

**Minutes of 1259th Meeting of the
Town Planning Board held on 19.11.2021**

Present

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

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

Dr C.H. Hau

Mr Thomas O.S. Ho

Mr Alex T.H. Lai

Dr Lawrence K.C. Li

Professor T.S. Liu

Miss Winnie W.M. Ng

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr Stanley T.S. Choi

Mr L.T. Kwok

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Mr K.W. Leung

Professor John C.Y. Ng

Professor Jonathan W.C. Wong

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

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

Director of Lands
Mr Andrew C.W. Lai

Director of Planning
Mr Ivan M.K. Chung

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

Secretary

Absent with Apologies

Mr Lincoln L.H. Huang

Vice-chairperson

Mr K.K. Cheung

Dr Jeanne C.Y. Ng

Mr Ricky W.Y. Yu

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

Senior Town Planner/Town Planning Board
Ms Kitty S.T. Lam

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 1258th Meeting held on 5.11.2021

[The item was conducted in Cantonese.]

2. The draft minutes of the 1258th meeting held on 5.11.2021 were sent to Members before the meeting. Subject to any proposed amendments by Members on or before 22.11.2021, the minutes would be confirmed.

[Post-meeting Note: The minutes were confirmed on 22.11.2021 without amendment.]

Agenda Item 2

[Open Meeting]

Matters Arising

[The item was conducted in Cantonese.]

(i) **Reference Back of Outline Zoning Plan**

3. The Secretary reported that on 9.11.2021, the Chief Executive in Council referred the Approved Wang Tau Hom and Tung Tau Outline Zoning Plan (OZP) No. S/K8/23 to the Town Planning Board for amendment under section 12(1)(b)(ii) of the Town Planning Ordinance. The reference back of the approved OZP was notified in the Gazette on 19.11.2021.

New Town Planning Appeals Received

- (ii) Town Planning Appeal No. 7 of 2021
Proposed House in “Government, Institution or Community” Zone and area shown as ‘Road’, Lot 1663 (Part) in S.D.2, Ngau Chi Wan Village, Kowloon
(Application No. A/K12/43)
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4. The Secretary reported that a Notice of Appeal was received by the Appeal Board Panel (Town Planning) on 1.11.2021 against the decision of the Town Planning Board (the Board) on 20.8.2021 to reject on review application No. A/K12/43 for a proposed house at a site zoned “Government, Institution or Community” (“G/IC”) and area shown as ‘Road’ on the approved Ngau Chi Wan Outline Zoning Plan No. S/K12/16.

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

- “(a) the proposed house development is not in line with the planning intention of the “ G/IC” zone which is intended primarily for the provision of government, institution or community (GIC) facilities serving the needs of the residents in the area/district;
- (b) the proposed house development does not comply with the Town Planning Board Guidelines for ‘Application for Development/Redevelopment within “G/IC” Zone for Uses other than GIC Uses’ in that the proposed development would adversely affect the provision of the planned community hall and other Government facilities in the district on a long-term basis; and
- (c) the building height of the proposed development is not in keeping with the surrounding low-rise structures in Ngau Chi Wan Village and would result in undesirable visual impact.”

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

- (iii) Town Planning Appeal No. 8 of 2021
Temporary Open Storage of Metal Scaffold with Ancillary Rest Room and Tool Room for a Period of 3 Years in “Green Belt”, “Government, Institution or Community” Zones and area shown as ‘Road’, Lot 4 (Part) in D.D. 95, Kwu Tung North, Sheung Shui
(Application No. A/KTN/74)
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7. The Secretary reported that the application site was located in Kwu Tung North and Dr C.H. Hau had declared an interest on the item for owning a property in Kwu Tung North area. As the item was to report the receipt of an appeal case and no discussion was required, Dr C.H. Hau could stay in the meeting.

8. The Secretary reported that a Notice of Appeal was received by the Appeal Board Panel (Town Planning) on 4.11.2021 against the decision of the Board on 8.10.2021 to reject on review application No. A/KTN/74 for proposed temporary open storage of metal scaffold with ancillary rest room and tool room for a period of three years on a site mainly shown as ‘Road’ with a minor portion zoned “Green Belt” and “Government, Institution or Community” on the approved Kwu Tung North Outline Zoning Plan No. S/KTN/2.

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

- “(a) the applied use is not in line with the planning intention of the area reserved for ‘Road’ which is primarily intended for road use. No strong planning justification has been given in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the applied open storage use does not comply with the Town Planning Board Guidelines No. 13F for Application for Open Storage and Port Back-up Uses, in that there is no previous approval for open storage granted for the Site and new open storage use is not encouraged to infiltrate into the Kwu Tung North New Development Area; and
- (c) the applicant fails to demonstrate in the submission that the applied use would not result in adverse traffic impact.”

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

(iv) Appeal Statistics

11. The Secretary reported that as at 15.11.2021, a total of 12 cases were yet to be heard by the Appeal Board Panel (Town Planning) and 3 decisions were outstanding. Details of the appeal statistics were as follows :

Allowed	37
Dismissed	167
Abandoned/Withdrawn/invalid	210
Yet to be heard	12
Decision Outstanding	3
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Total	429

Kowloon District

Agenda Item 3

[Open meeting (Presentation and Question Sessions only)]

Consideration of Representations and Comments in respect of the Draft Ma Tau Kok Outline Zoning Plan No. S/K10/27
(TPB Paper No. 10784)

[The item was conducted in English and Cantonese.]

