

**Minutes of 1257<sup>th</sup> Meeting of the  
Town Planning Board held on 22.10.2021**

**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 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 Stanley T.S. Choi

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

Chief Traffic Engineer (New Territories East)  
Transport Department  
Mr Ken K.K. Yip (a.m.)

Chief Traffic Engineer (Kowloon)  
Transport Department  
Mr Gary C.H. Wong (p.m.)

Chief Engineer (Works), Home Affairs Department  
Mr Paul Y.K. Au

Principal Environmental Protection Officer (Strategic Assessment)  
Environmental Protection Department  
Mr Stanley C.F. Lau

Director of Lands  
Mr Andrew C.W. Lai

Director of Planning  
Mr Ivan M.K. Chung

Deputy Director of Planning/District  
Mr C.K. Yip

Secretary

**Absent with Apologies**

Mr Thomas O.S. Ho

Mr L.T. Kwok

Dr Conrad T.C. Wong

Mr Y.S. Wong

**In Attendance**

Assistant Director of Planning/Board  
Ms Lily Y.M. Yam

Chief Town Planner/Town Planning Board  
Mr Eric C.Y. Chiu (a.m.)  
Ms Johanna W.Y. Cheng (p.m.)

Senior Town Planner/Town Planning Board  
Mr W.C. Lui (a.m.)  
Ms Kitty S.T. Lam (p.m.)

## **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 1256<sup>th</sup> Meeting held on 8.10.2021

[The item was conducted in Cantonese.]

2. The draft minutes of the 1256<sup>th</sup> meeting held on 8.10.2021 were confirmed without amendments.

## **Agenda Item 2**

[Open Meeting]

### Matters Arising

[The item was conducted in Cantonese.]

(i) Appeal Lodged by Join Smart Limited against the Court of First Instance's Decision in Judicial Review Application against the Decision of Town Planning Board on Section 12A Application No. Y/TM-LTY Y/8 (CACV 470/2021)

3. The Secretary reported that an appeal was lodged by Join Smart Limited (the Applicant) against the Court of First Instance (CFI)'s judgment in judicial review (JR) HCAL 1549/2020 in relation to the decision of the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board) not to agree to a s.12A application No. Y/TM-LTY Y/8 (the s.12A Application) for rezoning a site in Lam Tei, Tuen Mun (the Site) for high-density private residential development. The Applicant was a subsidiary of Sun Hung Kai Properties Ltd. (SHKP), and AECOM Asia Co. Ltd. (AECOM) and Ronald Lu & Partners Ltd. (RLP) were the consultants of the Applicant. The following Members had declared interests on the item:

- Miss Winnie W.M. Ng - being a director of Kowloon Motor Bus Company (1933) Limited (KMB) and Long Win Bus Company Limited (Long Win), and SHKP having shareholding interest in KMB and Long Win;
- Mr Franklin Yu - his spouse being an employee of SHKP;
- Mr Peter K.T. Yuen - his relative being an independent non-executive director of SHKP;
- Mr K.K. Cheung - his firm having current business dealings with SHKP, AECOM and RLP;
- Mr Alex T.H. Lai - his former firm having current business dealings with SHKP, AECOM and RLP;
- Mr Thomas O.S. Ho - having current business dealings with SHKP, AECOM and RLP;
- Dr Conrad T.C. Wong - having current business dealings with SHKP;
- Dr Billy C.H. Hau - having past business dealings with AECOM; and
- Ms Lilian S.K. Law - being an ex-Executive Director and committee member of The Boys' & Girls' Clubs Association of Hong Kong which received sponsorship from SHKP.

4. As the item was only a factual report on the appeal for the JR, the meeting agreed that the above Members could stay in the meeting.

### The JR Application

5. The Secretary reported that further to the previous report on 17.9.2021 regarding the CFI's judgment dismissing the Applicant's JR, the Applicant had lodged an appeal on 12.10.2021 against the judgment.
  
6. The Applicant argued in its Notice of Appeal that:
  - (a) the RNTPC did not properly consider the s.12A Application on its own merits. Instead, it made its decision principally on the basis that the Government might, at some future date, propose a rezoning for public housing that might cover a much larger area likely overlapping with the Site. In this regard, the CFI failed to find that it was not for the Court to come to a conclusion whether it would not be unreasonable for the Board to regard the Government's proposal as being "imminent";
  
  - (b) the RNTPC did not discharge its duty of sufficient inquiry in coming to the conclusion that approval of the s.12A Application "would adversely affect" the comprehensive planning of the area and would "jeopardise" the implementation of the proposed public housing, e.g.:
    - (i) given that the study area covered by the Government's study was much larger than the Site, the extent to which the Applicant's proposal might conflict with the Government's proposal;
  
    - (ii) whether the Government could reduce the number of public housing flats and alternatively, would be able to construct the same number of flats on the remainder of the study area; and
  
    - (iii) whether it would be desirable to allow a mix of public and private housing in the study area in question;
  
  - (c) the Director of Water Supplies had a statutory duty to supply water and it could not be right to cast the onus on the Applicant to demonstrate that the

proposed development would not generate adverse water supplies impact;  
and

(d) the RNTPC did not give consideration to the technical issue.

7. The Applicant requested the Court of Appeal to set aside the CFI's judgment, quash the RNTPC's decision and order the RNTPC to reconsider the s.12A Application. The appeal date had yet to be fixed.

8. Members noted the appeal and agreed that the Secretary would continue to represent the Board in all matters relating to the appeal in the usual manner.

(ii) Reference Back of Approved OZP

9. The Secretary reported that on 5.10.2021, the Chief Executive in Council referred the Approved Stanley Outline Zoning Plan (OZP) No. S/H19/14 to the Town Planning Board for amendment under section 12(1)(b)(ii) of the Town Planning Ordinance. The reference back of the said OZP was notified in the Gazette on 15.10.2021.

### **Tsuen Wan and West Kowloon District**

#### **Agenda Item 3**

[Open meeting (Presentation and Question Sessions only)]

Consideration of Representations and Comments in respect of the Draft Tsuen Wan Outline Zoning Plan No. S/TW/34

(TPB Paper No. 10775)

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[The item was conducted in English and Cantonese.]

10. The Secretary reported that the amendment items on the draft Tsuen Wan Outline Zoning Plan No. S/TW/34 (the draft OZP) involved public and private housing sites and other technical amendments. Items A and B involved two private housing sites which were supported

by a Feasibility Study (FS) conducted by the Highways Department (HyD) with Aurecon Hong Kong Limited (AURECON) as one of the consultants of the FS. Items C and D involved two sites for public housing developments to be developed by the Hong Kong Housing Authority (HKHA) and the Housing Department (HD) was the executive arm of HKHA. These sites were supported by Engineering Feasibility Studies (EFSs) conducted by the Civil Engineering and Development Department (CEDD) with Black & Veatch Hong Kong Limited (B&V), and WSP (Asia) Limited (WSP) as the consultants of the two EFSs respectively. Item E involved another private housing site to take forward the decision of the Metro Planning Committee (MPC) of the Town Planning Board (the Board) on a s.12A application No. Y/TW/13 which was submitted by ENM Holdings Limited (ENM), and Kenneth To & Associates Limited (currently KTA Planning Limited) (KTA), Wong & Ouyang (HK) Limited (WOL), MVA Hong Kong Limited (MVA) and Mott MacDonald HK Limited (MMHK) were four of the consultants of the applicant. Representations/comments had been submitted by the Conservancy Association (CA) (R2/C2), Kadoorie Farm and Botanic Garden (KFBG) (R3), ENM (C3) and Ms Mary Mulvihill (R84/C27). The following Members had declared interests on the item:

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| Mr Andrew C.W. Lai<br><i>(as Director of Lands)</i>                                | - being a member of HKHA;   |
| Mr Paul Y.K. Au<br><i>(as Chief Engineer (Works),<br/>Home Affairs Department)</i> | - being a representative of the Director of Home Affairs who was a member of the Strategic Planning Committee and Subsidised Housing Committee of HKHA; |
| Dr Lawrence W.C. Poon  | - his spouse being an employee of HD (the executive arm of HKHA) but not involved in planning work;   |
| Mr K.K. Cheung   | - his firm having current business dealings with AURECON, HKHA, B&V, WSP, ENM, WOL, MMHK and KFBG, past business dealings with CA, and hiring Ms        |



- Mary Mulvihill on a contract basis from time to time;
- Mr Alex H.T. Lai
- his former firm having current business dealings with AURECON, HKHA, B&V, WSP, ENM, WOL, MMHK and KFBG, past business dealings with CA, and hiring Ms Mary Mulvihill on a contract basis from time to time;
- Dr C.H. Hau
- conducting contract research projects with CEDD and being a life member of CA and his spouse being the Vice Chairman of the Board of Directors of CA, and owning a flat in Tsuen Wan;
- Mr Thomas O.S. Ho
- having current business dealings with HKHA;
- Dr Conrad T.C. Wong
- having current business dealings with HyD and HKHA;
- Mr Franklin Yu
- being a member of the Building Committee of HKHA, and having current business dealings with WOL;
- Mr L.T. Kwok
- his serving organisation operating a social service team supported by HKHA and openly bid funding from HKHA;
- Mr Y.S. Wong
- being a member of Funds Management Sub-Committee of the HKHA;

- Professor John C.Y. Ng - his spouse owning a flat in Tsuen Wan;  
and
- Mr Stanley T.S. Choi - his spouse being a director of a company  
owning properties in Tsuen Wan.

11. Members noted that Messrs L.T. Kwok, Y.S. Wong, Thomas O.S. Ho and Dr Conrad T.C. Wong had tendered apologies for not being able to attend the meeting, and Mr Franklin Yu had not yet joined the meeting. As the interests of Messrs Andrew C.W. Lai and Paul Y.K. Au were considered direct, they should be invited to leave the meeting temporarily for the item. As the interests of Dr Lawrence W.C. Poon was considered indirect, and Messrs Mr K.K. Cheung, Alex T.H. Lai and Dr C.H. Hau had no involvement in the amendment items and the representers'/commenters' submissions, and the properties of Dr C.H. Hau, Professor John C.Y. Ng's spouse and the company of Mr Stanley T.S. Choi's spouse had no direct view of the representation sites, they could stay in the meeting.

[Messrs Andrew C.W. Lai and Paul Y.K. Au left the meeting temporarily at this point.]

