

**Minutes of 1286<sup>th</sup> Meeting of the  
Town Planning Board held on 16.12.2022**

**Present**

Permanent Secretary for Development  
(Planning and Lands)  
Ms Doris P.L. Ho

Chairperson

Mr Lincoln L.H. Huang

Vice-chairperson

Mr Wilson Y.W. Fung

Mr Stephen L.H. Liu

Dr C.H. Hau

Ms Sandy H.Y. Wong

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

Dr Venus Y.H. Lun

Mrs Vivian K.F. Cheung

Mr Vincent K.Y. Ho

Ms Bernadette W.S. Tsui

Mr K.L. Wong

Chief Traffic Engineer/Kowloon  
Transport Department  
Mr Gary C.H. Wong

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

Assistant Director (Environmental Assessment) (Acting)  
Environmental Protection Department  
Dr Sunny C.W. Cheung

Director of Lands  
Mr Andrew C.W. Lai

Director of Planning  
Mr Ivan M.K. Chung

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

Secretary

**Absent with Apologies**

Miss Winnie W.M. Ng

Mr Franklin Yu

Professor Jonathan W.C. Wong

Mr Ricky W.Y. Yu

Dr Conrad T.C. Wong

Mr Ben S.S. Lui

Mr Timothy K.W. Ma

**In Attendance**

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

Chief Town Planner/Town Planning Board  
Ms Josephine Y.M. Lo

Senior Town Planner/Town Planning Board  
Ms Bonnie K.C. Lee (a.m.)  
Ms M.L. Leung (p.m.)

**Agenda Item 1**

[Open Meeting]

Confirmation of Minutes of the 1285<sup>th</sup> Meeting

[The item was conducted in Cantonese.]

1. The draft minutes of the 1285<sup>th</sup> meeting were circulated to Members on 25.11.2022 and no comment was received. The minutes were confirmed on 29.11.2022 without amendments.

**Agenda Item 2**

[Open Meeting]

Matters Arising

[The item was conducted in Cantonese.]

(i) Approval of Draft Outline Zoning Plans (OZPs)

2. The Secretary reported that on 8.11.2022, the Chief Executive in Council (CE in C) approved three OZPs under section 9(1)(a) of the Town Planning Ordinance (the Ordinance) including –

- (a) the draft Lam Tei and Yick Yuen OZP (renumbered as No. S/TM-LTYT/12);
- (b) the draft Sha Tin OZP (renumbered as No. S/ST/36); and
- (c) the draft Cha Kwo Ling, Yau Tong, Lei Yue Mun OZP (renumbered as No. S/K15/27).

The approval of the above draft OZPs was notified in the Gazette on 18.11.2022.

3. The Secretary reported that on 6.12.2022, the CE in C approved six OZPs under section 9(1)(a) of the Ordinance including –

- (a) the draft Lung Yeuk Tau and Kwan Tei South OZP (renumbered as No. S/NE-LYT/19);

- (b) the draft Hok Tau OZP (renumbered as No. S/NE-HT/7);
- (c) the draft Fanling/Sheung Shui OZP (renumbered as No. S/FSS/26);
- (d) the draft Sha Lo Wan and San Tau OZP (renumbered as No. S/I-SLW/2);
- (e) the draft Sham Wat and San Shek Wan OZP (renumbered as No. S/I-SW/2); and
- (f) the draft Ngau Tau Kok and Kowloon Bay OZP (renumbered as No. S/K13/32).

The approval of the above draft OZPs was notified in the Gazette on 16.12.2022.

(ii) Reference Back of Approved OZPs

4. The Secretary reported that on 8.11.2022, the CE in C referred two OZPs to the Town Planning Board (the Board) for amendment under section 12(1)(b)(ii) of the Ordinance including –

- (a) the approved Fu Tei Au and Sha Ling OZP No. S/NE-FTA/16; and
- (b) the approved Chai Wan OZP No. S/H20/25.

The reference back of the said OZPs was notified in the Gazette on 18.11.2022.

(iii) New Town Planning Appeal Received

5. The Secretary reported that three new appeal cases were received including –

(A) Town Planning Appeal No. 4 of 2022

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  
Application No. A/SK-CWBN/63

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6. A Notice of Appeal was received by the Appeal Board Panel (Town Planning) (the Appeal Board) on 24.10.2022 against the decision of the Board on 5.8.2022 to reject on review an application (No. A/SK-CWBN/63) for proposed house (New Territories Exempted House – Small House) at the site zoned “Green Belt” (“GB”) on the approved Clear Water Bay Peninsula

North OZP.

7. The review application was rejected by the Board for the following reasons:
  - (a) the proposed development was not in line with the planning intention of the “GB” zone which was 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 was a general presumption against development within this zone. The applicant failed to provide strong planning justifications for a departure from the planning intention;
  - (b) land was still available within the “Village Type Development” (“V”) zone of Pan Long Wan, which was primarily intended for New Territories Exempted House/Small House development. It was 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 was 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 would set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effect of approving such similar applications would result in the encroachment on the “GB” zone by development and a general degradation of the natural environment and landscape character of the area.

- (B) Town Planning Appeal No. 5 of 2022  
Temporary Warehouse for Storage of Construction Materials for a Period of 3 Years  
and Filling of Land in “Green Belt” Zone, Lots 579 RP, 580, 581, 582, 583, 584 (Part)  
and 590 in D.D. 129 and Adjoining Government Land, Lau Fau Shan, Yuen Long  
Application No. A/YL-LFS/411
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8. A Notice of Appeal was received by the Appeal Board on 22.11.2022 against the decision of the Board on 2.9.2022 to reject on review an application (No. A/YL-LFS/411) for proposed temporary warehouse for storage of construction materials for a period of 3 years and filling of land at the site zoned “GB” on the approved Lau Fau Shan and Tsim Bei Tsui OZP.

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

- (a) the applied development was not in line with the planning intention of the “GB” zone, which was 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 was a general presumption against development within this zone. There was no strong planning justification in the submission for a departure from the planning intention;
- (b) the applied development was not in line with the Town Planning Board Guidelines for ‘Application for Development within the Green Belt zone under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 10) in that the applicant failed to demonstrate that the applied development would not have significant adverse environmental and landscape impacts on the surrounding areas; and
- (c) approval of the application would set an undesirable precedent for similar applications for warehouse use within the “GB” zone. The cumulative effect of approving such similar applications would result in a general degradation of the environment of the area.

- (C) Town Planning Appeal No. 6 of 2022  
Temporary Warehouse (Storage of Grain, Cooking Oil and Grocery) for a Period of 3 Years in “Agriculture” Zone, Lots 626 (Part), 627 (Part), 629 (Part), 630 (Part), 631 (Part), 632 and 634 (Part) in D.D. 23 and Adjoining Government Land, Ting Kok, Tai Po  
Application No. A/NE-TK/745
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10. A Notice of Appeal was received by the Appeal Board on 25.11.2022 against the decision of the Board on 2.9.2022 to reject on review an application (No. A/NE-TK/745) for a temporary warehouse (storage of grain, cooking oil and grocery) for a period of 3 years at the site zoned “Agriculture” (“AGR”) on the approved Ting Kok OZP.

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

- (a) the development was not in line with the planning intention of the “AGR” zone, which was primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It was also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There was no strong planning justification in the current submission for a departure from the planning intention, even on a temporary basis; and
- (b) the applicant failed to demonstrate in the submission that the development would not result in adverse landscape and environmental impacts to the area.

12. Members noted that the hearing dates of the above appeals had yet to be fixed and agreed that the Secretary would act on behalf of the Board in dealing with the appeals in the usual manner.



(iv) Abandonment of Town Planning Appeal

Town Planning Appeal No. 5 of 2019

School (Kindergarten) in “Residential (Group C)3” Zone, 3 Flint Road, Kowloon Tong, Kowloon

(Application No. A/K18/325)

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13. The Secretary reported that an appeal had been abandoned by the appellant of his own accord. Town Planning Appeal No. 5 of 2019 was received by the Appeal Board on 28.8.2019 against the decision of the Board on 14.6.2019 to reject on review an application (No. A/K18/325) for school (kindergarten) at 3 Flint Road, Kowloon Tong. The application site fell within an area zoned “Residential (Group C)3” on the approved Kowloon Tong OZP No. S/K18/21.

14. The appeal was abandoned by the appellant on 30.11.2022. On 30.11.2022, the Appeal Board formally confirmed that the appeal was abandoned in accordance with Regulation 7(1) of the Town Planning (Appeals) Regulations of the Ordinance.

(v) Appeal Statistics

15. The Secretary reported that as at 8.12.2022, a total of eight cases had yet to be heard by the Appeal Board and the decisions of seven cases were outstanding. Details of the appeal statistics were as follows :

Allowed	39
Dismissed	169
Abandoned/Withdrawn/Invalid	213
Yet to be Heard	8
Decision Outstanding	7
<hr/> Total	<hr/> 436

(vi) Hearing Arrangement for Consideration of Representations and Comments on Draft OZPs

16. The Secretary reported that the item was to seek Members' agreement on the hearing arrangement for consideration of representations and comments in respect of three OZPs including (i) draft Mong Kok OZP No. S/K3/35; (ii) draft Tuen Mun OZP No. S/TM/36; and (iii) draft Pok Fu Lam OZP No. S/H10/20.

17. The Secretary reported that the amendments of the draft Mong Kok OZP were to take forward the recommendations of the District Study for Yau Ma Tei and Mong Kok conducted by the Urban Renewal Authority (URA). Representation/Comments had been submitted by the Hong Kong Institute of Planners (HKIP) (R4), URA (C1), Hong Kong Institute of Architects (HKIA) (C2) and Hong Kong Institute of Urban Design (HKIUD) (C3). The following Members had declared interests on the item:

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| Mr Ivan M.K. Chung<br>( <i>as Director of Planning</i> ) | - being a non-executive director of the URA Board and a member of its Committee, as well as a member of HKIP;                              |
| Mr Andrew C.W. Lai<br>( <i>as Director of Lands</i> )    | - being a non-executive director of the URA Board and a member of its Committee;   |
| Mr Lincoln L.H. Huang                                    | - being a former Vice-Chairman of Appeal Board Panel of URA;   |
| Dr Conrad T.C. Wong                                      | - having current business dealings with URA and his spouse owning a property in Mong Kok;  |
| Mr Ben S.S. Lui  | - being a former Executive Director of URA;  |
| Mr Ricky W.Y. Yu   | - being a director of the Board of the Urban Renewal Fund, and a director and chief executive officer of Light Be (Social Realty) Co. Ltd. |

which was a licensed user of a few URA's residential units in Sheung Wan;

- Mr Wilson Y.W. Fung - being a former director of the Board of the Urban Renewal Fund;
- Ms Lilian S.K. Law - being a former director of the Board of the Urban Renewal Fund and a member of the Hong Kong Housing Society (HKHS) which currently had discussion with URA on housing development issues; and her mother-in-law owning a property in Mong Kok;
- Mr Daniel K.S. Lau - being a member of HKHS which currently had discussion with URA on housing development issues;
- Mr K.L. Wong - being a member and an ex-employee of HKHS which currently had discussion with URA on housing development issues;
- Mr Timothy K.W. Ma - being a director of the Board of the Urban Renewal Fund, a member of Land, Rehousing & Compensation Committee of URA and a member of the Supervisory Board of HKHS which currently had discussion with URA on housing development issues;
- Mr L.T. Kwok - his former serving organisation had received sponsorship from URA;
- Professor John C.Y. Ng - being a member of HKIP, HKIA and HKIUD; and

Mr Franklin Yu - being a member of HKIA and HKIUD.

18. The Secretary reported that one of the amendments of the draft Tuen Mun OZP involved a site at Hoi Wong Road in Tuen Mun Area 16 which was supported by a consultancy study commissioned by the Mass Transit Railway Corporation Limited (MTRCL), and AECOM Asia Company Limited (AECOM) was one of the consultants. Besides, a representation had been submitted by Deltum Company Limited (R1) which was a subsidiary of Wheelock Properties (HK) Limited (Wheelock), and Ove Arup & Partners Hong Kong Limited (ARUP) was the agent of R1. The following Members had declared interests on the item:

Mr Franklin Yu - having current business dealings with ARUP;

Dr C.H. Hau - having past business dealings with AECOM; and being a life member of the Conservancy 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 MTRCL and AECOM; and

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

19. The Secretary reported that the amendment items of the draft Pok Fu Lam OZP were to take forward two agreed/partially agreed s.12A applications (No. Y/H10/13 and Y/H10/14). The University of Hong Kong (HKU) was the applicant of application No. Y/H10/13 while C M Wong & Associates Limited (CMWA) was one of the consultants for application No. Y/H10/14. Representations/Comment had been submitted by HKU, several departments/centres/schools under Faculty of Medicine, HKU (HKUMed) and other HKU-related organizations (including the HKU Medical Alumni Association, Medical Society of HKU and Safety Office of HKU) (R1 to R26 and C1) as well as Hong Kong

Cyberport Management Company Limited (HKCMCL) (R30). The following Members had declared interests on the item:

- Ms Bernadette W.S. Tsui - being a Senior Advisor of President's Office and a Fellow of the Department of Social Work and Social Administration of HKU and living in Pok Fu Lam;
- Mr Wilson Y.W. Fung - being the Chairman of the Accounting Advisory Board of School of Business, HKU;
- Dr C.H. Hau - being an Honorary Associate Professor and a Principal Lecturer of HKU; and his spouse being a Principal Lecturer of HKU;
- Professor Roger C.K. Chan - being an Honorary Associate Professor of HKU;
- Professor John C.Y. Ng - being an Adjunct Professor of HKU;
- Dr Conrad T.C. Wong - being an Adjunct Professor of HKU;
- Ms Lilian S.K. Law - being an Adjunct Associate Professor of HKU;
- Dr Venus Y.H. Lun - being an external examiner of one of HKU's programmes;
- Mr Franklin Yu - having current business dealings with CMWA;
- Ms Sandy H.Y. Wong - being a personal friend of the Chief Executive Officer of HKCMCL;

- Mr Ben S.S. Lui - co-owning with spouse a flat in Pok Fu Lam, his spouse owning a car parking space in Pok Fu Lam and being a director of a company which owned flats and car parking spaces in Pok Fu Lam;
- Mr Stephen L.H. Liu - co-owning with spouse two units in Pok Fu Lam; and
- Professor Jonathan W.C. Wong - having close relative living in Pok Fu Lam.