12. The Secretary reported that the representation site (the Site) was located in Kowloon City, and the draft Ma Tau Kok Outline Zoning Plan No. S/K10/27 (the OZP) was to take forward the decision of the Metro Planning Committee (MPC) on the s.12A application No. Y/K10/3. Ove Arup & Partners Hong Kong Limited (ARUP), Wong Tung & Partners Limited and MVA Hong Kong Limited (MVA) were three of the consultants of the s.12A application. One of the applicant's representatives of the s.12A application, Mr Rembert S.K. Lai, was a Council

Member of the Hong Kong University of Science and Technology (HKUST). A representation and a comment on representation had been submitted by Ms Mary Mulvihill (R3/C2). The following Members had declared interests on the item:

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| Mr Wilson Y.W. Fung |] | |
| |] | being Council Members of HKUST; |
| Mr Stanley T.S. Choi |] | |
| Mr Thomas O.S. Ho | - | having current business dealings with ARUP and MVA; |
| Mr K.K. Cheung | - | his firm having current business dealings with ARUP 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 ARUP and hiring Ms Mary Mulvihill on a contract basis from time to time; |
| Mr Franklin Yu | - | having current business dealings with ARUP; |
| Mr C.H. Tse | - | his close relative owning a flat in Ma Tau Kok; |
| Miss Winnie W.M. Ng | - | her company owning two properties in Ma Tau Kok; and |
| Dr Conrad T.C. Wong | - | his companies owning five properties in Ma Tau Kok. |

13. Members noted that Mr K.K. Cheung and Dr Conrad T.C. Wong had tendered

apologies for being unable to attend the meeting, and Mr Thomas O.S. Ho had not yet arrived to join the meeting. Members agreed that as Messrs Wilson Y.W. Fung and Stanley T.S. Choi had no discussion with the applicant's representative on the s.12A application, Messrs Alex T.H. Lai and Franklin Yu had no involvement in the s.12A application and/or the representer's/commenter's submission, and the properties owned by Mr C.H. Tse's close relative and the company of Miss Winnie W.M. Ng had no direct view of the representation site, they could stay in the meeting.

Presentation and Question Sessions

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

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

PlanD

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| Ms Katy C.W. Fung | - District Planning Officer/Kowloon
(DPO/K) |
| Mr C.H. Mak | - Senior Town Planner/Kowloon
(STP/K) |

Representer/Commenter

R3/C2 – Mary Mulvihill

- | | |
|-------------------|-----------------------------|
| Ms Mary Mulvihill | - Representer and Commenter |
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16. 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 representer/commenter would then be invited to make oral submissions. To ensure efficient operation of the hearing, the representer/commenter would be

given a total of 20 minutes for making presentation. There was a timer device to alert the presenter/ commenter two minutes before the allotted time was to expire, and when the allotted time limit was up. A question and answer (Q&A) session would be held after the presenter/commenter had completed her oral submission. Members could direct their questions to the government representatives or the presenter/commenter. After the Q&A session, the government representatives and the presenter/commenter would be invited to leave the meeting. The Board would then deliberate on the representations and comments in their absence and inform the presenters and commenters of the Board's decision in due course.

17. The Chairperson invited PlanD's representatives to brief Members on the representations and comments.

18. With the aid of a PowerPoint presentation, Mr C.H. Mak, STP/K, PlanD, briefed Members on the representations and comments, including the background of the amendments, the grounds/views/proposals of the presenters and commenters, planning assessments and PlanD's views on the representations and comments as detailed in TPB Paper No. 10784 (the Paper).

19. The Chairperson then invited the presenter/commenter to elaborate on her representation/comment.

R3/C2 - Mary Mulvihill

20. Ms Mary Mulvihill made the following main points:

- (a) local knowledge of the community was important and useful in the planning process. In view of the number of representations received, consideration should be given to how the community should be properly engaged;
- (b) the proposed development would eliminate the only shopping and leisure venue in Kowloon City. The Kowloon City Plaza (KCP) served as a social centre where performances, exhibitions and other community gatherings could be accommodated. The mall was an icon and a hub in

the Kowloon City area for shopping, dining, entertainment, exhibitions and performances. Underground shopping street (USS) development in Kai Tak could not replace the role of KCP;

- (c) developers only followed short-term market trends to maximise returns. It was the duty of the Town Planning Board (the Board) to consider the interests of the community. The current low-rise building was a focal point for the community. The Board should retain essential recreational and community facilities. There was no effective mechanism to ensure the provision of a gathering place or performance venue within the proposed development at the Site;
- (d) the existing low-rise KCP building could ensure enjoyment of the vista of the Carpenter Road Park. The proposed tall residential towers would result in wall effect to the park as well as visual obstruction and light pollution;
- (e) currently, there was a large deficit in the provision of elderly and child care facilities within the planning scheme area of the OZP. The proposed development with more than 2,000 residents would create additional burden on community services. However, no government, institution and community (GIC) facilities were proposed;
- (f) it was likely that the public vehicle park (PVP) in the proposed development could not address the parking and traffic issues in Kowloon City. Basement carparks were generally not welcomed by drivers. In addition, the developer might attempt to convert some car parking spaces to retail facility in future by providing stacked parking spaces which were inconvenient;
- (g) although KCP was not the only shopping venue in the district, other retail facilities such as Lok Fu Place and Mikiki Mall were not well connected to the old area in Kowloon City. Bus services to and from those malls were frequently affected by heavy traffic. The proposed retail facility at the Urban Renewal Authority (URA)'s Kai Tak Road/Sa Po Road

