218 – Chow Chi Ming

R240 – Lee King Mei

Mr Poon Chi Shing ] Further Representers' and Representers'  
Mr Hui Yuk Sang ] representatives

F7 - Chu Hoi Dic

F958 - Wong Lai Yee

F960 - Cheung Derek

F961 - Lau Wing Shan

F962 - Pang Nga Ching Chris

F987 - Ng Wai King

F989 - Chan Po Yin

F990 - Lam Wai Ming

F533/F2472 - Tam Chun Lung

Mr Tam Chun Lung - Further Representer and Further  
Representers' representative

F8 - Christel Lau Kit Yan

F237 – Poon Lai Kwan Amy

R237 - 潘麗明

R241 - 阮國媚

R242 - 劉樂彤

R243 – Cheng Hau Ying

R245 - Leung Po Yee Jusinda

R253 - Lau Kit Yan Ann

R254 - 李秀琼

R263 – Leung Ha Hei

R265 - 鄭淑雯

Ms Poon Lai Kwan Amy - Further Representer, Further  
Representer's and Representers'  
representative

4. The Secretary reported that the proposed amendment to the draft Tsing Yi Outline Zoning Plan (OZP) No. S/TY/27 arising from the consideration of representations and

comments on the draft OZP was related to a proposed public rental housing (PRH) development to be undertaken by the Housing Department (HD), which was the executive arm of the Hong Kong Housing Authority (HKHA). AECOM Asia Company Limited (AECOM) and Mott MacDonald Hong Kong Limited (MMHK) were consultants of HD. The following Members had declared interests in the item:

- |  |   |   |
|--|---|---|
| Mr K.K. Ling<br><i>(as Director of Planning)</i>                                       | - | being a member of the Strategic Planning Committee and Building Committee of HKHA   |
| Mr Martin W.C. Kwan<br><i>(as Chief Engineer (Works),<br/>Home Affairs Department)</i> | - | being an alternate representative of the Director of Home Affairs who was a member of the Strategic Planning Committee and the Subsidised Housing Committee of HKHA |
| Mr H.F. Leung  | - | being a member of the Tender Committee of HKHA  |
| Ms Janice W.M. Lai   | ] | having current business dealings with HKHA  |
| Mr Patrick H.T. Lau  | ] | and AECOM   |
| Dr C.H. Hau  | ] |   |
| Mr Thomas O.S. Ho  | - | having current business dealings with HKHA and past business dealings with AECOM  |
| Mr Stephen L.H. Liu  | - | having current business dealings with HKHA  |
| Mr Ivan C.S. Fu  | - | had past business dealings with HKHA and having current business dealings with AECOM  |
| Mr Dominic K.K. Lam  | ] | had past business dealings with HKHA,   |
| Mr Franklin Yu   | ] | AECOM and MMHK  |

- Dr Lawrence W.C. Poon - his spouse being an employee of HD but not involved in planning work
- Professor S.C. Wong (Vice-chairman) - being the Chair Professor and Head of the Department of Civil Engineering of the University of Hong Kong where AECOM had business dealings with some colleagues and had sponsored some activities of the Department before

5. Members noted that Mr H.F. Leung, Ms Janice W.M. Lai, Mr Patrick H.T. Lau, Dr C.H. Hau, Mr Thomas O.S. Ho, Mr Stephen L.H. Liu and Mr K.K. Ling had tendered apologies for being unable to attend the meeting, and Dr Lawrence W.C. Poon and Mr Franklin Yu had not yet arrived to join this session of the meeting. Members agreed that Mr Martin W.C. Kwan whose interest was direct should be invited to leave the meeting while Professor S.C. Wong and Mr Dominic K.K. Lam whose interests were indirect could stay in the meeting. Members also agreed that as Mr Ivan C.S. Fu had no involvement in the project, his interest was indirect and he could stay in the meeting.

[Mr Martin W.C. Kwan left the meeting at this point.]

6. The Chairman said that reasonable notice had been given to the further representers, 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 further representers, representers and commenters, Members agreed to proceed with the hearing of the further representations in their absence.

7. The Chairman extended a welcome and explained the procedure of the hearing. He said that the representatives of PlanD's representative would be invited to brief Members on the further representations (FRs). Further representers/representers/commenters or their representatives would then be invited to make oral submissions in turn according to their further representation numbers. To ensure the efficient operation of the meeting, each further representer/representer/commenter or their representatives would be

allotted 10 minutes for their oral submission. The further representers/representers/commenters had been informed about the arrangement before the meeting. There was a timer device to alert the further representers/representers/commenters or their representatives two minutes before the allotted time was to expire and when the allotted time limit was up. After the oral submission, there would be a Question and Answer (Q&A) session in which Members could direct their questions to government representatives or further representers/representers/commenters or their representatives. After the Q&A session, the hearing session on the day would be adjourned.

8. The Chairman continued to say that due to the large number of further representers/representers/commenters indicating that they would attend the meeting, the meeting would be held in eight days. After hearing all the oral submissions from the further representers/representers/commenters or their representatives who attended the meeting, the Board would deliberate on the FRs in closed meeting, and inform the further representers/representers/commenters of the Board's decision in due course.

9. The Secretary reported that a further representer (F1617) wrote to the Secretariat on 15.10.2016 confirming that she had not submitted any FR. Members agreed that further representation F1617 should be disregarded.

10. The Chairman then invited the representative of PlanD to brief Members on the FRs.

11. With the aid of a PowerPoint presentation, Mr Lawrance Y.C. Chau, DPO/TWK, made the following main points as detailed in the Paper:

#### Background

- (a) on 7.8.2015, the draft Tsing Yi OZP No. S/TY/27 was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). The major amendments were:
  - (i) Amendment Items A1 and A2 : rezoning of a site from "Open Space" ("O") to "Residential (Group A)4" ("R(A)4") (Item A1)

and two pieces of land from an area shown as 'Road' to "R(A)4" (Item A2) for the proposed PRH development;

- (ii) Amendment Items B1 and B2 : rezoning of two pieces of land from "Government, Institution or Community" ("G/IC") (Item B1) and "O" (Item B2) to areas shown as 'Road'; and
  - (iii) Amendment Item C : rezoning of a site from an area shown as 'Road' to "G/IC" to reflect the existing uses;
- (b) a total of 961 representations and 350 comments were received. Among the 961 representations received, all opposed the draft OZP for PRH development except R1. All the 350 comments supported the adverse representations opposing the site for PRH development on similar grounds;
- (c) the representations and comments in respect of the draft Tsing Yi OZP No. S/TY/27 were considered by the Town Planning Board (the Board) on 21.4.2016, 26.4.2016, 20.5.2016 and 17.6.2016;
- (d) after consideration of the representations and comments, the Board considered that the original representation site under Amendment Items A1 and A2 was suitable for the proposed PRH development and there were no noise, air ventilation, light pollution and traffic issues which could not be resolved technically. The Board also decided that the representations should partially be met by rezoning the northern part of the original representation site from "R(A)4" zone to "O" so as to form a consolidated open space with the existing Tsing Hung Road Playground in order to facilitate a more acceptable PRH development. The remaining "R(A)4" zone was considered to be more convenient to future residents in terms of its accessibility and would provide synergy effect with retail and welfare facilities in the area;
- (e) on 8.7.2016, the proposed amendment to the draft OZP to rezone the

northern portion of the “R(A)4” zone (the further representation site) to “O” (Amendment Item A), was considered and agreed by the Board. On 22.7.2016, the proposed amendment to the draft OZP was exhibited for public inspection under section 6C(2) of the Ordinance. A total of 2,476 FRs were received;

#### Further Representation Site and its Surroundings

- (f) the further representation site (about 2 ha) was located to the northeast of the remaining “R(A)4” zone. Together with the existing Tsing Hung Road Playground located to its immediate southeast, it could form a larger open space to serve the area. A petrol filling station (PFS) was located to its immediate north and a high-rise development, Rambler Crest, which comprised service apartment and hotel development was located to its immediate east. Mayfair Gardens and Cheung Ching Estate was located to its west and north respectively;

#### Development Parameters for the Remaining “R(A)4” Zone

- (g) the proposed PRH development on the remaining “R(A)4” zone (about 2.29 ha) would provide some retail and community facilities as well as local open space and bus/mini-bus lay-bys to serve the future population and the locals. The updated development parameters of the proposed PRH development which were subject to detailed design were set out in paragraph 4.2 of the Paper;

#### Major Grounds of FRs, Proposals and Responses

- (h) among the 2,238<sup>1</sup> valid FRs, 72 (F1 to F72) supported Amendment Item A, 2,142 (F77 to F1616 and F1618 to F2219) with majority welcomed Amendment Item A and provided views on the remaining “R(A)4” zone,

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<sup>1</sup> On 23.9.2016, the Board decided that 237 FRs were invalid (F73 to F76, F2220 to F2449 and F2474 to F2476 who were the original representers or commenters) and should be treated as not having been made under section 6D(1) of the Ordinance. Moreover, the Board agreed on 25.10.2016 that F1617 who confirmed making no submission should be disregarded.

and 24 (F2450 to F2473) opposed Amendment Item A. Their general views were summarised as follows;

*Supportive FRs*

- (i) supported Amendment Item A but expressed concerns on the remaining “R(A)4” zone for proposed PRH development;

*FRs Providing Views*

- (ii) welcomed Amendment Item A but expressed strong grievance against the Board’s decision of not rezoning the entire “R(A)4” to “O” with similar concerns as those supportive FRs mentioned below;

*Adverse FRs*

- (iii) opposed Amendment Item A as they considered that rezoning area under Amendment Item A was too small. Their grounds were similar to those supportive FRs mentioned below;

- (iv) Responses

- the supporting views of the supportive FRs were noted;
- the comments, grounds and/or proposals provided by the supportive FRs were very similar to the adverse FRs and those FRs providing views. The adverse FRs were more concerned about the extent of the proposed “O” zone, and proposed to rezone the remaining “R(A)4” zone to “O”. However, the remaining “R(A)4” zone was not an amendment item gazetted under section 6(C)2 of the Ordinance on 22.7.2016;
- the Board on 17.6.2016 considered that the original representation site was suitable for the proposed PRH development and there were no insurmountable noise, air

ventilation, light pollution and traffic issues, and agreed that the southern portion of the original representation site should be retained for the proposed PRH development;

- (i) the FRs provided similar concerns and grounds as those raised in the written submissions of the original representers and commenters and their oral submissions made at the hearing sessions on 21.4.2016 and 26.4.2016. Their key concerns, and responses were summarized in paragraphs 3 and 4 of the Paper respectively and highlighted as follows:

*The Recommendations of Container Terminal 9 (CT9) Study*

- (i) according to the Final Report of the South-East Tsing Yi Port Development Planning & Engineering Feasibility Study for CT9 (the CT9 Report), the planning intention of the original representation site, which comprised the further representation site and the remaining “R(A)4” zone, was an open space serving as a buffer between CT9 and the residential developments of Mayfair Gardens and Cheung Ching Estate;

- (ii) the responses to the above ground were:

- according to the Conceptual Land-Use Plan formulated under the CT9 Report in 1990, the original representation site was proposed for open space use with an intention to provide landscaping as well as to provide recreational facilities for the population nearby. The original representation site was not identified to screen off the noise and glare impacts from CT9;
- while the CT9 Report recommended that the sensitive receivers including Mayfair Gardens and Cheung Ching Estate should be protected from the nuisances generated by CT9, the sites surrounding CT9 (including the Rambler Crest site) were recommended to act as screens between the

existing sensitive receivers and CT9;

- the recommendations of the CT9 Report were incorporated as amendments to the draft Tsing Yi OZP No. S/TY/8. The original representation site was rezoned from “Industrial” (“I”) (where oil depots were located at that time) to “O” on the draft Tsing Yi OZP No. S/TY/9 on 3.4.1992 and the Rambler Crest site was zoned as “I” to serve as a buffer for noise and glare impacts from CT9 to Mayfair Gardens and Cheung Ching Estate. That “I” zone at the Rambler Crest site was subsequently rezoned to “Commercial” (“C”) on the draft Tsing Yi OZP No. S/TY/12 on 31.1.1997 which maintained its buffer function to screen off the possible noise and glare from the CT9 and to reduce their effects on the nearby residential developments. The “C” site had been developed into Rambler Crest and the hotel development;
- with the proposed rezoning to “O” zone under Amendment Item A and the proposed greening ratio of 30% at the remaining “R(A)4” zone, the planning intention of providing landscaping and recreation facilities could by and large be maintained;

[Mr Franklin Yu arrived to join this session of the meeting at this time.]

