

**Minutes of 1265th Meeting of the
Town Planning Board held on 11.3.2022**

Present

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

Chairperson

Mr Lincoln L.H. Huang

Vice-chairperson

Mr Wilson Y.W. Fung

Mr Stephen L.H. Liu

Dr Frankie W.C. Yeung

Mr Peter K.T. Yuen

Mr Philip S.L. Kan

Dr Lawrence W.C. Poon

Mr K.K. Cheung

Dr C.H. Hau

Mr Thomas O.S. Ho

Mr Alex T.H. Lai

Dr Lawrence K.C. Li

Professor T.S. Liu

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

Prof. Roger C.K. Chan

Dr Venus Y.H. Lun

Dr Conrad T.C. Wong

Dr Hon Y.S. Wong

Chief Traffic Engineer (New Territories East)

Transport Department

Mr Ken K.K. Yip

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

Miss Winnie W.M. Ng

Mr L.T. Kwok

Mr C.H. Tse

In Attendance

Assistant Director of Planning/Board

Ms Lily Y.M. Yam

Chief Town Planner/Town Planning Board

Ms Johanna W.Y. Cheng

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 1264th Meeting held on 25.2.2022

[The item was conducted in Cantonese.]

2. The draft minutes of the 1264th meeting held on 25.2.2021 were sent to Members before the meeting. Subject to any proposed amendments by Members on or before 14.3.2022, the minutes would be confirmed.

[Post-meeting Note: The minutes were confirmed on 14.3.2022 without amendment.]

Agenda Item 2

[Open Meeting]

Matters Arising

[The item was conducted in Cantonese.]

3. The Secretary reported that there were no matters arising.

Sha Tin, Tai Po and North District

Agenda Item 3

[Open meeting (Presentation and Question Sessions only)]

Consideration of Representations and Comment in respect of the Draft Tai Po Outline Zoning Plan No. S/TP /29

(TPB Paper No. 10816)

[The item was conducted in English and Cantonese.]

4. The Secretary reported that the amendments involved a public housing site (Item A) in Tai Po to be developed by the Hong Kong Housing Authority (HKHA) which was supported by an Engineering Feasibility Study (EFS) conducted by the Civil Engineering and Development Department (CEDD), and Urbis Limited (Urbis) was one of the consultants. The amendments also involved two residential sites (Items B1 and B2) in Tai Po to take forward an approved s.12A application No. Y/TP/28 submitted by Ford World Development Limited (a subsidiary of Henderson Land Development Company Limited (HLD)), and AECOM Asia Co. Limited (AECOM) was one of the consultants of the applicant. Representations/comment had been submitted by Ford World Development Limited (R2), the Conservancy Association (CA) (R3), Kadoorie Farm & Botanic Garden Corporation (KFBG) (R4), Ms Mary Mulvihill (R169/C1), the Hong Kong and China Gas Company Limited (Towngas) (R170) which was a subsidiary of HLD, and Mass Transit Railway Corporation Limited (MTRCL) (R171). The following Members had declared interests on the item:

Mr Andrew 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 (Works), Affairs who was a member of the Strategic Planning
Home Affairs Department) Committee and Subsidised Housing Committee of
HKHA;

Dr Lawrence W.C. Poon - his spouse being an employee of Housing Department
(HD) (the executive arm of HKHA) but not involved
in planning work;

- Mr Franklin Yu - being a member of the Building Committee and Tender Committee of HKHA;
- Dr Hon Y.S. Wong - being a member of Funds Management Sub-Committee of the Finance Committee of HKHA;
- Mr K.K. Cheung - his firm having current business dealings with HKHA, HLD, Towngas, AECOM, MTRCL 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 HKHA, HLD, Towngas, AECOM, MTRCL and KFBG, past business dealings with CA, and hiring Ms Mary Mulvihill on a contract basis from time to time;
- Dr C.H. Hau - having past business dealings with HLD and AECOM; being an employee of the University of Hong Kong which had received a donation from a family member of the Chairman of HLD before; currently conducting contract research project with CEDD; being a life member of the CA and his spouse being the Vice Chairman of the Board of Directors of the CA;
- Mr Thomas O.S. Ho - having current business dealings with HKHA, AECOM, Urbis, and past business dealing with MTRCL;
- Dr Conrad T.C. Wong - having current business dealings with HKHA and MTRCL;
- Mr L.T. Kwok - his serving organisation operating a social service team which was supported by HKHA and openly bid funding from HKHA;
- Mr Daniel K.S. Lau - being a member of Hong Kong Housing Society which had discussed with HD on housing

- development issues; co-owning with spouse a flat in Tai Po;
- Dr Lawrence K.C. Li - being the Deputy Chairman of the Council of the Polytechnic University (PolyU) which had obtained sponsorship from HLD before;
- Mr Stephen L.H. Liu - being a former member of the Council of Hong Kong PolyU which had obtained sponsorship from HLD before;
- Mr Peter K.T. Yuen - being a member of the Board of Governors of the Hong Kong Arts Centre which had received a donation from an Executive Director of HLD before and had collaborated with the MTRCL on a number of art projects;
- Dr Venus Y.H. Lun - owning a property in Tai Po; and
- Dr Frankie W.C. Yeung - owning a flat in Tai Po.

5. Members noted that Mr L.T. Kwok had tendered apology for being unable to attend the meeting. Dr Hon Y.S. Wong and Dr Frankie W.C. Yeung had not yet joined the meeting. As the interests of Messrs Andrew C.W. Lai, Paul Y.K. Au, Franklin Yu, Thomas O.S. Ho and Dr Conrad T.C. Wong were direct, they should be invited to leave the meeting temporarily for the item. Members agreed that the interest of Messrs Daniel K.S. Lau, Stephen L.H. Liu, Peter K.T. Yuen, Dr Lawrence W.C. Poon and Dr Lawrence K.C. Li were indirect, and Messrs K.K. Cheung, Alex H.T. Lai and Dr C.H. Hau had no involvement in the s.12A application and the submission of representations and comment, and the properties owned by Dr Venus Y.H. Lun and Dr Frankie W.C. Yeung had no direct view of the representation sites, they could stay or later join in the meeting.

