

**Minutes of 1251st Meeting of the
Town Planning Board held on 6.8.2021**

Present

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

Chairperson

Mr Lincoln L.H. Huang

Vice-chairperson

Mr Wilson Y.W. Fung

Mr Stephen L.H. Liu

Dr Frankie W.C. Yeung

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr Lawrence W.C. Poon

Mr K.K. Cheung

Dr C.H. Hau

Mr Thomas O.S. Ho

Mr Alex T.H. Lai

Dr Lawrence K.C. Li

Professor T.S. Liu

Miss Winnie W.M. Ng

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr L.T. Kwok

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Mr K.W. Leung

Professor John C.Y. Ng

Dr Jeanne C.Y. Ng

Professor Jonathan W.C. Wong

Mr Ricky W.Y. Yu

Dr Roger C.K. Chan

Dr Venus Y.H. Lun

Mr C.H. Tse

Mr Y.S. Wong

Principal Assistant Secretary (Transport 3)
Transport and Housing Bureau
Mr Andy S.H. Lam

Chief Engineer (Works)
Home Affairs Department
Mr Gavin C.T. Tse

Assistant Director (Environmental Assessment)
Environmental Protection Department
Mr Terence S.W. Tsang

Director of Lands
Mr Andrew C.W. Lai

Director of Planning
Mr Ivan M.K. Chung

Deputy Director of Planning/District
Miss Fiona S.Y. Lung

Secretary

Absent with Apologies

Mr Stanley T.S. Choi

Dr Conrad T.C. Wong

In Attendance

Assistant Director of Planning/Board

Ms Johanna W.Y. Cheng

Chief Town Planner/Town Planning Board

Ms Caroline T.Y. Tang

Senior Town Planner/Town Planning Board

Mr Eric C.Y. Chiu

Opening Remarks

1. The Chairperson said that the meeting would be conducted with video conferencing arrangement.

Agenda Item 1

[Open Meeting]

Confirmation of Minutes of the 1250th Meeting held on 16.7.2021

[The item was conducted in Cantonese.]

2. The draft minutes of the 1250th meeting held on 16.7.2021 would be sent to Members in due course. Subject to any proposed amendments by Members on or before 12.8.2021, the minutes would be confirmed.

[Post-meeting Note: The minutes were confirmed on 12.8.2021 upon incorporation of a Member's suggested revisions to paragraph 42(b).]

Agenda Item 2

[Open Meeting]

Matters Arising

[The item was conducted in Cantonese.]

Town Planning Appeals Received

- (i) Town Planning Appeal No. 3 of 2021
Proposed House (New Territories Exempted House – Small House) in
“Agriculture” Zone, Lot 858 S.A ss.1 in D.D.9, Yuen Leng Village, Tai Po
(Application No. A/NE-KLH/593)

Town Planning Appeal No. 4 of 2021

Proposed House (New Territories Exempted House – Small House) in
“Agriculture” Zone, Lot 858 S.B ss.2 in D.D. 9, Yuen Leng Village, Tai Po
(Application No. A/NE-KLH/594)

3. The Secretary reported that two Notices of Appeal were received by the Appeal Board Panel (Town Planning) on 21.7.2021 against the decisions of the Town Planning Board (the Board) on 7.5.2021 to reject on review applications No. A/NE-KLH/593 and 594 each for a proposed house (New Territories Exempted House - Small House) at a site zoned “Agriculture” (“AGR”) on the approved Kau Lung Hang Outline Zoning Plan No. S/NE-KLH/11.

4. The review applications were rejected by the Board for the following reasons:

“(a) first and foremost, land is still available within the “Village Type Development” (“V”) zone of Yuen Leng, Kau Lung Hang and Tai Wo which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services; and

(b) the proposed development is not in line with the planning intention of the “AGR” zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention.”

5. Members noted that the hearing date of the appeals was yet to be fixed and agreed that the Secretary would act on behalf of the Board in dealing with the appeals in the usual manner.

- (ii) Town Planning Appeal No. 5 of 2021
Columbarium Use in “Government, Institution or Community” Zone, Lot 2011
(Part) in D.D. 132, Tuen On Lane, Tuen Fu Road, Fu Tei, Tuen Mun (Gig Lok
Monastery)
(Application No. A/TM/530)
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6. The Secretary reported that a Notice of Appeal was received by the Appeal Board Panel (Town Planning) on 23.7.2021 against the decision of the Town Planning Board (the Board) on 7.5.2021 to reject on review application No. A/TM/530 for columbarium use at a site zoned “Government, Institution or Community” on the approved Tuen Mun Outline Zoning Plan No. S/TM/35.

7. The review application was rejected by the Board for the following reasons:

- “(a) the proposed development is not in line with Town Planning Board Guidelines No.16 in that the columbarium use is in close proximity to the residential developments and sharing the same access road with the adjoining residential development, and is considered not compatible with the surrounding areas in land use terms; and
- (b) approval of the application would set an undesirable precedent for other applications of similar circumstances. The cumulative effect of approving such applications would cause nuisances to the residential neighbourhood.”

8. Members noted that the hearing date of the appeal was yet to be fixed and agreed that the Secretary would act on behalf of the Board in dealing with the appeal in the usual manner.

(iii) Appeal Statistics

9. The Secretary reported that as at 3.8.2021, a total of 11 cases were yet to be heard by the Appeal Board Panel (Town Planning) and four appeal decisions were outstanding. Details of the appeal statistics were as follows:

Allowed	37
Dismissed	166
Abandoned/Withdrawn/invalid	208
Yet to be heard	11
Decision Outstanding	4
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Total	426

[Messrs Y.S. Wong and Franklin Yu joined the meeting at this point.]

Tuen Mun and Yuen Long West District

Agenda Item 3

[Open meeting (Presentation and Question Sessions only)]

Consideration of Representation and Comments in respect of the Draft Yuen Long Outline Zoning Plan No. S/YL/24
(TPB Paper No. 10750)

[The item was conducted in Cantonese and English.]

10. The Secretary reported that the amendments to the draft Yuen Long Outline Zoning Plan (OZP) involved the rezoning of a site donated by Sun Hung Kai Properties Limited (SHK), and rezoning to take forward the decision of the Rural and New Town Planning Committee (RNTPC) on a s.12A application No. Y/YL/11 which was submitted by Winpo Development Limited (Winpo), a subsidiary of New World Development Company Limited (NWD). Representation and comments had been submitted by Ms Mary Mulvihill (R1/C3), Winpo (C1) and Hong Kong Sheng Kung Hui Welfare Council Limited (HKSKH Welfare Council) (C2), with the latter two both represented by Ove Arup and Partners Hong Kong Limited (Arup). The

following Members had declared interests on the item:

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| Mr Thomas O.S. Ho | - having current business dealings with SHK and Arup; |
| Mr K.K. Cheung | - his firm having current business dealings with SHK, NWD, Arup and HKSKH Welfare Council, and hiring Ms Mary Mulvihill on a contract basis from time to time; |
| Mr Alex T.H. Lai | - his former firm having business dealings with SHK, NWD, Arup and HKSKH Welfare Council, and hiring Ms Mary Mulvihill on a contract basis from time to time; |
| Mr Franklin Yu | - having current business dealings with Arup, and his spouse was an employee of SHK; |
| Miss Winnie W.M. Ng | - being a Director of the Kowloon Motor Bus Company (1933) Limited (KMB) and SHK was one of the shareholders of KMB; |
| Dr Conrad T.C. Wong | - having current business dealings with SHK; |
| Dr C.H. Hau | - being an employee of the University of Hong Kong (HKU) and K11 Concept Limited of NWD had been sponsoring student projects in HKU since 2009; |
| Ms Lilian S.K. Law | - being a former Executive Director and Committee Member of The Boys' & Girls' Clubs Association of Hong Kong which had received sponsorship from SHK; and |

Mr Ricky W.Y. Yu - being the Director and Chief Executive Officer of Light Be (Social Realty) Company Limited which had received donations from Chow Tai Fook Charity Foundation (related to NWD).

11. Members agreed that as the interests of Ms Winnie W.M. Ng, Dr Conrad T.C. Wong, Dr C.H. Hau, Ms Lilian S.K. Law and Mr Ricky W.Y. Yu were indirect, and Messrs Thomas O.S. Ho, K.K. Cheung, Alex T.H. Lai and Franklin Yu had no involvement in the representer's/commenters' submissions, they could stay in the meeting.

Presentation and Question Sessions

12. The Chairperson said that notification had been given to the representer and commenters inviting them to attend the hearing, but other than the representer/commenter who was present, the rest had either indicated not to attend or made no reply. As reasonable notice had been given to the representer and commenters, Members agreed to proceed with the hearing of the representation and comments in their absence.