Development Scheme with a gross floor area (GFA) of about 8,000m² was only a fraction of the size of the KCP (60,000m²). The proposed USS at Kai Tak Development (KTD) would not encourage community interaction. It might just become a monotonous underground connection between two destinations, similar to the connection between MTR Tsim Sha Tsui (TST) Station and TST East Station which had many similar shops and no place for seating/resting;

- (h) utilisation of land resources could not be used as an excuse to wipe out the need for a well-planned living environment. The Board should ensure balanced provision of land for various uses while maximising the provision of GIC facilities for the local residents;
- (i) the existing KCP was spacious with wide corridors for circulation and a central atrium. The proposed development would only provide rows of shops without adequate circulation space; and
- (j) the concerns of the public on the s.12A application remained unresolved and Members appeared merely to focus on the traffic and parking arrangements of the proposed development.

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

22. The Chairperson and some Members raised the following questions regarding Amendment Item A:

Car Parking

- (a) the number of car parking spaces proposed for the PVP and for retail and residential uses, whether loading/unloading facilities were proposed, and

whether the provisions could meet the requirements stipulated in the Hong Kong Planning Standards and Guidelines (HKPSG);

- (b) whether planning application was required for changes in car parking provisions in future, and whether the PVP and the parking provisions of residential portions were inter-changeable, and the mechanism for processing changes in car parking spaces during general building plan (GBP) submission;
- (c) noting the recent improvement in public transport service for the area in particular the opening of the MTR Sung Wong Toi Station, whether assessment had been conducted on the need for a PVP;
- (d) elaboration on the programme of the provision of the temporary interim PVP during the construction phase;

Retail Facilities

- (e) the utilisation rate of the existing KCP;
- (f) the difference between the existing KCP and the proposed development in terms of provision of retail facilities, and the types of retail facilities to be provided in the KTD;

Gathering Space for the Community

- (g) noting that the existing KCP currently also served as a gathering place for local residents, whether a new community hall could be provided in the area to serve the same function;

Other Issues

- (h) whether there was scope for enhancing accessibility to the Carpenter Road Park and Walled City Park via the proposed development;

- (i) whether there was an overall planning for preservation of historic elements in Kowloon City from a wider perspective;
- (j) noting that the Urban Renewal Fund had provided funding support to studies by the District Urban Renewal Forum (DURF) and initiatives related to heritage preservation by non-government organisations (NGOs) in Kowloon City, whether there was mechanism to ensure that redevelopments would not result in adverse heritage impact; and
- (k) whether the proposed development would provide units to cater specifically for elderly housing need, like a similar development in the area.

23. Ms Katy C.W. Fung, DPO/K, PlanD, made the following major points:

Car Parking

- (a) apart from re-provisioning the existing 449 car parking spaces in the PVP, 45 ancillary parking spaces would be provided for the retail use while 139 ancillary parking spaces would be provided for the residential portion of the proposed development in accordance with the requirements of the HKPSG. The total car parking provision upon redevelopment would be 633 spaces. Besides, the applicant had indicated in the s.12A submission that 10 loading/unloading spaces would be provided according to the requirements of HKPSG;
- (b) the requirement to provide not less than 449 car parking spaces within the proposed PVP had been stipulated in the Notes of the “Residential (Group A) 4” (“R(A)4”) zone. Planning permission would be required for any reduction in parking spaces within the PVP. Regarding changes in the number of ancillary car parking spaces for the residential and retail portions, PlanD would refer to the requirements of the HKPSG and seek advice from the Transport Department (TD) when providing comments on the lease. The requirement of ancillary car parking spaces would be stipulated under lease and any subsequent changes not in line with the requirement would

be considered by the Lands Department in consultation with the relevant departments;

- (c) if there were changes in proposed car parking spaces during the GBP submission stage, PlanD would provide comments to the Buildings Department (BD) which would seek advice from TD on the matter;
- (d) notwithstanding the recent improvement in accessibility in the district with the opening of the MTR Sung Wong Toi Station, there was still a demand for PVP as some visitors to the area still preferred to travel by private cars. Since 1982, the requirement for providing a PVP at the Site had been stipulated on the relevant outline development plan and therefore the site occupied by the KCP was subsequently rezoned to “OU” annotated “Commercial Development with Public Vehicle Park” to reflect the planning intention;
- (e) the applicant had indicated in the s.12A submission that the total development timeframe was about 70 months but there was no information on when the applicant would commence the project including the construction works for the temporary interim PVP. Construction works would be carried out in phases to provide an interim public car park with 60 parking spaces at the basement level of the western portion during Stage 1, while the eastern portion would be demolished and redevelopment (including a permanent PVP in basement levels) would commence. During Stage 2, not less than 60 public car parking spaces would be available at the basement of the new development in the eastern portion. The existing building in the western portion would then be redeveloped and a total of 449 public car parking spaces would be provided upon completion of the redevelopment;

Retail Facilities

- (f) based on information provided by the applicant at the s.12A application stage, the existing KCP had a total retail GFA of about 36,000m².