[Messrs Andrew C.W. Lai, Paul Y.K. Au, Franklin Yu, Thomas O.S. Ho and Dr Conrad T.C. Wong left the meeting at this point.]

Presentation and Question Sessions

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

7. The following representatives of the government and their consultants and representers, commenter and their representatives were invited to the meeting at this point:

Government Representatives

Planning Department (PlanD)

- | | |
|-----------------------|---|
| Ms Margaret H.Y. Chan | - District Planning Officer/Shu Tin, Tai Po and North (DPO/STN) |
| Mr Feddy S.H. Leung | - Town Planner/Tai Po (TP/TP) |

Civil Engineering and Development Department (CEDD)

- | | |
|---------------------|---------------------------------------|
| Mr K.H. Tao | - Project Team Leader/Project (PTL/P) |
| Mr Kevin Y.C. Leung | - Senior Engineer |

CEDD's Consultants

- | | |
|----------------------|--|
| Mr Howard C.K. Fung | - Principal Engineer, Atkins China Limited (PE/Atkins) |
| Mr Stanley Y.K. Chow | - Traffic Team Leader/Atkins |
| Mr David T.L. Man | - Project Engineer/Atkins |

Transport Department(TD)

- | | |
|----------------------|------------------------|
| Ms Cynthia S.W. Kwok | - Senior Engineer (SE) |
|----------------------|------------------------|

Housing Department (HD)

- Ms Regina M.L. Chang - Senior Planning Officer (SPO)
- Ms Helen H.L. Leung - Senior Architect (SA)
- Ms Kerry K.K. Lee - Planning Officer
- Ms Catherine S.T. Chan - Senior Landscape Architect

Representers, Commenter and their Representatives

R5 – 毛家俊議員辦事處

R45 – Chan Ka Pan

R61 – 馮明港

- Mr Mo Ka Chun - Representers' Representative
- 區怡采 - Representers' Representative

R169/C1 – Mary Mulvihill

- Ms Mary Mulvihill - Representer and Commenter

R170 – The Hong Kong and China Gas Company Limited

- Mr Peter Tsang - Representer's Representative

[Dr Hon Y.S. Wong joined the meeting at this point.]

8. 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 comment. The representers, commenter and their representatives would then be invited to make oral submissions. To ensure efficient operation of the hearing, each representer, commenter or his/her representatives would be allotted 10 minutes for making presentation. There was a timer device to alert the representers, commenter or 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,

commenter and their representatives had completed their oral submissions. Members could direct their questions to the government representatives or the representers, commenter and their representatives. After the Q&A session, the government representatives, the representers, commenter or their representatives would be invited to leave the meeting. The Board would then deliberate on the representations and comment in their absence and inform the representers and commenter of the Board's decision in due course.

9. The Chairperson invited PlanD's representatives to brief Members on the representations and comment.

10. With the aid of a PowerPoint presentation, Mr Feddy S.H. Leung, TP/TP, PlanD, briefed Members on the representations and comment, including the background of the amendments, the grounds/views/proposals of the representers and commenter, planning assessments and PlanD's views on the representations and comment as detailed in TPB Paper No. 10816 (the Paper).

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

11. The Chairperson then invited the representers, commenter and their representatives to elaborate on their representations/comment.

R5 – 毛家俊議員辦事處

R45 – Chan Ka Pan

R61 – 馮明港

12. With the aid of a PowerPoint presentation, Mr Mo Ka Chun, the representers' representative, made the following main points in relation to the Item A site (Site A):

- (a) despite EDB's projection that there would be an increase in the number of school-aged students in Tai Po district (from 2,200 in 2021/22 to 2,900 in 2028/29), in view of factors such as high migration rates and declining birth rate, it was questionable whether there was still a need to build a primary school at Site A. The birth rate in Hong Kong had declined from 60,900 in 2016 to 37,000 in 2021. Notwithstanding the decreasing

demand for school places, four sites had already been reserved for primary schools in Tai Po Area 9 and near Sai Sha Road with planned provision of 3,600 places;

- (b) there were two existing primary schools in Wan Tau Tong Estate which could serve students from the proposed development;
- (c) the proposed 18-classroom school, given its small scale, would not be favoured by school operators and was inadequate to accommodate existing sub-standard schools earmarked for relocation from other districts;
- (d) some primary schools in Tai Po already had a surplus of school places, the proposed primary school would further aggravate competitions amongst existing schools in Tai Po;
- (e) there were no public transport services serving Ma Wo Road. The proposed school would be sharing access via Ma Shing Path with The Balmoral, which would result in traffic capacity problem and vehicle-pedestrian conflicts at peak commuting hours;
- (f) the proposed school site was very close to The Balmoral. The noise generated from the proposed primary school would cause nuisance and affect the residents at The Balmoral;
- (g) there was no genuine need for an additional primary school in Site A, and the reserved school site could instead be used for provision of open space or recreational facilities; and
- (h) the three residential blocks of the proposed public housing development were congested with no transport facilities to serve its residents. The development scale should be reduced and better transport facilities should be provided.

R170 – The Hong Kong and China Gas Company Limited

13. Mr Peter Tsang, the presenter's representative, made the following main points in relation to Site A :

- (a) the proposed development would increase the population in the area. Site A was in close vicinity of a high pressure gas pipeline along Tolo Highway. The project proponent should conduct a Quantitative Risk Assessment to evaluate the potential risk and determine the necessary mitigation measures, as required; and
- (b) the project proponent should consult and liaise with the Hong Kong and China Gas Company Limited during the design and construction stages and provide protective measures, as appropriate.

