

**Minutes of 1277th Meeting of the
Town Planning Board held on 1.8.2022**

Present

Permanent Secretary for Development
(Planning and Lands) (Acting)
Mr Vic C.H. Yau

Chairperson

Mr Lincoln L.H. Huang

Vice-chairperson

Mr Wilson Y.W. Fung

Dr C.H. Hau

Mr Stanley T.S. Choi

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Mr K.W. Leung

Professor John C.Y. Ng

Professor Jonathan W.C. Wong

Mr Ricky W.Y. Yu

Professor Roger C.K. Chan

Mrs Vivian K.F. Cheung

Mr Timothy K.W. Ma

Chief Traffic Engineer (New Territories West)
Transport Department (Acting)

Mr M.Y. Tse

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

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

Assistant Director (Regional 2)
Lands Department
Mr Ryan M.F. Choy

Director of Planning
Mr Ivan M.K. Chung

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

Secretary

Absent with Apologies

Mr Stephen L.H. Liu

Miss Winnie W.M. Ng

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr L.T. Kwok

Dr Venus Y.H. Lun

Dr Conrad T.C. Wong

Mr Vincent K.Y. Ho

Mr Ben S.S. Lui

Ms Bernadette Tsui

Mr K.L. Wong

In Attendance

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

Chief Town Planner/Town Planning Board
Ms Johanna W.Y. Cheng (a.m.)
Ms Josephine Y.M. Lo (p.m.)

Senior Town Planner/Town Planning Board
Mr W.C. Lui (a.m.)
Mr L.K. Wong (p.m.)

Tuen Mun and Yuen Long West District

Agenda Item 1

[Open meeting (Presentation and Question Sessions only)]

Consideration of Representations and Comments in respect of the Draft Lam Tei and Yick Yuen Outline Zoning Plan No. S/TM-LTYYY/11
(TPB Paper No. 10828)

[The item was conducted in English and Cantonese.]

1. The Secretary reported that the amendment items on the draft Lam Tei and Yick Yuen Outline Zoning Plan (OZP) No. S/TM-LTYYY/11 (the draft OZP) mainly involved a public housing development to be developed by the Hong Kong Housing Authority (HKHA) and the Housing Department (HD) was the executive arm of HKHA, which was supported by an Engineering Feasibility Study (EFS) commissioned by the Civil Engineering and Development Department (CEDD). Representations had been submitted by the Conservancy Association (CA) (R3), Join Smart Limited (R4) (which was a subsidiary of Sun Hung Kai Properties Limited (SHK), with LWK & Partners (HK) Limited (LWK) as one of their consultants), and Mass Transit Railway Corporation Limited (MTRCL) (R420). The following Members had declared interests on the item:

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| Mr Paul Y.K. Au
<i>(as Chief Engineer (Works),
Home Affairs Department)</i> | - being a representative of the Director of Home Affairs who was a member of the Strategic Planning Committee and Subsidised Housing Committee of HKHA; |
| Dr C.H. Hau | - conducting contract research projects with CEDD, and being a life member of CA and his spouse being the Vice-Chairman of the Board of Directors of CA; |
| 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 having shareholding interests in KMB and Long Win; |

- Mr Franklin Yu
- being a member of the Building Committee and Tender Committee of HKHA, and his spouse was an employee of SHK;
- Mr L.T. Kwok
- his serving organization currently renting premises in various estates of HKHA at concessionary rent for welfare services, and formerly 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 the Hong Kong Housing Society (HKHS) which had discussed with HD on housing development issues;
- Ms Lilian S.K. Law
- being a member of the HKHS which had discussed with HD on housing development issues, and being an ex-Executive Director and committee member of The Boys' & Girls' Clubs Association of Hong Kong which had received sponsorship from SHK;
- Mr Ricky W.Y. Yu
- having past business dealings with LWK;
- Dr Conrad T.C. Wong
- having current business dealings with HKHA, SHK and MTRCL;
- Mr Timothy K.W. Ma
- being a member of the Supervisory Board of HKHS which had discussed with HD on housing development issues; and
- Mr K.L. Wong
- being a member and ex-employee of HKHS which had discussed with HD on housing development issues.

2. Members noted that Messrs Franklin Yu, L.T. Kwok, K.L. Wong, Miss Winnie W.M. Ng and Dr Conrad T.C. Wong had tendered apologies for not being able to attend the meeting. As the interests of Mr Paul Y.K. Au were direct, Members agreed that he should be invited to leave the meeting. As the interests of Ms Lilian S.K. Law were considered indirect, Dr C.H. Hau had no involvement in the proposed public housing development and/or the submission of the representation, Messrs Daniel K.S. Lau, Timothy K.W. Ma and Ms Lilian S.K. Law had no involvement in the proposed public housing development, and Mr Ricky W.Y. Yu had no involvement in the submission of the representation, Members agreed that they could stay in the meeting.

[Mr Paul Y.K. Au left the meeting at this point.]

3. The Secretary reported that the Secretariat of the Town Planning Board (the Board) had received an email from the representative of Join Smart Limited (R4) on 28.7.2022 (attached with additional information regarding approval of general building plans (GBPs) for the planned development related to their representation site) and requested that the email and the additional information be tabled for the Board's consideration. Besides, two petition letters had been submitted by Hon. Holden Ho-ding Chow, Member of the Legislative Council, and Ms Lai Ka Man (R2), Member of Tuen Mun District Council (TMDC), and a group of affected villagers of San Hing Tsuen before the meeting. Members noted that as the above email and petition letters were submitted after the statutory publication period of the draft OZP, they should be treated as not having been made under s.6A(3)(a) of the Town Planning Ordinance (the Ordinance). Members noted that the Secretariat had replied to the representative of R4 on 29.7.2022, and the relevant representers/commenters (including those of R2 and R4) or their representatives would attend the meeting to make their oral submissions.

Request for Deferment

4. The Secretary also reported that a letter from the legal representative of Take Harvest Limited (R5) on 28.7.2022 requesting the Board to defer the subject hearing was tabled for Members' consideration. According to the 'Town Planning Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Town Planning Ordinance' (TPB PG-No. 33A), as the request for deferment was submitted less than two weeks before the meeting, it was submitted for discussion at the meeting. The

Chairperson said that Members would first deliberate on whether to accede to the deferral request.

5. The Secretary briefed Members on the background and the main request in R5's letter. The representation site of R5 was the subject of a s.16 application No. A/TM-LTYY/337 for a private residential development with maximum plot ratio (PR) of 1 approved by the Rural and New Town Planning Committee (RNTPC) in 2017. On 25.2.2022, the Board decided to reject a s.17 review application (No. A/TM-LTYY/337-1) for extension of time (EOT) for commencement of that approved scheme. On 12.5.2022, an appeal was lodged by R5 to the Town Planning Appeal Board (TPAB) against the Board's decision to reject the s.17 review application (the Appeal). R5 considered that their right to proper and legitimate due process and rights to proceed with their approved scheme to build private flats would be deprived of as the Appeal would be rendered nugatory if the Board proceeded with the consideration of representations/comments in respect of the OZP, and eventually to agree to submit it to the Chief Executive in Council (CE in C) for approval. The *ultra vires* nature of such decision was raised. R5 also proposed that the Board might carve out their site from the OZP and decide on its zoning after the Appeal was determined.

6. The Secretary said that PlanD did not support the request for deferment for reasons that (i) as stated in TPB PG-No. 33A, there was a statutory time limit to submit a draft OZP to the CE in C for approval and deferment of consideration of representations and comments would not normally be acceded to unless there was a very strong reason to do so. The subject hearing meeting was originally scheduled in April 2022. The hearing had been deferred due to the pandemic situation, and subsequently re-scheduled to the current meeting. For the request, no strong justification had been provided; (ii) the amendments involved sites for public housing development (about 21,600 flats), and deferment of the hearing meeting would delay the programme of the public housing project; (iii) consideration of representations/comments of the OZP would not pre-empt R5's right of appeal as the TPAB could continue to process the Appeal; (iv) the representation site of R5 was rezoned from "Residential (Group E)" ("R(E)") (with maximum PR of 1.0 and flat use requiring planning permission) to "Residential (Group A)" ("R(A)") (with a higher maximum PR of 6.5 and flat use being always permitted); and (v) the planning intention of the "R(A)" zone stated in the statutory Notes was primarily for high-density residential developments and there was no specification for public or private housing developments under the Notes. Hence, the "R(A)" zoning would not pre-empt R5's scheme to be considered under the Appeal. Members noted the Secretary's brief report of the deferral

request and agreed to invite the representatives of R5 to present their case.

7. The following representatives of Planning Department (PlanD) and R5 were invited to the meeting at this point:

PlanD

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

Take Harvest Limited (R5)'s Representatives

Mr Lau Po Hin, Henry] R5's representatives
Mr Ted Chan (*Toco Planning*]
Consultants Ltd.)

8. The Chairperson extended a welcome and explained the procedures for consideration of the deferral request. The representatives of R5 would first be invited to explain the grounds of the deferral request. A question and answer (Q&A) session would be held after the presentation of R5's representatives and Members could direct their questions to the representatives of PlanD or R5. After the Q&A session, the representatives of PlanD and R5 would be invited to leave the meeting. The Board would then deliberate on R5's deferral request. The Chairperson then invited the representatives of R5 to elaborate on their deferral request.

9. Mr Lau Po Hin, Henry and Mr Ted Chan made the following main points:

- (a) the main grounds for the deferral request were stated in their legal representative's letter dated 28.7.2022;
- (b) R5 had wasted many years trying to develop the site for private housing. Their scheme was approved by the Board in 2017 but its implementation was delayed mainly due to the government study for a public housing development at San Hing Tsuen which led to their land exchange application being held up by the Lands Department (LandsD).

Hence, they were not able to commence the development before its validity period;

- (c) their legal representative advised them of the *ultra vires* nature of the Board's decision to proceed with consideration of the representations and comments and/or for the CE in C to approve the OZP without the Appeal being determined. The outcome of the Appeal was a legitimate and relevant consideration for the Board in considering the representations/comments as the approved scheme being considered under the Appeal would have ramifications on the zoning of the areas in the vicinity of the representation site of R5 from planning perspective; and
- (d) the hearing should be adjourned to allow more time for R5 to liaise with the government on how to implement private housing rather than having their land being resumed.

10. As Members had no question to raise, the Chairperson said that the Board would deliberate on the deferral request in closed meeting. The Chairperson thanked the representatives of PlanD and R5 and they left the meeting at this point.

Deliberation Session

11. In response to some Members' enquiries, the Secretary made the following main points:

- (a) the hearing date for the Appeal was not yet scheduled. It was subject to the availability of the representatives (e.g. solicitors) of both the appellant and the Board as well as members of the TPAB. After the appeal hearing, time would normally also be needed for TPAB to prepare the decision;
- (b) the Appeal would be considered under s.17B of the Ordinance and the consideration of the representations/comments of the draft OZP was under s.6B of the Ordinance, which were different and separate procedures. The

TPAB would continue the process and make a decision on the Appeal, despite the Board's decision on the OZP. All valid planning permissions would be respected under the planning regime despite subsequent amendment to the zonings of application sites;

- (c) the approved scheme that was subject of the Appeal was for a private residential development with PR of 1 on the representation site of R5. That site was rezoned from "R(E)" with maximum PR of 1.0 and where flat use required planning permission to "R(A)" with maximum PR of 6.5 and flat use was always permitted. From statutory planning perspective, the approved scheme was always permitted under the extant "R(A)" zoning. Even though it was indicated in the Explanatory Statement (ES) that the "R(A)" site was intended for public housing, the statutory planning control was under the Notes;
- (d) after obtaining planning permission, the applicant had to apply to LandsD for a land exchange. LandsD would represent the government as the landlord to consider the land exchange based on established procedures and considerations. Having considered government's intention to develop a public housing development on a site covering the representation site of R5, the processing of the land exchange application had been held up. The land exchange application that R5 had submitted was based on the approved scheme with PR of 1 but it would be open for them to submit another land exchange application based on the development parameters permitted under the "R(A)" zoning; and
- (e) there was a judicial review (JR) lodged by R4 in respect of the Board's decision on a s.12A application for R4's site. The JR was dismissed by the Court of First Instance and was subject to an appeal to the Court of Appeal.

12. The Chairperson supplemented that the hearing was for consideration of the representations/comments in respect of the zoning amendments on the OZP. It would be a land administration issue for the government to decide in future whether to accept a private

development at the representation site of R5 instead of initiating land resumption, and it was not a matter within the purview of the Board.

13. A Member said that the deferral request should not be agreed as zoning amendments on OZP and planning applications were separate matters to be dealt with under relevant provisions of the Ordinance, and it was not practical to hold up hearings on OZPs to wait for decisions on planning applications. Another Member concurred and said that the timing for consideration of the Appeal by TPAB was uncertain and it might take a rather long time for the Appeal to be determined. Another Member said that when deciding on the representations/comments, Members would also take note of R5's intention for a private development at the representation site.

14. After deliberation, Members agreed with PlanD's assessments and decided not to accede to the request for deferment. The Board then proceeded to the hearing of the representation and comments.

Presentation and Question Sessions

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

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

PlanD

Mr Kepler S.Y. Yuen

- DPO/TMYLW

Mr Alexander W.Y. Mak

- Senior Town Planner/Tuen Mun
(STP/TM)

Mr Keith C.H. Fung - Town Planner/Yuen Long West
(TP/YLW)

CEDD

Ms Iris S.F. Leung - Senior Engineer (SE)

Mr Jerry C.H. Law - Engineer

HD

Mr Barry T.K. Lam - Senior Planning Officer (SPO)

Ms Mina Y.M. Chiang - Senior Architect (SA)

Representers, Commenters and their Representatives

R1 – Tuen Mun Rural Committee (TMRC)

Mr To Shek Yuen] Representer's Representatives

Ms Chan Yuk Wan]

R2- Lai Ka Man

Ms Lai Ka Man - Representer

R4 – Join Smart Limited

Masterplan Ltd]

Mr Ian Brownlee] Representer's Representatives

Mr Benson Poon]

Ms Carmen Wong]

R5 – Take Harvest Limited

C4 – Ramboll Hong Kong Ltd.