*Technical Assessments*

- (iii) the remaining “R(A)4” zone was not suitable for residential development as the site would be subject to noise and glare impacts from the operation of CT9 as well as other environmental impacts from the nearby developments which were also operating 24 hours daily including Tsing Yi Preliminary Treatment Works (TYPTW) and the PFS;

- (iv) the proposed PRH development would impose adverse impacts on environment, traffic, air ventilation, visual and tree felling;
- (v) the technical assessments were conducted improperly and had serious errors;
- (vi) the responses to the above grounds were:
- technical assessments had been conducted to ascertain the feasibility of the proposed PRH development at the original representation site and it was confirmed that there would be no insurmountable technical problems;
  - in view of the reduction in site area of the proposed PRH development, HD had prepared a Covering Note on Technical Assessments of the Proposed PRH Development at Tsing Hung Road (Covering Note) to examine the technical implications of the proposed PRH development at the remaining “R(A)4” zone. It was confirmed that there would be no insurmountable environmental, traffic, visual, air ventilation and landscape impacts on the surrounding developments;

*High Construction Cost*

- (vii) construction cost would be higher as the proposed PRH development was situated on a slope with soft soil and required adoption of additional mitigation measures such as acoustic windows, noise barriers, architectural fins and road widening. That would contradict the pragmatic principle adopted by HD;
- (viii) the responses to the above ground were:
- HD did not envisage any unusual difficulties that would render the PRH development at the remaining “R(A)4”

zone particularly costly;

- based on the preliminary design, the construction cost was estimated to be comparable with recent PRH developments;

*Trees Planted by Local Residents*

(ix) trees in the remaining “R(A)4” zone were planted by the local residents. The proposed PRH development, which would involve substantial tree felling, would adversely affect the harmony of the community;

(x) the response to the above ground was:

- the trees planted by the local residents involved an area of about 1,500m<sup>2</sup> along Tsing Sha Highway, which was a community planting activity - ‘Community Planting for Route 8 - Nam Wan Tunnel and Tsing Yi Viaduct’ organized by the Highways Department on 24.5.2008;

*Public Consultation*

(xi) the public consultation of the rezoning was conducted improperly;

(xii) the views from the Kwai Tsing District Council (K&TDC) were not taken into account. The K&TDC was not well informed about the details of the OZP amendment;

(xiii) the responses to the above grounds were:

- after hearing of the representations and comments on 21.4.2016 and 26.4.2016, and deliberation on 20.5.2016 and 17.6.2016, the Board decided to partially uphold the adverse representations by proposing to rezone the northern portion of the original representation site from “R(A)4” zone back

to “O”;

- on 22.7.2016, the proposed amendment to the draft OZP was exhibited for public inspection in accordance with the provision of the Ordinance. The Amendment Plan No. R/S/TY/27-A1 (the Amendment Plan) was provided to the K&TDC Members for information;
- the Kwai Tsing District Office posted the proposed amendment on the notice boards at his office, the Cheung Fat Estate Community Centre and the Cheung Ching Estate Community Centre for public to inspect. No comment was received by his office;

*Further Representatives' Proposals*

(j) the further representatives' proposals and responses to the proposals, as summarised in paragraphs 3.6 and 4.16 to 4.19 of the Paper respectively, were highlighted below:

(i) to rezone the remaining “R(A)4” zone to “O” for resuming the buffer function and providing recreation facilities such as air-conditioned indoor sports complex;

(ii) the responses to the above proposal were:

- the Board had decided that the remaining “R(A)4” zone was suitable for PRH development after giving due consideration of the original representations/comments;

- the proposal was considered not justified for the following reasons:

- the site would contribute to the Government's effort in meeting the pressing need for housing supply in the

short term;

- the area was supported with good transport network and residential, commercial and educational developments nearby. The proposed PRH development was technically feasible and would not have insurmountable problems;
  - the proposed PRH development would not generate unacceptable impacts in terms of traffic, environment, ecological, landscape, infrastructure, air ventilation and visual impacts on the surrounding areas;
  - the planned provision of major government, institution or community (GIC) facilities and open space in the district were generally sufficient to meet the demand of the future population and the additional demand from the proposed PRH development;
- (iii) to rezone the remaining “R(A)4” zone to “G/IC” for the expansion of the Hong Kong Institute of Vocational Education (Tsing Yi) (the TY IVE) and Technological and Higher Education Institute of Hong Kong (THEi) or providing GIC facilities such as air-conditioned library and civic centre;
- (iv) the responses to the above proposal were:
- there was basically no shortfall in major community facilities in the district;
  - the technical assessments had confirmed that it was technically feasible and environmentally acceptable to develop the remaining “R(A)4” zone for the PRH development;

- the relevant government bureaux/departments had no objection to the “R(A)4” zone and no request for rezoning the site for “G/IC” purpose;
- the existing campus of TY IVE had not fully utilized the permissible development potential. As such, should there be a need, there was scope for expansion within its existing campus;

#### PlanD’s Views

- (k) the supportive views of F1 to F72 to the proposed amendments were noted; and
- (l) PlanD did not support the remaining views of F1 to F72, the views of F77 to F1616 and F1618 to F2219 and the opposing views of F2450 to F2473 and considered that the draft OZP should be amended by the proposed amendment.

12. The Chairman then invited the further representers/representers/commenters or their representatives to elaborate on their further representations.

F3 – Sing Wang

F1325 -何子盛

F1361 – 董淑宜

F1632 –馮雪梅

F1648 - 梁影金

F1661 - 陳惠玲

F2022 - Chung Pak Hei

F2039 - 蔡惠

R552 – 卓麗華

R918 – Lui Shun Wan

R947 - Tam Kar Kin, Samuel

13. Hon Wan Siu Kin, Andrew made the following main points:
- (a) he was authorized by a group of residents of Mayfair Gardens to make oral submission on their behalf and he requested to have a verbatim record of his oral presentation;
  - (b) the proposed amendment made by the Board to rezone the northern portion of the “R(A)4” zone to “O” zone on the draft Tsing Yi OZP No. S/TY/27 was welcome by the residents;
  - (c) the residents also requested the Board to rezone the remaining “R(A)4” zone to “O” in order to maintain the original function of the original representation site being a buffer zone for Mayfair Gardens and Cheung Ching Estate arising from the construction of CT9, and to avoid causing adverse environmental impacts on the existing and future residents;
  - (d) in the 1990s, the proposal to develop CT9 at Tsing Yi had aroused much outcry from the local residents and one of their main concerns was the noise and glare impacts from CT9. Hon Selina Chow, a Legislative Council (LegCo) member at that time, who had visited the area and met the local residents also agreed that a buffer area was required to minimize the nuisance of CT9 to the local residents;
  - (e) it was unreasonable to use the buffer area for PRH development. In response to the local residents’ queries on such change in land use, the government department’s representative said that the original buffer zone for the existing residents of Mayfair Gardens and Cheung Ching Estate would not be affected as the proposed public housing blocks at the site could still perform the same buffer function. In other words, the nuisance currently bore by the existing residents of Mayfair Gardens and Cheung Ching Estate would be displaced to the future residents of the PRH. Such approach in town planning was inhuman and unacceptable;

- (f) while there was no dispute on the technical feasibility of the proposed PRH development, the crux of the matter was whether the site was suitable or appropriate for residential development. The main concern of the local residents was not about the adverse impact of the proposed PRH development on the existing traffic, public transport services and community facilities as those technical issues were not unresolvable, albeit the Government had no concrete proposal to address the problems at the moment and the committed traffic and transport improvement works might take a long time to materialize;
- (g) their main concern was why the original representation site, which was planned as a buffer zone to mitigate the nuisances of CT9, could now be used for residential development, in particular when the Leisure and Cultural Services Department (LCSD) and other concerned departments had previously indicated that the site was not suitable for recreational facilities due to its topography. If the site now became technically feasible for open space development, the entire “R(A)4” site, rather than a portion, should be rezoned to “O” in order to maintain its original buffer function. The construction of three public housing blocks to serve as the buffer was unacceptable to the local residents;
- (h) the local residents did not object to the public housing development in the territory and their objection to the proposed development at the original representation site was not out of self interest but that the site was not suitable for residential development. Priority should be given to better utilise the existing brownfield sites in the territory, amounting to about 365 ha (equivalent to about 19 Victoria Park), which could accommodate about 200,000 people instead of using some unsuitable sites or infill sites for housing development; and
- (i) the Board was urged to take into account the above and adopt a macro approach in planning the area by rezoning the entire “R(A)4” zone to “O”.

F4 – Hung Mui

R73 - 陳彩蓮

R82 - Wong Hei Man

R87 – 毛澤友

R93 - 何嘉欣

R97 - 黎仲明

R110 - Chu Wing Tong

R117 – Chan Chi Keung

R120 – Cheung Kwei Lan

R123 – Lam King Fai

R134 - Tso Ka Lee

R678 – Chan Chin Fung

C2 - Owners' Committee of Rambler Crest

C26 – Lam Kai Hung

C28 - Hung Siu Lai

C29 - Hung Siu Kuen

14. Mr Chan Wai Yip, Andy requested a verbatim record of his presentation as well as those of other residents of Rambler Crest for the reason that many views, statistics and information presented by the residents at the previous hearing sessions were not recorded in the minutes. There was a concern that some Members who had not attended all the hearing sessions might not be aware of the important information before participating in the deliberation. Moreover, in the absence of a comprehensive minutes of meeting, members of the public as well as other local residents might not have a full picture about the meeting proceedings and the possibility of future legal action in respect of the subject case might also be affected.

