

**Minutes of 1284th Meeting of the
Town Planning Board held on 4.11.2022**

Present

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

Chairperson

Mr Lincoln L.H. Huang

Vice-chairperson

Mr Wilson Y.W. Fung

Mr Stephen L.H. Liu

Ms Sandy H.Y. Wong

Mr Stanley T.S. Choi

Mr Daniel K.S. Lau

Mr K.W. Leung

Professor John C.Y. Ng

Professor Jonathan W.C. Wong

Mr. Ricky W.Y. Yu

Professor Roger C.K. Chan

Mr Ben S.S. Lui

Mr Timothy K.W. Ma

Mr K.L. Wong

Chief Engineer/Traffic Survey & Support
Transport Department
Mr Patrick K.P. Cheng

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

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

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

Dr C.H. Hau

Miss Winnie W.M. Ng

Mr Franklin Yu

Mr L.T. Kwok

Ms Lilian S.K. Law

Dr Venus Y.H. Lun

Dr Conrad T.C. Wong

Mrs Vivian K.F. Cheung

Mr Vincent K.Y. Ho

Ms Bernadette W.S. Tsui

In Attendance

Assistant Director of Planning/Board

Ms Lily Y.M. Yam

Chief Town Planner/Town Planning Board

Ms Kitty S.T. Lam

Senior Town Planner/Town Planning Board

Ms Katherine H.Y. Wong

Agenda Item 1

[Open Meeting]

Confirmation of Minutes of the 1283rd Meeting held on 21.10.2022

[The item was conducted in Cantonese.]

1. The draft minutes of the 1283rd meeting held on 21.10.2022 were sent to Members before the meeting. The minutes were confirmed without amendment.

Agenda Item 2

[Open Meeting]

Matters Arising

[This item was conducted in Cantonese.]

(i) Approval of Draft Outline Zoning Plans

2. The Secretary reported that on 18.10.2022, the Chief Executive in Council approved the draft Stanley Outline Zoning Plan (OZP) (renumbered as No. S/H19/16) and the draft Kai Tak OZP (renumbered as No. S/K22/8) under section 9(1)(a) of the Town Planning Ordinance (the Ordinance). The approval of the draft OZPs was notified in the Gazette on 28.10.2022.

(ii) Reference Back of Approved Outline Zoning Plans

3. The Secretary reported that on 18.10.2022, the Chief Executive in Council referred the approved Kennedy Town & Mount Davis OZP No. S/H1/22, the approved Shau Kei Wan OZP No. S/H9/18, and the approved Tsuen Wan West OZP No. S/TWW/19 to the Town Planning Board (the Board) for amendment under section 12(1)(b)(ii) of the Ordinance. The reference back of the said OZPs was notified in the Gazette on 28.10.2022.

(iii) Hearing Arrangement for Consideration of Representations and Comments on Draft Outline Zoning Plans

4. The Secretary reported that the item was to seek Members' agreement on the hearing arrangement for consideration of representations and comments on (i) the draft Wang Tau Hom and Tung Tau Outline Zoning Plan (OZP) No. S/K8/24; (ii) the draft Tsz Wan Shan, Diamond Hill and San Po Kong OZP No. S/K11/30; and (iii) the draft Ngau Chi Wan OZP No. S/K12/17.

5. The amendments to the three OZPs involved public housing developments to be developed by the Hong Kong Housing Authority (HKHA) (the draft Wang Tau Hom and Tung Tau OZP) with Housing Department (HD) as the executive arm of HKHA, and the Hong Kong Housing Society (HKHS) (the draft Tsz Wan Shan, Diamond Hill and San Po Kong OZP and the draft Ngau Chi Wan OZP), which were supported by a Engineering Feasibility Study commissioned by the Civil Engineering and Development Department (CEDD) with AECOM Asia Company Limited (AECOM) as the consultant.