C5 – Toco Planning Consultants Ltd.

C6 – CTA Consultants Ltd.

C7 – Landes Ltd.

C8 – John Hui & Associates

Mr Lau Po Hin, Henry]

Mr Ted Chan]

Mr Daniel Wei] Representers and Commenters'
Ms Jacqueline Lily Ho] Representatives
Mr Kwong Wing Kai]
Mr Ted Lam]
Mr Chan Ka Ho]

R6 – 兆康多事街坊組/屯結兆康

C2 – Lo Wai Ming

Mr Wong Ying Wai] Representers Representative and
Mr Lo Wai Ming] Commenter

R7 – Turbo Ice Company Limited (Turbo
Ice)

R21 – Chan Hin Hang

R22 – Leung Fung Hei

R23 – Chan Che Chiu

R27 – Kwok Ho Wang

R28 – Yuen Ka Ming

R31 – Chow Chun Sing

R32 – Yeung Yuk Choi

R44 – Tam Sze Man

R45 – Wong Lai

R46 – Lui Chun Ho

Ms Leung Fung Hei]
Mr Chan Hin Hang] Representers and Representers'
Mr Lam Wai Tat] Representatives
Mr Chan Che Chiu]

R8 - Kwong Kwan Heung Metal Ltd

Mr Chan Shu Hung - Representers Representative

R9 – So Chuen Yan

Mr So Chuen Yan - Representer

R13 – Tang Tak Sum

Mr Tang Tak Sum

- Representer

17. The Chairperson extended a welcome. He then briefly explained the procedures of the hearing. He said that PlanD's representatives would be invited to brief Members on the representations and comments. The representers and commenters would then be invited to make oral submissions. To ensure efficient operation of the hearing, each representer, commenter or their representative was allotted 10 minutes for making presentation. There was a timer device to alert the representers, commenters and their representatives two minutes before the allotted time was to expire, and when the allotted time limit was up. A Q&A session would be held after the representers, commenters and their representatives had completed their oral submissions in the morning/afternoon session. Members could direct their questions to the government representatives or the representers, commenters or their representatives. After the Q&A session, the government representatives and the representers, commenters and their representatives would be invited to leave the meeting. The Board would then deliberate on the representations and comments in their absence and inform the representers and commenters of the Board's decision in due course.

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

19. With the aid of a PowerPoint presentation, Mr Alexander W.Y. Mak, STP/TM, PlanD briefed Members on the representations and comments, including the background, the public housing development covering the San Hing Road site and its extension and Hong Po Road site under Amendment Items A and B (the public housing development), the grounds/views/proposals of the representers and commenters, planning assessments and PlanD's views on the representations and comments as detailed in TPB Paper No. 10828 (the Paper).

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

R1 – TMRC

21. Mr To Sheck Yuen, 1st Vice-chairman of TMRC, made the following main points:
- (a) the Government consulted TMRC in 2021 before gazettal of the draft OZP. The draft OZP and the government responses had reflected and addressed most of TMRC's views and comments;
 - (b) since 1986, Tsing Chuen Wai and Tuen Tsz Wai were zoned for village type development while San Hing Tsuen was planned for accommodating industrial uses. Ng Lau Road, San Hing Road and San Tat Lane were constructed at that time but no further facilities were provided by the Government to support the local communities especially for traffic enhancement. Against such background, the public housing development (together with development of the Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA) to the north) would have significant traffic impact on the said three villages;
 - (c) the recently completed housing developments in Tuen Mun Area 54 (Area 54) had already generated huge traffic impact and congestion at the Lam Tei Interchange. It was appreciated that the Government had taken account of TMRC's comments in expediting the construction of Road L7 to match with the population intake of the subject public housing development which could relief the traffic pressure on Lam Tei Interchange to some extent. The government should follow the transport infrastructure-led approach and further expedite implementation of the strategic roads such as Tuen Mun Bypass (TMB) and Route 11. Otherwise, the future traffic along Castle Peak Road between San Hing Road and HSK/HT NDA would exceed their road capacities; and
 - (d) the Government should offer suitable compensation and rehousing (C&R) arrangement for the affected stakeholders and handle their needs carefully. Most of the brownfield operations were only subject to short

term waivers and most of them were not the land owners. Some brownfield operations were handed down from their ancestors and the operators might not wish to relocate. Some affected stakeholders were living in squatters.

R2 – Lai Ka Man

22. With the aid of the visualiser, Ms Lai Ka Man, a Member of TMDC (Yan Tin constituency), made the following main points:

- (a) Area 54 had rapidly developed in recent years with completion of Novo Land, Yan Tin Estate, Ching Tin Estate and Wo Tin Estate with a total of about 100,000 population. There was a lack of transport planning and facilities in Tuen Mun and traffic issue would be the major concern and objection was raised when the Government first consulted TMDC on the subject public housing development in 2014;
- (b) the Preliminary Traffic and Transport Impact Assessment (PTTIA) was not justified. The traffic data was collected during 2018 when the majority of the new developments in Area 54 had yet to be completed and only Yan Tin Estate had started population intake;
- (c) although new roads such as Tsz Tin Road and Yan Po Road were opened in 2021, illegal on-street parking by private cars and heavy vehicles was common and that was partly due to reduction in car parks in the area after more land was resumed for housing developments. In that regard, more parking spaces should be provided in the public housing developments;
- (d) the local road links were very congested in peak hours especially at Lam Tei Interchange and various sections of Tuen Mun Road. The future traffic condition in Area 54 would be worsened when the six new bus routes commenced operation but improvement works for the bus terminus had not been completed;

- (e) the effectiveness of Road L7 to alleviate traffic congestion on Lam Tei Interchange was doubted as it would route through Ming Kum Road that was far away from Tuen Mun Road, and also had many traffic lights and give way lines for Light Rail Transit. Drivers would unlikely prefer to use that route; and
- (f) there was insufficient provision of healthcare services in Tuen Mun, resulting in long waiting time at the Tuen Mun Hospital, public health clinics and dental clinics. Comparing with the Queen's Hill Estate, there were inadequate community, recreational and transport facilities in the subject public housing development and those in Area 54. Those supporting facilities often could not be provided in time to match the population intake. There was no holistic planning for the provision of supporting community facilities and that had adversely affected the living quality of the local residents.

R4 – Join Smart Limited

23. In response to the enquiry of Mr Ian Brownlee, representer's representative, the Chairperson clarified that as the email and its attachments sent by the representative of R4 to the Board's Secretariat on 28.7.2022 was submitted after the statutory publication period of the draft OZP, it should be treated as not having been made under s.6A(3)(a) of the Ordinance and would not be tabled at the meeting. Representatives of R4 could cover the content in the oral submission.

24. With the aid of a PowerPoint presentation, Messrs Ian Brownlee and Benson Poon made the following main points:

- (a) the representation site of R4 had a long history. The s.16 planning application (No. A/TM-LTYYY/273) for a residential development at PR of 1 was approved by the RNTPC of the Board in 2014. The Board rejected the EOT application for commencement of development in 2018 but the TPAB allowed the EOT in 2021 and the planning permission was extended for four years. A JR was also lodged by R4 against the Board's decision not to agree

to a s.12A application (No. Y/TM-LTTY/8) for a higher PR development (maximum PR of 6.0). The JR was dismissed by the Court of First Instance and was subject to an appeal to the Court of Appeal;

- (b) two sets of GBPs for private residential developments on the representation site of R4 were approved by the Building Authority. One set of GBP at a lower PR of 1 (about 96 flats) was approved in 2021 and the other set at a PR of about 6.5 (about 624 flats) was approved in July 2022 (i.e. after the statutory publication period of the draft OZP). Both approved GBPs complied with the requirements of the relevant ordinances and could be considered as commenced development under the town planning regime;
- (c) in the memo to the Building Authority providing comments on the GBP (for the PR of 6.5 scheme), PlanD clearly stated that they had no statutory objection to approval of the GBP by the Buildings Department. PlanD indicated as advisory comments that according to the ES of the draft OZP, the site was intended for public housing development and from a district planning perspective, the proposed housing development submitted under the GBP was not in line with that planning intention;
- (d) the land exchange application was held up by LandsD due to the development intention for public housing at the site. The Government had taken away R4's right to implement the schemes with GBP approvals despite their full compliance with the statutory provision under the "R(A)" zone. The wordings in the ES that the "R(A)" site was for public housing had frustrated the implementation of the private housing development on the representation site of R4;
- (e) R4's private housing development could be implemented by 2026, that was earlier than the public housing development planned for completion in 2030-2033;
- (f) it was clarified that R4 had no intention to pursue the scheme with PR of 7.3 as submitted in the representation. A revised zoning boundary for the

proposed “R(A)1” was shown on the PowerPoint slide which excluded the private lots not under the ownership of R4;

- (g) a private housing scheme integrated with the public housing development was proposed which could achieve better public/private housing mix in the local area and meet the acute demand for private housing. As the representation site of R4 was at the fringe of the public housing development, its layout could be easily adjusted. According to their proposal shown on the PowerPoint slide, one primary school site would be removed and one residential block would be affected. However, the total PR and total number of flat production (i.e. 21,600) would remain unchanged and the only change was to replace 2.8% of the public housing units as private housing units. The proposed removal of one primary school was justified given the downward trend of school-age children and surplus of primary school places in Tuen Mun as shown in the Annexes X and XI of the Paper. As the total PR and flats would remain the same, a review of the technical assessments (e.g. sewage impact assessment) was not required and there would be no significant change to the potential impacts brought by the proposed development;
- (h) it was a good planning principle to create an integrated and sustainable community with suitable private/public housing mix to avoid a replica of the City of Sorrow of Tin Shui Wai. The most effective way was to assess the housing mix based on a neighbourhood scale, and with reference to the BEAM Plus Neighbourhood Design Manual, neighbourhood was defined as an area within 500m from the development site. Based on a 500m-radius from the representation site of R4 (covering about a 10 ha-area), the public-to-private housing mix of the planned and existing developments was about 98:2. If R4’s proposal for a private housing development was included, the ratio would be slightly improved to about 96:4. PlanD indicated that the existing/planned public-to-private housing mix in Tuen Mun was 53:47, however, using the district scale (which covered more than 2,200 ha of land) as a basis for assessing the public-to-private housing mix was not agreed. With reference to the government’s announced policy for a public-to-private

housing mix of about 70:30, the proposed public housing units at the amendment sites were excessive;

- (i) in the locality, the only private housing development was Novo Land, which could not meet the acute demand for private housing in Tuen Mun, especially for those families ineligible for public housing. As a rough indication, there was a huge over subscription for the flat sale in Novo Land; and
- (j) the Board was requested to rezone the representation site of R4 to “R(A)1” with the planning intention in the Notes for private housing with Government, institution or community (GIC) and retail uses. The wordings in the ES should also be amended accordingly.

[Mrs Vivian K.F. Cheung joined the meeting during the presentation of R4’s representatives.]

R5 – Take Harvest Limited

C4 – Ramboll Hong Kong Ltd.

C5 – Toco Planning Consultants Ltd.

C6 – CTA Consultants Ltd.

C7 – Landes Ltd.

C8 – John Hui & Associates

25. With the aid of the visualizer, Messrs Lau Po Hin, Henry, Ted Chan and Chan Ka Ho made the following main points:

- (a) although the planning application No. A/TM-LTYT/337 was approved by the RNTPC of the Board in 2017, land exchange was held up by LandsD. The Board subsequently rejected the EOT application on review in early 2022. The draft OZP should not deprive an applicant of the right to implement their approved development scheme. There would be a conflict if the draft OZP was submitted to the CE in C for approval after the hearing but the Appeal was subsequently allowed by the TPAB. The Board should consider to carve out the representation site of R5 and not to consider the land use zoning before determination

of the Appeal by the TPAB. The Government should revise the layout of the public housing scheme to incorporate R5's approved scheme for private housing. Besides, the hearing should have been adjourned to allow time for further discussion with the government on options to develop the site for private housing;

- (b) R5's proposal as submitted in the representation was a compromise. R5 was willing to confine the private housing development in a smaller site (about 50% of site area of the 2017 approved scheme under application No. A/TM-LTY Y/337) and would only necessitate minor amendment to the public housing scheme boundary without significant reduction in flat production. Relevant assessments submitted in the planning application stage demonstrated that the approved scheme of R5 had no adverse technical impacts. The private housing development by R5 would be implemented earlier than the public housing development as the land resumption process for implementing the public housing development would take a long time to settle;
- (c) R5 had submitted the land exchange application immediately after planning application No. A/TM-LTY Y/337 was approved in 2017. However, the land exchange process was delayed due to the government study on the public housing development. If not, the land exchange process for such a small scale development could have been completed within two or three years. Amendment Item A deprived the land owner of the right to implement an approved scheme in accordance with relevant ordinances and procedures. The delay in land exchange process was not reasonable, and resulted in the EOT application for commencement of development rejected by the Board;
- (d) Amendment Item A could not provide a balanced public/private housing mix. The proposed public housing scheme should be revised to reserve a small portion of land for private housing to achieve a more diversified community. The public-to-private housing ratio of 70:30 should be adopted in the current housing development. Increasing the

supply of private flats could help alleviate prices in the private housing market;

- (e) a cooperation approach should be adopted between the government and private sector to increase housing supply. The Private Sector Participation Scheme for developing Home Ownership Scheme units in the past was a good example;
- (f) in dealing with a residential development at Hammer Hill Road (i.e. Regent on the Hill) in the past, the Government had made adjustments and allowed the land owner to develop private housing on their land that was originally intended to be included in a public housing development site;
- (g) inadequate consultation was carried out by the Government on the public housing development. Only the TMDC had been consulted but not the relevant land owners; and
- (h) it was proposed to rezone the representation site of R5 to “R(A)1” for private housing development.