[Dr Frankie W.C. Yeung joined the meeting at this point.]

R169/C1 - Mary Mulvihill

14. Ms Mary Mulvihill made the following main points:

Item A

- (a) Site A was described as a woodland (1.95 ha) with moderate ecological value. The Government's study reports always concluded that trees identified were not valuable but green groups often had contrary assessment. For instance, after considering green groups' representations that there were valuable *Aquilaria sinensis* and other rare species at a "Green Belt" ("GB") site in Tseung Kwan O, the Board subsequently reverted the residential zoning of that site to "GB";
- (b) the study reports also indicated that the concerned wildlife species were all highly mobile and there were similar habitats in the vicinity, and hence the potential impact from the woodland loss would be minimal. However, the elimination of existing habitats would upset the natural balance;

- (c) the proposed woodland/tree compensation area at Lin Au was far away (1.45km) from Site A and the effectiveness of that mitigation measure was questionable. The proposed woodland/tree compensation area at Lin Au was zoned “GB” and might be rezoned for development in future. The flora and fauna in the remaining “GB” zone near Site A would be subject to high levels of light, noise and traffic-generated pollution that would adversely affect the current bio-diversity;
- (d) regarding visual impact, the assessment indicated that the building height restriction (BHR) of Site A (135mPD) was acceptable. However, that was much taller than the existing public housing developments in the vicinity which were subject to a BHR of 110mPD. Placing the low-rise school and carpark buildings in the western portion of Site A would not resolve the incompatibility of the high-rise towers with the surrounding low to medium-rise developments. The viewpoint (VP 2.4) in the Preliminary Landscape and Visual Impact Assessment (PLVIA) had demonstrated that much of the remaining vista of the ridgeline would be blocked by the proposed development and that was unacceptable. Views of ridgelines in the New Territories should be protected in the same manner as those in Kowloon and Hong Kong Island;
- (e) the so-called architectural treatment of building facades by adopting a non-garish colour scheme would not be effective in mitigating the visual impact due to the wall effect of tall buildings and concrete surfaces;
- (f) the need for another school was doubted when student intake was estimated to decline and a number of existing schools would be forced to close down. The proposed school would also involve felling of hundreds of trees. The Education Bureau (EDB) should conduct a comprehensive review before new schools were built in districts with a surplus of school places including Tai Po;
- (g) Site A should be reduced to accommodate only the footprint of the housing blocks. The area to be occupied by the carpark building should also be

reduced and the school site should either be reverted to “GB” or be developed for other Government, institution and community (GIC) uses;

- (h) the current transport policy was to use railway as the backbone of the public transport system. Nonetheless, COVID-19 pandemic had reduced public transport ridership and encouraged private car ownership. Such trend would have cumulative impact on traffic flow and should not be under-estimated;
- (i) regarding air ventilation impact arising from the proposed school and carpark buildings, according to the Air Ventilation Assessment-Expert Evaluation (AVA-EE), some sections of Ma Wo Road and Blocks 30 and 31 of Grand Dynasty View would be potentially affected. In view of the impact of COVID-19 pandemic and the need for better ventilation, the aforementioned air ventilation impact on local residents was not acceptable;

Items B1 and B2

- (j) the s.12A application was approved in spite of overwhelming opposition, including 7,070 objecting comments. The plot ratio (PR) restriction of Sites B1/B2 had been increased several times in past years from 0.6 in 1983 to 1.2 in 2016, and 3.6 in 2021. It was expected that the developers would further increase development intensities in future on such ground as resolving housing needs;
- (k) more than 70 representations proposed further increase in PR for Sites B1/B2. Apart from the representation submitted by the developer, the other representations did not indicate the relationship among the individuals. They were unlikely to be local residents but likely to be employees or had some form of relationship with the developer. The Board should consider such ‘backdoor’ approach to propose further increase in PR with skepticism. Possible allegations of collusion between the developer and the Government in handling Sites B1/B2 involving a large portion of government land had not been clarified at the s.12A stage; and

All Items

- (1) according to the Hong Kong Planning Standards and Guidelines (HKPSG), there were deficits in facilities for child care, community care and residential care home for the elderly (RCHE) in Tai Po but the proposed developments did not address these shortfalls. In view of the recent death rate of the elderly living in care homes, the community could no longer accept that the demand for RCHE was a 'long term goal'. Given the large area of government land in Sites B1/B2, a substantial part of the developments should be used to provide community facilities to address the shortfall.

15. As the presentations of PlanD's representatives and the representers, commenter and their representatives had been completed, the meeting proceeded to the Q&A session. The Chairperson explained that Members would raise questions to the representers, commenter and their representatives and/or the government representatives. 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.

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

Item A

GIC Facilities and Proposed School

- (a) whether there was a surplus of primary school classrooms in the planning area covered by the draft Tai Po Outline Zoning Plan No. S/TP/29 (the OZP) as pointed out by the representers;
- (b) the shortfalls in various types of social welfare facilities such as RCHE in the area;
- (c) whether the "Residential (Group A)10" ("R(A)10") zone allowed flexibility to develop other GIC uses, whether the Notes of the OZP

specified that a primary school must be provided for the zone and whether the idea to provide a primary school was ‘cast in stone’;

- (d) whether site reservation for the 18-classroom primary school was requested by EDB and on what basis, and whether the school development programme had been confirmed;
- (e) what were the mechanisms for deciding the type of GIC uses to be provided at the site, whether EDB’s request for a school site be overriding against needs of other competing community uses, and the timeframe for which such decision had to be made;
- (f) any information on primary school-aged students in the proposed housing development;
- (g) whether HD would be responsible for building the primary school;

Traffic and Pedestrian Connections

- (h) whether the existing roads in the area could cope with the traffic generated from an additional primary school;
- (i) noting the existing capacity problem at the junction of Tai Po Tai Wo Road/Po Nga Road (J12), whether there would be mitigation measures to improve the traffic condition;
- (j) whether there was plan to improve pedestrian connection between the housing site and Wan Tau Tong Estate;
- (k) clarification on the concerns from residents of The Balmoral regarding Ma Shing Path;