20. As the item for agreement on hearing arrangement was procedural in nature, all Members who had declared interests relating to the amendment items, representers and/or commenters under the respective OZPs should be allowed to stay in the meeting. The Board noted that some of those Members had tendered apologies for not attending the meeting.

21. The Secretary introduced the details as below:

- (a) on 22.7.2022, the draft Mong Kok OZP involving mainly (i) removing plot ratio (PR) restriction for the “Commercial” zones along Nathan Road; (ii) rezoning the character streets to “Other Specified Uses” annotated “Mixed Use”; and (iii) enhancing interchangeability between domestic and non-domestic PR for “Residential (Group A)” (“R(A)”), “R(A)3” and “Residential (Group E)” zones was exhibited for public inspection under section 5 of the Ordinance. During the two-month exhibition period, a total of five valid representations were received. The valid representations were subsequently published for three weeks and a total of five valid comments were received;
- (b) on 22.7.2022, the draft Tuen Mun OZP involving mainly (i) rezoning of a site at Hoi Wong Road in Tuen Mun Area 16 from “Government, Institution or Community” (“G/IC”) and “Open Space” (“O”) to “Other Specified Uses”

annotated “Commercial/Residential Development with Public Transport Interchange”; (ii) rezoning of a site to the west of Hing Fu Street from “GB” to “G/IC(2)” for columbarium and religious institution uses; (iii) rezoning of a site at Castle Peak Road – Castle Peak Bay from mainly “GB” to “R(A)27” for proposed residential development; and (iv) revision of building height (BH) restriction for the “G/IC” zone at Tuen Mun Clinic was exhibited for public inspection under section 5 of the Ordinance. During the two-month exhibition period, a total of five valid representations were received. The valid representations were subsequently published for three weeks and a total of two valid comments were received; and

- (c) on 22.7.2022, the draft Pok Fu Lam OZP involving mainly (i) rezoning of a site to the east of 3 Sassoon Road from “GB” to “G/IC(1)” for proposed academic buildings as expansion of the HKUMed’s campus; and (ii) rezoning of a site at 131 Pok Fu Lam Road from “G/IC” to “Residential (Group C)7” for proposed residential development was exhibited for public inspection under section 5 of the Ordinance. During the two-month exhibition period, a total of 1,946 valid representations were received. The valid representations were subsequently published for three weeks and a total of 24 valid comments were received.

22. The Secretary reported that 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 all valid 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 representer/commenter for each OZP in the hearing sessions. Consideration of the representations and comments of the draft Mong Kok OZP by the full Board was tentatively scheduled for January 2023 and that for the draft Tuen Mun OZP and the draft Pok Fu Lam OZP was tentatively scheduled for February 2023.

23. After deliberation, the Board agreed to the respective hearing arrangements in paragraph 22 above.

(vii) Proposed Practice for Handling Temporary Use in Permanent Buildings/Premises in the Urban and New Town Areas

24. The Secretary reported that according to the Notes of the OZPs in the urban and new town areas, temporary uses (expected to be 5 years or less) of any land or building were always permitted as long as they complied with other relevant legislations, the conditions of the lease and any other government requirements ('5-year rule'). According to previous practice of the Board, that provision was not applicable to temporary uses in permanent buildings as it was hard to monitor/ascertain the temporary nature of uses in permanent buildings.

25. To better utilize land resources to meet acute community demand and to streamline the planning procedures, the Board had adopted more proactive practice to facilitate beneficial temporary uses in permanent buildings.

26. As a measure to meet the acute housing need, the Board agreed on 9.11.2018 to regard transitional housing projects in permanent buildings monitored by the Task Force of the Housing Bureau as temporary use subject to the '5-year rule'. Besides, the Board agreed on 25.2.2022 that the '5-year rule' should also be applicable to temporary use in government buildings/premises in the urban and new town areas as long as its temporary nature could be ascertained by meeting the following four criteria:

- (a) the concerned buildings/premises were held by the Government;
- (b) prior policy support for the proposed temporary use was obtained from the relevant policy bureau;
- (c) the relevant tenancy documents, e.g. short term tenancy, were issued by the relevant government departments and the tenure of use on a fixed term of 5 years or less was specified; and
- (d) the temporary use was still required to conform to any other legislations, the conditions of the government tenancies, and other government requirements, as might be applicable.

27. Having adopted the practice for some time, it was considered that there was scope to extend the practice to cover existing private buildings/premises with potential for



temporary beneficial short-term community, institutional or other appropriate uses (as similar to transitional housing projects) provided that the relevant requirements to ascertain the temporary nature of the uses could be met. For instance, such practice was considered applicable to the policy initiative of the expanded Youth Hostel Scheme (YHS) as promulgated in the 2022 Policy Address under the Home and Youth Affairs Bureau (HYAB) whereby the non-government organisations (NGOs) would be subsidised to rent suitable hotels and guesthouses for use as youth hostels on a temporary basis. As the NGOs' operation of the youth hostel projects under YHS within hotels/guesthouses under private ownership would be monitored by HYAB with a period of 5 years or less, it could be considered as temporary in nature and hence always permitted.

28. It was therefore proposed that the '5-year rule' be extended to cover temporary use in private buildings/premises as long as its temporary nature could be ascertained by meeting the following criteria:

- (a) prior support for the proposed temporary use was obtained from the relevant policy bureau or department;
- (b) the relevant tenancy documents, e.g. short term tenancy, were issued by the relevant government department or rent agreement issued by private owner and the tenure of use on a fixed term of 5 years or less was specified; and
- (c) the temporary use conformed to any other legislations, the conditions of the government tenancies, and other government requirements, as might be applicable.

29. Planning permission from the Board was still required for proposed temporary use of not more than 3 years in the rural areas unless the use was permitted in the Notes of the relevant zone, following the provisions as set out in the Notes of the OZPs for the rural areas.

30. Members had no question to raise and agreed with the proposed practice which would take immediate effect.

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

**Kowloon District**

**Agenda Item 3**

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Representations and Comments in respect of the Draft Ngau Chi Wan Outline Zoning Plan No. S/K12/17  
(TPB Paper No. 10872)

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[The item was conducted in Cantonese and English.]

31. The Secretary reported that one of the amendment items of the draft Ngau Chi Wan OZP (the draft OZP) involved a proposed public housing development to be implemented by the Hong Kong Housing Society (HKHS), which was supported by a Feasibility Study (FS) commissioned by the Civil Engineering and Development Department (CEDD) with AECOM Asia Company Limited (AECOM) as the consultant of the FS. Besides, a representation and a comment were submitted by HKHS (R1/C1), and a representation by the East Kowloon Property Development Limited (R5) for which Ove Arup & Partners Hong Kong Limited (ARUP) was its agent.

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

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|---|---|
| Mr Ivan M.K. Chung<br>(as Director of Planning) | - being an ex-officio member of the Supervisory Board of HKHS;                                  |
| Mr Andrew C.W. Lai<br>(as Director of Lands)    | - being an ex-officio member of the Supervisory Board of HKHS;                                  |
| Mr Timothy K.W. Ma                              | - being a member of the Supervisory Board of HKHS;  |
| 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 and AECOM;
- Mr Daniel K.S. Lau - being a member of HKHS;
- Ms Lilian S.K. Law - being a member of HKHS;
- Mr K.L. Wong - being a member and an ex-employee of HKHS;
- Mr Vincent K.Y. Ho - having current business dealings with AECOM;
- Mr Franklin Yu - having current business dealings with ARUP; and
- Mr Stanley T.S. Choi - his spouse being a director of a company which owned a property in Wong Tai Sin.

33. Members noted that Dr Conrad T.C. Wong, Messrs Timothy K.W. Ma and Franklin Yu had tendered apologies for being not able to attend the meeting. Messers K.L. Wong and Stanley T.S. Choi had not yet joined the meeting. As the interests of Messrs Ivan M.K. Chung and Andrew C.W. Lai were direct, Members agreed that they should be invited to leave the meeting temporarily for the item. As Dr C.H. Hau, Messrs Daniel K.S. Lau and Vincent K.Y. Ho and Ms Lilian S.K. Law had no involvement in the amendment items of the OZP and/or submission of the relevant representations/comment, they could stay in the meeting.

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

34. The Secretary reported that the Secretariat of the Board had received a letter from the representatives of East Kowloon Property Development Limited (R5) on 15.12.2022 providing more information regarding the land ownership status of their representation site.

Members noted that as the above letter was submitted after the statutory publication period of the draft OZP, it should be treated as not having been made under s.6A(3)(a) of the Ordinance. The representatives of R5 had also attended today's meeting and would make their oral submissions.

### Presentation and Question Sessions

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

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

#### **Government Representatives**

##### *Planning Department (PlanD)*

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|----------------------|---|
| Ms Vivian M.F. Lai   | - District Planning Officer/Kowloon (DPO/K) |
| Mr Derek W.O. Cheung | - Planning Co-ordinator/Kowloon             |
| Mr William W.L. Chan | - Senior Town Planner/Kowloon (STP/K)       |

##### *Civil Engineering and Development Department (CEDD)*

- |                        |                               |
|------------------------|-------------------------------|
| Mr Clarence C.T. Yeung | - Chief Engineer/South (CE/S) |
| Ms Candy Y.S. Li       | - Senior Engineer/South       |
| Ms P.Y. Chan           | - Engineer/South              |

##### *AECOM*

- |                   |                          |
|-------------------|--------------------------|
| Mr David C.C. Ho  | - Project Director       |
| Mr Leo K.W. Lo    | - Deputy Project Manager |
| Mr Karl K. An     | - Associate Director     |
| Mr Sing Y.S. Wong | - Associate              |

Mr Patrick P.K. Lai - Associate  
Mr Ben C.K. Leung - Senior Transport Planner  
Ms Elly H.S. Leung - Senior Landscape Architect

**Representers, Commenters and their Representatives**

R1/C1 – HKHS

Mr Yeung Wa Hung Alan ] Representer/Commenter’s representatives  
Mr Law Lin Fat Oliver ]  
Mr Tse Tsz Yin Gordon ]  
Ms Woo Yin Shan Jen ]

R5 – East Kowloon Property Development Limited

Ms Wong Wing Wah ] Representer’s representatives  
Mr Wong Jacky ]  
Mr Ng Ki Sang ]  
Mr Fung Yiu Hong ]

ARUP

Ms Leung Ming Yan ]  
Mr Wong Sek Hei ]

R6 – Keyman One Development Limited

Mr Wong Ka Tsun Tony ] Representer’s representatives  
Mr Chung Yuk Ming Christopher ]

R8/C2 – Mary Mulvihill

Ms Mary Mulvihill - Representer/Commenter

37. The Chairperson extended a welcome. She then briefly explained the procedures of the hearing. She said that PlanD’s representatives would be invited to brief Members on the representations and comments. The 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.

[Mr L.T. Kwok joined the meeting at this point.]

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

39. With the aid of a PowerPoint presentation, Mr William W.L. Chan, STP/K, PlanD, briefed Members on the representations and comments, including the background of the OZP amendments, the grounds/proposals of the representers and commenters, planning assessments and PlanD's views on the representations and comments as detailed in TPB Paper No. 10872 (the Paper).

[Ms Sandy H.Y. Wong joined the meeting during PlanD's presentation.]