[Mr Stanley T.S. Choi joined the meeting during the presentation of R5’s representatives.]

R6 – 兆康多事街坊組/屯結兆康

C2 – Lo Wai Ming

26. Messrs Wong Ying Wai and Lo Wai Ming made the following main points:

- (a) residents of Tuen Mun usually had to travel for a long distance to other districts to work, and there were major concerns on the traffic congestion at Tuen Mun Road. There was no holistic transport planning to support the subject public housing development and Area 54. The transport infrastructure-led principle should be adopted, however, the strategic road networks such as Route 11 and TMB could

not be provided in time to match with the population intake of the public housing development;

- (b) the public housing development would generate an additional population of about 61,000, and after the full occupation of Novo Land, Ching Tin Estate and Wo Tin Estate, the total population in Tuen Mun would be more than 500,000. The proposed local road improvement works and the construction of Road L7 was not effective to address the key traffic problems. There would still be traffic congestion at Lam Tei Interchange and Tuen Mun Road at peak hours, as those were the bottleneck locations for trips to other districts;
- (c) the Tuen Ma Line (TML) was already operating over its capacity. Once the southern extension of TML was completed, even more people would use the railway. Instead, more bus routes should be provided in the area for direct transportation to destinations rather than relying on the overcrowded railway system. A comprehensive study on public transportation provision should be carried out;
- (d) the local stakeholders, including those from Tsz Tin Tsuen and Yan Tin Estate, had submitted adverse representations to oppose the amendments to the OZP. The Government should tackle such conflict in the local community;
- (e) parking facilities in the new public housing developments in Area 54 were inadequate which resulted in illegal parking on streets. Adequate parking spaces should be provided in the public housing development; and
- (f) the Government should provide adequate community facilities to address the demand of existing residents before adding more population to the area. Community facilities should be completed before population intake. For example, Yan Tin Estate was completed but the planned community hall and community facilities which would also

serve the nearby communities were not yet available to serve the new residents. There was also a shortage of 174 hospital beds in Tuen Mun District, but there were no concrete plans to address the shortage of healthcare facilities and services in the area.

R7 – Turbo Ice Company Limited (Turbo Ice)

R21 – Chan Hin Hang

R22 – Leung Fung Hei

R23 – Chan Che Chiu

R27 – Kwok Ho Wang

R28 – Yuen Ka Ming

R31 – Chow Chun Sing

R32 – Yeung Yuk Choi

R44 – Tam Sze Man

R45 – Wong Lai

R46 – Lui Chun Ho

27. With the aid of visualizer and site photos, Ms Leung Fung Hei, Mr Chan Hin Hang and Lam Wai Tat made the following main points:

- (a) Turbo Ice introduced an ice production system to provide clean ice for human consumption in the 1980s. Ice industry was essential for cold food and drinks that was consumed by people of Hong Kong on a daily basis. The ice industry also facilitated the fisheries industry, wet market as well as construction industry (for concrete mixing purpose). There were four major ice factories in Hong Kong, and Turbo Ice shared about 30% of the ice industry market. As their ice production factory needed extensive floor space for large machineries which were heavy and tall, high usage of electricity and the need for adequate heat dissipation system that was difficult to operate in an industrial building, they relocated their factory from an industrial building in Tuen Mun to the current location at San Hing Tsuen as a rural industry operation;

- (b) there was a lack of support from the Government since the public housing development was firstly announced in 2014, and it had been very stressful to know that their land might be resumed by the Government. There was no clear policy direction for rural industries. It was not possible to move their factory to the Mainland due to cost and transportation requirements;
- (c) very little land was reserved in the Northern Metropolis for rural industries to relocate. They had tried to identify suitable premises in the industrial estates and the offers were not affordable for them as ice industry was not a high profit-making business and there was fluctuating demand with the peak in the summer time. They were unable to identify any suitable and affordable relocation sites. Also, there were other difficulties for their operation such as requirement for additional licence for ice production since 2011/2012. These situations might only force them to be phased out or to cease operation. It was hoped that a clear direction and guidelines could be provided by the Government to support rural industries which were essential for supporting the daily needs of the society and their business also offered employment opportunities to more than 100 employees; and
- (d) it was suggested to exclude the ice factory from the public housing development site. By relocating the proposed sewage pumping station as shown in the conceptual scheme, the ice factory could stay in-situ and could co-locate with the public housing development. They did not want their land to be resumed.

R8 - Kwong Kwan Heung Metal Ltd

28. Mr Chan Shu Hung said that their factory had been operating for about 40 years to support the construction industry. Large and heavy machineries, from 1,500 kg to 9,000 kg in weight, were involved in the operation which were not suitable to be relocated to industrial buildings. The rental in industrial estates was too high which they could not afford.

R9 – So Chuen Yan

29. Mr So Chuen Yan made the following main points:

- (a) he operated a container yard in support of the logistics industry. The operation had been relocated from several other areas previously also due to land resumption. There were no suitable relocation sites for them to continue their operation. The rental was high in brownfield sites due to high competition for such type of land. They could not afford the high rental especially under bad economic situation during the pandemic; and
- (b) in terms of their operation, adequate spaces for parking of container vehicles would be required. The heavy machineries could only be stored at ground level which increased the difficulty for finding a suitable relocation site.

R13 – Tang Tak Sum

30. Mr Tang Tak Sum, residents' representative of Tze Tin Tsuen, made the following main points:

- (a) he did not object to the public housing development;
- (b) the Government should adopt a holistic approach in planning Tuen Mun rather than a piecemeal approach. The Government should provide supporting facilities for the community while planning for additional population in the area. There were concerns over the traffic congestion and illegal parking along Yan Po Road and Hong Po Road that was commonly observed especially at night time. Hospital services to the local residents were inadequate and there was long waiting time at the Tuen Mun Hospital and public clinics;
- (c) sufficient buffer with landscaping measures should be provided between the graves/permitted burial grounds and the public housing

development to avoid direct view of the graves from the flats and complaints from residents; and

- (d) brownfield operations contributed to supporting the local economy and there was a need to maintain some brownfield operations such as logistics industry, storage and parking uses. Phasing out the brownfield operations would create hardship for the employees and their families.

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

Rural Industries and Brownfield Operations

32. Some Members raised the following questions to the representatives of R7:

- (a) the operation and daily traffic generated by the ice factory; and
- (b) the difficulties to relocate the ice factory to other sites such as industrial estates.

33. In response, Ms Leung Fung Hei, Mr Chan Hin Hang and Lam Wai Tat, representatives of R7, made the following main points:

- (a) there were four to five ice factories in Hong Kong that produced ice products to supply to eating places, food/drink productions, wet market as well as for mixing concrete in the construction industry. During the summer time, ice factories usually operated 24 hours a day to provide a stable ice supply to meet the peak demand. However, the demand for ice supply might be lower in winter time. Not many companies were willing

to invest in the industry as the revenue over the years was not stable and it was difficult to increase their price. As such, their ice factory also had to sell some groceries to supplement their overall earnings. More than 30 vehicles trips would be generated daily for ice delivery (including ice for construction use) with the most trips between 3 a.m. and 6 a.m. in the non-peak hours, and in addition, they delivered ice to restaurants four times a day until midnight. As their factory was located near a major road, there was no adverse traffic impact on the local road network; and

- (b) there was not much land zoned “Industrial (Group D)” (“I(D)”) and available for rural industries in the New Territories North. The price of land suitable for rural industries had already risen to about \$3,000 to \$4,000 per ft² due to the high demand from rural industries and brownfield operations. They had also explored the industrial estates for possible relocation sites. Two sites in Yuen Long Industrial Estate (YLIE) and Tai Po Industrial Estate (TPIE) were offered for their consideration. For the YLIE site (about 45,000 ft²), a factory could be tailor-built to meet their operation needs but the rental was extremely high and would be equivalent to the gross profit of their company and only for a maximum rental period up to 15 years. For the TPIE site that was smaller (the gross floor area was about 8,000 ft²), the rental period was up to 2047 and the rental cost was also high. It was difficult to relocate the ice factory to a suitable permanent site when also considering the high capital cost for building the new factory and the relocation costs.

34. Some Members raised the following questions to the government representatives:

- (a) what the government policy was on land resumption and relocation of brownfield operations; and
- (b) whether there was any policy to reserve land for industrial uses.

35. In response, with the aid of some PowerPoint slides and visualizer, Mr Kepler S.Y. Yuen, DPO/TMYLW, PlanD made the following main points:

- (a) the government did not have a ‘one-on-one’ re-provisioning arrangement for the affected brownfield operations in the New Territories. Eligible business undertakings would be offered ex-gratia allowances according to the prevailing C&R arrangements and land resumption for public housing developments would be based on Tier One rate according to the latest government policy. Should the operators wish to relocate their operations to other suitable sites in the New Territories, the ‘Town Planning Board Guidelines on Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 13F) promulgated by the Board had set out the criteria for suitable relocation to channel brownfield operations. The relevant government departments would also provide assistance and advice on planning and land matters if operators had identified suitable relocation sites. Feasibility studies had been carried out for sites in Lam Tei Quarry, Lung Kwu Tan or other areas in the New Territories North to cater for some special industrial uses. Multi-storey buildings for brownfield operations would be built in the HSK/HT NDA and Yuen Long South (YLS) Development; and

- (b) there was no policy for reserving a fixed percentage of land for industrial uses in the Territory, and it depended on a number of factors, including market demand, provision of employment opportunities etc. There was no information regarding the current percentage of industrial land in the Territory on hand. For the Tuen Mun District, most of the industrial land was located within the Tuen Mun New Town. On the Tuen Mun OZP, about 42 ha of land (i.e. 1.85% of the planning area) were zoned “Industrial” (“I”) and some special industrial uses were zoned “Other Specified Use” (“OU”) in Tuen Mun West. For the Lam Tei and Yick Yuen planning area, there was currently no land under “I” zoning. There were areas previously zoned “I(D)” in the 1990s for rural industries but those areas were subsequently rezoned for other uses.

36. A Member enquired whether slight amendment to the layout of the public housing development could be made to allow the ice factory to stay in-situ. With the aid of visualiser,

Ms Leung Fung Hei and Mr Chan Hin Hang, representatives of R7, said that the ice factory was at the southern tip of the Amendment Item A site where a sewage pumping station was proposed according to the layout plan. Excising the ice factory site would not affect the public housing supply and could allow the continuous operation of the ice factory. By showing the layout plan on Plan H-6, Mr Kepler S.Y. Yuen, DPO/TMYLW, PlanD clarified that the ice factory site would interface with a residential tower instead of the proposed sewage pumping station. The concerned area had been zoned “R(E)” on the OZP since 2000 with the intention to phase out industrial uses by residential developments. Keeping the ice factory in-situ would create industry/residential interface issue and would not be desirable from the land use compatibility perspective.

37. In response to a Member’s question about the number of existing employees in their operations, Ms Leung Fung Hei (representative of R7), Messrs Chan Shu Hung (representative of R8) and So Chuen Yan (R9) supplemented that their operations had about 120, 20 and 60 employees respectively. In view of the special needs of the ice production industry, Ms Leung Fung Hei (representative of R7) further urged the government to provide them with a reprovisioning site and reiterated that they did not wish to cease operation. Mr Chan Shu Hung (representative of R8) agreed with R7’s proposal for government to provide them with a reprovisioning site. Mr So Chuen Yan (R9) said that land for brownfield operations was required to support the logistics industries.

Traffic and Transport

38. Some Members raised the following questions:

- (a) how the traffic bottleneck at Lam Tei Interchange could be alleviated, what the local traffic improvement works were, and whether completion of those improvement works could tie in with the population intake of the public housing development;
- (b) whether Road L7 was not effective to address the traffic impact as presented by some representers;

- (c) whether the capacity of TML could cater for the additional population from the public housing development;
- (d) whether there were any comprehensive transport network improvements in the Tuen Mun District; and
- (e) what the parking facilities in the public housing development were and whether parking spaces would be further increased to address the local illegal parking issue.

39. In response, with the aid of some PowerPoint slides and visualizer, Mr Kepler S.Y. Yuen, DPO/TMYLW, PlanD and Ms Iris S.F. Leung, SE, CEDD, made the following main points:

- (a) the PTTIA proposed local improvement works at seven road junctions, re-alignment and/or upgrading of Hong Po Road and construction of Road L7 to address the traffic flows generated from the public housing development. These local improvement works were under review and design, and targeted for completion in 2030 to tie in with the population intake;
- (b) as shown on Plan H-7b, the Lam Tei Interchange was closer to the amendment sites, but drivers heading southbound might choose to use Road L7 with less traffic to access the Tsing Tin Interchange;
- (c) it was estimated that the public housing development would generate about 4,000 patronage per hour during peak hours (i.e. about 8% of the existing capacity of TML). The MTRCL would closely monitor the capacity of the railway services and would enhance the frequency of trains as needed;
- (d) the Government was conducting the Strategic Studies on Railways and Major Roads beyond 2030 to investigate the layout of railway and major road infrastructures in the Territory. Several feasibility studies on strategic road and railway networks had also been conducted, including study on the TMB (connecting Yuen Long Highway, Tuen Mun Road and Tuen Mun-Chek Lap Kok Link Road without passing through Tuen Mun

Town Centre) and Route 11 (connecting Tsing Yi, Northern Lantau, So Kwun Wat and Lam Tei Interchange). There would also be additional railway stations in TML, estimated to be opened from 2030, at HSK, Tuen Mun Area 16 (Area 16) and near Tuen Mun Ferry Pier. These strategic road and railway networks would address the traffic congestion in Tuen Mun Road in the long run. Although these strategic road networks were targeted for completion in 2036 the earliest, and the population intake for the public housing development would be from 2030 to 2033 in phases, the PTTIA had confirmed that local traffic improvements would not rely on completion of these strategic road and railway networks; and

- (e) the ancillary parking provision of the public housing development would be subject to detailed design. In order to provide more ancillary parking spaces, the high end provision under the latest requirements in the Hong Kong Planning Standards and Guidelines (HKPSG) was assumed in the PPTIA. The provision of more public parking spaces in the planned GIC facilities in Area 54 was also being studied.