#### Presentation and Question Sessions

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

13. The following government representatives and representers/commenters or the representatives of the representers/commenters were invited to the meeting at this point:

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

Mr Derek P.K. Tse

] District Planning Officer/Tsuen Wan  
and West Kowloon (DPO/TWK)

Mr K.S. Ng ] Senior Town Planner/Tsuen Wan  
(STP/TW)

Ms Cheryl H.L. Yeung ]  
Ms Rosa P.L. Tse ] Town Planners/Tsuen Wan

***Civil Engineering and Development Department (CEDD)***

Mr C.F. Leung ] Chief Engineer/Special Duties  
(Works) (CE/SD(W))

Ms Helen S.M. Szeto ] Senior Engineer/4 (SE/4)

Mr K.W. Lee ] Senior Engineer/5

***Highways Department (HyD)***

Mr T.W. Pang ] Senior District Engineer (SDE)

***Transport Department (TD)***

Mr Daniel K.H. Chow ] Senior Engineer (SE)

Mr Will W.H. Lau ] Senior Transport Officer

***Agriculture, Fisheries and Conservation Department (AFCD)***

Mr Eric Y.H. Wong ] Senior Nature Conservation Officer  
(SNCO)

***Mannings (Asia) Consultants Ltd*** ]

Mr Johnny C.H. Sze ] Consultants

***Aurecon Hong Kong Ltd*** ]

Mr Horus S.K. Lau ]

***Representers/Commenters***

R1 – Green Sense

Mr Lau Ka Yeung ] Representer's Representatives

R5 - Yeung Kwai Choi

Mr Yeung Kwai Choi ] Representer

R6 – Chau Ming Wai

C6 – Wan Wai Yee

C7 – Wan Chi Wai

C8 – Tam Hon Fa

C9 – Wan Fung Yee

C10 – Wan Yau Kwai

C14 – Chan Wai Ming

C15 – Law Sau Wing

C17 – Wan Ka Wai

Ms Chau Ming Wai ] Representer and Commenters'  
Representative

Ms Tam Hon Fa ] Representer's Representative and  
Commenter

Mr Wan Yau Kwai ] Representer's Representative and  
Commenter

Mr Chan Wai Ming ] Representer's Representative and  
Commenter

R32 – Tse Man Chak

Mr Tse Man Chak ] Representer

R73 – Chu Chun Kau

Mr Chu Chun Kau ] Representer

R79 Yick Shing Chung Angus

Mr Yick Shing Chung Angus ] Representer

R84/C27 – Mary Mulvihill

Ms Mary Mulvihill ] Representer and Commenter

R93 – Top Merchant investments Ltd

*Llewelyn-Davies Hong Kong Ltd*

Ms Wu Wai Yin Winnie ] Representer's representative

C3 – ENM Holdings Limited

Mr David Charles Parker ] Commenter's representatives

Mr To Lap Kee ]

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 representations and comments. The representers and commenters would then be invited to make oral submissions. To ensure efficient operation of the hearing, each representer, commenter or their representative was allotted 10 minutes for making presentation. There was a timer device to alert the representers, commenters and their representatives 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 representers, commenters and their representatives had completed their oral submissions. Members could direct their questions to the government representatives or the representers, commenters or their representatives. After the Q&A session, the government representatives and the representers, commenters and their representatives would be invited to leave the meeting. The Board would then deliberate on the representations and comments in their absence and inform the representers and commenters of the Board's decision in due course.

15. The Chairperson invited PlanD's representative to brief Members on the representations and comments.

16. With the aid of a PowerPoint presentation, Mr K.S. Ng, STP/TW, briefed Members on the representations and comments, including the background of the amendments, the grounds/views/proposals of the representers and commenters, planning assessments and PlanD's views on the representations and comments as detailed in TPB Paper No. 10775 (the Paper).

[Dr Lawrence W.C. Poon left and Dr Jeanne C.Y. Ng joined the meeting during the presentation by PlanD's representative.]

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

#### R1 – Green Sense

18. With the aid of a PowerPoint presentation, Mr Lau Ka Yeung made the following main points:

- (a) he opposed Items A and B and had reservation on Items C1, C2 and C3, D and E. There were different species of flora and fauna in the secondary woodland at the Sites under Items A and B (Sites A and B). According to the aerial photo taken by the Lands Department (LandsD) in 1964, the woodland was already in existence;
- (b) a local protected wild animal named *Muntiacus vaginalis* (赤麂) were found in the woodland between 2018 and 2021. Although the AFCD indicated that there was no record of that species within the area, it was doubted whether their information was accurate;
- (c) the timing of development at the site under Item C1 (Site C1) should preferably tie in with the redevelopment of Cheung Shan and Lei Muk Shue Estates in order to provide rehousing units for affected residents;
- (d) regarding the proposed development at the site under Item D (Site D), priority should be given to resolving the traffic problem before commencement of the proposed housing development. In addition, there was a recent report of *Aquilaria sinensis* (土沉香) at the site near Castle Peak Road. Relevant Government departments should conduct tree survey prior to developing the site to preserve the rare tree species;

- (e) according to the territory-wide survey of historic buildings by the Antiquities and Monuments Office (AMO), 49 out of 8,800 buildings recorded were located in the Lo Wai area near the site under Item E (Site E). Rezoning of the site should only be considered after their grading had been reviewed; and
- (f) in view of the existing traffic bottlenecks in the Kwai Chung and Tsing Yi areas, particularly at the major interchanges, the traffic problems should be resolved before implementation of the proposed housing developments in the Tsuen Wan area. There were recent incidents of minor traffic accidents resulting in area-wide congestion in Tsuen Wan West.

R5 - Yeung Kwai Choi

19. Mr Yeung Kwai Choi made the following main points:

- (a) he was the Village Representative of Yau Kom Tau (YKT) Village;
- (b) the proposed developments at Sites A and B would affect the YKT ancestral hall and some village houses. The proposed access road to the nearby development was only about 3m and 7m away from the ancestral hall and the houses respectively. Accordingly, the safety of nearby houses would be a concern with increase in vehicular traffic in future;
- (c) the proposed developments would cause adverse traffic impact to the surrounding area. The existing Po Fung Road was steep and had a number of bends. Given the substandard design of the existing road, there was concern on traffic safety if the road was to serve as the main access to both developments at Sites A and B. An alternative access connecting directly to Tuen Mun Road should be considered to facilitate the proposed developments; and

- (d) at present, there was no town gas supply to YKT Village and the proposed developments would encounter the same problem. Besides, the television signal at YKT Village was unsatisfactory. The proposed high-rise residential blocks would worsen the transmission issue.

R6 – Chau Ming Wai

C6 – Wan Wai Yee

C7 – Wan Chi Wai

C8 – Tam Hon Fa

C9 – Wan Fung Yee

C10 – Wan Yau Kwai

C14 – Chan Wai Ming

C15 – Law Sau Wing

C17 – Wan Ka Wai

20. Ms Chau Ming Wai made the following main points:

- (a) she was a member of Hon Man Upper Village (HMUV) Concern Group. Her family had lived in HMUV for more than 50 years. She recalled that in the old days villagers grew different kinds of fruit trees and vegetables in the fields. Her father also operated a bee farm to earn a living. Although her family was poor in the past, they enjoyed the peaceful rural environment and harmonious relationship among the villagers;
- (b) there was a strong sense of mutual support among the villagers which was invaluable;
- (c) demolition of the village would affect the lifestyle of the villagers, particularly the elderly who would have difficulty in adapting to the new environment in public housing estates; and
- (d) the “Green Belt” (“GB”) zoning of the Site A should be maintained to preserve the green rural setting. Preservation of the “GB” was in line



with the Government's policy objectives to protect the environment and the global trend to reduce carbon emissions.

21. Ms Tam Hon Fa made the following main points:

- (a) she was a member of the HMUV Concern Group. Members of the Concern Group and hikers objected to the rezoning of Sites A and B from "GB" to "R(B)";
- (b) she was born at Muk Min Ha Tsuen near the Mass Transit Railway (MTR) Tsuen Wan Station. Her father often brought her to HMUV in the 1960s and there were fireflies in the area. However, the fireflies began to disappear in the 1970s due to urbanisation;
- (c) she had been living in HMUV since 1970s after she got married. There was neither electricity nor potable water supply in those days. Villagers usually extracted underground water to meet their basic needs. Her kids who grew up in the village also treasured their childhood memory of living in a rural setting; and
- (d) the existing rural environment should be preserved and the "GB" zone should be maintained.

22. Mr Wan Yau Kwai made the following main points:

- (a) he was a member of the HMUV Concern Group. He grew up in the village which was quite remote in the past. The living environment was poor as there was neither potable water nor electricity supply;
- (b) he recalled that during his childhood there were fireflies in the fields. However, they no longer existed in the area due to changes in the ecological setting. Priority should be given to protecting the natural environment;

- (c) there was a mature *Michelia alba* (白蘭) planted by his father some 50 years ago in the village. He had strong bonds with the village and the surrounding environment;
- (d) the proposed private residential development at Site A would adversely affect the existing trees and compensatory planting was not satisfactory. Apart from the trees, the natural habitats would also be affected by the proposed developments and associated works; and
- (e) the existing narrow access road with steep gradient and a number of bends could not support the proposed developments.

23. Mr Chan Wai Ming made the following main points:

- (a) he was a member of the HMUV Concern Group. He moved to a house in HMUV owned by his relative more than 10 years ago. The house was in close proximity to Po Fung Road (i.e. less than 10m) and would likely be affected by the future road improvement works associated with the proposed residential development at Site A;
- (b) he had a strong sense of belonging to HMUV and enjoyed his life in the peaceful rural setting. He was not eligible for public housing and given his old age, he would like to stay in the village and therefore opposed the proposed developments; and
- (c) he was upset about the possibility of clearing the village. If clearance of the village was unavoidable, he would like to know about the schedule of the clearance as early as possible.

R32- Tse Man Chak

24. Mr Tse Man Chak made the following main points:

- (a) his major concern was on the traffic aspect. He had reservation on the findings of the traffic impact assessment (TIA) prepared by the Government which indicated no change in the traffic flow between 2019 and 2026. There was serious traffic problem at Belvedere Garden particularly during the morning peak. Traffic congestions were frequently observed at the section around Belvedere Garden area of Castle Peak Road – Tsuen Wan as this two-lane road could not support the surrounded community of about a population of 40,000. The traffic generated by an additional population of about 5,000 of the proposed developments at Sites A and B and vehicles serving the future Government, institution and community (GIC) facilities would create adverse traffic impact on Po Fung Road;
- (b) Po Fung Road with its steep gradients and a number of sharp bends was unsuitable for use by emergency vehicles even after the road widening works. Any car accident along the road would completely paralyse traffic to/from the proposed developments;
- (c) regarding the provision of retail and community facilities, some shopping centres at the Belvedere Garden area were already vacant and the Government had no control over the operation of these commercial premises under private ownership. The existing retail facilities in the area were inadequate to meet the demand to be generated from the additional 5,000 population;
- (d) according to a survey conducted by members of the Tsuen Wan District Council in late 2020, more than 1,000 residents of Belvedere Garden objected to the proposed developments; and
- (e) the proposed developments on steep slopes, even if technically feasible, might have maintenance problems in future.

R73 - Chu Chun Kau

25. Mr Chu Chun Kau made the following main points:

- (a) he was a resident of Belvedere Garden and he objected to the proposed developments at Sites A and B. The FS carried out in support of the concerned amendment items had neglected the actual road capacity along Castle Peak Road – Tsuen Wan. The road did not have spare capacity to cater for the additional traffic generated by the proposed developments. Traffic congestion was frequently observed in both the morning and afternoon peaks because the major interchanges in the surrounding area were already saturated;
- (b) several residential developments along Castle Peak Road and Po Fung Road were completed in the past decade such as Golden Villa and Hanley Villa, which had generated additional traffic to Castle Peak Road – Tsuen Wan and created bottlenecks at major interchanges. The industrial developments near the interchange at Chai Wan Kok also worsened the traffic problem due to loading/unloading activities of heavy goods vehicles;
- (c) Po Fung Road was narrow with steep gradient and a number of sharp bends. It was not suitable as the only access road serving the proposed residential developments;
- (d) in addition to the two existing primary schools along Castle Peak Road – Tsuen Wan, social welfare facilities were proposed at the residential developments. Adverse traffic impact on the existing road network was anticipated;
- (e) extension of the cycle track in Tsuen Wan to Tuen Mun and Yuen Long in future might attract more tourists to the Tsuen Wan West area and worsen the traffic problem; and

- (f) regarding Site A, consideration could be given to developing an access road near Allway Gardens to divert the traffic flow elsewhere.

R79 - Yick Shing Chung Angus

26. Mr Yick Shing Chung Angus made the following main points:

- (a) the additional 1,900 flats at Sites A and B, with the rather high proposed building height of 180 metres above the Principal Datum (mPD) at Site A, would likely generate more population than that of 5,000 estimated by the Government, which was unrealistic. According to the 2021 Policy Address, the development focus would be shifted towards the northwestern part of the New Territories and housing land supply would no longer be a problem;
- (b) the FS carried out by the Government only took into account the traffic flow along Lai Shun Road and Lai Chi Road but traffic data for the interchanges nearby had not been included in the assessment;
- (c) to encourage the use of mass transit, consideration should be given to providing an additional exit at Belvedere Garden connecting to the MTR Tsuen Wan West Station to alleviate the road capacity problem;
- (d) regarding car parking provision, the Government should clarify whether the upper or lower range of the parking standard had been adopted for the proposed developments;
- (e) Po Fung Road was unsuitable for use by emergency vehicles. The provision of minibus services to support the proposed developments would be a non-starter. The Government should clarify the means of public transport to be provided for future residents of the proposed developments;

- (f) the proposed building height of 180 mPD at Site A would be even higher than that of Lei Muk Shue Estate at 170/190mPD. It was doubtful whether the new population would only be 5,000;
- (g) PlanD's representative mentioned earlier that road widening works would be implemented in the area. He should clarify whether the scope of works would include Project No. TW/18/02058 for widening of Castle Peak Road near Lai Chi Road; and
- (h) the Government should ensure that Po Fung Road would not become a private road in future so that traffic management and road works could be implemented by relevant Government departments including road widening works to provide adequate space for U-turn of buses and large vehicles.