6. A representation each had been submitted by HKHS (R1) on the draft Tsz Wan Shan, Diamond Hill and San Po Kong OZP and Ngau Chi Wan OZP, and a representation had been submitted by the East Kowloon Property Development Limited (R5) on the draft Ngau Chi Wan OZP, for which Ove Arup & Partners Hong Kong Limited (ARUP) was its agent. The amendment sites on the draft Tsz Wan Shan, Diamond Hill and San Po Kong OZP were in Wong Tai Sin. The following Members had declared interests on the item:

Mr Ivan M.K. Chung - being an ex-officio member of the
(as Director of Planning) Supervisory Board of HKHS;

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

Mr Paul Y.K. Au - being a representative of the Director of
Home Affairs who was a member of the

*(as Chief Engineer (Works),
Home Affairs Department)*

Strategic Planning Committee and
Subsidised Housing Committee of HKHA;

- 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 HKHS, HKHA and AECOM;
 - Mr Franklin Yu - being a member of the Building Committee and Tender Committee of HKHA and having current business dealings with ARUP;
 - Mr Daniel K.S. Lau
 - Ms Lilian S.K. Law
- } being a member 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;
 - Mr K.L. Wong - being a member and ex-employee of HKHS, which currently had discussion with HD on housing development issues;
 - Mr Vincent K.Y. Ho - having current business dealings with AECOM;
 - Mr L.T. Kwok - his former serving organisation 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; and

Mr Stanley T.S. Choi - his spouse being a director of a company which owned a property in Wong Tai Sin.

7. As the item for agreement on the hearing arrangement was procedural in nature, all Members who had declared interests relating to the OZP amendments should be allowed to stay in the meeting. The Board noted that Ms Lilian S.K. Law, Dr C.H. Hau, Dr Conrad T.C. Wong, Messrs Franklin Yu, L.T. Kwok and Vincent K.Y. Ho had tendered apologies for not attending the meeting.

8. The Secretary introduced the details as below:

- (a) on 24.6.2022, the draft Wang Tau Hom and Tung Tau OZP involving the rezoning of a site at Ching Tak Street from “Government, Institution or Community” (“G/IC”) to “Residential (Group A)1” (“R(A)1”) with stipulation of building height restriction (BHR) was exhibited under section 5 of the Ordinance. During the two-month exhibition period, 2 valid representations were received. The valid representations were subsequently published for three weeks and 1 valid comment was received;
- (b) on 24.6.2022, the draft Tsz Wan Shan, Diamond Hill and San Po Kong OZP involving mainly the rezoning of two sites abutting Shatin Pass Road to the northeast of Mass Transit Railway Wong Tai Sin Station from “G/IC” and an area shown as ‘Road’ to “Residential (Group A)4” (“R(A)4”) with stipulation of BHRs, and the rezoning of a strip of land within the Wong Tai Sin Square from “G/IC” to “Open Space” (“O”) was exhibited under section 5 of the Ordinance. During the two-month exhibition period, a total of 8 valid representations were received. The valid representations were subsequently published for three weeks and 2 valid comments were received;

- (c) on 24.6.2022, the draft Ngau Chi Wan OZP involving mainly the rezoning of two sites abutting Wing Ting Road from “Residential (Group B)” (“R(B)”), “G/IC”, “O”, “Village Type Development” (“V”) and areas shown as ‘Road’ to “R(A)1” with stipulation of BHRs, the rezoning of two pieces of land abutting Wing Ting Road and Lung Cheung Road from “R(B)”, “G/IC” and an area shown as ‘Road’ to “O”, and the rezoning of a strip of land along Lung Cheung Road from “G/IC” to an area shown as ‘Road’ was exhibited under section 5 of the Ordinance. During the two-month exhibition period, a total of 8 valid representations were received. The valid representations were subsequently published for three weeks and 2 valid comments were received; and
- (d) the hearings of the three OZPs would be held separately. In view of the similar nature of the representations and comments of each OZP, the hearing of representations and comments for each OZP was recommended to be considered by the full Board collectively in one group. To ensure efficiency of the hearings, a maximum of 10 minutes presentation time would be allotted to each presenter/commenter for each OZP in each hearing session. Consideration of the representations and comments by the full Board of the three OZPs were tentatively scheduled for December 2022.

9. After deliberation, the Board agreed to the respective hearing arrangements in paragraph 8(d) above.

[Ms Sandy H.Y. Wong joined the meeting during the reporting of Matters Arising item (iii).]