Overall Planning and Design of the Public Housing Development

40. Some Members raised the following questions:

- (a) the public/private housing mix in Tuen Mun District;
- (b) the proportion of private land in the Amendment Item A and B sites;
- (c) the demand and planned provision of school places in the public housing development and whether the school site could be used for other purposes;
- (d) the population profile of future residents of the public housing development and its implication on the future school-aged children to be catered for in schools in the public housing development;

- (e) the planning for hospital beds and social welfare facilities in Tuen Mun District and how the demand for such facilities from the future residents of the public housing development could be catered for;
- (f) whether there were larger scale recreation and leisure uses planned to serve the some 61,000 new residents of the public housing development;
- (g) the existing land uses on the amendment sites that were previously zoned “Green Belt” (“GB”) and whether the previous “GB” area was for providing a buffer between rural and development areas;
- (h) whether there were permitted burial grounds or graves nearby and how their impact on the public housing development could be mitigated;
- (i) how the employment needs of future residents could be addressed so as to minimise cross-district work trips; and
- (j) whether the China Light and Power (CLP) 400kV overhead power lines (OHLs) and pylons could be removed/replaced underground in the long run.

41. In response, with the aid of some PowerPoint slides and visualizer, Mr Kepler S.Y. Yuen, DPO/TMYLW, PlanD and Ms Mina Y.M. Chiang, SA, HD, made the following main points:

- (a) based on the information of 2016 By-census, the existing public-to-private housing mix in Tuen Mun District was about 53:47. Taking into account all the existing and planned developments in the district, the public-to-private housing ratio would be about 51:49. For newly planned areas such the HSK/HT NDA and YLS Development, a public-to-private housing mix of 70:30 as recommended in the Long Term Housing Strategy would be targeted. Such housing mix was seldom assessed on a small scale neighbourhood basis;

- (b) as shown on Plans H-2a and H-2b, the San Hing Road site and its extension (Amendment Item A) was mainly private land and about half of the land in the Hong Po Road site (Amendment Items A and B) was private land;
- (c) based on the advice of the Education Bureau (EDB) and the requirements of the HKPSG, sites for four primary schools and one secondary school were reserved for the planned population of about 61,000 under the EFS. Regarding the concerns about possible surplus of school places, the EDB would be further consulted in the detailed design stage on the need to retain all the reserved school sites, which might also be for re-provisioning of existing schools in the Tuen Mun District. Should EDB confirm that any of the school site was not required in the detailed design stage, it could be reviewed for other community uses;
- (d) there was no information on the population profile of the future residents. However, making reference to the territorial demographic data provided by the Census and Statistics Department, it could be roughly estimated that there would be about 1,280 kindergarten-aged children, 2,780 primary school-aged children and 3,230 secondary school-aged children in the public housing development (with a population of 61,000);
- (e) according to the HKPSG, there would be a deficit of 174 hospital beds in the Tuen Mun District. Hospital services for the Tuen Mun and Yuen Long areas were under the New Territories West Cluster (NTWC) of the Hong Kong Hospital Authority. There were a number of hospital (re)development projects planned in the Second Ten-year Hospital Development Plan to provide additional beds. For examples, a site was reserved for a new hospital development in the HSK/HT NDA (about 1,500 beds) and there was a review for expansion of the Tin Shui Wai Hospital. For social welfare facilities, the Social Welfare Department (SWD) would confirm the provision in the detailed design stage and child care centre, neighbourhood elderly centres, residential care home for the elderly and day care unit and integrated children and youth services centre were preliminarily proposed to be provided in the public housing development.

According to the Notes of “R(A)” zone, GIC facilities as required by the Government would be excluded from GFA calculation. As such, there would be flexibility on the provision of GIC facilities. The non-domestic PR of 0.5 in the public housing development could be for provision of kindergarten and retail uses;

- (f) the town centre of HSK/HT NDA planned around the proposed HSK Station would be developed into a regional economic and civic hub, with recreation and community facilities, that would serve the population in the Northwest New Territories. It was estimated to be completed by phases in 2030 onwards. The amendment sites were only one railway station from the HSK Station (planned for opening around 2030);
- (g) as shown on Plans H-2a and H-2b, most of the land in the amendment sites were occupied by brownfield operations, vacant or with limited agricultural activities. The amendment sites, though previously zoned “GB”, were not serving as a buffer between rural and development areas;
- (h) the public housing development sites did not encroach onto any permitted burial grounds but there were some graves in scattered locations to be affected. The proposed Road L7 would inevitably encroach onto a small portion of a permitted burial ground and affect some graves. Mitigation measures would be explored and implemented as far as practicable. Visual mitigation measures such as landscape screening or other building design measures would be considered to avoid direct view of graves from housing units. For example, for the Hong Po Road Site, a 15m-wide buffer would be provided with appropriate landscape screening between the closest building blocks and the permitted burial ground;
- (i) there would be about 150,000 employment opportunities in the HSK/HT NDA, and the majority would be in the phase two development to be implemented from 2024 to 2032. This would tie in with the population intake of the public housing development from 2030 to 2033 by phases.

Some industrial and commercial uses and GIC facilities in Tuen Mun would also provide local employment opportunities for future residents; and

- (j) the 400kV OHLs running in an east-west direction was part of the strategic electricity network connecting to the Black Point Power Station in Lung Kwu Tan. Whilst technically feasible, the relocation/replacement of the OHLs might have implications on engineering, time, cost etc. There was no information on hand regarding whether CLP had any long term plan to replace the OHLs.

Site Specific Proposals for Private Residential Developments (R4 and R5)

42. Some Members raised the following questions:

- (a) whether it was possible to slightly amend the layout to integrate the private housing developments proposed on the representation sites for R4 and R5; and what the implications would be for such amendments on the public housing development e.g. flat production;
- (b) with regard to the example mentioned by R5 where the Government had adjusted the layout of a public housing site at Hammer Hill Road to allow a private development to proceed, whether there was similar scope for private housing to be allowed at the amendment sites;
- (c) whether there was an approved GBP for a private residential development with PR of 6.5 on the representation site of R4;
- (d) whether R4 had no objection to the “R(A)” zone;
- (e) substantiation on R4’s grounds that the total flat production would not be affected if the representation site of R4 was for a private housing development; and
- (f) what the PR of R5’s proposal was.

43. In response, with the aid of some PowerPoint slides and visualizer, Mr Kepler S.Y. Yuen, DPO/TMYLW, PlanD and Ms Mina Chiang, SA, HD made the following main points:

- (a) the representation sites of R4 and R5 were respectively located in the western and eastern portions of the San Hing Road site. As shown on the preliminary site layout plan on Plans H-13e and H-13f, R4's proposal (with six building blocks) would overlap one housing block, one proposed primary school site and internal road of the public housing development. As shown on Plan H-14e, R5's proposal (with one building block) would overlap a portion of the podium of the housing development and some internal road areas;
- (b) although private and public housing developments were compatible in land use terms, the public housing development was planned in a holistic manner and the layout was based on the assessments and recommendations of the EFS. An Environmental Impact Assessment (EIA) had been conducted in accordance with Environmental Impact Assessment Ordinance (EIAO). Incorporating the two proposed private developments into the scheme would necessitate a review of the development layout and technical assessments that would inevitably affect the programme of the public housing development;
- (c) it was not possible to ascertain whether the changes to the layout by incorporating the proposed private developments would affect the total flat production;
- (d) the Hammer Hill case had its own history and specific circumstances. Each case had to be considered based on its merits and the prevailing government policies; and
- (e) R4 submitted a set of GBP in May 2022 for 'Flat' use with PR of about 6.5 and building height of about 82mPD on their representation site that was zoned "R(A)" under the draft OZP. As 'Flat' was always permitted under

“R(A)” zone and the proposed development parameters complied with the statutory restrictions, PlanD raised no objection to the GBP from statutory planning point of view. However, district planning comments were conveyed to R4 that their proposed development was not in line with the planning intention as stated in the ES that the site was intended for public housing development. The Building Authority approved the GBP in July 2022.

44. In response, with the aid of some PowerPoint slides, Messrs Ian Brownlee and Benson Poon, representatives of R4, made the following main points:

- (a) the government’s view that substantial review of the public housing scheme would be required for incorporating R4’s private housing proposal was not agreed. It only required removing one of the school sites, which was not a problem as there was surplus of school places. The layout at the present stage was conceptual and such minor changes could be dealt with later in detailed design. Major revisions of the assessments such as on traffic and sewerage impacts would also not be necessary as the total number of flats (i.e. 21,600) would not be changed. R4’s proposal would only convert 624 flats from public to private housing units, and that was only 2.8% of the total flat production. Such minor amendment of the layout could be easily assessed by an environmental review and would not delay the public housing development;
- (b) R4 supported the “R(A)” zoning for high density residential development on the representation site of R4 but did not support the site being reserved for public housing. R4 proposed that their site be rezoned to “R(A)1” or other sub-zone as the Board considered appropriate, with clear planning intention for private housing. Based on the current public housing development, it would not achieve the desirable public-to-private housing mix of 70:30 in the neighbourhood and would create adverse social impacts; and

- (c) R4 did not agree with PlanD's view to assess the public/private housing mix based on the entire Tuen Mun New Town as most of the private developments were in the southern part of Tuen Mun while there was excessive public housing in the northern part. By making reference to the BEAM Plus Neighbourhood Manual, a desirable neighbourhood scale should be within about ten minutes walking distance. That should be adopted for considering the housing mix as people could interact and meet up easily in the neighbourhood. It was undesirable to have a public-to-private housing mix of about 96:4 on a neighbourhood scale.

45. Mr Ted Chan (representative of R5), with the aid of visualizer, supplemented that according to their proposal submitted in the representation, the site area was about 1,500 m², the PR was about 2.53 with building height of 72.5m (80mPD) (under the approved scheme of application No. A/TM-LTYT/337, the site area was about 3,800 m² with PR of 1.0 and building height of 16.5m (about 24mPD)). Their proposal, with a lower PR, should be considered compatible with the public housing development. Besides, R5 supported the "R(A)" zoning and the permitted PR of 6.5 and would welcome discussion with the Government to develop the site under a public-private partnership approach (similar to the previous Private Sector Participation Scheme for building Home Ownership Schemes).

[Professor Roger C.K. Chan left the meeting temporarily and Messrs Ricky W.Y. Yu and Wilson Y.W. Fung left the meeting during the Q&A session.]

46. As Members had no further questions to raise, the Chairperson said that the Q&A session for the morning session was completed. He thanked the government representatives, the representers/commenters and their representatives for attending the meeting. The Board would deliberate on the representations/comments in closed meeting after all the hearing sessions were completed and would inform the representers/commenters of the Board's decision in due course. The government representatives, the representers/commenters and the representatives of representers/commenters left the meeting at this point.

47. The meeting was adjourned for lunch break at 2:20 p.m.

48. The meeting was resumed at 2:55 p.m.

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

Permanent Secretary for Development
(Planning and Lands) (Acting)
Mr Vic C.H. Yau

Chairperson

Mr Lincoln L.H. Huang

Vice-Chairperson

Dr C.H. Hau

Mr Stanley T.S. Choi

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Mr K.W. Leung

Professor John C.Y. Ng

Professor Jonathan W.C. Wong

Professor Roger C.K. Chan

Mrs Vivian K.F. Cheung

Mr Timothy K.W. Ma

Chief Traffic Engineer/New Territories West
Transport Department (Acting)
Mr M.Y. Tse

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

Assistant Director (Regional 2)
Lands Department
Mr Ryan M.Y. Choy

Director of Planning
Mr Ivan M.K. Chung

50. The following government representatives, representers, commenter and representers' representatives were invited to the meeting at this point:

Government Representatives

PlanD

Mr Kepler S.Y. Yuen - DPO/TMYLW
Mr Alexander W.Y. Mak - STP/TM
Mr Keith C.H. Fung - TP/YLW

CEDD

Ms Iris S.F. Leung - SE
Mr Jerry C.H. Law - Engineer

HD

Mr Barry T.K. Lam - SPO
Ms Mina Y.M. Chiang - SA

Binnies HK Limited

Mr. Tony Lee - Principal Engineer

Representers, Commenter and Representers' Representatives

R15 – Li Cheong Fai

Mr Li Cheong Fai - Representer

R47 – 朱建光

R48 – Siu Yip Chi

R49 – Tin Shun Mui

R63 – 張國傑

R64 – 周偉雄

R65 – Tso Kam Ming

Mr Tso Kam Ming - Representer and Representers'
Representative

R50 – Fu Yin Ping

R54 – Fu Yin Lin

Ms Tang Yee Ping

- Representers' Representative

R51 – Fu Chun Wai

R55 – Lai Suk Yin

Mr Fu Chun Wai

- Representer and Representer's
Representative

R52 – Fu Chak Yiu

R53 – Fu Chak Fai

R60 – Fu Chak Chung

Mr Fu Chak Fai

- Representer and Representers'
Representative

R56 – Guo Gen Ye

R57 – Fu Chak Wing

R58 – Kwok Ping

R59 – Han Ai Xia

Mr Fu Chak Wing

- Representer and Representers'
Representative

R61 – To Tak Sau

R267 – Fan Lai Fong

R268 – To Wing Shuen Janie

R269 – To Chi Wing

Mr To Tak Sau

- Representer and Representers'
Representative

R67 – Siu Shu Ching

Mr Siu Shu Ching

- Representer

R70 – Chan Kam Wing

Mr Chan Kwan Lam - Representor's Representative

R72 – 陳頌康

Ms Koo Yuk Hung - Representor's Representative

R74 – Lai Sau Lai

Ms Lai Sau Lai - Representor

R76 – Siu Kuen Sang

Mr Siu Kuen Sang - Representor

R78 – Chan Kam Hung

Mr Chan Kam Hung - Representor

R84 – Cheng Po Wah

Mr Cheng Po Wah - Representor

R107 – Tam Chi Sing

R273 – 陶國強

Mr Tam Chi Sing - Representor and Representor's Representative

R114 – 譚志光

Mr Ng Kwan - Representor's Representative

R365 – Leung Kwok Wai

Mr Leung Kwok Wai - Representor

R397 – Siu Wing Chung

Mr Siu Wing Chung - Representor

R417 – Wong Chor Man

R418 – Chow Lai Fan

Mr Wong Chor Man - Representer and Representer's Representative

R421/C11 – Mary Mulvihill

Ms Mary Mulvihill - Representer and Commenter

51. The Chairperson extended a welcome to the government representatives and the consultant, representers, commenter and the representers' representatives. He then invited the representers, commenter and representers' representatives to give their oral submissions.