R84/C27- Mary Mulvihill

27. Ms Mary Mulvihill made the following main points:

- (a) there was strong objection to the amendments, particularly for Sites A and B. However, Members had the tendency to dismiss the sentiments of the community;
- (b) she objected to the proposed development at Site A as the site was mainly vegetated. The proposed development would necessitate extensive site clearance and removal of semi-natural woodlands and 1,280 trees. The need for clearance of squatters at Site A indicated that the site was not suitable for development;
- (c) Hong Kong was not short of private housing and there were about 250,000 vacant units. The Government should focus solely on providing land for public and assisted housing;

- (d) she also raised strong objection to Site B. The site was mainly covered by vegetated slope which could provide visual relief in a high-rise development zone. She did not agree with the appraisal which indicated that there would be no adverse impact upon development;
- (e) for Site C, the Air Ventilation Assessment-Expert Evaluation concluded that the proposed development would have some impacts on the pedestrian wind environment at its downwind areas under various prevailing winds. Besides, the loss of 860 trees would result in landscape impact. The development would decimate flora and fauna in the area. The noise and light from the future residential development there would also deter any substantial reintroduction of wildlife. The proposed acoustic windows for the housing block would give rise to substandard living conditions with no natural ventilation;
- (f) for Site D, any development should be limited to the school site and the site was unsuitable for residential development due to potential industrial/residential interface issues arising from vehicular emissions, industrial chimney emissions and noise impacts from the surrounding industrial area. Besides, the site was subject to traffic noise and vehicular emissions from Castle Peak Road – Kwai Chung;
- (g) for the site under Item E (Site E), the concrete wall effect on the mountain top would deprive the community of an extensive green panorama. Only low-rise buildings should be tolerated on the site; and
- (h) for site under Item F (Sites F), the concerned “Comprehensive Development Area” (“CDA”) developments should not be rezoned if there was no satisfactory provision of the GIC facilities as required.

R93 - Top Merchant Investments Ltd

28. With the aid of a PowerPoint presentation, Ms Wu Wan Yin Winnie made the following main points:

- (a) there were several sites zoned “CDA” (CDA Sites) along Yeung Uk Road. These sites were predominantly occupied by old industrial buildings. Since the rezoning of these sites in 2010, only one site zoned “CDA(2)” had been redeveloped because it was Government land designated for Home Ownership Scheme (HOS) development (namely Sheung Chui Court). Fragmented ownership of the industrial buildings in the area was a major bottleneck for redevelopment;
- (b) the industrial buildings in the area were currently used for industrial purpose or temporary data centres. Planning applications submitted to the Board in recent years were mainly for non-domestic developments. However, these applications were rejected by the Board because the planning intention of the “CDA” zones was for comprehensive residential developments;
- (c) the representer supported the amendments to Notes of the OZP for “CDA(3)” to “CDA(6)” because they provided flexibility for sites under the zones for alteration and addition (A&A) works and wholesale conversion. However, there was still a lack of incentive for restructuring the land uses in the wider area. The amendments could not facilitate redevelopment of existing old industrial buildings into non-domestic uses including data centre which was in high demand. The maximum domestic plot ratio (PR) of 5 was also too low to encourage redevelopment;
- (d) she proposed the development potential of the CDA sites should be increased by relaxing the maximum domestic PR of “CDA(3)” to “CDA(6)” zones from 5 to 6 to provide incentive for redevelopment, and Lot 746 in D.D. 443, owned by the representer, should be rezoned from “CDA(5)” to “Other Specified Uses” annotated “Business” (“OU(B)”) with a maximum non-domestic PR of 9.5 to facilitate data centre development. The proposed relaxation of domestic PR was in line with the 2014 Policy Address to increase housing supply through



intensification of PR by 20% whereas the proposed data centre development was in line with the 2021 Policy Address to develop a Smart City; and

- (e) Tsuen Wan was an ideal location for data centre development because it was along the corridor of major communication trunk with the Mainland. There was a cluster of optic fibre network and telecommunication service providers in the area.

[Mr Alex T.H. Lai left the meeting during Ms Wu Wan Yin Winnie's presentation.]

### C3 - ENM Holdings Limited

29. With the aid of a PowerPoint presentation, Mr To Lap Kee made the following main points:

- (a) the commenter was the proponent of the s.12A application (Y/TW/13) for residential development at Hilltop Road and the application was partially agreed by the Board in September 2020;
- (b) the adverse representations related to Site E were mainly related to the concerns on traffic impact and building height. These issues had already been dealt with thoroughly during consideration of the s.12A application and feasibility of the proposed development at the site was supported by technical assessments. No justifications had been provided by those representers opposing Item E to warrant amending the zoning for Site E; and
- (c) one representater indicated that Munitiacus vaginalis were observed at the site but the operator of the Hilltop Country Club had no record of their existence in the past few decades. Munitiacus vaginalis, as mentioned by some representers, mainly lived within the area closer to/within the Country Park which was outside Site E.

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

Sites A and B

31. The Chairperson and Members raised the following questions in relation to Sites A and/or B:

*Development Proposals*

- (a) the current shortage on the provision of hostel for severely mentally handicapped persons in the Tsuen Wan area, and whether the provision of such facility could be increased by increasing the PR at Sites A and B;
- (b) clarification on the figures of person per flat (PPF) adopted for housing developments at Sites A and B and whether the future population had been under-estimated;
- (c) whether the 60m wide "Tunnel Protection Zone" passing through Site A as shown in Drawing H-1a of the Paper had any implication on the development of Site A and the type of buildings that could be accommodated therein;
- (d) noting that there was a section of catchwater located just outside the northern boundary of Site A, whether any protection measures were required to avoid the potential adverse impact of residential development on the catchwater;
- (e) whether there was a footbridge directly connecting from Site A to the nearby neighbourhood for delivery of goods and services;

*Traffic Aspect and Road design*

- (f) clarification on the proposed widening works of Po Fung Road and the traffic arrangement for the underpass section of Po Fung Road that ran underneath Tuen Mun Road, and whether it would become a private road upon completion of the proposed residential developments;
- (g) whether there was a minimum clearance requirement between the access road and the boundary of the sites, and whether the widening works for Po Fung Road would affect the residents and structures in YKT Village;
- (h) whether Po Fung Road, upon completion of the proposed widening works, could accommodate heavy/long vehicles;
- (i) whether the widened Po Fung Road would meet all the relevant design standards set out by TD, and whether such standards could cope with the traffic flow especially during the peak hours or in the event of traffic accident;
- (j) the proposed number of car parking spaces for Site A;
- (k) whether there would be public transport service to serve the users/workers/visitors of the proposed GIC facilities at Site A;
- (l) noting the current traffic conditions near Sites A and B, whether there were other planned road and traffic improvement works in the Tsuen Wan West area;

*Landscape and Ecological Aspects*

- (m) whether there were any tree compensation proposals as Sites A and B were rezoned from “GB” for residential developments, and what the measures were to maximise the number of existing trees to be retained;

- (n) whether the rezoning under Items A and B would affect *Muntiacus vaginalis*;
- (o) whether ecological survey and tree survey were conducted for Sites A and B, and whether the relevant report had been included in the Paper. If the full assessment report was not attached to the Paper, whether that was a deviation from the usual practice, noting that the full ecological assessment and tree survey were made available to the Board during the consideration of proposed amendments to the Ma On Shan OZP;
- (p) whether the developments at Sites A and B were designated projects under the Environmental Impact Assessment Ordinance (EIAO);
- (q) whether the Board would have the opportunity to scrutinise the tree removal and compensatory proposals of Sites A and B in the future based on the current established mechanism;

*Other Issues*

- (r) whether the future development at Site A would provide an opportunity for extending the coverage of public utilities (e.g. town gas) to Site A and the nearby YKT Village;
- (s) whether YKT Village fell within Site A; and
- (t) whether any survey or assessment had been conducted regarding the potential social impact on the affected residents of HMUV.

32. In response to the enquiries, Mr Derek P.K. Tse, DPO/TWK, PlanD, Mr T.W. Pang, SDE, HyD, Mr C.F. Leung, CE/SD(W), CEDD, and Mr Eric Y.H. Wong, SNCO, AFCD, with the aid of some PowerPoint slides and visualizer, made the following main points:

*Development Proposals*

- (a) a 50-place Hostel for Severely Mentally Handicapped Persons cum 50-place Day Activity Centre was proposed at Site A whereas a 30-place Supported Hostel for Mentally Handicapped Persons was proposed at Site B. These facilities were not population-based GIC facilities but subject to the territorial demand as required by SWD, which would identify suitable location for the provision of such facilities. The traffic generated by the proposed GIC facilities had already been included in the TIA conducted for the two sites. Further increase in the scale of those facilities might have adverse implications on the proposed developments at Sites A and B;
- (b) the PPF assumptions for Sites A and B were 2.7 and 3.2 respectively. It was based on the population information from the 2016 by-Census on the existing residential developments to the north (i.e. about 2.5 to 2.9) and south (i.e. about 3.2 to 3.5) of Tuen Mun Road/Castle Peak Road – Tsuen Wan. In other words, the figures adopted were on par with the situation of existing residential developments in the vicinity;
- (c) an existing underground drainage tunnel managed by the Drainage Services Department (DSD), which ran through Site A, had been taken into account when formulating the conceptual layout of development at the site. The future developer should consult DSD regarding the “Tunnel Protection Zone” in the detailed design stage, and incorporate suitable mitigation measures as required;
- (d) the catchwater located to the north of Site A roughly demarcated the “GB” area further uphill to the north. While the northeastern boundary of Site A was close to the catchwater, the Water Supplies Department (WSD) advised that the catchwater was located at a higher level than Site A, it would unlikely be subject to pollution from the future development at Site A and thus, no mitigation measures were required;

- (e) there was an existing footbridge connecting Site A to Belvedere Garden via an area that was often known as the 'Hon Man Lower Village' which provided a convenient access to various retail and community facilities along Castle Peak Road – Tsuen Wan area. The footbridge would not be adversely affected by the proposed development at Site A. Relevant clauses would also be considered for incorporation into the future lease for maintaining the access points to the footbridge within Site A as well as providing connections between the footbridge to the footpath along the catchwater in the north;

*Traffic Aspect and Road Design*

- (f) HyD and TD had some concerns on the traffic/road conditions of the existing Po Fung Road as the current width of Po Fung Road was only about 6.5m on average and heavy/long vehicles would have difficulty in maneuvering along the road. In addition, the existing gradients of some road sections of Po Fung Road were steep. HyD had circulated the proposals of the FS to the concerned Government departments for comments, and TD among the concerned Government departments agreed to the proposed design of Po Fung Road improvement and widening works. Upon completion of the road improvement and widening works, the width would be increased from 6.5m to 7.9m or to 12.6m at various locations by cutting slopes or leveling the uneven soil. Gradients of some road sections could be reduced/evened out. Radius of road bends would be increased to allow two-way traffic of long vehicles up to 10m in length turning into the road bends. Due to the existing site constraints and conditions, the proposed road works could not fully comply with the relevant design standards. However, along with the increased capacity, the road and traffic conditions, road widths and visibility/sightline at certain turns/curves would be greatly enhanced when compared with the existing road. For the existing underpass section at Po Fung Road near YKT Village, which was about 4.4m in height and 6.7m in width, it was currently difficult for two large/heavy vehicles from opposite directions to pass through at the same time.

