

**Minutes of 1278th Meeting of the
Town Planning Board held on 5.8.2022**

Present

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

Chairperson

Mr Wilson Y.W. Fung

Dr C.H. Hau

Miss Winnie W.M. Ng

Mr Franklin Yu

Mr Stanley T.S. Choi

Mr L.T. Kwok

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Mr K.W. Leung

Professor John C.Y. Ng

Professor Roger C.K. Chan

Mrs Vivian K.F. Cheung

Mr Vincent K.Y. Ho

Mr Timothy K.W. Ma

Ms Bernadette W.S. Tsui

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

Chief Traffic Engineer (New Territories East)
Transport Department
Mr W.H. Poon (p.m.)

Chief Engineer (Works)
Home Affairs Department
Mr Paul Au

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

Director of Lands
Mr Andrew C.W. Lai

Director of Planning
Mr Ivan M.K. Chung

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

Secretary

Absent with Apologies

Mr Lincoln L.H. Huang

Vice-chairperson

Mr Stephen L.H. Liu

Ms Sandy H.Y. Wong

Professor Jonathan W.C. Wong

Mr Ricky W.Y. Yu

Dr Venus Y.H. Lun

Dr Conrad T.C. Wong

Mr Ben S.S. Lui

Mr K.L. Wong

In Attendance

Assistant Director of Planning/Board

Ms Lily Y.M. Yam

Chief Town Planner/Town Planning Board

Ms Josephine Y.M. Lo (a.m.)

Ms Johanna W.Y. Cheng (p.m.)

Senior Town Planner/Town Planning Board

Ms Kitty S.T. Lam (a.m.)

Ms Carmen S.Y. Chan (p.m.)

Opening Remarks

1. The Chairperson and Members congratulated Professor Jonathan W.C. Wong for being awarded the Bronze Bauhinia Star in recognition of his contributions to sustainable development and Mr Stephen L.H. Liu for being awarded the Medal of Honour in recognition of his dedicated and valuable contributions to urban planning and development of Hong Kong.

Agenda Item 1

[Open Meeting]

Confirmation of Minutes of the 1276th Meeting

[The item was conducted in Cantonese.]

2. The draft minutes of the 1276th meeting were sent to Members on 12.8.2022. Subject to any proposed amendments by Members on or before 15.8.2022, the minutes would be confirmed.

[Post-meeting Note: The minutes were confirmed on 15.8.2022 without amendments.]

Agenda Item 2

[Open Meeting]

Matters Arising

[The item was conducted in Cantonese.]

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

Kowloon District

Agenda Item 3

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Representations and Comments in respect of the Draft Cha Kwo Ling, Yau Tong, Lei Yue Mun Outline Zoning Plan No. S/K15/26
(TPB Paper No. 10853)

[The item was conducted in English and Cantonese.]

4. The Secretary reported that the amendments to the draft Cha Kwo Ling, Yau Tong, Lei Yue Mun Outline Zoning Plan No. S/K15/26 (the draft OZP) involved two proposed public housing developments to be developed by the Hong Kong Housing Society (HKHS) at Cha Kwo Ling Village (CKLV) and the Hong Kong Housing Authority (HKHA) at ex-Cha Kwo Ling Kaolin Mine Site (ex-CKLKMS) Phase 2, which were supported by a Feasibility Study (FS) and a Design Review respectively, both commissioned by the Civil Engineering and Development Department (CEDD) with AECOM Asia Company Limited (AECOM) as the consultants. A representation and a comment were submitted by HKHS (R1/C1). Amendments were also made to the Notes of the “Comprehensive Development Area” (“CDA”) zone at Yau Tong Bay to take forward the decision of the Metro Planning Committee of the Town Planning Board (the Board) on a s.12A application No. Y/K15/4, which was submitted by Main Wealth Development Limited, a joint venture of owners of Yau Tong Marine Lots including Sun Hung Kai Properties Limited (SHK), Henderson Land Development Limited (HLD), Swire Properties Limited (Swire) and Wheelock Properties (HK) Limited (Wheelock). Ove Arup & Partners Hong Kong Limited (ARUP) was one of the consultants of the s.12A application. The following Members had declared interests on the items:

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| Mr Ivan M.K. Chung
(as Director of Planning) | - | being an ex-officio member of the Supervisory Board of HKHS; |
| Mr Andrew C.W. Lai
(as Director of Lands) | - | being an ex-officio member of the Supervisory Board of HKHS and a member of HKHA; |

- Mr Paul Y.K. Au
(as Chief Engineer (Works),
Home Affairs Department)
- being a representative of the Director of Home Affairs who was a member of the Strategic Planning Committee and Subsidised Housing Committee of HKHA;
- Dr C.H. Hau
- conducting contract research project with CEDD; having past business dealings with AECOM and HLD; having current business dealings with Swire; being an employee of the University of Hong Kong (HKU) which had received a donation from a family member of the Chairman of HLD; being a Principal Lecturer of the School of Biological Science of HKU and his department had received donations from Swire Trust; being a life member of the Conservatory Association (CA) and his wife being the Vice Chairman of the Board of Directors of CA which had received donation from Wheelock before;
- Dr Conrad T.C. Wong
- having current business dealings with HKHS, HKHA, AECOM and SHK;
- Mr Franklin Yu
- being a member of the Building Committee and Tender Committee of HKHA; having current business dealings with ARUP; his spouse being an employee of SHK;
- Mr Daniel K.S. Lau
- being a member of HKHS;
- Ms Lilian S.K. Law
- being a member of HKHS; being a former Executive Director and Committee Member of The Boys' & Girls' Clubs Association of Hong

- Kong which had received sponsorship from SHK;
- Mr Timothy K.W. Ma - being a member of the Supervisory Board of HKHS;
- Mr K.L. Wong - being a member and ex-employee of HKHS;
- 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 openly bid funding from HKHA;
- Mr Stephen L.H. Liu - being a former member of the Council of Hong Kong Polytechnic University which had obtained sponsorship from HLD before;
- Mr Vincent K.Y. Ho - having current business dealings with AECOM; and
- Miss Winnie W.M. Ng - being a Director of the Kowloon Motor Bus Co. (1933) Ltd. (KMB) and Long Win Company Limited (Long Win), and SHK being one of the shareholders of KMB and Long Win.

5. Dr Conrad T.C. Wong, Messrs Stephen L.H. Liu and K.L. Wong had tendered apologies for being unable to attend the meeting. Members noted that as the interests of Messrs Franklin Yu, Timothy K.W. Ma and Ms Winnie W.M. Ng were direct, they had not been invited to join the meeting for the item. The interests of Messrs Ivan M.K. Chung, Andrew C.W. Lai and Paul Y.K. Au were considered direct on Amendment Items (Items) A1 and B1 and were invited to leave the meeting temporarily for the item. As the interest of Mr

L.T. Kwok was indirect and Messrs Daniel K.S.Lau and Vincent K.Y. Ho, Ms Lilian S.K. Law, Dr C.H. Hau had no involvement in the amendments to the Outline Zoning Plan (OZP) and/or submission of the relevant representations and comments, Members agreed that they could stay in the meeting.

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

Presentation and Question Sessions

6. The Chairperson said that reasonable notice 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.

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

Government Representatives

Planning Department (PlanD)

Ms Vivian M.F. Lai - District Planning Officer/Kowloon (DPO/K)

Ms Jessie K.P. Kwan - Senior Town Planner/Kowloon (STP/K)

Ms Charlotte P.S. Ng - Town Planner/Kowloon

CEDD

Mr Clarence C.T. Yeung - Chief Engineer/South 1

Mr Peter K.C. Poon - Senior Engineer/2 (South) (SE/2S)

Mr Edmund K.M. Chiu - Deputy Project Team Leader (South)

Housing Department (HD)

Ms Lily L.H. Sze - Senior Planning Officer

Miss Carol Fay Ty - Senior Architect

AECOM

Mr David C.C. Ho]

Ms Elly H.S. Leung]

Mr Dickson C.N. Poon] Consultants

Mr Patrick P.K. Lai]

Mr Andrew H.P. Ip]

Representers, Commenters and their Representatives

R1/C2 – HKHS

Mr Oliver Lin Fat Law] Representer's and Commenter's

Mr Markus Chi Cheong Li] Representatives

R7 – Laguna City Phases 1, 2 & 4 Estate Owners' Committee

Mr Edwin Yick Wang Cheung] Representer's Representative

R67 – Elisa Heung Yuet Chan

R90 – Lam Shiu Kau

Mr Lam Shiu Kau] Representer's Representative and
Representer

R74 – Polly So Kam Ng

Mr William Wai Lam Li] Representer's Representative

R146 – Wong Ming Wai

Mr Wong Ming Wai] Representer

R155 – Sceneway Garden Estate Owners’ Committee

Mr Lam Yat Ming] Representer’s Representative

R159 – Yung Kai Him

Mr Yung Kai Him] Representer

R181/C2 – Designing Hong Kong Limited

Mr Samuel Wan Kei Wong] Representer’s and Commenter’s
Representative

R183/C4 - Mary Mulvihill

Ms Mary Mulvihill - Representer and Commenter

8. 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, commenters and their representatives would then be invited to make oral submissions. To ensure efficient operation of the hearing, each representer, commenter or his/her representative would be allotted 10 minutes for making presentation. There was a timer device to alert the representers, commenters or their representatives two minutes before the allotted time was to expire, and when the allotted time limit was up. A question and answer (Q&A) session would be held after the representers, commenters and their representatives had completed their oral submissions. Members could direct their questions to the government representatives or the representers, commenters and their representatives. After the Q&A session, the government representatives, 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.

9. The Chairperson invited PlanD’s representatives to brief Members on the representations and comments.

[Ms Bernadette W.S. Tsui joined the meeting at this point.]

10. With the aid of a PowerPoint presentation, Ms Jessie K.P. Kwan, STP/K, briefed Members on the representations and comments, including the background of the draft OZP, 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. 10853 (the Paper).

[Mr L.T. Kwok joined the meeting during the presentation of PlanD's representative.]