Proposed Carpark Block

- (l) noting that the proposed carpark block was next to the new primary school, what were the considerations for the proposed layout and whether there would be pedestrian safety problem;
- (m) whether the proposed standalone carpark block could be integrated into the podium of the housing development;

Building Height and Visual Impact

- (n) with a BHR of 135mPD for Site A, what was the mechanism to realise the proposed building height profile with low-rise buildings in the western and southwestern portions;
- (o) noting that a presenter and commenter had concerns that the views of the ridgeline would be affected, whether assessment had been conducted to ascertain the visual impact;

Tree Proposals and Landscape Aspects

- (p) information on the number of existing trees to be felled and the tree conditions, ratio of tree compensation and existing site conditions of the proposed woodland compensation area at Lin Au;
- (q) whether greening would be provided along the existing slopes to preserve the green setting;

Other Aspects

- (r) whether the proposed development would affect the function of the “GB” zone;

- (s) whether recreational facilities would be provided within the housing development or in the vicinity to serve the future residents;
- (t) noting the relatively long walking distance between the site and the MTR Tai Po Market Station, whether retail facilities would be provided in the development;
- (u) whether the proposed housing development would be affected by traffic noise from Tolo Highway and whether there were complaints from residents of existing residential developments on traffic noise impacts from Tolo Highway;
- (v) whether there would be flooding problem in view of the big level difference between the site (at a lower site level) and Tolo Highway; and
- (w) information on the proposed site formation works along the existing slopes near The Balmoral and the southern boundary.

17. With the aid of some PowerPoint slides and visualiser, Ms Margaret H.Y. Chan, DPO/STN, PlanD, Mr K.H. Tao, PTL/P, CEDD, Ms Regina M.L. Chang, SPO, HD, Ms Helen H.L. Leung, SA, HD, Ms Cynthia S.W. Kwok, SE, TD and Mr Howard Fung (PE/Atkins), in response to the Chairperson's/Members' questions, made the following main points:

GIC Facilities and Proposed School

- (a) with reference to HKPSG, there was a surplus of 151 primary school classrooms in the planning area of the OZP but a deficit of 7 classrooms if the projection was done for a region based on the Tai Po District Council boundary. The two nearby schools across Ma Wo Road were Law Ting Pong Secondary School and American School Hong Kong, which were a secondary school and a privately run international school respectively, and hence disregarded in the aforementioned figures;

- (b) with reference to HKPSG, welfare facilities with the highest deficit were community care services facilities for the elderly, child care centres and RCHE. There was also a high demand for rehabilitation facilities. Welfare facilities including elderly, child care and rehabilitation facilities taking up floor area equivalent to about 5% of the domestic GFA were initially planned at the public housing site;
- (c) the “R(A)10” zone only reflected the broad land use for a residential development with restrictions on PR and building height. Details on the types of GIC uses to be provided at the site could be dealt with at the detailed design stage and specified in the Planning Brief (PB). The Notes of the “R(A)10” zone did not specify requirement for provision of a primary school. The primary school shown on the conceptual scheme was indicative only and the proposal to provide such a school was not ‘cast in stone’. As ‘School’ and ‘Social Welfare Facility’ were uses always permitted under the Notes of the “R(A)10” zone, there was flexibility to develop RCHE or other welfare facilities at the site in accordance with the provision of the Notes;
- (d) the school site was reserved at the request of EDB. EDB planned for primary school provision taking into account their own projections of school-aged students on the basis of their school nets. Information on surplus/deficit of school classroom based on the HKPSG as shown in Annex VII of the Paper was another reference which Members might consider. The reserved school site was for the long term and EDB had no firm development programme at the moment. EDB requested for reservation of an 18-classroom school site based on the projected new population arising from the proposed housing development. EDB also mentioned that the school site could be for re-provisioning of sub-standard schools in Tai Po or other districts;
- (e) at the detailed design stage, HD would liaise with the Social Welfare Department (SWD) on the types of social welfare facilities to be provided in the housing development and specified in the PB. The decision on the

GIC uses should preferably be made before commencement of site formation works by CEDD in 2025 tentatively;

- (f) there was no information on the number of school-aged students in the proposed housing development but EDB would review the need for the school site at the detailed design stage;
- (g) EDB was responsible for implementing the proposed primary school. If EDB eventually decided to proceed with the school project, the school site would be handed over to Architectural Services Department (ArchSD) for design and construction upon completion of the site formation works by CEDD, while the public housing site would be handed over to HD;

Traffic and Pedestrian Connections

- (h) the design year adopted in the Preliminary Traffic Impact Assessment (PTIA) was 2039 (i.e. 5 years after completion of development) and the estimated annual growth rate in traffic flow from the study year in 2018 to 2039 was 1.04%. Road improvement works would be implemented at Ma Wo Road/Tat Wan Road, Tat Wan Road/Nam Wan Road and Kwong Fuk Road Roundabout before population intake. The PTIA concluded that with the road improvement works, there would be no insurmountable problem arising from the proposed development from traffic impact point of view. The traffic generated from the proposed primary school had been taken into account in the PTIA. There would be a roundabout at Ma Shing Path to serve the residential development and the primary school. According to the estimated traffic flow, the roundabout would operate effectively;
- (i) according to the PTIA, the performance of J12 remained unchanged with or without the development. Transport Department (TD) was undertaking a district traffic study for Tai Po to holistically review the traffic condition in the district. As the study was ongoing, it was undetermined at the

current stage whether road improvement works would be proposed for the concerned road junction;