However, the utilisation rate had been quite low and only 9,000m² of retail GFA were in active use;

- (g) the new mall in the proposed development with a non-domestic plot ratio of 1.5 would provide about 8,000m² of retail floor space. Although there was a reduction in retail floor space as compared with the existing KCP, there were about 253,000m² of retail GFA in the committed developments in the KTD, some of which would be completed as early as 2023 including about 64,000m² at the Site zoned “Comprehensive Development Area (1)” and 46,000m² at the Sports Park;

Gathering Space for the Community

- (h) the new mall in the proposed development could also serve as a gathering place for local residents and visitors from other areas. The Explanatory Statement (ES) of the OZP had stipulated that areas for public use as a gathering place/performance venue and premises for community use shall be provided within the “R(A)4” zone as appropriate;
- (i) the Tung Tau Community Centre and Kai Tak Community Hall were in close proximity to Kowloon City and could serve the local community. Convenient pedestrian access to the Kai Tak Community Hall was available via a subway through the MTR Sung Wong Toi Station;

Other Issues

- (j) according to the indicative scheme of the s.12A application, an internal public corridor of not less than 6m wide would be provided on the G/F of the proposed development to connect the new mall with Carpenter Road Park to facilitate pedestrian connectivity. Such requirement would be incorporated as a lease condition as appropriate;

- (k) it was generally stated in the ES of the OZP that if any proposed (re)development might affect historic buildings or sites, the Antiquities and Monuments Office (AMO) should be consulted. The AMO had no comment from heritage preservation perspective regarding the demolition of the existing KCP. Generally, there would be more opportunities for heritage preservation from a wider perspective in large-scale developments or redevelopment projects. The requirements for heritage preservation could be stipulated in the Notes or ES of the relevant OZP/DSP as appropriate;
- (l) the Urban Renewal Fund had supported planning and related studies carried out by the DURF as well as initiatives related to heritage preservation proposed by NGOs in Kowloon City, e.g. heritage trail. However, she had no details of the studies/initiatives carried out by those NGOs at hand; and
- (m) the Government had all along adopted a multi-pronged approach to identify suitable sites or premises in public/private (re)developments for provision of elderly facilities, e.g. through land sale condition and URA's Development Scheme. The Hong Kong Housing Society had also developed elderly housing projects targeted at different socio-economic groups in the territory. However, there was currently no plan from the applicant of the s.12A application to provide elderly housing units in the proposed development.

[Dr Frankie W.C. Yeung and Mr Thomas O.S. Ho joined the meeting during the Q&A session.]

24. As Members had no further questions to raise, the Chairperson said that the Q&A session was completed. She thanked PlanD's representatives and the representer/commenter 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 and the representer/commenter left the meeting at this point.

Deliberation Session

25. The Chairperson remarked that the Government had all along encouraged urban renewal in older districts so as to phase out buildings in poor condition, improve quality of the environment and optimise land utilisation. The amendments on the OZP which were to take forward MPC's decision to agree to a rezoning application, had addressed Members' previous concerns. The Site had long provided a PVP to serve the needs of the public, and the "R(A)4" zoning would allow flexibility for the developer to provide not only retail shops and eating places but also residential flats to increase housing supply, without affecting the PVP provision. Given that the redevelopment project was a private sector initiative and there were retail facilities in the surrounding area, it was not practical to insist the developer to provide a shopping mall of the same scale as the existing KCP. The Chairperson further said that the representer/commenter had attributed the small number of representations and comments received to lack of public engagement but such claim was apparently ungrounded.

26. Some Members supported the proposed development and opined that the proposed temporary and permanent PVP would help meet the car parking demand in the area. The demand for retail facilities at the KCP had decreased in recent years due to changing circumstances, however, there were generally adequate retail facilities/shops all around the area. The retail mall in the proposed development could also serve the future residents as well as other shoppers in the neighbourhood. Pedestrian links were also available to connect the old area in Kowloon City to the KTD where more retail/commercial facilities were planned. Given the proximity of the Site to existing parks, the proposed residential use was generally considered appropriate. Planning gains of the redevelopment proposal such as continued provision of PVP and provision of public access to the Carpenter Road Park should also be duly recognised. Furthermore, the redevelopment at the Site could have a catalyst effect for other redevelopment projects in Kowloon City.

27. A few Members were of the view that the KCP had served an important function as a focal point in Kowloon City for decades, and the redevelopment was mainly a commercial decision due to decrease in demand for retail facility at the locality. A Member considered that the social value of the KCP had not been reflected in the planning process. Another Member opined that the demand for retail facility in Kowloon City had decreased since relocation of the airport. The function of the KCP as a leisure/shopping destination had also diminished

gradually. On the other hand, while there would be an abundant supply of retail facilities at the KTD to serve users from all districts, the Kowloon City area was separated from the KTD by Prince Edward Road and consideration should be given to enhancing pedestrian connectivity between these two areas in the future.