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

#### R1/C1 – HKHS

41. With the aid of a PowerPoint presentation, Mr Yeung Wa Hung Alan made the following main points:

- (a) he represented HKHS and supported Item A which involved rezoning of two sites abutting Wing Ting Road from "Residential (Group B)" ("R(B)"),

“Government, Institution or Community” (“G/IC”), “Open Space” (“O”), “Village Type Development” (“V”) and areas zoned as ‘Road’ to “Residential (Group A)1” (“R(A)1”) for proposed public housing development, and Item B which involved 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” for proposed public open space (POS);

- (b) the amendment sites were currently mainly occupied by low-rise squatters on private land (i.e. Ngau Chi Wan Village (NCWV)), a Grade 3 historic building namely Man Fat Nunnery (MFN), the Jockey Club Breast Health Centre (BHC) and some sitting-out areas;
- (c) HKHS would be responsible for implementing the proposed public housing development (the proposed development), which comprised two sites (Site C and Site D1) with a total area of about 1.68 ha and was subject to a maximum domestic/total PR of 7.5/9 and maximum BHs of 130mPD (for Site C) and 115mPD (for Site D1). About 2,700 units which could accommodate a population of about 7,290 would be provided. There would be three residential towers, one of 37 storeys (for Site C) and two of 34 storeys (for Site D1), and social welfare, community and retail facilities would be accommodated within the podium. Underground car parks would also be provided;
- (d) HKHS supported the amendments on the following major grounds:
  - (i) the proposed development would provide about 2,700 public housing units which could help meeting the pressing need of housing supply;
  - (ii) social welfare facilities with a total floor area of not less than 5% of the domestic gross floor area (GFA) and various community and retail facilities would be provided to serve the future residents and the locals. The proposed social welfare facilities included a Residential Care Home for the Elderly cum a Day Care Unit, a

Residential Care Home for the Elderly, a Child Care Centre, a Neighbourhood Elderly Centre, one team of Home Care Services for Frail Elderly Persons and one Family and Child Protective Services Unit. Other facilities included a community hall, a kindergarten, retail facilities and the existing BHC;

- (iii) as demonstrated on the photomontages, the proposed development would be compatible with the surrounding developments. The proposed domestic/total PR of 7.5/9 was the maximum PR for the “R(A)” zones stipulated on the OZPs in Kowloon and the proposed BHs of 130mPD and 115mPD were also considered compatible with the building height profile of the existing/planned developments in the surroundings, including the planned “Comprehensive Development Area” (“CDA”) development to the southeast;
- (iv) the proposed development would facilitate heritage preservation to respect local history. The Grade 3 MFN would be preserved in-situ and revitalised for adaptive reuse for public enjoyment. As illustrated in the notional scheme, the residential towers would be set back not less than 10m from MFN to enhance its visual permeability and pedestrian accessibility. Subject to the advice from the Antiquities and Monuments Office (AMO), Heritage Impact Assessment (HIA) would be conducted at the detailed design stage to review and assess the revitalisation proposal. Appropriate mitigation measures such as monitoring of ground-borne vibration would be adopted to avoid any possible impacts on the three Grade 2 historic buildings (i.e. Dormitory A, Villa and Gate of the St. Joseph’s Home for the Aged) to the southeast of the amendment sites during the site formation/construction stage;
- (v) to improve connectivity of the proposed development, Wing Ting Road abutting the northeastern boundary of Item A site would be



extended eastwards to link up with the market at the Ngau Chi Wan Municipal Services Building via the future road connection at the adjacent “CDA” site. The proposed Wing Ting Road extension would be constructed by HKHS and returned to the Government upon project completion;

- (vi) the proposed development would provide quality landscape. The greenery area would not be less than 20% of the site area and diverse landscaping features would be explored and considered at the detailed design stage;
  - (vii) Site D2 (i.e. Item B together with its adjoining existing open space) between the two housing sites (i.e. Site C and Site D1) was planned for a POS with an area of about 2,700 m<sup>2</sup>. The POS would be designed and constructed by HKHS and returned to the Leisure and Cultural Services Department (LCSD) for management and maintenance (M&M); and
  - (viii) the technical assessments conducted by CEDD demonstrated that the proposed development would not cause any insurmountable problems in terms of traffic, environment, landscape, visual, heritage, air ventilation and infrastructural capacity;
- (e) regarding the major concerns of the representations/comments in respect of the draft OZP, HKHS had the following responses:

Development Intensity

- (i) the development intensity of the proposed development was considered acceptable and not incompatible with the surrounding developments. The proposed PR and BHs had strived for a balance after taking into account various factors including satisfying the need for public housing units, site context, compatibility with surrounding developments and infrastructural capacity;

#### Potential Adverse Technical Impacts

- (ii) based on the technical assessments under the FS for the proposed development, no insurmountable traffic, air ventilation, noise and air quality impacts on the surrounding area were anticipated. Besides, appropriate mitigation measures and design would be formulated at the detailed design stage;

#### Noise Mitigation Measures and Green Building

- (iii) to avoid any potential noise nuisance which might be caused to the future residents in the proposed development, appropriate noise mitigation measures, e.g. acoustic windows, would be considered at the detailed design stage. HKHS also targeted to attain a GOLD rating for the proposed development under BEAM Plus in order to support a sustainable and green living;

#### Open Space and Greening

- (iv) a POS of about 2,700 m<sup>2</sup> at Site D2 and adequate local open space (LOS) (i.e. at least 1m<sup>2</sup> per person) in accordance with the requirements of Hong Kong Planning Standards and Guidelines (HKPSG) would be provided in the proposed development. Adding all, there would be a surplus in LOS for the Ngau Chi Wan Planning Scheme Area and a surplus in district open space (DOS) for the Wong Tai Sin District as a whole. The design of the proposed POS would take into account the needs of different users, ease of access and the surrounding environment. Furthermore, about 200 new trees would be planted within the proposed development site as far as practicable;

#### Impact on Existing Buildings

- (v) on revitalisation of the graded historic building, MFN would be preserved in-situ and revitalised for commercial use and open for public enjoyment. HKHS would conduct further HIA to review and assess the revitalisation proposal at the detailed design stage;

- (vi) the existing BHC was proposed to be retained in-situ and suitable design would be adopted to integrate the BHC into the proposed development;

Other Representers' Proposals

- (vii) regarding a representer's proposal of enlarging the "R(A)1" zone to include the areas zoned "O" and "G/IC" to facilitate private housing development at the southeastern part of the enlarged "R(A)1" zone (R5), it was questionable if the areas zoned "O" and "G/IC" could account for additional domestic PR and contribute to additional housing supply according to the prevailing guidelines and regulations. Besides, according to the technical assessments conducted by CEDD, since the management and maintenance (M&M) of public underground utilities underneath the proposed POS and the refuse collection point (RCP) cum public toilet would be borne by respective government departments, they were proposed to be located at the "O" and "G/IC" zones respectively in order not to conflict with the proposed development. Hence, it was not appropriate to incorporate the areas zoned "O" and "G/IC" into the site of the proposed development. Furthermore, it would induce a substantial review on the development proposal and associated technical assessments, resulting in a delay in the implementation programme of the proposed development; and
- (viii) regarding a representer's proposal of carving out part of the "R(A)1" zone for house development (R6), it should be noted that if the representer's lot and its adjacent area were carved out, the site area accountable for GFA for the proposed development would be reduced, undermining the supply of the much-needed public housing units. Moreover, the location of the representer's lot was in direct conflict with the proposed ingress/egress and podium of the proposed development, and carving out the representer's lot would adversely affect the overall layout and integrity of the proposed development;

- (f) regarding the tentative implementation programme for the proposed development, the years of 2022-25 were targeted for completion of OZP amendments, building plan submission, land resumption by the Government and land grant application, 2026-32 for site formation, infrastructural works and construction works by phases and 2031 for the first population intake; and
- (g) to conclude, the proposed development had presented an immense opportunity to increase land and housing supply. The OZP amendments could optimise the utilisation of land resource through the redevelopment of NCWV into a well-planned high-density residential community, adding some 2,700 flats to the overall public housing supply to meet the pressing need for housing.

#### R5 – East Kowloon Property Development Limited

42. With the aid of a PowerPoint presentation, Ms Leung Ming Yan made the following main points:

- (a) she represented East Kowloon Property Development Limited and opposed Items A and B;
- (b) NCWV had a history of over 400 years. Within the existing NCWV, there were BHC, MFN, Wing Ting Road Sitting-out Area, RCP cum public toilet and China Light and Power (CLP)'s electricity substation (ESS). Under HKHS's proposal, the Wing Ting Road Sitting-out Area together with its adjoining land would be developed into a POS whereas BHC, MFN, RCP cum public toilet and ESS would be retained in-situ. Besides, about 800 residents who were currently living in NCWV had to move out, and 447 villagers' dwellings would be demolished for the development of 2,700 public housing units;
- (c) the site areas of BHC and MFN were included in the "R(A)1" zone for PR

calculation for the proposed development while the floor space for GIC facilities (such as BHC) could be exempted from PR calculation under the Notes of the OZP;

- (d) opportunities had been given to enhancing public appreciation of the Grade 3 MFN through integration with the adjoining POS, which would be designed and constructed by HKHS and returned to LCSD for M&M. It was believed that if HKHS could take up the responsibility for M&M of the POS, the Grade 3 MFN could be integrated with the whole development even better so as to respect its heritage significance in local history. Hence, it was proposed that the POS should be included in the “R(A)1” zone, similar to the current practice of including the site areas of BHC and MFN in the “R(A)1” zone for PR calculation;
- (e) there were examples in Hong Kong that POS was included in residential development for PR calculation, such as (i) the Urban Renewal Authority (URA) Waterloo Road/Yunnan Lane Project (No. 8 Waterloo Road) (POS of not less than 1,650 m<sup>2</sup>); (ii) URA Lai Chi Kok Road/Kwellin Street and Yee Kuk Street Development Scheme (Trinity Towers) (POS of not less than 580 m<sup>2</sup>); and (iii) Luen Lee Building and Lun Fat Street Sitting-out Area (POS of not less than 140 m<sup>2</sup>);
- (f) in view of the above and having considered its convenient location being in proximity to MTR station, there was an opportunity to enlarge the “R(A)1” zone by including the areas covered by (i) the proposed POS; (ii) BHC and MFN; and (iii) the remaining GIC facilities (i.e. RCP cum public toilet and ESS) in the area. As a result, the site area of the enlarged “R(A)1” zone could be increased by 3,178 m<sup>2</sup>. By applying a domestic PR of 7.5, it was estimated that additional 500 private housing units could be provided. Besides, additional GIC facilities could be provided;
- (g) the proposal of enlarging the “R(A)1” zone to facilitate the proposed private housing development at the southeastern part of the enlarged “R(A)1” zone

(i.e. the 'Enhanced Scheme') would not affect the implementation of the 2,700 planned public housing units while an addition of 500 private housing units could be provided with the same PR (i.e. total/domestic PR of 9/7.5) adopted. Furthermore, the existing and planned GIC facilities would not be affected and additional GIC facilities could be provided. While the building layout (including building disposition and footprint) for the proposed development would not be affected, to cater for the increase in the number of housing units and the non-domestic GFA, it was suggested to increase the proposed BHs of Tower 1 and Tower 2 for public housing development from 130mPD to 170mPD and from 115mPD to 148mPD respectively, and the proposed BH of Tower 3 for private housing development from 115mPD to 120mPD. Such increases in BHs were considered compatible with the BH profile of the surroundings, e.g. BH of 230mPD for the planned "CDA" development to the southeast and BH of 180mPD for the existing residential development at No. 8 Clear Water Bay Road to the further southeast, and the stepped height profile descending from northwest to southeast could also be maintained;

- (h) under the 'Enhanced Scheme', the proposed private housing development provided with car parking spaces and GIC facilities would be self-contained. In addition, R5 was willing to provide a Child Care Centre and an Early Education and Training Centre within the private housing development. A better public-private housing mix in the Wong Tai Sin District could be achieved with the additional 500 private housing units;
- (i) relevant technical assessments conducted revealed that the 'Enhanced Scheme' was technically feasible and insurmountable traffic, sewerage, visual and air ventilation impacts were not anticipated. Hence, further technical assessments were considered not necessary;
- (j) under the 'Enhanced Scheme', the portion of public housing development (i.e. Tower 1 and Tower 2) could be directly accessed via the existing public roads (i.e. On Ting Road and Wing Ting Road). The proposed public

housing development could be implemented any time and would not hinge on the implementation programme of the proposed private housing development;

- (k) the 'Enhanced Scheme' demonstrated a bottom-up approach and private initiatives for redevelopment and re-housing options available to local villagers. It could reduce the area, cost and time required for land resumption while responding to local villagers' needs/concerns. R5 had submitted a letter to the Secretariat of the Board the day before the hearing meeting providing more information regarding the land ownership status of the representation site (i.e. the southeastern part of the enlarged "R(A)1" zone). As shown on the PowerPoint slide, (i) the red-dotted line referred to the representation site proposed for private housing development; (ii) the green areas referred to the private land owned by R5 (and/or its related companies); (iii) the yellow areas referred to the private land under purchasing agreement between the current land owners and R5 (and/or its related companies) which was anticipated to be completed in 2023; and (iv) the pink areas referred to the private land for which verbal agreement had been reached between the current land owners and R5 (and/or its related companies) on no in-principle objection to the proposed private housing development; and
- (l) the 'Enhanced Scheme' echoed with the Policy Address 2022 in enhancing quality, speed, efficiency and quality for the production of housing units.

43. Mr Wong Jacky made the following main points:

- (a) he was a local villager living in NCWV for more than 60 years and familiar with the history and culture of NCWV. Messrs Ng and Fung, whose family clans had been living in NCWV for a long time, were also present at the meeting. Mr To whose family clan had been living in NCWV for more than 400 years was unable to join the meeting;

- (b) he and other NCWV villagers had not been consulted on the proposed development. Paragraph 3 of the Paper was misleading as it was stated that local consultation had been conducted and the proposed development was supported by the local villagers;
- (c) while the Grade 3 MFN would be preserved, no one had ever mentioned to respect the history of NCWV and to preserve the socio-cultural heritage of NCWV. The local villagers would be forced to move out and Tai Wong Kung (大王宮) and Pak Kung (伯公), which were two popular worship places for the locals, would be left unattended as there would be no one left to take up the M&M responsibility;
- (d) an agreement was made between the Government and NCWV villagers when the Government resumed the villagers' lots 43 years ago. At that time, each lot owner was entitled to have one village house built by the Government. Those village houses were currently located to the immediate south of the amendment sites; and
- (e) as it was impossible nowadays to build low-rise village houses to accommodate all the affected local villagers, R5 proposed to use the land owned by the villagers to develop private housing and upon completion of the housing development, priority would be given to rehouse the affected NCWV villagers.