- (j) a new pedestrian crossing was proposed at Ma Wo Road/Tat Wan Road. According to the pedestrian flow assessment, the pavement had sufficient capacity to accommodate the forecast pedestrian flow from the proposed housing development and school and pedestrian safety would not be an issue;
- (k) Ma Shing Path was a public road maintained by the Highways Department. The retaining wall/slope along Ma Shing Path on the southeastern side would be removed to accommodate a new lay-by and a new footpath. A small section of the slopes/structures on the northern side of Ma Shing Path was on government land maintained by owners of The Balmoral. The proposed road works would not affect that section of the slope;

Proposed Carpark Block

- (l) under the EFS, the school site would be accessed via Ma Shing Path, which would be widened with a new lay-by and a new footpath near the school. The ingress/egress of the carpark block of public housing site would be from Ma Wo Road and vehicular traffic from the car park would not cause safety problem for the students;
- (m) the conceptual scheme proposed three residential towers of 36 to 39 storeys above a 2-storey podium with a standalone car park block. The feasibility of accommodating the carpark in the podium of the housing development could be examined at the detailed design stage to achieve better integration. Revisions to the conceptual scheme would be subject to revised technical assessments on noise, visual, micro-climate aspects, etc. to ensure that the revised scheme would be no worse off than the conceptual scheme;

Building Height and Visual Impact

- (n) the conceptual scheme proposed low-rise buildings (a carpark block and a primary school) to serve as a buffer between the high-rise housing blocks and the existing medium-rise residential developments to the west. The intended building height profile could be stipulated in the PB for the public housing development;
- (o) regarding the view from the podium garden of Tai Po Complex (VP 2.4) in Drawing H-2d of the Paper, the proposed development would block distant views of part of the Tai Mo Shan ridgeline and hillside but views of the natural hillside at Kam Shan would not be affected;

Tree Proposals and Landscape Aspects

- (p) according to the EFS, about 1,330 existing trees were identified within and along the boundary of Site A with no registered Old and Valuable Trees. About 990 existing trees would be removed whereas those trees located at a higher level in the southern portion of the site would be retained. Not less than 178 new trees would be planted at the future development site. The loss of vegetation of conservation interest would be compensated at a ratio of not less than 1:1. In addition, off-site compensatory planting with a ratio of not less than 1:1 would be provided at a woodland compensation area of about 1.95ha on government land at Lin Au. The Lin Au site mainly covered with shrubs was zoned “GB”;
- (q) landscape treatment and tree planting would be provided to mitigate the impact of the site formation work, particularly along the southern slopes;

Other Aspects

- (r) the site had been identified for public housing development through review of “GB” sites. It was located at the fringe of Tai Po New Town and was in close proximity to the cluster of public housing developments at Wan

Tau Tong Estate and the cluster of private housing developments along Ma Wo Road. It was also close to the existing transport node and partly formed with relatively low buffer/conservation value. Therefore, the site met the criteria for “GB” review and was considered suitable for rezoning for housing development;

- (s) a new sports centre was being planned at the “Government, Institution or Community” (“G/IC”) site on the opposite side of Ma Wo Road. Basketball courts and various recreational facilities were currently provided in Ma Wo Road Garden nearby;
- (t) ancillary retail facilities would be provided by HD within the public housing development;
- (u) the conceptual scheme adopted a T-block design to provide maximum buffer distance from Tolo Highway. Windows of the domestic units would be oriented to be facing away from the highway as much as possible to minimise noise impact. Appropriate noise mitigation measures would be incorporated at the detailed design stage, if required. There were noise barriers on the corresponding section of Tolo Highway near the site. Noise impact on the development, including traffic noise impact from Tolo Highway, had been evaluated in the Preliminary Environmental Review under the EFS. The conclusion was that there would be no insurmountable problem with implementation of suitable mitigation measures. There was no information on noise impact complaints from existing residential development nearby;
- (v) although the proposed housing development site was located at a level lower than Tolo Highway, there were drainage facilities along Tolo Highway for its runoff and there was no record of flooding in the area. There was no insurmountable problem in terms of drainage aspect; and
- (w) extensive site formation work was required given a site level difference of about 45m between Tolo Highway and the site. A retaining wall with a

height of about 12m would be constructed at the southern portion of the site.

18. Some Members raised the following questions to Mr Mo Ka Chun, representative of R5/R45/R61:

- (a) whether he was objecting to the “R(A)10” zoning for Site A or just objecting to the provision of a primary school within Site A;
- (b) since competition amongst schools might improve the quality of education which was to the benefit of students, what were his concerns on the potential competition to the existing schools arising from having a new primary school at the site;
- (c) in the event that there was no primary school at the site after population intake, what suggestions would he have on ways to meet the needs of primary school-aged students in the proposed development, taking into consideration factors such as walking distance and the need to foster their sense of belonging to the community; and
- (d) from his experience in the community, what types of public facilities that were in most demand, e.g. leisure garden and children’s playground.

19. Mr Mo Ka Chun made the following responses:

- (a) the Tai Po District Council (TPDC) did not support the proposed housing development and passed a motion objecting to Item A at its meeting on 20.7.2021, and the grounds for objection were included in his written submission. TPDC also objected to the proposed primary school. In any case, that portion of the site currently earmarked for a school should be zoned “G/IC” instead. The Tai Po South Area Committee also had reservation on the proposed housing development;

- (b) competition amongst existing schools might enhance quality of education that would be beneficial to students. However, existing schools with sub-standard premises/facilities were not able to compete on a fair basis, as they were not favoured by parents and would be forced to close down. If the school site was for re-provisioning of existing sub-standard school, more favourable consideration might be given;
- (c) if no primary school was provided at Site A after population intake, school-aged students could study at the two existing public primary schools in Wang Tau Tong Estate across the road, and road safety teams could be arranged. Schools could conduct study projects to facilitate students' understanding of the local community and foster their sense of belonging; and
- (d) social welfare facilities for the elderly and family support were in high demand. The planning for the two "G/IC" sites north of the site was at a very preliminary stage and would only be implemented in the long term. There was a lack of children's play area, the closest one was at a distant location at Tai Wan Road and the Ma Wo Road Garden only provided ballcourts.