28. A Member said that the MPC had discussed the redevelopment proposal of KCP thoroughly and agreed to rezone the Site in view of the planning merits such as provision of a PVP and better integration with the existing parks in the vicinity. According to the s.12A submission, the urban design elements would assist strengthening a sense of place in the area through connecting the new mall to the existing streets and parks. Although a smaller shopping mall would be provided upon redevelopment, the proposed retail GFA was considered sufficient and appropriate. Another Member opined that the initiative taken by the developer during the planning process to incorporate urban design elements to facilitate pedestrian connection should be appreciated and expressed support to the redevelopment project.

29. A Member opined that the Government should take a more proactive role in area-wide redevelopment projects to preserve the social fabric and the interests of the underprivileged, and to promote the provision of suitable waste reduction/recycling facilities.

30. In response to some Members' query on heritage preservation in redevelopment projects, the Chairperson said that heritage preservation initiatives in Kowloon City were implemented mainly on individual project basis. The URA had previously conducted district planning study for Kowloon City and representatives of URA could be invited to brief Members on their planning proposals. Regarding the heritage preservation and district revitalisation projects funded by the Urban Renewal Fund, she suggested that the URA could be invited to provide an update on those projects to the Board in one go.

31. Members generally agreed that other grounds of the representers and commenters had been addressed by the departmental responses as detailed in the Paper and the presentation and responses made by PlanD's representatives at the meeting.

32. After deliberation, the Board decided not to uphold R1 to R3 and considered that the draft OZP should not be amended to meet the representations and the reasons were:

- “(a) the proposed residential cum commercial development could achieve a better utilization of scarce land resources in the urban area by providing residential units to increase housing supply and with suitable provision of retail space and public vehicle park **(R1 to R3)**;
- (b) relevant technical assessments in aspects of traffic, air ventilation and visual were conducted to demonstrate technical feasibility of the proposed development, and no adverse impact on these aspects is anticipated **(R1 to R3)**;
- (c) Kowloon City already has a vibrant retail and restaurant environment and the proposed development would also provide commercial gross floor area upon redevelopment. Retail facilities are also available in nearby major shopping malls, as well as in those planned developments in Ma Tau Kok and the Kai Tak Development **(R1 to R3)**; and
- (d) the planned provision of community facilities in Ma Tau Kok is generally sufficient. The Government has been adopting a multi-pronged approach to identify suitable sites or premises for provision of social welfare facilities, including identifying and using premises in public/private (re)developments **(R3)**.”

33. The Board also agreed that the draft Ma Tau Kok OZP, together with the Notes and updated ES, were suitable for submission under section 8 of the Town Planning Ordinance to the Chief Executive in Council for approval.

[Mr Alex T.H. Lai left the meeting at this point.]

Fanling, Sheung Shui & Yuen Long District

Agenda Item 4

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/KTN/78

Temporary Open Storage of Construction Materials and Machines for a Period of 3 Years in “Residential (Group A)2”, “Residential (Group A)3” Zones and area shown as ‘Road’, Lots 249, 252 (Part), 253, 276 and 280 in D.D. 95, Kwu Tung North, Sheung Shui

(TPB Paper No. 10785)

[The item was conducted in Cantonese.]

34. The Secretary reported that the application site (the Site) was located in Kwu Tung North and Dr C.H. Hau had declared an interest on the item for owning a property in Kwu Tung North. Members agreed that as the property owned by Dr C.H. Hau had no direct view of the Site, he could stay at the meeting.

Presentation and Question Sessions

35. The following representative from the Planning Department (PlanD) was invited to the meeting:

Mr Anthony K.O. Luk - District Planning Officer/Fanling, Sheung Shui & Yuen Long East (DPO/FSYLE)

36. The Chairperson extended a welcome and invited PlanD’s representative to brief Members on the review application.

37. With the aid of a PowerPoint presentation, Mr Anthony K.O. Luk, DPO/FSYLE, briefed Members on the background of the review application including the consideration of the application by the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board), departmental and public comments, and planning considerations and assessments as detailed in the TPB Paper No. 10785 (the Paper).

38. As the presentation of PlanD's representative had been completed, the Chairperson invited questions from Members.

39. In response to a question from the Chairperson, Mr Anthony K.O. Luk, DPO/FSYLE, said that the applicant had not made any submission in support of the review application.

40. As Members had no further question on the application, the Chairperson said that the hearing procedure for the review application had been completed. The Board would further deliberate on the review application and inform the applicant of the Board's decision in due course. The Chairperson thanked PlanD's representative for attending the meeting. He left the meeting at this point.

Deliberation Session

41. Members generally considered that as the applicant had not submitted any information in support of the application and did not attend the review hearing for making representation, and there was no change in planning circumstances, there was no justification to deviate from the decision of the RNTPC to reject the application. Some Members further suggested that consideration should be given to streamlining the processing of such type of review application where no further submission was made by the applicant and the applicant did not attend the review hearing, and the example was that PlanD's representative might not be required to attend the meeting. In this regard, a Member said that as each s.16 application was considered by the relevant Planning Committee of the Board, Members of the other Planning Committee who did not participate in the consideration of the s.16 application might have different views on the review application and it might be useful for PlanD's representative to attend the meeting and answer Members' questions for the s.17 review. In response, the Chairperson said that the Secretariat would take account of Members' comments in reviewing the matter in the context of the current streamlining exercise, both statutorily and administratively, and propose suitable arrangements where appropriate.