13. The following representatives of Planning Department (PlanD) and representer/commenter were invited to the meeting at this point:

PlanD

Mr Kepler S.Y. Yuen - District Planning Officer/Tuen Mun and Yuen Long West (DPO/TMYLW)

Ms Carol K.L. Kan - Senior Town Planner/Special Duties

Representer and Commenter

R1/C3 – Mary Mulvihill

Ms Mary Mulvihill - Representer and Commenter

14. The Chairperson extended a welcome. She then briefly explained the procedures of the hearing. She said that PlanD's representatives would be invited to brief Members on the representation and comments. The representer/commenter would then be invited to make an oral submission. To ensure the efficient operation of the hearing, the representer/commenter would be allotted a total of 20 minutes for making presentation. There was a timer device to alert the representer/commenter two minutes before the allotted time was to expire, and when the allotted time limit was up. A question and answer (Q&A) session would be held after the attending representer/commenter had completed her oral submission. Members could direct their questions to the government representatives or the representer/commenter. After the Q&A session, the government representatives and representer/commenter would be invited to leave the meeting. The Town Planning Board (the Board) would then deliberate on the representation and comments in their absence and inform the representer and commenters of the Board's decision in due course.

15. The Chairperson invited PlanD's representatives to brief Members on the representation and comments.

16. With the aid of a PowerPoint presentation, Ms Carol K.L. Kan, STP/SD, PlanD briefed Members on the representation and comments, including the background of the amendments, the grounds/views/proposals of the representer and commenters, planning assessments and PlanD's views on the representation and comments as detailed in TPB Paper No. 10750 (the Paper).

17. The Chairperson then invited the representer/commenter to elaborate on her representation/comment.

R1/C1 – Mary Mulvihill

18. Ms Mary Mulvihill made the following main points:

Site A

- (a) there were concerns that the ultimate objective of the youth hostel development was not for the benefit of the community but for the benefit

of the developer who ‘donated’ the site to HKSKH given that the donation arrangements, for example the duration of the donation, between the developer and HKSKH were not made known to the public;

- (b) there was doubt regarding the future ownership of the youth hostel. HKSKH might eventually attempt to change the use of the site to one that was not serving the needs of the community. It was unsure whether there was restriction on change of use in the longer term;
- (c) the proposed social welfare service complex (SWSC) cum youth hostel development with a building height (BH) of 75mPD and sandwiched between YOHO Midtown and the “Government, Institution or Community” (“G/IC”) zone to the west of Site A would inevitably block natural lighting and air ventilation for the area. The site was subject to traffic noise and the proposed mitigation measures, such as acoustic windows, would unlikely be effective in resolving the noise problem. The acoustic windows of the SWSC likely could not be opened and it was undesirable for the elderly residents to live in the proposed residential care home for the elderly (RCHE) without sufficient natural lighting and air ventilation. Furthermore, open space was only provided on the fourth floor of the building, and considering its small size, it would not be sufficient to meet the needs of the residents of the RCHE and youth hostel as well as users of day care centre, etc.;

Site B

- (d) when the relevant s.12A application was considered by RNTPC in 2017, there were comments that the site formed an integral part of a wider open space network in the area and piecemeal rezoning could affect the overall integrity of the “Open Space” (“O”) zone; the proposed rezoning was considered not compatible with the planned open space and the existing residential developments nearby; and approval of the application would set an undesirable precedent;

- (e) while the subject “O” zone had no implementation programme, given the anticipated increase in population, it was obvious that consideration should be given to addressing the demand for more open space in the long term. The increase in population in the area meant that there would be a corresponding increase in demand for open space;
- (f) the developer behind the project, NWD, had a massive land bank in the New Territories and needed not use the concerned piece of land, which included a strip of government land, for art storage. She suspected that the developer might convert the site for residential use later;

Site C

- (g) Site C was originally zoned “O” which was intended to serve the residents of the three nearby villages. However, a large part of the abutting “O” zone was used for parking of vehicles as there was no implementation programme for the open space. Questions should be asked on why the “O” zone was not implemented by the Government;
- (h) despite a surplus in the planned “O” zone in Yuen Long, the local open spaces should be located within walking distance of residential clusters. There was no recreational area/open space near Site C;

Site E1

- (i) she was not clear why a non-domestic plot ratio (PR) of 9.5 was stipulated for the “Residential (Group A)5” (“R(A)5”) zone as the existing building at the site was a residential development. To reflect the existing development, only a maximum domestic PR of 5 and building height restriction (BHR) of 90mPD should be stipulated. Allowing a non-domestic PR of 9.5 under the new zoning would provide an incentive for the developer to redevelop the building for financial gain. It had been observed in other areas that some buildings in very good conditions had been demolished in order to develop the site at a higher PR. The

premature demolition of buildings would result in increased construction waste and air pollution; and

Site E2

- (j) the width of the road as shown in the area shown as 'Road' under Item E2 seemed excessive without tree planting.

19. As the presentations of PlanD's representatives and the presenter/commenter had been completed, the meeting proceeded to the Q&A session. The Chairperson explained that Members would raise questions and the Chairperson would invite the presenter/commenter and/or PlanD's representatives to answer. The Q&A session should not be taken as an occasion for the attendee to direct questions to the Board or for cross-examination between parties.

20. The Chairperson, Vice-chairperson and some Members raised the following questions:

Site A

- (a) the major differences between the "G/IC" and "G/IC(6)" zones;
- (b) whether there were more details regarding the design of the SWSC and youth hostel;
- (c) clarification on the ownership arrangement of the 'donated' site, i.e. whether it would be owned by SHK, HKSKH or the Government upon completion of the development and whether the land ownership needed to be taken into account when considering the rezoning;
- (d) whether there was more information regarding details of the Deed of Gift;
- (e) whether there was any measure to prevent the youth hostel from being converted to residential use, staff dormitory or commercially operated hotel in the future;

- (f) the rationale for stipulating a BHR of 75mPD, and whether there was scope to relax the BHR so as to accommodate more social welfare facilities;
- (g) noting that there would be a substantial number of staff required for running the facilities, whether there were sufficient car parking spaces provided in the development;
- (h) whether part of the RCHE in the development would be located more than 24m above street level which was not in line with the prevailing regulations;
- (i) whether the technical aspects such as air ventilation and traffic impacts had been assessed;
- (j) whether the project proponent would be responsible for the construction cost for some of the components in the development;
- (k) how the residents and users of the proposed SWSC cum youth hostel could access the surrounding area, such as Yuen Long Kai Tei;

Site B

- (l) the background for rezoning the site to “Other Specified Uses” annotated “Art Storage and Public Open Space” (“OU(AS&POS)”) and the OZP restrictions;
- (m) whether the development would generate significant additional traffic/pedestrian flow;
- (n) whether government land within Site B would be granted to the developer of the art storage facility;
- (o) whether there were other purpose-built art storage facilities in Hong Kong;

- (p) whether the Lands Department had enforcement power under lease to ensure that the site would be used for art storage purpose only;
- (q) what the changes in open space provision were after the rezoning;
- (r) what kind of art work would be stored at the site;

Site C

- (s) noting that the representer had expressed concern on the rezoning of undeveloped “O” to “V”, what the major rationales behind the amendment under Item C were;
- (t) whether there was a timeline for implementation of the “O” zone adjacent to Item C;

Site E1

- (u) whether there was any restriction on non-domestic gross floor area (GFA) under the lease of the development (i.e. the Spectra), and the reason for allowing a maximum non-domestic plot ratio (PR) up to 9 in the current “R(A)5” zoning;

General Issue

- (v) noting that the representer had expressed concerns on open space provision, what the distribution of open space in the Yuen Long area was; and
- (w) when zoning amendments would be initiated by the Government (like Item A) and when s.12A application would be required (like Items B and C).