#### R6 – Keyman One Development Limited

44. With the aid of a PowerPoint presentation, Mr Wong Ka Tsun Tony made the following main points:

- (a) he represented Keyman One Development Limited and opposed Item A;
- (b) R6 was the current land owner of Lot No. 1663, s.D.2, which was situated at the northern periphery of the “R(A)1” zone. R6 had already obtained



planning permission for developing a house at the subject lot. Besides, approval of general building plan (GBP), structural plan and drainage plan for the approved house development had been obtained from the Building Authority, and consent for commencement of foundation works had also been granted. R6 was ready to implement the house development. Hence, it was proposed to carve out the subject lot and its immediate adjacent area from the public housing site to facilitate the house development;

(c) regarding PlanD's views that R6's proposal would significantly affect the overall layout design and the integrity of the proposed development and reduce the GFA and number of flats that could be achieved, the following suggestions were made which would only involve minor amendments to the notional scheme and would not affect the public housing production:

(i) if the subject lot was to be independently developed for a house, 7.5m-wide separations between the subject lot and Tower 2 and Tower 3 respectively were required under the prevailing building regulations. Under the notional scheme of the proposed development, a 7.5m-wide separation between the subject lot and Tower 3 could be allowed, whereas the separation between the subject lot and Tower 2 could be achieved by slightly reducing the building footprint of Tower 2 by about 85 m<sup>2</sup> and such reduction of area could be compensated by increasing the building footprint of Tower 1 by about 135 m<sup>2</sup>. With minor amendments to the design layout of Towers 1 and 2, there would not be any loss in GFA and the number of flats of the proposed development; and

(ii) under the notional scheme, the subject lot was located at the proposed ingress/egress of Towers 2 and 3. It was suggested that the proposed ingress/egress as well as the internal road of Towers 2 and 3 could be re-designed and relocated to the at-grade void of Tower 3, similar to the design of the internal road for Tower 1; and

- (d) regarding PlanD's views that R6's proposal would affect the design of Wing Ting Road Extension, it should be noted that back in 2017 when the GBP was approved, R6 had already been in discussion with the Transport Department and Highways Department and confirmed that the proposed house development at the subject lot would not affect the design of Wing Ting Road Extension since a 21.3m-wide non-building area had been allowed within the part of the subject lot shown as 'Road'.

R8/C2 – Mary Mulvihill

45. With the aid of a visualizer, Ms Mary Mulvihill made the following main points:
- (a) the proposed redevelopment of NCWV would diminish the quality of life and community ties of the affected villagers;
  - (b) it was inappropriate to rent out MFN for commercial use as it would not have any connection with the original use of the nunnery. The enclosed structure of the nunnery would be destroyed. It was suggested to use the nunnery for GIC facilities such as neighbourhood elderly centre, study room or community hall;
  - (c) while the BHC would be retained in-situ, it was uncertain whether new uses would be added to the BHC building to facilitate multiple uses;
  - (d) the proposed social welfare facilities with floor area of not less than 5% of the domestic GFA was inadequate. There was a scarcity of provision of elderly facilities to meet the needs of the ageing population;
  - (e) it was impossible for the proposed social welfare facilities located at the lower floors of the domestic towers to be in compliance with regulations related to natural lighting, ventilation and heating;
  - (f) there would be serious ventilation problems for the amendment sites, e.g.

parts of the podiums of the proposed development were too close to the site boundaries, and there was no guarantee that building separation of not less than 15m could be provided;

- (g) the proposed acoustic/fixed windows prohibited future residents from hanging damp clothes outside. Drying clothes indoor would cause additional energy consumption and health problem;
- (h) tree felling at the development site with no guarantee of adequate compensatory planting would result in the cumulative loss of mature trees. The proposed new trees were of spindly species that could not grow tall;
- (i) the area planned for the proposed POS was currently covered by vegetation and the development of which would lead to a loss of greenery. Besides, there was no indication on whether the POS would be at grade or on podium. POS on podium was not genuine open space;
- (j) under R5's proposal, the actual PR would be increased to about 11 and the BHs would be further increased to about 120mPD – 170mPD, which were considered unacceptable. Besides, a media report indicated that for some years to come, there would be a significant surplus of private housing units. Should part of the site be used for private housing development, it would definitely affect the number of public housing units to be provided;
- (k) regarding R6's proposal, since GBP was first approved in 2013, the developer should not procrastinate on the house development;
- (l) the development of new public housing was questionable given the abuse of the use of public housing units, nil incentive for public housing residents to downsize when family member(s) moved out, shrinking population and economic slowdown, and failure to drive forward the Tenants Purchase Scheme; and

- (m) the Government should explore other approaches such as purchasing vacant housing units in the Mainland for accommodating citizens in Hong Kong/one-way permit holders so as to free up more public housing units in Hong Kong and introducing programmes to assist young people to purchase their own homes.

[Mr Daniel K.S. Lau left the meeting during R8/C2's presentation.]

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

#### *Development Parameters of the Proposed Development*

47. A Member asked about the rationale for the proposed BHs of 115mPD and 130mPD for the proposed development. In response, with the aid of a PowerPoint slide, Ms Vivian M.F. Lai, DPO/K, PlanD, said that the proposed BHs of 115mPD and 130mPD were generally compatible with the BH profile of surrounding developments such as the Bay View Garden to the north and Choi Hung Estate to the south. The proposed BHs were considered appropriate for accommodation of adequate number of public housing units as well as the required welfare and community facilities and ancillary car parks. A slightly higher BH (i.e. 130mPD) was proposed for Site C mainly due to the requirement of incorporating openings above podium level for Tower 1 to facilitate air flow.

#### *Local Consultation*

48. Noting the claim of R5's representatives that they had never been consulted on the proposed development, some Members asked about details of the local consultation that had been conducted by the Government. In response, with the aid of a PowerPoint slide and the visualizer, Ms Vivian M.F. Lai, DPO/K, PlanD, said that the Wong Tai Sin District

Council (WTSDC) was consulted on the proposed developments at NCWV and Chuk Yuen United Village (CYUV) (under Agenda Item 4) on 7.7.2020. On 4.5.2021, the affected villagers/operators of NCWV were invited to a Town Hall briefing session regarding the broad development proposal and implementation programmes for the proposed developments as well as the compensation and rehousing (C&R) arrangements. During the briefing, the attendees expressed concerns and enquiries mainly on C&R issues. On 13.5.2022, a meeting with two incumbent WTSDC members (Ms Tam Heung-man and Mr Liu Sing-lee) and the representatives of NCWV and CYUV (who were invited by the two WTSDC members) was conducted, and the village representatives consulted were mainly concerned about the C&R issues and cultural heritage aspect. A letter dated 14.5.2022 jointly submitted by the chairman of East Kowloon District Residents' Committee (東九龍居民委員會主席), the chairman of Shap San Heung Committee (十三鄉委員會委員長), the chief of Chuk Yuen Heung (竹園鄉鄉長) and the director of Ngau Chi Wan Village Office (牛池灣鄉公所理事長) setting out their major concerns (similar to those raised at the meeting on 13.5.2022) was received by PlanD, and PlanD had issued a written reply.

49. Mr Wong Jacky, R5's representative, said that those addressers of the letter of 14.5.2022 were not living in NCWV and they were not the stakeholders/affected villagers. He and other affected villagers of a group of some 90 people were unable to attend the meeting held on 13.5.2022 because they had not been properly informed of the meeting venue, and he also queried whether the meeting held by the only two WTSDC members was valid as there was not enough quorum. In this regard, Ms Vivian M.F. Lai, DPO/K, PlanD, clarified that the 13.5.2022 meeting was arranged by the only two qualified WTSDC members and the Wong Tai Sin District Office (DO) in accordance with the established practice of public consultation. There was no issue of quorum for the meeting.

#### *R5's Proposal*

50. Some Members raised the following questions:

- (a) details of the agreement made between the Government and NCWV villagers some 40 years ago;

- (b) whether R5 had any plan on the allocation of private housing units to the affected villagers;
- (c) the total number of NCWV villagers as well as the number of indigenous villagers affected by the HKHS's development proposal;
- (d) land status of R5's representation site;
- (e) whether HKHS had been consulted on the proposed increase in BHs for Towers 1 and 2; and
- (f) noting that the amendment sites were located in such a prime urban location near the MTR station which might have potential for taller buildings to accommodate more housing units to meet the pressing need and there were examples of including POS in residential development for PR calculation, the reasons why taller buildings were not be considered and the areas zoned "G/IC" and "O" could not be used for PR calculation for the proposed development.

51. Concerning the agreement between the Government and the NCWV villagers, Ms Vivian M.F. Lai, DPO/K, PlanD, said that she did not have detailed information on hand. Yet, the village resite area, i.e. the area where the village houses built by the Government for each affected lot owner as mentioned by R5's representatives, was currently zoned "V" and located to the south of the amendment sites. The low-rise village houses at the village resite area was to rehouse the villagers affected by the construction of MTR Kwun Tong Line and MTR Choi Hung Station at that time.

52. Mr Wong Jacky, R5's representative, stated that he was the director of Ngau Chi Wan Village Society Limited (牛池灣鄉公所有限公司理事長) and the chairman of Ngau Chi Wan Hawkers' Association (牛池灣商戶聯合會主席). He was also the chief of Ngau Chi Wan Heung (牛池灣鄉鄉長). Under the agreement made between the Government and NCWV villagers some 40 years ago, the Government would demolish the former NCWV (which was currently located to the south of the amendment sites) and 2-storey

village houses would be built by the Government to rehouse the affected villagers. At that time, each lot owner was entitled to have such 2-storey village house. If the affected villagers would like to have a 3-storey village house, they needed to pay land premium.

53. With regard to the proposed private housing development, Mr Wong Jacky, R5's representative, said that about one-third of the 500 affected villagers' dwellings were currently owned/occupied by indigenous villagers, and mutual agreement between R5 and the affected indigenous villagers was secured in that the villagers could either sell their land to R5 in exchange for a private housing unit or jointly invest in the construction of the proposed private housing and share the profit in future.

54. Concerning the total number of NCWV villagers and the number of indigenous villagers affected by the proposed development, Ms Leung Ming Yan and Mr Wong Jacky, R5's representatives, said that about 800 local villagers were currently living within the boundary of the amendment sites. Those people currently living in the village resite area mentioned previously were not indigenous NCWV villagers since many of the village houses had already been sold to outsiders. Ms Vivian W.F. Lai, DPO/K, PlanD, supplemented that as stated in paragraph 4.1 of the Paper, there were about 949 surveyed squatter structures in NCWV according to the pre-clearance survey conducted by the Lands Department (LandsD) in June 2022.

55. Regarding the land status of R5's representation site, Ms Vivian M.F. Lai, DPO/K, PlanD, said that the site was about 3,100 m<sup>2</sup> in area, of which about 60% were Government land and the remaining 40% were private land comprising 19 private lots. As advised by LandsD, R5 had yet to obtain any Government's agreement on land exchange. With the aid of the visualizer, Ms Leung Ming Yan and Mr Wong Jacky, R5's representatives, recapitulated that the red-dotted line referred to the representation site proposed for private housing development which involved 19 private lots, among which the green areas referred to the private land owned by R5 (and/or its related companies); the yellow areas referred to the private land under purchasing agreement between the current land owners and R5 (and/or its related companies) which was anticipated to be completed in 2023; and the pink areas referred to the private land for which verbal agreement on no in-principle objection to the proposed private housing development had been achieved between the current land owners

and R5 (and/or its related companies). As there was opportunity to unify the ownership of these 19 private lots, R5 then put forward the private housing proposal by the indigenous villagers.

56. Concerning the issue of increasing BHs, Ms Leung Ming Yan, R5's representative, with the aid of a PowerPoint slide, said that the proposed increase in BHs to 120mPD – 170mPD had taken into account the BHs of the existing/planned developments nearby including BH of 230mPD for the planned "CDA" development to the southeast and BH of 180mPD for the existing residential development at No. 8 Clear Water Bay Road to the further southeast. Besides, R5 had conducted a visual impact assessment (VIA) for the 'Enhanced Scheme' as included in their representation submission. Six viewpoints, same as those in the VIA conducted by CEDD for the proposed development, had been taken into account. As shown on the photomontages, the 'Enhanced Scheme' would not bring about additional significant visual impact from all the viewpoints when compared to the HKHS's notional scheme for the proposed development.

57. Ms Vivian W.F. Lai, DPO/K, PlanD, clarified that there were special circumstances that warranted the relatively higher BHs for developments at the adjacent "CDA" site and No. 8 Clear Water Bay Road. For the "CDA" development, the relatively high site formation level and the need for preservation of three Grade 2 historic buildings had been considered in formulating the BH of 230mPD, whereas for the development at No. 8 Clear Water Bay Road, there were requirements for the provision of public transport interchange and public car parks which warranted a BH of 180mPD. Mr Yeung Wa Hung Alan, R1/C1's representative, supplemented that the extent of increase in BH proposed by R5 was substantial, i.e. an increase of about 30% or an addition of some 10 domestic storeys. With the increase in domestic storeys, additional floor spaces to accommodate additional ancillary facilities, such as car parking spaces, would be required and this would induce substantial changes to the layout of the proposed development, resulting in a delay in the implementation programme.