15. In response to Hon Wan Siu Kin, Andrew and Mr Chan's requests for a verbatim record of their presentations, the Chairman explained that it was not the existing practice for the Board to prepare minutes in the form of a verbatim record given the resource constraints and the minutes would record the gist of discussions. Moreover, the audio recordings of the open part of the hearing sessions would be uploaded to the Board's website.

16. Mr Chan Wai Yip, Andy said that while noting the Chairman's response, he

reiterated his request for verbatim record for the above reasons. With the aid of a PowerPoint presentation and visualiser, he continued to make the following main points:

- (a) the proposed amendment to rezone the northern portion of the “R(A)4” zone to “O” on the draft Tsing Yi OZP No. S/TY/27 was welcome. However, the retention of the remaining “R(A)4” zone for PRH development was strongly objected to as it contravened the original planning intention of using the site as a buffer area between CT9 and Mayfair Gardens and Cheung Ching Estate. The proposed PRH development at the remaining “R(A)4” zone would render the future residents to become ‘human buffer’ which was unacceptable;
- (b) he expressed appreciation to Members’ effort in the previous hearing sessions and was grateful to those Members who were concerned about the existing problems encountered by the residents of Tsing Yi South and the suitability of the original representation site for residential development. However, he was dissatisfied to note that some Members together with the Chairman, who inclined to support the government’s housing policy and rely largely on the results of the technical assessments, had played a leading role during the deliberation session;
- (c) the residents of Rambler Crest maintained their objections to the proposed PRH development at the remaining “R(A)4” zone. Their grounds of objection were not out of self interests such as blocking of views or reduction of property value. Local residents had clearly indicated at various forums that they did not object to public housing development but were concerned on the suitability of the site and the impacts on the existing community and future residents. Although Rambler Crest, which was under “C” zoning, was buffered by the existing hotels, some of the Rambler Crest residents were still suffering from substantial nuisance from CT9 such as glare, noise and air quality. Moreover, the current level of public transport services was insufficient to serve the existing population. There was grave concern that the additional 6,500 people from the proposed PRH development would face the same problem and

the existing traffic problem would further worsen;

*Suitability of the Site for Residential Development*

- (d) since the deliberation of the last hearing in May 2016, the residents had conducted some researches on the historical background of the original representation site and considered that Members had been misled by PlanD in the previous hearing session. Argument and evidence would be presented at the subject hearing sessions with a view to assisting Members to have a better understanding of the subject matter;
- (e) after the hearing sessions on 21.4.2016 and 25.4.2016, the Owners' Committee of Rambler Crest had submitted a few letters to the Board setting out the discrepancy and insufficiency of those information presented by the government departments during the hearing sessions. Unfortunately, those submissions were treated as out-of-time and had not been considered by the Board;
- (f) the main concern was the function of the buffer area and whether there was any government promise that the original representation site should be used for a buffer area;

*Buffer Function of the Original Representation Site*

- (g) he showed an audio recording extracted from the hearing session on 21.4.2016 to demonstrate that DPO/TWK had admitted that the original representation site was a buffer area between CT9 and Mayfair Gardens and Cheung Ching Estate and that the proposed PRH on the site would not reduce the original buffer distance. Moreover, DPO/TWK also mentioned that it was the hotels and service apartment at Rambler Crest that had been serving as the buffer;
- (h) the local residents had no dispute that the buffer distance would not be affected by the proposed PRH development. They were more concerned on whether the buffer area should be used for residential development;

- (i) he showed another audio recording also extracted from the hearing session on 21.4.2016 to demonstrate the Government's promise to provide an open space at the original representation site. The Metro Planning Committee Paper of 6.12.1991 quoted by DPO/TWK had clearly specified that the original representation site could be used as an open space with active and passive recreational facilities and could provide a buffer area separating Mayfair Gardens and Cheung Ching Estate from the proposed CT9;
- (j) with a view to seeking further clarification on the definition of buffer area, letters were sent to PlanD, the Secretary for Development (SDEV), the Secretary for Transport and Housing (STH) and the Chief Secretary (CS). According to PlanD's reply dated 6.10.2016 and other replies from the bureau or CS, the original representation site was proposed to be a landscaping area under the CT9 Study, instead of a buffer area to mitigate the potential adverse noise and glare impacts of CT9;
- (k) in view of the above, the local residents were confused on whether the original representation site was a buffer area as presented by DPO/TWK at the hearing sessions or a landscaping area as replied by government departments;

*Planning History of the Original Representation Site*

- (l) with the display of the draft Tsing Yi OZP No. S/TY/6 gazetted in 1990 on the visualizer, he said that before the construction of CT9, the waterfront sites in Area 22 were predominated by oil depots owned by Hong Kong Oil and Hong Kong Mobil. After the completion of Mayfair Gardens and Cheung Ching Estate in Tsing Yi South, the local residents strongly requested the Government to relocate the existing oil depots to avoid the potential risk. The Government finally decided to relocate the oil depots to other parts of Tsing Yi in 1990. However, after the relocation of the oil depots from the area, the Government proposed to construct a CT9 in Tsing Yi South. An aerial photo was displayed to show the extensive coverage of the oil depots in Area 22 at that time;

- (m) with the display of the draft Tsing Yi OZP No. S/TY/6 gazetted in 1991 on the visualizer, he said that CT9 was proposed on a large piece of reclaimed land outside Area 22 to meet the increased demand in logistics industry and Area 22 was replanned to cater for the change in land uses after the relocation of the original oil depots. According to the Schedule of Amendments attached to the draft OZP No. S/TY/6, some land in Area 22 were rezoned from “I” to “Other Specified Uses” (“OU”) annotated “Petrol Filling Station”, “O”, “G/IC” and “OU” annotated “Container-related Uses”. Moreover, paragraph 6.5.4 of the Explanatory Statement (ES) of the OZP also clearly stated that the open space in front of Mayfair Gardens near Tsing Yi Road (i.e. the original representation site) would also serve as a buffer area between the residential developments and the oil depots/proposed CT9. The Government’s recent reply that the original representation site was a landscaping area was not correct;
- (n) the proposal to develop CT9 at Tsing Yi South was submitted by Mr Barnes, the then Secretary for Planning, Environment and Lands (SPEL), to the LegCo for consideration and approval in 1991. An extract of the relevant minutes of the LegCo meeting held on 20.11.1991 was displayed on the visualizer. That meeting was attended by a number of former government officials and prominent and distinguished LegCo members such as Mr David Ford (the then CS), Mr Lam Ting Kwok (the then Financial Secretary), Hon Li Peng Fei, Hon Tam Yiu Chung, Hon James To, Hon Wang Yi Wen and Hon Lau Wing Fat, etc.. He then read out a major part of paragraph 2 of the opening speech by the then SPEL to demonstrate the Government’s commitment at the LegCo meeting that the area previously occupied by oil depots would be redeveloped into industrial buildings of varying heights so as to serve as a buffer area between the two residential developments (i.e. Mayfair Gardens and Cheung Ching Estate) and CT9. It was not the Government’s intention to use the area for residential developments;

*Recommendations of the CT9 Report*

- (o) relevant extracts of the CT9 Report were displayed on the visualizer. Referring to paragraph 3.3.1 of the CT9 Report on the general land use of Tsing Yi Island, he said that many of the industrial uses in the south-eastern part of Tsing Yi was classified as Potentially Hazardous Installations (PHIs) which presented a major environmental interface problem to the nearby residential area (i.e. Mayfair Gardens and Cheung Ching Estate). Paragraph 3.3.3 of the CT9 Report also clearly stated that after the relocation of the Mobil Oil Depot (Site 9) and Hong Kong Oil Company Depot (Site 13), the vacated sites were proposed to be used for a range of clean industrial uses preferably of high-tech nature and more environmentally compatible uses. Against that background, he said that Area 22 should only be used for open-air container vehicle park, container handling facilities and logistics centre, etc.. No other uses should be proposed in Area 22 as it was the Government's commitment to the LegCo that the land in Area 22 would only be used for container-related uses;
  
- (p) he read out paragraphs 3.3.4 and 3.5.1 of the CT9 Report to show that Mayfair Gardens, Cheung Ching Estate and Technical College (Site 12) (i.e. the existing TY IVE and THEi sites) were regarded as environmentally sensitive uses and the sites immediately in front (within 100m) must not only be environmentally compatible but also help to mitigate the environmental impact of CT9 and the associated back-up area operations. An aerial photo taken on 20.4.2004 and a land use plan extracted from the CT9 Report was displayed to show that the original representation site wholly fell within the 100m buffer area. Noting that there was a discrepancy on whether the original representation site was a buffer area, as presented by DPO/TWK during the previous hearing sessions and D of Plan in his recent reply to the local residents, Members might wish to seek clarification from concerned parties;
  
- (q) with reference to paragraph 10.2 of the CT9 Report, he said that the existing Mayfair Gardens was classified as priority 1 to be taken into

account in the formulation of conceptual land use plan for the area while the need to provide an effective buffer area adjacent to and within the line of sight of the sensitive uses was accorded as priority 2. He considered that the importance of providing a buffer area for the existing residents against the nuisance of CT9 had been consistently featured in the CT9 Report;

- (r) he said that one of the land use objectives of the conceptual land use plan was compatibility with environmentally sensitive uses as shown in paragraph 10.3 of the CT9 Report and one of the land use planning principles adopted was the buffer requirement for the existing sensitive receivers as detailed in paragraph 10.4 of the CT9 Report. In this regard, sites adjacent to CT9 and in line-of-sight of the environmentally sensitive receivers might be designated for medium-rise industrial buildings commonly in the form of flatted factories while sites immediately in front of those sensitive receivers should be low-rise and environmentally acceptable in order to satisfy the HKPSG requirement for a 100m buffer zone. While it was clear that a buffer area was required for the existing residents of Mayfair Gardens, he doubted why no such buffer zone was required for the future residents of the proposed PRH development at the remaining “R(A)4” zone;
- (s) apart from the buffer area, the need to address the road traffic noise and the provision of landscape linkage to enhance the visual amenity of the area had also been duly considered in the CT9 Report;
- (t) paragraph 10.5.2 of the CT9 Report had stated that upon the relocation of the existing oil depots, the future land uses of the new development area could only be designated for industrial, low-polluting and environmentally compatible uses as constrained by the presence of CT9;
- (u) it was clearly stated in paragraph 10.5.6 of the CT9 Report that a total of 6.5 ha of open space were originally planned at Sites 9a (about 4.2 ha) (i.e. the area to the immediate east of Mayfair Gardens and Cheung Ching

Estate comprising the original representation site and the existing Rambler Crest site), 14a (about 2 ha) and 19a (about 0.25 ha) in order to meet the shortfall in open space provision in Tsing Yi South and to serve the industrial workers in the area, the students of the Technical College as well as the residents of Mayfair Gardens and Cheung Ching Estate. Preliminary design of and planned facilities for each of the proposed open space were also set out in the CT9 Report. However, the planned land use was not taken forward by the Government as Sites 14a and 19a were not used as open space while Site 9a was now proposed for PRH development. There was grave concern that the lack of open space might cause adverse health impacts on the workers, students and residents in the area;