Items B1 and B2

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

- (a) what the Rural and New Town Planning Committee (RNTPC)'s considerations were in approving the s.12A application No. Y/TP/28;
- (b) whether there were grounds for R169/C1's allegation of potential collusion between the Government and the land owner of the subject site;
- (c) whether there was plan to provide pedestrian connection between the site and the planned MTR station at Pak Shek Kok; and
- (d) what social welfare facilities would be provided at the site.

21. Ms Margaret H.Y. Chan, DPO/STN, PlanD made the following responses:

- (a) the zoning amendment was to take forward RNTPC's decision on the s.12A application No. Y/TP/28 for proposed rezoning of Sites B1/B2 from "Residential (Group C)10" to a "Residential (Group B)" sub-zones with PR increased from 1.2 to 3.6 and BHR remaining at 55mPD for Site B1 and 65mPD for Site B2. The applicant had submitted technical assessments to support the rezoning proposal and relevant government departments had no adverse comments;
- (b) the alleged collusion between the Government and the land owner was unfounded. RNTPC approved the s12A application and agreed to the related zoning amendment based on land use consideration in accordance with the Town Planning Ordinance. Land administration and disposal arrangements for Sites B1/B2 would be subject to approval by the Lands Department according to their prevailing policies;
- (c) as planning of a railway station at Pak Shek Kok was still under study, pedestrian connections to the future rail station was not known at this juncture; and
- (d) a hostel for severely mentally handicapped persons and a day activity centre would be provided in Site B1 (zoned "R(B)11"). A RCHE and day care unit would be provided in Site B2 (zoned "R(B)12").

Others

22. Noting that public vehicle park was always permitted in the "R(A)10", "R(B)11" and "R(B)12" zones, a Member asked whether there was any mechanism to avoid conversion of ancillary car parking spaces intended for residents' use into public car park. Ms Margaret H.Y. Chan, DPO/STN, PlanD, responded that the provision of public vehicle park in the respective sub-zones was supported by technical assessments. Otherwise, planning permission would be required in accordance with the relevant provisions in the Notes of the OZP. The number of ancillary and/or public car parking spaces could be specified in the PB (Site A) and lease conditions (Sites B1/B2). The Chairperson also remarked that in response to TD's request,

public carpark would be provided in Sites B1/B2.

23. Ms Mary Mulvihill, R169/C1, said that the Board might consider to reduce the “R(A)10” zone to only cover the area required for the housing development and the school site might be retained as “GB”. If a school was needed later, that portion could be rezoned to “G/IC” with a low BHR.

[Messrs Peter K.T. Yuen, Alex T.H. Lai, Philip S.L. Kan and Dr Venus Y.H. Lun left 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 government representatives and the representers, commenter and their representatives for attending the meeting. The Board would deliberate the representations/comment in closed meeting and would inform the representers/commenter of the Board’s decision in due course. The government representatives and the representers, commenter and their representatives left the meeting at this point.

Deliberation Session

25. The Chairperson said that the rezoning of “GB” sites (including the site zoned “R(A)10” under Item A) was an important source of land supply to address the housing shortage. Site A currently identified for rezoning for development had relatively lower buffer/conservation value and met the criteria of “GB” review. The focus of the Board at the current hearing should be on the appropriate land use zonings and development parameters for the amendment items rather than detailed layout and design. Having noted the conceptual scheme under which the western and south-western portions of Site A with lower building heights could serve as a buffer between the proposed high-rise housing blocks and the existing medium-rise developments to the west, the Board might consider how to secure such design concept. As for the need for provision of the much needed social welfare facilities, it should be noted that the “R(A)10” zoning allowed flexibility to accommodate different types of GIC uses at the detailed design stage. Although a school site within Site A was currently reserved by EDB, the Government had not yet come to a final decision on the types of GIC uses and such a decision could be made before commencement of site formation works. HD would also work closely with relevant government departments during the preparation of the PB for Site A to address the Board’s

concerns about the types of social welfare facilities to be provided within the public housing development.

Zoning Amendments (Items A, B1 and B2)

26. Members generally supported the land use zonings and the maximum PR and BHRs stipulated for Items A, B1 and B2. Members considered that rezoning Site A from “GB” for residential use was acceptable as the site, which was surrounded by residential developments, served a lower buffer function. Some Members opined that as the Notes of the “R(A)10” zone had allowed flexibility for developing different types of GIC uses on Site A, it was unnecessary to rezone part of the site to “G/IC” as proposed by the representers/commenter. A Member said that the proposed development should take into account its impact on micro-climate at the detailed design stage. Another Member remarked that HD should make further efforts to improve the design and layout to provide a quality living environment for future residents.

GIC Facilities (Item A)

27. A few Members opined that the Board should respect the advice of EDB and retain the school site, and they were of the view that although there were decline in the number of school-aged children and increase in migration in the near term, the demographic trend would change over time and planning should be for the long term. A Member said that the decrease in number of students could facilitate implementation of small class education, the proposed school which was in proximity to existing and planned residential developments could minimise travelling distance of students and competition amongst existing schools might have benefits although that was not a planning consideration. A Member said that there was need for school sites for re-provisioning of existing sub-standard schools.

28. Some Members expressed reservation on the need for a primary school at Site A as according to the HKPSG, there was a surplus of primary school classrooms in the planning area of the OZP and students at Site A could study in the existing schools at Wang Tau Tong Estate. A few Members said that a primary school with only 18 classrooms was relatively small by modern standards, unless it was for special education. It would not offer a good solution for reprovisioning schools operating from sub-standard premises. A Member also pointed out that there were many existing primary schools in Tai Po and EDB should focus on upgrading any

sub-standard school premises of existing schools. A few Members considered that rezoning of “GB” sites should only be for urgent community needs but there was doubt on the need for the school. A Member added that the proposed school site would involve extensive site formation works and reduce the buffer area with Tolo Highway, and only the site for the housing development should be formed first. The same Member said that there were alternative sites to the north, currently used as open car parks, for the school development. The Chairperson pointed out that the open-air carpark sites were temporary uses and those sites (zoned “G/IC”) were reserved for a new sports centre and a clinic.