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

R1/C2 – HKHS

12. With the aid of a PowerPoint presentation, Mr Oliver Lin Fat Law made the following main points:

- (a) HKHS supported Item A1 which involved a site zoned “Residential (Group A)8” for public housing development in CKLV to meet the pressing need of housing supply and optimise utilisation of land resource. The site area was about 3 ha with maximum domestic gross floor area (GFA) of 227,250m² and non-domestic GFA of 30,300m², and maximum building heights (BHs) of 110mPD and 130mPD. There would be six housing blocks providing about 4,500 units;
- (b) the BHs of the proposed development were compatible with the stepped height profile with BHs descending from the inland to the waterfront of the area. The proposed development intensity equivalent to a domestic plot ratio (PR) of 7.5 and non-domestic PR of 1 had taken into account the waterfront location of the site. Various types of social welfare facilities for children, elderly and persons with rehabilitation needs, with total floor area of not less than 5% of the domestic GFA, would also be incorporated into the development;
- (c) regarding pedestrian accessibility and connectivity, the three existing at-grade crossings along concerned section of Cha Kwo Ling Road (CKLR) connecting the site of Item A1 (Site A1) to the waterfront would be retained and opportunity

would be taken to improve the walking environment by providing canopies along CKLR concerned. HKHS would liaise with relevant government departments on the need of providing connection(s) within the development to link with any future grade-separated crossing(s) to the public waterfront promenade (PWP) across CKLR;

- (d) the Law Mansion (Grade 3 historic building) would be preserved in-situ for adaptive reuse. Open areas with quality landscape would be provided outside the historic building and a public passageway of not less than 20m-wide would serve as view corridor towards the waterfront. The Tin Hau Temple (CKL) outside the boundary of Site A1 would not be affected by the proposed development. An open area of not less than 900m² was designated within Site A1 to serve as a buffer area for the temple and would be open for public enjoyment. Heritage Impact Assessment would be carried out to formulate suitable heritage conservation measures in the detailed design stage and the two heritage buildings would not be structurally affected by the proposed development;
- (e) retail and shopping facilities, wet market, kindergarten together with social welfare facilities (GFA of about 11,500m²) would be provided to serve the future residents and local community. According to the findings of relevant technical assessments, adverse impacts on traffic, environmental, visual, air ventilation and heritage preservation aspects were not anticipated;
- (f) regarding the public concerns on development intensity, visual and air ventilation impacts, the PR and BHs of the proposed development had already struck a balance in optimising the site's development potential to provide 4,500 units while ensuring compatibility with the overall development density in Kowloon East. To address the concerns on visual and air ventilation, design measures such as building separation of not less than 15m and an urban window at Tower 6 would minimise potential impacts;
- (g) the minimum flat size of the proposed development was about 300 square feet. Ancillary carparking provision would follow the high-end standard stipulated in

the Hong Kong Planning Standards and Guidelines and opportunity for providing more car parking spaces would be explored in the detailed design stage. About 170 new trees and a wide range of landscape treatments would be provided to enhance landscape quality, and as mentioned, heritage buildings within and near Site A1 would be preserved and opportunity would be taken to improve accessibility and walkability between the development and the PWP; and

- (h) according to the tentative development programme, it was expected that the OZP amendment process, land grant process and approval of general building plans for the development could be completed between 2022 and 2026. Construction work was scheduled for commencement in 2026 with first population intake in 2031.

R7 – Laguna City Phase 1, 2 & 4 Estate Owners’ Committee

13. With the aid of a PowerPoint presentation, Mr Edwin Yick Wang Cheung made the following main points:

- (a) the Financial Secretary, Mr Paul M.P. Chan, indicated in a recent media interview that all public housing developments would be supported by public transport facilities before population intake. There was severe shortage in carparking spaces in Kwun Tong District given the large number of existing and planned population at Laguna City and KoKo Hills. Many car owners had to park their vehicles either on-street or at open-air carparks. The problem would worsen with further increase in population. The Government should explore the feasibility of providing more public car parking spaces at the proposed joint-user government complex (JUC) (Item A2) and a site abutting Sin Fat Road which was currently occupied by the Electrical and Mechanical Services Department’s Vehicle Compound with the future Sai Tso Wan Park under planning thereat;
- (b) traffic between the Kwun Tong business area (KTBA), the Eastern Harbour Crossing (EHC) and Tseung Kwan O via the future Trunk Road T2 would pass

through CKLR. That road was very congested and the traffic condition would be worsened with future increase in traffic flow in future. The Government should take the opportunity to widen CKLR to increase its capacity;

- (c) in view of the large number of senior residents at Laguna City, special schools at Rehab Path and planned social welfare facilities at the proposed JUC, it was necessary to improve pedestrian accessibility and connection between Laguna City and Lam Tin MTR Station. In particular, barrier-free access at Lam Tin MTR Station Exit D should be provided for senior residents and wheelchair users. Besides, the connection to EHC and Yau Tong MTR Station should also be enhanced. The provision of a pedestrian-friendly environment leading to MTR stations could encourage the local community to walk and hence help reduce road traffic and congestion problem in the area;
- (d) noting the proposed felling of trees for Items A1 and B1, substantial landscape treatments and compensatory tree planting were needed to compensate the net loss in terms of number of trees felled and the existing green backdrop; and
- (e) the two proposed housing developments and the proposed Vocational Training Council (VTC) new campus would result in the loss of some open spaces. The Government should take the lead to coordinate the related works in Cha Kwo Ling (CKL) and Kai Tak in order to expedite the implementation of the planned CKL PWP.

R67 – Elisa Heung Yuet Chan

R90 – Lam Shiu Kau

14. Mr Lam Shiu Kau made the following main points:

- (a) he had been living in Laguna City for about 30 years. Lam Tin MTR Station Exit D was always overcrowded and the problem would be worsened with additional commuters from Koko Hills and the proposed housing developments in future. There was one set of two-way escalators serving Exit D but only one-way flow was allowed during replacement or repair work of the escalators.

Improvement works by the Mass Transit Railway Corporation Limited (MTRCL) were required to solve the problem. Besides, new barrier-free access was also required at Exit D to cater for the needs of wheelchair users;

- (b) new MTR lines were needed to divert passengers away from Lam Tin MTR Station, e.g. a line connecting the uphill areas in Kowloon East with Po Lam in Tseung Kwan O, and another line along CKL waterfront;
- (c) the connection between Site A1 and Yau Tong MTR Station should be improved, e.g. shuttle bus service, light rail transit or a new railway line along the waterfront. Consideration could also be given to developing a new pier at CKL waterfront to provide cross-harbour ferry services and for recreation purpose, e.g. dragon boat activities; and
- (d) a wider perspective should be adopted by the Government in the planning of public transport and pedestrian connection to support the two housing developments. The improvements should not be confined to Lam Tin MTR Station Exit D and solely for the new housing developments.

R146 – Wong Ming Wai

15. Mr Wong Ming Wai made the following main points:

- (a) he was a resident of Laguna City and the Chairman of the Estate Owners' Committee (Phase 3). The proposed primary school was too close to Laguna City (Phase 3). In view of the existing and planned primary schools in the surrounding area including Koko Hills and availability of vacant school premises in Kwun Tong, the need for an additional primary school was doubted;
- (b) existing roads in the area were very congested due to rapid development of the KTBA, and the heavy traffic near Tseung Kwan O Tunnel, EHC portal and the LPG filling station in Kwun Tong. The traffic congestion problem was expected to be worsened upon commissioning of the Tseung Kwan O-

Lam Tin Tunnel (TKO-LT Tunnel), Trunk Road T2 and additional population from the two housing developments. The proposed VTC campus development with some 6,000 students and proposed LPG filling station near the waterfront would add further burden on the road network. Regarding pedestrian accessibility, it was anticipated that Sin Fat Road could not cope with the increase in population;

- (c) according to the 2021 Census, Kwun Tong district had the largest number of resident population and public housing estates as well as the highest population density. However, there was no plan for developing a new mass transit system such as monorail, a cycle track or implementing road widening works to alleviate the current and anticipated traffic problem;
- (d) existing seafood wholesale businesses at Fan Wa Street had generated on-street parking and loading/unloading problems. The Government should provide adequate parking facilities for commercial vehicles in the area to address the issue; and
- (e) Items A1 and B1 were very close to the ex-Sai Tso Wan landfill site with risk of methane leaking. It was doubted whether the two sites were suitable for high-density housing developments. In addition, there was a baseball field at the Sai Tso Wan Recreation Ground and the proposed developments would cause visual impact on it. Consideration could be given to building staircases connecting the baseball field and the existing footpaths to improve accessibility.

R155 – Sceneway Garden Estate Owners’ Committee

16. Mr Lam Yat Ming made the following main points:

- (a) he was the Chairman of Estate Owners’ Committee of Sceneway Garden and Convenor of Kwun Tong South Traffic Working Group. He had been living in Kwun Tong for about 50 years and Sceneway Garden for about 30 years. The residents of Sceneway Garden were mainly concerned about the traffic impact associated with the proposed housing developments and the impact on

their daily life, with only a few expressing concern on property value. Some residents suggested that BHs of the proposed developments should be reduced to a level lower than Sceneway Garden to mitigate air ventilation impact. There was also concern on the capacity of Lam Tin MTR Exit D in view of the increase in pedestrian flow in future;

- (b) public consultation conducted by the Government was inadequate during the plan-making process. The Government only conducted briefing session for residents of Laguna City but there was no briefing or consultation session for residents of Sceneway Garden or the Kwun Tong South Traffic Working Group;
- (c) there was a pressing need to improve Lam Tin MTR Exit D. There was one set of two-way escalators serving Exit D and only one-way flow was allowed during maintenance periods of which. Students of special schools nearby currently had to pass through Sceneway Garden to reach their school premises which was a 'compassionate' arrangement by the Sceneway Garden Estate Owners' Committee. In view of increase in pedestrians from the proposed VTC new campus, Koko Hills and the two proposed housing developments in future, capacity problem at Lam Tin MTR Exit D would be worsened. It was anticipated that the new commuters would pass through Sceneway Garden and add burden on their private estate. There was a genuine need for the Government to address the pedestrian accessibility issue to cater for future increase in pedestrian flow and the need for barrier-free access for wheelchair users. Should the congestion problem prolong, the Sceneway Garden Estate Owners' Committee, as a last resort might consider restricting outsiders from using the passageways within their estate; and
- (d) there was no existing waterfront park in Kwun Tong and the Legislative Council had recently approved funding for the proposed VTC new campus development including provision of a PWP. However, the residents of Sceneway Garden had not been consulted on the concerned public open space development.

R159 – Yung Kai Him

17. Mr Yung Kai Him made the following main points:

- (a) he had been living in Kwun Tong since his childhood and he was a member of the 'Kowloon 13 Villages Concern Group'. Social impact assessment should be conducted before rezoning the site of CKLV (i.e. Site A1) in order to ascertain the number of affectees to facilitate the compensation and rehousing (C&R) arrangements. Based on past experience, rehousing of squatters was complicated because the occupants might have difficulties in meeting the eligibility criteria under the 'May Tenth Proposal' (「510 方案」) on C&R. For example, the need to provide address proof to demonstrate that they had been living in the dwelling concerned continuously for seven years. It was heard that the designated rehousing estates for the affectees would be located in the Northern Metropolis and such rehousing arrangement was undesirable, particularly for elderly occupants who might have difficulties in adapting to new environment. The affectees should be rehoused within the same district; and
- (b) some representers had mentioned in their submissions the shortcomings of the current development proposals, and the Government had yet to address the relevant issues, e.g. traffic impact.

R181/C2 – Designing Hong Kong Limited

18. With the aid of a PowerPoint presentation, Mr Samuel Wan Kei Wong made the following main points:

- (a) the connection between the waterfront and the proposed housing developments in CKL was an important issue and the Government should ensure that an integrated design be adopted;
- (b) he referred to Plan H-8a of the Paper and pointed out that the future increase in population as well as commissioning of Trunk Road T2, TKO-LT Tunnel would attract more traffic to CKLR and would pose constraints on the connectivity

between the proposed housing developments and the PWP. Road safety would also be a concern with the anticipated increase in traffic along CLKR. Consideration could be given to providing a wide pedestrian deck over the road which could offer better connection between the waterfront promenade and the proposed housing and government, institution and community (GIC) developments. The OZP amendments should aim at facilitating integration with the waterfront to enhance vibrancy of the Kowloon East;

- (c) it was suggested to extend some parts of the podium of the proposed housing development at Site A1 by decking over CKLR to connect the promenade area. Such design could create a better and safer pedestrian walking environment to the waterfront and reduce at least one of the pedestrian crossings at CKLR which could facilitate smoother vehicular traffic flow. Similar design was commonly found in Hong Kong such as the landscape deck design over Lung Wo Road in Tamar, planned landscaped deck at Wan Chai North waterfront, and the Kai Tak Sports Park with landscaped deck connecting to Kai Tak Station. It was noted that the same proposal was suggested by a member of the Harbourfront Commission; and
- (d) in conclusion, there should be comprehensive design of the waterfront housing development at Site A1 as well as GIC and retail facilities north of CKLR as a whole. The provision of the pedestrian deck linking the proposed housing development and the waterfront could enhance the connectivity and bring along vibrancy to the waterfront.