- (v) he believed that the CT9 project was approved by the relevant authority on the basis that about 7.69 ha of open space, as shown on Table 10.5 of the CT9 Report, would be provided to address the shortage of open space in the area;
- (w) while it was clearly demonstrated from various sections of the CT9 Report that the original representation site was planned as a buffer area as well as an open space, he could not understand why the site had now become a landscaping area as mentioned in the Government's recent replies. He further claimed that if the so-called landscaping area was considered suitable for residential development, all the existing open spaces including the Victoria Park could also be used for such purpose;

*Planning History of Rambler Crest*

- (x) upon the completion of CT9, some of the original area covered by Area 22 had been developed into Mapletree Logistics Hub, container vehicle park, Rambler Crest and the planned open space on the area;
- (y) an extract from draft Tsing Yi OZP No. S/TY/12 gazetted on 31.1.1997 was displayed on the visualizer to show that the site currently occupied by Rambler Crest was rezoned from "I" to "C" for better utilization of land

resources due to the then sluggish demand for industrial land. It was also specified in the lease conditions that the Rambler Crest site should only be used for hotel and service apartment, the latter of which was more akin to hotel development;

- (z) commercial uses of hotel and service apartments, which were equipped with central air-conditioning and for temporary accommodation only, would be barely acceptable in the buffer area. However, for some unknown reasons, the service apartment within the Rambler Crest development was allowed to be sold to individual owners after lease modifications in around 1999/2000. In 2004, Rambler Crest had become the first service apartment that was allowed to be sold to individual owners, followed by the sale of five other service apartments in other parts of the territory before such sale was put on halt;
- (aa) given the “C” zoning of Rambler Crest on the OZP, Rambler Crest, which was a de facto residential development, was not treated as a kind of residential use and the residents were not provided with shuttle bus services nor noise barrier to mitigate the noise nuisance of Tsing Yi Road. To mitigate the adverse environmental impacts of CT9, Rambler Crest was subject to more stringent lease conditions requiring the provision of central air-conditioning and acoustic and non-openable windows. The sale of residential development under the disguise of service apartment had resulted in the provision of a number of residential developments in unsuitable location such as within the industrial area or close to other polluting uses;
- (bb) he was concerned that the original representation site, where would be subject to adverse glare and noise impacts of CT9 but without the provision of hotel as buffer and other environmental mitigation measures as Rambler Crest, was not suitable for proposed PRH development;
- (cc) with reference to paragraphs 7.5.3 and 7.7.4 of the ES of the draft Tsing Yi OZP No. S/TY/12, he reiterated that the original representation site had

all along been reserved as a buffer area between CT9 and the residential developments like Mayfair Gardens and Cheung Ching Estate. Should the Board decide that the buffer area was suitable for residential development, all the land use proposals for the original representation site, as previously committed by the Government during the planning of CT9, would be over-turned;

- (dd) an aerial photo was shown to illustrate that the future residents of the remaining “R(A)4” zone would be subject to severe adverse environmental impacts due to its proximity to a number of incompatible uses including CT9, Mapletree Logistics Hub, container vehicle parks and other container-related uses. He urged the Board to reconsider its previous decision to retain the remaining “R(A)4” zone for PRH development;

[Mr Stephen H.B. Yau arrived to join this session of the meeting at this point.]

*Buffer Area*

- (ee) referring to the definitions of buffer area, buffer distance and environmentally sensitive areas as set out in Chapter 9 of HKPSG, the use of the remaining “R(A)4” zone for residential development was in contravention with the function of buffer area;
- (ff) given that there were clear evidence to demonstrate the Government’s commitment to using the original representation site as a buffer area, the Board was urged to reconsider its previous decision which was made with reference to the inaccurate and incomplete information provided by PlanD;
- (gg) while the Amendment Item A for rezoning part of the original representation site from “R(A)4” to “O” to retain its function as a buffer area was supported, the remaining “R(A)4” zone, which formed an integral part of the entire buffer area, should also be reverted to “O” so as to respect the government’s previous commitment;

*Conclusion*

- (hh) the two letters from the Owners' Committee of Rambler Crest which had previously been submitted to the Board on 26.4.2016 and 10.5.2016, and the information/materials covered in the subject oral presentation would be submitted to the Board for reference. Members were urged to take into account those materials and the findings of the CT9 Report in deliberating the further representations. The Owners' Committee of Rambler Crest would also write to the Development Bureau (DEVB) seeking clarification on the meaning of landscaping area;
  
- (ii) he showed an audio recording extracted from the hearing session on 26.4.2016 to demonstrate that the information provided by DPO/TWK was misleading in that during the planning of CT9, the original representation site was not intended to serve as a buffer area to mitigate the nuisance from CT9. Instead, the Rambler Crest site which comprised hotel and service apartment would provide the buffer function. He said that the information was inaccurate as the Government's commitment to develop the original representation site as a buffer area was recorded in the minutes of the LegCo meeting in 1991; and
  
- (jj) a video clip was played to demonstrate that the original representation site, which would be exposed to severe noise and glare impacts from CT9, was not suitable for residential development. He remarked that the Board's duty was to comprehensively plan the territory by identifying suitable sites for various developments. It was not the responsibility of the Board to ensure that the Government's public housing production target could be met. Housing problem should be tackled at different fronts such as reviewing the population policy of allowing a daily quota of 150 single entry permit holders coming to Hong Kong. By doing so, it might help to address the problem of long waiting time for public rental housing to a certain extent.

[The meeting was adjourned for a short break.]

[Mr Lincoln L.H. Huang left this session of the meeting at this point.]

F5 – Chan Wai

F1196 – Lai Chun Keung

F1201 - 梁華昌

F1433 – Leung Kam Keung

F1578 - Tse Fan Fan

F1592 - Ngan Lai Ching

F1593 - Ng Tze Ching

F1633 – 馮雪芸

F1636 – 馮雪清

F1646 - 莊沃鈞

F1672 - 潘曉楓

F1674 - 潘志雲

F1786 - 吳麗容

F1787 - 黃勝華

F1883 - 李加議

F1934 - 何禹俊

17. Mr Lai Chi Wai, the Chairman of Mayfair Gardens Owners' Corporation, made the following main points:

- (a) he requested to have a verbatim record of his oral submission as some of the major points made by the local residents at the last hearing sessions were missed out or not accurately recorded in the minutes of the meeting;
- (b) he and the local residents supported the rezoning under Amendment Item A and considered that the remaining "R(A)4" zone should also be reverted back to the open space use;
- (c) the residents of Mayfair Gardens had not submitted representations to the

OZP amendments during the first publication period as they were not aware of the rezoning proposal. Similarly, the local residents were not aware of the subsequent proposed amendment to rezone the northern portion of the original representation site by reverting part of the site to the original “O” zone. It appeared that PlanD had not conducted the public consultation properly as it only followed the basic statutory requirement without proactively liaising with the local residents to solicit their views;

- (d) the local residents were not properly consulted on the development proposals in Tsing Yi South. They were not aware of the rezoning of a sale site to the north of Mayfair Gardens on Sai Shan Road for private residential development providing about 800 flats, nor had they been consulted on the development of a subsidized public housing with three residential blocks at another site near Cheung Ching Estate, and the local residents had no idea on whether Home Ownership Scheme or PRH would be provided thereat. The local residents were deprived of the right to express their views on the development proposals;
- (e) it was estimated that the new developments would bring about an additional 20,000 people into the Tsing Yi South area and such increase in population would further aggravate the existing shortage in open space and other community facilities;
- (f) the Board should perform the role of a gatekeeper to carefully scrutinize the development proposals with a view to achieving a balanced society catering the need for economic developments as well as the community need for housing, supporting facilities and quality living environment;

*Open Space Provision*

- (g) according to PlanD’s assessment, the provision of open space, recreational and community facilities for the Kwai Tsing district was sufficient to meet the residents’ demand. The assessment methodology which was based on the DC boundary was unreasonable. Information on the provision of open space for Tsing Yi South should be provided for the Board’s

consideration;

- (h) there was a severe shortage of open space in Tsing Yi South. Mei King Playground to the immediate east of Mayfair Gardens was the only public open space serving the local residents. The playground was small in size and comprised only one tennis court and one basketball court. Although some small-scale children play area and sitting-out areas were provided in Cheung Ching Estate, the provision of open space and facilities were largely insufficient to meet the needs of the local residents in Tsing Yi South;

*Alternative Sites*

- (i) there was no strong grounds to use the proposed open space site for PRH development when other alternative sites, such as those large piece of vacant land in the vicinity of the proposed sale site at Sai Shan Road which were subject to fewer constraints, were available in the area. Consideration might also be given to exploring using some of those land originally planned for container-related uses having regard to the decreased demand for such facilities;
- (j) the Board's decision to rezone part of the original representation site to "O" was welcome. However, the area was considered too small to meet the acute demand for open space for the local residents, and there was concern that the proposed open space might not be implemented given that the Government had previously broken its promise as the planned land uses associated with the CT9 development were not taken forward;

*GIC Facilities*

- (k) apart from providing residential developments, sufficient infrastructure, community and supporting facilities such as road network, public transport services, markets, schools, hospitals, etc. should also be provided for the development of a balanced community and for the well-being of the local residents;

*Traffic and Transport*

- (l) before the operation of MTR Tung Chung Line (TCL), the connection between Tsing Yi and other parts of the territory relied heavily on Tsing Yi south and north bridges. While the commencement of the TCL had improved the existing traffic condition of Tsing Yi North, the public transport services remained inadequate in the less populated Tsing Yi South. Currently, there was only a green mini-bus (GMB) connecting Mayfair Gardens and MTR Kwai Fong Station, and two GMB routes between Rambler Crest and MTR Kwai Fong or Tsing Yi Stations. Both Mayfair Gardens and Cheung Ching Estate were not provided with any bus terminus and the local residents were only served by passing bus routes;
- (m) although the traffic review conducted by the Government concluded that the existing public transport services was sufficient to serve the local residents of Tsing Yi South, there was doubt on the accuracy of the review as only one day survey was conducted and the survey day (i.e. a day preceding the long Easter Holiday) was a school holiday. In this regard, the actual traffic situation of the area in a normal day could not be truly recorded;
- (n) most of the local residents commuted daily to other parts of the territory to study and work. Apart from the regular bus service No. 42A travelling to Mong Kok, there were only two special bus routes to Wan Chai and Causeway in the morning peak to help address the acute demand for bus services to urban areas. However, the existing level of bus services was still largely insufficient to meet the demand of the existing residents of Mayfair Gardens and Cheung Ching Estate who had to squeeze into the crammed bus compartment every day. It was anticipated that the additional population of the proposed PRH development at the remaining “R(A)” zone, the proposed HOS development near Cheung Ching Estate and the proposed private housing at Sai Shan Road would pose further burden on the already overloaded public transport services;