R15 – Li Cheong Fai

52. Mr Li Cheong Fai, a resident of Villa Pinada in Tuen Mun, made the following main points:

Traffic and Transport Aspect

- (a) the traffic condition of the area was satisfactory previously but worsened after the completion of Yan Tin Estate. The traffic was impeded by serious illegal roadside parking and heavy pedestrian traffic from Hong Po Road to the Siu Hong Station of the Tuen Ma Line (TML) in the morning. The illegal parking had also caused a few traffic accidents in the area;
- (b) the traffic congestion problem in Tuen Mun town centre had been worsening since the commissioning of Tuen Mun-Chek Lap Kok Link Road and completion of Ching Tin Estate. The public housing development would aggravate the problem; and

Hospital Provision

- (c) the public housing development would adversely affect the already inadequate services of Tuen Mun Hospital which was reflected from its long waiting time.

R47 – 朱建光

R48 – Siu Yip Chi

R49 – Tin Shun Mui

R63 – 張國傑

R64 – 周偉雄

R65 – Tso Kam Ming

53. With the aid of a PowerPoint presentation including audio recording, Mr Tso Kam Ming made the following main points:

Impacts on Existing Occupants

- (a) Mr Tso represented a number of existing residents at the squatters in San Hing Tsuen and Chung Shan Tsuen. They had been living in squatters for decades. They had taken root in the community and some of them earned their livings in the area, e.g. working as farmers. The public housing development would render them homeless and adversely affect their livings. They objected to the amendments on the draft Lam Tei and Yick Yuen Outline Zoning Plan (the draft OZP);
- (b) Hong Kong was a civilised society where the well-beings of the disadvantaged should be protected. Under the current development plan, the Government chose to sacrifice the existing residents at the representation site (the site) for the provision of public housing. Compared with old trees, ancient graves or endangered animals that could be preserved at the site, the lives of the affected residents seemed worthless;
- (c) the school proposal was not justified given that the population of Hong Kong was already shrinking and there were insufficient school-age children to support the operation of many existing schools. If the school proposal could be withdrawn and the existing residents thereat could stay, there could be a harmonious co-existence of urban and rural livings;

- (d) the affected occupants demanded ‘no removal no demolition’ or adequate compensation for them to buy their own flats. However, the Government paid no heed to their requests and had not offered any reasonable compensation and rehousing (C&R) package. In particular, it would be difficult for them to meet the criteria for rehousing at the Hong Kong Housing Authority (HKHA)’s public housing as they would not be able to fulfil the stringent means test. The ex-gratia allowance of about 1.27 million dollars was not enough to buy another flat or pay rents. The Government should make available a suitable C&R package before proceeding to any land resumption and clearance;

Public Consultation

- (e) in the whole planning and resumption process, the Government had acted hypocritically and never undertaken genuine public consultation. The draft OZP was gazetted on 20.8.2021, just two days after the Government had met the affected residents and brownfield operators on 18.8.2021. The Lands Department (LandsD) also issued an order to the affected residents on 20.8.2021 for clearing the land by 2025. Instead of making themselves available to clearly explain the matters to affected residents, the staff of LandsD only left a pamphlet on C&R arrangements to each affected household. The residents felt helpless as that pamphlet was hard to comprehend while it was very difficult to contact LandsD for more information;
- (f) all government departments only took care of their own duties and paid no attention to the hardship faced by the affected residents;
- (g) the Paper received in July 2022 only provided superficial responses to representers’ objection grounds. There was virtually no response to the C&R arrangements for the affected residents;

Others

- (h) the Government should not take forward the public housing development

which would add tens of thousands of people in Tuen Mun. It would make the living environment of the Tuen Mun New Town even more congested than Mong Kok. The Government should provide satisfactory traffic, hospital and social services before any further increase of population in Tuen Mun New Town; and

- (i) instead of developing the site, the Government should make use of the fringe areas of the Country Parks to provide housing.

R50 – Fu Yin Ping

R54 – Fu Yin Lin

54. Ms Tang Yee Ping, who represented her family to attend the hearing, made the following main points:

Impacts on Existing Occupants

- (a) the Government proposed to resume the site for public housing development but failed to resolve the rehousing need of the affected residents. Currently, there was no affordable housing in the market for affected residents, especially retirees. If affected residents were not qualified to apply for HKHA's subsidised sale flats, they would become homeless. The Government's effort in providing housing to people in need would in turn render another group of people homeless, facing the same housing problem that the Government intended to resolve; and

School Provision

- (b) currently there were not enough school-age children to support the operation of many existing schools in Hong Kong and some schools had to be closed. Provision of additional schools at the site was not justified. If less schools were proposed, the extent of land resumption could be reduced and less existing residents would be affected.

R51 – Fu Chun Wai

R55 – Lai Suk Yin

55. Mr Fu Chun Wai, who represented his family to attend the meeting, made the following main points:

Impacts on Existing Occupants

- (a) Mr Fu and his family were not welfare recipients or public housing tenants. They, like many other affected residents, would not be able to pass HKHA's stringent means test for allocation of public housing units and their saving was simply not enough for purchasing another flat or paying rent for a long period of time. Even if he could afford the rental, he could not afford to raise any children while the birth rate of Hong Kong was already very low. The public housing development would in fact create another housing problem;
- (b) the public housing development would affect brownfield operations. Due to the proximity to the Kong Sham Western Highway, the existing logistics and transport industries at the site played an important role in serving the cross-boundary traffic across Shenzhen Bay. They would not be able to perform this economic function after their clearance for the public housing development as it was difficult for them to relocate their business;
- (c) building more public housing should not be the only solution to address the housing shortage problem. HKHA should strengthen the income and asset tests of the existing tenants and applicants of the public rental housing to avoid abuse of the precious public housing resources. In addition, HKHA should not use the precious land resources to provide parking spaces for private vehicles in public housing estates as their focus should be on meeting the housing demand of those in need. The land proposed for provision of car parking spaces should not be resumed;

- (d) the public housing development included four primary schools and one secondary school with generous provision of basketball courts. The proposal failed to take into account the excessive supply of school places in Hong Kong. If the land required by the schools was reduced, less existing residents would be affected;
- (e) LandsD's arrangement with the affected occupants was objectionable as they suddenly issued a clearance notice without making themselves available for briefing the affectees;

Hospital Provision

- (f) according to the Town Planning Ordinance (the Ordinance), plan making should promote the health, safety, convenience and general welfare of the community. The public housing development was not in line with this intention. Taking hospital service as an example, while the Government had committed that future medical services would be adequate, Tuen Mun Hospital was already unable to provide timely services and the current waiting time of patients was very long. The public housing development accommodating about 61,000 residents would worsen the problem; and

Traffic and Transport Aspects

- (g) the public housing development would aggravate the traffic congestion and parking problem of Tuen Mun town centre and the congestion at Lam Tei Interchange and roads near Siu Hong. The living quality of the residents in Tuen Mun would deteriorate and the impacts might even spill over into the Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA) or Yuen Long. In gist, the Government should provide all necessary facilities and services before adding such a large amount of population.

R84 – Cheng Po Wah

56. Mr Cheng Po Wah made the following main points:

- (a) he was living in a squatter in Chung Shan and requested the Government not to clear his home for the public housing development;
- (b) the government, institution and community (GIC) provision in Tuen Mun had failed to meet the demand of the residents for a very long time. For example, while major housing estates including Yau Oi and On Ting Estates were completed as early as 1979, the Tuen Mun Town Hall was not in operation until 1987. The Government now proposed another development with substantial increase in population of the Tuen Mun New Town. The next generation in the New Town would probably face the same old problem of inadequate GIC provision; and
- (c) the overhead cables (OHLs) at the site would cause nuisance to the future residents as the OHLs would make strange noise when the weather was humid or rainy.

R52 – Fu Chak Yiu

R53 – Fu Chak Fai

R60 – Fu Chak Chung

57. Mr Fu Chak Fai made the following main points:

Impacts on Existing Occupants

- (a) the stakeholders never supported the land resumption proposed by the Government because the Government did not respect the affected residents, failed to keep close contacts with them, and did not provide satisfactory C&R arrangements. The Government only took an attitude that they were empowered to undertake land resumption and the public housing development would go ahead anyway, regardless of the feeling of the

affectees;

- (b) the Government would avoid encroaching upon land where crabs were found for wildlife protection sake, but not for land occupied by people. It was doubtful whether the affected residents were considered inferior to crabs;

School and Parking Provisions

- (c) school planning for the site had not taken into account the latest circumstances in that there were vacant school premises in the nearby Leung King Estate and with the low population growth in Hong Kong, the proposed schools would only add to the school surplus;
- (d) the Government should not provide so many parking spaces for private cars at the site as the public housing development should be intended for low-income people. The provision would only encourage car ownership; and

Hospital Provision

- (e) the Government indicated that the medical need of the future residents at the site would be met by the planned hospital in the HSK/HT NDA. If so, the medical need of the future residents in the HSK/HT NDA might not be met. The local service need should be met locally, not in another district.

R56 – Guo Gen Ye

R57 – Fu Chak Wing

R58 – Kwok Ping

R59 – Han Ai Xia

58. Mr Fu Chak Wing made the following main points:

- (a) he had been living in the village for about half a century and ran a small business there;

Impacts on Existing Occupants

- (b) with the Government's resumption of his land, he would not be able to continue his business, resulting in the loss of economic support for his family; and
- (c) the compensation was not enough to buy another flat and continue his business.

R61 – To Tak Sau

R267 – Fan Lai Fong

R268 – To Wing Shuen Janie

R269 – To Chi Wing

59. With the aid of the visualiser to show a few old land documents, Mr To Tak Sau, who was an indigenous villager of Tsing Chuen Wai, made the following main points:

- (a) it was unacceptable for the Government to resume his land for the public housing development as the land inherited from his ancestors had all along been used for ancestor veneration. Keeping the land intact would help the descendants achieve good academic results; and
- (b) the land was also used for industrial operations with licenses granted by relevant authorities for a long time, providing jobs for the locals.

R67 – Siu Shu Ching

60. Mr Siu Shu Ching made the following main points:

- (a) he was an indigenous villager and owned land at the site; and
- (b) the Government previously did not approve his Small House application but now proposed to resume his land for public housing development. If resumption was necessary, the Government should grant land to him for

building his own Small House.

R70 – Chan Kam Wing

61. Mr Chan Kwan Lam made the following main points:

Impacts on Existing Occupants

- (a) he represented a car repairing workshop (捷興車廠) which was operating near Turbo Ice;
- (b) since the receipt of the resumption notice for the public housing development in 2021, the operator of the car repairing workshop could not make a decision on whether contracts for a longer period could be signed given the uncertainty on when the resumption would actually take place in the next two years. If the land was not to be resumed, the operator would uplift the workshop by installing new machineries and providing training to his staff in order to cope with the shifting of market trend to electric vehicles. Otherwise, the Government should provide a relocation site for the workshop. Like the situation of Turbo Ice and container storage operations, it would be difficult for them to find a suitable relocation site for the car repairing workshop;
- (c) monetary compensation for land resumption was a less preferred option as the relocation costs would be much higher than the compensation offered by the Government. That said, the Government should make the details of compensation arrangement available to the affected brownfield operators as early as possible. Then, the operator of the workshop could plan ahead for his business; and

Traffic and Hospital Aspects

- (d) it was also undesirable to substantially increase population in Tuen Mun. Given the unacceptable long waiting time for services of Tuen Mun Hospital and the traffic safety concern of Tuen Mun Road, which had

recently worsened with more new developments in place in the area, the public housing development would exacerbate the problems.