R183/C4 – Ms Mary Mulvihill

19. Ms Mary Mulvihill made the following main points:

- (a) the proposed housing developments in CKL would eliminate the open space with green backdrop and in return provide nano flats to accommodate large number of residents. Once the ‘green lung’ was gone, it would never be replaceable. The Board should be aware of the implications of the proposed developments;

- (b) with the increase in about 20,000 additional residents to the district, the VTC site should be considered to rezone back to “Open Space” and to relocate the proposed VTC new campus to one of the new towns. Provision of a large park to serve the district as well as other facilities was urgently needed to serve the new residents. The implementation programme of the PWP should be independent of the VTC new campus development to expedite open space provision;
- (c) the proposed elimination of a green backdrop for provision of public housing units would significantly alter the landscape as viewed across the harbour and such loss would be irreversible. As compared with application No. A/K15/124 with flat yield of 4,984 units which was rejected by the Board, there would be an increase in housing units associated with Item B1 (i.e. proposed public housing development at ex-CKLKMS Phase 2). It would result in greater wall effect with elimination of green slope and the impact would be more damaging;
- (d) while supporting the demand of local residents to provide the more needed community facilities, the proposal was contradictory to the stepped BH profile from the waterfront towards the inland. There was no BH restriction for the “Government, Institution or Community” zone and future increase in the size of GIC facilities would further erode the remaining green view. Trees on the hillside would also be removed. While about 1,500 trees would be felled and about 300 trees would be retained, no evaluation on air quality was provided once those trees were removed;
- (e) an extraordinary amount of land would be used for provision of new roads and road widening. Land designated for such purpose was out of proportion and should be dedicated for other uses. The impact on air ventilation was too broad-brush and the benefit of the ‘urban window’ at Site A1 to facilitate air ventilation was limited;
- (f) only two heritage buildings would be preserved which would effectively

remove a chunk of Hong Kong history. The idea of showing a few slides/models to compensate the loss was inadequate. Clearly no lesson had been learnt from the destruction of Nga Tsin Wai Tsuen. It was necessary to retain the historical context and the proposed retail facilities at the preserved heritage building could hardly serve the purpose. Opportunity should be taken to review the history of Hong Kong, in particular, the significance of historical villages before they disappeared;

- (g) noting that there was a deficit of about 1,170 hospital beds and the number of elderly was increasing, adequate district health services were needed but were not included in the proposals;
- (h) the need to provide a large amount of public housing units was questionable. Noting that empty housing units were available in the Greater Bay Area (GBA), the Government should consider taking over some of the housing units in the GBA as an option for retirees or those Hong Kong citizens who preferred living and working in the Mainland as a solution to meet housing needs; and
- (i) she also noted that R146 had mentioned about the methane emissions at the ex-Sai Tso Wan landfill site and suggested the Board to seek clarifications from government representatives.

R74 – Ng So Kam Polly

20. Mr William Wai Lam Li made the following main points:

- (a) he was a resident in the area and a former Kwun Tong District Council member. He supported the proposed development (Item A1) mainly for the reason that a new two-way road connecting ex-CKLKMS to CKLR was included in the proposal. This new road could alleviate the vehicular traffic of CKLR – Laguna City section and Sin Fat Road and serve residents of Koko Hills;

- (b) he had consolidated the views from the Estate Owners' Committee of Laguna City (Phases 1 to 4) and their support to the proposed development was subject to two pre-conditions and three requirements. Their pre-conditions were: (i) advance completion of the abovementioned new road which was tentatively scheduled for completion in 2029/30; and (ii) the illegal carparking issues along Fan Wa Street, Sin Fat Road and CKLR should be tackled. Their requirements were: (i) other than the public carpark at the JUC, more public carparking spaces were required; (ii) provision of a market to serve the existing and future residents in the area; and (iii) provision of new barrier-free access to Lam Tin MTR Station to serve the ageing population of Laguna City and other new nearby residents; and
- (c) there were opposing views to the proposed development from the local community as whether the area as a whole would be well planned to cater for the substantial increase in population, students and staff of the proposed VTC new campus, and establishment of a LPG filling station near the waterfront serving 3,000 vehicles daily was questionable.

21. As the presentations of PlanD's representative and 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 to the representers, commenters and their representatives and/or the government representatives. The Q&A session should not be taken as an occasion for the attendees to direct question to the Board or for cross-examination between parties.

Pedestrian Accessibility

22. Some Members raised the following questions to the government representatives :
- (a) noting the increase in pedestrian flow from the proposed housing developments, whether there was plan to improve access arrangement and provide barrier-free access at Lam Tin MTR Station Exit D. If affirmative, whether it was necessary to amend the OZP to facilitate the provision;

- (b) noting that the new lift tower at the proposed JUC would serve residents of the proposed housing developments and Laguna City, whether one lift tower was adequate to cope with the anticipated pedestrian flow; and whether covered footpaths leading to Lam Tin MTR Station would be provided;
- (c) whether there was plan to provide canopies and public toilets and plant trees along the footpaths between the proposed developments and Lam Tin MTR Station with a view to creating a comfortable walking environment;
- (d) information on the walking distance between Site A1 and Yau Tong MTR Station, and that between the site at item B1 (Site B1) and Lam Tin MTR Station;
- (e) clarifications on the constraints for providing a direct pedestrian access from the proposed developments to Lam Tin MTR Station through the ex-Sai Tso Wan landfill site;
- (f) the level differences between: (i) the landing point of the new lift tower at the JUC and Ko Ling Road; (ii) Ko Ling Road and Sin Fat Road; and (iii) Ko Ling Road and Lam Tin MTR Station Exit D; and
- (g) whether it was feasible to provide a cycle track connecting Site A1 and Yau Tong MTR Station.

23. In response, with the aid of some PowerPoint slides, Ms Jessie K.P. Kwan, STP/K, PlanD and Mr Peter K.C. Poon, SE/S2, CEDD, made the following main points:

- (a) the two public housing developments were located between Lam Tin MTR Station and Yau Tong MTR Station. Future residents of the proposed housing developments, particularly those at Site B1 at ex-CKLKMS Phase 2, would likely travel along Ko Ling Road and Sin Fat Road to Lam Tin MTR Station Exit D1 while those at Site A1 might prefer to walk along CLKR or route through the future PWP to Yau Tong MTR Station as an alternative;

- (b) currently there was one set of two-way escalators managed by MTRCL leading to Exits D1 (Sin Fat Road) and D2 (Sceneway Garden) of Lam Tin MTR Station. Regarding the concerns on access arrangement of Exit D in coping with the anticipated pedestrian flow, relevant data collected in the FS for the proposed housing developments had been passed to MTRCL for reference. Taking into account the comments received, CEDD would conduct an assessment at the detailed design stage. The improvement proposal(s) would then be conveyed to MTRCL for consideration on the possible improvement works as appropriate. Besides, HKHS would explore the feasibility of providing canopies along CKLR to provide a comfortable walking environment. Amendment to the OZP or planning approval from the Board was not required for the improvement works or provision of barrier-free access at Lam Tin MTR Station;
- (c) at the feasibility study stage, one lift for the lift tower linked to the proposed JUC (Item A2) was considered adequate to serve the future residents at the proposed housing developments and the public, including residents of Laguna City, to travel to Lam Tin MTR Station. The total number of lifts to be provided would be further reviewed during the detailed design stage and there was room for providing two lifts, if needed. The provision and/or enhancement of public facilities were always permitted under the OZP;
- (d) there was preliminary plan to plant trees along footpaths near the proposed housing developments, including the new road (Item A4) connecting CKLR and Ko Ling Road. The suggestions of providing canopies, tree planting and public toilets along the footpaths in the area and the proposed PWP would be referred to relevant government departments for consideration;
- (e) the walking time between Site A1 and Yau Tong MTR Station and between Site B1 and Lam Tin MTR Station was both about 10 minutes;
- (f) the Environmental Protection Department (EPD) did not support any construction works, including construction of footbridge or subway, within

the ex-Sai Tso Wan landfill site, as such works would likely involve excavation and piling which might result in leaking of methane during the rehabilitation period;

- (g) regarding the site level, as shown on Plan H-7a of the Paper, the site formation level of the proposed JUC was about 8mPD and the lift tower thereat would vertically connect to the footbridge linking to the new road (Item A4) at about 29mPD. Given the existing undulating topography, the level of the new road would descend to about 20mPD near Ko Ling Road, then raise to about 40mPD at Lam Tin Station Exit D1 at Sin Fat Road; and
- (h) regarding the feasibility of developing a cycle track along the proposed PWP to Yau Tong MTR Station, consideration might be given to providing such facility for leisure purpose. The provision of a cycle track for commuting purpose along roadside might give rise to safety concern. The suggestion would be passed to the relevant parties for consideration.

Waterfront Connectivity

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

- (a) whether the existing at-grade crossings at CKLR were adequate to cater for the connectivity between the proposed development at Site A1 and the waterfront; whether the accessibility between the waterfront and its hinterland, including the proposed development at Site A1, could be improved; and if it was feasible to provide a wide pedestrian deck across CKLR as suggested by R181/ C2; and
- (b) whether there was plan to improve connection between the proposed public housing developments and the waterfront area around Kwun Tong Ferry Pier (KTFP).

25. In response, with the aid of some PowerPoint slides, Ms Jessie K.P. Kwan, STP/K, PlanD and Mr Peter K.C. Poon, SE/2S, CEDD, made the following main points:

- (a) according to the current proposals, the connection with the waterfront would be enhanced by: (i) provision of a public open space (about 1 ha) at the VTC new campus development and a landscaped deck above the Kwun Tong Sewage Pumping Station where public passageways linking the proposed and Wai Yip Street would be available; and (ii) minor modifications to the three existing at-grade crossings along the concerned section of CKLR under housing development project. Traffic study on future pedestrian flow revealed that the three existing at-grade crossings concerned with minor modifications would operate at satisfactory conditions. CEDD would work closely with HKHS, relevant bureaux/departments and VTC to explore means to further improve the connection arrangement including the feasibility of grade-separated passageway to connect between the housing development and the PWP in the detailed design stage; and

- (b) connection with the Kwun Tong waterfront area including KTFP would be improved by: (i) a quick-win project to be implemented by the Energizing Kowloon East Office to open up a strip of land to the east of KTFP which was currently fenced-off for public access; (ii) setback of site boundary of Kwun Tong Preliminary Treatment Plant; and (iii) construction of pedestrian walkway across Tsui Ping River.

Air Ventilation, Visual Impact and Proposed BH

26. Some Members raised the following questions to the government representatives:
- (a) whether the two public housing developments would induce any air ventilation impact on the surrounding developments including Sceneway Garden; and

 - (b) whether the BH of the JUC would be reviewed to address the public concern on potential visual impact.