- (o) although the government departments had previously indicated that the additional public transport demand generated by the increased population could be met by increasing the frequency of the existing bus routes, there was concern on the effectiveness of such improvement measures in that it would not be a wise use of resources to increase the frequency of those existing bus routes not travelling to the urban area as they could not meet the travel pattern of the local residents;
- (p) while the Kowloon Motor Bus Co. Ltd. (KMB) had tried to address the demand of local residents by increasing the frequency of those bus routes travelling to the urban area during the morning peak hour, the further increase in bus services was constrained by the capacity of Tsing Yi south bridge. The widening of the Tsing Yi south bridge and the subsequent construction of an additional bridge as well as the planning and design of the existing road network in the area was originally intended to serve the traffic associated with the development of CT9, the Airport and other logistics industries. The capacity of the existing road network would be insufficient to cater for the increase in traffic generated from the significant increase in population in Tsing Yi South;
- (q) although there was a direct route leading from Tsing Yi south bridge to CT9, many container vehicles would also use alternative route for accessing the existing PFS near Tsing Hung Road thus aggravated the traffic congestion of the existing roads. The intermixing of heavy goods vehicles/container vehicles with other private or public services vehicles might pose threat to the local residents. Besides, the frequent road works carried out on Tsing Yi Road and the occasional accidents associated with the container vehicles on the road had further worsened the existing traffic congestion of Tsing Yi South as well as the entire Tsing Yi district. However, the above traffic situation was not taken into account by the government department in conducting its traffic review. The additional population of the proposed three public housing blocks at the remaining “R(A)4” zone would overstrain the carrying capacity of the existing road networks;

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

*Provision of Supporting Facilities*

- (r) there was a lack of supporting facilities to meet the daily needs of the local residents of Tsing Yi South. Other than one small market and a light refreshment restaurant, no other commercial facilities were found in Cheung Ching Estate. The existing market which only comprised a few stalls and operated in the morning would not be able to meet the basic needs of the local residents. Most of the residents had to travel to other districts like Kwai Fong and Tsuen Wan for marketing and grocery shopping which incurred additional travelling expenses and generated additional traffic on the road network;
- (s) the demand for additional supporting facilities to meet the daily needs of the residents was not properly addressed by the Government. On the understanding that no market or other supporting facilities would be provided in the proposed PRH development on the remaining “R(A)4” zone, the existing shortage in retail and supporting facilities for the area would be further aggravated by the additional population. While the rezoning of part of the original representation site for open space development was supported, the area would be too small to provide additional supporting facilities to address the severe shortage;
- (t) the existing commercial and other supporting facilities of Mayfair Gardens served not only its own residents but also the local population including the students of TY IVE and THEi and residents of Rambler Crest. The shopping demand generated by the outsiders had posed much pressure on the existing facilities and created nuisance to the residents as well as management and maintenance problems for Mayfair Gardens. Any further increase in population without corresponding provision of necessary supporting facilities should not be approved;
- (u) it was observed that increasing number of young couples with children

had moved to Mayfair Gardens over the past decade and hence there was an increased demand for nursery, kindergarten or primary school to serve the local population. However, such demand was not duly considered by the concerned departments in the current planning. The Government was more concerned on the technical feasibility of the proposed housing development than the provision of sufficient community facilities for the existing/future residents;

- (v) requests for provision of more supporting facilities and additional public transport services had been made by the local residents for many years. However, no positive response was given by the Government. There was concern that the Government's current commitment to carry out some improvement measures for the existing public transport services might not be realized due to practical difficulties faced by the public transport operators such as cost-effectiveness of increasing frequency of existing bus services and difficulty to hire sufficient drivers;

*Suitability of Buffer Area for Public Housing Development*

- (w) while the existing hotels could help to mitigate the noise nuisance of CT9 on the residents of Rambler Crest, the existing residents of Mayfair Gardens were also subject to adverse noise impact from CT9. However, the noise nuisance had become unbearable with the development of more container-related facilities, logistics centre and public vehicle park in the area. Moreover, the round-the-clock operation of those facilities had created significant glare impact on the residents of Mayfair Gardens;
- (x) it was anticipated that the extent of noise and glare impacts currently experienced by the residents of Mayfair Gardens might be marginally improved with the construction of three public housing blocks at the remaining "R(A)4" zone. However, the future residents of the PRH development would be exposed to excessive noise and glare impacts as the feasibility and effectiveness of the proposed noise mitigation measures (e.g. double glazing, acoustic windows) were not proven at the moment. Although the concerned departments had committed to ensure that the

proposed public housing development would not be subject to unacceptable environmental impacts, there was concern that the commitment might not be realized in future after the completion of the proposed development;

- (y) it was likely that the future residents of the PRH development would be aggrieved by the living environment and would lodge frequent complaints and ask for relocation to other PRH developments. The development of PRH development at the remaining “R(A)4” zone, which was not a suitable location, could not help to address the acute demand for public housing;
- (z) instead of forcing through public housing development at unsuitable location, there were alternative options to increase the housing land supply for the territory. Consideration could be given to developing land at the fringe of Country Park or reclamation at less environmentally sensitive area albeit that the implementation of those alternative options might take a longer time;
- (aa) a joint petition letter with the residents of Rambler Crest was submitted to CS and relevant bureaux expressing their concerns on using the original representation site for public housing development. It was disappointed to learn that the Government had failed to honour their commitment that the original representation site was planned as a buffer area notwithstanding that written records was provided as evidence to support the residents’ argument;
- (bb) the Board should be the gatekeeper to safeguard the welfare of the community;

*Conclusion*

- (cc) he reiterated his previous stance of supporting the rezoning of part of the original representation site to “O” but worried that it might only be a temporary proposal; there were other alternative sites in Tsing Yi South

which were more suitable for residential development; planning should be carried out in a comprehensive manner taking into account the local residents' need; and

- (dd) he urged the Board to take into account the views of the local residents of Tsing Yi and to revert the remaining "R(A)4" zone to "O" for keeping the previous promise and for the general welfare of the community.

F6 - Kee Ng

F676 - Yau Shuk Fun

R179 - Leung Mi Ling Elza

R193 - Wong Tsun Ho

R197 - Liu Hon Chung

R204 - Au Choi Ying

R213 - Wong Miu Kam

R216 - Leung Kit Lai Katrina

R218 - Chow Chi Ming

R240 - Lee King Mei

18. Mr Poon Chi Shing, a K&TDC Member, made the following main points:

- (a) he requested to have a verbatim record of his oral submission for the reasons that the audio recordings of the meeting might not be audible to some residents who suffered from hearing impairment, and some points which were considered important by the local residents had not been correctly recorded or had been missed out in the minutes of the previous hearing sessions;
- (b) given that other attendees of the present meeting had already provided many new information and evidence to demonstrate that the information provided by government departments were inaccurate and incomplete, he would not repeat the same arguments;
- (c) he was concerned that Members might have been misled by PlanD and

made a wrong decision based on the inaccurate and incomplete information;

*Inadequate Consultation*

- (d) K&TDC was consulted on the proposed rezoning in respect of the original representation site on 14.5.2015 during which DC members raised concern on the potential traffic, air ventilation and visual impacts brought by the proposed development and the insufficient provision of community facilities. Furthermore, they were concerned about the environmental impacts (i.e. traffic noise and glare impacts) from the adjacent Tsing Sha Highway, CT9 and port back-up facilities on the future residents. A motion was passed requesting re-planning of the original representation site and the proposed PRH development should be shelved until there was comprehensive planning for supporting transport, environmental and community facilities. However, it was stated in PlanD's Paper that K&TDC had no comment on the proposed amendments;
- (e) apart from a written reply to the Chairman of K&TDC on 15.7.2015, PlanD had not provided any further information to K&TDC regarding the latest development of the proposed PRH development since the passing of the motion on 14.5.2015 and was reluctant to attend the local forums on the proposed development organized by DC members and local residents despite repeated invitations;
- (f) he had made a verbal statement at the special meeting of K&TDC on 20.7.2015 stating that he was dissatisfied with PlanD and HD in that the views of K&TDC and local residents on the proposed rezoning were not taken into account and the proposed rezoning had been submitted to the Board for consideration before K&TDC was further consulted. He further requested PlanD and HD to provide detailed information on Traffic Impact Assessment, Environmental Assessment, and major development parameters including height and disposition of the proposed scheme for K&TDC's further consideration and to suspend the PRH development at the original representation site before the area was

comprehensively planned and provided with sufficient transport and environmental infrastructure and community facilities. However, no response to the above statement was provided by government departments. Not until he submitted an agenda on the same issue again at the new term of K&TDC that a 4-page written response was provided by PlanD;

- (g) K&TDC members should be properly consulted such that the views of the local residents could be truly conveyed to the Board for making a more balanced decision. However, PlanD had ignored the request of K&TDC and submitted the OZP amendments to the Board for consideration and thus putting the burden on the Board by inviting the public to directly submit representations to the Board;
- (h) the K&TDC had never objected to any public housing project in the district in the past but only objected to the proposed public PRH development on the original representation site simply for the reason that the site was not suitable for residential development;
- (i) he submitted an agenda item in the new term of K&TDC expressing dissatisfaction that K&TDC was not consulted on the major revisions in the development parameters and layout of the proposed PRH development and that PlanD had submitted the proposed OZP amendments to the Board for agreement on 8.7.2016. He also invited PlanD and HD to attend the K&TDC meeting to brief members on the latest development of the PRH development on the original representation site. However, a written reply was given by HD on 13.7.2016 declining the invitation for the reason that the department was conducting a major review on the proposed PRH development on the remaining "R(A)4" zone and the revised development scheme would be submitted to K&TDC for consideration upon completion of the review;
- (j) the information regarding the revised development scheme as attached in the Paper had not been submitted to K&TDC. Although the concerned K&TDC members had subsequently been provided with the new

information prepared by HD, the information was less comprehensive than those submitted to the Board. In the absence of sufficient information, it would be difficult for K&TDC members to conduct an effective consultation with the local residents;

- (k) good planning should involve public participation and due regard should be given to the views expressed by the locals and DC. K&TDC was dissatisfied with PlanD for not providing sufficient information on the proposed PRH development for its consideration and consultation with the locals and ignoring the K&TDC's views on the proposed amendments. He remarked that K&TDC members were not respected for they were not provided with the essential information;

#### *Technical Aspects*

##### *Noise*

- (l) with reference to the Covering Note prepared by HD (Enclosure VIII of the Paper), in terms of traffic noise, HD would implement the necessary mitigation measures with a view to achieving 100% traffic noise compliance rate. However, no detailed proposal on the mitigation measures was provided and the consequence of non-compliance was not mentioned. Based on the past experience from a public housing development in Lai King where the committed full compliance of noise standard was not fulfilled by HD, the possibility of achieving 100% noise compliance rate by HD was questionable;

##### *Air Quality*

- (m) on air quality, K&TDC had all along been working closely with Environmental Protection Department (EPD) with a view to minimising the adverse impact of CT9 thus improving the air quality of Kwai Tsing District. However, the Cover Note had indicated that the key emission source was the vehicular emission from road traffic. He wondered why the pollutants from CT9 had been omitted in the technical assessment;

