

**Minutes of 1302nd Meeting of the
Town Planning Board held on 15.9.2023**

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 Franklin Yu

Ms Lilian S.K. Law

Mr K.W. Leung

Professor John C.Y. Ng

Professor Jonathan W.C. Wong

Mr Ricky W.Y. Yu

Professor Roger C.K. Chan

Dr Venus Y.H. Lun

Mrs Vivian K.F. Cheung

Mr Ben S.S. Lui

Mr Timothy K.W. Ma

Ms Bernadette W.S. Tsui

Mr K.L. Wong

Chief Traffic Engineer (Kowloon)
Transport Department
Mr Gary C.H. Wong (for Agenda Items 1 to 3)

Chief Traffic Engineer (New Territories East)
Transport Department
Mr K.L. Wong (for Agenda Items 4 to 10)

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

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

Director of Lands
Mr Andrew C.W. Lai

Director of Planning
Mr Ivan M.K. Chung

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

Secretary

Absent with Apologies

Miss Winnie W.M. Ng

Mr Daniel K.S. Lau

Mr Stanley T.S. Choi

Dr Conrad T.C. Wong

Mr Vincent K.Y. Ho

In Attendance

Assistant Director of Planning/Board

Ms Caroline T.Y. Tang

Chief Town Planner/Town Planning Board

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

Mr Edward H.C. Leung (p.m.)

Senior Town Planner/Town Planning Board

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

Agenda Item 1

[Open Meeting]

Matters Arising

[This item was conducted in Cantonese.]

(i) Approval of Draft Outline Zoning Plans and Urban Renewal Authority Development Scheme Plan

1. The Secretary reported that on 5.9.2023, the Chief Executive in Council approved the draft Ma Tau Kok Outline Zoning Plan (OZP) (re-numbered as S/ K10/30); (ii) the draft Ma On Shan OZP (re-numbered as No. S/MOS/26); and (iii) the draft Urban Renewal Authority Nga Tsin Wai Road/Carpenter Road Development Scheme Plan (DSP) (re-numbered as S/K10/URA3/2) under section 9(1)(a) of the pre-amended Town Planning Ordinance. The approval of the draft OZPs and DSP was notified in the Gazette on 8.9.2023.

(ii) Hearing Arrangement for Consideration of Representations and Comments of Draft Outline Zoning Plans and Urban Renewal Authority Development Scheme Plan

2. The Secretary reported that the item was to seek Members' agreement on the hearing arrangement for consideration of representations and comments in respect of: (i) the draft Fu Tei Au and Sha Ling Outline Zoning Plan (OZP) No. S/NE-FTA/17; (ii) the draft Tsuen Wan OZP No. S/TW/36; and (iii) the draft Urban Renewal Authority Kau Pui Lung Road/Chi Kiang Street Development Scheme Plan (DSP) No. S/K10/URA2/1.

3. The Secretary reported that the amendments to the Fu Tei Au and Sha Ling OZP involved public housing to be developed by the Hong Kong Housing Authority (HKHA) with Housing Department (HD) as the executive arm. The proposed public housing development was supported by an Engineering Feasibility Study conducted by the Civil Engineering and Development Department (CEDD). The following Members had declared interests on the item:

- Mr Andrew C.W. Lai
(*as Director of Lands*)
- Mr Paul Y.K. Au
(*as Chief Engineer (Works), Home Affairs Department*)
- Dr Conrad T.C. Wong
- Mr Franklin Yu
- Mr Daniel K.S. Lau
- Ms Lilian S.K. Law
- Mr Timothy K.W. Ma
- Mr K.L. Wong
- being a member of HKHA;
 - being a representative of the Director of Home Affairs who was a member of the Strategic Planning Committee and Subsidised Housing Committee of HKHA;
 - having current business dealings with HKHA;
 - being a member of the Building Committee and Tender Committee of HKHA;
 -] being a member of the Hong Kong Housing Society (HKHS) which currently had discussion with HD on housing development issues;
 - being a member of the Supervisory Board of the HKHS which currently had discussion with HD on housing development issues;
 - being a member and ex-employee of the HKHS which currently had discussion with HD on housing development issues; and

Dr C.H. Hau

- conducting contract research projects with CEDD; being a member of a focus group of CEDD on the study related to the Kau Yi Chau Artificial Islands; and being an honorary professional adviser of CEDD associated with the development of New Territories North.