27. In response, with the aid of some PowerPoint slides, Ms Jessie K.P. Kwan, STP/K, PlanD, made the following main points:

- (a) according to the Air Ventilation Assessment-Expert Evaluation (AVA-EE) conducted under the FS, the summer prevailing winds were mainly from the southeast and southwest. The disposition of the residential towers under the notional scheme for proposed housing development at Site A1 would generally avoid encroachment onto the prevailing wind corridors. The proposed new road, building gap near the ingress/egress point and the urban window at Tower 6 at Site A1 would facilitate air penetration to inland area. The non-building area as specified under lease in the Koko Hills development to north of Site B1 along the same wind corridor running would help maintain a continuous wind corridor. The AVA-EE concluded that incorporation of various design measures (e.g. building separations and urban window) would be sufficient to maintain the wind corridors and it was unlikely that the proposed developments would have any insurmountable adverse air ventilation impact to the surroundings; and
- (b) according to the existing mechanism, the project proponent of the proposed JUC would conduct further technical assessments and consult relevant stakeholders. The concern on the proposed BH and the possible visual impact would be passed to relevant parties for consideration at the detailed design stage.

28. In response to a Member's question on the reason for adopting a solid transfer plate on top of the podium, instead of allowing a horizontal gap between the podium platform and the base of the residential towers, for the proposed housing development at Site A1, Mr Oliver Lin Fat Law, representative of R1/C1, said that in view of the BH restriction imposed, a conservative approach had been adopted in formulation of the building design under the notional scheme. At the detailed design stage, HKHS could consider raising the transfer plate to a higher level to allow a podium gap for a more permeable design and the area so created could be turned into a podium garden with additional greening and facilities for the future residents.

Traffic and Transport Aspects

29. Some Members raised the following questions to the government representatives on traffic and transport aspects:

- (a) whether the existing junction at Wai Yip Street/CKLR could cope with the additional traffic generated by the proposed housing developments;
- (b) noting that there would be a public transport interchange (PTI) in the proposed JUC, whether the additional traffic would induce road safety problem at the junction of Wai Yip Street/CKLR;
- (c) information on the percentage of commuters travelling by MTR and other public transport modes; and
- (d) whether there would be an agent to co-ordinate the implementation of the two proposed public housing developments and the proposed new road.

30. In response, with the aid of some PowerPoint slides, Ms Jessie K.P. Kwan, STP/K, PlanD and Mr Peter K.C. Poon, SE/2S, CEDD, made the following main points:

- (a) the Preliminary Traffic and Transport Impact Assessment (PTTIA) revealed that the two proposed housing developments would not create adverse traffic impact on the existing road network/junctions after implementation of the proposed road and junction improvement works and widening of CKLR was considered not necessary. Furthermore, a new access road (Item A4) would be constructed to allow the traffic from housing developments at ex-CKLKMS to go directly to CKLR bypassing the Laguna City, and thus improving the traffic capacity in the area;
- (b) improvement works at the junctions of: (i) Sin Fat Road/CKLR; (ii) Wai Yip Street/CKLR; and (iii) CKLR/Shing Yip Street had been completed. The junction at Wai Yip Street/Wai Fat Street would also be improved to meet

the future traffic demand. All the road and junction improvement works would be carried out in compliance with the current road safety standard;

- (c) according to modal split adopted in the PTTIA, it was assumed that 30% of the commuters would use public road transport services at the new PTI and 70% would travel by MTR and/or private cars. The Transport Department would monitor the demand and service level and examine the need for new public transport services connecting the two housing developments with Lam Tin MTR Station and Yau Tong MTR Station; and
- (d) currently one contractor was assumed for the proposed new road and site formation works at Item A1, and another one for Item B1. CEDD would co-ordinate the two contractors and the subsequent building contractors for housing developments to minimise environmental impacts on the surrounding area.

Other Aspects

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

- (a) whether there was deficit in open space provision;
- (b) whether the Hospital Authority had a plan to address the shortfall in hospital beds;
- (c) noting from the notional scheme of the proposed housing development at Site A1 (Plan H-6) that there were slope formation and modification works, whether there was plan to provide greenery along the cut slopes;
- (d) the rationale for designating the slope areas along the proposed new road as “Green Belt”(“GB”);

- (e) noting the concern raised by R146 on potential leakage of methane from the ex-Sai Tso Wan landfill site, whether there were criteria for rehabilitation of landfill sites;
- (f) noting the concern raised by R155 that residents of Sceneway Garden had not been consulted during the planning process, whether there were criteria for conducting public consultation; and
- (g) whether traffic from the proposed new road (Item A4) would have traffic noise impact on surrounding developments.

32. In response, with the aid of some PowerPoint slides and visualiser, Ms Jessie K.P. Kwan, STP/K, PlanD, made the following main points:

- (a) there was a surplus of local open space (about 15 ha) and shortfall of district open space (about 3 ha) in the planning scheme area. Notwithstanding that, district open space was intended to serve district population and there would be a surplus in existing and planned district open space of about 24 ha in Kwun Tong District as a whole. Besides, there were several planned open space projects in the area to serve the existing and planned population, e.g. the PWP in CKL and landscaped deck above the Kwun Tong Sewage Pumping Station;
- (b) the provision of hospital beds was assessed by the Hospital Authority on a cluster basis. According to the Second 10-Year Hospital Development Plan, the Hospital Authority would explore the feasibility of using other potential sites nearby for further expansion of United Christian Hospital in order to meet the rising demand for ambulatory and inpatient services arising from population growth and ageing demographics in the Kowloon East cluster;
- (c) to alleviate the potential landscape impact, about 14,000 shrubs, 3,100 climbers and 34,000 groundcovers were proposed as landscape treatment on the modified steep slopes;

- (d) there would be landscape treatment as well as planting of trees and shrubs on the slopes along the proposed new road if technically feasible, and the “GB” zoning was considered appropriate to reflect the intention of retaining the green setting of the slopes;
- (e) the ex-Sai Tso Wan landfill had ceased operation since 1980s and it was under a rehabilitation programme closely monitored by EPD. Part of the ex-landfill site had been converted into a baseball field for public use and leakage of methane was not an issue under normal circumstances;
- (f) as part of the statutory consultation process, the OZP was exhibited for public inspection under section 5 of the Town Planning Ordinance on 3.12.2021. Local consultation conducted by PlanD, CEDD and/or the Lands Department included: (i) the Kwun Tong District Council (KTDC) on 6.7.2021 and the then KTDC member of the constituency comprising Sceneway Garden attended the meeting; (ii) the Task Force on Harbourfront Developments in Kowloon, Tsuen Wan and Kwai Tsing of the Harbourfront Commission on 2.9.2021; (iii) a briefing to the residents of Laguna City on 27.10.2021 upon their invitation as conveyed via the Kwun Tong District Office; and (iv) a town hall briefing session on 10.5.2021 to brief the affected villagers/business undertakings of CKLV on the broad development programme and the C&R arrangements. As indicated by the government representatives during the town hall briefing, the dedicated rehousing estate to the affected eligible villagers would be in Kai Tak instead of the Northern Metropolis mentioned by R159; and
- (g) according to the Preliminary Environmental Review, the proposed two-lane new road would not have adverse noise impact on the surrounding area.

[Messrs Daniel K.S. Lau and Stanley T.S. Choi left the meeting during the Q&A session.]

33. As Members had no further questions to raise, the Chairperson said that the Q&A session was completed. He thanked the government representatives and the representers,

commenters and their representatives for attending the meeting. The Board would deliberate on the representations/comments in closed meeting and would inform the representers/commenters of the Board's decision in due course. The government representatives and the representers, commenters and their representatives left the meeting at this point.

Deliberation Session

34. The Chairperson said that the two public housing developments under Items A1 and B1 would provide about 7,000 flats to meet housing demand. The feasibility studies conducted by CEDD had demonstrated that the two proposed housing developments were technically feasible. He noted that there was no substantive objection to the proposed housing developments from the representers. The concerns of the representers and commenters were mainly related to the proposed BH, potential traffic impacts and pedestrian accessibility and connection to MTR stations and the waterfront area.

35. Members generally supported the proposed amendments, including the land uses and development parameters under Items A1 and B1, and expressed comments/concerns on various aspects as indicated below.

Connection with MTR Station and Waterfront

36. Some Members opined that pedestrian accessibility was a major concern for the two proposed housing developments. A Member said that Lam Tin MTR Station Exit D should be improved to provide convenient access for the elderly and raised concern about R155's suggestion that Sceneway Garden might restrict outsiders from using the passageways within their estate. Another Member said that the issue regarding improvement to the Lam Tin MTR exit could be dealt with during the detailed design stage and suggested that the pedestrian environment of the footpaths connecting to Lam Tin and Yau Tong MTR Stations should be improved, e.g. roadside planting and provision of public toilets. A Member opined that the two proposed housing developments were at a distance from Lam Tin and Yau Tong MTR Stations and the existing narrow footpaths with steep gradients were undesirable for elderly residents. Consideration should be given to providing barrier-free pedestrian access to serve existing and planned developments, e.g. an elevated footbridge from Site A1 to Lam

Tin MTR Station through the ex-Sai Tso Wan landfill site. Another Member said that minibus services to MTR Stations should be provided at Item B1 to serve future residents.

37. A few Members opined that connection between the new housing developments and the waterfront should be enhanced, and covered walkways should be provided as far as possible to connect the new housing developments with KTFP, EHC bus interchange and Yau Tong MTR Station. They also suggested that tree planting should be provided at the proposed PWP for a pleasant walking environment. In that regard, the Chairperson remarked that the Harbourfront Commission would pay close attention to the quality of the proposed landscape treatment and pedestrian connectivity of the PWP.

38. A Member said that given the level differences between the two housing sites and Lam Tin MTR Station, residents might prefer to travel along CKLR or the PWP to Yau Tong MTR Station. Minibus services and cycle track with associated parking facilities might be needed to improve accessibility of the two housing developments, in addition to provision of canopies and tree planting for a better walking environment. The Chairperson said that there was existing minibus service between CKLV and Yau Tong MTR Station, and with new residential developments, the relevant department would consider the need for enhancing public transport services in future.

39. A Member said that planning of the waterfront should aim at creating an ambience commensurate with the character of the area during the detailed design stage. The opportunity offered by the new housing developments and historic building (Law Mansion) was unique and those elements could be integrated to create a beautiful and pleasant environment. Another Member opined that the project proponents should focus on the quality of urban design to create an ambience for the area. The concerns on greening, pedestrian accessibility, and ambience could be stated in the Explanatory Statement of the OZP or planning briefs as appropriate.

40. A Member said that an existing industrial building within the “CDA” zone at Yau Tong Bay might impose constraint on the provision of a continuous pedestrian link along the PWP to Yau Tong MTR Station. The Chairperson remarked that private property was a common issue to address for planning of waterfront promenade. There were precedent cases where existing/planned industrial developments had imposed constraints on implementation of waterfront promenade projects. The Secretary supplemented that according to the approved

Master Layout Plan (MLP) of the “CDA” zone at Yau Tong Bay, a continuous PWP would be provided assuming redevelopment of the existing Wing Shan Industrial Building (Plan H-3a). The MLP was intended to guide future developments even though implementation of the planned uses were affected by owners’ initiatives and feasibility of redevelopment.

Loss of Existing Green Knoll

41. A Member opined that the rezoning for residential use (Items A1 and B1) was acceptable. However, the proposed housing developments would result in a net loss of trees, and hence the existing green knoll which formed part of the backdrop of the waterfront of Kowloon East. While currently there was no clear policy for off-site compensatory planting, efforts should be made by the Government to formulate such policy to mitigate landscape impact as a result of zoning amendments. A Member appreciated the proposed greening of the modified slopes of Item A1 to mitigate landscape impact of the proposed housing developments.