58. On the issue of not incorporating the areas zoned "O" and "G/IC" into the proposed development for PR calculation, Ms Vivian W.F. Lai, DPO/K, PlanD, said that the subject "O" and "G/IC" zones were basically two separate sites planned for POS and



occupied by existing GIC uses/a section of Lung Chi Path respectively. According to Chapter 2 of the HKPSG, roads and areas zoned for open space and standalone GIC facilities should be excluded from the net site area of a residential development for the purpose of domestic PR calculation. Regarding the examples quoted by R5's representatives about incorporation of POS in residential development for PR calculation, it should be noted that those cases were related to the policy of 'Public Open Space in Private Developments' (POSPD). However, as POSPD arrangement might involve the problem of transferring the M&M responsibility to individual owners of the residential development, currently such arrangement was not encouraged.

#### *R6's Proposal*

59. Some Members raised the following questions:

- (a) when R6 knew about the proposed development;
- (b) impact of the house development on the proposed development; and
- (c) the validity of the GBP approval and consent for commencement of foundation works for R6's house development .

60. In response, with the aid of the visualizer, Messrs Wong Ka Tsun Tony and Chung Yuk Ming Christopher, R6's representatives, said that according to the minutes of the Metro Planning Committee (MPC) meeting held on 30.4.2021 in respect of their s.16 planning application for proposed house development, 'the Engineering Feasibility Study (EFS) of the public housing with GIC facilities in NCWV was scheduled for completion in 2021 and the study findings and recommendations for the area were not yet available.' At that time, R6 did not have any details of the EFS and in 2020/2021, they had sent letters to CEDD/PlanD asking whether their lot fell within the boundary of the proposed development but no detailed information was provided to them. It was only until the gazettal of the draft OZP in June 2022 when they were aware that their lot fell within the boundary of the proposed development. However, they had never been consulted on the proposal.

61. In response, Mr William W.L. Chan, STP/K, PlanD, clarified that the s.16 planning application mentioned by R6's representatives was application No. A/K12/43 for proposed house development which was rejected by the MPC at its meeting held on 30.4.2021. The relevant MPC Paper, which had incorporated relevant government departments' comments including CEDD's comments that the proposed house fell within the study area of the ongoing EFS for the proposed public housing development at NCWV, was available at the public domain and they should have known that their lot fell within the study area of the ongoing EFS by then.

62. Regarding the possible impacts of R6's house development on the proposed development, Ms Vivian M.F. Lai, DPO/K, PlanD, said that R6's lot was located in the middle of the northeastern fringe of Site D1, which partly encroached on the proposed Wing Ting Road Extension and proposed internal road, and partly was in direct conflict with the proposed podium (where the GIC facilities would be located) and residential tower. Should R6's lot and its immediate adjacent area be carved out from the site of the proposed development, the net site area and hence the number of public housing units that could be produced would be reduced. Besides, some of the existing GIC facilities at the Wong Tai Sin Community Centre (WTSCC) would be reprovisioned to the podium floors of the proposed development in order to release the WTSCC site for another public housing development by Hong Kong Housing Authority (HKHA) (under Agenda Item 5). In gist, R6's proposal would affect the overall layout design and the integrity of the proposed development which would induce a review on the layout design and associated technical assessments, resulting in a delay in the implementation programme of the proposed public housing developments at both the amendment sites and the WTSCC site.

63. As regards the validity of the GBP approval and consent for commencement of foundation works for R6's house development, Ms Vivian W.F. Lai, DPO/K, PlanD and Mr William W.L. Chan, STP/K, PlanD, stated that R6 could implement the house development in accordance with the said GBP approval and consent for commencement of foundation works at the current juncture. On the other hand, should authorisation for land resumption be obtained, the Government would resume the land for the proposed development and make appropriate C&R arrangements for the affectees, including R6, under the prevailing mechanism.

*POS and Provision of Open Space in the Area*

64. A Member asked about the details of POS in between the two housing sites (Site C and Site D1) and the overall provision of open space in the area. In response, Mr Yeung Wa Hung Alan, R1/C1's representative, said that the two housing sites would be designed, developed and managed by HKHS whereas the POS would be designed and constructed by HKHS and returned to LCSD for M&M upon completion of construction. With the aid of some PowerPoint slides, Ms Vivian M.F. Lai, DPO/K, PlanD, supplemented that, on the premise of no loss of open space provision as planned on the previous OZP, opportunity had been taken to restructure the open space by amalgamating the areas originally zoned "O" and the adjacent existing open spaces to form a POS of about 2,700 m<sup>2</sup> under the current amendments on the OZP. The proposed POS was designed to become a community node, which would not only provide connection between the two housing sites at its east and west but also serve as an important pedestrian passageway linking areas to the north (e.g. Bay View Garden) and south (e.g. MTR station) of the proposed development. As detailed in Annex V of the Paper, adequate LOS (i.e. minimum of 1m<sup>2</sup> of local open space per person) would be provided in the proposed development in accordance with HKPSG requirements. Overall speaking, there would be a surplus in LOS but a shortfall in DOS in the Ngau Chi Wan Planning Scheme Area, but there would be a surplus in DOS in the WTS District as a whole which could also serve the Planning Scheme Area.

*RCP*

65. A Member noted that the retained standalone RCP might create visual and environmental nuisance to the future residents and enquired whether the RCP could be integrated in the proposed development. In response, Ms Vivian M.F. Lai, DPO/K, PlanD, said that the RCP cum public toilet was currently in active use serving a defined catchment area, including the resited NCWV and other nearby developments, and any relocation of which would affect its service to the public. Should the RCP need to be relocated, a temporary reprovisioning site for seamless provision of public service was required. As the existing RCP was in good condition and only occupied a small piece of land at the periphery of the proposed development site, in-situ retention was considered a more appropriate arrangement.

*Preservation of MFN and Other Cultural Heritage*

66. The Vice-chairperson and some Members raised the following questions:
- (a) why MFN was proposed for commercial use and whether MFN could be used for social welfare facilities;
  - (b) apart from preserving MFN, were there any measures to preserve other cultural heritage of NCWV in view that the NCWV community had such a long history; and
  - (c) whether there were any old village houses/structures such as the green-brick ones and the old well that were worthy of preservation.

67. In response, Mr Yeung Wa Hung Alan, R1/C1's representative, explained that the proposal of revitalizing MFN for commercial uses was preliminary. Commercial element was initially considered as it might help sustain the operation of MFN in the long term. Nevertheless, while MFN would be preserved in-situ for adaptive reuse, HKHS was willing to liaise with concerned government departments (such as Social Welfare Department) to consider whether social welfare facilities were required to be incorporated in the MFN. In any case, HIA would be carried out to formulate suitable heritage preservation measures and revitalization proposal, including the proposed use and operation mode of MFN, which would be submitted to AMO and the Antiquities Advisory Board (AAB) for endorsement in the detailed design stage.

68. Regarding the history of NCWV, Mr Patrick P.K. Lai, AECOM, CEDD's consultant, said that a Heritage Impact Study (HIS) was conducted under the EFS. According to the findings, the oldest written record of NCWV could be traced back to the Qing Dynasty's Jiaqing edition of Xin'an Gazetteer (清朝嘉慶年間的《新安縣志》) in 1819, which suggested that NCWV had a history of approximately 200 years. According to a journal article published by Dr P.H. Hase, NCWV was a Hakka village founded by the Lau clan. It was then joined by the To, Yeung and Tsang clans. The Yip clan joined the Lau clan during the eighteenth century, and the Fung clan had fled from the Tai Ping rebels to

Shek Lung Tsai in Sha Tin and from there moved to Ngau Chi Wan in the late 19<sup>th</sup> century. As for the history of MFN, Mr Patrick P.K. Lai, AECOM, CEDD's consultant, further said that MFN, being constructed in 1912-1913, was the oldest surviving Taoist nunnery in Hong Kong. It was founded by a female Taoist priest, Ms Lai Yu-ching, from Guangdong. MNF was a nunnery of Xin Tian Dao of Taoism (道教先天道), in which various deities such as Kwun Yum, Jade Emperor and Chai Tin Tai Shing were worshipped. Over the years, MFN played a significant role in provision of social services. In 1918, there was a serious fire in Happy Valley and MFN offered help to take care of the victims/patients, and a tablet of 「誠格幽冥」 as a token of appreciation offered by Tung Wah Hospital was still hanged at the entrance of the nunnery. In the 1920s, MFN offered help to a hospital in Guangdong and two wooden tablets as token of appreciation given by the hospital were currently used as the wooden doorways of the nunnery.

69. Concerning the old village houses, Mr Patrick P.K. Lai, AECOM, CEDD's consultant, with the aid of the visualizer, said that all buildings within the amendment sites had been studied under the EFS, including No. 75 NCWV which was a green-brick village house. In view that such green-brick village house could be commonly found in the local villages in the New Territories and its outlook was simple without any prominent architectural features or historical significance (e.g. no famous people had lived in there), it was not recommended to be preserved.

70. Mr Clarence C.T. Yeung, CE/S, CEDD, supplemented that the old well within the proposed development site had already been backfilled to the ground level without much heritage significance. According to the findings of the HIS under the EFS and AMO's advice, the Grade 3 MFN had heritage significance and was thus recommended to be preserved in-situ and revitalised for adaptive reuse. For other potential cultural heritage resources, it was recommended to take photographic record of them prior to the construction works in order to maintain a reference/record for the purpose of future interpretation and/or showcasing the history of the NCWV to the public. At the detailed design stage, a HIA would be carried out to formulate suitable heritage preservation measures and revitalization proposal for endorsement by AMO and AAB.

### *Air Ventilation*

71. The Vice-chairperson enquired about the details of the annual and summer prevailing winds and potential air ventilation impact of the proposed development on the surroundings, in particular to those 2-storey village houses at the resite area located to the south of the amendment sites. In response, with the aid of some PowerPoint slides and the visualizer, Mr Karl K. An, AECOM, CEDD's consultant, said that according to the findings of the Expert Evaluation on the Air Ventilation Assessment (AVA-EE) conducted under the EFS, the annual prevailing winds would be mainly from the east, east-northeast and east-southeast directions while the summer prevailing winds would be mainly from the east, southeast and southwest directions. The proposed development had incorporated certain good air ventilation measures such as building separations of 15m and setbacks from the site boundaries, which could allow certain degree of wind flow to reach downstream areas and alleviate the wind wakes induced by the proposed development under the annual seasons, and hence, adverse air ventilation impact was not anticipated. With regard to the summer prevailing wind from the southwest and southeast directions, the 2-storey village houses were located at the upwind and sideward of the proposed development respectively, and the wind environment at the concerned village houses would not be affected by the proposed development. Although part of the air flow would be blocked by the planned "CDA" development under the easterly wind, good design measures should have been proposed for the "CDA" development, together with the above-mentioned ventilation measures adopted for the proposed development, adverse air ventilation impact on the 2-storey village houses was not anticipated.

### *Tree Preservation and Compensatory Planting*

72. A Member raised the following questions:

- (a) the number of Trees of Particular Interest (TPIs) located within the amendment sites and the proposed treatment;
- (b) noting that some 300 existing trees were to be felled while only about 200 new trees were to be planted within the housing site, whether HKHS/CEDD

would need to follow DEVB Technical Circular (Works) No. 4/2020 on Tree Preservation (the TC) to provide at least 1:1 compensatory planting in terms of quantity; and

- (c) if off-site compensatory planting sites could not be identified, what follow-up actions would be undertaken.

73. In response, with the aid of some PowerPoint slides, Mr Clarence C.T. Yeung, CE/S, CEDD, clarified that there were five TPis within the amendment sites, of which three would be retained in-situ and two would be removed. The principle of 'right tree at right place' would be adhered to. A Tree Preservation and Removal Proposal would be prepared by CEDD at the detailed design stage in accordance with the TC. At the juncture, no suitable site in East Kowloon could be identified for off-site compensatory planting, but CEDD would continue to work on the matter. Ms Vivian W.F. Lai, DPO/K, PlanD, supplemented that the Government had been exploring the possibility of establishing centralised compensatory planting area(s) for loss of trees due to government projects. In any case, for the proposed development, a continuous search for potential areas for off-site tree planting would be conducted and effort had been made to liaise with concerned government departments about off-site planting in two "O" zones on Wing Ting Road.

74. The Chairperson remarked that identifying compensatory planting areas in the urban area was difficult and the Government had been examining the possibility of establishing compensatory planting areas in the countryside. Members would be informed of the findings and progress in due course and Member's concerns would be duly considered.

#### *Others*

75. Some Members raised the following questions:

- (a) whether there were government records of village office (such as the Ngau Chi Wan Village Office) or 'Heung'/villages and the procedures of (re)developing houses in recognized 'Heung'/villages; and

- (b) whether some of the proposed public housing units could be allocated to the affected indigenous villagers.

76. In response, Ms Vivian M.F. Lai, DPO/K, PlanD, said that under the prevailing practice, DO should have kept records of recognized 'Heung' and villages and was responsible for the liaison with 'Heung'/villages. For small house development in the New Territories, they were governed by the New Territories Small House Policy and the Buildings Ordinance (Application to the New Territories) Ordinance, under which certain provisions of the Buildings Ordinance (BO) and its subsidiary regulations were exempted. However, the said policy or exemptions were not applicable for village house development in the urban area, like NCWV which was an urban squatter. Village house development in the urban area was subject to the prevailing planning and development mechanism, i.e. whether planning permission for house development would be required depending on the zoning of the site, and GBP submission for the design and construction works under BO would be required. As for the question of whether some of the public housing units could be allocated to the affected indigenous villagers, Ms Vivian M.F. Lai, DPO/K, PlanD, said that it would depend on whether the villagers would meet the eligibility criteria for rehousing.