21. In response, Mr Kepler S.Y. Yuen, DPO/TMYLW, made the following main points:

Site A

- (a) to facilitate the proposed SWSC cum youth hostel development, Site A was rezoned from “G/IC” to “G/IC(6)” subject to a relaxed BHR of 75mPD. ‘Residential Institution (Hostel and Dormitory only)’ was also stipulated as a Column 1 use, which was similar to that for the “G/IC(5)” zone on the same OZP for another youth hostel development at the junction of Shap Pat Heung Road and Tai Shu Ha Road West;
- (b) the rezoning to “G/IC(6)” was mainly to designate suitable zoning to facilitate the SWSC cum youth hostel at the site. The technical assessments conducted by the project proponent had concluded that the proposed development was generally compatible with the surrounding environment and would not result in significant adverse impacts. Detailed design of the building would normally not be a major consideration of the Board in considering the OZP amendment. When the project proceeded to the implementation phase, the project proponent was required to ensure that the design of the SWSC cum youth hostel would comply with all relevant government regulations and requirements;
- (c) land ownership was not a material consideration, the acceptability of the zoning amendments should be considered based on land use compatibility and technical feasibility. Based on the available information, it was understood that the site would be donated by SHK to HKSKH by executing a Deed of Gift;
- (d) the Deed of Gift would be prepared under the supervision of the Home Affairs Bureau (HAB), and the future use of the site would be governed by the lease;
- (e) the youth hostel development was coordinated and monitored by HAB under the Youth Hostel Scheme. Funding approval would be sought

from the Legislative Council (LegCo) and the Lotteries Fund for construction of the youth hostel and SWSC respectively. The part of the site on government land would need to be granted under a Private Treaty Grant for specified uses subject to policy support from relevant bureau. An agreement governing the uses and operation of the youth hostel would also be made between HAB and HKSKH to ensure that the site was used for its intended purpose to serve the community. HAB's agreement would need to be sought for any change of use at the site in future. Furthermore, 'Flat' and 'Hotel' uses were Column 2 uses in the "G/IC(6)" zone and planning permission for such uses was required from the Board. The established mechanisms would ensure that the youth hostel would not be converted into uses for commercial benefit or other uses without prior approval from the Government. Hence, there was no need to exclude the 'dormitory' use from the "G/IC(6)" zone;

- (f) based on the notional scheme prepared by HKSKH in consultation with HAB, the proposed SWSC cum youth hostel had a BH of about 72mPD. In that regard, a BHR of 75mPD was stipulated for the site on the OZP to allow design flexibility. The notional development scheme had already taken into consideration the findings of the technical feasibility study conducted and the types and scale of social welfare facilities as agreed with HAB to be provided at the site. Currently, there was no plan to accommodate additional social welfare facilities at the site;
- (g) the site was conveniently located and the walk to Yuen Long MTR Station via a footbridge located to the immediate north of the site was just about 100m. Under the notional scheme, 10 private car, four mini-bus and two coach parking spaces would be provided. The actual car parking provision would be confirmed at the detailed design stage in accordance with the requirements of the Transport Department (TD). Members' views on the possible need for more parking provision to cater for needs of the employees of the SWSC, could be conveyed to TD for reference;

- (h) based on the notional scheme, the portion of the RCHE located more than 24m above street level would not be used for domestic purpose. The project proponent would ensure compliance with all relevant regulations at the detailed design stage;
- (i) HKSKH had conducted various technical assessments, including Preliminary Environmental Review and impact assessments on traffic, visual, air ventilation, sewage and drainage aspects, to demonstrate that the proposed SWSC cum youth hostel would not result in significant adverse impact;
- (j) the development cost for the youth hostel and SWSC would be funded by the Government and the Lotteries Fund respectively. If 'religious institution' use, a use always permitted in the "G/IC(6)" zone, was included in the development at the site, relevant cost would be borne by HKSKH. According to the notional scheme, the ninth floor would be used as activity rooms for religious purpose and a small chapel, but the details would be further confirmed at detailed design stage;
- (k) the site was abutting Yau Tin East Road at its southern boundary and within close walking distance to Yuen Long Kai Tei, where a public transport Interchange (PTI) would be provided under the Yuen Long South Development project. The said PTI would facilitate the public, including those from the site, to access the areas within and outside the district;

Site B

- (l) the rezoning was mainly to reflect RNTPC's decision to partially agree to a s.12A application No. Y/YL/11 to facilitate implementation of the art storage at the site. The applicant of the application No. Y/YL/11 proposed to rezone the site to "OU(AS&POS)" with 'Warehouse (excluding dangerous goods godown)' as a Column 1 use. In order to ensure that the warehouse was used for art storage rather than general storage, RNTPC partially agreed to the "OU(AS&POS)" zoning but

considered that the proposed Notes of the zone needed to be reviewed by PlanD. Based on the indicative scheme submitted by the applicant, the site covered an area of about 6,100m², with the development site area of about 5,300m² for art storage and about 590m² for public open space (POS). In that regard, the current Notes for the “OU(AS&POS)” zone had stipulated a maximum GFA of 12,694m², BHR of 23mPD as well as the requirement for provision of POS of not less than 590m² within the site;

- (m) given the nature of operation of the proposed art storage, i.e. it would not be open to the public, and the modest scale of the POS in the development, it was not anticipated that the proposed development would generate a large volume of traffic/pedestrian flow. TD had no adverse comment on the findings of the Traffic Impact Assessment submitted by the applicant in support of the s.12A application;
- (n) the zoning boundaries on the OZP were broadbrush in nature. The government land abutting the private lot that were part of the existing public roads were included in the “OU(AS&POS)” zone but they would not be granted to the applicant for art storage development;
- (o) the Leisure and Cultural Services Department (LCSD) was planning to build a Central Repository in Tin Shui Wai mainly for storing the collections of LCSD’s major museums so that the storages could be centralised for better preservation and management. Based on his knowledge, there was currently no purpose-built art storage facility operated by the private sector in Hong Kong;
- (p) the application for lease modification was yet to be submitted by the applicant. If there was a breach of lease conditions, enforcement action could be taken according to the established mechanism as appropriate;
- (q) the rezoning would lead to a reduction of about 0.73ha of land zoned “O”, equivalent to about 1.4% of the total area zoned “O” on the OZP;

- (r) there were no details about the art work to be stored in the development. However, NWD had an art foundation and had experience in that regard;

Site C

- (s) during the consideration of an approved s.12A application (No. Y/YL/13) for rezoning an area zoned “O” near Sai Kai Road to “V” for development of a New Territories Exempted House, RNTPC requested PlanD to review and rationalise the boundaries of the relevant “V” and “O” zones. As such, besides the site of application No. Y/YL/13 (i.e. the northern end of Site C), a strip of residual land to the western side of Sai Kai Road was also rezoned from “O” to “V” under Item C;
- (t) the development programme of the “O” zone was under the purview of LCSD and there was no firm implementation programme for the adjoining “O” zone at the present juncture;

Site E1

- (u) the site was restricted to domestic use under the lease. Based on RNPTC’s decision in the “Review of Sites Designated “Comprehensive Development Area” (“CDA”) on Statutory Plans in the New Territories for the Years 2017/2019”, Site E1, occupied by the completed development named ‘The Spectra’, should be rezoned to appropriate zonings to reflect the existing conditions. The domestic and non-domestic PR restrictions under the “R(A)5 zone were the same as those under the previous “CDA” zone. Besides, the provisions and remarks of the “R(A)5” zone were similar to those of the “R(A)” zone on the OZP which included a provision to accommodate non-domestic PR/GFA. Notwithstanding that, redeveloping the site for commercial use (such as ‘Office’ use) would require planning permission from the Board. As the 900 odd units in the completed residential development had been sold to

individual owners, it was unlikely that the site would be redeveloped in the foreseeable future;

General Issue

- (v) the existing open spaces were mostly concentrated in Yuen Long town centre. Based on the requirements under the Hong Kong Planning Standards and Guidelines (HKPSG), a total of about 34.94 ha of district open space (DO) and local open space (LO) (17.47 ha each) should be provided in the planning area. Currently, there was a total of about 24.7 ha of existing open space, and the planned DO and LO were 27.8 ha and 29.3 ha respectively which exceeded the HKPSG requirements; and
- (w) in general, proposed amendments to statutory plans initiated by the private sector and non-government organizations would need to be submitted for the Board's consideration by way of a s.12A application. For development projects that were initiated by the Government and its department(s) or had obtained policy support from relevant bureau, zoning amendments would be proposed by PlanD to take forward such proposals.

22. During the Q&A session, the Chairperson remarked that the development under the Youth Hostel Scheme at Site A would be governed and monitored by the Government through the lease, and a separate agreement to be signed with HAB. Notwithstanding that, details of the lease and funding arrangement were outside the purview of the Board. Members might focus on the land use compatibility with the surrounding environment, and consider whether it was necessary to stipulate additional controls under the OZP.

23. As Members had no further questions to raise, the Chairperson said that the hearing procedures for the presentation and Q&A sessions had been completed. The Board would deliberate on the representation and comments in closed meeting and inform the representer and commenters of the Board's decision in due course. The Chairperson thanked the representer/commenter and PlanD's representatives for attending the meeting. They left the meeting at this point.

[Dr Frankie W.C. Yeung and Professor John C.Y. Ng joined, and Miss Winnie W.M. Ng left the meeting during the question and answer session.]