4. The Secretary reported that the amendment to the draft Tsuen Wan OZP involved rezoning a site at the upper section of Lo Wai Road from “Green Belt” (“GB”) to “Government, Institution or Community” (“G/IC”) for a proposed private columbarium development. Mr Stanley T.S. Choi had declared interest on the item for his spouse being a director of a company which owned properties in Tsuen Wan.

5. The Secretary reported that the DSP involved a site in Ma Tau Kok submitted by the Urban Renewal Authority (URA). A representation had been submitted by Mass Transit Railway Corporation Limited (MTRCL) (R62). URA had also submitted a comment (C1) on the DSP. The following Members had declared interests on the item:

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| Mr Ivan M.K. Chung
(<i>as Director of Planning</i>) | - being a non-executive director of the URA Board and a member of its Committee; |
| Mr Andrew C.W. Lai
(<i>as Director of Lands</i>) | - being a non-executive director of the URA Board and a member of its Committee; |
| Mr Timothy K.W. Ma | - being a member of the Land, Rehousing & Compensation Committee and Development Project Objection Consideration Committee of URA, a director of the Board of the Urban Renewal Fund, and a member of the Supervisory Board of HKHS which currently had discussion with URA on housing development issues; |

- Dr Conrad T.C. Wong - having current business dealings with URA and MTRCL; and his companies owning four properties in Ma Tau Kok;
- Mr Lincoln L.H. Huang - being a former Vice-chairman of the Appeal Board Panel of URA;
- Mr Ben S.S. Lui - being a former Executive Director of URA;
- Mr Ricky W.Y. Yu - being a former director of the Board of 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 HKHS which currently had discussion with URA on housing development issues;
- Mr Daniel K.S. Lau - being a member of the 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;
- Miss Winnie W.M. Ng - her company owning two properties in Ma Tau Kok; and
- Ms Sandy H.Y. Wong - being an independent non-executive director of MTRCL.

6. As the item was for seeking the Board's agreement on the hearing arrangement for the two OZPs and the DSP was procedural in nature, all Members who had declared interests in relation to the amendments and representations/comments could stay in the meeting.

7. The Secretary introduced the details as below:

- (a) on 28.4.2023, the draft Fu Tei Au and Sha Ling OZP No. S/NE-FTA/17 involving mainly: (i) rezoning of a site in Wa Shan, Sheung Shui from "Agriculture" ("AGR") and "GB" to "Residential (Group A)" ("R(A)") for public housing development with stipulation of building height restriction (BHR) (Items A1 and A2); and (ii) rezoning of a piece of land to the west of the public housing site from "AGR" to "G/IC" for reprovisioning an existing refuse collection point and public toilet affected by the proposed public housing development (Item B) was exhibited for public inspection under section 5 of the Town Planning Ordinance (the pre-amended Ordinance). During the two-month exhibition period, three valid representations were received. The valid representations were subsequently published for three weeks and one valid comment was received;
- (b) on 28.4.2023, the draft Tsuen Wan OZP No. S/TW/36 involving rezoning of a site at the upper section of Lo Wai Road from "GB" to "G/IC(10)" was exhibited for public inspection under section 5 of the pre-amended Ordinance. The amendment was to take forward the decision of the Metro Planning Committee to partially agree to a section 12A application (No. Y/TW/15) for a private columbarium development. During the two-month exhibition period, one valid representation was received. The valid representation was subsequently published for three weeks and two valid comments were received; and
- (c) on 21.4.2023, the draft URA Kau Pui Lung Road/Chi Kiang Street DSP No. S/K10/URA2/1 involving a site in Ma Tau Kok was exhibited for public inspection under section 5 of the pre-amended Ordinance. The site was mainly zoned "R(A)" on the DSP with stipulation of BHR. During the two-month exhibition period, a total of 62 valid representations were received. The valid

representations were subsequently published for three weeks and 11 valid comments were received.