- (n) noting that HD had mentioned that the layout and design of building blocks would be carefully designed with the aim to comply with the buffer distance requirements, consideration should be given to enlarging the further representation site with a view to better achieving the buffer function;
- (o) it was true to say that the proposed PRH development on the remaining “R(A)4” zone was now farther away from the two major sources of industrial emission (i.e. TYPTW and a PFS at Tsing Yi Road) upon rezoning under Amendment Item A. However, the proposed PRH development would remain in close proximity to other pollution sources of the existing/planned container-related uses such as logistics centre and public vehicle park. Moreover, the impact of the existing sewage/drainage channel near Rambler Crest on the future PRH development had also been ignored in the previous assessment;
- (p) it was stated in the Covering Note that HD would complete an Environmental Assessment Study (EAS) during the design stage to determine the necessary mitigation measures and EPD would vet the EAS to ensure its compliance with relevant requirements and guidelines stipulated in the HKPSG. Given the possibility that the EAS conducted by HD might not be acceptable to EPD at the design stage, it was considered more appropriate for the EAS to be conducted to the satisfaction of EPD at an early stage;

*Traffic and Public Transport*

- (q) according to his understanding, previous technical assessment conducted by the consultant had demonstrated the technical feasibility of the original development scheme with five public housing blocks on the original representation site. He could not understand why the current traffic assessment conducted by HD for the proposed PRH at a reduced scale on the smaller site would conclude that the traffic impact was merely acceptable from traffic engineering point of view. He therefore cast doubt on the credibility of the traffic assessment report previously

prepared for the project;

- (r) while the existing population in Tsing Yi South had been increased over the years, the provision of public transport services had been reduced with the suspension of an existing bus route No. 43C in the present year. The same situation applied to different parts of Kwai Tsing district. To cite an example, Kwai Luen Estate was a public housing estate comprising four blocks which had been completed for about 2-3 years. Despite numerous complaints from the K&TDC member of the concerned constituency, only one new bus route was added to help address the shortage;
- (s) TD's promises to work together with relevant public transport operators to closely monitor the population intake date of the proposed PRH development and to ensure adequate public transport services were provided to meet the need of the future residents of the housing development might not be realized. Excuses such as difficulty to hire drivers, inadequate number of buses and adequate provision of bus services in overall terms might often be used;
- (t) the shortage of public transport services to meet the demand of the existing population was well noted by TD but nothing had been done to address the problem despite repeated complaints lodged by K&TDC or concerned DC members;
- (u) given the problem of inadequate provision of public transport services to serve the existing population remained unresolved, it would be unreasonable to further increase the population of the area. While the rezoning of part of the original representation site was supported, the corresponding reduction in public transport demand was insignificant;

*Visual Appraisal*

- (v) HD had not provided any information on the detailed design and disposition of the three building blocks nor the overall layout of the

proposed PRH development. However, it appeared from the photomontages of the Covering Note prepared by HD that the form and disposition of the building blocks had already been determined. HD should be requested to provide more information on the detailed layout of the remaining “R(A)4” zone for Members’ assessment on the visual impact of the proposed development. Moreover, the same information should also be provided to K&TDC for consideration;

*Air Ventilation Assessment*

- (w) the information provided by HD in the Covering Note was misleading and served mainly to justify its cause. Similar to the visual appraisal, it appeared that the detailed layout and disposition of the proposed residential blocks should have been available for the conduct of AVA;
  
- (x) referring to the assessment that the removal of Block 4 at the original representation site would affect the air ventilation of the Tsing Hung Road Playground, he said that the major concern of the local residents was whether the removal of Block 4 would improve the overall wind environment of the residential areas including Mayfair Gardens, Cheung Ching Estate and Rambler Crest instead of the wind environment of the Tsing Hung Road Playground;

*Glare*

- (y) as stated in the Cover Note, HD would try to minimize the possible glare impact from CT9 through building disposition and design as far as practicable to minimize disturbance to future public housing residents. Noting that the glare impact from CT9 had been taken into account in the technical assessment, he wondered why the air quality impact of CT9 was not included in the respective assessment;
  
- (z) the Board should request HD to provide detailed layout of the proposed PRH development which was essential for assessing the glare impact. In the absence of comprehensive information, the Board might not be able to make an informed and balanced decision;

*Traffic Data*

- (aa) while the traffic assessment conducted by HD concluded that the traffic impact of the proposed PRH development was acceptable, he had gathered some information to demonstrate that the existing adverse traffic situation in Tsing Yi South as evidenced by frequent traffic accidents and severe illegal on-street parking;
- (bb) according to the statistics provided by the New Territories South Traffic Division of Hong Kong Police, the traffic accidents involving medium goods vehicles in the vicinity of Rambler Crest during the period from April 2015 to April 2016 were as follows:

Location	Tsing Yi Road	Tsing Hung Road	Tsing Yi Hong Wan Road	Tsing Hong Road	Kwai Tsing Road
Number of accidents	24	1	22	4	11

- (cc) the number of on-street illegal parking near the original representation site for the months of August, September and October (as at 15.10.2016) this year were 42, 51 and 21 respectively. The above statistics might help Members to have a broad idea about the adverse traffic situation of the area though it might still be unable to truly reflect the chaotic traffic situation.

*Misleading and incomplete information*

- (dd) with the display of a site plan (Plan Ha-2 of Enclosure III of the Paper) on the visualiser showing the existing pedestrian access and elevated vehicular access of Rambler Crest, he said that more than 90% of the Rambler Crest residents would use the elevated vehicular access as their main pedestrian access. Instead of relying on the information provided

by government departments which might be incomplete and misleading, he suggested Members to visit the area to better understand the actual site condition before deliberating whether the further representation site could be enlarged;

- (ee) with the display of the ES of the Amendment Plan on the visualiser, he claimed that the information as set out in paragraph 7.2.5 of the ES prepared by PlanD was incomplete in that a private residential development known as Mount Haven and the existing Rambler Crest were omitted. He reiterated that the Board's judgment might be biased by the incomplete information provided by PlanD;
- (ff) referring to paragraph 7.7.5 of the ES of the Amendment Plan regarding the provision of open space, he pointed out that due to a lack of resources, the proposed public open space at the original representation site was not developed by LCSD. However, the department had never stated that the project was scrapped. While the existing Tsing Hung Road Playground was funded by the K&TDC, the DC also had a keen interest to develop the further representation site and the remaining "R(A)4" zone comprehensively into a public open space to serve the local residents of Rambler Crest, Mayfair Gardens and Cheung Ching Estate;
- (gg) he also said that information about the proposed recreational and community facilities to be provided in the PRH development, which had been included in ES of previous OZPs, had been omitted in the ES of the Amendment Plan;

*Conclusion*

- (hh) the local residents of Rambler Crest, Mayfair Gardens and Cheung Ching Estate did not object to public housing development per se. However, taking into account various considerations including the original planning of the local area and government's commitment for the original representation site, the planning history of Rambler Crest and the site constraints, the original representation site was considered unsuitable for

residential development. Moreover, there were other alternative sites available in the area; and

- (ii) the role of the Board was to decide what was the best planning for the area taking into account the local's views. Given that many views and concerns of the local residents remained unaddressed, the Board should request the concerned departments to provide more information before making a decision. Moreover, PlanD should provide more information to K&TDC to facilitate its consideration of the development proposal in future.

19. The meeting was adjourned for a lunch break at 1:10 p.m.

20. The meeting was resumed at 2:30 p.m. on 25.10.2016.

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

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

Chairman

Dr Wilton W.T. Fok

Mr Ivan C.S. Fu

Mr Dominic K.K. Lam

Mr David Y.T. Lui

Mr Peter K.T. Yuen

Dr Lawrence W.C. Poon

Mr K.K. Cheung

Mr Wilson Y.W. Fung

Mr Alex T.H. Lai

Professor T.S. Liu

Ms Sandy H.Y. Wong

Mr Franklin Yu

Chief Traffic Engineer (New Territories West)  
Transport Department  
Mr Samson S.S. Lam

Principal Environmental Protection Officer (Regional Assessment)  
Environmental Protection Department  
Mr Louis P.L. Chan

Assistant Director/Regional 1, Lands Department  
Mr Simon S.W. Wang

Presentation and Question Sessions (Cont'd)

[Open Meeting]

22. The following government representatives, further representers, representers, commenters and their representatives were invited to the meeting at this point:

**Government Representatives**

*Planning Department (PlanD)*

- |                       |   |  |
|-----------------------|---|--|
| Mr Lawrence Y.C. Chau | - | District Planning Officer/Tsuen Wan & West Kowloon (DPO/TWK) |
| Ms Fannie F.L. Hung   | - | Senior Town Planner/Kwai Tsing (STP/KT)                      |

*Housing Department (HD)*

- |                   |   |                       |
|-------------------|---|-----------------------|
| Ms Emily W.M. Ip  | - | Planning Officer (PO) |
| Ms May S.S. Yeung | - | Architect (A)         |
| Mr Chow Kwok Sang | - | Civil Engineer (CE)   |

*Transport Department (TD)*

- |                    |   |                                    |
|--------------------|---|------------------------------------|
| Mr Patrick K.H. Ho | - | Senior Engineer/Kwai Tsing (SE/KT) |
|--------------------|---|------------------------------------|

**Further Representers, Representers, Commenters and their representatives**

F4 – Hung Mui

R73 - 陳彩蓮

R82 - Wong Hei Man

R87 - 毛澤友

R93 - 何嘉欣

R97 - 黎仲明

R110 - Chu Wing Tong

R117 - Chan Chi Keung

R120 - 張桂蘭

R123 - Lam King Fai

R134 - Tso Ka Lee

R678 - Chan Chin Fung

C2 - Owners' Committee of Rambler Crest

C26 - Lam Kai Hung

C28 - Hung Siu Lai

C29 - Hung Siu Kuen

Mr Chan Wai Yip Andy - Further Representer's, Representers' and Commenters' representative

F6 - Mr Kee Ng

F676 - Yau Shuk Fun

R179 - Leung Mi Ling Elza

R193 - Wong Tsun Ho

R197 - Liu Hon Chung

R204 - Au Choi Ying

R213 - Wong Miu Kam

R216 - Leung Kit Lai Katrina

R218 - Chow Chi Ming

R240 - Lee King Mei

Mr Poon Chi Shing - Further Representers' and Representers' representative

F7 - Chu Hoi Dic

F958 - Wong Lai Yee

F960 - Cheung Derek

F961 - Lau Wing Shan

F962 - Pang Nga Ching Chris

F987 - Ng Wai King

F989 - Chan Po Yin

F990 - Lam Wai Ming

F533/F2472 - Tam Chun Lung

Mr Tam Chun Lung - Further Representer and Further  
Representers' representative

F8 - Christel Lau Kit Yan

F237 - Poon Lai Kwan Amy

R237 - 潘麗明

R241 - 阮國媚

R242 - 劉樂彤

R243 - Cheng Hau Ying

R245 - Leung Po Yee Jusinda

R253 - Lau Kit Yan Ann

R254 - 李秀琼

R263 - Leung Ka Hei

R265 - 鄭淑雯

Ms Poon Lai Kwan Amy - Further Representer, Further  
Representer's and Representers'  
representative

23. The Chairman extended a welcome to the government representatives, further representers, representers, commenters and their representatives. He then invited the further representers, representers, commenters and their representatives to give their oral submissions.