42. After deliberation, the Board decided to reject the application for the following reasons:

- “(a) the applied use is not in line with the planning intentions of the “Residential(Group A)” zone which is primarily for high-density residential development and area reserved for ‘Road’ which is primarily intended for road use. No strong planning justification has been given in the submission for a departure from the planning intentions, even on a temporary basis;
- (b) the applied open storage use does not comply with the Town Planning Board Guidelines No. 13F for Application for Open Storage and Port Back-up Uses in that there is no previous approval for open storage granted for the site and new open storage use is not encouraged to infiltrate into the New Development Area; and
- (c) the applicant fails to demonstrate in the submission that the applied use would not result in adverse environmental impacts on the nearby residents.”

Tsuen Wan & West Kowloon District

Agenda Item 5

[Open Meeting]

Request for Deferment of Review of Application No. A/TW/519

Proposed Comprehensive Residential Development (Amendments to Approved Master Layout Plan) in “Comprehensive Development Area (3)” Zone, Tsuen Wan Town Lots 126, 137, 160 and 363 and adjoining Government Land, Tsuen Wan, New Territories
(TPB Paper No. 10786)

[The item was conducted in Cantonese.]

43. The Secretary reported that the application site was located in Tsuen Wan and the application was submitted by Tippon Investment Enterprises Limited, a subsidiary of Sun Hung Kai Properties Limited (SHK), and Llewelyn-Davies Hong Kong Limited (LD) and AECOM Asia Company Limited (AECOM) were two of the consultants of the applicant. The following Members had declared interests on the item:

- Mr Thomas O.S. Ho - having current business dealings with SHK and AECOM and past business dealings with LD;
- Mr K.K. Cheung - his firm having current business dealings with SHK and AECOM;
- Mr Alex T.H. Lai - his former firm having current business dealings with SHK and AECOM;
- Dr Conrad T.C. Wong - having current business dealings with SHK;
- Mr Peter K.T. Yuen - his relative being an independent non-executive director of SHK;
- Dr Billy C.H. Hau - having past business dealings with AECOM and owning a flat in Tsuen Wan;
- Mr Ricky W.Y. Yu - having past business dealings with LD;
- 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 SHK before;
- Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus Company (1933) Limited (KMB) and Long Win Bus Company Limited (Long Win) and SHK had shareholding interests in KMB and Long Win;
- Mr Franklin Yu - his spouse being an employee of SHK;
- 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 which owns properties in Tsuen Wan.

44. Members noted that Messrs K.K. Cheung, Ricky W.Y. Yu and Dr Conrad T.C. Wong had tendered apologies for not being able to attend the meeting. As the interests of Messrs Thomas O.S. Ho and Franklin Yu and Miss Winnie W.M. Ng were considered direct, Members agreed that they could stay at the meeting but should refrain from participation in the discussion of the item. As the interests of Mr Peter K.T. Yuen and Ms Lilian S.K. Law were indirect, Dr Billy C.H. Hau and Mr Alex T.H. Lai had no involvement in the application, and the properties related to Dr Billy C.H. Hau, Professor John C.Y. Ng and Mr Stanley T.S. Choi had no direct view of the application site, Members agreed that they could stay in the meeting.

45. The Secretary reported that on 20.10.2021, the applicant requested deferment of consideration of the review application for two months in order to allow time to review the proposed scheme and to submit further information (FI) to support the application. It was the second time the applicant requested deferment of the review application.

46. Members noted that the justifications for deferment met the criteria as set out in the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Town Planning Ordinance (TPB PG-No. 33A) in that the applicant needed more time to prepare FI to address outstanding issues, the deferment period was not indefinite, and that the deferment would not affect the interests of other relevant parties.

47. After deliberation, the Board decided to defer a decision on the review application as requested by the applicant pending the submission of FI from the applicant. The Board agreed that the review application would be submitted for its consideration within three months upon receipt of FI from the applicant. If the FI submitted by the applicant was not substantial and could be processed within a shorter time, the review application could be submitted to an earlier meeting for the Board's consideration. The Board also agreed to advise the applicant that two months were allowed for preparation of the submission of FI. Since it was the second deferment and a total of four months had been allowed for preparation of the submission of FI, no further deferment would be granted unless under very special circumstances.

General

Agenda Item 6

[Open Meeting]

Rezoning Proposals Involving Industrial Land in the Territory
(TPB Paper No. 10783)

[The item was conducted in Cantonese.]

48. The following representatives from the Planning Department (PlanD) were invited to the meeting:

Mr C.K. Soh	-	Assistant Director/Special Duties (AD/SD)
Ms Vivian M.F. Lai	-	Chief Town Planner/Housing & Office Land Supply (CTP/HOLS)
Ms Yvonne Y.T. Leong	-	Senior Town Planner/ Housing & Office Land Supply (STP/HOLS)

49. The Chairperson extended a welcome and invited PlanD's representatives to brief Members on the rezoning proposals to be initiated by PlanD arising from the latest area assessments of industrial land.