Signal controls for the underpass would be introduced in the future to allow only one direction of vehicular traffic within the underpass so as to improve traffic safety. At the current stage, only the FS was conducted to ascertain the engineering feasibility of the proposed road improvement and widening works. Detailed design would be carried out by the future developer(s) and submitted to the relevant Government departments for comments and approvals. The proposed Po Fung Road improvement and widening works would be implemented by the future developer(s) and the improved road would be handed back to the Government for management and maintenance;

- (g) no private land would be involved in the road widening project at Po Fung Road and the proposed widening area would not expand towards YKT Village. From an engineering perspective, a minimum distance of 1m would normally be kept between existing structures and the road as buffer. Upon completion of the widening works, pedestrian footpaths each of 2m in width would also be provided on both sides of Po Fung Road. The distance between Po Fung Road and the ancestral hall and houses at YKT would be increased from 3m to 8m and from 5m to 7m respectively. There would be no detriment in terms of road safety or distance from existing structures in YKT Village as compared to the existing situation;
- (h) it was observed that there were already private cars and minibuses driving along the existing Po Fung Road. The existing Po Fung Road did not allow two-way traffic of long vehicles exceeding 10m in length to pass the bends at the same time. While the road widening works would bring improvement to the current situation, some sections of Po Fung Road would still be steep even after the completion of the works due to the site constraints. It was therefore recommended that appropriate traffic management should be introduced, such that large vehicles should not be allowed to use Po Fung Road in future for road safety reason. Relevant road signs would be erected and the Police would carry out appropriate enforcement actions;

- (i) Po Fung Road was classified as a local distributor and HyD had formulated the road widening scheme taking into account the relevant road design standards promulgated by TD, the nature of developments at Sites A and B, and the existing site constraints and limitations. The widening works would also straighten some of the existing bends at Po Fung Road and the overall increase in traffic capacity would be quite noticeable. As Site A would be developed into residential use, it was anticipated that there would be very few traffic for vehicles exceeding 10m in length. In the event of emergency or traffic accidents, relevant Government departments would formulate suitable emergency response plans and the emergency vehicles could utilise the full width (both lanes) of Po Fung Road for maneuvering if required. Though Po Fung Road might not be able to meet TD's optimal design standards, it could sufficiently cater to the traffic generated by developments at Sites A and B;
- (j) the TIA conducted had made reference to the Hong Kong Planning Standards and Guidelines (HKPSG) for car parking provision. The actual number of car parking spaces to be provided in the future development at Site A would be subject to the prevailing requirements under the HKPSG and the advice of TD. The future developer would be required to submit a revised TIA under lease. Taking into account the findings of the revised TIA and the actual design of the development scheme, the requirement for car parking provision would be stipulated in the relevant lease;
- (k) it was estimated that the users/workers/visitors of the proposed GIC facilities at Site A would utilise public transport for commuting. Two private light bus trips would be generated by GIC facilities therein each day, which had been included in the TIA conducted;
- (l) a number of road and traffic improvement works for Tsuen Wan West were under planning/study, including the widening of Tsuen Wan Road and improvement works to nearby junctions; improvement works to Tsuen Tsing Interchange; and traffic signals improvement works for Castle Peak



Road – Tsuen Wan, Hoi Hing Road, Hoi On Road and Lai Shun Road. Widening works for Castle Peak Road – Tsuen Wan near Belvedere Garden had commenced and would cover other improvement works including increasing the number of loading/unloading bays at Castle Peak Road – Tsuen Wan near the Belvedere Garden area. The traffic condition at Castle Peak Road – Tsuen Wan was expected to be substantially improved upon the completion of the improvement works, however, there were no quantitative figures regarding the overall traffic capacity that could be provided;

*Landscape and Ecological Aspects*

- (m) the future developers should follow the relevant technical guidelines and circulars issued by DEVB in preparing the tree preservation and compensation proposals. In general, a tree removal and preservation clause would be incorporated into the lease;
- (n) tree surveys were conducted for Sites A and B, and ecological impact assessment did cover the two sites. The affected trees were mainly common or exotic species and no rare/protected/endangered plant species or Old and Valuable Tree (OVT) were recorded within the sites. Regarding *Muntingia calabura*, it was a solitary common species that could be found in a wide range of habitats throughout the remote areas of the territory. It was anticipated that the indirect impacts on the species due to the proposed development would be insignificant;
- (o) to demonstrate the acceptability of the proposed developments at Sites A and B from ecological and tree preservation perspectives, an ecological impact assessment covering the area within 500m along Po Fung Road was conducted by HyD as part of the FS for the widening of Po Fung Road, and tree surveys were conducted for Sites A and B by the LandsD. The Interim Report on Viability of the Proposed Road Scheme (for Rezoning) of Items A and B and the Landscape Assessment were provided for the Board's consideration as Attachments Va and Vc of MPC Paper No. 1/21

respectively when the MPC considered the proposed amendments to the OZP on 5.2.2021. The MPC Paper and its attachments were also available on the Board's website for public access. For land sale sites earmarked for private residential development, it was the usual practice to attach a summary report or concise executive summary of the tree survey conducted by LandsD in the relevant Planning Committee paper to facilitate Members to grasp an overall picture. The current arrangement for the Tsuen Wan OZP was in line with the usual practice. Members of the public who were interested in any of the full technical reports could also make requests to the concerned Government departments for inspection of the reports. For s.12A application to amend an OZP, the relevant paper would include all submissions made by the applicant;

- (p) the proposed private housing developments at Sites A and B were not designated projects under EIAO;
- (q) as Sites A and B were rezoned to "R(B)" under which 'flat' development was a Column 1 use, no further planning application from the future developer would be required provided that the development was in line with the development restrictions stipulated in the Notes of the zone. Tree felling application would need to be submitted to LandsD for approval under lease;

*Other issues*

- (r) the plan for the provision of public utilities to Site A had yet to be formulated. For the extension of coverage of utility services to the surrounding areas, it would be up to the provision by the relevant utilities companies;
- (s) YKT Village zoned "Village Type Development" ("V") on the OZP fell outside Site A; and

- (t) no community survey or survey similar to social impact assessments had been conducted for HMUV.

33. Regarding the preservation of existing trees of land sale sites, the Chairperson supplemented that a tree removal and preservation clause would be included in the lease. The future developer would need to follow the relevant technical note and guidelines regarding tree removal and the relevant government departments would be consulted on any tree removal proposal.

34. In response to the Chairperson and two Members' enquiry in relation to the HMUV, Ms Chau Ming Wai and Mr Wan Yau Kwai, representer's representatives and commenter, made the following main points:

- (a) the area known as HMUV was approximately situated between YKT Village and the catchwater to the northwest of Site A;
- (b) the mentioned mature tree of *Michelia alba* (白蘭) was located just outside Site A;
- (c) the upper and lower villages of Hon Man Village had existed since 1950s. However, they had no information on why the village was named Hon Man Village;
- (d) they had no information on the total number of residents living in HMUV; and
- (e) there was no electricity and water supply at HMUV in the past until December 1986 when the Housing Department carried out works to provide basic utilities and facilities (e.g. electricity and water supply, drainage system and refuse collection point, slope works, fire-fighting facilities etc.) for the area. Many of the residents of HMUV had been living there since 1950s and there used to be about 100 households.

35. In response to a Member's enquiry on the role of HD in the development of HMUV noting that HD's logo appeared on a local notice board, Mr Derek P.K. Tse, DPO/TWK, PlanD

said that to his understanding, the Squatter Control unit was under HD in the past, and that might be the reason that HD's logo was found on the board erected, i.e. to signify that improvement works had been carried out by HD for the HMUV.

Site C1

36. The Chairperson and Members raised the following questions:

- (a) whether the PR for the housing development at Site C1 could be increased to boost housing supply;
- (b) whether the 30-classroom primary school at Site C1 was to be provided at the request of Education Bureau (EDB); and
- (c) whether there were plans to preserve the historic pillbox found within Site C1.

37. In response, Mr Derek P.K. Tse, DPO/TWK, PlanD, Mr C.F. Leung, CE/SD(W), CEDD, and Ms Helen S.M. Szeto, SE/4, CEDD, with the aid of some PowerPoint slides, made the following main points:

- (a) the public housing development at Site C1 had taken account of the design constraint imposed by the Hong Kong section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL) running beneath Site C1. It was essential to avoid exerting excessive loading on the XRL tunnel and as a result, the current layout of the public housing development had adopted a descending building height profile towards the XRL railway protection zone. In other words, taller buildings would only be placed away from the XRL tunnel. In the conceptual scheme, only a school (10 storeys or below) and a low-rise residential block were proposed on within the protection zone. Given the above constraints, a lower PR of 5.15, as compared to the PR of 6.7 proposed for Site D which was also intended for public housing development, was proposed for Site C1. Further increasing the PR might impose excessive loading on the XRL

tunnel and could not fulfil the railway protection requirements. There was stringent limitation on the amount of loading change caused to the tunnel, which should be within 20kPa, due to excavation and construction works above. The proposed PR of 5.15 had struck an optimal balance between meeting the housing demand and fulfilling the railway protection requirements. Furthermore, taking into account nearby development height bands which were 150mPD (i.e. Cheung Shan Estate to the northwest), 170mPD and 190mPD (i.e. Lei Muk Shue Estate to the east), further increase of building height from 230mPD for Site C1 might be not desirable from the visual impact point of view;

- (b) EDB requested a 30-classroom primary school to be provided at Site C1 to serve the future population in relation to the proposed housing developments in Sites C1 and D; and
- (c) AMO advised that the pillbox within Site C1 might have potential heritage significance and AMO would conduct a grading assessment for the pillbox structure. Upon completion of the grading process by the Antiquities Advisory Board, CEDD would carry out a Heritage Impact Assessment (HIA) at the later stage for Site C1 to assess whether there would be any potential impact of the proposed development to the structures concerned and recommend the necessary mitigation measures. HD would review the layout of the proposed housing development as appropriate taking into account the recommendations of the HIA.

#### Site D

38. Given that many local residents of Tsuen Wan had attended the ex-Kwai Chung Public School (ex-KCPS), Members enquired whether there were plans to consult the local stakeholders such as the Rural Committee or villagers and what the strategy was to preserve the history associated with the school and the structures associated with 昆才學校. In response, Mr Derek P.K. Tse, DPO/TWK, PlanD and Mr C.F. Leung, CE/SD(W), CEDD, with the aid of some PowerPoint slides, said that although the site of ex-KCPS was never occupied by 昆才學

校 as advised by AMO, a tablet inscription of local history indicating that 昆才學校 had made a major donation to the ex-KCPS was found within Site D. Local stakeholders including Tsuen Wan Rural Committee had been consulted and their cultural and historical attachment to 昆才學校/ex-KCPS was also noted. CEDD intended to conduct a detailed survey and recording on the abandoned building structures and elements (e.g. photos and records) before dismantling works in the next stage of development. In consultation with Tsuen Wan Rural Committee and relevant parties including AMO and EDB, CEDD would identify and preserve existing features with high cultural value when carrying out the site clearance works for Site D. Feature elements retained would be incorporated in the future public housing development as far as practicable.

#### CDA Zones at Wang Wo Tsai Street

39. The Chairperson and some Members raised the following questions:
- (a) elaboration on the current situation of the “CDA” sites and their development progress;
  - (b) whether the traffic and sewerage sensitivity tests provided by R93 was sufficient, and whether there were sufficient justifications to warrant increasing PR of the “CDA” zones at Wang Wo Tsai Street and rezoning Lot 476 in D.D. 443 (the concerned site) from “CDA(5)” to “OU(B)” as proposed by R93 (the R93 proposal);
  - (c) whether there was scope for the R93 or other lot owners of the “CDA” sites to take forward the proposal for data centre or other developments if they could address the technical feasibility aspect in the future;
  - (d) if the R93 proposal was accepted, whether it would have any implications on the development of the other “CDA” sites within the same cluster;
  - (e) if some of the “CDA” sites were redeveloped into non-domestic use, whether there would be any compatibility issues with those that were redeveloped for residential use; and

- (f) the timeframe of the next round of review of “CDA” sites.