29. Members were generally of the view that the R(A)10 zoning for Site A could be retained to provide flexibility for the planning of housing development integrated with GIC uses, although a Member opined that the area currently reserved for a school could be zoned “G/IC” to reflect the planning intention. Those Members who had reservation on the school development opined that other GIC uses permitted under the R(A)10 zoning should be pursued to meet more pressing community needs. Some Members opined that the SWD should take a more proactive role and grasp the opportunity to provide more elderly facilities at Site A and the relevant bureaux/departments should work together closely and optimise utilisation of the site for providing facilities in high demand, e.g. RCHE, recreational facilities and open space. Mr Ivan M.K. Chung, Director of Planning, said that the Notes of the “R(A)10” zone allowed flexibility for provision of different types of GIC uses including ‘School’ and ‘Social Welfare Facility’ and there was room for further discussions among concerned Government departments to reach a consensus on the most suitable GIC uses during the preparation of the PB and at the detailed design stage.

Building Height (Item A)

30. The Vice-chairman and a Member pointed out that the conceptual scheme and technical assessments for Site A were based on the western and south-western portions being low-rise developments to provide a buffer for the existing medium-rise residential developments in the west. There should be a mechanism to ensure the implementation of the proposed building height profile. Mr Ivan M.K. Chung, Director of Planning, said that the planning intention for lower building height at the western and south-western portions of the site could be spelt out in the Explanatory Statement (ES) of the OZP as appropriate.

Carpark (Items A, B1 and B2)

31. The Vice-chairman and a few Members opined that it was undesirable to locate a standalone carpark block at the central portion of Site A and HD should review the design in order to integrate the carpark within the podium or at basement level.

32. A Member said that since ‘Public Vehicle Park’ was always permitted in the “R(A)10”, “R(B)11 and “R(B)12” zones, the PB for the public housing development (Site A) and the lease conditions for the residential development (Sites B1/B2) should clearly specify the requirements on ancillary and/or public car parking spaces to avoid conversion of ancillary car parking spaces for residents’ use to public use by the project proponents. Mr Ivan M.K. Chung, Director of Planning, said that the proposed public carparks at Sites B1/B2 were to take forward the applicant’s proposal under the s.12A application No. Y/TP/28. TD was agreeable to the proposed public carparks which could help address the demand for car parking spaces in that location. Suitable lease conditions could be stipulated to specify the number of public and ancillary carparking spaces to be provided at Sites B1/B2.

Recreational Facilities (Item A)

33. A Member opined that due to the extensive slope works on Site A, there would be limited open space for future residents and development of the planned recreational facilities in the vicinity should be expedited. Another Member said that upon completion of the planned sports centre to the north, there would be increase in pedestrian flow and sufficient pedestrian facilities should be planned.

Woodland Compensation (Item A)

34. A Member appreciated that the relevant Government departments had taken on board the RNTPC’s earlier suggestion that tree compensation could be provided off-site in woodland compensation areas. However, the currently recommended compensatory planting ratio of 1:1 might be too rigid and should be reviewed. Specifically, for compensation in existing woodland areas, consideration should be given to increase the compensation ratio and woodland area in order to re-establish a woodland habitat at Lin Au. Members generally agreed with the suggestion. The Chairperson said that the CEDD, with representatives at the meeting, would follow up on the suggestion.

Conclusion

35. The Chairperson concluded that Members generally supported the land use zonings and development parameters of the three sites. The Board also agreed that follow-up actions should be taken by relevant Government departments to take account of Members' views on Site A including: (a) HD should liaise closely with relevant government departments in the preparation of the PB and at the detailed design stage to ensure that the most needed community facilities should be provided; (b) the ES of the "R(A)10" zone be revised to clearly state that (i) the western and south-western portions should be of lower building heights, (ii) the GIC facilities to be provided should be those addressing the pressing needs of the community and these GIC facilities should be completed to tie in with population intake of the public housing development, and (iii) the proposed carpark and GIC uses should integrate with the residential blocks in design; as well as (c) CEDD should follow up on the Board's views on enhancing the woodland compensation area at Lin Au.

[Post-meeting note: The following new paragraph was added to the revised ES of the "R(A)10" zone after paragraph 9.2.3 and the subsequent paragraphs in section 9.2 were re-numbered accordingly.]

9.2.4 A site zoned "R(A)10" at To Yuen Tung, Ma Wo Road is intended for public housing development with ancillary carpark, GIC and retail uses. The site is subject to a maximum building height of 135mPD. The future layout of the public housing development should give due regard to the local context including the existing medium-rise developments to its west. High-rise residential blocks should be located at the eastern portion of the site with the western and south-western portions for low-rise developments serving as a buffer with the developments to its west. The design of the ancillary carpark and GIC uses on the site should integrate with the residential blocks. The GIC uses to be provided on the south-western portion or other parts of the site should be those addressing the pressing needs of the community, with a view to optimising the use of the site for housing and other facilities with shortfall in the area. The provision of GIC facilities should tie-in with population intake for the public housing development.]

[Mr Lincoln L.H. Huang left the meeting during the deliberation session.]

36. After deliberation, the Board noted the supportive views of **R1** and **R2** and views provided by **R169 (part on Items B1 and B2), R170** and **R171**.