Other Aspects

42. A Member said that the proposed housing developments would have minimal air ventilation impact on the surroundings. A Member suggested that the design of the two housing developments could be refined to include permeable elements at podium level. In addition, incorporation of eating places and retail facilities at ground level of the public housing developments as well as a deck linkage with the waterfront as suggested by R181/C2 might create vibrancy and improve connectivity of the area.

43. The Chairperson concluded that Members generally supported the land use zonings including the respective development parameters. The relevant Government departments/project proponents would take account of Members’ views including: (a) enhancement of connectivity and accessibility between the proposed housing developments and MTR Stations in Lam Tin and Yau Tong; (b) provision of a pedestrian-friendly environment; (c) enhancement of connectivity and accessibility with the waterfront; and (d) review of the pedestrian arrangement for Lam Tin MTR Station Exit D, in further refining the design of the two public housing developments and the associated works.

44. Members generally considered that other grounds of the representations and

comments in respect of the OZP had been addressed by the departmental responses as detailed in the Paper, and the presentation and responses made by the government representatives at the meeting.

45. After deliberation, the Board noted the supportive views of **R1 to R4, R5 (part) to R151 (part), R153 (part) and R154 (part)**.

46. The Board decided not to uphold **R5 (part) to R151 (part), R152, R153 (part), R154 (part), R155 to R184** and considered that the draft OZP should not be amended to meet the representations and the reasons were:

“Items A1 and B1

- (a) rezoning of the Items A1 and B1 Sites for high-rise public housing developments will help increase land supply and optimise the scarce land resources in urban area to meet the acute demand for public housing (**R74, R161, R172, R173 and R177**);
- (b) technical assessments conducted on visual, air ventilation, traffic and transport, tree and landscape, heritage aspects, etc. have confirmed the feasibility and land use compatibility in developing the Items A1 and B1 Sites for high-rise public housing developments with supporting government, institution or community facilities and transport infrastructures (**R5 to R32, R34 to R45, R47 to R50, R62 to R81, R89, R93, R98 to R101, R114 to R118, R122 to R125, R132 to R136, R146, R153, R154, R155, R165 to R167, R169, R173, R174, R177 and R183**);
- (c) a new pedestrian footbridge and lift is proposed at the proposed joint-user government complex to overcome the level difference for accessing Lam Tin MTR Station via the footpaths alongside the proposed new road (Item A4), Ko Ling Road and Sin Fat Road. Further review on pedestrian connectivity and walkability in the vicinity of the representation sites including the scope for providing pedestrian enhancement facilities and connection arrangement across Cha Kwo Ling Road, and assessments on capacity and accessibility for the Exit

D1 of Lam Tin MTR Station will be conducted in the detailed design stage of the Cha Kwo Ling Village Development Project (**R7 to R32, R34 to R38, R40 to R44, R46 to R50, R59, R75 to R81, R94 to R97, R119 to R121, R132 to R136, R146, R153, R154, R155, R167, R169 and R173**);

- (d) the existing and planned provision of major government, institution and community (GIC) facilities and open space are generally adequate to meet the demand of the overall planned population in the K15 Planning Area in accordance with the requirements of the Hong Kong Planning Standards and Guidelines and concerned Bureaux/Departments' assessment except for primary and secondary school places, some type of social welfare facilities and hospital beds. In addition to various social welfare facilities to be provided in the two proposed housing developments, Item A2 Site is reserved for developing a Joint-User Government Complex for providing various GIC facilities (**R89, R173, R177 and R183**);
- (e) various retail facilities are proposed for the two public housing developments, and, among others, provision of wet market in the Cha Kwo Ling Village will be considered in the detailed design stage (**R9 to R23, R31, R33, R38, R40, R82 to R92, R128 to R131, R152, R153 and R169**);
- (f) potential hazard on the proposed development in Cha Kwo Ling (CKL) Village due to the operation of CKL pigging station is considered to be minimal, and a Quantitative Risk Assessment is not required (**R180**) ;

Item A2

- (g) being located in the midst of existing and planned residential development, the proposed joint-user government complex (JUC) at Item A2 Site would serve the need arising from the two proposed housing developments and the neighbouring community. The size of Item A2 Site has been optimised and the proposed JUC thereat is demonstrated to be technically feasible during both construction and operation stages. The provision of public vehicle park and library as proposed will be actively explored by relevant government

departments in the detailed design stage. No building height restriction is imposed to allow flexibility for changes/increase in government, institution or community facilities (**R5 to R151, R152, R153, R165, R169, R174 to R176, and R183**);

Item A3

- (h) the provision of a proposed standard sub-divisional fire station cum ambulance depot at Item A3 Site is technically feasible and would meet relevant requirements as stipulated under the Hong Kong Planning Standards and Guidelines and operation needs of the Fire Services Department (**R5 and R6**);

Item A4

- (i) the proposed new road connecting ex-Cha Kwo Ling Kaoline Site and Cha Kwo Ling Road and the proposed widening/realignment works at Fan Wah Street and Wing Fook Street are considered to be necessary from traffic management point of view and are demonstrated to be technically feasible during both construction and operation stages. They are designed to comply with relevant road safety standards and the areas reserved for their construction have been kept to a minimum. The proposed new road is planned for completion in 2029/30 in tandem with population intake in the two proposed public housing developments (**R4, R7 to R151, R152, R153, R169, R174 and R183**);

Items B2

- (j) Item B2 is to enlarge the reserved school site for achieving the required buildable area for developing the planned 30-classroom primary school, and is assessed to be technically feasible during both construction and operation stages. The established public consultation procedures for zoning amendments have been duly followed (**R8, R9, R32, R142 to R151, R153, R169, R178, R179 and R183**);

Others

- (k) relevant government bureaux/departments (B/Ds) and concerned parties would explore further on the connection arrangement across Cha Kwo Ling Road in the detailed design stage for achieving better integration and accessibility of this part of harbourfront area as a whole, and to further consult the Harbourfront Commission. Relevant B/Ds would continue to work closely to further explore advancing the opening of the planned Cha Kwo Ling public waterfront promenade by phases for public enjoyment (**R7 to R26, R28 to R34, R39, R41, R45, R46, R51 to R61, R102 to R113, R153, R169, R173, R181 to R183**);
- (l) a Public Vehicle Park is planned at the proposed joint-user government complex at Item A2 Site, and relevant government department will closely monitor the parking conditions in the area and provide different measures to increase the parking provision, if needed, as and when appropriate (**R7 to R23, R31, R33, R38, R40, R44, R82 to R92, R126, R127, R153 and R169**); and
- (m) the compensation and rehousing issues are beyond the scope of the statutory plan-making procedure and hence the ambit of the Town Planning Board. The Government will follow the established procedures for processing ex-gratia allowance and/or rehousing arrangements to the eligible residents affected by clearance in accordance with the prevailing policies (**R156 to R164, R166, R168, R170, R171 and R184**).”

47. The Board also agreed that the draft Cha Kwo Ling, Yau Tong, Lei Yue Mun OZP, together with the 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.

48. The meeting was resumed at 2:30 p.m.

49. The following Members and the Secretary were present in the afternoon session:

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

Chairperson

Dr C.H. Hau

Miss Winnie W.M. Ng

Mr Franklin Yu

Mr L.T. Kwok

Ms Lilian S.K. Law

Mr K.W. Leung

Professor John C.Y. Ng

Professor Roger C.K. Chan

Mr Vincent K.Y. Ho

Mr Timothy K.W. Ma

Ms Bernadette W.S. Tsui

Chief Traffic Engineer/New Territories East
Transport Department
Mr W.H. Poon

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

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

Director of Lands
Mr Andrew C.W. Lai

Director of Planning
Mr Ivan M.K. Chung

Sha Tin, Tai Po & North District

Agenda Item 4

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Representations and Comment in respect of the Draft Lung Yeuk Tau and Kwan Tei South Outline Zoning Plan No. S/NE-LYT/18

(TPB Paper No. 10854)

[The item was conducted in Cantonese and English.]

50. The Secretary reported that the amendment items mainly involved a site for public housing development to be implemented 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 conducted by the Civil Engineering and Development Department (CEDD) with AECOM Asia Company Limited (AECOM) as the consultant. The following Members had declared interests on the items:

Mr Andrew C. W. Lai - being a Member of HKHA;
(*Director of Lands*)

Mr Paul Y.K. Au (as - being a representative of the Director of Home Affairs
Chief Engineer (Works), who was a member of the Strategic Planning
Home Affairs Committee and Subsidised Housing Committee of
Department) HKHA;

Dr Conrad T.C. Wong - having current business dealings with HKHA and
AECOM;

Mr Franklin Yu - being a member of the Building Committee and
Tender Committee of HKHA;

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 openly bid funding from HKHA;

- Mr Daniel K.S. Lau] being a member of the Hong Kong Housing Society
Ms Lilian S.K. Law] (HKHS) which currently had discussion with HD on housing development issues;
- Mr K. L. Wong - being a member and an ex-employee of HKHS which currently had discussion with HD on housing development issues;
- Mr Timothy K.W. Ma - being a member of the Supervisory Board of HKHS which currently had discussion with HD on housing development issues;
- Dr C.H. Hau - conducting contract research projects with CEDD and having past business dealings with AECOM; and
- Mr Vincent K.Y. Ho - having current business dealings with AECOM.

51. Members noted that Dr Conrad T.C. Wong and Mr K.L. Wong had tendered apologies for not being able to attend the meeting, Mr Daniel K.S. Lau had left the meeting, and Messrs Andrew C.W. Lai, Paul Y.K. Au and Franklin Yu had not yet joined the meeting. Members agreed that as the interest of Mr L.T. Kwok was indirect and Ms Lilian S.K. Law, Messrs Timothy K.W. Ma and Vincent K.Y. Ho and Dr C.H. Hau had no involvement in the proposed public housing development, they could stay in the meeting.

Request for Deferral

52. The Secretary reported that an email from R2 (基督教崇真會粉嶺崇謙堂) received on 1.8.2022 was tabled for Members' consideration. R2 requested deferral of the

hearing meeting as one of their key representatives was tested positive of COVID and could not attend the meeting. According to the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Town Planning Ordinance (TPB PG-No. 33A), as the request for deferment was submitted less than two weeks before the meeting, it would be submitted for discussion at the meeting. The Chairperson said that Members would first deliberate on whether to accede to the deferral request.

53. The Secretary said that Planning Department (PlanD) did not support the deferral request for the reasons that (i) as stated in TPB PG-No. 33A, there was a statutory time limit to submit a draft OZP to the Chief Executive in Council (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. In the subject case, no strong justification had been provided; (ii) one of the amendments involved a site for public housing development (about 4,028 flats) with social welfare facilities, and deferment of the hearing meeting would delay the programme of the housing project; and (iii) although one of R2's representatives was unable to attend the hearing, other representatives of R2 had registered to attend the meeting to make the oral submission.

54. The following representatives of R2 and PlanD's representatives were invited to the meeting at this point:

Mr Mo Ying Wai] R2's representatives

Mr Ng Chun Foo Enoch]

Ms Margaret H.Y. Chan - District Planning Officer/Shan Tin, Tai Po and North,
Planning Department (DPO/STN, PlanD)

Mr Tim T. Y. Fung - Senior Town Planner/North (STP/N), PlanD

55. The Chairperson extended a welcome and explained the procedures for consideration of the deferral request. The representatives of R2 would first be invited to explain the grounds of the deferral request. A question and answer (Q&A) session would be held after R2's presentation and Members could direct their questions to the representatives of PlanD or R2. After the Q&A session, the representatives of PlanD and R2 would be invited to leave the meeting.