40. In response, Mr Derek P.K. Tse, DPO/TWK, PlanD, with the aid of some PowerPoint slides, made the following main points:

- (a) the previous “CDA(2)” zone had been developed as a HOS development named Sheung Chui Court and a public open space and rezoned as “R(A)19” and “O” respectively in the current round of OZP amendments. A planning permission for comprehensive residential development of the “CDA(3)” zone had been obtained and the applicant had submitted another application to the Board to seek planning permission to relax the PR restriction of the same site from 5 to 6;
- (b) traffic and sewerage sensitivity test reports were submitted in support of the R93 proposal. However, TD and Environmental Protection Department (EPD) advised that the submissions were insufficient to demonstrate the technical feasibility of the proposal. TD advised that the area near Wang Wo Tsai Street was subject to persistent complaints from the public on illegal kerbside activities, especially during the morning and afternoon traffic peaks. The traffic sensitivity test conducted by R93 failed to satisfactorily demonstrate the worst case scenario and the submission was not acceptable to TD. EPD also considered that the sewerage sensitivity test conducted by R93 did not reflect the worst case scenario of the concerned area if the overall PR was relaxed and the concerned site was rezoned to “OU(B)”. A sewerage impact assessment based on the actual proposed use was required to assess the potential impact of any individual proposal in addition to the existing/planned sewerage system. There was insufficient information to justify the R93 proposal particularly to rezone the concerned site from “CDA(5)” at the current stage;
- (c) the planning intention of the “CDA(3)” to “CDA(6)” zones was for comprehensive residential development with commercial facilities and open space provision to give impetus for land use restructuring and

upgrading the Tsuen Wan East area. If supported by suitable technical assessments to demonstrate the feasibility of a development proposal, the R93/future developers could depending on the nature and scale of the proposed development, submit a s.16 or s.12A application to the Board for consideration as appropriate. According to the Notes of the “CDA(3)” to “CDA(6)” zones, ‘data centre’ was a use subsumed under ‘Information Technology and Telecommunications Industries’ use which was a Column 2 use that might be permitted with or without conditions on application to the Board;

- (d) the concerned “CDA” zones were intended for comprehensive development/redevelopment of the area primarily for residential use with the provision of commercial facilities and open space. Since the proposed rezoning of the concerned site from “CDA(5)” site to “OU(B)” zone was not supported by relevant technical assessments, such as that on the noise impact of the cooling tower on the roof of data centre, the acceptance of the rezoning proposal might impose technical constraints on the future comprehensive residential developments in other “CDA” sites in the cluster;
- (e) planning permission was required for all redevelopment within the “CDA” zones and proposals for compatible non-residential uses could be considered by the Board provided the application was supported by suitable technical assessments to demonstrate its feasibility. Each of such proposals would be considered on its own merits. If required, suitable mitigation measures could be stipulated to avoid any potential interface issues with other residential developments in the vicinity; and
- (f) the “CDA” review would be carried out at every two years and the most recent round was conducted in May 2021.

41. Some Members raised the following questions to Ms Wu Wan Yin Winnie, R93’s representative:



- (a) whether the data centre use would be compatible with the intended residential development with commercial facilities at the adjacent “CDA” sites; and
- (b) the basis in her claim that the other lots owners of the “CDA” sites were not interested in redeveloping their sites for residential use, and what the appropriate incentives would be to facilitate lot owners within the “CDA” cluster to take forward comprehensive residential development so as to realise the planning intention of the “CDA” zones.

42. Ms Wu Wan Yin Winnie, R93’s representative, made the following responses:

- (a) R93 submitted a s.12A application (No. Y/TW/11) in 2017 for redeveloping the concerned site for a data centre. Detailed technical submissions including an environmental assessment were submitted in support of the application. The environmental assessment concluded that the proposed data centre use would not cause adverse environmental impact on the surrounding areas including those sites intended for comprehensive residential developments and EPD had no objection from technical perspective at that time. The subject s.12A application was rejected by the Board in 2017 on the grounds that the “CDA(5)” zone for the concerned site was considered appropriate; approval of the application would result in a permanent loss of land available for residential development; and would set an undesirable precedent for similar applications and the cumulative impact of approving similar applications would defeat the planning intention of comprehensive development/redevelopment of the “CDA” zones covering the northern part of the Tsuen Wan East Industrial Area. The nearby “CDA” sites were mostly occupied by existing industrial buildings that were in operation and their owners generally had no intention to redevelop their sites into residential use. Much time had already been wasted on waiting for the realisation of the comprehensive developments; and

- (b) it was an observation of R93 that the other owners of the “CDA” sites lacked interest in redeveloping their sites for comprehensive residential development. Though no survey or interview was conducted, the case was clear as there had been no planning application submitted for such use for a very long time since the completion of HOS development at Sheung Chiu Court, except one for a site occupying part of the “CDA(3)” zone. That application involved four lots all under single ownership. The remaining land in the “CDA(3)” zone not owned by that applicant were only included in the relevant MLP for illustrative purpose. On the issue of incentives, the major problem in realising the planning intention of residential development for the “CDA” sites in the Tsuen Wan East Industrial Area was fragmented ownership of the land within the “CDA” sites. Many of the existing industrial buildings within the “CDA” zones were currently used for industrial, logistics or data centre uses etc. and given the difficulty in land assembly, most land owners simply did not want to disrupt their on-going businesses to pursue comprehensive development. As a result, the redevelopment progress was virtually halted. While the technical amendments to the “CDA(3)” to “CDA(6)” zones would allow greater flexibility for existing industrial buildings to carry out necessary A&A or conversion works for their operation needs and upgrading, it could not facilitate redevelopment within the “CDA” zones.

43. Members raised the following questions to PlanD’s representatives:

- (a) clarification on the surplus of 112 classrooms of primary school as shown in Annex VIII of the Paper;
- (b) given the current deficits of child care centre in the Tsuen Wan area, whether such facility would be provided in the proposed residential developments; and
- (c) the overall vacancy rate for private flats Hong Kong.

44. In response, Mr Derek P.K. Tse, DPO/TWK, PlanD, made the following main points:

- (a) based on the HKPSG, there was a surplus of existing and planned provision of primary school to meet the demand of the overall planned population in Tsuen Wan area. The planned primary school at Wing Shun Street was for the reprovisioning of an existing primary school in Tsuen Wan area;
- (b) opportunities had been taken to provide child care facilities at the proposed public housing developments at Sites C1 and D; and
- (c) there was no information in hand regarding the vacancy rate of private flats in Hong Kong.

45. In response to a Member's question regarding land resumption and rehousing arrangement for the affected residents of HMUV, the Chairperson remarked that eligible residents affected by government development projects, such as those from HMUV, could be rehoused to public rental housing estate, subject to means test, or to dedicated housing estates (DRE), currently being developed by Hong Kong Housing Society in Kai Tak and Fanling, without going through a means test. Requests for rehousing in the local area would be accommodated as far as practicable.

[Messrs K.K. Cheung and Stephen L.H. Liu left the meeting temporarily, and Miss Winnie W.M. Ng, Mr Stanley T.S. Choi and Dr Jeanne C.Y. Ng left the meeting during the Q&A session]

46. As Members did not have further questions to raise, the Chairperson said that the Q&A session was completed. She thanked the government representatives, the representers/commenters and the representatives of representers/commenters for attending the meeting. The Board would deliberate the representations/comments in closed meeting and would inform the representers/commenters of the Board's decision in due course. The government representatives, the representers/commenters and the representatives of representers/commenters left the meeting at this point.

[Professors John C.Y. Ng and Jonathan W.C. Wong left the meeting at this point.]

Deliberation Session

47. The Chairperson recapitulated the main points made by the representers and commenters and made the following remarks:

- (a) among the five representation sites earmarked for housing development, Sites A, B and E were for private residential developments whereas Sites C and D were for public housing developments. Most of the representations and comments were related to the private housing developments under Sites A and B at YKT. Some representers and commenters opined that it should not be the Government's priority to provide land for private housing development, particularly at sites previously zoned "GB". In this regard, the Government would not encourage the taking of a partial view against private housing developments or against the use of "GB" for development as a matter of course. There was high demand for both private and public housing, and each of the amendments to the OZP should be considered by the Board based on its individual merits. In the current case, there appeared to be no insurmountable technical issues associated with the private housing developments at Sites A and B based on the technical assessments conducted and the information/explanations provided by representatives of relevant government departments at the meeting. Notwithstanding the above, there was scope for further enhancement in the detailed design of the proposed developments during the implementation stage. Regarding the mechanism on tree removal and preservation as mentioned by some representers and commenters, it was outside the Board's purview. However, relevant departments could be reminded to explore improvements to the tree compensation proposals in the detailed design and implementation stages;
- (b) for representation Site D, though no grading had been given to the ex-KCPS, the structures within the school associated with 昆才學校 might

be of historic interest and there was scope for CEDD to explore suitable ways of preserving certain elements in the development process; and

- (c) for the representation regarding rezoning part of the “CDA(5)” zone at Wang Wo Tsai Street to “OU(B)” to facilitate a data centre development, the technical assessment submitted by the representer was considered insufficient by the relevant departments to demonstrate the feasibility of the proposal. However, if the representer wished to further pursue such proposal, the representer could follow the prevailing planning mechanism by either submitting an application for planning permission or amendments to the OZP for the Board’s consideration.

#### *Items A and B*

48. The Vice-chairperson and a few Members considered that Items A and B were generally acceptable. However, there was scope to improve the access arrangement in particular the traffic improvement/management measures regarding the tunnel at Po Fung Road leading to Site A. On the other hand, consideration might be given to lowering the PR at Site A to reduce the number of new residents thereby lowering the associated traffic volume and the burden to the local road network. In this regard, some Members expressed that lowering the PR of the two sites would adversely affect the number of units that could be provided. Instead, the Government might consider limiting the car parking provision to a lower level to reduce the number of trips generated by private cars, providing a new footpath on the eastern side of Site A leading to Belvedere Garden as an alternative access, and improving the existing footbridge located just outside the southern boundary of Site A spanning across Tuen Mun Road to enhance the connectivity of Site A. On the issue of development density, Mr Ivan M.K. Chung, Director of Planning, supplemented that the current “R(B)” zoning for Sites A and B, with PR of 4, was mainly intended for medium-density residential development. Compared with the proposed public housing developments at Sites C and D which were zoned “R(A)” with PR of more than 5 and 6 respectively, the proposed PR for Sites A and B had already factored in the characteristics and constraints of the sites.

49. A Member said that consideration could also be given to adopting flexible traffic management measures such as adjusting the traffic signal for the underpass during the morning

and afternoon peaks based on the direction of predominant traffic. Another Member said that while there were some reservations on the access arrangement for Site A, upon weighing various factors, it was still considered worthwhile to pursue using Site A for residential development given the acute shortage for housing land. Some Members echoed this view and said that though Sites A and B were previously zoned “GB”, they were located in close proximity to existing urban developments, had good accessibility and relatively low value as a green buffer, and did not have high ecological value. Given that no insurmountable technical problems were anticipated, residential developments at these two sites were considered acceptable.

50. Mr Ken K.K. Yip, Chief Traffic Engineer/New Territories East, TD, clarified that the existing conditions at Po Fung Road was suboptimal and the proposed road widening works would definitely enhance the traffic condition in the area. Generally, the minimum width of road capable of accommodating 2-way traffic of large vehicles was 5.5m. Noting that Site A was for residential development, the widened Po Fung Road with a width of 7.3m, together with the pedestrian footpath of 2m in width, should be able to handle the projected traffic flow. The section of Po Fung Road near Po Fung Terrace with a hairpin turn would also be widened so that it could allow the passage of long vehicles up to 10m. Regarding the underpass, traffic lights would be installed to control the traffic flow so that there would only be traffic in one-direction within the tunnel at any one time. Such management method was commonly deployed on roads where one of the lanes was closed for road works. Given that the anticipated traffic flow generated by Site A was not high, the proposed access arrangement was considered acceptable from traffic point of view. Moreover, upon completion of the improvement works, Po Fung Road would be managed and maintained by the Government so there was scope for relevant departments to explore adopting smart traffic management solutions, such as adjusting the traffic signal during the peak hours as suggested by the Member, in the subsequent stage.