Sha Tin, Tai Po & North District

Agenda Items 3 and 4

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/NE-LT/725

Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 702 S.A ss.1 and 704 S.A ss.1 in D.D. 19, She Shan Tsuen, Lam Tsuen, Tai Po

Review of Application No. A/NE-LT/726

Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 702 S.A ss.2 and 704 S.A ss.2 in D.D. 19, She Shan Tsuen, Lam Tsuen, Tai Po

(TPB Paper No. 10864)

Presentation and Question Sessions

10. The following representatives from the Planning Department (PlanD) were invited to the meeting at this point:

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

Mr Kevin K. W. Lau - Senior Town Planner/Tai Po (STP/TP)

11. The Chairperson extended a welcome and informed Members that the applicants and their representative had indicated that they would not attend the meeting. He then invited PlanD’s representatives to brief Members on the review applications.

12. With the aid of a PowerPoint presentation, Ms Margaret H.Y. Chan, DPO/STN, briefed Members on the background of the review applications including the application sites (the Sites), the proposals, the applicants’ justifications, consideration of the applications by the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board), departmental and public comments, and the planning considerations and assessments as detailed in TPB Paper No. 10864 (the Paper). PlanD maintained its previous view of not supporting the applications.

[Prof John C.Y. Ng joined the meeting during PlanD’s presentation.]

13. As the presentation of PlanD’s representative had been completed, the Chairperson

invited questions from Members.

14. Two Members raised the following questions:

- (a) whether the three similar applications (No. A/NE-LT/492, 636 and 735) rejected by the RNTPC/the Board had any similarities with the subject applications and their rejection reasons; and
- (b) whether one of the sites under the Land Sharing Pilot Scheme (LSPS) applications recently endorsed in-principle by the Government, i.e. the one located on She Shan Road in Tai Po, was located close to the Sites.

15. With the aid of some PowerPoint slides, Ms Margaret H.Y. Chan, DPO/STN, made the following points:

- (a) application No. A/NE-LT/492 was located to the further northeast of the Sites adjoining the “Site of Special Scientific Interest” zone and was rejected mainly on the grounds of being not in line with the planning intention of the “Agriculture” (“AGR”) zone and having adverse landscape impact on the surroundings. Applications No. A/NE-LT/636 and 735, which involved the same site, was located to the immediate east of the Sites. These two applications were rejected mainly for the reasons that the proposed developments were not in line with the planning intention of the “AGR” zone and land was still available within the “Village Type Development” (“V”) zone for Small House development, which were similar to those for the subject applications; and
- (b) the concerned site on She Shan Road under the LSPS application was located to the immediate north and northwest of the Sites.

16. As Members had no further question to raise, the Chairperson said that the hearing procedure for the review applications had been completed. The Board would further deliberate on the review applications. The Chairperson thanked PlanD’s representatives for attending the meeting. They left the meeting at this point.

Deliberation Session

17. A Member said that there had been no material change in planning circumstances since the rejection of the planning applications by the RNTPC, there was no ground to support the review applications.

18. The Chairperson concluded that Members generally agreed with the decision of the RNTPC and that the review applications should be rejected.

19. After deliberation, the Board decided to reject the applications on review for the following reasons:

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone, which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention; and
- (b) land is still available within the “Village Type Development” (“V”) zone of She Shan Tsuen which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House developments within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 5

[Open Meeting]

Any Other Business

20. A Member enquired whether it would be possible to combine future Town Planning Board (TPB) meetings that had few agenda items for the sake of saving resources. The Secretary explained that review applications and hearings of representations and comments on

draft Outline Zoning Plans, which comprised the majority of agenda item, were subject to statutory time limits and it was necessary to arrange meetings in a timely manner to meet the statutory deadlines. Besides, PlanD would require time to seek departmental comments on the applications and representations/comments, and prepare the necessary TPB papers. Nevertheless, the Secretariat would consider suitable arrangement of items, if feasible, in setting the meeting agenda for saving resources. For the next TPB meeting scheduled for 18.11.2022, given that there would only be one item under Matters Arising and an item on request for deferment of decision on a review application, the meeting would be conducted by circulation of paper for Members' agreement.

21. There being no other business, the meeting was closed at 9:20 a.m.