Deliberation Session

24. The Chairperson briefly recapitulated the key points raised in the presentation and Q&A sessions. Members generally had no objection to the rezoning under Items E1 to E4, which were to reflect the existing developments.

25. Regarding Item A, the Chairperson remarked that while some Members considered that it was necessary to ensure that the SWSC cum youth hostel would not be converted for other uses in the future, the Board's focus was primarily on land use compatibility, technical feasibility and whether the zoning and development restrictions on the OZP were appropriate. Details of the youth hostel scheme could be stipulated in the future agreement between HAB and the project proponent, and the relevant lease to prevent the site from being converted to unintended uses. A Member said that given the SWSC cum youth hostel use was generally compatible with the surrounding environment, there was no need for the Board to be overly concerned about the implementation details of the hostel scheme which would be governed by relevant regulations and requirements. Other Members agreed that the "G/IC(6)" zoning and its Notes were appropriate and no amendment was needed.

26. The Chairperson remarked that the amendments for Sites B and C were mainly to reflect RNTPC's decisions on two s.12A applications approved in 2017. In that regard, the Government was reviewing the relevant administrative procedures to ensure timely amendment of OZP to reflect the approved s.12A applications in future. Regarding the concern that there was a net decrease in the area zoned "O" on the OZP as a result of the amendment under Item B, that site mainly comprised private land and the planning intention of the "O" zone would not be realised unless the Government resumed the private lots for development of open space, but LCSD had no implementation programme for the subject "O" zone. In the past, "O" zones might include private lots, but in recent years, individual private lots were normally excluded when designating "O" zones. The Vice-chairperson and a Member agreed that the Board should continue to take a pragmatic approach to allow better use of private land zoned "O" with no implementation programme. The Vice-chairperson also said that Site B was within a long strip of land zoned "O" that was being occupied by brownfield uses which might warrant future

study for alternative land uses, and PlanD should strive to identify more suitable land to provide open space to serve the area as appropriate. A Member opined that for Site B which was designated for art storage cum POS development, it would be more desirable if additional area could be designated for POS. The Chairperson further pointed out that Item C mainly involved rationalisation of the “O” zone boundary. Members generally agreed that no amendment was required for Items B and C.

27. A Member said that as a general observation, Yuen Long was already quite congested and pedestrian accessibility and public transport services, especially during the night time, were limited. When planning for new development in the area, the Government should ensure that there were sufficient public transport facilities to serve the residents. The Member also opined that the Government should take a more proactive role to implement the planned open space as zoned on OZPs.

28. Members generally considered that other grounds and proposals of the representation and comments in respect of the OZP had been addressed by the departmental responses as detailed in the Paper and the presentations and responses made by PlanD’s representatives at the meeting.

29. After deliberation, the Board noted the supportive views of R1. The Board decided not to uphold the remaining part of R1 and considered that the draft Yuen Long Outline Zoning Plan (OZP) should not be amended to meet the representation for the following reasons:

“Item A”

- (a) the rezoning of the site from “Government, Institution or Community” (“G/IC”) to “G/IC(6)” with relaxation of building height restriction and provision of ‘Residential Institution (Hostel and Dormitory only)’ as a Column 1 use is considered appropriate to facilitate the proposed development of social welfare service complex cum youth hostel which is in line with the planning intention of the “G/IC” zone for provision of government, institution and community facilities to serve the local community and supported by various technical assessments to demonstrate its feasibility and acceptability;

Item B

- (b) the rezoning of the site from “Open Space” (“O”) to “Other Specified Uses annotated “Art Storage and Public Open Space (POS)” with the provision of not less than 590m² POS to facilitate the development of a 3-storey art storage warehouse is considered appropriate to support art and cultural development in Hong Kong whilst there is sufficient planned local and district open space in the Yuen Long Town;

Item C

- (c) the rezoning of the site from “O” to “Village Type Development” for Small House development and rationalising of the boundary between the respective zones are considered appropriate, taking into account the relative small area of the concerned residual land of the “O” zone. There is sufficient planned local open space in the Yuen Long Town;

Item E1

- (d) the rezoning of the site from “Comprehensive Development Area” (“CDA”) to “Residential (Group A)5” (“R(A)5”) is to reflect the completed residential development, which is subject to a maximum domestic plot ratio (PR) of 5 or a maximum non-domestic PR of 9.5. The PR restriction under the “R(A)” zone is the same as that of the previous “CDA” zone of the site; and

Item E2

- (e) the rezoning of the strip of land at Kwong Yip Street and Fo Yip Street from “CDA” to an area shown as ‘Road’ is considered appropriate to reflect the as-built condition.”

30. The Board also agreed that the draft Yuen Long OZP, together with its Notes and updated Explanatory Statement, was suitable for submission under section 8 of the Town Planning Ordinance to the Chief Executive in Council for approval.

[Mr Alex T.H. Lai left the meeting during the deliberation session.]

[The meeting was adjourned for a 5-minute break.]

Agenda Item 4

[Open Meeting]

Draft Mui Wo North Outline Zoning Plan No. S/I-MWN/E – Further Consideration of a New Plan

(TPB Paper No. 10751)

[The item was conducted in Cantonese.]

31. The Secretary reported that Dr Lawrence W.C. Poon had declared an interest on the item for being the Permanent President of Szewei Kwangning Fraternal Association which had a branch in Mui Wo, and being the Honourable Consultant of Mui Wo Rural Committee (MWRC). Members agreed that the interest of Dr Lawrence W.C. Poon was indirect and he could stay in the meeting.

Presentation and Question Sessions

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

Ms Donna Y.P. Tam - District Planning Officer/Sai Kung and Islands
(DPO/SKIs)

Mr Richard Y.L. Siu - Senior Town Planner/Islands

Mr Kenneth C.K. Yeung - Senior Town Planner/Special Duties

Mr Kanic C.K. Kwok]
Mr Cyrus C.F. Chow] Town Planners/Islands

Mr Keith L.C. Wu - Assistant Town Planner/Islands

33. The Chairperson extended a welcome and invited PlanD's representatives to brief Members on the Paper.

34. With the aid of a PowerPoint presentation, Ms Donna Y.P. Tam, DPO/SKIs, briefed Members on the representations received on the draft Mui Wo North (MWN) Development Permission Area (DPA) Plan No. DPA/I-MWN/1, results of the consultation with the Islands District Council (IsDC) and MWRC and other public views received on the draft MWN Outline Zoning Plan (OZP) No. S/I-MWN/C, and the proposed revisions to the draft OZP as detailed in TPB Paper No. 10751 (the Paper). Ms Donna Y.P. Tam also drew Members' attention that the draft OZP was to replace the draft DPA Plan, which would cease to be effective (except for the provisions related to the existing use and unauthorized development) upon gazetting of the OZP under the Town Planning Ordinance (the Ordinance) and the plan-making process of the DPA Plan would not proceed further. The views of the representations received had been taken into account and incorporated into the draft OZP where appropriate.

35. As the presentation from PlanD's representative had been completed, the Chairperson invited questions and comments from Members.

36. The Chairperson and some Members raised the following questions:

General Issue

- (a) whether the principle of "Development in the North, Conservation for the South" embraced in the Sustainable Lantau Blueprint (the Blueprint) had been duly reflected in the latest proposed zonings for the MWN area;
- (b) which areas in South Lantau would become the major recreational outlet under the Blueprint;

Commercial Developments near Silver Mine Bay Beach

- (c) whether the "Commercial" ("C") zones near Silver Mine Bay Beach were mainly to reflect the existing developments, and whether there were plans to facilitate further recreational developments in the beach area;

- (d) whether the developments at Silver Mine Bay Beach would spillover towards the east and cause interface issues with areas intended for conservation in the “Coastal Protection Area” (“CPA”) zones near Tung Wan Tau;

Proposed “Village Type Development” (“V”) Zone at Chung Hau

- (e) whether the area proposed to be zoned “V” instead of “GB” near Chung Hau and marked C1 on Plan-16b of the Paper was part of the village settlement at Wang Tong, and whether the concerned area was covered by dense vegetation given its proximity to Butterfly Hill;
- (f) whether the proposed “V” zone at Chung Hau could accommodate additional Small House development by indigenous villagers;
- (g) whether the development of New Territories Exempted House (NTEH) within “V” zones was limited to application by indigenous villagers;

The Proposed “CPA” Zone from Tung Wan Tau to Man Kok

- (h) the rationale for revising the zoning of the coastline along the southern and eastern peripheries from “Green Belt” (“GB”) to “CPA”;
- (i) the principles for drawing up the boundary of the “CPA” zone, and whether the waterbody was covered by it;
- (j) whether the “CPA” zone along the coastline from Tung Wan Tau to Man Kok would affect the fishing activities of local fishermen; and

Archaeological Conservation

- (k) whether there were sufficient measures to preserve buildings or structures with historic value.