The Board would then deliberate on R2's deferral request. The Chairperson then invited the representatives of R2 to elaborate on their deferral request.

56. Mr Mo Ying Wai, R2's representative, said that he was the Chairman of the Deacon Board of 基督教崇真會粉嶺崇謙堂 (the Church). The deferral request for the hearing was made on the ground that their representative, Mr Pang Wa Ying, who was a Member of the Deacon Board and also the village representative of Shung Him Tong Village, was tested positive for COVID and could not attend the meeting. Mr Pang had the best knowledge about the history of the cemetery of the Church.

57. After R2's representative had explained their grounds for the deferral request, the Chairperson invited questions from Members.

58. A Member asked about the role of Mr Pang in the hearing. Mr Mo Ying Wai, R2's representative, said that Mr Pang was the village representative of Shung Him Tong Village. Since amendment Item B of the OZP was related to the zoning of the cemetery of the Church, Mr Pang had the best knowledge and was most familiar with the background of the Church and the representation as compared with himself who had only joined the Deacon of the Church in April 2022.

59. A Member asked whether there were any alternative ways for Mr Pang to make his oral representation. The Secretary explained that for those who could not attend the hearing meeting in person, they could appoint other representatives to convey their messages through their representation and/or oral/visual recordings using electronic media at the hearing meeting.

60. As Members had no further question to raise on the deferral request, the Chairperson invited the representatives of R2 and PlanD to leave the meeting temporarily for the Board's deliberation on the deferral request. They left the meeting at this point.

Deliberation Session

61. The Chairperson remarked that under the current practice, representers who could not attend the hearing in person could appoint representatives to convey their message through their representation and/or oral/visual recordings in the hearing meeting. Members agreed that

there was no strong justification provided by R2 to defer the hearing meeting. A Member asked whether R2 was notified that Mr Pang could make a recording in electronic media for their representatives to present at the meeting. The Secretary said that whilst R2 was not specifically advised in that regard, some representers/commenters had adopted such method in previous hearing meetings which was allowed by the Board. When handling similar matters in future, the Secretariat of the Board could alert the relevant parties about the electronic media method of conveying their views as appropriate.

62. After deliberation, the Board decided not to accede to the request for deferment. The Board then proceeded to the hearing.

Presentation and Question Sessions

63. The Chairperson said that reasonable notice had been given to the representers/commenter inviting them to hearing, and they were all present.

64. The following Government's representatives, representer/commenter and representer's representatives were invited to the meeting at this point:

Government Representatives

PlanD

Ms Margaret H.Y. Chan - DPO/STN

Mr Tim T. Y. Fung - STP/N

Ms Sandy S.Y. Yik - Town Planner/North

CEDD

Mr Stephen W.C. Wat - Senior Engineer (SE)

Mr Esmond C.W. Chan - Engineer

Consultant (AECOM)

Mr Ray Yeung - Consultant

HD

Ms Alice W.Y. Lo - Senior Planning Officer (SPO)

Mr Mathew W.H. Fung - Planning Officer

Food and Environmental Hygiene Department (FEHD)

Mr K.L. Li - Health Inspector

Representer/Commenter and Representer's Representatives

R1/C1 - Mary Mulvihill

Ms Mary Mulvihill - Representer/Commenter

R2 - 基督教崇真會粉嶺崇謙堂

Mr Mo Ying Wai] Representer's representatives

Mr Ng Chun Foo Enoch]

65. 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 comment. The representer/commenter and representer's representatives would then be invited to make oral submissions. To ensure efficient operation of the hearing, each representer, commenter or his/her representatives would be allotted 10 minutes for making presentation. There was a timer device to alert the representer/commenter or representer's representatives two minutes before the allotted time was to expire, and when the allotted time limit was up. A question and answer (Q&A) session would be held after the representer/commenter and representer's representatives had completed their oral submissions. Members could direct their questions to the government representatives or the representer/commenter and representer's representatives. After the Q&A session, the government representatives, the representer/commenter and representer's representatives would be invited to leave the meeting. The Board would then deliberate on the representations and comment in their absence and inform the representers and commenter of the Board's decision in due course.

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

67. With the aid of a PowerPoint presentation, Ms Margaret H.Y. Chan, DPO/STN, PlanD, briefed Members on the representations and comment, including the background of the amendments, the grounds/proposals of the representers and commenter, planning assessments and PlanD's views on the representations and comment as detailed in TPB Paper No. 10854 (the Paper).

[Professor Roger C.K. Chan joined the meeting during DPO's presentation.]

68. The Chairperson then invited the representer/commenter and representer's representatives to elaborate on their representation/comment.

R2 – 基督教崇真會粉嶺崇謙堂

69. Mr Mo Wing Wai, R2's representative, made the following main points:

- (a) they did not object to the "Other Specified Uses" annotated "Cemetery" ("OU(Cemetery)") zoning, but they objected to the restriction on the number of niches stipulated in the Notes for the "OU(Cemetery)" zone;
- (b) according to Government policy, all indigenous villages (including Shung Him Tong Village) were entitled to have their own burial grounds. Since all villagers of Shung Him Tong Village were Christians, there was a church in their village. The cemetery of Shung Him Tong Village was managed by the Church that was not a profit-making organization. For traditional burial area, the Government would only control the size of the grave spaces and not the number of graves/niches. Stipulating control on the number of niches for their cemetery was a departure from government policy and was not fair to the villagers;
- (c) if there was a need to increase the number of niches, the FEHD would normally require an environmental assessment. As the cemetery was for Christians only, there would be no burning of ritual papers, joss sticks and other funeral materials. As such, any increase in niches would have no

environmental impact. Besides, the grave sweeping period in their cemetery was usually Easter instead of the typical Ching Ming Festival and Chung Yeung Festival. There was limited number of visitors to the cemetery. The cemetery was normally locked up and visitors had to make registrations prior to entering. Visitors were not allowed to drive and could only access the cemetery on foot. Even without a restriction on the number of niches at the moment, there was no traffic problem;

- (d) currently, there were about 300 places for ground burial and 574 niches in the cemetery. As family members could apply for moving the exhumed remains of the deceased from the ground burials into the niches, it could almost fill up the existing 574 niches. With new housing developments near On Lok Estate and the increase in population in the vicinity, it was expected that the annual growth rate of the Church's membership would be about 3% to 4%. Imposing restriction on the number of niches would not allow the Church to cater for the needs of their members; and
- (e) it took the Church more than 20 years to apply to FEHD for the 574 niches. If the representation was not upheld, it was hoped that a simplified procedure could be allowed for the Church to apply for additional niches in future.

R1/C1 – Mary Mulvihill

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

Items A1 and A2 (Item A – the Site)

- (j) previously, there would be a district open space (DO), a medium density private housing development and an international school. However, the DO would be foregone under the proposed public housing development. As a result, there would be a deficit of DO equivalent to 40% of the requirement under the Hong Kong Planning Standards and Guidelines (HKPSG) in the planning area. Open space should be close to the living

place and the claim that there was no deficit in the larger district was not acceptable;

- (k) adequate elderly facilities, including outdoor recreation facilities, should be provided within walking distance from homes. The open spaces within the proposed development were for the residents of the development but not for the general public;
- (l) 1,433 out of 1,456 trees would be felled on the Site (with an area of 4 ha), and tree compensation would be provided on a piece of Government land of only about 0.83 ha near Tong Hang. As the compensation trees would be planted about 1.5km to the southwest of the Site and the compensation area was only about 20% of the Site, it was questionable whether trees planted there would create a positive impact on the climate and ecology of the area. Furthermore, trees in the compensation area might be felled for development in future;
- (m) the Site would be excavated and would affect the bat species found there. The impacts of the massive buildings as well as light and noise pollution from future residents on the flora and fauna in the adjacent green belt were not mentioned;
- (n) the original private housing development with a plot ratio of 3.6 and building height of 85mPD would allow preservation of views of the ridgelines. However, the public housing proposal with much taller buildings would have significant impact on views of the ridgelines. Besides, the amenity planting at ground level of the proposed development would have little effect in mitigating the visual impact;
- (o) it was indicated in Drawing H-1 of the Paper that the building separation between the blocks was 'not less than 13m', that was a serious concern as the standard for building separation normally adopted should be 'not less than 15m';

- (p) the Queen's Hill Barrack played a role in the development of Hong Kong and had historical value. It was difficult to understand why the Government considered that none of the military structures had heritage value. Under the previous lower density zoning, some of the military structures could have been preserved within the DO;
- (q) the deficit of hospital beds in the North District represented about 43% of the requirements under HKPSG. The Site was within a peaceful and green setting and was suitable for development of a new hospital to serve the increasing population;
- (r) it was doubted that there was still a need for a large number of public housing units given the decline in population, increase in interest rates and the poor economic conditions. The Government could consider acquiring the many unoccupied/vacant housing units in the Greater Bay Area, and offering them as a housing option for retirees or residents who preferred living and working in the Mainland;

Item B

- (s) stringent conditions should be imposed on the "OU(Cemetery)" zoning to avoid further increase in niches. The Government should also promote green funerals; and
- (t) restricting the number of niches in the cemetery was in line with approvals for other similar facilities.

71. As the presentations from the government representatives, presenter/commenter and presenter's representatives had been completed, the meeting proceeded to the Q&A session. The Chairperson explained that Members would raise questions for government representatives, presenter/commenter or presenter's representatives to answer. The Chairperson then invited questions from Members.

Items A1 and A2 (Item A)

Building Separation

72. A Member asked R1/C1 to clarify what her concern was regarding the building separation of ‘not less than 13m’. Ms Mary Mulvihill, R1/C1, explained that for the public housing project in Cha Kwo Ling considered by the Board in the morning session, the building separation between building blocks was ‘not less than 15m’ and she was concerned that a smaller building separation would be adopted as a standard in future. It was also uncertain what the proposed use of the bulky buildings in the southern portion of the Site was. Ms Margaret H.Y. Chan, DPO/STN, PlanD, responded that under the “Residential (Group A)1” (“R(A)1”) zoning, only plot ratio and building height restrictions would be stipulated. A building separation of ‘not less than 13m’ between two building blocks in the western side of the Site was one of the mitigation measures proposed to alleviate the visual impact of the proposed development.

73. In response to a Member’s question on the building separation between the two building blocks in the eastern portion of the Site and another two Members’ question on whether the total length of the building façade of the two building blocks exceeded 60m (in which case the building separation requirement under Sustainable Building Design Guidelines (SBDG) would apply), Ms Alice W.Y. Lo, SPO, HD, said that the layout and dimension of the building separation shown in Drawing H-1 of the Paper were indicative and at the detailed design stage, the scheme would be further enhanced to provide a wider building separation if possible taking into account the building separation requirement of 15m under the SBDG. Ms Margaret H.Y. Chan, DPO/STN, PlanD, said that an appropriate building separation requirement could be included in the Planning Brief (PB) for the public housing development.

Tree compensation

74. Two Members raised the following questions to the government representatives:

- (a) whether the tree compensation ratio of 1:1 referred to compensation in terms of number or size/coverage area of trees;

- (b) whether there was any room to retain more existing trees, especially in the area indicated as 'maximize greenery provision' in the northern, eastern and western boundaries of the Site as shown in Drawing H-1 of the Paper; and
- (c) the reasons for choosing those proposed tree species as compensation trees.