R74 – Lai Sau Lai

62. Ms Lai Sau Lai made the following main points:

Traffic and Hospital Aspects

- (a) the existing traffic conditions in Tuen Mun were not satisfactory, particularly after the completion of Yan Tin Estate. With the expected completion of Ching Tin Estate, Wo Tin Estate and Novo Land in the area, the traffic condition would further deteriorate. However, the Preliminary Traffic and Transport Impact Assessment (PTTIA) conducted for the public housing development was based on the recent traffic conditions which were less busy due to less Mainland visitors and commuters during the pandemic. No details on the completion of the traffic improvement works had been provided. In all, there should not be any further deterioration of the traffic conditions in the area;
- (b) the services provided by Tuen Mun Hospital were inadequate. Her brother was previously admitted to the hospital but his bed had to be placed in the corridor. While the inadequacy of the services was acute, the Government only stated that the improvement was under planning;

Impacts on Existing Occupants

- (c) the eligibility criteria of rehousing for affected residents were too stringent that the asset of each household could not exceed the limit of several hundred thousand dollars. She would not be eligible for rehousing with such stringent criteria, and could not afford to buy another flat as she would not have income to pay for the instalment after retirement. In any event, there was no comprehensible information on the C&R arrangements available to her. It appeared that the affected residents had been

abandoned by the society;

- (d) the whole C&R arrangements had ignored the need to handle pets currently kept by the affected residents. If the affected residents had to move out in the next two or three years, the pets might all have to be euthanized and this arrangement was inhuman;
- (e) while the school proposals were not justified given that there were not enough school-age children, the implementation of which would require clearance of existing occupants; and
- (f) the Government should reduce the area of the site such that her home could be retained and the increase in the population would be less.

R76 – Siu Kuen Sang

63. With the aid of the visualiser, Mr Siu Kuen Sang made the following main points:

- (a) the site was not suitable for housing development, especially for the eastern part, where there would be only a small gap between the future housing blocks and the existing OHLs running along Hong Po Road as shown in the indicative scheme;
- (b) according to section 2.3 on “Overhead Transmission Lines” in Chapter 7 of the HKPSG, the location of new pylons and OHL should not be permitted to dictate the pattern of future land use or to sterilize land which had a good development potential. For route protection and to provide sufficient space for pylon operation and maintenance, etc., a “preferred working corridor” following the alignment of the OHLs would be required for general planning purpose and the width of the preferred working corridor for 400kV OHLs should be 50m. In addition, OHLs should not be erected in existing developed areas, areas having substantial development potential, and public open space as far as practicable. If the site was required for development, the existing OHLs might have to be re-laid underground or re-routed;

- (c) according to the Town Planning Board Guidelines on Submission of Visual Impact Assessment for Planning Applications to the Town Planning Board, the foremost underlying principle of visual impact assessment (VIA) would be to avoid developments that would likely result in major adverse visual impact within the existing and planned development context, especially where visually sensitive areas, visual amenities, visual resources and/or public viewers were affected. Pylons were particularly mentioned in paragraph 4.8 of the Guidelines; and
- (d) as evident in the recent fire (the Yuen Long incident) destroying a CLP cable bridge in Yuen Long, the fire hazard in relation to OHLs should be taken into account. It was stated in the Government's Hong Kong Climate Change Report 2015 that since OHLs were vulnerable to extreme weather, the Hongkong Electric Company had been gradually phasing out OHLs since 2012. The Government should ask the CLP to do the same. By so doing, much land could be released for development. In the present case, the OHLs were not compatible with the proposed high-density development.

[Professor Roger C.K. Chan rejoined and Professor John C.Y. Ng left the meeting during R76's presentation.]

R78 – Chan Kam Hung

64. Mr Chan Kam Hung made the following main points:

Traffic and Transport Aspects

- (a) roads in Tuen Mun were already very congested, including those in Tuen Mun town centre and Lam Tei Interchange, and the traffic condition was poor even at the time of pandemic when there was less cross-boundary traffic;
- (b) passengers in Tuen Mun could not board the overcrowded Light Rail and

West Rail cars at the peak hours;

Hospital Provision

- (c) the waiting time for services of Tuen Mun Hospital was exceedingly long. It was doubtful whether proper medical services could be provided in the future as claimed by PlanD; and

Impacts on Existing Occupants

- (d) it would be difficult to relocate his own brownfield operation and the ex-gratia allowances would not be enough for relocation. The public housing development would only force him to discontinue the business.

R107 – Tam Chi Sing

R273 – 陶國強

65. With the aid of the visualiser, Mr Tam Chi Sing made the following main points:

Impacts on Existing Occupants

- (a) the public housing development would involve removing some 70 lychee trees which had been planted for more than a century;
- (b) a survey had been conducted on the affected brownfield operators. It was found that at least 600 to 800 workers in San Hing Tsuen and Tsz Tin Tsuen would likely lose their jobs due to the public housing development as the affected operations could not be relocated to multi-storey industrial buildings to continue the business;

Traffic and Transport Aspects

- (c) traffic congestion in Tuen Mun was serious, particularly after the commissioning of Tuen Mun-Chek Lap Kok Link Road. The roads connecting Tuen Mun-Chek Lap Kok Link Road to Lam Tei Interchange

and even further to Yuen Long Highway were always congested, especially during the evening peak hours when very heavy traffic was observed from Yuen Long to Tuen Mun Road. The public housing development would add some 61,000 residents at the site. Taking into account nearby developments under construction, including Ching Tin Estate, Wo Tin Estate and a residential development of Sun Hung Kai Properties Limited (SHK), the total population increase would be about 100,000. While the consequential traffic impact was expected to be serious, PlanD only responded that there was no insurmountable problem with no concrete solution provided;

- (d) in 2014, the Government had considered a public housing development at San Hing Tsuen with a smaller scale, but even that development proposal had been shelved after consulting the TMDC which expressed concerns on the deficiencies of transport and community facilities in the area. However, the Government proceeded with various piecemeal public housing developments which added another 100,000 residents to Tuen Mun area while no works had been undertaken to improve the transport and community facilities;
- (e) the proposed Road L7 would not be able to resolve the traffic problem and Route 11 should be commissioned first before any further population increase in the area;

Others

- (f) there were no recreational facilities, such as football pitch, in the area and there was a deficit of a sports complex in Tuen Mun District. The public housing development did not provide any of such facilities to address the shortfall;
- (g) the site was located in close proximity to a large number of graves and the visual quality of the future development was questionable; and
- (h) as a whole, the Board should critically consider whether the public housing

development was feasible.

R114 – 譚志光

66. Mr Ng Kwan made the following main points:

- (a) Tuen Mun had already been fully developed and the living quality of the residents there was deteriorating. New developments should not be further proposed in Tuen Mun;

Traffic and Transport Aspects

- (b) the new railway projects under way, including the Tuen Mun South Extension and HSK Station, would not be able to resolve the transport problem in Tuen Mun area as they were all parts of the TML, which was overcrowded currently and the situation would continue;
- (c) there was also concern on the road traffic in Tuen Mun. The cross-boundary traffic at Shenzhen Bay had substantially increased the traffic volume in the New Territories. Currently, a small disruption on any key road in the New Territories would often result in miles of tailback from Tuen Mun to Tolo Highway;

Others

- (d) the current service of Tuen Mun Hospital would not be able to cope with the increased demand; and
- (e) to achieve the objective of increasing housing supply, the Government should consider developing Lantau Island instead such that the well-being of Tuen Mun residents would not further worsen off due to the public housing development.

R365 – Leung Kwok Wai

67. With the aid of the visualiser, Mr Leung Kwok Wai made the following main points:

- (a) the re-aligned Hong Po Road would encroach onto his house. There were not adequate justifications to demolish his house for the provision of the associated pavements, cycle paths and planters. Government officials should not consider the project based on paper plans. Instead, on-site inspections of the real situation should be undertaken to assess whether the proposal was justified; and
- (b) the property price was very high and it was impossible for him to move elsewhere after his house was cleared due to the public housing development.

R397 – Siu Wing Chung

68. With the aid of the visualiser, Mr Siu Wing Chung made the following main points:

Traffic and Transport Aspects

- (a) the capacity of Tuen Mun Road was not adequate along which there were some bottlenecks, and similar situations were also observed for the roads within Tuen Mun New Town;
- (b) the situation of illegal parking in the area was serious and the problem might possibly be exacerbated due to the public housing development;

Impacts on Existing Occupants

- (c) the C&R package was formulated four or five years ago and should be suitably adjusted to catch up with the current property market. He could not afford to buy another flat/house if his home was to be cleared for the public housing development;

- (d) if the existing residents could continue to live at the site, the tradition of the locals, e.g. 太平清醮, could be maintained;

Others

- (e) the risk in relation to the OHLs at the site should not be overlooked. The Government should act cautiously and reconsider whether to continue to pursue the proposal; and
- (f) any object thrown out from the higher levels of the public housing development might damage the adjacent burial ground in future.

R417 – Wong Chor Man

R418 – Chow Lai Fan

69. With the aid of the visualiser, Mr Wong Chor Man, the Resident Representative of San Hing Tsuen, made the following main points:

- (a) the Government should not take forward the development proposal until the infrastructure and community facilities in the area were adequately provided. The technical assessments undertaken by the Government were not comprehensive and the conclusion of there being no insurmountable problems for the public housing development was questionable;

Impacts on Existing Occupants

- (b) San Hing Tsuen, which partly fell within the site, was planned as an industrial area in the 1980s and the existing brownfield operators thereat started their business at that time. Even after the site was no longer needed to be retained for industrial uses, the Site was rezoned from industrial to “R(E)”, rather than “R(A)”, due to inadequate supporting facilities. However, the Government recently changed the planning of the site and required the operators to move out without any advance notice or

proper arrangement, making the brownfield operators impossible to continue their business. The investments of these operators were wasted;

- (c) similarly, many existing squatter residents built their homes in San Hing Tsuen in the 1950s and 1960s. As it was difficult for these residents to pass HKHA's means tests for rehousing, they would lose a lot if their houses were resumed and cleared;

Public Consultation

- (d) in 2014, the Government consulted the Tuen Mun District Council (TMDC) and Tuen Mun Rural Committee (TMRC) on public housing development in San Hing Tsuen which was planned to provide about 8,000 units for 21,000 residents. The proposal was objected for the reason that the necessary traffic and medical supporting facilities should be in place first. The current proposal with an expanded site and a larger population was put forward by the Government after 7 years of doing nothing. Meanwhile, another 40,000 to 50,000 people had already moved into the area after the completion of Yan Tin Estate, Ching Tin Estate, Wo Tin Estate and SHK's development;
- (e) on 26.6.2021, the Government consulted the TMRC on the current proposal but he could only sit in the meeting even though he was the Resident Representative of San Hing Tsuen. The Government further consulted the TMDC on 6.7.2021 but still no solution was provided to resolve the traffic and medical service issues. The government officials, before attending a meeting in the village on 18.8.2021, had already submitted to the Board the proposed amendments to the OZP for the public housing development in July 2021. In just two days after the village meeting, LandsD posted notices for the resumption and clearance of the village for the public housing development. The Government had not undertaken any genuine public consultation in the whole process;

Traffic and Transport Aspects

- (f) the proposed Road L7 would connect Lam Tei Interchange to Ching Tin Estate and Wo Tin Estate only and such arrangement would not be adequate to resolve the traffic problems in a wider context, in particular that the Tuen Mun Bypass (TMB) would unlikely be completed before 2036. In addition, it was difficult to improve the Light Rail service given that an increase of its frequency would reduce the road traffic flow as they both competed for the same road space;
- (g) while jobs would be created in the HSK/HT NDA, commuting to the NDA would be needed and it was still necessary to resolve the traffic issues in Tuen Mun;

Others

- (h) the OHLs at the site would have impacts on the public housing development even though CLP had not provided any concrete information; and
- (i) notwithstanding the above, as shown in the Paper, no matter what issues had been raised by the representers, the Government simply responded that there was no insurmountable problem associated with the public housing development, without due regard to the genuine sufferings of Tuen Mun residents. The Government had made no genuine effort to resolve the problems.

R421/C11 – Mary Mulvihill

70. With the aid of the visualiser, Ms Mary Mulvihill made the following main points:

Excessive Scale of the Public Housing Development

- (a) based on the HKPSG requirements, there were some shortfalls of GIC facilities in the OZP area, including nil provisions of district open space

and hospital bed, as well as serious shortfall in the provision of child care centre, community care services facilities, pre-school rehabilitation services, day rehabilitation services, residential care services and sports centre. The Government should not continue to rezone land for residential developments where there was deficiency in essential services;

- (b) for the public housing development, acoustic windows would be installed in some of the residential blocks and there would be a concrete boundary wall around the social welfare facilities to mitigate the road and railway noise. Such design failed to provide satisfactory ventilation or natural lighting for the public housing development, particularly the residential care home for the elderly taking into account the relevant code of practice promulgated by SWD. In any event, it was doubtful whether acoustic windows would be effective to mitigate the railway noise;
- (c) consideration should be given to reducing the number of towers and residents. Areas with larger tree coverage should be preserved as recreational facilities to protect the biodiversity and provide open space to the residents. The maximisation of the number of units at all costs was deplorable;
- (d) the Board should be vigilant about whether there would be future proposal to further increase the development intensity of the site, bearing in mind that even increasing the plot ratio (PR) by 1 would have a substantial impact on the community given the relatively large area of the site;
- (e) the Government should avoid any abuse of public housing units and consider making use of the unfinished housing sites recently available in the Greater Bay Area to meet the housing need of Hong Kong people. Besides, the demand for housing in Hong Kong might decrease in the longer term as the interest rates were rising, the economy was slowing down and the populations of Hong Kong and the Mainland were shrinking;
- (f) consideration should be given to providing job opportunities at the site to help redress the current imbalance in the spatial distribution of population

and jobs in Hong Kong. The jobs to be created should not only be low paying positions in retail and catering;

- (g) notwithstanding the above, the site should not be used for private residential development as proposed by some representers because it would interfere with the connectivity between the development and the rail and Light Rail facilities, as well as the open space planning within the site. In fact, there were already many applications in the pipeline for tens of thousands of private flats at some other sites. There would be ample supply of private residential units;

Others

- (h) the exemption clause for public works in the “CA” zone was objected. This would remove any form of monitoring or accountability in handling public works in the zone;
- (i) the San Hing Tsuen Site of Archaeological Interest was located within the site but the proposal had not properly dealt with the archaeological matter. No archaeological field survey had been conducted so far. It appeared that any materials of interest would be found only when the bulldozers moved in; and
- (j) in light of the recent Yuen Long incident, Members should further consider the possible impacts of the OHLs on the proposed public housing development at the site.