F7 - Chu Hoi Dic

F958 - Wong Lai Yee

F960 - Cheung Derek

F961 - Lau Wing Shan

F962 - Pang Nga Ching Chris

F987 - Ng Wai King

F989 - Chan Po Yin

F990 - Lam Wai Ming

F533/F2472 - Tam Chun Lung

24. Mr Tam Chun Lung made the following main points:

- (a) as Mr Chan Wai Yip Andy and Mr Poon Chi Shing had provided the Town Planning Board (the Board) with a lot of information in the morning session, he would share with Members his personal experience as an individual who had lived in Tsing Yi for a few years;
- (b) it had been pointed out earlier that the remaining “Residential (Group A)4” (“R(A)4”) zone at Tsing Hung Road was originally reserved as a buffer for the container terminal and the nearby residential development and thus should not be used for public rental housing (PRH) development. It was unfair to compromise the living standard of the future public housing tenants at the remaining “R(A)4” zone for the sole purpose of meeting housing demand;
- (c) he had witnessed how untreated household waste was discharged into the sea directly at Tsing Yi Public Pier causing environmental nuisance and pollution and he understood the importance of planning. In view of the increasing population in Tsing Yi, proper planning to ensure adequate provision of supporting facilities and infrastructure was very important;
- (d) Kwai Tsing was a densely populated district with obnoxious facilities such as crematorium, landfill, oil drums, chemical treatment facilities and docks. Although DPO/TWK had mentioned that the trees to be felled due to the proposed PRH development were of low-conservation value, they were still performing the indispensable function of providing fresh air to people;

Traffic concerns

- (e) Rambler Crest was served by two green mini-bus (GMB) routes, which were inadequate to cope with the public transport demand generated by the five residential blocks of Rambler Crest and the three hotels to its east and there were long queues for GMB in the morning peak hours. The traffic problem was also partly caused by the hotels' failure to obtain approval from the Government for providing shuttle bus service to serve their guests;
- (f) there was no guarantee that the Government could provide adequate public transport services to the future residents of the PRH development on the remaining "R(A)4" zone. The completion of the planned residential developments near Cheung Ching Estate and Sai Shan Road would further aggravate the problem;
- (g) the public transport service was unlikely to cope with the demand in the area which would house some 20,000 people. While the Government had suggested that the public transport services could be improved by increasing the frequency of public transport services, the residents of Rambler Crest learnt from the merchants' association of mini-buses that the frequency of mini-bus services could unlikely be increased due to the high licence fees of mini-buses and the difficulty in recruiting young drivers;
- (h) besides, the roads in the vicinity were narrow and subject to frequent maintenance due to their heavy use by container vehicles. Those roads were unlikely able to sustain the traffic owing to the proposed increase in bus service while road widening was also infeasible due to the local terrain. Besides, each bus had only limited passenger capacity. An increase in the bus service would only aggravate the problem and further slacken the already slowly-moving traffic. The traffic impact assessment (TIA) conducted by the Government for the proposed PRH development had not

adequately reflected the actual situations;

[Dr Wilton W.T. Fok arrived and Mr David Y.T. Lui returned to join the afternoon session of the meeting at this point.]

### Environmental concerns

#### *Air pollution*

- (i) although DPO/TWK claimed in his presentation that Rambler Crest was screened off by the three hotels to its east from noise, air and glare impacts of Container Terminal 9 (CT9), he and his family lived in Rambler Crest and had to dust twice a day in order to keep his home clean. It proved that the magnitude of air pollution in the area was significant and that the provision of physical barriers as a measure to prevent air pollution was ineffective;

#### *Noise*

- (j) at night, while traffic noise was less severe, the operation noise of the container terminal was very audible and disturbing. It would be unreasonable to require residents to close their windows round the clock to avoid the noise;

### Insufficient supporting facilities

#### *Open space*

- (k) the playground near Rambler Crest was too small for any meaningful recreational activities and cycling facilities in Tsing Yi south were not adequate. While the local residents could cycle in Tsing Yi north, they had to transport bicycles to Tsing Yi north by taxi which was costly and time consuming;

*Shopping facilities*

- (l) due to insufficient provision of shop and services facilities, residents of Rambler Crest and staff/students of the Hong Kong Institute of Vocational Education (Tsing Yi) and the Technological and Higher Education Institute of Hong Kong (the Technical Institutes) had to use the facilities provided in Mayfair Gardens, causing inconvenience to the residents. Although a wet market was provided in Cheung Ching Estate, due to poor planning, most of the stalls were vacant and patronage was low;

*Medical facilities*

- (m) the demand for medical facilities was acute in Tsing Yi but the provision was inadequate. It was reflected by the personal experience of his family members: his mother had to travel hours from Tsing Yi to Princess Margaret Hospital for medical services; there was a long waiting list of public medical service for his autistic son who had to go to the private clinic in Yau Ma Tei for very costly medical treatment; his wife suffering from Lymphoma had to turn to the expensive private medical service in the interim while waiting for the public medical service;
- (n) if the provision of government, institution or community (GIC) facilities was inadequate to meet the needs of the existing Tsing Yi residents, it was doubtful that it could meet the future need of the future residents taking into account the future demographic changes with an additional 20,000 people in the area;

Construction cost

- (o) DPO/TWK's claim that the construction cost of the proposed PRH development on the remaining "R(A)4" zone was similar to those on levelled ground was doubtful as the remaining "R(A)4" zone was sitting

on sloping ground. The Government had not indicated the actual difference in construction costs on sloping ground and levelled ground;

Possible legal challenge

- (p) if the Government proceeded with the proposed PRH development on the remaining “R(A)4” zone without justification, it might be subject to legal challenge by the public. Even if the proposed PRH blocks had been built, they could not be occupied if the Government subsequently lost the lawsuit. It would be a waste of public money;

Conclusion

- (q) the Government had stated that the proposed PRH development could solve the short-term housing problem. However, the definition of ‘short-term’ was unclear and the planning of housing development should be for long term rather than short term;
- (r) the future public housing tenants would be subject to severe air and noise pollution as the three proposed PRH blocks would essentially be used as a buffer for Rambler Crest and Mayfair Gardens. Trees and greenery at the remaining “R(A)4” zone would be a much better buffer; and
- (s) Members were invited to consider the further representations thoroughly by examining the information provided by the further representers, representers and commenters (the attendees) before making a decision.

F8 - Christel Lau Kit Yan

F237 – Poon Lai Kwan Amy

R237 - 潘麗明

R241 - 阮國媚

R242 - 劉樂彤

R243 – Cheng Hau Ying

R245 - Leung Po Yee Jusinda

R253 - Lau Kit Yan Ann

R254 - 李秀琼

R263 - Leung Ka Hei

R265 - 鄭淑雯

25. Ms Poon Lai Kwan Amy made the following main points:
- (a) she requested to have a verbatim record of her oral submission;
  - (b) proposed Amendment Item A to rezone the northern portion of the “R(A)4” zone to “Open Space” (“O”) zone on the draft Tsing Yi Outline Zoning Plan (OZP) No. S/TY/27 was welcome. However, the remaining “R(A)4” zone for the proposed PRH development should also be rezoned to “O” so as to maintain its original function of being a buffer zone for Mayfair Gardens and Cheung Ching Estate arising from the construction of CT9 ;
  - (c) provision of a buffer area was a commitment made by the Government. Mr Chan Wai Yip Andy in the morning session had explained clearly that the original representation site was identified as a buffer area in the endorsed Final Report of the ‘South-East Tsing Yi Port Development Planning and Engineering Feasibility Study for CT9’;
  - (d) as stated in section 3.3.2 of Chapter 9 of the Hong Kong Planning Standards and Guidelines (HKPSG), the acceptable uses in the buffer area included godown, cold storages, carparks, amenity areas and open spaces. There were some constraints for active open space uses. Other less sensitive uses such as commercial and GIC facilities could also be considered. However, those uses should be relatively low-rise, air-conditioned and the distance between buildings and the industrial sites should exceed 30m. It was also stated in Appendix 2.1 of Chapter 9 of HKPSG that ‘sensitive uses’ were land uses susceptible to the influence of

residuals or physical changes generated by polluting uses. Examples included schools and residential areas. Under item (h) in Appendix 2.1, 'buffer area' meant an area of land separating incompatible land uses, being of sufficient extent to minimize the potential conflict between them. Those areas might contain non-sensitive structures or uses;

- (e) in other words, HKPSG had specified that buffer area was to separate incompatible uses and on which only non-sensitive buildings were allowed. Residential development, being a sensitive use, should not be permitted;
- (f) some attendees also pointed out that contrary to the findings of the TIA Report prepared by the Government, public transport facilities in the area had already been overtaxed;
- (g) she lived in Rambler Crest and noticed that there were long queues for GMB in the morning peak hours. The security guards had to work hard to prevent the hotel guests from cutting in lines;
- (h) she showed a video clip recorded around midnight to demonstrate the operation noise of CT9 at night. Although she lived on a lower floor in Rambler Crest, CT9's operation noise was still audible and she needed to close her windows 24 hours a day as CT9 operated round the clock;
- (i) she showed another video clip recorded on a higher ground at night to demonstrate the severe impact of operation noise of CT9 on the local residents on a daily basis. Although the Government had stated that the noise impact would be acceptable with the implementation of the proposed mitigation measures, it was pointed out by another attendee in the morning session that the noise was above 70 dB(A). In that connection, it was doubtful that a 100% noise compliance rate could be achieved;
- (j) according to the Guidelines for Community Noise published by the World Health Organization on sleep disturbance, measurable effects of noise on

sleep began at noise level of about 30 dB(A). Noise level at 70 dB(A) would be too high for the future PRH residents to sleep without closing the windows. On the other hand, it would not be reasonable to request them to have the windows closed at all time;

- (k) according to HKPSG, a buffer distance of 120m should be kept between district distributors/local distributors and residential uses. As the remaining “R(A)4” zone abutted Tsing Sha Highway, a buffer distance required under HKPSG should be maintained;
- (l) the proposed PRH development would involve felling of trees at the remaining “R(A)4” zone, which was the only greenery site in the area that the residents could use. Tree felling was undesirable as trees filtered out dust to keep air in the area fresh;
- (m) the remaining “R(A)4” zone was a sloping site. There were still many other formed sites in the territory that could be used for the proposed PRH development;
- (n) because of the pollution issues, successful applicants, as reported in the Press, had declined the offer of flats in Wah Ha Estate, which was converted from a former factory estate in Chai Wan. Since the remaining “R(A)4” zone was subject to severe noise impact, it was envisaged, from the experience of the Wah Ha Estate, that complaints would be received from the future tenants; and
- (o) she showed a video clip which included shots of noise pollution, light pollution, air pollution, traffic congestion, long queues waiting for GBM. She reiterated that the proposed Amendment Item A of rezoning part of the “R(A)4” zone to “O” was supported. Members were invited not to allow residential development on the remaining “R(A)4” zone which was a buffer area.

26. As the presentations of the further representers, representers, commenters and their representatives were completed, the Chairman invited questions from Members.