75. In response, with the aid of some PowerPoint slides, Ms Margaret H.Y. Chan, DPO/STN, PlanD, Mr Stephen W.C. Wat, SE, CEDD, and Mr Ray Yeung, Consultant, made the following main points:

- (a) there were about 1,456 trees within the Site and 1,433 would be felled. Five trees at the southwestern portion of the Site would be retained in-situ and some other trees just outside the Site as shown in Drawing H-1 of the Paper were proposed to be preserved. 1,428 trees of native species would be planted at a ratio of 1:1 in terms of tree numbers and 18 *Aquilaria Sinensis* (土沉香) would be transplanted near Tong Hang Service Reservoir. The compensation trees would be whip trees. From site inspection, the size of the existing trees varied with the tallest tree being more than 10m in height while the diameter of some small trees was only about 100mm;
- (b) a large number of trees had to be felled due to the extensive site formation works, including cut-and-fill, construction of retaining walls, installation of pipeline, piling and slope cutting. According to the Landscape and Visual Impact Assessment (LVIA), the existing trees surveyed were common species (including undesirable species) with poor to fair health conditions and low to medium amenity values. As such, those trees were not recommended to be retained in-situ. The tree preservation and compensatory planting proposal for the Site would be implemented in accordance with the Development Bureau (DEVB) Technical Circular (Works) No. 4/2020. About 240 new heavy standard trees and 685 whip trees would be planted within the Site; and
- (c) five native species were recommended for compensatory planting including

Bridelia tomentosa (土蜜樹), *Cratoxylum cochinchinense* (黃牛木), *Ficus hispida* (對葉榕), *Polyspora axillaris* (大頭茶) and *Rhus succedanea* (木蠟樹). The selected species were all native and common species that were suitable for the local ecology. The Site at Tong Hang was relatively flat and connected to the surrounding woodland, and was suitable for compensatory tree planting. The DEVB Technical Circular for Tree Preservation would be followed.

Visual Corridor

76. A Member asked about the purpose and effectiveness of the two visual corridors indicated in Drawing H-1 of the Paper. Mr Tim T.Y. Fung, STP/N, PlanD, responded that the two visual corridors in an east-west direction were designated to maximize the visual permeability towards the green areas of Queen's Hill and Pat Sin Leng Country Park when viewed from the west. The visual corridors would also facilitate better air ventilation in the vicinity. Ms Margaret H.Y. Chan, DPO/STN, PlanD said that a LVIA was prepared with eight public viewpoints selected, and the layout of the building blocks was refined to minimize its visual impact. The eight viewpoints were places with high public patronage, including bus stations, footbridge, sitting out areas, public road and the peak of Tsung Shan (i.e. Lung Yeuk Tau Bus Station, Wa Shan Military Road, Footbridge at Sha Tau Kok Road (Lung Yeuk Tau), Po Kak Tsai Road, Tung Kok Wai Sitting Out Area and Dao Yang Road).

Others

77. Noting that a ball court was proposed in the middle of the Site and surrounded by tall buildings, a Member asked whether possible noise impact from the active open space on the surrounding residential blocks had been considered. Ms Alice W.Y. Lo, SPO, HD, replied that the concern was noted and appropriate buffer distance between active open space and residential blocks would be provided as far as practicable, as similar to the two ball courts proposed at the northwestern portion of the Site in the indicative layout.

Item B

78. Two Members raised the following questions to the government representatives:

- (a) whether cemetery use was allowed if the Item B site remained under “Agriculture” (“AGR”) and “Green Belt” (“GB”) zones;
- (b) whether the maximum number of niches was normally stipulated in the Notes for other rezoning cases related to columbarium use;
- (c) the application procedures for R2 to increase the number of niches exceeding that specified under the “OU(Cemetery)” zone; and
- (d) the number of niches that were occupied.

79. In response, Ms Margret H.Y. Chan, DPO/STN, PlanD and Mr K.L. Li, Health Inspector, FEHD, made the following main points:

- (a) the Rural and New Town Planning Committee considered in 2019 that an application submitted by R2 to rezone the Item B site for cemetery use was not required as the existing private cemetery was in existence immediately before the first publication of the relevant statutory plans. In 2004, the FEHD under the Private Cemeteries Regulation (Cap. 132BF) approved with written consent for erection of a columbarium in the form of a memorial wall with 574 niches in the cemetery. Hence, the cemetery use could continue under the previous “AGR” and “GB” zonings;
- (b) the niches were regarded as part and parcel of the private cemetery under the Private Cemeteries Regulation (Cap. 132 BF), and that was the basis for the maximum number of niches stipulated under the Notes. For some other approved applications for columbarium use in Sha Tin, the maximum number of niches was also stipulated under the Notes of the relevant zones;
- (c) the representer (R2) could submit a s.16 application for minor relaxation of the number of niches (that exceeded the maximum of 574 niches under the Notes) to the Board for consideration; and

- (d) in accordance with the Private Cemeteries Regulation (Cap. 132BF), the operator of the columbarium was required to maintain a register of occupied niches and to provide the same for FEHD's record on a monthly basis. Up to 30.6.2022, the total number of existing niches at the cemetery was 574 and 451 of them were unoccupied.

80. Noting that the cemetery was only to serve members of the Church, a Member asked R2 about the Church membership and the number of additional niches required. In response, Mr Mo Ying Wai, R2's representative, said that apart from the existing 574 niches, the cemetery also provided 300 ground burials which were fully occupied. There were about 400 church members and half of them were aged over 60. It was worried that the existing unoccupied niches would be fully occupied in the near future.

81. The Chairperson enquired about the status of the cemetery and the procedures for applying for additional niches under FEHD's mechanisms. Mr K.L. Li, Health Inspector, FEHD, responded that the Tsung Kyam Church Cemetery was gazetted as a cemetery in 1931 and was a private cemetery under Part 2 of the Fifth Schedule of the Public Health and Municipal Services Ordinance (Cap. 132). A columbarium in the form of a memorial wall with 574 niches was approved with the written consent from the FEHD. Pursuant to section 4 of the Private Columbaria Ordinance (PCO) (Cap. 630) enacted on 30.6.2017, the PCO did not apply to a columbarium that was in a private cemetery specified in Part 2 of the Fifth Schedule of Cap. 132. Nevertheless, any new columbaria development in private cemeteries, including an increase in niches and construction and expansion works, were subject to prior written consent of FEHD under Cap. 132BF and the FEHD would consult relevant government departments, district council/rural committee and/or concerned groups prior to making a decision on such proposals.

82. As Members had no further questions to raise, the Chairperson said that the Q&A session was completed. He thanked the government representatives, the representer/commenter and the representer's representatives for attending the meeting. The Board would deliberate on the representations and comment in closed meeting and would inform the representers/commenter of the Board's decision in due course. The government representatives, the representer/commenter and representer's representatives left the meeting at this point.

Deliberation Session

Items A1 and A2

83. A Member did not oppose Item A but was of the view that more efforts should be paid to retain more existing trees on the Site rather than planting new young saplings which would take a long time to grow. The Member also opined that tree survey report should have been provided for better understanding of conditions of the existing trees and the landscape impact. The five proposed species for compensatory planting were not species that would mature to develop secondary woodland function and the selection of compensatory planting species should be further considered. Besides, the proposal for CEDD to manage the compensatory planting area for a term of three years was too short, and a longer management period was required. Long term management plan including a fire prevention plan should be prepared and adopted to ensure that the compensation trees could grow well for forming woodland. The compensatory planting ratio of 1:1 should be in terms of the surface area of tree coverage rather than only in terms of tree number. CEDD should consult and closely work with the Agriculture, Fisheries and Conservation Department (AFCD) to ensure that the tree compensatory plan was effectively implemented.

84. Two Members expressed appreciation on the provision of an off-site compensatory planting area at Tong Hang. One of the Members further said that there should be scope to retain/plant more trees in the greenly area along the boundary of the Site.

85. In response to a Member's remark about better monitoring of tree compensation plans under different projects, the Secretary remarked that there was a Technical Circular prepared by the DEVB which set out the policy, control procedures and detailed requirements for government departments to observe and follow on tree preservation at different stages of government projects. Government departments would also consult AFCD and/or the Greening, Landscape and Tree Management Section (GLTM) of DEVB for advice on the more technical aspects. The Chairperson supplemented that GLTM was responsible for setting standards on tree preservation and the Tree Works Vetting Committee of CEDD was responsible for overseeing the tree preservation works for government projects. The concerns on tree compensation, especially on the provision of off-site compensatory planting in a

systematic manner, had been discussed in relation to other “GB” rezoning proposals and DEVB would continue to follow up and review the issue.

86. A Member said that the cut-and-fill works was only for expediency but it would require felling of a large number of trees, and HD should be reminded to minimize tree felling in the Site as far as possible at the detailed design stage. Members noted that the sloping topography on some part of the Site on Plan H-2a of the Paper was at the same site formation level as indicated in the indicative scheme and the possible need for extensive site formation works might not be necessary. The Chairperson said that the existing site levels varied from 24.4mPD to 47.9mPD so cut-and-fill works would be involved to form a level of about 32/34mPD which was similar to the center part of the Site. Another Member said that the cut-and-fill works might be necessary for the Site given the existing site levels and a possible need to provide underground carpark.

87. While Members noted that the layout prepared by HD was an indicative scheme and would be refined at the detailed design stage, some Members expressed concerns on the the design of the proposed development, including the overall layout of the buildings and whether the building separation requirements under SBDG could be met. One of the Members said that HD should provide better drawings to illustrate the proposed housing development for the Board’s consideration of the rezoning of public housing sites. The Chairperson remarked that Members should consider the land use zoning and the key development parameters of the “R(A)1” zone. Detailed design of the housing development would be further refined by HD. Furthermore, a PB would be prepared by HD to set out more details of the public housing project including specific design requirements (including building separation), and that would be endorsed by relevant government departments. The HD had internal mechanism to vet their building plans to ensure compliance with the requirements of the Buildings Ordinance.

88. Members generally agreed that the Site should be zoned “R(A)1” for the proposed public housing development. The concerns on the layout of the public housing development and the selection of planting species in the compensatory planting site were recorded in the minutes and the HD and relevant government departments would take those into account at the detailed design stage.

Item B

89. Members generally agreed that the cemetery should be zoned “OU(Cemetery)” with a restriction on the maximum number of 574 niches stipulated in the Notes, to reflect the existing conditions of the cemetery.

90. Members generally considered that other grounds of the representations and comment in respect of the OZP had been addressed by the departmental responses as detailed in the Paper and the presentations and responses made by the government representatives at the meeting.

91. After deliberation, the Board decided not to uphold R1 and R2 and considered that the draft Lung Yeuk Tau and Kwan Tei South Outline Zoning Plan (OZP) should not be amended to meet the representations for the following reasons:

“Items A1 and A2

- (a) the planned open space provision would generally meet the demand of the total planned population in the North District area in accordance with the Hong Kong Planning Standards and Guidelines. Adequate local open space would be provided in the proposed public housing development to serve local residents (**R1**);
- (b) the Site was originally zoned “Residential (Group B)” for medium-density residential development. The amendment was mainly to optimize the development intensity of the site. An Engineering Feasibility Study with technical assessments on the potential impacts on various aspects, including visual, landscape, ecology and heritage, was conducted and confirmed that there would be no insurmountable technical problems for a higher density housing development at the site. Relevant mitigation measures such as landscape and tree compensation arrangements, and inclusion of visual corridors and building separations have been proposed to address possible concerns (**R1**); and

Item B

- (c) the amendment was to take forward the decision of the Rural and New Town Planning Committee to reflect the existing cemetery use including the grave and the columbarium with 574 niches on the Outline Zoning Plan. Planning flexibility is provided to increase the number of niches through the planning application mechanism supported by relevant technical assessments **(R1 and R2).**”

92. 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.