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

Background of the Site and the Public Housing Development

72. In response to a Member's question about the relation between the current zoning ("R(A)" or the previous "R(E)") with the previous industrial planning as indicated by Mr Wong Chor Man (R417), Mr Kepler S.Y. Yuen, DPO/TMYLW, PlanD made the following main points:

- (a) in the 1980s, there was no statutory plan covering the San Hing Tsuen area and only departmental layout plans were prepared. As some rural industrial uses had already been operating there, those layout plans designated the area as 'Industrial Upgrading Area';
- (b) in 1996, the first statutory OZP was gazetted covering the Lam Tei and Yick Yuen area and a large part of the San Hing Tsuen area was zoned "Industrial (Group D)" ("I(D)") on the OZP. Nevertheless, the long-term planning for the area was not yet firmed up by that time pending the study on the alignment of the West Rail;
- (c) in 1999, as the alignment of the West Rail had been determined, a land use study was undertaken for the area. Taking into account economic restructuring of Hong Kong in the 1990s, it was found that the area should not be used for industrial activities in the long term. As such, the area was rezoned to "R(E)" in 2000 with a maximum PR of 1. The planning intention of the "R(E)" zone was to phase out the industrial uses in the area with residential use through planning application subject to the Board's approval. The planning application should be supported by proper technical assessments addressing the interface between industrial and residential uses in the area;
- (d) in 2014, potential sites for public housing development had been identified in the area. Studies were undertaken for such development and the TMDC was consulted. While the TMDC had expressed reservation about the development at the San Hing Tsuen area, the Government did not shelve the concerned proposals as indicated by some representers in this hearing. Taking into account the views of the TMDC, the Government subsequently reviewed the proposals and decided in 2018 to

consolidate the three concerned public housing sites, comprising the San Hing Tsuen site, the Hong Po Road site, and the San Hing Tsuen site extension, into one single site for a comprehensive public housing development, i.e. the public housing development at the site; and

- (e) the Government subsequently undertook an engineering feasibility study (EFS) which included an Environmental Impact Assessment (EIA) to meet the requirements of the EIA Ordinance (EIAO). With the completion of the EFS and the approval of the EIA report in late 2020, zoning amendments to the OZP to facilitate the public housing development were submitted to the Board for consideration in 2021.

GIC Provision

73. Some Members raised the following questions:

- (a) the shortfalls of GIC provision in Tuen Mun as pointed out by some representers; and
- (b) what actions the Government had taken to address the shortfall.

74. Mr Kepler S.Y. Yuen, DPO/TMYLW, PlanD made the following responses:

- (a) it was noted that a representer with reference to the table of Provision of Major GIC Facilities and Open Space in Lam Tei and Yick Yuen OZP area attached to the Paper stated that there were some shortfalls in the provision, such as a deficit of 8.13 ha for the district open space and a shortfall of some 400 hospital beds, which were much higher than what PlanD had mentioned. In fact, two tables on GIC and open space provision were attached to the Paper, one for the Lam Tei and Yick Yuen OZP area and one for the whole Tuen Mun District which also included the Lam Tei and Yick Yuen area. Given the fact that the urban development area of Tuen Mun had gradually expanded from the core to rural areas including the Lam Tei and Yick Yuen area, it was more appropriate to assess the adequacy of GIC and open space provision from

the perspective of the whole Tuen Mun District;

- (b) for the whole Tuen Mun District, a few shortfalls of GIC provision were noted. That said, as the site formed only a small portion of the Tuen Mun District, it was not appropriate to make use of the site to redress all the shortfalls of the District;
- (c) based on the Social Welfare Department (SWD)'s advice, suitable social welfare facilities would be provided within the public housing development at the site. SWD would explore to provide other suitable social welfare facilities in existing buildings or planned developments in the District;
- (d) as for sports centre, a larger site would be required and the Leisure and Cultural Services Department was working with PlanD to identify a suitable site; and
- (e) the Hospital Authority had proposed the Second Ten-year Hospital Development Plan which would enhance the services for the District.

75. In response to a Member's question on whether it was his view that the necessary supporting facilities should be provided before the rezoning of the site, Mr Wong Chor Man (R417) made the following points:

- (a) various GIC provisions were currently in shortfall, e.g. hospital beds, clinics, and recreational and social welfare facility, but many planned facilities to address the shortfalls were just being studied. Such substantial shortfalls should not be ignored while proposing the public housing development;
- (b) since the Government had shelved the original public housing proposal for some 20,000 residents at San Hing Tsuen in 2014, nothing had been done to address the GIC shortfalls, but the Government now proposed a public housing development for 61,000 residents which was three times of the original proposal; and

- (c) the shortfall of some 170 hospital beds quoted by PlanD had not taken into account the residents of Ching Tin Estate and Wo Tin Estate for which another 300 to 400 beds might be required. The total shortfall of some 400 beds should be properly addressed. In addition, the Second Ten-year Hospital Development Plan, which involved demolishing an existing clinic and building a new one, would only commence in 2026. Apparently, the Government's effort was not enough in addressing the shortfalls.

76. As requested by the same Member, Mr Kepler S.Y. Yuen, DPO/TMYLW, PlanD made the following responses to Mr Wong Chor Man's views:

- (a) the assessment of provision of GIC facilities and open space in the whole Tuen Mun District was provided at Annex 11 to the Paper. The assessment had taken into account the existing population and those of known/planned developments, including Ching Tin Estate and Wo Tin Estate, as well as the proposed public housing development and the development proposal for Tuen Mun South Extension in Area 16 which would not be completed until 2030s. In other words, the assessment had reflected the long-term GIC need of the district;
- (b) while the HKPSG had set out the provision standard of GIC facilities, relevant government departments would have their own assessments taking into account the nature of the facilities and specific circumstances of each district in planning the GIC provision under their ambits;
- (c) government departments had been working together to meet the GIC need of the whole Tuen Mun District through various initiatives. PlanD had been liaising with relevant government departments to identify sites for the provision;
- (d) for the public housing development, the EFS had specifically proposed a number of road and infrastructure facilities as mentioned in this hearing. The facilities would be in operation to tie in with the population intake of

the public housing development; and

- (e) as all known developments had been taken into account in assessing the GIC provision, the shortfall of hospital beds in Tuen Mun would only be 170 hospital beds. According to the information submitted to the Legislative Council on the Second Ten-year Hospital Development Plan from 2026 to 2035, the New Territories Western Cluster (NTWC) would add another 2,600 hospital beds in the concerned period.

Supporting Facilities for the Public Housing Development

77. Some Members raised the following questions:

- (a) information on the supporting facilities for the public housing development;
- (b) the completion programme of the public housing development and whether the proposed provision of supporting facilities could dovetail with the population intake; and
- (c) whether the PTTIA was based on traffic data collected during the pandemic when the occurrence of traffic congestion was less frequent.

78. In response, Mr Kepler S.Y. Yuen, DPO/TMYLW, PlanD, Ms Iris S.F. Leung, SE, CEDD and Mr. Barry T.K. Lam, SPO, HD made the following main points:

- (a) the Government had conducted the EFS to ensure that the public housing development would not cause any insurmountable technical problems. Based on the findings of the EFS, various supporting facilities/measures were proposed for the public housing development. Examples included the two public transport interchanges (PTIs), junction improvement works, realigned Hong Po Road and Road L7 a sewage pumping station, local open space planned based on the HKPSG standard of 1 m² per person, and schools. While the schools would be implemented by the Education Bureau (EDB) based on the demand estimation, other facilities would be

in operation at the time of population intake of the public housing development;

- (b) the public housing development would be completed in phases between 2030 and 2033, including the portions at the San Hing Road Site Extension, the San Hing Road site and Hong Po Road site. The proposed road and infrastructure works would be timely completed to tie in with the population intake of the public housing development; and
- (c) the PTTIA had taken into account all nearby existing and known/planned developments, including Yan Tin Estate and those in Area 54, including Ching Tin Estate, Wo Tin Estate, etc.. The traffic count for the PTTIA was conducted by the consultants of the EFS in June 2018. The traffic conditions for two design years, i.e. 2031 and 2036, had been modelled taking into account the proposed public housing development and all nearby existing and known/planned developments.

Green Measures

79. A Member enquired on the green and low-carbon elements that would be incorporated in the design of the public housing development to reduce carbon emission. In response, Mr Kepler S.Y. Yuen, DPO/TMYLW, PlanD said that cycle tracks would be provided along Road L7 and the realigned Hong Po Road. Covered walkways would also be provided as far as practicable to enhance walking environment. Convenient pedestrian connections to Siu Hong Station of TML from Ng Lau Road and Tsing Lun Road would be provided to enhance the accessibility to the mass transit. For the public housing development, the greening ratio was planned to be 20%, including the landscaping at the rooftops of the two PTIs.

Cultural Aspect

80. In response to a Member's question on the historic and cultural value of the site, Mr Kepler S.Y. Yuen, DPO/TMYLW, PlanD made the following main points:

- (a) in consultation with the Antiquities and Monuments Office (AMO) during

conduct of the EFS, it was concluded that no historic building was found within the site;

- (b) a representer (R61) indicated in the hearing that his land was inherited from his ancestors, namely Lots 211 and 213 in D.D. 130. The land was currently used for warehouse and no historic building was found on the lot; and
- (c) the San Hing Tsuen Site of Archaeological Interest was located within the site, of which the land was mainly under private ownership. Taking into account AMO's advice, a detailed archaeological survey would be undertaken upon land resumption and clearance of structures in accordance with the recommendation of the approved EIA report. CEDD would closely liaise with AMO on details of the proposed archaeological work.

81. In response to another Member's question on whether the preservation of cultural activities, like 太平清醮 as mentioned by a representer, would be covered in the detailed archaeological survey, Mr Kepler S.Y. Yuen, DPO/TMYLW, said that the survey would focus on physical remains of human activities at the site. It would not cover any cultural and traditional activities. While the representer had not mentioned the exact location of the activities of 太平清醮, it should be noted that the site did not cover any land currently or previously zoned "Village Type Development". In any case, festival events like 太平清醮 were temporary in nature and would be always permitted under the OZP.

82. As requested by the same Member, Mr Siu Wing Chung (R397) supplemented that 太平清醮 involved all villages in Tuen Mun. It had a long tradition and was held every ten years to remind young villagers of their origin and cultivate a sense of belonging and cohesiveness. During the event, dragon dancing and lion dancing would be arranged. Mr Chung (R397) further said that during the last 太平清醮, he had visited nine villages but some of those villages had already been affected by developments, such as Tsz Tin Tsuen and Siu Hang Tsuen. Any further development affecting the traditional villages in Tuen Mun would further impact on the traditional festival.

Interface with OHLs

83. Some Members raised the following questions:
- (a) what features or treatments incorporated in design of the public housing development to address the interface issue with the OHLs;
 - (b) the height difference of the OHLs and the public housing development;
 - (c) in view of the recent Yuen Long incident, whether a risk assessment should be undertaken for the OHLs at the site; and
 - (d) while the EIA concluded that the OHLs would not cause health concern, whether an incident similar to the Yuen Long incident would adversely affect the operation of the proposed PTIs which would be adjacent to the OHLs.
84. Mr Kepler S.Y. Yuen, DPO/TMYLW, PlanD made the following responses:
- (a) while the HKPSG Chapter 7 mentioned by a representer was to provide guidelines for planning new OHLs, the guidelines were relevant in the design of the public housing development. Besides, views of the relevant government departments, such as the Electrical and Mechanical Services Department (EMSD), had been taken into account with a view to avoiding health hazard to the future residents. According to the HKPSG, the 50m buffer should be evenly split into two on both sides of the OHLs, i.e. a buffer of not less than 25m wide on each side. The current design of the public housing development had increased the width of the buffer by at least some 10m. With such separation, the EFS concluded that the OHLs would not pose any hazard to human health;
 - (b) the height of the pylons of the OHLs was about 30m and the cables should be slightly lower due to gravity. The absolute height of the OHLs rose from the east to the west following the topography. Given the maximum building height (BH) of 160mPD for the public housing development, the

lower floors of the building blocks might have a direct view of the OHLs;

- (c) the CLP cable bridge in the Yuen Long incident might involve a different site context. The concern of some residents about the OHLs would be conveyed to relevant government departments for consideration on whether a risk assessment should be conducted for the OHLs at the detailed design stage; and
- (d) the proposed locations of the two PTIs at the site had taken into account the interface issues with the OHLs. Nevertheless, should there be any risk assessment in future as mentioned above, the risk to the PTIs could also be further examined.