51. A Member said that upon development of Sites A and B, the area in the vicinity of HMUV would undergo substantial transformation and HMUV would virtually be surrounded by high-rise residential towers. Whilst HMUV was not a recognised village, it had a long history of settlement and was worthy of preservation, particularly the social fabric and connections among the residents. Suitable assistance should be provided to the residents to cope with the drastic change in living environment.

52. A Member expressed that as there would be an increased housing land supply according to the recently announced “Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030” (Hong Kong 2030+), there might be no imminent need to use Sites A and B for private housing developments. The Chairperson remarked that the estimate in Hong Kong 2030+ and the target to supply 100,000 private housing units in the next 10 years as announced in the 2021 Policy Address had taken into account suitable housing sites identified under the GB review including the current Sites A and B. Though the Government had adopted a multi-pronged strategy to provide housing land under different initiatives including the development of the Northern Metropolis, every single piece of suitable site for housing was vital to the Government’s effort in increasing housing land supply.

53. Members generally considered that Sites A and B were suitable for housing developments as they met the criteria of the GB review and the current zoning and development restrictions were acceptable and no insurmountable technical issues were anticipated. There were no planning justifications to warrant reducing the PRs for the two sites in an arbitrary manner at the current juncture. Regarding the alternative traffic solutions for Site A as suggested by some Members, the Chairperson said that PlanD could convey the suggestions to the relevant government departments for their consideration.

#### *Site D*

54. A Member said that the ex-KCPS at Site D represented important local history and the historic elements within the Site should be preserved through suitable means. A balance between development and conservation, especially on the humanity/local history aspect, should be struck in the future development of Site D. The Chairperson remarked that although the ex-KCPS was not a graded historic building, CEDD would strive to adopt suitable measures to incorporate the historical and cultural elements into the future housing developments as far as practicable.

#### *The “CDA” zones at Wan Wo Tsai Street*

55. Members generally agreed that the technical assessments submitted by R93 could not satisfactorily demonstrate the technical feasibility for the increase of PR for “CDA(3)” to “CDA(6)” zone, and rezoning of the concerned site from “CDA(5)” to “OU(B)” to facilitate the

data centre development, and the representer failed to provide strong justifications on why data centre was a more suitable use than comprehensive residential development at the site.

56. A Member said that the few “CDA” zones in the area had been designated for more than a decade and, except for two of the sites, the progress of development remained very slow. The Government should continue to closely monitor the situation and consider to review the “CDA” zoning if so warranted. Another Member supplemented that the fragmented ownership of land for the subject “CDA” sites was likely to be the main reason behind the slow development progress. However, given that there were already some residential developments in the “CDA” cluster and the surrounding areas, the potential impact to the residents should be duly assessed if the site needed to be rezoned for other uses.

57. The Vice-chairperson said that the “CDA(5)” zoning had already provided an incentive for assembling the private lots with fragmented ownership for comprehensive residential development. Subject to the merits of individual development proposals, minor relaxation of the PR restriction might also be permitted upon application to the Board. In future, if supported by suitable technical assessments, the Board could also consider rezoning the subject “CDA(5)” zone to other suitable zoning for uses other than residential.

#### *Issue on Providing Technical Assessment Reports for Members' Reference*

58. Two Members opined that the information on trees within Sites A, B and E in the Paper were limited and might hinder their assessment on the acceptability of the relevant development proposals. They suggested that for future rezoning proposals covering areas with dense vegetation or sites that were ecologically sensitive, the full assessment reports on trees and ecological habitat should be included in the Paper for Members' reference. The Secretary clarified that it was the usual practice to attach an executive summary or a concise version of the technical assessments in the paper when the proposed amendments were considered by the Planning Committees, which would facilitate Members to grasp an overall picture on the findings of the technical assessments. If required, the full set of the relevant technical assessments, including individual assessment reports, could be made available for inspection by Members as well as the public. Regarding the case of Ma On Shan OZP mentioned by a Member earlier at the meeting, the same approach as mentioned above was adopted and the full set of Tree Survey, Landscape Assessment and Environmental Assessment in DVD-ROM format for the



amendment sites were only provided at the request of some Members in the further consideration of the OZP amendment by the Planning Committee.

59. The Chairperson remarked that while the Board generally should not be concerned with the very fine details of development proposals, e.g. location of individual compensatory trees, it could still be useful for certain cases to provide relevant detailed information for Members' reference. In that regard, PlanD might consider to include some additional information for tree survey and ecological assessment as appropriate. The Secretariat could also review the arrangement of making available full sets of assessment reports for Members' inspection when considering proposed amendments to OZPs as appropriate.

#### *Others*

60. Members generally agreed with PlanD's responses on Items C1 to C3, E, F1 to F9 and the amendments to the Notes of the OZP for "CDA(3)" to "CDA(6)" zones, and no further amendments to the OZP and its Notes were required.

61. After deliberation, the Board noted the supportive views of R93(part) and views provided in R84(part), R91 and R92. The Board decided not to uphold R1 to R83, R84(part), R85 to R90 and R93(part) and considered that the draft Tsuen Wan Outline Zoning Plan (OZP) should not be amended to meet the representations for the following reasons:

#### "Representation Sites under Items A and B

- (a) the Government has been adopting a multi-pronged approach to increase housing land supply, including carrying out various land use reviews on an on-going basis. The two "Green Belt" sites proposed for private housing developments are located at the fringe of existing built-up areas of the western Tsuen Wan New Town and in close proximity to existing infrastructure. Taking into account that there is no insurmountable technical problem identified for the proposed private housing developments, they are considered suitable for amendments into "Residential (Group B) 6" ("R(B)6") and "R(B)7" zones on the subject Outline Zoning Plan (OZP) with a view to increasing housing land supply.

While the Government has expedited public housing supply, it is equally important to continue to increase land for private housing to maintain the healthy and stable development of the private housing property market (**R2, R66, R84(part) and R86**);

- (b) the development intensity and building height of the respective proposed developments are considered appropriate taking into consideration the planning context of the area and the results of the relevant technical assessments (**R1, R2, R7 to R30, R34, R36, R38, R39, R47, R55, R56, R64, R76, R79, R87 to R89**);
- (c) based on the findings of the relevant technical assessments, the proposed private housing developments at the representation sites are technically feasible with no insurmountable technical problem in terms of traffic, ecology, environment, visual, air ventilation, landscape, infrastructure and geotechnical. Relevant road improvement works and mitigation measures have been proposed to minimise the possible impacts of the proposed developments. The future developer of the respective site will also be requested to conduct noise impact assessment, natural terrain hazard study and tree preservation/removal proposal and implement the mitigation measures identified therein through the relevant land sale conditions as appropriate (**R1, R2, R4 to R56, R58 to R60, R63 to R83, R84(part), R85 to R89**);
- (d) the overall provision of GIC facilities is generally sufficient to serve the population in Tsuen Wan. As for the elderly services and facilities and child care centres, the Social Welfare Department will consider their provision in the planning and development process as appropriate, with a view to meeting the demand as long-term goal (**R7 to R48, R50 to R52, R55, R56, R60, R66, R67, R71, R74, R76, R78, R80, R81, R88 and R89**);
- (e) the compensation and rehousing issues are beyond the scope of the OZP. The Government will follow the established procedures for processing ex-gratia allowance and/or rehousing arrangements to the eligible residents

affected by clearance in accordance with the prevailing policies (**R6, R55, R56, R79 and R89**);

Representation Sites under Items C1 to C3

- (f) based on the findings of the relevant technical assessments, the proposed public housing development on Item C1 site is technically feasible with no insurmountable technical problem in terms of traffic, ecology, environment, visual and landscape. Relevant design measures and mitigation measures have been proposed to minimise the possible impacts of the proposed developments. As for Items C2 and C3, the rezoning is to rationalise the boundaries of existing land uses (**R1, R82, R83, R84(part), R85 and R86**);

Representation Site under Item D

- (g) based on the findings of the relevant technical assessments, the proposed public housing development is technically feasible with no insurmountable technical problem in terms of traffic, air ventilation and heritage conservation. Relevant design measures, road improvement works and mitigation measures have been proposed to minimise the possible impacts of the proposed developments. A quantitative air ventilation assessment will also be conducted by the Housing Department at the detailed design stage of the proposed development (**R1, R82, R83, R84(part), R85 and R90**);
- (h) relevant Government departments will further conduct detailed survey and study on the abandoned building structures and elements of the ex-Kwai Chung Public School site at the detailed design stage so as to preserve elements with high cultural value as appropriate (**R1**);

Representation Site under Item E

- (i) no adverse technical impacts of the proposed amendment to the OZP, which is the subject of an approved s.12A planning application, in respect of visual, ecology and heritage conservation is anticipated (**R1, R82, R83, R84(part) and R85**); and

Representation Sites under Amendments to the Notes of the OZP for “Comprehensive Development Area (3) (“CDA(3)”) to “CDA(6)” zones

- (j) the planning intention of the zones is for comprehensive residential development with commercial facilities and open space provision. These zones are subject to a maximum PR of 5.0, of which a minimum plot ratio (PR) of 4.5 shall be for domestic use. Based on the individual merits of a development or redevelopment proposal, minor relaxation of PR / building height restrictions may be considered by the Town Planning Board on application under s.16 of the Town Planning Ordinance. There is no strong justification for supporting the proposal in respect of relaxation of PR restriction of “CDA(3)” to “CDA(6)” and amendment of a site within the “CDA(5)” zone (i.e. Lot 476 in D.D. 443) to “Other Specified Uses” annotated “Business” zone with relaxation of PR restriction, of which the technical feasibilities have yet to be demonstrated (**R93(part)**).”

62. The Board also agreed that the draft Tsuen Wan OZP, together with its respective 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.

[The meeting was adjourned for a break.]

[Mr Ken K.K. Yip left the meeting at this point.]

63. The meeting was resumed at 3:40 p.m.

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

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

Chairperson

Mr Lincoln L.H. Huang

Vice-chairperson

Mr Wilson Y.W. Fung

Dr Frankie W.C. Yeung

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Mr K.K. Cheung

Dr C.H. Hau

Professor T.S. Liu

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Mr K.W. Leung

Mr Ricky W.Y. Yu

Dr Roger C.K. Chan

Dr Venus Y.H. Lun

Mr C.H. Tse

Chief Traffic Engineer (Kowloon)  
Transport Department  
Mr Gary C.H. Wong

Chief Engineer (Works), Home Affairs Department  
Mr Paul Y.K. Au

Principal Environmental Protection Officer (Strategic Assessment)  
Environmental Protection Department  
Mr Stanley C.F. Lau

Director of Planning  
Mr Ivan M.K. Chung

Deputy Director of Planning/District  
Mr C.K. Yip

Secretary

### **Tsuen Wan and West Kowloon District**

#### **Agenda Item 4**

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Representations and Comments in respect of the Draft Urban Renewal Authority Shantung Street/Thistle Street Development Scheme Plan No. S/K3/URA4/1 and the Draft Mong Kok Outline Zoning Plan No. S/K3/33 (TPB Paper No. 10778)

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[The item was conducted in English and Cantonese.]