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

[Mr Franklin Yu joined the meeting and Mr Andrew C.W. Lai rejoined the meeting after the break.]

Sai Kung & Islands District

Agenda Item 5

[Open meeting (Presentation and Question Sessions only)]

Review of Application No. A/SK CWBN/63

Proposed House (New Territories Exempted House – Small House) in Green Belt Zone,

Lot 158 S.C RP in D.D. 238, Pan Long Wan, Clear Water Bay, Sai Kung

(TPB Paper No. 10855)

[The item was conducted in Cantonese.]

Presentation and Question Sessions

93. The following representatives of the Planning Department (PlanD) and the

applicant's representatives were invited to the meeting at this point:

Ms Caroline T.Y. Tang	-	District Planning Officer/Sai Kung & Islands (DPO/SKIs), PlanD
Ms W.H. Ho	-	Senior Town Planner/Tseung Kwan O (STP/TKO), PlanD
Mr Lau Kai Hong]	
Mr Chan Ka Fai]	Applicant's representatives
Ms Chow Sau Ngor]	
Mr Lau Wan Ming]	

94. The Chairperson extended a welcome and explained the procedure of the review hearing. He then invited PlanD's representative to brief Members on the review application.

95. With the aid of a PowerPoint presentation, Ms W.H. Ho, STP/TKO, PlanD, briefed Members on the background of the review application including the consideration of the application by the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board), departmental and public comments, and planning considerations and assessments as detailed in the TPB Paper No. 10855 (the Paper).

[Mr Paul Y.K. Au rejoined the meeting during PlanD's presentation and Dr C.H. Hau left the meeting at this point.]

96. The Chairperson then invited the applicant's representatives to elaborate on the review application.

97. With the aid of some plans, Mr Lau Kai Hong, the applicant's representative, made the following main points:

- (a) he was a relative of the applicant, a village representative of Sheung Yeung Village (the neighbouring village of Pan Long Wan which had the same ancestor) and a Member of the Sai Kung District Council;

- (b) they understood that District Lands Office/Sai Kung, Lands Department (DLO/SK, LandsD) had no objection to their Small House (SH) application from the land administration perspective;
- (c) the application site (the Site) was suitable for SH development. There was a SH located about 4m to 5m to the south of the Site and there were three other houses within a “Village Type Development” (“V”) zone (designated some 20 odd years ago) to the north of the Site. The mud track newly formed by others to the west was used to deliver goods or necessary building materials to the nearby houses and would be reinstated to a green amenity area afterwards;
- (d) the Site was owned by the applicant and fell within the village ‘environs’. Although there was about 2.15 ha of land available in the “V” zone, it was difficult for the applicant to acquire land there as some of the available land were existing private gardens or parking spaces of SHs;
- (e) about 30 indigenous villagers could apply for SH developments but land available in the “V” zone was not sufficient to meet the demand. It was hoped that some land within the “Green Belt” (“GB”) zone, such as the Site, could also be used for SH development to cater for their needs;
- (f) there was no tree within the Site and the ecology of the area would not be affected by the proposed SH development. The Site was previously used for farming, however, it was no longer suitable for farming due to soil degradation;
- (g) a 3 to 4 feet-wide existing stream was found near the Site. To address the comments of the Director of Environmental Protection (DEP) during the s16 application stage, the septic tank and soakaway system were relocated to about 25m from the existing stream to meet the clearance requirement (i.e. not less than 15m from existing streams) as stipulated in relevant guidelines/practice notes;

- (h) some “GB” sites e.g. in the Northern Metropolis or at Ying Yip Road in Tseung Kwan O, were rezoned for private/public housing developments. The applicant had followed the same principle to seek approval for allowing the “GB” site that was located close to the “V” zone for SH development; and
- (i) should the application be approved, the applicant would provide more roof top greening and environmental friendly facilities, such as solar panels, to enhance the nearby green environment and reduce the use of energy.

98. As the presentations from the representatives of PlanD and the applicant had been completed, the Chairperson invited questions from Members.

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

- (a) comments of DLO/SK on the review application; and
- (b) the reason why a small pocket of land to the north of the Site was zoned “V” amidst a larger “GB” zone.

100. In response, Ms Caroline T.Y. Tang, DPO/SKIs, PlanD, made the following main points:

- (a) the comments of DLO/SK were in paragraph 6.2.1 of the Paper, which stated that they had no comment on the proposed relocation of the septic tank and soakaway system northward to government land to address DEP’s previous concern in the s.16 application stage. DLO/SK had no objection to the application and had provided the 10-year SH demand forecast and the number of outstanding SH applications in Pan Long Wan; and
- (b) the small pocket of land to the north of the Site had been zoned “V” since the first version of the draft Clear Water Bay Peninsula North Development

Permission Area Plan No. DPA/SK-CWBN/1 gazetted in 2002, to respect the three SH grant applications approved by LandsD at that time.

101. Two other Members raised the following questions to the applicant's representatives:

- (a) whether the proposed relocation of the septic tank away from the existing stream had been implemented; and
- (b) whether the applicant was aware that the Site was zoned "GB" when he acquired the land.

102. In response, Mr Lau Kai Hong, the applicant's representative, made the following main points:

- (a) relocation of the septic tank away from the existing stream was a proposal yet to be implemented, and was to address government's requirements at the planning application stage. Both DEP and DLO/SK had no objection to the revised septic tank proposal; and
- (b) the Site was purchased roughly less than 10 years ago. The applicant was aware that the Site was zoned "GB" at that time and considered that it was worth trying to obtain planning permission for SH development at the Site.

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

Deliberation Session

104. The Chairperson said that PlanD did not support the review application as the

proposed SH was not in line with the planning intention of the “GB” zone, there was no strong justification for the SH at the Site and land was available for SH developments within the “V” zone. Members were invited to consider the application.

105. A Member said that there should be no sympathetic consideration of the application as the applicant was fully aware that the Site was zoned “GB” prior to purchasing the land. In response to the Member’s query on why DLO/SK had no objection to the application, Mr Andrew C.W. Lai, Director of Lands, said that when assessing planning applications, relevant bureaux/departments would comment on matters within their purview. As stated in paragraph 6.2.1 of the Paper, DLO/SK indicated that there was no comment on the proposed relocation of the septic tank and soakaway system given DEP’s views. There was thus no objection to the application from the lands administration perspective and other information (including the 10-year forecast for SH demand and number of outstanding SH applications in Pan Long Wan) had been provided to PlanD.

106. A Member did not support the application but said that the applicant might have tried to address the technical issue in the rejection reason (i.e. relocation of the septic tank and soak away system to avoid pollution to the natural stream course) with the hope of getting the Board’s approval. Whilst the technical issue was one of the rejection reasons, it would be desirable for applicants to be made aware of the more fundamental rejection grounds, such as the availability of land within the “V” zone, to avoid abortive work. Another Member said that the recommended rejection reasons for the subject application were similar to those for rejection of other similar SH applications within “GB” zones. Besides, the applicant fully understood that planning permission was required for SH development within “GB” zone when he purchased the Site. Another Member, whilst not supporting the application, said that it could be understood why the applicant considered that there might be a chance to obtain planning permission for SH on the Site that was within a “GB” zone as there were indeed some SHs in the vicinity.

107. The Chairperson concluded that Members generally agreed with the decision of RNTPC as there had been no material change in the planning circumstances since rejection of the s.16 application and the review application should be rejected.

108. After deliberation, the Board decided to reject the application on review for the

following reasons:

- “ (a) the proposed development is not in line with the planning intention of the “Green Belt” (“GB”) zone which is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. The applicant fails to provide strong planning justifications for a departure from the planning intention;

- (b) land is still available within the “Village Type Development” (“V”) zone of Pan Long Wan, which is primarily intended for New Territories Exempted House/Small House development. It is considered more appropriate to concentrate the village type development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructures and services;

- (c) the proposed development is not in line with the Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in the New Territories and the Town Planning Board Guidelines No.10 for Application for Development within Green Belt Zone in that the proposed development would cause adverse landscape impact on the surrounding areas; and

- (d) approval of the application will set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effect of approving such similar applications will result in the encroachment on the “GB” zone by development and a general degradation of the natural environment and landscape character of the area.”

[Mr Vincent K.Y. Ho left the meeting at this point.]

Procedural Matters

Agenda Item 6

[Open Meeting]

Information Note and Hearing Arrangement for Consideration of Further Representations Arising from the Consideration of Representations and Comments on the Draft Kai Tak Outline Zoning Plan No. S/K22/7

(TPB Paper No. 10859)

[The meeting was conducted in Cantonese.]

109. The Secretary reported that the proposed amendments to the draft Kai Tak Outline Zoning Plan No. S/K22/7 (the OZP) mainly involved reverting the zonings of two sites from residential to commercial to partially meet some representations. AECOM Asia Company Limited (AECOM) was one of the consultants of the Study on Further Review of Land Use in Kai Tak Development for the amendments to the OZP commissioned by the Civil Engineering and Development Department (CEDD). The following Members had declared interest on the item:

Dr C.H. Hau - conducting contract research projects with CEDD and having past business dealings with AECOM;

Dr Conrad T.C. Wong - having current business dealings with AECOM; and

Mr Vincent K.Y. Ho - having current business dealings with AECOM.

110. Members noted that Dr Conrad T.C. Wong had tendered apology for not being able to attend the meeting and Dr C.H. Hau and Mr Vincent K.Y. Ho had left the meeting.

111. The Secretary briefly introduced TPB Paper No. 10859. On 17.6.2022, after consideration of the representations and comments to the draft Kai Tak Outline Zoning Plan No. S/K22/7 (the OZP), the Town Planning Board (the Board) decided to partially uphold 34 representations by reverting the zoning of two sites from “Residential (Group B)9” (“R(B)9”)

and “R(B)10” to “Commercial (7)” (“C(7)”) and “C(5)” respectively.

112. On 8.7.2022, the proposed amendments were exhibited under section 6C(2) of the Town Planning Ordinance (the Ordinance) and six further representations (FRs) were received. Amongst the six FRs received, F5 indicated an irrelevant proposed amendment and F6 did not indicate the proposed amendment to which the FR related. Pursuant to Section 6D(2) of the Ordinance, a FR should indicate inter alia, the proposed amendments to which the FR related. Therefore, F5 and F6 should be considered invalid and should be treated as not having been made in accordance with section 6D(3) of the Ordinance. Amongst the four valid FRs, two (F1 and F2) supported the proposed amendments with various proposals and comments, while the other two (F3 and F4) objected to the proposed amendments.

113. Since the FRs were of similar nature, it was suggested that the hearing would be considered by the full Board collectively in one group in the regular meeting. To ensure efficiency of the hearing, it was recommended to allot a maximum of 10 minutes presentation time to each representer, commenter and further representer in the hearing session. Consideration of the FRs by the full Board was tentatively scheduled for September 2022.

114. After deliberation, the Board agreed that:

- (a) F5 and F6, which indicated irrelevant proposed amendment item or did not indicate the proposed amendment item to which the FR related, were considered as invalid and should be treated as not having been made under section 6D(3) of the Ordinance;
- (b) the valid FRs (F1 to F4) should be considered collectively in one group by the Board itself; and
- (c) a 10-minute presentation time would be allotted to each representer, commenter and further representer.

Agenda Item 7

Any Other Business

[Open Meeting]

115. There being no other business, the meeting was closed at 5:30 p.m.