[Ms Bernadette W.S. Tsui left the meeting during the Q&A session.]

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

[The meeting was adjourned for a 10-minute break. Mr Stephen L.H. Liu left the meeting during the break.]



### Deliberation Session

78. The Chairperson remarked that NCWV was one of the last urban squatters in Hong Kong. As announced in the 2019 Policy Address, a Government-led approach would be adopted to resume private land in NCWV for high-density public housing development and related infrastructure with a view to expediting the development and rebuilding a new community therein. To optimize utilization of land resources, a proposed total/domestic PR of 9/7.5 which was the maximum PR currently applied in the Kowloon area was adopted for the proposed development. HKHS was invited to implement the proposed development, which would be developed into a Dedicated Rehousing Estate (DRE) to rehouse those eligible residents affected by clearance to make way for Government and URA projects. The proposed development was also one of the public housing projects under the Ten-year Housing Programme with the first population intake expected in 2031.

79. As for R5's proposal of developing their own land, the Chairperson shared with Members her experience in coordinating the implementation of the Kwu Tung North/Fanling North New Development Areas (KTN/FLN NDAs). During the land resumption process, there were mainly two types of affected parties: (i) land owners who possessed land rights; and (ii) squatter occupiers or business operators who had no land rights. Land owners would be compensated in accordance with the ex-gratia compensation rates under the prevailing policy. Should the land owners intend to develop their own land, the private land they owned should be of considerable size, say at least 4,000m<sup>2</sup>, alongside other criteria that needed to be complied with. For the case of R5, the representation site was only about 3,100m<sup>2</sup>, of which only a small portion was private land owned by R5. For eligible squatter occupiers, suitable C&R would be arranged and the above-mentioned DRE was one of the rehousing means. In the case of KTN/FLN NDAs, the eligible squatter occupiers could be arranged to be rehoused in the same housing estate as far as possible so as to maintain their social ties. Regarding R6's proposal, the Chairperson remarked that it would significantly affect the overall layout design and the integrity of the proposed development. As for the issue on public consultation, it was noted that a number of consultation meetings/briefing had been conducted, in which the affected villagers of NCWV had been invited to join the Town Hall briefing session held in 2021 and government officials had explained to them, in particular their concerns on the C&R issues. Nevertheless, the Chairperson said that there

was always room for improvement in conducting local consultation and the Government would take that into consideration for taking forward government projects in future. The Chairperson then invited views from Members.

80. Members generally supported or had no objection to the amendment items, including the land uses and development parameters under Items A and B, and the relevant Notes on the draft OZP. A few Members considered that DRE was a good initiative and a Member appreciated the Government's efforts to integrate the design of the housing sites with the POS, which would help promote community inclusiveness.

#### *Design of the Proposed Development*

81. A Member suggested and another Member concurred that consideration should be given to slightly increasing the BH and adjusting the height between the transfer plate and the podium levels in order to allow flexibility to provide quality covered open space at the podium levels. Appropriate headroom at the podium levels would not only provide space for quality landscaping and tree planting but also help improve air ventilation.

#### *RCP*

82. A few Members opined that the existing RCP would inevitably create visual and environmental nuisances to the future residents and users of the POS. Consideration should be given to integrating the RCP into the proposed development with a view to minimizing the visual and environmental nuisances and achieving a more welcoming environment.

#### *Heritage Preservation*

83. A few Members considered that the historical significance of the NCWV should be respected. Historic record of the NCWV should be kept and showcased for public appreciation, such as in the form of exhibits in small museum within the future development.

### *Provision of GIC Facilities*

84. A Member opined that consideration should be given to providing adequate GIC facilities for the children aged 6 to 12. Consideration should also be given to allowing flexibility in the type of GIC facilities to be provided in order to meet the needs of the changing population structure, e.g. aging population.

### *Others*

85. A Member urged for the early implementation of the proposed development and another Member suggested that local consultation process should be improved and better liaison work be carried out by DO. In this regard, Mr Paul Y.K. Au, CE/W, HAD, said that DOs had all along been responsible for the liaison work with the locals. They had maintained a list of consultation bodies and their contact methods, and the consultation meetings should have been conducted under the established practice.

### *Conclusion*

86. The Chairperson concluded that Members generally supported the OZP amendments and agreed that the OZP should not be amended to meet the adverse representations, and that all grounds and proposals of the representations and comments had been addressed by the departmental responses as detailed in TPB Paper No. 10872 and the presentation and responses made by the government representatives at the meeting. The Chairperson said that Members' views and suggestions, including those on the design of open space at the podium levels, integrating the RCP with the proposed public housing development/POS, respecting the historical significance of NCWV and the provision of adequate children and elderly facilities, would be conveyed to HKHS for consideration.

87. After deliberation, the Board noted the supporting views of **R1 to R3 and R4 (part)** and decided not to uphold R4 (part) to R8, and agreed that the OZP should not be amended to meet the representations for the following reasons:

“(a) the Government has been adopting a multi-pronged approach to increase

land supply to meet the acute housing demand. The Item A site is considered suitable for the proposed public housing development with provision of Government, institution and community (GIC) facilities and commercial uses (**R4 and R7**);

- (b) the representer's proposal of rezoning the "Open Space" ("O") zone covering Item B site and a portion of the existing open space as well as the adjacent "Government, Institution or Community" ("G/IC") site to "Residential (Group A)1" ("R(A)1") for plot ratio calculation is considered unacceptable. These two sites do not form part of the proposed public housing development in NCWV, and are/will be managed and maintained by the respective Government departments/utility agent. The "O" and "G/IC" zonings should be remained to reflect the planned public open space and existing GIC uses respectively (**R5**);
- (c) the "R(A)1" zone is intended to facilitate comprehensive public housing development. The representer's proposal incorporating private residential development thereat would substantially increase the total gross floor area and building height and alter the overall design of the proposed public housing development, thereby necessitating re-assessment on various technical aspects and causing delay to the development programme. The representer also has not provided any information to substantiate the claim that the proposed private housing development may be implemented faster than the proposed public housing development by HKHS. There is no strong planning justification for rezoning to meet the representer's proposal (**R5**);
- (d) the "R(A)1" zone is intended to facilitate comprehensive public housing development. The representer's proposal of carving out its lot and the surrounding area would affect the integrity, layout design and planning parameters of the proposed public housing development and associated works, which would necessitate re-assessment on various technical aspects, causing delay to the development programme. There is no strong planning

justification for rezoning to meet the representer's proposal (**R6**);

- (e) technical assessments on various aspects, including traffic and transport, environmental, heritage, visual, air ventilation, tree and landscape, drainage, sewerage, water supply, utilities and geotechnical confirm that there is no insurmountable technical problem in developing the Item A site for high-rise public housing developments with supporting infrastructural facilities and suitable mitigation/improvement measures (**R4, R6 to R8**);
- (f) the proposed public housing development will accommodate social welfare facilities providing elderly and child care services on the lower floors/podium in compliance with relevant prevailing regulations and standards. The Government will continue to adopt a multi-pronged approach to identify suitable sites or premises for the provision of more welfare facilities (**R8**); and
- (g) the living environment of residents in the squatter areas will be improved through the redevelopment and appropriate compensation and rehousing will be provided in accordance with the prevailing policy. For the district as a whole, the proposed public housing development can create a quality living environment with provision of social welfare facilities, GIC facilities, open space, greenery and recreational facilities (**R8**)."

88. 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 lunch break at 1:25 p.m. Dr Venus Y.H. Lun left and the Vice-chairperson left the meeting temporarily at this point.]

89. The meeting was resumed at 2:10 p.m.

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

Permanent Secretary for Development  
(Planning and Lands)  
Ms Doris P. L. Ho

Chairperson

Mr Lincoln L.H. Huang

Vice-chairperson

Mr Wilson Y.W. Fung

Dr C.H. Hau

Ms Sandy H.Y. Wong

Mr Stanley T.S. Choi

Mr L.T. Kwok

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 K.L. Wong

Chief Traffic Engineer/Kowloon  
Transport Department  
Mr Gary C.H. Wong

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

Assistant Director (Environmental Assessment) (Acting)  
Environmental Protection Department  
Dr Sunny C.W. Cheung

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

**Kowloon District**

**Agenda Item 4**

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Representations and Comments in respect of the Draft Tsz Wan Shan, Diamond Hill and San Po Kong Outline Zoning Plan No. S/K11/30

(TPB Paper No. 10873)

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[The item was conducted in English and Cantonese.]

91. The Secretary reported that the amendment items of the draft Tsz Wan Shan, Diamond Hill and San Po Kong Outline Zoning Plan (the draft OZP) mainly involved a proposed public housing development in Wong Tai Sin (WTS) to be implemented by the Hong Kong Housing Society (HKHS), and supported by a Feasibility Study (FS) commissioned by the Civil Engineering and Development Department (CEDD) with AECOM Asia Company Limited (AECOM) as the consultant of the FS. A representation and a comment were submitted by HKHS (R1/C1). The following Members had declared interests on the items:

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

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

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

Mr Timothy K.W. Ma - being a member of the Supervisory Board of HKHS;

Mr Daniel K.S. Lau ] being members of HKHS;  
Ms Lilian S.K. Law ]

Mr K.L. Wong - being a member and an ex-employee of HKHS;



- Mr Vincent K.Y. Ho - having current business dealings with AECOM;
- Dr C.H. Hau - conducting contract research project with CEDD and having past business dealings with AECOM; and
- Mr Stanley T.S. Choi - his spouse being a director of a company which owned a property in WTS.

92. Members noted that Dr Conrad T.C. Wong and Mr Timothy K.W. Ma had tendered apologies for not being able to attend the meeting; Messrs Ivan M.K. Chung and Andrew C.W. Lai had left the meeting temporarily; and Mr Daniel K.S. Lau had already left the meeting. Members agreed that as Dr C.H. Hau, Mr Vincent K.Y. Ho and Ms Lilian S.K. Law had no involvement in the amendment items of the draft OZP and/or submission of the relevant representation/comment, they could stay in the meeting. Members also noted that Messrs K.L. Wong and Stanley T.S. Choi had not yet joined the meeting.

#### Presentation and Question Sessions

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

94. 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)
- Mr Derek W.O. Cheung - Planning Co-ordinator/Kowloon
- Ms Helen H.Y. Chan - Senior Town Planner/Kowloon (STP/K)

*Civil Engineering and Development Department (CEDD)*

Mr Clarence C.T. Yeung - Chief Engineer/South  
Ms Candy Y.S. Li - Senior Engineer/South  
Ms P. Y. Chan - Engineer/South

*AECOM*

Mr David C.C. Ho - Project Director  
Mr Leo K.W. Lo - Deputy Project Manager  
Mr Sing Y.S. Wong - Associate  
Mr Patrick P.K. Lai - Associate  
Mr Karl K. An - Associate Director  
Mr Ben C.K. Leung - Senior Transport Planner  
Ms Elly H.S. Leung - Senior Landscape Architect

**Representers, Commenters and their Representatives**

R1/C1 – Hong Kong Housing Society

Mr Oliver L.F. Law ] Representer's and Commenter's  
Mr Edward K.P. Choi ] Representatives  
Ms Katherine K.L. Chu ]  
Ms Wilson Y. Ng ]

R7/C2 – Mary Mulvihill

Ms Mary Mulvihill - Representer and Commenter

95. The Chairperson extended a welcome. She then briefly explained the procedures of the hearing. She said that PlanD's representatives would be invited to brief Members on the representations and comments. The 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.

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

97. With the aid of a PowerPoint presentation, Ms Helen H.Y. Chan, STP/K, PlanD, 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. 10873 (the Paper).

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

#### R1/C1 – Hong Kong Housing Society

99. With the aid of some PowerPoint slides, Mr Edward K.P. Choi made the following main points:

- (a) HKHS supported Item A which involved the rezoning of two sites on both sides of Shatin Pass Road and to the northeast of WTS Mass Transit Railway (MTR) Station to "Residential (Group A)4" for a proposed public housing development (the proposed development) subject to a maximum domestic/non-domestic gross floor area (GFA) of about 75,000m<sup>2</sup>/15,000m<sup>2</sup> (equivalent to a domestic/non-domestic plot ratio (PR) of 7.5/1.5) and maximum building height restrictions (BHRs) of 145mPD (for Site A to the east of the road) and 120mPD (for Site B to the west of the road). Site A was currently mainly occupied by low-rise squatters on private land (i.e. Chuk Yuen United Village (CYUV)) and Site B was Government land;

- (b) HKHS supported Item A on the following major grounds:
- (i) to meet the pressing need for public housing, the proposed development would provide about 1,500 flats in three residential towers each on top of an individual podium intended for social welfare and commercial facilities. The total floor area dedicated for social welfare facilities would not be less than 5% of the domestic GFA and various types of facilities for elderly, child care, rehabilitation services, etc. would be provided to serve the future residents and the locals;
  - (ii) amid mixed uses and high-rise, high-density residential developments, the proposed development was considered not incompatible with the surroundings in terms of land uses and development scale;
  - (iii) to enhance walkability and pedestrian connectivity in the area, a public footbridge over Shatin Pass Road would be provided to link up Site A and Site B. HKHS would also explore options to link up Site B with the WTS Public Transport Terminus (WTSPTT) to the north and WTS Square/MTR Station to the south;
  - (iv) the greenery area would be no less than 20% of the site area and various landscape provisions would be explored at the detailed design stage;
  - (v) no graded historic building nor new item pending assessment by the Antiquities Advisory Board was identified in the Item A site. However, noting that some residents aspired to preserve the non-graded cloth grinding stone (碾布石), HKHS undertook to investigate such possibility at the detailed design stage. While the proposed development would not directly affect WTS Temple, a Grade 1 historic building to the west, mitigation measures would be undertaken at the construction stage to avoid any possible impacts; and
  - (vi) the technical assessments conducted by CEDD demonstrated that the proposed development would not cause any insurmountable problems in

terms of traffic, environment, landscape, visual, heritage, air ventilation and infrastructural capacity.