37. In response, Ms Donna Y.P. Tam, DPO/SKIs, made the following main points with the aid of some PowerPoint slides and the visualiser:

General Issue

- (a) according to the Blueprint, development of Lantau would concentrate along the northern coast stretching from Tung Chung towards Sunny Bay, while the predominant part of Lantau in the south was earmarked for conservation. Low-density recreational developments would be facilitated at selected locations provided that they would not cause adverse impacts on the environment. Against the above background, the MWN area, currently not served by vehicular access, was designated with the general planning intention to conserve its landscape and ecological values in safeguarding the natural habitats and to maintain the unique natural and rural character and cultural heritage of the Area. Low-impact leisure and recreational uses compatible with the rural setting would be encouraged where appropriate. Land was also designated for village development;
- (b) as far as the overall strategy for developing recreational outlets at suitable locations in South Lantau was concerned, according to the Lantau Conservation and Recreation Masterplan prepared by the Sustainable Lantau Office (SLO) of the Civil Engineering and Development Department (CEDD), recreational facilities such as water sports centre, cycle tracks and recreation areas would be provided at Pui O, Cheung Sha and Chi Ma Wan within the South Lantau Eco-recreation Corridor, and selected areas in Pui O and Shui Hau would be designated for conservation;

Commercial Developments near Silver Mine Bay Beach

- (c) the three “C” zones near Silver Mine Bay Beach were mainly to reflect two existing hotels and one resort-type development under construction. The current “Open Space” (“O”) zone along the beach had already

included areas that could be used for providing additional ancillary facilities for the beach. The area to the northwest of the “C” zones was mainly woodland which was not suitable for major development. As a general principle, in order to maintain the unique rural character of the MWN area and to avoid causing adverse impact on the environment, large-scale development was not recommended;

- (d) the area to the east of Tung Wan Tau had no formal access except a hiking trail. It was intended to contain commercial/recreational developments in areas to the west of Tung Wan Tau and near Silver Mine Bay Beach;

Proposed “V” Zone at Chung Hau

- (e) the area marked C1 on Plan-16b of the Paper was proposed to be zoned as “V” to reflect the existing village cluster therein. The area fell just outside the village ‘environs’ (‘VE’) of the recognised village at Chung Hau located to the immediate south and separated by a small local track, and fell outside the area of the draft OZP. In drawing up the boundary of the proposed “V” zone at Chung Hau, the boundary of the existing village cluster had been followed and areas with major tree groups and steep slopes had been excluded as appropriate;
- (f) the proposed “V” zone at Chung Hau was mainly to reflect the existing village settlement, and it was not uncommon on other OZPs to cover village clusters other than indigenous villages as “V” zones. The area comprised both private lots and government land, many of which were already occupied by licensed structures for residential use. Although there was little vacant land within the proposed “V” zone that could be made available for Small House development, the proposed “V” zone at Chung Hau did not fall within the ‘VE’ of any recognised village. While it was permitted to develop new Small House which was a type of NTEH within the “V” zone under the planning regime, whether Small House application at site outside the ‘VE’ was acceptable should be considered under the Small House Policy by LandsD;

- (g) according to the Notes of the OZP, development of “NTEH” was always permitted in the “V” zone. Small House developed by indigenous villagers was only one type of NTEH;

The Proposed “CPA” Zone from Tung Wan Tau to Man Kok

- (h) during the consultation on the draft OZP, some green/concern groups suggested that the coastline along the southern and eastern peripheries of the planning scheme area should be designated as “CPA” to better protect the sensitive coastal environment. Upon review, PlanD proposed to revise the zoning of the part of the coastline from Tung Wan Tau to Man Kok, which mainly comprised natural coastal features such as flat rock and beach, from “GB” to “CPA”. The Director of Agriculture, Fisheries and Conservation, while considering the original “GB” zone also appropriate for the natural coastline, had no strong view on covering the said area with the “CPA” zoning. For the coastline from Wang Tong to Tung Wan Tau, which comprised mainly Silver Mine Bay Beach and some paved land, it was considered appropriate to retain the “O” zoning taking into account the human activities and the existing conditions of the area which was a popular recreational destination especially during holidays;
- (i) the “CPA” zone only covered land area along the coastline and had excluded the sea area. The high-water mark was used to define the limit of the “CPA” zone. In drawing up the boundary of the “CPA” zone, physical landform and landscape, scenic and ecological conservation value of the land had been duly considered;
- (j) the area along the coastline from Tung Wan Tau to Man Kok was not used by fisherman for landing or fishing activities. Zoning the area as “CPA” would unlikely affect the daily operations of the fishermen; and

Archaeological Conservation

- (k) there were historic buildings in both Mui Wo Fringe and MWN areas. The Explanatory Statement (ES) of the draft OZP had clearly spelt out that prior consultation with the Antiquities and Monuments Office (AMO) of the Development Bureau should be made if works, developments, redevelopments or rezoning proposals might affect the Sites of Archaeological Interests, graded historic buildings/structures, new items pending grading assessment and other historic structures identified and their immediate environs. Detailed Archaeological Impact Assessment would need to be conducted if required by AMO.

38. The Chairperson noted that ‘Field Study/Education/Visitor Centre’ use was neither a Column 1 nor Column 2 use in the “V” zone. Given that the MWN area was a popular recreation destination, she suggested that such use be included in Column 2 of the Notes for the “V” zone to provide more flexibility to cater for any such need in future. Members agreed.

[Mr Stephen L.H. Liu and Dr Franklin W.C. Yeung left the meeting during the question and answer session.]

39. After deliberation, the Board:

- (a) noted the representations received on the draft Mui Wo North DPA Plan No. DPA/I-MWN/1 and PlanD’s responses;
- (b) noted the comments from and responses to IsDC, MWRC and others on the draft Mui Wo North OZP No. S/I-MWN/C;
- (c) agreed that the draft Mui Wo North OZP No. S/I-MWN/E (to be renumbered as S/I-MWN/1 upon gazetting) and its Notes (at Appendices I and II of the Paper), upon incorporating the revision as stated in paragraph 38 above, were suitable for exhibition for public inspection under section 5 of the Ordinance; and

- (d) adopted the ES (at Appendix III of the Paper) for the draft Mui Wo North OZP No. S/I-MWN/E (to be renumbered as S/I-MWN/1 upon gazetting) as an expression of the planning intention and objectives of the Board for various land use zonings of the OZP and agreed that the ES was suitable for public inspection together with the draft OZP and be issued under the name of the Board.

Agenda Item 5

[Open Meeting]

Draft Sha Lo Wan and San Tau Outline Zoning Plan No. S/I-SLW/E – Further Consideration of a New Plan

(TPB Paper No. 10752)

[The item was conducted in Cantonese.]

Presentation and Question Sessions

40. The following representatives of the Planning Department (PlanD) were present at the meeting:

- | | |
|-----------------------|---|
| Ms Donna Y.P. Tam | - District Planning Officer/Sai Kung and Islands (DPO/SKIs) |
| Mr Richard Y.L. Siu | - Senior Town Planner/Islands |
| Mr Kenneth C.K. Yeung | - Senior Town Planner/Special Duties |
| Mr Kanic C.K. Kwok |] Town Planners/Islands |
| Mr Cyrus C.F. Chow | |
| Mr Keith L.C. Wu | - Assistant Town Planner/Islands |

41. The Chairperson invited PlanD's representatives to brief Members on the Paper.

42. With the aid of a PowerPoint presentation, Ms Donna Y.P. Tam, DPO/SKIs, briefed Members on the representations received on the draft Sha Lo Wan and San Tau Development Permission Area (DPA) Plan No. DPA/I-SLW/1, results of the consultation with the Islands District Council (IsDC) and the Tai O Rural Committee (TORC) and other public views received on the draft Sha Lo Wan and San Tau Outline Zoning Plan (OZP) No. S/I-SLW/C, and the proposed revisions to the draft OZP as detailed in TPB Paper No. 10752 (the Paper). Ms Donna Y.P. Tam also drew Members' attention that the draft OZP was to replace the draft DPA Plan, which would cease to be effective (except for the provisions related to the existing use and unauthorized development) upon gazetting of the OZP under the Town Planning Ordinance (the Ordinance) and the plan-making process of the DPA Plan would not proceed further. The views of the representations received had been taken into account and incorporated into the draft OZP where appropriate.