27. In relation to the buffer use of the original representation site, two Members asked (a) whether the information provided by the attendees claiming that the original representation site was a buffer area was genuine; (b) whether the Government had committed to provide a buffer area; and (c) whether residential blocks/schools could be built on the original representation site if it was a buffer area. Mr Lawrence Y.C. Chau, DPO/TWK responded that according to HKPSG, the recommended buffer distance between multi-storey industrial buildings and sensitive receivers, such as residential areas and schools was 100m. The original representation site was recommended as “O” zone on the Conceptual Land-Use Plan (the Concept Plan) formulated under the ‘South-East Tsing Yi Port Development Planning and Engineering Feasibility Study for CT9’ (the CT9 Study) that was completed in 1991 with the purpose to serve as a buffer between the proposed industrial buildings and the sensitive receivers at Mayfair Gardens and Cheung Ching Estate. The said sensitive receivers were to be protected from the noise and glare impacts of CT9 by the proposed industrial buildings in the original “Industrial” (“I”) zone, including the area now developed as Rambler Crest. The recommendations of the CT9 Study were incorporated into the then OZP in 1992. To comply with lease conditions, trees were also planted on the original representation site by the developer of CT9 when the container terminal was completed in 2003/04. With subsequent changes in social and economic circumstances, the original “I” zone was rezoned to “Commercial” (“C”) and the “Other Specified Uses” annotated “Container Related Uses” (“OU(CRU)”) zones with Rambler Crest developed later on the “C” zone. At present, the “OU(CRU)” zone to the south-east of the original representation site was being considered for a proposed multi-storey carpark and the site to the further south-east was under short-term tenancies (STT) for parking of container vehicles and container storage. The technical assessments conducted for the proposed PRH development on the remaining “R(A)4” zone had confirmed that there would be no insurmountable technical problems and the proposed development would comply with all standards/requirements set out in HKPSG.

28. The Chairman asked what should be the buffer distance between the remaining “R(A)4” zone and its adjoining highway. In response, Mr Lawrence Y.C. Chau displayed

a table extracted from HKPSG on the visualizer and explained that the section of Tsing Sha Highway being a trunk road abutting the remaining “R(A)4” zone had been provided with noise screening, the recommended buffer distance between trunk road (with screening) and residential use was 50m according to HKPSG.

29. A Member noted that some of the current “OU(CRU)” zones were originally zoned “T” in the CT9 Study and requested DPO/TWK to clarify according to HKPSG (a) whether a buffer area was required between the residential development and the “OU(CRU)” zones; (b) whether a buffer area was required between the existing residential development and the original “T” zones in the 1990s. Another Member also asked DPO/TWK to confirm whether the original representation site functioned as a buffer between the existing residential developments and the original “T” zones and whether the original “T” zone was in itself performing a buffer function between the sensitive receivers and CT9. In response, Mr Lawrence Y.C. Chau said that whilst HKPSG had not recommended any specific buffer distance for the “OU(CRU)” zone, an environmental assessment (EA), including assessments on the fixed noise from CT9 and the Tsing Yi Preliminary Treatment Works (PTW) as well as on road traffic noise, was required to prove that the remaining “R(A)4” zone would not be subject to unacceptable noise impacts. According to the preliminary findings of the EA conducted for the proposed PRH development on the remaining “R(A)4” zone, the noise levels of some units of the proposed PRH development would marginally exceed the noise standard. However, with proper building disposition and orientation, and the implementation of the recommended practical noise mitigation measures, such as the provision of architectural fins, acoustic windows and acoustic balconies, a 100% noise compliance rate would be achieved. Mr. Lawrence Y.C. Chau further explained that under the CT9 Study, the original “T” zone was intended to serve as a buffer to screen off the noise and glare impacts from CT9 to the existing sensitive receivers whereas the original representation site was a buffer to separate the original “T” zone from the existing residential developments, but not a buffer for CT9. Mayfair Gardens and Cheung Ching Estate were adequately protected from CT9 with the development of Rambler Crest.

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

30. A Member noted that some attendees did not object to PRH development but considered the original representation site not appropriate for PRH development. He asked the attendees to clarify (a) whether Rambler Crest could serve as noise and pollution barriers to the proposed PRH development for being situated midway between the proposed PRH development and CT9; and (b) whether they agreed that the planned shopping facilities in the proposed PRH development would help meet the needs of the neighbouring communities and bring about improvement to the public transport services. Before responding to the Member's questions, Mr Chan Wai Yip Andy pointed out that the proposed industrial buildings in the original "I" zone were for low-polluting, low-rise and high-technology developments. They were intended to be the first layer of buffer for the existing sensitive receivers. Without those industrial buildings, Mayfair Gardens and Cheung Ching Estate were directly exposed to the impacts of CT9. In response to the other question raised by the Member, Mr Chan continued to say that after the provision of social facilities for the aged and a kindergarten, the proposed shopping mall within the proposed PRH development could only accommodate no more than a fast-food shop and a stationary store in the remaining floor space. The proposed shopping facilities would not be able to meet the needs of the proposed PRH development with a population of some 6,500 to 6,800 persons, let alone the workers of CT9 and other nearby sites. Due to the small size of the proposed shopping mall, the future public housing tenants together with the residents and workers of nearby developments would all go to Mayfair Gardens and Cheung Ching Estate for retail facilities and services. With respect to public transport services, Mr Chan said that the high licence fees and the difficulty of recruiting young drivers had rendered the increase of frequency of GMB services difficult if not impossible. Traffic on Ching Hong Road and Tsing Yi Road, which were dual two-lane roads, had been saturated and road widening was not feasible due to the existing developments and topography. Without road widening, an increase in the frequency of GMB, even if possible, would only worsen the already congested traffic to and from Tsing Yi Bridge. Although DPO/TWK said that Rambler Crest and the hotels were functioning as a buffer between CT9 and the sensitive receivers, they were not adequate to cover Mayfair Gardens and the Technical Institutes.

31. In response to Members' questions on the details of the substantive measures used to protect the future tenants of the proposed PRH development against the noise, glare

or other impacts and whether the noise level in the EA report was an aggregate of noises of all related sources, Mr Lawrence Y.C. Chau reiterated that technical assessments had been conducted and it was confirmed that there would be no insurmountable technical problems for the proposed PRH development. There would be no unacceptable noise problems with the implementation of the recommended practical mitigation measures and the building blocks would not be exposed to unacceptable vehicular emission with carefully designed building layout and setback of building blocks. Under the control of the relevant ordinances, industrial emission from a petrol filling station nearby and the Tsing Yi PTW would not cause adverse air quality impact on the environment. At present, there was no standard or guidelines under HKPSG on glare impact. However, through building disposition and design at the detailed design stage, HD would minimize the possible glare impact of CT9 on the future tenants of the proposed PRH development. Regarding the noise levels in the EA, Mr Chow Kwok Sang, CE, HD said that the noise level was a combined assessment of background noise and traffic noise.

32. A Member asked about the hours to which the am peak in the TIA report referred. Mr Patrick K.H. Ho, SE/KT, TD said that it was the busiest hour from 7 to 9 o'clock in the morning. Mr Lawrence Y.C. Chau supplemented that Tsing Yi was well served with a comprehensive transport network of trunk roads and bridges. Container vehicles could directly go to CT9 after exiting from Tsing Yi south bridge without making use of the two Tsing Yi interchanges. Traffic to Yuen Long, Lantau and Tsuen Wan/Kowloon could route through Ting Kau Bridge, Tsing Ma Bridge and Tsing Tsuen Bridge respectively. Since traffic was low on Tsing Yi Road which was a cul-de-sac adjacent to the remaining "R(A)4" zone, temporary roadside parking was not uncommon.

33. As most complaints were from the residents of Rambler Crest, a Member requested DPO/TWK or any attendee to clarify (a) if there was a special function or purpose for Rambler Crest to achieve; (b) the reasons for Rambler Crest's special layout and disposition. The Member said that as the questions raised might require research on the historical account of the development of Rambler Crest and relevant documents, DPO/TWK could provide his responses in the other sessions of the hearing. In respect of the Member's request for a historical account on the development of Rambler Crest, Mr Lawrence Y.C. Chau said that the Rambler Crest site was originally zoned "I" and the

buildings therein were intended to serve as a buffer to screen off the adverse impacts of CT9 on Cheung Ching Estate and Mayfair Gardens. As the industrial sector dwindled in the 1990s, the “T” zone was rezoned to “C” in 1997 and the site was subsequently approved for hotel and service apartment uses through the planning application mechanism. With the presence of hotel blocks, the Rambler Crest continued to perform as a buffer to screen off the glare and noise impacts from CT9. Mr Chan Wai Yip Andy said that owing to the commitment to provide a noise barrier for the noise sensitive receivers, Rambler Crest and the hotels were developed. However, Mayfair Gardens and the Technical Institutes still had to rely on the protection provided by the remaining “R(A)4” zone.

34. A Member noted from the photos and video clips shown by the attendees that there were long queues for GMB services during peak hours. The Member requested DPO/TWK to provide information relating to the population density of the area comprising Mayfair Gardens, Rambler Crest, etc, and those of comparable neighbourhoods adopting a similar transportation mode, i.e. feeder GMB to the Mass Transit Railway (MTR) station for MTR services to other areas. Mr Lawrence Y.C. Chau replied that he would provide the requested information in the later hearing sessions. With respect to the provision of public transport facilities, there were more than 20 franchised bus and scheduled GMB routes in the vicinity, which could cater for the additional demand generated by the proposed PRH development. TD had advised that additional routes, particularly the feeder GMB services to MTR stations, could be added if required. According to the TIA, there was still spare capacity in major road junctions after completion of the proposed PRH development.

35. Regarding the building height profile, a Member asked (a) that information be provided on the building height (BH) of the three hotels to the east of Rambler Crest, Rambler Crest and the future PRH development on the remaining “R(A)4” zone; (b) whether the top floors of Rambler Crest would have direct views of CT9; and (c) whether the three residential towers of the proposed PRH development would be higher than the three hotels. In response, Mr Lawrence Y.C. Chau said, with the help of photomontages, that the maximum BH of Rambler Crest and the proposed PRH development was 143mPD and 140mPD respectively. The BH of the proposed PRH development and the hotels were lower than the Rambler Crest. In terms of number of storeys, Mr Chan Wai Yip

Andy said that Rambler Crest was 50 storeys in height. For units of Rambler Crest above the 39<sup>th</sup> floor, the residents had direct views of CT9. The proposed PRH development would be of the same BH of Rambler Crest. The residents of the proposed PRH development would be more susceptible to the adverse impact of CT9.

36. Noting that according to the EA, the proposed PRH development would not be susceptible to unacceptable noise impact with the implementation of noise mitigation measures, a Member asked about the range of the predicted noise level of the proposed PRH development. In response, Mr Chow Kwok Sang, CE, HD said that there were about 10% of the proposed units marginally exceeding the standards at levels ranging from 71 dB(A) to 73 dB(A). As the proposed PRH development was at the preliminary design stage, noise level of individual unit was not currently available. However, with the provision of architectural fins, acoustic windows and acoustic balconies, it was expected that the compliance rate on traffic noise would be 100%. Upon request of the Chairman, government representatives agreed to provide further information on the noise level in the later hearing sessions.

37. As there were no more questions from Members, the meeting was adjourned at 4:35 p.m.