50. With the aid of a PowerPoint presentation, Ms Vivian M.F. Lai, CTP/HOLS, briefed Members on the background, findings and rezoning proposals for Sheung Shui Areas 4 and 30 and Siu Lek Yuen as detailed in TPB Paper No. 10783 (the Paper).

51. The Chairperson said that the area assessments of industrial land was a continuous process to review the progress of transformation through previous rounds of rezoning and to consider opportunities for further rezoning following the planning procedures. According to paragraph 6 of the Paper, the proposed zoning amendments for Sheung Shui Areas 4 and 30 would be submitted to the Town Planning Board (the Board) for consideration in late 2021. In

response to the Chairperson's question, Ms Vivian M. F. Lai, CTP/HOLS, said that the planning study for the proposed "Residential (Group E)" zone in the Siu Lek Yuen industrial area would commence shortly.

52. Some Members had the following questions and comments:

Distribution of Industries

- (a) whether there was a plan to locate high-tech manufacturing industries that might generate pollution in the Northern Metropolis or the Science and Technology Parks;
- (b) consideration could be given to separating light and heavy industries at different locations. For example, it would be desirable to locate light industries such as information technology centres near urban areas while heavy industries should be located away from urban areas;
- (c) the Government should formulate policy for recycling industry in a holistic manner. Recycling facilities should be planned on a district basis to serve the community. The current arrangement of locating the recycling industry on a temporary basis at brownfield sites was merely a short-term solution. Those facilities should be relocated to the Northern Metropolis in the long run;

Data Centre Development

- (d) the concentration of data centres in Tseung Kwan O (TKO) was undesirable. Data centres should be planned in different districts to minimise potential risk;
- (e) a reliable supply of energy was essential to the operation of data centre and data centres, as well as other high-tech industries, should be encouraged to use renewable energy as much as possible;

Employment Opportunity

- (f) the transformation of dilapidated industrial areas might result in loss of employment opportunity for some existing workers. In this regard, whether there was information on the projected change in job opportunities and working population of the subject industrial areas; and

Others

- (g) during the transformation of existing industrial areas, opportunity should be taken to pushing for environmental friendly building design elements such as greening and energy saving designs to help meet the target of the Climate Master Plan.

53. In response, Mr C.K. Soh, AD/SD, made the following main points:

Distribution of Industries

- (a) polluting industries in old industrial areas would be phased out gradually when there was opportunity for land use restructuring. During the transition period, environmental impacts generated by polluting industries would be controlled by relevant environmental laws and regulations under the purview of the Environmental Protection Department. For high-tech industries to be developed at the Northern Metropolis, it was anticipated that they were mainly non-polluting in nature. Furthermore, many new technologies and design measures were available to mitigate pollution issues associated with modern manufacturing industries, if any;
- (b) a majority of the recycling industries were currently located in the New Territories as temporary uses. Large-scale recycling facilities would be accommodated in New Development Areas (NDAs) in future through comprehensive planning;

- (c) the “Industrial” (“I”) zone should cater for different types of industrial uses to allow flexibility. Based on overseas experience, recycling industries were often considered as a special industry. In this regard, with suitable policy initiatives, consideration could be given to providing a special “I” zone to facilitate the development of a modern, specialized recycling industry;

Data Centre Development

- (d) regarding distribution of data centres in the territory, apart from TKO, there was agglomeration of data centres in Tsuen Wan and Kwai Chung in recent years. In future, data centre and associated renewable energy sources could be accommodated in NDAs where ample land was available to cater for their specific design and operational requirements;
- (e) from the planning perspective, there was flexibility to accommodate data centres in different land use zones to facilitate development. Data centre use was subsumed under “Information Technology and Telecommunications Industries”, which was always permitted in “I”, “OU(B)” and “C” zones;
- (f) it was well-noted that that proximity to electricity supply was a crucial consideration in site selection for data centres. Based on overseas experience, data centres of multinational technology companies such as Goggle and Amazon also utilised renewable energy supply within their developments;

Employment Opportunity

- (g) there was a need to maintain a balance between work place where employment opportunities were offered and living place where housing units were located. At present, the majority of job opportunities were concentrated in urban area while housing supply was mainly in the New Territories. There was a spatial mismatch of jobs and housing. Going

forward, the balance could be achieved incrementally through large-scale comprehensive planning and providing more employment opportunities in the NDAs;

- (h) the development of data centres in older industrial areas might not result in decrease in job opportunities in those areas. Taking the example of the industrial areas in East Kowloon and Cheung Sha Wan, industrial uses were phased out in recent years but existing buildings/premises were subsequently occupied by service industries which created new job opportunities; and

Others

- (i) the suggestion to incorporate requirements for environmentally-friendly building design elements in redevelopment proposals was duly noted. In this regard, the Environment Bureau was responsible for formulation of policies to promote energy saving design, use of renewable energy and reduce carbon emission to meet the targets in the Climate Action Plan.