8. The Secretary reported that in view of the similar nature of the representations and comments, the hearings of all valid representations and comments were recommended to be considered by the full Board collectively in one group for the respective OZP and DSP. To ensure efficiency of the hearings, a maximum of 10 minutes presentation time would be allotted to each representer/commenter in the hearing sessions. Considerations of the representations and comments by the full Board of the two OZPs and the DSP were tentatively scheduled for November 2023.

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

Kowloon District

Agenda Item 2

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Representations and Comments in respect of the Draft Urban Renewal Authority Ming Lun Street/Ma Tau Kok Road Development Scheme Plan No. S/K22/URA1/1 (TPB Paper No. 10920)

[The item was conducted in Cantonese and English.]

10. The Secretary reported that the Development Scheme Plan (DSP) submitted by the Urban Renewal Authority (URA) involved a site at Ming Lun Street/Ma Tau Kok Road (Site KC-018) in Ma Tau Kok/Kowloon City. A representation had been submitted by the Hong Kong and China Gas Co. Ltd., a subsidiary of Henderson Land Development Co. Ltd. (HLD) (R244). URA (C1) had also submitted a comment on the DSP. The following Members had declared interests on the item:

Mr Ivan M.K. Chung
(as Director of Planning)

- being a non-executive director of the URA Board
and a member of its Committee;

- Mr Andrew C.W. Lai
(*as Director of Lands*)
- Mr Timothy K.W. Ma
- Dr Conrad T.C. Wong
- Mr Lincoln L.H. Huang
- Mr Ben S.S. Lui
- Mr Ricky W.Y. Yu
- Mr Wilson Y.W. Fung
- Ms Lilian S.K. Law
- being a non-executive director of the URA Board and a member of its Committee;
 - being a member of the Land, Rehousing & Compensation Committee and Development Project Objection Consideration Committee of URA, a director of the Board of the Urban Renewal Fund, and a member of the Supervisory Board of Hong Kong Housing Society (HKHS) which currently had discussion with URA on housing development issues;
 - having current business dealings with URA; his companies owning four properties in Ma Tau Kok and his close relative owning a property in Kowloon City;
 - being a former Vice-chairman of the Appeal Board Panel of URA;
 - being a former Executive Director of URA;
 - being a former director of the Board of 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;
 - being a former director of the Board of the Urban Renewal Fund;
 - being a former director of the Board of the Urban Renewal Fund and a member of the HKHS which currently had discussion with URA on housing development issues;

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| Mr Daniel K.S. Lau | - being a member of the 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; |
| Miss Winnie W.M. Ng | - her company owning two properties in Ma Tau Kok; |
| Dr C.H. Hau | - being an employee of the University of Hong Kong (HKU) which had received donation from a family member of the Chairman of HLD before, and having past business dealings with HLD; |
| Mr Stephen L.H. Liu | - being a former member of the Council of the Hong Kong Polytechnic University which had obtained sponsorship from HLD before; |
| Ms Bernadette W.S. Tsui | - being a former employee of HKU which had received donation from HLD before; and |
| Mr Vincent K.Y. Ho | - having current business dealings with HLD. |

11. Members noted that Messrs Daniel K.S. Lau, Vincent K.Y. Ho, Dr Conrad T.C. Wong and Miss Winnie W.M. Ho had tendered apologies for not being able to attend the meeting and Mr Timothy K.W. Ma had not yet joined the meeting. The interests of Messrs Ivan M.K. Chung and Andrew C.W. Lai were direct and they were invited to leave the meeting temporarily for the item. As the interests of Messrs Lincoln L.H. Huang, Ricky W.Y. Yu, Stephen L.H. Liu, Dr C.H. Hau and Ms Bernadette W.S. Tsui were indirect, and Messrs Ben S.S. Lui, Wilson Y.W. Fung, K.L. Wong and Ms Lilian S.K. Law had no involvement in the DSP or submission of the relevant comment, Members agreed that they could stay in the meeting.