37. The Board decided not to uphold **R3 to R168** and **R169 (part on Item A)** and considered that the draft OZP should not be amended to meet the representations and the reasons were:

“Item A

- (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 representation site under Item A is located at the fringe of existing built-up areas of the Tai Po New Town with existing public roads and supporting infrastructure. Taking into account that there is no insurmountable technical problem identified for the proposed housing development, it is considered suitable for rezoning the site to “Residential (Group A)10” on the subject Outline Zoning Plan with a view to increasing housing land supply (**R3, R21, R24 to R26, R29 to R34, R37, R43, R45, R47 to R49, R58, R59, R68, R71, R75, R78, R80, R81, R85, R163, R167**);
- (b) the proposed development intensity and building height for the proposed housing development under Item A are considered appropriate and technically feasible (**R5, R20, R21, R27, R45, R67, R72, R88**);
- (c) based on the findings of the relevant technical assessments under the Engineering Feasibility Study (EFS), the proposed housing development at the representation site under Item A is technically feasible. Under the EFS, relevant road improvement works and mitigation measures have been proposed to minimise the possible impacts of the proposed development. Woodland compensatory plan and tree preservation/removal proposal will be carried out at the subsequent stage. The findings in the EFS, building block disposition, as well as the provision of the open spaces and recreation facilities within the proposed

development will be further reviewed at the detailed design stage (**R3 to R46, R50 to R88, R162 to R168, R169 (part on Item A)**);

Items B1 and B2

- (d) further increase of the development intensity is not supported as technical feasibility of a higher development intensity is yet to be ascertained (**R89 to R161**);
- (e) relevant technical assessments in traffic and environmental aspects were conducted to demonstrate technical feasibility of the proposed development, and no adverse impact on these aspects is anticipated (**R162, R163, R165 to R168**); and

All Items

- (f) the existing and planned provision of open space and Government, institution and community facilities, except for some social welfare facilities, are generally sufficient to meet the demand of the planned population in Tai Po in accordance with the Hong Kong Planning Standards and Guidelines. Appropriate social welfare and community facilities will be provided in the proposed residential developments to serve the local residents. The provision of social welfare and community facilities will be monitored by the relevant government bureaux/departments (**R5, R6, R16, R22, R32 to R42, R44, R50 to R57, R59, R60, R63, R66, R78, R79 to R84, R162, R164, R167, R169**).”

38. The Board also agreed that the draft Tai Po OZP, together with the Notes and ES with the revisions in paragraph 36 above, were suitable for submission under section 8 of the Town Planning Ordinance to the Chief Executive in Council for approval.

Procedural Matters

Agenda Item 4

[Open Meeting]

Information Note and Hearing Arrangement for Consideration of Representation and Comment on the Draft Shek Kip Mei Outline Zoning Plan No. S/ K4/30
(TPB Paper No. 10815)

[The item was conducted in Cantonese.]

39. The Secretary reported that the proposed amendment involved a site in Shek Kip Mei for public housing development by the Hong Kong Housing Authority (HKHA) which was supported by an Engineering Feasibility Study (EFS) conducted by the Civil Engineering and Development Department (CEDD) and WSP (Asia) Limited was the consultant of the EFS. Representation/comment had been submitted by Ms Mary Mulvihill (R1/C1). The following Members had declared interests on the item:

- | | |
|--|---|
| Mr Andrew C.W. Lai (as Director of Lands) | - being a member of HKHA; |
| Mr Paul Y.K. Au (as Chief Engineer (Works), Home Affairs Department) | - 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 Housing Department (HD) (the executive arm of HKHA) but not involved in planning work; |
| Mr Franklin Yu | - being a member of the Building Committee and Tender Committee of HKHA; |

- Dr Hon Y.S. Wong - being a member of Funds Management Subcommittee of Finance Committee of the HKHA;
- Mr K.K. Cheung - his firm having current business dealings with HKHA, and WSP, 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 and WSP, and hiring Ms Mary Mulvihill on a contract basis from time to time;
- Dr Billy C.H. Hau - conducting contract research project with CEDD;
- Mr Thomas O.S. Ho - having current business dealings with 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 Daniel K.S. Lau - being a member of Hong Kong Housing Society which had discussed with HD on housing development issues;
- Dr Conrad T.C. Wong - having current business dealings with HKHA; being a director of a company which owned a property in Shek Kip Mei;
- Miss Winnie W.M. Ng - owning properties in Shek Kip Mei; and
- Mr Peter K.T. Yuen - co-owning with spouse a flat in Shek Kip Mei.

40. Members noted that Mr L.T. Kwok and Miss Winnie W.M. Ng had tendered apologies for being unable to attend the meeting and Messrs Andrew C.W. Lai, Paul Y.K. Au,

Franklin Yu, Thomas O.S. Ho, Alex T.H. Lai, Peter K.T. Yue, Dr Conrad T.C. Wong and Dr Hon Y.S. Wong had already left the meeting. Members agreed that as the item was procedural in nature, all other Members who had declared interests could stay in the meeting.

41. The Secretary briefly introduced the TPB Paper No. 10815 (the Paper). On 20.8.2021, the draft Shek Kip Mei Outline Zoning Plan No. S/K4/30 was exhibited for public inspection under section 5 of the Town Planning Ordinance. During the two-month exhibition period, one representation was received. The representation was subsequently published for three weeks and one comment was received from the same individual submitting the representation.

42. Since only one representation and one comment were received, the hearing of the representation and comment was recommended to be considered by the Town Planning Board (the Board) without resorting to the appointment of a Representation Hearing Committee. The hearing could be accommodated in the Board's regular meeting and a separate hearing session would not be necessary. To ensure efficiency of the hearing, it was recommended to allot a maximum of 10 minutes presentation time to each representer/commenter/their representative in the hearing session. Consideration of the representation and comment by the Board was tentatively scheduled for April/May2022.

43. After deliberation, the Board agreed that:

- (a) the representation and comment 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 5

[Open Meeting]

Any Other Business

44. There being no other business, the meeting was closed at 12:50 p.m.