- (c) regarding the major concerns of the representations in respect of the draft OZP, HKHS had the following main responses:

Development Intensity and Local Capacity to Accommodate Future Population

- (i) the proposed development intensity (domestic/non-domestic PR of 7.5/1.5) and stepped building height profile (120/145mPD) were considered in harmony with the existing and planned developments nearby while optimising scarce urban land resources. Appropriate building setbacks would be explored at the detailed design stage according to the sustainable building design guidelines;
- (ii) the provision of open space and major community facilities could meet the needs of the future residents and the locals. In particular, facilities for elderly, child care, rehabilitation services, etc. would be provided with a total floor area of not less than 5% of domestic GFA of the proposed development;
- (iii) CEDD's technical assessments (including the traffic impact assessment) concluded that the proposed development would not overstrain the infrastructural and traffic capacities of the area;

Rezoning Item A Site for Beneficial Uses

- (iv) the identification of Item A site for public housing development was in line with the 2020 Policy Address. Sufficient open space, social welfare and community facilities would be provided in the proposed development to serve the future residents and the locals. Social welfare facilities would be designed according to the technical requirements of the Social Welfare Department and implemented to their satisfaction, and local open space (LOS) would be provided at a minimum of 1m<sup>2</sup> per person in

accordance with the requirement of Hong Kong Planning Standards and Guidelines (HKPSG);

Potential Adverse Technical Impacts

- (v) no insurmountable technical impacts were identified in CEDD's technical assessments under the FS. During the construction and operation stages, relevant mitigation measures and appropriate design would be properly incorporated to comply with relevant regulations and guidelines;

Visual Impact

- (vi) according to the Landscape and Visual Impact Assessment (LVIA) conducted by CEDD, the proposed development could be seen as an extension of the existing residential townscape. Mitigation measures (e.g. building separations, building/podium setback, greening/landscape treatment, etc.) to alleviate any potential visual impacts would be duly incorporated, and upon implementation of which, no unacceptable visual impacts were envisaged;

Noise Mitigation Measures and Green Building

- (vii) to avoid any potential noise nuisance which might be caused to the future residents in the proposed development, appropriate noise mitigation measures, e.g. acoustic windows, would be considered at the detailed design stage. HKHS also targeted to attain a GOLD rating for the proposed development under BEAM Plus in order to support a sustainable and green living; and
- (d) regarding the tentative implementation programme for the proposed development, the years of 2022-24 were targeted for completion of OZP amendment, building plan submission, land resumption by Government and land grant application, 2024-30 for construction by phases and 2029-30 for the first population intake.

R1/C1 – Mary Mulvihill

100. Ms Mary Mulvihill made the following main points:

- (a) due to the close proximity of the amendment sites of the draft OZP and those of the draft Wang Tau Hom and Tung Tau Outline Zoning Plan No. S/K8/24 (under Agenda Item 5), the representations and comments under these two OZPs should be considered in one go to provide a holistic overview of the district;
- (b) the area between Shatin Pass Road and WTS Temple (i.e. Site B, WTSPTT and the proposed religious institution use between Site B and WTS Temple) should have been identified for public housing development, with public transport facilities put underground and residential towers locating away from WTS Temple. Site A should be reserved for a standalone development for government, institution and community (GIC) facilities which could allow for retention of existing trees and provision of open space. The said proposed religious institution for which development details and implementation programme were unknown at the moment could also be incorporated into Site A;
- (c) social welfare facilities with floor area not less than 5% of the domestic GFA were now inadequate. In face of ageing population, there was already a shortfall of care homes for the elderly, with 23,000 people waiting for such facilities at an average waiting time of seven months to 3.5 years;
- (d) installing fixed window as a mitigation measure to alleviate potential air quality impact from Lung Cheung Road would in fact undermine indoor air quality. Such impact on elderly care facilities which must be located on lower floors of a building was usually ignored;
- (e) new public housing estates consumed more energy than the older ones. Buildings that required round-the-clock air conditioning should not be approved. The Environmental Protection Department should ensure an incremental

decrease in the amount of energy required to serve new developments. Building separation of at least 15m should be required;

- (f) blocking the view towards the Lion Rock by the proposed development was a matter of concern as the Lion Rock was a pivotal landmark. When assessing the visual impact of the proposed development, reference should be made to the building heights of Lower Wong Tai Sin Estate (Lung Fai House and Lung Kwong House) to the south of Lung Cheung Road, instead of Hsin Kuang Centre to the east of Site A as adopted by CEDD's technical assessments;
- (g) the Government had been stating for the past few months that there was an ongoing effort in identifying potential sites for off-site compensatory planting. However, there was no record to keep track of the cumulative number of trees that needed to be compensated off-site for various development projects; and
- (h) the recent emerging factors (including the shrinking population, growing emigration rate and declining economy) would drive down the housing price. In view of the anticipated abundant supply of vacant units at affordable price, the Government should introduce programmes to assist people in purchasing their own homes.

101. As the presentations of PlanD's representatives 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.

#### *Potential Use of the Cul-de-sac Area of Shatin Pass Road*

102. Two Members asked about the possibility of incorporating the cul-de-sac area of Shatin Pass Road into the development site. In response, Ms Vivian M.F. Lai, DPO/K, PlanD, with the aid of some PowerPoint slides, made the following main points:



- (a) based on the layout plan of about 10 years ago, the area between Shatin Pass Road and WTS Temple was planned for a WTS Folk Culture Area, comprising a proposed GIC Complex in the central part (i.e. Site B), a proposed religious institution use in the west and a garden at the cul-de-sac of Shatin Pass Road in the east. The WTS Folk Culture Area supported by the WTS District Council would be pursued after relocation of the existing mini-bus stands from the cul-de-sac to WTSPTT and subsequent permanent closure of the cul-de-sac. WTSPTT was near completion and scheduled for operation in 2023/24. The cul-de-sac area could only be vacated after WTSPTT with relocated mini-bus stands had been in smooth operation and the gazettal procedures for closing the cul-de-sac had been completed;
- (b) initially, only Site A was identified for public housing as stated in the Policy Address 2020. During the course of CEDD's FS, given that there was no development programme for the proposed GIC Complex on Site B, Site B was included as part of the development site for the proposed development, thereby optimising the site's utilisation and expediting the delivery of the much-needed GIC facilities. Since the implementation programme of the proposed development at Item A site preceded the availability of the vacated cul-de-sac of Shatin Pass Road, it was considered prudent under the current circumstances to first materialise the flat supply and GIC facilities at Item A site and later explore the use of the vacated cul-de-sac area through close liaison amongst relevant government departments, including the Home Affairs Department, Leisure and Cultural Services Department, Transport Department, etc.;
- (c) the three proposed public housing developments under amendment item(s) of the draft OZP (i.e. Item A), the Draft Ngau Chi Wan OZP No. S/K12/17 (under Agenda Item 3) and the Draft Wang Tau Hom and Tung Tau OZP No. S/K8/24 (under Agenda Item 5) would suitably provide the GIC facilities necessitated by the three proposed developments in a holistic manner and re-provision the existing/originally planned GIC facilities so affected, including those originally planned at the proposed GIC Complex at Site B;
- (d) the underground space of the cul-de-sac area was packed with underground

utilities and drainages which rendered aboveground developments difficult; and

- (e) a north-south barrier-free linkage between WTS Station to the south and WTSPTT to the north via Site B would be provided in the long run. In the meantime, another at-grade pedestrian passageway along the boundary of Site B between WTS Station and WTSPTT was under study among relevant government departments, including the Transport Department.

### *Layout Design of the Proposed Development*

103. Two Members raised the following questions:

- (a) the rationale of the layout design (e.g. the block form, the curvilinear elevated walkway, etc.) and whether consideration had been given to combining Site A and Site B with realignment of Shatin Pass Road in between so as to achieve better harmony with the nearby WTS Temple; and
- (b) the determining factor of the size and location of the LOS within the proposed development.

104. In response, Messrs Edward P.K. Choi and Oliver L.F. Law, representatives of R1, explained that the notional scheme presented was intended to demonstrate the feasibility of full utilisation of the maximum permissible domestic and non-domestic GFAs with incorporation of the necessary GIC and supporting facilities. Details such as layout design, block form, design of elevated walkway would be revisited at the detailed design stage with a view to ensuring that the proposed development could blend in well with WTS Temple, and Members' comments in this regard would be taken into account where appropriate. In particular, the elevated walkway which would link up the commercial portions of Site A and Site B could facilitate possible extension of the north-south pedestrian connection up to Fung Tak Road and down to Lung Cheung Road.

105. In response, Ms Vivian M.F. Lai, DPO/K, PlanD, stated that the provision of LOS should comply with the requirements set out in the HKPSG. Mr Oliver L.F. Law, representative of R1, with the aid of some PowerPoint slides, supplemented that the HKPSG

standard of 1m<sup>2</sup> LOS per person had been adopted in the notional scheme. While the exact location and distribution of the LOS would be refined at the detailed design stage, the tentative locations as shown in the notional scheme had taken into relevant considerations as set out below:

- (i) the northern tip of Site B: utilising the area above MTR tunnel where high-rise developments could not be supported;
- (ii) the southeastern corner of Site B: facilitating preservation of two Trees of Particular Interest (TPIs) thereat;
- (iii) the northern tip of Site A: facilitating preservation of a TPI thereat; and
- (iv) the gap between two residential towers in Site A: serving as an air corridor.

106. As Members had no further questions to raise, the Chairperson said that the hearing procedures for the presentation and Q&A sessions had been completed. The Board would further deliberate on the representations and comments in closed meeting and inform the representers and commenters of the Board's decision in due course. The Chairperson thanked the representers and commenters and their representatives and government's representatives for attending the meeting. They left the meeting at this point.

[The Vice-chairperson rejoined the meeting during the question and answer session.]

### Deliberation Session

107. The Chairperson recapitulated that the planning of Item A site had been evolving over the years to factor in the changing planning circumstances. Initially, only Site A which was a squatter area on private land adjacent to MTR Station was identified for proposed public housing development with provision of GIC facilities, under the 'Single Site, Multiple Use' principle, in order to release the precious urban site for addressing the shortage of developable land and improving the environment. Subsequently, Site B which was a piece of Government land originally reserved for a GIC Complex was identified, alongside Site A, to form a larger site for the proposed development. Without the need for land resumption at Site B, the population intake of the proposed development in 2029 would be much earlier than that of the proposed public housing development in the Ngau Chi Wan Village site in 2031 (under Agenda Item 3). Moreover, the proposed development would offer public housing units in an urban

location that could be used to rehouse eligible people affected by clearance to make way for Government and URA projects. It was also understood that the local residents in CYUV had aspired for early rehousing in order to secure a better living environment. HKHS could be requested to take note of Members' comments on aspects including connectivity between Site A and Site B, connectivity of the proposed development with nearby developments, more compatible built form for the proposed development to be commensurate with WTS Temple and distribution of LOS, etc. in refining their scheme at the detailed design stage. She then invited views from Members.

108. Members generally supported or had no objection to the amendment items, including the land uses and development parameters under Items A and B, and the relevant Notes to the OZP.

109. Some Members had the following comments/suggestions on the use of the cul-de-sac of Shatin Pass Road:

- (a) the cul-de-sac should be fully utilised by subsuming the mini-bus stands, which currently occupied the cul-de-sac, within a podium, hence releasing the cul-de-sac for development;
- (b) the layout design as presented in the notional scheme was not satisfactory. The presence of the cul-de-sac which separated Site A and Site B had resulted in an inefficient layout for the proposed development. To achieve more efficient and sensible layout design, options should be explored to incorporate the cul-de-sac area into the development site of the proposed development without delaying the housing programme. If so, the at-grade connectivity between Site A and Site B could also be enhanced without the need for an elevated walkway; and
- (c) whether the cul-de-sac area could be incorporated into the development site of the proposed development was a matter of phasing arrangement. The Government could consider implementing the development at Site B first, then amalgamating the cul-de-sac area and Site A for development in one go, noting that the two sites would only be available at a later stage, so as to optimise the

usage of scarce land resources. Consideration could also be given to distributing the GFA so generated by the cul-de-sac area to the developable portions of the proposed development, leaving the cul-de-sac area intact before it was available for other uses, and such arrangement was similar to some private developments with certain areas dedicated for public pedestrian passageways.