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

Presentation and Question Sessions

12. The Chairperson said that notifications 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.

13. 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 Ernest C.M. Fung - Senior Town Planner/Kowloon (STP/K)

Ms Joyce L.M. Lee - Town Planner/Kowloon

Electrical and Mechanical Services Department (EMSD)

Mr Raymond S.P. Yu - Senior Engineer (SE)

Representers, Commenters and their Representatives

R52 – 鄭世傑

Ms Wong Suk Ngor - Representer's Representative

R70 – 丘枚正

Ms Chan So Nui - Representer's Representative

R71/C3 – 羅安理

Ms Huang Lin - Representor and
Commenter's Representative

R88 – 黎妍君

Ms Lai Yin Kwan - Representor

R95 – 袁聖佩

Ms Yuan Sheng Pai - Representor

R111 – 黎蘇蝦

Ms Lai So Ha - Representor

R118 – 胡漢明

Mr Hu Han Ming - Representor

R120 – 黎智鴻

Mr Lai Chi Hung Peter - Representor

R123 – 李柏儀

Ms Lee Pak Yee Bowie - Representor

R160 – 羅志芳

Ms Law Chi Fong - Representor

R165 – 何楚欣

Ms To Yuk Yee - Representor's Representative

R170 – 黃士盛

Mr Huang Hsueh Sheng - Representor's Representative

R185 – 黎月圓

Ms Lai Yuet Yuen - Representor

R236 – 馬頭角道 113 號及明倫街 25 號業主立案法團

Mr Kwong Ka Yiu - Representor's Representative

R240 – 王韋菁

Ms Wong Wai Ching - Representor

R243/C4 – Mary Mulvihill

Ms Mary Mulvihill - Representor and Commentor

R244 – 香港中華煤氣有限公司 (The Hong Kong and China Gas Company Limited)(Towngas)

Mr Leung Chi Kong Albert - Representor's Representative

R247/C5 – 九龍城交通(Kowloon City Transport)

Mr Wong Wang Lik] Representor and
Mr Chan King Hang] Commentor's Representatives
Mr Yeung Tsz Kuen]

C1–市區重建局(Urban Renewal Authority)

Mr Mike Y.F. Kwan] Commentor's Representatives
Ms Clarice N. S. Ho]
Ms Li Yee Ting]

14. 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 representors, commentors, and their representatives would then be invited to make oral submissions. To ensure efficient operation of the hearing, each representor, commentor, and their representative would be allotted 10 minutes for making presentation. There was a timer device to alert the representors, commentors, and 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.

15. The Chairperson invited PlanD's representatives to brief Members on the representations and comments. With the aid of a PowerPoint presentation, Mr Ernest C.M. Fung, STP/K, briefed Members on the representations and comments, including the background of the draft DSP for Site KC-018, the grounds/views of the representers and commenters and PlanD's views on the representations and comments as detailed in TPB Paper No. 10920 (the Paper). Site KC-018, surrounded by Ma Tau Kok Road, To Kwa Wan Road, Grand Waterfront and the harbourfront on four sides, was zoned "Residential (Group A)" ("R(A)") with a portion shown as 'Road' with stipulation of plot ratio (PR) restriction of 6.5 (domestic) and 1 (non-domestic), and building height (BH) restriction of 120mPD. Site KC-019, surrounded by the Hong Kong Housing Society's planned development, To Kwa Wan Road, Ma Tau Kok Road and the harbourfront, was also zoned "R(A)" with a portion shown as 'Road'. The PR and BH restrictions of Site KC-019 were the same as those of Site KC-018. For both sites, the area along the harbourfront was designated for a 20m-wide waterfront promenade and an abutting area was designated for 'Shop and Services' and 'Eating Place' uses only. URA's intention was to redevelop the two sites for residential, retail and government, institution or community (GIC) uses.

16. The Chairperson said that Site KC-019 to be redeveloped by URA was located to the immediate north of Site KC-018, therefore PlanD's presentation had mentioned both sites. Nonetheless, the representers and commenters' oral submissions as well as the question and answer session under Agenda Item 2 should focus on Site KC-018.