[Mr Daniel K.S. Lau left the meeting during PlanD's presentation.]

43. As the presentation from PlanD's representative had been completed, the Chairperson invited questions and comments from Members.

44. The Chairperson and some Members raised the following questions:

- (a) noting that PlanD suggested including 'Field Study/Education/Visitor Centre' as a Column 2 use in the "Village Type Development" ("V") zone on the OZP but not for the Mui Wo North OZP, whether there were any major differences between the planning contexts of the Sha Lo Wan and San Tau area and Mui Wo North area;
- (b) which party was responsible for maintenance of Tung O Ancient Trail;
- (c) whether all agricultural land, regardless of whether it was abandoned or actively farmed, in the area was zoned "Agriculture" ("AGR"), and whether there was water available for irrigation in the area zoned "AGR"; and

- (d) as observed from the aerial photo in Plan-19B of the Paper, there was a small patch of land abutting the “Village Type Development” (“V”) zone of Kau Liu with its vegetation cleared. What the consideration for not including that piece of land in the “V” zone was.

45. In response, Ms Donna Y.P. Tam, DPO/SKIs, made the following main points with the aid of some PowerPoint slides and the visualiser:

- (a) the Sha Lo Wan and San Tau area fell within the Northwest Lantau Eco-cultural Corridor of Lantau Conservation and Recreation Masterplan (the Masterplan) prepared by the Sustainable Lantau Office (SLO). The existing trail connecting Tung Chung and Tai O (commonly known as Tung O Ancient Trail), which was a popular hiking trail with rich historic value and connecting Tung Chung and Tai O, also traversed the area. Preliminary proposals to promote revitalisation of the villages along the existing trail between Sham Wat and Sha Lo Wan had been received from SLO. While details of such proposals were not yet available at the present stage, in order to provide flexibility to cater for some of those uses in the future, it was proposed to include ‘Field Study/Education/Visitor Centre’ as a Column 2 use for the “V” zone;
- (b) the part of the existing trail that fell within country park was maintained by the Agriculture, Fisheries and Conservation Department (AFCD), whereas the remainder that was located on government land outside the country park was maintained by the Home Affairs Department and/or other department(s). SLO was studying whether there was a need to improve/provide additional facilities along the trail, and SLO would be responsible for formulating a comprehensive strategy to utilise various recreational resources to realise the vision for the Northwest Lantau Eco-cultural Corridor of the Masterplan;
- (c) the “AGR” zones mainly covered active agricultural land or abandoned agricultural land with potential for agricultural uses adjoining the existing

village clusters. AFCD advised that water was available for irrigation in Sham Wat and San Shek Wan. Farmers could apply to AFCD if they wished to be connected to the water supply network; and

- (d) the piece of land located just outside the “V” zone of Kau Liu was currently used for farming and therefore it was not zoned “V”.

46. In response to the Chairperson’s remarks on the general suitability to include ‘Field Study/Education/Visitor Centre’ as a Column 2 use in the “V” zone, Mr Ivan M.K. Chung, Director of Planning, said that it could provide more flexibility to include such use as a Column 2 use in the “V” zone and there would be sufficient control by the Board through the planning application mechanism. A Member concurred and said that visitor centres in villages could offer excellent learning opportunities for students. Another Member said that consideration might be given to revising the Chinese translation of ‘Field Study/Education/Visitor Centre’ from “郊野學習／教育／遊客中心” to “田野學習／教育／遊客中心” when opportunity arose.

[Dr Roger C.K. Chan left the meeting during the question and answer session.]

47. After deliberation, the Board:

- (a) noted the representations received on the draft Sha Lo Wan and San Tau DPA Plan No. DPA/I-SLW/1 and PlanD’s responses;
- (b) noted the comments from and responses to IsDC, TORC and others on the draft Sha Lo Wan and San Tau OZP No. S/I-SLW/C;
- (c) agreed that the draft Sha Lo Wan and San Tau OZP No. S/I-SLW/E (to be renumbered as S/I-SLW/1 upon gazetting) and its Notes (at Appendices I and II of the Paper) were suitable for exhibition for public inspection under section 5 of the Ordinance; and
- (d) adopted the Explanatory Statement (at Appendix III of the Paper) for the draft Sha Lo Wan and San Tau OZP No. S/I-SLW/E (to be renumbered as S/I-SLW/1 upon gazetting) as an expression of the planning intention and

objectives of the Board for various land use zonings of the OZP and agreed that the ES was suitable for public inspection together with the draft OZP and be issued under the name of the Board.

[Mr K.K. Cheung, Dr Lawrence W.C. Poon and Professor Jonathan W.C. Wong left the meeting at this point.]

Agenda Item 6

[Open Meeting]

Draft Sham Wat and San Shek Wan Outline Zoning Plan No. S/I-SW/E – Further Consideration of a New Plan

(TPB Paper No. 10753)

[The item was conducted in Cantonese.]

Presentation and Question Sessions

48. The following representatives of the Planning Department (PlanD) were present at the meeting:

Ms Donna Y.P. Tam	- District Planning Officer/Sai Kung and Islands (DPO/SKIs)
Mr Richard Y.L. Siu	- Senior Town Planner/Islands
Mr Kenneth C.K. Yeung	- Senior Town Planner/Special Duties
Mr Kanic C.K. Kwok]
Mr Cyrus C.F. Chow] Town Planners/Islands
Mr Keith L.C. Wu	- Assistant Town Planner/Islands

49. The Chairperson invited PlanD's representatives to brief Members on the Paper.

50. With the aid of a PowerPoint presentation, Ms Donna Y.P. Tam, DPO/SKIs, briefed Members on the representations received on the draft Sham Wat and San Shek Wan Development Permission Area (DPA) Plan No. DPA/I-SW/1, results of the consultation with the Islands District Council (IsDC) and the Tai O Rural Committee (TORC) and other public views received on the draft Sham Wat and San Shek Wan Outline Zoning Plan (OZP) No. S/I-SW/C, and the proposed revisions to the draft OZP as detailed in TPB Paper No. 10753 (the Paper). Ms Donna Y.P. Tam also drew Members' attention that the draft OZP was to replace the draft DPA Plan, which would cease to be effective (except for the provisions related to the existing use and unauthorized development) upon gazetting of the OZP under the Town Planning Ordinance (the Ordinance) and the plan-making process of the DPA Plan would not proceed further. The views of the representations received had been taken into account and incorporated into the draft OZP where appropriate.

51. As the presentation from PlanD's representative had been completed, the Chairperson invited questions and comments from Members.

52. The Chairperson and some Members raised the following questions:

- (a) given Sham Wat was a popular destination for hikers, whether facilities such as refreshment kiosks and public toilets provided in the area could meet the demand;
- (b) noting that there were active farming activities in some areas of Sham Wat, whether there were provisions in the OZP to facilitate the existing agricultural and related activities;
- (c) the rationale for zoning the two pieces of land on the western fringe of the draft OZP as "Coastal Protection Area" ("CPA"); and
- (d) noting that public transportation serving Sham Wat and the surrounding areas was very limited, whether there was scope to enhance the ferry services to serve the area.

53. In response, Ms Donna Y.P. Tam, DPO/SKIs, made the following main points with the aid of some PowerPoint slides and the visualiser:

- (a) the existing local shops in Sham Wat were considered as ‘existing uses’ and they would not be affected by the new restrictions on the OZP. Besides, ‘Shop and Services’ use was always permitted on the ground floor of a New Territories Exempted House in the “Village Type Development” zone. Sham Shek Tsuen Public Toilet and portable toilets were provided in the area by the Food and Environmental Hygiene Department (FEHD). As advised by FEHD, the current provision was able to meet the needs of visitors. FEHD would continue to monitor the hygiene and usage condition of the toilet facilities and provide enhancement, if required;
- (b) during site visits by PlanD, it was observed that some farmers were selling farm produces outside their farms or in the open area outside village houses. Such activities were related to the agricultural use and would not be affected by the OZP;
- (c) two patches of land in the western fringe that fell outside the boundary of the Lantau North Country Park were proposed to be incorporated into the Planning Scheme Area and zoned “CPA” on the OZP so as to allow statutory planning control to better protect the environment; and
- (d) Sham Wat was accessible by vehicle via Sham Wat Road. In contrast, there was no vehicular access to Sha Lo Wan where only ferry services were available. Sha Lo Wan was one of the stops for the “Tuen Mun - Tung Chung - Sha Lo Wan - Tai O” licensed ferry service. Based on the surveys conducted by the Transport Department (TD) in May 2021, the existing ferry service was sufficient to meet the passenger demand at the present stage. However, residents of Sha Lo Wan at times had difficulties in boarding the ferry, particularly on holidays when there were many tourists travelling to Tai O. TD had liaised with the ferry operator to reserve 20 seats on each sailing departing Tai O to accommodate the

passengers boarding at Sha Lo Wan. That said, TD would continue to closely monitor the service level and liaise with the ferry operator on further service improvement when necessary.