Public Consultation

85. In response to a Member's question on the public consultation on the draft OZP, Mr Kepler S.Y. Yuen, DPO/TMYLW, PlanD made the following main points:

- (a) the Ordinance had stipulated a statutory public consultation process for plan making, including amendments to the OZP. Besides, the Government would administratively consult the relevant stakeholders before the commencement of the statutory public consultation process;

Administrative Consultation

- (b) the Government consulted the TMRC on the public housing development in June 2021. Mr Wong Chor Man (R417) was also at the meeting and provided comments on the public housing development. The relevant extract of the consultation meeting had been attached to the Paper for Members' reference;
- (c) the Government consulted the TMDC on 6.7.2021. Taking note of the concerns expressed by the TMDC which were similar to those expressed in this hearing meeting, the Government submitted further information to the TMDC on 19.7.2021 including that on the C&R arrangements;

- (d) in response to the request of a TMDC Member, the relevant government departments attended a local forum with local residents and brownfield operators on 18.8.2021 providing information on the traffic and transport matters, supporting facilities and C&R arrangements. In the forum, LandsD had explained to the attendees on the C&R arrangements;

Statutory Consultations

- (e) the Rural and New Town Planning Committee (RNTPC) considered the proposed amendments to the OZP, including those for the public housing development, on 23.7.2021. The RNTPC agreed that the proposed amendments were suitable for exhibition for public inspection under section 5 of the Ordinance;
- (f) the draft OZP was then gazetted on 20.8.2021 which marked the commencement of the statutory consultation process, i.e. two months for representations starting from the gazettal and after that, another three weeks for comments on the representations upon publication of the representations for public inspection;
- (g) in accordance with the provisions of the Ordinance, all representers and commenters had been invited to this meeting to give oral submissions to facilitate the Board's consideration of the representations and comments. This was also part of the statutory consultation process; and
- (h) as a whole, the public had been consulted on the draft OZP at various stages administratively and statutorily during the plan-making process.

C&R Aspect

86. Some Members raised the following questions:

- (a) the number of existing residents to be affected by the public housing development; and

- (b) the C&R package available to the affected residents.

87. Mr Kepler S.Y. Yuen, DPO/TMYLW, PlanD made the following responses:

Number of Affected Residents

- (a) according to the preliminary land use survey undertaken by the EFS, some 80 structures within the site would be affected;
- (b) LandsD had undertaken a pre-clearance survey (PCS) (also known as “freezing survey”) for the public housing development which commenced on 20.8.2021, i.e. the gazette date of the draft OZP. It should be clarified that LandsD’s notice on that day was on the commencement of the PCS, rather than a clearance order or resumption order as indicated by some representers. Through the PCS, LandsD collected information on the households and operators within the survey area (e.g. number of residents of each household) and this information could help protect the right of affected occupants for C&R. That said, whether the land within the survey area would be resumed and if yes, the exact land resumption boundary, had not yet been decided. The date of clearance in October 2025 mentioned in the LandsD’s notice was only a working assumption of the Government. Upon the completion of the compilation of the PCS data and the availability of the land resumption boundary, LandsD would be in a better position to estimate the number of affected residents;

C&R Arrangements

- (c) in the local forum on 18.8.2021, LandsD had provided the existing occupants at the site with the general information on C&R arrangements for land resumption and clearance. Later in May 2022, the Government announced the enhancements to the compensation arrangements for landowners and business operators affected by land resumption and clearance projects of the Government. According to LandsD’s

information, the key C&R arrangements included:

- (i) landowners would be compensated based on the new “Ex-gratia Zonal Compensation System” (Zonal System), which had merged the four zones into two and the new arrangement would be more beneficial to the affected landowner within the site; and
 - (ii) subject to other conditions, affected residents recorded in the PCS would not be limited to rehousing in HKHA’s housing estate, which required passing the means test, or ex-gratia allowances. They could also opt for non-means tested rehousing in the form of subsidised rental or sale flats in the dedicated rehousing estates of the Hong Kong Housing Society (HKHS) if they fulfilled the “no domestic property” requirement. For eligible occupants opting for purchasing subsidised sale flats in the dedicated rehousing estates, they could also apply for a reduced amount of the Ex-gratia Allowance for Permitted Occupiers of Licenced Structures and Surveyed Squatters affected by clearance; and
- (d) the said information was detailed in the pamphlet provided by LandsD to the occupants in August 2021. If needed, LandsD could further explain the arrangements to the occupants.

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

Deliberation Session

89. The Chairperson briefly recapitulated the major points raised by representers/commenters and their representatives and the responses of government

representatives at the hearing. He further made the following made points:

- (a) the proposed housing development at the site would provide some 20,000 units which was a major contribution in meeting the public housing demand and achieving a public/private housing split of 70:30. While some representers proposed that the site could be used for both public and private housing developments, the site had already been planned for comprehensive public housing development. If parts of the site were carved out for private housing developments, the comprehensive planning of the site would be affected;
- (b) the EFS undertaken for the proposed public housing development had demonstrated no insurmountable technical problems with the proposed infrastructural support in place. In particular, the PTTIA under the EFS proposed various traffic improvement works which would be commissioned before population intake of the public housing development. In a wider context, strategic roads, such as TMB and Route 11, were under study and would serve the traffic needs of the Northwest New Territories, including Tuen Mun;
- (c) the proposed public housing development would inevitably affect the existing brownfield operations at the site. In general, brownfield operations occupying open air site were generally less efficient in terms of land utilisation. The Government would offer assistance to the brownfield operators affected by clearance in various aspects. For affected eligible brownfield operators, ex-gratia compensation would be offered as per the prevailing mechanism. The Government would provide assistance on planning and land matters as appropriate if the affected brownfield operators identified suitable relocation sites in the market. Besides, some government sites had been reserved for brownfield uses and would be tendered under short term tenancy to brownfield operators affected by government projects. Land had also been reserved in HSK/HT NDA, Yuen Long South Development for logistics and industrial uses, and some of the sites would be developed for

multi-storey buildings (MSBs) to provide floor area to facilitate the relocation of some of the displaced brownfield operations; and

- (d) C&R arrangements were not within the ambit of the Board. The Government had introduced enhancements to the C&R arrangements in 2018 for domestic occupants in squatter structures and brownfield operators affected by the Government's development clearance exercises. Various C&R options were available to eligible affectees, including non-means-tested rehousing at HKHS's dedicated rehousing estates.

90. Members generally supported the proposed amendments, including the land uses and development parameters under Items A and B as well as the revisions of the Remarks in the Notes of "Conservation Area" ("CA") and "Green Belt" ("GB") zones, and expressed comments/concerns on various aspects as indicated below.

Public Housing Need

91. Members generally agreed that the proposed public housing development at the site would help meet the territory's acute public housing demand. Some Members expressed concern that if part of the site was carved out for private residential developments as proposed by R4 and R5, especially that the site of R4 was located in the central part of the site, the comprehensive planning and layout of the proposed public housing development would be frustrated. The implementation programme would also be seriously delayed as the technical assessments in support of the proposed public housing development would need to be redone, in particular that assessments and procedures under EIAO were involved. Members noted that whether there were approved building plans for R4's private housing proposal, the Town Planning Appeal Board would approve R5's Appeal or LandsD would process their land exchange applications was not relevant to the Board's decision on the OZP amendments.

92. The Vice-chairperson remarked that the current "R(A)" zoning could allow private residential development and hence, it was unnecessary to specify the intention of private housing development for part of the site (i.e. representation site of R4) as proposed by R4. From planning perspective, as the site was considered suitable for public housing development, it was considered suitable to specify such planning intention in the Explanatory Statement of the OZP.

Affected Brownfield Operations

93. The Secretary reported that a Member who had left the meeting had requested him to convey the views that the Government should provide assistance to brownfield operations that would be affected by the proposed public housing development. Some Members shared the Member's views while a Member opined that given a large part of the site had already been rezoned from "I(D)" to "R(E)" some 20 odd years for phasing out the rural industries therein, the affected brownfield operators should have ample time to prepare for the envisaged land use restructuring and resumption. That said, the Member agreed that more sites should be identified for relocation of these affected occupants and the Government should make more efforts to communicate with them. Despite that C&R arrangements and the business prospects of the affected brownfield operations were not within the ambit of the Board, Members agreed to invite relevant bureaux, such as the Innovation, Technology and Industry Bureau (ITIB) and Development Bureau (DEVB), to offer assistance to these operators in relocating their operations.

Others

94. The Vice-chairperson and some Members expressed views on the following aspects:
- (a) implementation of the traffic improvement works proposed under the EFS should be speeded up such that they could be in operation before the first population intake in order to address the concern of the public;
 - (b) it was noted that the school provision at the site was proposed in accordance with the HKPSG and the views of the EDB, and the actual demand should be closely monitored during the implementation of the public housing development. If any of these school sites was not required at a later stage, the respective site could be considered for other uses which were always permitted under the "R(A)" zoning and beneficial to the community, e.g. open space, or residential use subject to the support by technical assessments as appropriate. Also, consideration could be given to make use of the school sites for other purposes like temporary public open spaces before the implementation of the proposed schools;

- (c) consideration could be given to allowing public access to the landscaped roofs of the proposed PTI and sewage pumping station such that these facilities could also serve as public open spaces;
- (d) consideration could be given to further addressing the interface issue in relation to the OHLs, such as re-designing the OHLs with cables being laid underground, with a view to mitigating the visual impact and reducing the potential risk; and
- (e) the Government should proactively communicate with occupants affected by government projects, including those under the proposed public housing development, so that they could be better informed of the progress of the projects and the C&R arrangements available to them and better prepared for the clearance.

Conclusion

95. The Chairperson concluded that Members generally supported the OZP amendments, and agreed that there was no need to amend the draft OZP to meet the adverse representations and that all grounds and proposals of the representations and comments had been addressed by the departmental responses as detailed in TPB Paper No. 10828 and the presentation and responses made by the government representatives at the meeting. He further said that Members' comments and suggestions on the public housing development and the related matters as detailed in paragraphs 93 and 94 above would be conveyed to the relevant bureaux/departments, where appropriate.

96. After deliberation, the Board decided not to uphold R1 to R421 and considered that the draft OZP should not be amended to meet the representations for the following reasons:

- “(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 sites are located at the fringe of Tuen Mun New Town with existing public roads and supporting infrastructural facilities. Taking into account that there is no

insurmountable technical problem identified for the proposed public housing development, it is considered suitable for rezoning the representation sites for residential use with a view to increasing housing land supply (**R1 to R418, R420 and R421**);

- (b) Engineering Feasibility Study with Environmental Impact Assessment under the Environmental Impact Assessment Ordinance and other technical assessments on the potential impacts on various aspects, including traffic, environmental, landscape, visual, air ventilation and drainage, has been conducted and confirmed that there is no insurmountable technical problem in developing the representation sites for public housing development and the supporting infrastructural facilities. Detailed design of building block disposition, design and provision of local open space and government, institution and community (GIC) facilities, location of compensatory tree planting will be further considered at the detailed design stage (**R1 to R3, R9 to R20, R47, R51, R54, R61, R62, R66, R69 to R71, R74, R76, R77, R79 to R89, R97 to R100, R105, R107 to R112, R114 to R127, R129, R132 to R137, R140 to R169, R172 to R180, R185 to R190, R192, R196 to R203, R205 to R242, R245, R248 to R255, R257 to R262, R264 to R270, R274 to R294, R295 to R314, R316 to R361, R364, R367 to R385, R387 to R407, R417, R418, R420 and R421**);
- (c) land resumption and compensation and rehousing arrangements are outside the scope of the subject Outline Zoning Plan, which is to show the broad land use framework and planning intention for the area, and the ambit of the Town Planning Board. The concerns of the affected stakeholders would be dealt with separately by the Government in firming up the implementation arrangements (**R1, R2, R7, R8, R12 to R14, R21 to R23, R47 to R99, R101 to R104, R106, R107, R111, R113, R115, R116, R130, R141, R152, R177, R179, R181 to R184, R193 to R196, R256, R260, R266 to R270, R299, R328, R362 to R366, R390 and R408 to R418**);

- (d) the “Residential (Group A)” zone is intended to facilitate comprehensive public housing development to meet the acute demand for public housing, which is in line with the current Government housing policy. The proposals to rezone parts of the representation sites for private residential development would induce a substantial review on the comprehensive development layout and associated technical assessments, resulting in a delay of the implementation programme of the proposed public housing development. There is no strong planning justification to rezone those parts of the “Residential (Group A)” zone to meet the representers’ proposals (**R4 and R5**);
- (e) the planned GIC facilities are generally sufficient to meet the demand of the planned population in the district in accordance with the Hong Kong Planning Standards and Guidelines and the assessments of relevant Government bureaux/departments, except for hospital beds and some social welfare facilities. Appropriate GIC facilities will be provided in the proposed public housing development to serve the residents and locals. The provision of GIC facilities will be closely monitored by the relevant bureaux/departments (**R1, R2, R4, R9, R10, R15 to R20, R47, R49, R61 to R64, R66, R68, R70, R71, R74 to R88, R107, R108, R112, R114 to R116, R118, R123, R131, R135, R141, R145, R147, R148, R152, R170, R171, R176 to R180, R185, R191, R192, R197, R200, R208, R219, R220, R222, R223, R234, R235, R241, R249, R254, R255, R259, R261 to R263, R265, R274, R279, R288, R290, R291, R294, R295, R301 to R304, R305, R307, R308, R312, R315, R317 to R319, R321 to R323, R326, R327, R331, R340, R351, R355, R356, R359, R361, R386, R389 to R391, R395, R407, R417, R418 and R421**);
- (f) the amendment to the Notes to extend the exemption clause for diversion of stream, filling of land and excavation of land in relation to the “Conservation Area” and “Green Belt” zones is to streamline the planning application process/mechanism. The amendment is in line with the latest revision of the Master Schedule of Notes to Statutory Plans (**R419**); and
- (g) the statutory and administrative public consultation procedures were duly

followed, including the exhibition of the Outline Zoning Plan for public inspection and consultation with the Tuen Mun Rural Committee and Tuen Mun District Council on the proposed public housing development (**R5, R6, R47 to R49, R65, R67, R74, R300, R417 and R418**).”

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

98. There being no other business, the meeting was closed at 8:10 p.m.