65. The Secretary reported that the Draft Urban Renewal Authority Shantung Street/Thistle Street Development Scheme Plan No. S/K3/URA4/1 (DSP) and the Draft Mong Kok Outline Zoning Plan No. S/K3/33 (OZP) were located in the Mong Kok area. The following Members had declared interests on the item for owning properties in the area; and/or having affiliation/business dealings with the Urban Renewal Authority (URA), AECOM Asia Co. Ltd. (AECOM), Atkins China Limited (Atkins) and Cinotech Consultants Limited (Cinotech) (three of the consultants of URA), or Ms Mary Mulvihill (R2/C2 of the DSP and R1/C2 of the OZP):

Mr Ivan M.K. Chung - being a non-executive director of the URA Board  
(as Director of Planning) and a member of its Committee;

- Mr Andrew C.W. Lai (as Director of Lands) - being a non-executive director of the URA Board and a member of its Committee;
- Mr Lincoln L.H. Huang (Vice-chairperson) - being the Deputy Chairman of Appeal Board Panel of URA;
- Mr Y.S. Wong - being a non-executive director of the URA Board and a member of its Committees;
- Mr Thomas O.S. Ho - having current business dealings with URA and AECOM;
- Dr Conrad T.C. Wong - having current business dealings with URA and his spouse owning a flat at Prince Edward Road West, Mong Kok;
- Mr K.K. Cheung - his firm having current business dealings with URA and AECOM, and hiring Ms Mary Mulvihill on a contract basis from time to time;
- Mr Alex T.H. Lai - his former firm having current business dealings with URA and AECOM, and hiring Ms Mary Mulvihill on a contract basis from time to time;
- Mr Ricky W.Y. Yu - being a director of the Board of Urban Renewal Fund of URA, and a director and chief executive officer of Light Be (Social Realty) Co. Ltd. which was a licensed user of a few URA's residential units in Sheung Wan;
- Mr Wilson Y.W. Fung - being a former director of the Board of the Urban Renewal Fund of URA;

- Ms Lilian S.K. Law - being a former director of the Board of the Urban Renewal Fund of URA;
- Dr Lawrence W.C. Poon - being a former non-executive director of the URA Board and its Committees' former chairman/member, and a former director of the Board of the Urban Renewal Fund of URA;
- Mr Daniel K.S. Lau - being a member of Hong Kong Housing Society which was currently in discussion with URA on housing development issues;
- Mr L.T. Kwok - the institution he was serving had received sponsorship from URA;
- Dr C.H. Hau - having past business dealings with AECOM;
- Mr Stephen L.H. Liu - co-owning with spouse a flat and his company owning another flat at Sham Mong Road, Mong Kok;
- Mr Stanley T.S. Choi - his spouse being a director of a company owning a property at Nathan Road, Mong Kok; and
- Mr C.H. Tse - owning a flat at Canton Road, Mong Kok.

66. Members noted that Messrs Y.S. Wong, Thomas O.S. Ho, L.T. Kwok and Dr Conard T.C. Wong had tendered apologies for not being able to attend the meeting, Messrs Alex T.H. Lai and Stanley T.S. Choi had left the meeting and Messrs Stephen L.H. Liu and Andrew C.W. Lai had not yet rejoined the meeting. As the interests of Messrs Ivan M.K. Chung and Lincoln L.H. Huang on the item were direct, Members agreed that they should leave the meeting temporarily for the item. Members agreed that as the interests of Ms Lilian S.K. Law, Messrs Ricky W.Y. Yu, Wilson Y.W. Fung and Daniel K.S. Lau, Dr Lawrence W.C. Poon and Dr C.H. Hau were indirect, Mr K.K. Cheung had no involvement in the DSP and the related



representation/comment, and the declared property of Mr C.H. Tse did not have a direct view of the DSP area and the sites under amendment on the OZP, they could stay in the meeting.

[Mr Ivan M.K. Chung left the meeting temporarily and Mr Lincoln L.H. Huang left the meeting at this point.]

67. Mr Peter K.T. Yuen informed the meeting that the Urban Renewal Fund of URA had recently provided funding to the Hong Kong Arts Centre (Arts Centre) and he being a member of the Board of Governors of the Arts Centre. Members agreed that his interest was indirect and he could stay in the meeting.

#### Presentation and Question Sessions

68. The following representatives from the Planning Department and the representer, commenters and their representatives were invited to the meeting at this point:

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

- |                   |  |
|-------------------|--|
| Mr Derek P.K. Tse | - District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK) |
| Mr Clement Miu    | - Senior Town Planner/Yau Tsim Mong (STP/YTM)                    |

#### ***Representer, Commenters and their Representatives***

##### R2/C2 of DSP and R1/C2 of OZP – Mary Mulvihill

- |                   |                             |
|-------------------|-----------------------------|
| Ms Mary Mulvihill | - Representer and Commenter |
|-------------------|-----------------------------|

##### C1 of DSP and C1 of OZP – URA

- |                   |                               |
|-------------------|-------------------------------|
| Mr Mike Y.F. Kwan | ] Commenter's representatives |
| Ms M.P. Kwan      | ]                             |
| Ms Y.T. Li        | ]                             |

69. The Chairperson extended a welcome and briefly explained the procedures of the hearing. She said that PlanD's representative would be invited to brief Members on the representations and comments. The presenter, commenters and their representatives would then be invited to make oral submissions. To ensure the efficient operation of the meeting, each presenter, commenter or their representative would be allotted 10 minutes for making oral submissions. There was a timer device to alert the presenter, commenters and their representatives 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 all attending presenter, commenters and their representatives had completed their oral submissions. Members could direct their questions to the government representatives, presenter, commenters or their representatives. After the Q&A session, the presenter, commenters or their representatives and PlanD's representatives would be invited to leave the meeting. The Town Planning Board (the Board) would deliberate on the representations and comments in their absence and inform the presenters and commenters of the Board's decision in due course.

70. The Chairperson then invited PlanD's representative to brief Members on the representations and comments.

71. With the aid of a PowerPoint presentation, Mr Clement Miu, STP/YTM, PlanD briefed Members on the representations and comments, including the background of the DSP and amendments to the OZP, the grounds/views of the presenters and commenters, planning assessments and PlanD's responses to the representations and comments as detailed in the TPB Paper No. 10778 (the Paper).

[Mr Stephen L.H. Liu rejoined the meeting during PlanD's presentation.]

72. The Chairperson then invited the presenter, commenters and their representatives to elaborate on their representations and comments.

R2/C2 of DSP and R1/C2 of OZP – Mary Mulvihill

73. With the aid of some plans/photos and a video, Ms Mary Mulvihill made the following main points:

OZP

- (a) URA made changes to the structures of historic buildings, which had destroyed the identity and integrity of the buildings. That was particularly apparent in the 618 Shanghai Street project. The internal partitions were completely demolished, the shiny and reflective glass windows enclosing the terraces with flashing neon lights had destroyed the historic ambiance. The Board should not allow URA to adopt such design in their heritage preservation projects in future;

DSP

- (b) there was a serious deficit of open space in Mong Kok. As shown in Drawing No. H-1a of the Paper, accessibility to the proposed public open space (POS) was unsatisfactory with narrow bottleneck areas at the northern and south-eastern parts. The proposed POS with barren concrete surface and minimal landscaping features was unacceptable. Quoting the example of URA's Lee Tung Street project, the POS thereat was privatised and inaccessible to the public. For the subject site of the DSP (the Site), the local open space would probably become another private garden. The future residents of the Site might complain about nuisance created by users of the POS. There was no information on reprovisioning of the existing children's playground;
- (c) with regard to URA's redevelopment project in Kowloon City, the proposed sunken plaza could not serve as local open space but merely as a landing area for the subway crossing. For the subject development, as shown in Drawing No. H-2, there would be steep gradients within the sunken plaza, which might be difficult for public access due to the level differences. The design of the sunken plaza would block the access and view towards the POS, which would be worse than the existing wide and open access at Thistle Street;
- (d) photos of the URA's Sai Yee Street project showed that the reprovisioned open space only served as passageways to the shopping mall with some seats and the public had to sit on the staircase. For other URA's projects in Central, the open space areas were fragmented and only served as passageways;

- (e) another issue was related to reprovisioning of the existing public toilet. The existing public toilet with its visually prominent location at Shantung Street could serve a large number of users including street sleepers, workers in the street market and drivers of commercial vehicles. The proposed location for the reprovisioned public toilet was not shown on the notional scheme and there were uncertainties related to its accessibility and visibility which might affect its usage;
- (f) the proposed provision of not less than 2,850 m<sup>2</sup> of non-domestic gross floor area (GFA) for Government, institution and community (GIC) uses was inadequate to compensate the community for the loss of a large area of POS;
- (g) the Site should be used for affordable, instead of private housing. PlanD should provide information on the number of vacant housing units in Hong Kong to demonstrate the demand for additional private housing units. The existing stock of vacant housing units was more than 200,000 and there was no shortage of sites for private housing developments;
- (h) regarding the role of URA in housing supply, according to the 'Urban Renewal Strategy', the main objectives of urban renewal were providing more open space, preserving the local characteristics, social networks of the local community and reducing the number of inadequately housed people. Hence, URA's role was not solely for private housing. In fact, URA had also developed "Starter Homes" before. Political parties had also recently advocated the need to provide more affordable housing in the urban areas. As URA had advocated in the Yau Mong District Study to redevelop vast areas in the Ferry Street and Jordan area, the Site should be used for affordable housing to house those to be affected by the future URA redevelopments;
- (i) as the operation of the Yau Tsim Mong District Council (YTMDC) was crippled, it was doubted whom URA had consulted to collect local views; and
- (j) a video showing the existing site conditions, including open access to the POS from surrounding streets, children's play area, elderly facilities, a badminton court, and benches with trellis for shading. The existing park was used by all members of the public.

C1 of DSP and OZP – URA

74. With the aid of a PowerPoint presentation, Mr Mike Y.F. Kwan and Ms M.P. Kwan made the following main points:

- (a) URA's preservation project at 618 Shanghai Street was approved by the Board in 2014 and completed in 2019. Amongst the preserved tenement buildings, there were two relatively new buildings with the provision of lifts and wheelchair access to serve the revitalised units. URA had spent efforts to achieve a balance between heritage preservation and compliance of building regulations;
- (b) the development scheme area was about 2,796 m<sup>2</sup> including 780 m<sup>2</sup> from the existing open space. The reprovisioned open space area (780 m<sup>2</sup>) would not be used for GFA calculation. The net site area after deducting the open space and pavement areas was about 1,660 m<sup>2</sup>. Given the small site area, there would not be a large-scale shopping mall but only small-scale commercial uses (with not more than 2,490 m<sup>2</sup>) within the development;
- (c) the existing POS, i.e. Thistle Street Rest Garden (TSRG), was land-locked with low visibility. The existing access from Thistle Street was often blocked by parking of goods vehicles and on-street loading/unloading activities. According to the notional design, the TSRG would be restructured and part of the garden would be opened up towards the street corner at Shantung Street/Thistle Street to improve accessibility and visibility. The staggered building height and setback of the building blocks would further enhance openness and air ventilation;
- (d) other than reprovisioning the same area of POS, an additional sunken plaza of about 200 m<sup>2</sup> that was over 10% of net site area would be provided. The reprovisioned POS on ground level would be handed back to the Leisure and Cultural Services Department (LCSD) for management and maintenance. The sunken plaza would be managed by URA and intended for place making. It would be connected to the POS and shops at the lower floors of the Low

Block to provide users with light snacks/drinks and local retail to add vibrancy;

- (e) regarding the public toilet, URA would continue to liaise with LCSD to explore the possibility of re-providing a new toilet before demolishing the existing one;
- (f) not less than 2,850 m<sup>2</sup> GFA would be provided for GIC facilities. The possible uses included a 100-place Child Care Centre, Neighbourhood Elderly Centre Sub-base and Home Care Services for Frail Elderly Persons. The actual GIC facilities to be provided would be determined upon liaison with relevant Government departments including the Social Welfare Department and stakeholders at the detailed design stage;
- (g) the existing buildings in the development scheme had 143 housing units in poor conditions that would be redeveloped into about 300 private residential units in modern standards, and existing households would be compensated and rehoused according to URA's prevailing policies. Since its establishment, URA had maintained its role of providing private housing, and the Hong Kong Housing Authority and Hong Kong Housing Society would provide affordable housing. The proposed development would be for private housing that would replenish residential units in the private property market and help to maintain a balance in the supply of public and private housing;
- (h) notwithstanding that the Site was not planned for affordable housing, URA would provide "Starter Home" units in other redevelopment projects, including in To Kwa Wan (Project No. KC-008A) and about 2,000 "Starter Home" units in the Tai Hang Sai Estate redevelopment; and
- (i) YTMDC suspended meetings in 2020 due to the pandemic. As such, an information paper on the DSP was circulated to the YTMDC in December 2020 to collect their views. URA had also arranged meetings with some YTMDC members to solicit their views and they generally supported the redevelopment project.