110. The Secretary supplemented that the WTS District Council had fully supported the WTS Folk Culture Area project, specifically demanding that the cul-de-sac be replaced by an open space, instead of a pedestrian passageway, upon relocation of the mini-bus stands thereat so as to form an extension of the existing WTS Square. If there were changes to the aforesaid open space proposal, WTS District Council should be consulted again. Besides, development at the cul-de-sac area would be constrained by the presence of a number of underground utilities. As suggested by some Members, the proposed development should proceed as scheduled while relevant government departments (including the Transport Department, Home Affairs Department, Highways Department, Leisure and Cultural Services Department, Civil Engineering and Development Department, etc.) could further explore the permanent closure of the cul-de-sac area upon relocation of mini-bus stands to the WTSPTT and the utilisation of the cul-de-sac area as appropriate, taking into account the views of the WTS District Council.

111. A Member expressed grave concerns that the tree compensation arranged for the proposed development was inadequate.

112. The Chairperson concluded that Members generally agreed to the OZP amendments and 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. With regard to Members' comments on the alternative use of the said cul-de-sac area, the Chairperson said that PlanD would follow up with HKHS on how the proposed development could better integrate with the area or the potential of the area be better utilised.

113. After deliberation, the Board noted the supportive views of **R1 to R3** and the views of **R8**, and decided not to uphold R4 to R7, and agreed that the draft OZP should not be amended to meet the representations for the following reasons:

- “(a) the Government has been adopting a multi-pronged approach to increase land supply to meet the acute housing demand. The Item A Site is considered suitable for the proposed public housing development with provision of government, institution and community (GIC) facilities and commercial uses (**R5** and **R7**);
- (b) technical assessments on various aspects, including traffic and transport, environmental, visual, air ventilation, tree and landscape, drainage, sewerage, water supply, utilities and geotechnical, confirm that there is no insurmountable technical problem in developing the Item A Site for high-rise public housing development with supporting infrastructural facilities and suitable mitigation/improvement measures (**R4** to **R7**);
- (c) striking a balance between providing more public housing flats and GIC facilities with adoption of the “Single Site, Multiple Use” principle, the proposed public housing development at the Item A Site will accommodate social welfare facilities providing elderly, child care and rehabilitation services on the lower floors/podium in compliance with relevant prevailing regulations and standards. The Government will continue to adopt a multi-pronged approach to identify suitable sites or premises for the provision of more welfare services. As for open space, its existing and planned provision is adequate according to the requirements of the Hong Kong Planning Standards and Guidelines (**R4**, **R5** and **R7**); and
- (d) the living environment of residents in the squatter areas will be improved through the redevelopment and appropriate compensation and rehousing will be provided in accordance with the prevailing policy. For the district as a whole, the proposed public housing development can create a quality living environment with provision of social welfare facilities, GIC facilities, open space, greenery and recreational facilities (**R7**).”

114. The Board also agreed that the draft Tsz Wan Shan, Diamond Hill and San Po Kong 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.

[Messrs Ivan M.K. Chung, Stanley T.S. Choi and K.L. Wong joined the meeting at this point.]

### **Agenda Item 5**

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Representations and Comment in respect of the Draft Wang Tau Hom and Tung Tau Outline Zoning Plan No. S/K8/24

(TPB Paper No. 10874)

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[The item was conducted in English and Cantonese.]

115. The Secretary reported that the amendment item of the draft Wang Tau Hom and Tung Tau Outline Zoning Plan (the draft OZP) involved a proposed public housing development in Wong Tai Sin (WTS) to be implemented by the Hong Kong Housing Authority (HKHA) and the Housing Department (HD) was the executive arm of HKHA. The proposed public housing development was supported by a Feasibility Study (FS) commissioned by the Civil Engineering and Development Department (CEDD), with AECOM Asia Company Limited (AECOM) being the consultant of the FS. The following Members had declared interests on the item:

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

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

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

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

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

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

116. Members noted that Dr Conrad T.C. Wong, Messrs Timothy K.W. Ma and Franklin Yu had tendered apologies for not being able to attend the meeting; Mr Andrew C.W. Lai had left the meeting temporarily; and Mr Daniel K.S. Lau had already left the meeting. Members agreed that as the interest of Mr L.T. Kwok was indirect; Dr C.H. Hau, Messrs K.L. Wong, Vincent K.Y. Ho and Ms Lilian S.K. Law had no involvement in the amendment item of the draft OZP; and the concerned property of Mr Stanley T.S. Choi's spouse was not affected by the amendment, they could stay in the meeting. As the interest of Mr Paul Y.K. Au was direct, he should be invited to leave the meeting temporarily for the item.

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



## Presentation and Question Sessions

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

118. The following government representatives and representer/commenter were invited to the meeting at this point:

### **Government Representatives**

#### *Planning Department (PlanD)*

Ms Vivian M.F. Lai	- District Planning Officer/Kowloon (DPO/K)
Mr Derek W.O. Cheung	- Planning Co-ordinator/Kowloon
Mr William W.L. Chan	- Senior Town Planner/Kowloon (STP/K)

#### *Civil Engineering and Development Department (CEDD)*

Mr Clarence C.T. Yeung	- Chief Engineer/South
Ms Candy Y.S. Li	- Senior Engineer/South
Ms P. Y. Chan	- Engineer/South

#### *AECOM*

Mr David C.C. Ho	- Project Director
Mr Leo K.W. Lo	- Deputy Project Manager
Mr Sing Y.S. Wong	- Associate
Mr Patrick P.K. Lai	- Associate

### **Representer/Commenter**

#### R1/C1 – Mary Mulvihill

Ms Mary Mulvihill	- Representer and Commenter
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119. The Chairperson extended a welcome. She then briefly explained the procedures of the hearing. She said that PlanD's representatives would be invited to brief Members on the representations and comment. The representer/commenter would then be invited to make oral submission. To ensure efficient operation of the hearing, the representer/commenter would be given a total of 20 minutes for making presentation. There was a timer device to alert the representer/commenter two minutes before the allotted time was to expire, and when the allotted time limit was up. A question and answer (Q&A) session would be held after the representer/commenter had completed her oral submissions. Members could direct their questions to the government representatives or the representer/commenter. After the Q&A session, the government representatives and the representer/commenter would be invited to leave the meeting. The Board would then deliberate on the representations and comment in their absence and inform the representers/commenter of the Board's decision in due course.

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

121. With the aid of a PowerPoint presentation, Mr William W.L. Chan, STP/K, PlanD, briefed Members on the representations and comment, including the background of the draft OZP, the grounds/views/proposals of the representers and commenter, planning assessments and PlanD's views on the representations and comment as detailed in TPB Paper No. 10874 (the Paper).

122. The Chairperson then invited the representer/commenter to elaborate on her representation and comment.

R1/C1 – Mary Mulvihill

123. Ms Mary Mulvihill made the following main points:

- (a) due to the close proximity of the amendment site of the draft OZP and those of the draft Tsz Wan Shan, Diamond Hill and San Po Kong OZP No. S/K11/30 (under Agenda Item 4), the representations and comments under these two OZPs should be considered in one go to provide a holistic overview of the district;

- (b) PlanD should advise on the future use of the existing Lung Hing Public Library premises after the library had been relocated to Item A site;
- (c) Item A site should be retained for standalone government, institution and community (GIC) facility, considering the need for medical isolation in case of outbreak of various epidemics like COVID-19. Such GIC facility could also be built taller to accommodate more social welfare facilities that were in deficit as shown in the GIC table (e.g. child care centre, residential care homes for the elderly, etc.) (Annex V of the Paper) and take up some of those currently planned for the proposed public housing development in Chuk Yuen United Village site (under Agenda Item 4). The “Single Site, Multiple Use” principle had led to many social welfare facilities being squeezed into the lower floors of residential blocks, and the negative impacts of such, e.g. lack of air ventilation, sunlight penetration and exercise ground, etc., were usually ignored. The role of low-rise GIC blocks in providing respites from the walled-building effect was being exterminated, against the long-established principle of GIC facility to provide relief and focal point to the compact urban fabric;
- (d) social welfare facilities with floor area not less than 5% of the domestic gross floor area (GFA) of the proposed development were inadequate;
- (e) as noted from the Paper, there would be a surplus in school places in the district, but no information on the location of these surplus school sites was provided. Consideration should be given to utilising these sites for public housing or transitional housing;
- (f) the lack of guaranteed adequate compensatory planting had led to cumulative loss of mature trees. Effort should be made to preserve the large ones. For the proposed new trees, their girths, canopies and planting locations were more important than their being common species. The new trees in the proposed development were of spindly species that could not grow tall; and
- (g) the need to provide a large amount of public housing units was questionable given the shrinking population and increase in interest rates. Noting that

vacant residential blocks were available in the Guangdong-Hong Kong-Macao Greater Bay Area (GBA), the Government should consider acquiring some of them at low cost and fitting them out as public housing nodes in Hong Kong style as an option for retirees or one-way permit holders who preferred to live in the Mainland as a solution to meeting their housing needs.

[Ms Sandy H.Y. Wong, Mrs Vivian K.F. Cheung and Mr Wilson Y.W. Fung left the meeting during R1/C1's presentation. Professor John C.Y. Ng left the meeting after R1/C1's presentation.]

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

125. As Members had no question to raise, the Chairperson said that the hearing procedures for the presentation and Q&A sessions had been completed. The Board would further deliberate on the representations and comment in closed meeting and inform the presenters and commenter of the Board's decision in due course. The Chairperson thanked the presenter/commenter and government's representatives for attending the meeting. They left the meeting at this point.

#### Deliberation Session

126. The Chairperson recapitulated that the existing GIC facilities in the Wong Tai Sin Community Centre (WTSCC) at the Item A site were rather dilapidated, and the proposed public housing development would not only produce about 300 flats but also provide an opportunity to upgrade the affected GIC facilities through reprovisioning. As explained by PlanD's representatives, the affected existing GIC facilities in WTSCC would be reprovisioned in the proposed public housing developments in Ngau Chi Wan Village and Chuk Yuen United Village sites (under Agenda Items 3 and 4 respectively). She then invited views from Members.

127. Members generally supported or had no objection to Item A, including the land uses and development parameters, and the relevant Notes to the OZP. Members also 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 presentation made by the government representatives at the meeting.

128. After deliberation, the Board noted the views of **R2** and decided not to uphold R1, and agreed that the draft OZP should not be amended to meet the representations for the following reasons:

- “(a) the Government has been adopting a multi-pronged approach to increase land supply to meet the acute housing demand. The Site is considered suitable for the proposed public housing development with provision of government, institution and community (GIC) facilities;
- (b) striking a balance between providing more public housing flats and GIC facilities with adoption of the “Single Site, Multiple Use” principle, the proposed public housing development will accommodate social welfare facilities providing elderly and mentally handicapped person services on the lower floors/podium in compliance with relevant prevailing regulations and standards. The Government will continue to adopt a multi-pronged approach to identify suitable sites or premises for the provision of more welfare services;
- (c) technical assessment on the potential landscape impact including a tree survey confirm that there is no unacceptable landscape impact in developing the Site for high-rise public housing development. Appropriate tree preservation proposal will be formulated at the detailed design stage in accordance with relevant guidelines; and
- (d) the proposed library at the Site will facilitate reprovisioning and expansion of the existing Lung Hing Public Library. The existing facilities in the Wong Tai Sin Community Centre at the Site will be reprovisioned in the proposed public housing developments at Chuk Yuen United Village and Ngau Chi

Wan Village sites, while the existing community hall will be reprovisioned at Chuk Yuen United Village site.”

129. The Board also agreed that the draft Wang Tau Hom and Tung Tau 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.

### **Agenda Item 6**

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/NE-LK/145

Proposed Temporary Private Vehicle Park (Private Car) for a Period of 3 Years and Filling of Land in “Agriculture” Zone, Lots 1406 S.A ss.1, S.A RP, S.B, S.C and RP in D.D. 39, Ma Tseuk Leng, Sha Tau Kok

(TPB Paper No. 10875)

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[The item was conducted in Cantonese.]

### **Presentation and Question Sessions**

130. The following representative of the Planning Department (PlanD) was invited to the meeting at this point:

#### ***PlanD***

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

131. The Chairperson extended a welcome and informed Members that the applicant had indicated not to attend the meeting. She then invited PlanD’s representative to brief Members on the review application.

132. With the aid of a PowerPoint presentation, Ms Margaret H.Y. Chan, DPO/STN, 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 TPB Paper No. 10875 (the Paper). PlanD maintained its previous view of not supporting the application.

[Mr Andrew C.W. Lai joined the meeting during DPO/STN's presentation.]

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

134. Some Members raised the following questions:

- (a) whether there was any land available in the nearby "Village Type Development" ("V") zone to meet the parking demand; and
- (b) whether the application site (the Site) was covered by vegetation.

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

- (a) there were about 2.1 ha of land available in the nearby "V" zone in Ma Tseuk Leng and San Uk Ha for development of about 85 Small Houses. Parking use could be considered within the "V" zone on application to the Board; and
- (b) the Site was once cleared as shown on the aerial photos (Plan R-3 of the Paper), but it was currently covered by vegetation as observed during PlanD's recent site visit.

136. 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. The Chairperson thanked PlanD's representative for attending the meeting. She left the meeting at this point.

### Deliberation Session

137. Members generally agreed with the decision of the RNTPC, and that the review application should be rejected.

138. After deliberation, the Board decided to reject the application for the following reason:

“ 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 current submission for a departure from the planning intention, even on a temporary basis. ”

### Agenda Item 7

[Open Meeting] [The item was conducted in Cantonese.]

### Any Other Business

139. There being no other business, the meeting was closed at 4:35 pm.