54. A Member suggested that additional measures might be introduced to improve the ferry service, e.g. reviewing the possibility of displaying on the internet real-time information regarding the number of passengers waiting to board at the piers, or enhancing the ferry service and bundling it with the Ngong Ping 360 as a tourist attraction package. The Chairperson suggested and Members agreed that the Secretariat would convey Members' views on enhancement of ferry services to the area to TD for their consideration.

55. After deliberation, the Board:

- (a) noted the representations received on the draft Sham Wat and San Shek Wan DPA Plan No. DPA/I-SW/1 and PlanD's responses;
- (b) noted the comments from and responses to IsDC, TORC and others on the draft Sham Wat and San Shek Wan OZP No. S/I-SW/C;
- (c) agreed that the draft Sham Wat and San Shek Wan OZP No. S/I-SW/E (to be renumbered as S/I-SW/1 upon gazetting) and its Notes (at Appendices I and II of the Paper) were suitable for exhibition for public inspection under section 5 of the Ordinance; and
- (d) adopted the Explanatory Statement (at Appendix III of the Paper) for the draft Sham Wat and San Shek Wan OZP No. S/I-SW/E (to be renumbered as S/I-SW/1 upon gazetting) as an expression of the planning intention and objectives of the Board for various land use zonings of the OZP and agreed that the ES was suitable for public inspection together with the draft OZP and be issued under the name of the Board.

Agenda Item 7

[Open Meeting]

Draft Pui O Au Outline Zoning Plan No. S/I-POA/E – Further Consideration of a New Plan
(TPB Paper No. 10754)

[The item was conducted in Cantonese.]

Presentation and Question Sessions

56. The following representatives of the Planning Department (PlanD) were present at the meeting:

Ms Donna Y.P. Tam - District Planning Officer/Sai Kung and Islands
(DPO/SKIs)

Mr Richard Y.L. Siu - Senior Town Planner/Islands

Mr Kenneth C.K. Yeung - Senior Town Planner/Special Duties

Mr Kanic C.K. Kwok]
Mr Cyrus C.F. Chow] Town Planners/Islands

Mr Keith L.C. Wu - Assistant Town Planner/Islands

57. The Chairperson invited PlanD's representatives to brief Members on the Paper.

58. With the aid of a PowerPoint presentation, Ms Donna Y.P. Tam, DPO/SKIs, briefed Members on the representations received for the draft Pui O Au Development Permission Area (DPA) Plan No. DPA/I-POA/1, results of the consultation with the Islands District Council (IsDC) and the South Lantao Rural Committee (SLRC) and other public views received on the draft Pui O Au Outline Zoning Plan (OZP) No. S/I-POA/C, and the proposed revisions to the draft OZP as detailed in TPB Paper No. 10754 (the Paper). Ms Donna Y.P. Tam also drew Members' attention that the draft OZP was to replace the draft DPA Plan, which would cease to be effective

(except for the provisions related to the existing use and unauthorized development) upon gazetting of the OZP under the Town Planning Ordinance (the Ordinance) and the plan-making process of the DPA Plan would not proceed further. The views of the representations received had been taken into account and incorporated into the draft OZP where appropriate.

59. As the presentation from PlanD's representative had been completed, the Chairperson invited questions and comments from Members.

60. The Chairperson and some Members raised the following questions:

- (a) with the anticipated increase in number of both local and overseas visitors to Lantau for recreational purposes when the Lantau Conservation and Recreation Masterplan (the Masterplan) was implemented, what the overall strategy to provide suitable recreational facilities was;
- (b) whether it was suitable to rely on land within the "Village Type Development" ("V") zone to provide supporting facilities such as public toilets, shops, visitor centres, restaurants, camping ground and accommodation etc. and whether the restrictions on the OZPs in Lantau would allow timely provision of such facilities; and
- (c) whether the "Government, Institution or Community" ("G/IC") zone on the draft OZP was mainly to reflect the existing facilities in Pui O Au.

61. In response, Ms Donna Y.P. Tam, DPO/SKIs, made the following main points with the aid of some PowerPoint slides:

- (a) the major potential recreational outlets in South Lantau were mainly at Pui O, Cheung Sha, Shui Hau, Chi Ma Wan and Shek Pik within the South Lantau Eco-recreation Corridor of the Masterplan prepared by the sustainable Lantau Office (SLO). These areas were being reviewed by SLO for their suitability for development of recreational facilities such as water sports centre, cycle tracks and recreation areas, or for conservation purposes. These proposals were still in conceptual stage. When the

details of the proposals were finalised, PlanD, in consultation with SLO, would comprehensively review the land uses in South Lantau Coast and propose amendments to the relevant statutory plan as required to take forward such proposals;

- (b) “Field Study/Education/Visitor Centre” use was already included as a Column 2 use in “Green Belt” (“GB”) and “Agriculture” (“AGR”) zones on many OZPs. Revisions could also be made to the Notes of the Pui O Au draft OZP for a similar provision within the “V” zone. Upon completion of the review of development strategy in the Masterplan, if minor improvement works in the area were required, such public works were always permitted under the covering Notes of the relevant OZP; and
- (c) taken into account the public comments received by PlanD, the area of one “G/IC” zone to the west of the Pui O Au public carpark had been extended and an additional “G/IC” zone was proposed abutting South Lantau Road to reserve additional land for provision of public facilities in the future.

62. The Chairperson said that ‘Field Study/Education/Visitor Centre’ and ‘Place of Recreation, Sports or Culture’ (‘PRSC’)/‘PRSC (Horse Riding School, Hobby Farm, Fishing Ground only)’ uses were already in Column 2 of “GB” and “AGR” zones which covered the majority of areas on the four draft OZPs being considered by the Board on the day. It was suggested to also include ‘Field Study/Education/Visitor Centre’ use in Column 2 of the Notes of the “V” zone to provide more flexibility to cater for any such need in future. Members agreed.

63. After deliberation, the Board:

- (a) noted the representations received on the draft Pui O Au DPA Plan No. DPA/I-POA/1 and PlanD’s responses;
- (b) noted the comments from and responses to IsDC, SLRC and others on the draft Pui O Au OZP No. S/I-POA/C;
- (c) agreed that the draft Pui O Au OZP No. S/I-POA/E (to be renumbered as S/I-

POA/1 upon gazetting) and its Notes (at Appendices I and II of the Paper), upon incorporating the revision as stated in paragraph 62 above, were suitable for exhibition for public inspection under section 5 of the Ordinance; and

- (d) adopted the Explanatory Statement (at Appendix III of the Paper) for the draft Pui O Au OZP No. S/I-POA/E (to be renumbered as S/I-POA/1 upon gazetting) as an expression of the planning intention and objectives of the Board for various land use zonings of the OZP and agreed that the ES was suitable for public inspection together with the draft OZP and be issued under the name of the Board.

64. The Chairperson thanked PlanD's representatives for attending the meeting. They left the meeting at this point.

[Mr Philip S.L. Kan left the meeting at this point.]

Agenda Item 8

[Open Meeting]

Proposed Revisions to the Town Planning Board Guidelines No. 32, 33 and 34C
(TPB Paper No. 10755)

[The item was conducted in Cantonese.]

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

Ms Fannie F.L. Hung - Chief Town Planner/Town Planning Board
(Task Force) (CTP/TPB(TF))

Ms Polly O.F. Yip - Senior Town Planner/Ordinance Review

66. The Chairperson extended a welcome and invited PlanD's representatives to brief Members on the proposed amendments to Town Planning Board Guidelines (TPB Guidelines) No. 32, 33 and 34C. With the aid of a PowerPoint Presentation, Ms Fannie F.L. Hung, CTP/TPB(TF), briefed Members on the background and the proposed revisions to the three sets of TPB Guidelines as detailed in TPB Paper No. 10755 (the Paper).

67. As the presentation of PlanD's representative was completed, the Chairperson invited questions and comments from Members.

68. The Chairperson said that in order to streamline the development process, the Government was reviewing statutory procedures set out under a number of ordinances, including the Town Planning Ordinance (the TPO), Roads (Works, Use and Compensation) Ordinance and Foreshore and Seabed Ordinance. Whilst the review was on-going, the proposed amendments to the TPB Guidelines aimed to facilitate processing of planning applications and reviews in a more effective and efficient manner under the current provision of the TPO.