75. As the presentations of government representatives, the representer, commenters and their representatives 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 representer, commenters, their representatives and/or the government representatives to answer. The Q&A session should not be taken as an occasion for the attendees to direct questions to the Board or for cross-examination between parties. The Chairperson then invited questions from Members.

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

- (a) whether it was possible to minimise the number of steps within the sunken plaza and widen its frontage along Shantung Street to improve accessibility to the inner portion of the TSRG and the feasibility of providing rain shelters and reprovisioning the existing badminton court;
- (b) whether there was information on the opening hours of the TSRG;
- (c) whether the POS would be opened 24 hours and whether the sunken plaza would have the same opening hours as the POS to achieve integration and synergy;
- (d) whether the non-domestic GFA included the GFA for GIC facilities;
- (e) whether there would be universal access for the sunken plaza;
- (f) whether the POS and sunken plaza would be developed in phases;
- (g) location of the vehicular ingress/egress of the development;
- (h) whether it was possible to reprovision a new public toilet before demolishing the existing one. Besides, what the considerations were for its proposed location and whether it would be located on ground floor for better accessibility;
- (i) whether there was a surplus or deficit of open space in the Yau Tsim Mong District and the planning area covered by the Mong Kok OZP; and

- (j) whether there was any data on private housing land supply and demand in the coming ten years.

77. Mr Mike Y.F. Kwan (C1 of DSP and C1 of OZP) made the following responses:

- (a) the design of the POS and sunken plaza was only conceptual at the current stage. URA would liaise with LCSD to enhance the openness and accessibility of the POS as well as on other operational arrangements. LCSD would consider weather protection facilities in the POS at the detailed design stage. In addition, users of the POS could also access the Low Block and sunken plaza for weather protection. It was noted that the existing badminton court did not require booking and views of stakeholders would be sought on the need for reprovisioning the badminton court;
- (b) LCSD would decide on the opening hours of the POS, and taking account of residential developments nearby, LCSD initially had reservation for the POS to be opened 24 hours. The sunken plaza, with an area of 200 m<sup>2</sup>, would be opened to the public at reasonable hours to avoid disturbance to residents in surrounding developments;
- (c) non-domestic GFA of about 2,490 m<sup>2</sup>, including shops, would be provided underneath part of the sunken plaza at basement level and in the Low Block. The non-domestic GFA excluded the GFA for GIC facilities (2,850 m<sup>2</sup>), as that was proposed to be exempted from PR calculation;
- (d) the sunken plaza and the Low Block would be designed for universal access with escalators and the sunken plaza might be accessed via the lift in the Low Block;
- (e) given the small site area, the reprovisioned POS and sunken plaza within the Site would be developed in one go;



- (f) the proposed vehicular ingress/egress of the development was at Shantung Street. It was not feasible to provide the ingress/egress at Thistle Street as the existing one-way traffic flow thereat would require egress through Nelson Street with very busy and congested street activities; and
- (g) consideration could be given to constructing the new public toilet by means of advanced works before demolishing the existing one. Regarding the location of the new public toilet shown on the notional scheme in Drawing No. H-1b, considerations had been given to providing the new toilet nearer the existing location and not too close to the surrounding residential developments. It was the initial understanding with LCSD that the new public toilet would be on ground floor. Nevertheless, the details about the location and design would be subject to agreement with LCSD.

78. Mr Derek P.K. Tse, DPO/TWK, PlanD, made the following responses:

- (a) there were deficits of 7.45 ha of local open space (LOS) and 9.29 ha of district open space (DOS) in the area covered by the Mong Kok OZP. Nonetheless, the Cherry Street Park that was developed across Ferry Street was close to the old district and the Site. For the Yau Tsim Mong District as a whole, there were surpluses of 2.29 ha of LOS and 40.98 ha of DOS;
- (b) the maximum non-domestic GFA of 2,490 m<sup>2</sup> for the DSP did not include the GFA for GIC facilities. According to the Explanatory Statement of the DSP, not less than 2,850 m<sup>2</sup> GFA would be proposed for GIC use and such GFA could be exempted from PR calculation under the Notes of the DSP to facilitate provision of more GIC facilities;
- (c) the existing TSRG was opened for 24 hours; and
- (d) according to the 2021 Policy Address, land for the production of about 100,000 private housing units in the coming 10 years had been identified, which had not taken into account development projects undertaken by URA and other private land development projects.

79. The Chairperson supplemented that according to the ‘Ten-year Long Term Housing Strategy’, there would be a demand for 430,000 housing units in the next decade. The demand for private housing units would be about 129,000 based on private and public housing split of 30:70. As pointed out by DPO/TWK, PlanD, the Government had stated in the 2021 Policy Address that, for the next ten years, land for about 100,000 private housing units had been identified. Based on past data, URA and private land development projects would provide about 3,000 units per year, i.e. around 30,000 for ten years. This estimated supply from URA projects and private projects, together with the 100,000 units mentioned above, would meet the ten-year demand for 129,000 private housing units.

80. Ms Mary Mulvihill (R2/C2 of DSP and R1/C2 of OZP) said that the re-provisioned public toilet should be opened 24 hours and the POS should not be privatised.

81. 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 further deliberate on the representations and comments in closed meeting and inform the representers and commenters of the Board’s decision in due course. The Chairperson thanked the representer and commenters and their representatives and PlanD’s representatives for attending the meeting. They left the meeting at this point.

82. The deliberation session was recorded under confidential cover.

[Dr Lawrence K.C. Li joined and Dr C.H. Hau left the meeting during the deliberation session.]

[Messrs Ivan M.K. Chung and Andrew C.W. Lai rejoined the meeting at this point.]

**Sha Tin, Tai Po & North District**

**Agenda Item 5**

[Open Meeting]

Consideration of Further Representations Arising from the Consideration of Representations and Comments in respect of the Draft Ma On Shan Outline Zoning Plan No. S/MOS/23 (TPB paper No. 10779)

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[The item was conducted in Cantonese.]

83. The Secretary reported that the proposed amendment to the draft Ma On Shan Outline Zoning Plan No. S/MOS/23 (the OZP) involved the rezoning of a site at the upper part and on the western side of Ma On Shan Tsuen Road from “Residential (Group B)6” (“R(B)6”) to “Green Belt” (“GB”) to meet/partially meet some of the representations to the draft OZP. The following Members had declared interests on the item for owning/renting properties in Ma On Shan area and/or having affiliation with the consultants of the Engineering Feasibility Study for the amendments to the OZP conducted by the Civil Engineering and Development Department (CEDD) including Black & Veatch Hong Kong Limited (B&V), MVA Hong Kong Limited (MVA) and Urbis Limited (Urbis); the Kadoorie Farm and Botanic Garden Corporation (KFBG) (R44), World Wide Fund For Nature Hong Kong (WWF-HK)(R46), Hong Kong Bird Watching Society (HKBWS) (R47/C3), the Conservancy Association (CA) (R49/C5), Centre for Community and Place Governance, Institute of Future Cities (IOFC), Chinese University of Hong Kong (CUHK) (R52) or Ms Mary Mulvihill (R92/C16):

Dr Lawrence W.C. Poon - renting one and owning one residential unit in Ma On Shan;

Mr K.K. Cheung - his firm having current business dealings with B&V and KFBG, past business dealings with CA, 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 B&V and KFBG, past business dealings with CA, and hiring Ms Mary Mulvihill on a contract basis from time to time;
- Dr C.H. Hau - conducting contract research projects with CEDD, being a member of HKBWS and a life member of CA and his spouse being the Vice Chairman of the Board of Directors of CA and a former member of the Conservation Advisory Committee of WWFHK;
- Mr Thomas O.S. Ho - having current business dealings with MVA and Urbis;
- Mr Franklin Yu - having current business dealings with CUHK;
- Mr K.W. Leung - being a member of the executive committee of HKBWS and the chairman of the Crested Bulbul Club Committee of HKBWS;
- Professor John C.Y. Ng - being a Fellow of IOFC, CUHK; and
- Dr Conrad T.C. Wong - having current business dealings with CUHK.

84. Members noted that Mr Thomas O.S. Ho and Dr Conrad T.C. Wong had tendered apologies for not being able to attend the meeting, and Mr Alex T. H. Lai, Dr C.H. Hau and Professor John C.Y. Ng had already left the meeting. Members agreed that as the interest of Mr Franklin Yu was considered indirect, and Messrs K.K. Cheung and K.W. Leung had no involvement in the submissions of the further representations and comments, and the properties owned/rented by Dr Lawrence W.C. Poon did not have direct view of the site covered by the proposed amendment, they could stay in the meeting.

85. The Secretary briefly introduced the TPB Paper No. 10779 (the Paper). On 18.8.2021, after consideration of the representations and comments to the OZP, the Town Planning Board (the Board) decided to uphold/partially uphold 5,287 representations by reverting the zoning of the site at the upper part and on the western side of Ma On Shan Tsuen Road from “R(B)6” to “GB”.

86. On 10.9.2021, the proposed amendment to the draft OZP reflecting the above was exhibited for public inspection under section 6C(2) of the Town Planning Ordinance (the Ordinance). Five further representations (FRs) were received during the three-week exhibition period. Amongst them, three (F1 to F3) were submitted by the original representers. Their representations, among others, had been considered by the Board on 18.8.2021, and the Board decided to propose amendment to the draft OZP to meet/partially meet their representations. F1 to F3 were therefore considered as invalid and should be treated as not having been made in accordance with section 6D(1) of the Ordinance.

87. The remaining two FRs were valid. While raising some opposing views on other matters, F4 and F5 were not in opposition to the proposed amendment. F4 submitted that in addition to the site subject to the proposed amendment, all other amendment sites along MOST Road should also be reverted to “GB”. F4 also provided views on the minutes of TPB meetings for consideration of the representations and comments, and expressed concerns on the traffic impacts of other housing projects in Sha Tin district, which were not against/not related to the proposed amendment. Therefore, apart from the part of not objecting to the proposed amendment, the remaining part of F4 was considered as invalid and should be treated as not having been made in accordance with section 6D(3) of the Ordinance. F5 considered that any development on the site would only cause adverse environmental impact. Since the proposed amendment was to revert the site from “R(B)6” back to the original “GB” zoning, the view of F5 was not in opposition to the proposed amendment.

88. One other FR was received after the three-week exhibition period. In accordance with section 6D(3)(a) of the Ordinance, where a FR was made to the Board after the expiration of the three-week exhibition period of the proposed amendment, it should be treated as not having been made.

89. After deliberation, the Board:

- (a) noted that pursuant to section 6D(3)(a) of the Ordinance, the out-of-time further representation should be treated as not having been made;
- (b) considered F1 to F3, which were submitted by the original representers, and F4 (part), which provided views/comments not related to the proposed amendment item, were invalid and should be treated as not having been made under sections 6D(1) and 6D(3) of the Ordinance respectively;
- (c) considered F4 (part) and F5 which were not in opposition to the proposed amendment, and agreed to amend the draft OZP by the proposed amendment in accordance with section 6F(9) of the Ordinance; and
- (d) agreed that the draft OZP (amended by the proposed amendment) at Annex IV of the Paper, together with its Notes and Explanatory Statement, were suitable for submission under section 8 of the Ordinance to the CE in C for approval.

Any Other Business

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

90. There being no other business, the meeting was closed at 5:20 pm.