54. Members generally supported the review of industrial land to meet changing needs of the economy including revitalisation of industrial buildings. A Member opined that the review should not merely focus on facilitating land use transformation in old industrial areas. The review should also assess the implications of such transformation on infrastructure capacity of the wider area in a comprehensive manner, e.g. road/footpath design, quality of environment, air ventilation, open space provision, traffic impact, etc. Land use transformation of industrial area for other uses, such as residential, should be supported by sufficient provision of public services and community facilities. In response, Mr C.K. Soh, AD/SD, said that the review for the Sheung Shui industrial areas had taken into account the need for supporting facilities to serve the community. An array of Government, institution and community facilities were available to serve the residents/workers of the area. For the Siu Lek Yuen industrial area, the planning study to be conducted would duly consider the potential traffic impact and recommend improvement measures to cope with the proposed rezoning.

55. The Chairperson pointed out that industrial land in the territory currently involved a

wide range of operations and land would be reserved in the Northern Metropolis to facilitate modern industrial development, in particular in the Hung Shui Kiu/Ha Tsuen, Yuen Long South and San Tin areas. The San Tin area would provide about 150 ha of land for developing an enterprise park to accommodate modern industries. In addition, a feasibility study was being carried out to examine the potential for industrial development in Heung Yuen Wai near the boundary control point. The Chairperson further remarked that existing industrial land in the urban areas often scattered at different locations. They should be channelised to selected locations to form critical masses in those locations, and to this end the Government would capitalise on opportunities offered by the Northern Metropolis.

56. The Chairperson concluded the discussion. The Board noted the preliminary rezoning proposals and that PlanD would proceed with submitting the rezoning proposals to the Board when ready.

57. As Members had no further question, the Chairperson thanked the representatives of PlanD for attending the meeting. They left the meeting at this point.

[Messrs C.H. Tse and Stanley T.S. Choi, and Miss W.M. Ng left the meeting during the discussion of this item.]

Procedural Matters

Agenda Item 7

[Open Meeting]

Information Note and Hearing Arrangement for Consideration of Representations and Comments on the Draft Ping Shan Outline Zoning Plan No. S/YL-PS/19
(TPB paper No. 10788)

[The item was conducted in Cantonese.]

58. The Secretary reported that the amendment items involved various sites in Ping Shan, including two public housing sites to be developed by the Hong Kong Housing Authority

(HKHA) which were supported by Engineering Feasibility Studies (the Studies) conducted by the Civil Engineering and Development Department (CEDD), and Black & Veatch Hong Kong Limited (B&V) and AECOM Asia Co. Limited (AECOM) were the consultants of the Studies. Representation/comments had been submitted by Mary Mulvihill (R60/C4) and Hong Kong Bird Watching Society (HKBWS) (C2).

59. The following Members had declared interests on the item:

- Mr Andrew C.W. Lai - being a member of HKHA;
(as Director of Lands)
- Mr Paul Y.K. Au - being a representative of the Director of Home
(as Chief Engineer Affairs who was a member of the Strategic Planning
(Works), Home Affairs Committee and Subsidised Housing Committee of
Department) 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
HKHA, B&V 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 HKHA, B&V and AECOM, and hiring Ms
Mary Mulvihill on a contract basis from time to time;
- Dr Billy C.H. Hau - conducting contract research project with CEDD,
having past business dealings with AECOM and
being an ordinary member of the HKBWS;
- Mr Thomas O.S. Ho - having current business dealings with HKHA and
AECOM;

- Dr Conrad T.C. Wong - having current business dealings with HKHA;
- Mr Franklin Yu - being a member of the Building Committee and Tender Committee of HKHA;
- Mr L.T. Kwok - his serving organisation operating a social service team which was supported by HKHA and had openly bid funding from HKHA;
- Mr Y.S. Wong - being a member of Funds Management Subcommittee of Finance Committee of the HKHA;
- Mr Ricky W.Y. Yu - being the director and chief executive officer of Light Be (Social Realty) Company Limited which had a project in Ping Shan scheduled for the Rural and New Town Planning Committee's consideration; and
- Mr K.W. Leung - being a member of the executive board of HKBWS and chairman of Crested Bulbul Club Committee of HKBWS.

60. Members noted that as the item was procedural in nature, all Members who had declared interests could stay in the meeting.

61. The Secretary briefly introduced the TPB Paper No. 10788 (the Paper). On 7.5.2021, the draft Ping Shan Outline Zoning Plan No. S/YL-PS/19 was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). During the two-month exhibition period, a total of 87 representations were received, of which 25 were made with identity information missing and should be treated as not having been made pursuant to sections 6(2)(b) and 6(3)(b) of the Ordinance. The 62 valid representations were subsequently published for three weeks and four comments were received.

62. In view of the similar nature of the representations and comments, the hearing of all representations and comments was recommended to be considered by the full Town Planning Board (the Board) collectively in one group. To ensure efficiency of the hearing, a maximum of 10 minutes presentation time would be allotted to each representer/commenter in the hearing session. Consideration of the representations and comments by the full Board was tentatively scheduled for January 2022.

63. After deliberation, the Board noted that the representations made with the required identity information missing as mentioned in paragraph 1.2 of the Paper should be considered as invalid pursuant to sections 6(2)(b) and 6(3)(b) of the Ordinance, and agreed that:

- (a) the valid representations and comments should be considered collectively in one group by the Board; and
- (b) a 10-minute presentation time would be allotted to each representer/commenter.

Agenda Item 8

[Open Meeting]

Any Other Business

64. There being no other business, the meeting was closed at 11:50 a.m.