69. A Member said that the proposed amendments to the TPB Guidelines which mainly aimed to enhance certainty and expedite processing of planning applications should be welcomed by the public and the industry.

TPB Guidelines No. 32 on Submission of Further Information (FI)

70. In response to a Member's question, Ms Fannie F.L. Hung, CTP/TPB(TF), said that the TPO allowed the submission of FI to the Board before the application was considered by the Board without limiting the number of times an applicant could submit FI. If the applicant had submitted multiple times of FI, PlanD would request the applicant to provide consolidated copies of the FI for incorporation into the paper to be submitted to the Board for consideration. The Secretary said that applicants were encouraged to make use of the existing mechanism to arrange pre-submission meeting with or make pre-submission to PlanD and/or other relevant government departments so as to iron out and address the major issues/departmental comments before making formal application to the Board.

TPB Guidelines No. 33 on Request for Deferment of Decision

71. A Member opined that limiting the maximum number of deferral requests to be granted might result in an increase in the number of withdrawal of planning applications. Since the applicants of those withdrawn applications would likely submit new applications, it might end up creating additional workload for PlanD and the Secretariat of the Board. In response, the Chairperson remarked that while the effect in terms of time saving might not be substantial, measures to expedite processing of planning applications through streamlining under the existing statutory framework should still be pursued prior to further streamlining through amendments to the TPO under review by the Government.

72. Two Members were concerned whether it might be too stringent to allow only a maximum of two requests for deferral, considering that some applicants without planning consultants might lack technical expertise and have genuine difficulties in addressing all outstanding departmental comments/issues in one or two FI submissions. In that regard, Ms Fannie F.L. Hung, CTP/TPB(TF), said that the proposed amendments to the said TPG Guidelines were primarily aimed to curb delaying tactics through repeated requests for deferral of consideration of planning applications without duly addressing the outstanding issues. If an applicant had demonstrated genuine effort in resolving the outstanding departmental comments/issues or there were exceptional circumstances that warranted granting of additional deferral, the Board could exercise its discretion to accede to a deferral request beyond the second deferment with reference to paragraphs 3.4(d) and 3.5 of the revised guidelines. It was anticipated that the industry would appreciate the merit of the revised TPB Guidelines once they became more familiar with the revised criteria for considering request for deferment.

73. The Secretary said that there were repeated requests for deferment without any submission by the applicant to duly address outstanding departmental comments/major issues and the revised guidelines would plug the loophole. In fact, if two deferrals were granted by the Board, a total of eight months would be involved before the application was submitted for the Board's consideration. The Vice-chairperson said that the discussion of Members would be reflected in the minutes of the meeting so future Members of the Board would be aware of the above considerations when handling repeated requests for deferment.

74. By making reference to paragraph 3.4(b) of the proposed revision to TPB Guidelines No. 33 in Appendix 2 of the Paper, a Member said that it might be difficult to define what constituted a ‘substantial number of public comments’. Mr Andrew C.W. Lai, Director of Lands, concurred with the Member and said that the public might be given a wrong impression that submitting a large number of public comments would be an effective means of preventing the Board to accede to a deferral request. In response, Ms Fannie F.L. Hung, CTP/TPB(TF), said that it would be difficult to draw a clear line on what constituted ‘substantial number of public comments’ and each request for deferment would need to be considered taking into account all relevant circumstances, including the nature of the public comments received. The Chairperson suggested that paragraph 3.4(b) be deleted as paragraph 3.4(d) already stated that the Board might not accede to a second deferment request for ‘any other factors as the Board thinks relevant’ and that could include the number and nature of public comments received. A Member suggested stating clearly in paragraph 3.4(d) that ‘the nature of public comment’ was one of the examples of factors to be considered by the Board. A few Members suggested that some additional examples of factors typically considered by the Board should also be featured in paragraph 3.4(d). After further discussion, the Chairperson said that paragraph 3.4(d) could be suitably revised by the Secretariat to reflect the comments of the Members before the revised TPG Guidelines were promulgated. Members agreed.

[Post-meeting Note: Based on the Secretariat’s research on the Board’s reasons for not acceding to previous requests for deferment, paragraph 3.4(c) (which was previously numbered as 3.4(d)) of the revised TPB PG-No. 33A was amended as “any other factors pertinent to the application as the Board thinks relevant, such as the nature of public comments received, whether the outstanding issues are fundamental for the Board’s consideration or could be dealt with at a later stage, and whether the progress of enforcement actions to be taken by the concerned departments would be affected, etc.”]

TPB Guidelines No. 34 on Renewal of Planning Approval and Extension of Time for Compliance with Planning Conditions for Temporary Use or Development

75. Members supported the proposed amendments to TPB Guidelines No. 34 and had no questions.

[Dr Lawrence K.C. Li, Dr Jeanne C.Y. Ng, Professor John C.Y. Ng and Mr L.T. Kwok left the meeting during the discussion.]

76. After deliberation, the Board endorsed:
- (a) the proposed revisions to TPB Guidelines No. 32 and 34C in Appendices 1 and 3 of the Paper respectively;
 - (b) the proposed revisions to TPB Guidelines No. 33 in Appendix 2 of the Paper subject to refinement by the Secretariat of the Board to reflect Members' comments in paragraph 74 above; and
 - (c) the proposed arrangement for promulgation of the revised TPB Guidelines.

[Mr Y.S. Wong left the meeting at this point.]

Agenda Item 9

[Open Meeting]

Proposed Amendments to Master Schedule of Notes to Statutory Plans

(TPB Paper No. 10756)

[The item was conducted in Cantonese.]

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

Ms Fannie F.L. Hung - Chief Town Planner/Town Planning Board
(Task Force) (CTP/TPB(TF))

Mr Kelvin K.H. Chan - Senior Town Planner/Town Planning Board (9)

78. The Chairperson extended a welcome and invited PlanD's representatives to brief Members on the proposed amendments to Master Schedule of Notes (MSN) to statutory plans.

With the aid of a PowerPoint Presentation, Ms Fannie F.L. Hung, CTP/TPB(TF), briefed Members on the background and the proposed revisions to the MSN as detailed in TPB Paper No. 10756 (the Paper). Ms Hung further said that a letter, as shown on the visualiser, was received by the Secretariat of the Board on the day before the meeting. The letter was submitted by an individual (Mr. Fung Kam Lam) who raised queries on the justifications to incorporate the exemption clauses, which would allow government departments to carry out public works involving diversion of stream or filling of land/pond and excavation of land in environmentally sensitive areas zoned “Conservation Area”, “Coastal Protection Area” (“CPA”) and “Site of Special Scientific Interest” without the need to obtain planning approval from the Board. He also suspected that the proposed revision to the MSN was a remedial measure in response to the representations he submitted relating to the same matter on the Lau Fau Shan and Tsim Bei Tsui, Tin Shui Wai and Ping Shan Outline Zoning Plans (OZPs). In that regard, Ms Hung said that the proposed revision was not a remedial measure and in fact, 20 odd OZPs had already incorporated similar exemption clauses in some conservation zones. Whether the exemption clause should be incorporated for the conservation zones on a specific OZP would depend on circumstances of the planning area. The exempted works would still have to conform to any other relevant legislations, the conditions of the government lease concerned, and other government requirements, etc., as might be applicable. If the diversion of stream/filing of land/pond and excavation of land was to effect a Column 2 use, planning permission would still be required.

79. As the presentation of PlanD’s representative was completed, the Chairperson invited questions and comments from Members.

80. A Member asked whether there was any example of government project that had to obtain planning permission from the Board if such works were not exempted under the OZP. Ms Fannie F.L. Hung, CTP/TPB(TF), said that application No. A/SLC/166, submitted by the Water Services Department and approved with conditions by the Rural and New Town Planning Committee on 5.2.2021, involved proposed excavation and filling of land for permitted waterworks in an area zoned “CPA” on the South Lantau Coast OZP. The waterworks were required to enhance the water supply to Pui O area. With the proposed revision to the MSN, such public works would no longer require planning permission from the Board and could be expedited to meet the public needs.

81. Members generally supported the proposed amendments to the MSN and considered that there was sufficient control mechanism to ensure that the exempted works would not result in adverse environmental impact.

82. After deliberation, the Board agreed to the proposed amendments to the MSN in Annex 2 of the Paper and the proposed arrangement for promulgation. The Board also noted that revision to the Notes of individual OZP to incorporate the amendments to the MSN, as appropriate, would be made when opportunity arose.

Agenda Item 10

[Open Meeting]

Any Other Business

83. There being no other business, the meeting was closed at 3:05 p.m.