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

R70 –丘枚正

18. Ms Chan So Nui made the following main points:

- (a) she supported redevelopment of Site KC-018 which was also known as “5-Street”. The buildings within KC-018 were in dilapidated conditions which posed danger to the residents, particularly during typhoon and rainy seasons;
- (b) some owners had set up a concern group for redevelopment of “5-Street”. The concern group wrote to the Government earlier and urged for early commencement of the redevelopment projects at Sites KC-018 and KC-019 to improve the living environment in the area. The holistic redevelopment of both sites could achieve synergy and facilitate economic development of the district and provision of public facilities; and
- (c) some property owners of Site KC-018 were elderly people with deteriorating physical conditions. Although they needed to move out of the area upon redevelopment, they supported expediting the proposed redevelopment in view of benefits to the community.

[Mr Franklin Yu joined the meeting at this point.]

R71/C3 –羅安理

19. Ms Huang Lin made the following main points:

- (a) she represented R71/C3 who owned a property within Site KC-018, the only one which she owned, at Ming Lun Street. R71/C3 was 78 years old, who had lived at her property since 1991. However, she had to move out in 2019 due to her deteriorating physical condition and she could not walk up to her property (that was without lifts);

- (b) R71/C3 also had grave concern about security of her property which was illegally occupied when it was left vacant; and
- (c) the acquisition and compensation arrangements should be fair.

R88 – 黎妍君

20. Ms Lai Yin Kwan made the following main points:

- (a) she was an owner of a property at “5-Street”;
- (b) the buildings therein were in dilapidated conditions with numerous problems including rodent, inadequate lighting, defective concrete and unstable structures. The poor building conditions posed danger to the residents, particularly during typhoon and rainy seasons; and
- (c) she supported expediting the redevelopment which could improve the living environment in the area.

R95 – 袁聖佩

21. Ms Yuan Sheng Pai made the following main points:

- (a) she was an owner of a property at “5-Street” and had been living there for about 30 years. The area had great redevelopment potential given its waterfront location, good accessibility with public transport facilities (including the Kowloon City Ferry Pier and bus terminus) nearby. The existing development (Grand Waterfront) to the immediate south of Site KC-018 also provided various facilities to serve community needs. In addition, there were new developments nearing completion in the area and the proposed waterfront promenade would be connected to Kai Tak;
- (b) the buildings within Site KC-018 were in dilapidated conditions with

numerous problems which adversely affected the quality of life of the existing residents. There was a pressing need to redevelop “5-Street”; and

- (c) she supported the redevelopment which could provide a facelift along the waterfront. She urged URA to commence the redevelopment of Site KC-018 together with Site KC-019 as soon as possible to improve the living environment and cityscape.

R118 – 胡漢明

22. Mr Hu Han Ming made the following main points:

- (a) he was an owner of a property within Site KC-018 at Ming Lun Street;
- (b) he shared the views expressed by other representers and commenters in their presentations. The buildings within Site KC-018 and his property were in dilapidated conditions with falling concrete and not safe for living; and
- (c) he urged the URA to resume his property as soon as practicable.

R120 – 黎智鴻

23. Mr Lai Chi Hung Peter made the following main points:

- (a) the buildings in the area were in dilapidated conditions with numerous problems including rodents. Site KC-018 should be redeveloped as soon as possible; and
- (b) given the need to move out of his home in the near future, he would like to know whether it was necessary for him to pay double stamp duties if he purchased another property elsewhere.

R123 – 李柏儀

24. Ms Lee Pak Yee Bowie made the following main points:

- (a) she was a member of the concern group for “5-Street”. Redevelopment of the area could improve the living environment and solve the flooding problem near Newport Centre. The redevelopment would also facilitate widening of the section of To Kwa Wan Road along the western boundary of Sites KC-018 and KC-019 from 4 lanes to 6 lanes to solve the existing traffic congestion problem thereat during peak hours;
- (b) the redevelopment would provide an opportunity to revitalise the area and facilitate economic development of To Kwa Wan district. She also supported the proposed waterfront promenade; and
- (c) Sites KC-018 and KC-019 should be redeveloped together with more commercial spaces to achieve better economic and community synergies. She supported redevelopment of both sites and urged URA to expedite the redevelopment process.

R165 – 何楚欣

25. Ms To Yuk Yee made the following main points:

- (a) she was living within Site KC-018 and was a member of the concern group for “5-Street”;
- (b) the buildings within Site KC-018 were in dilapidated conditions with numerous problems including poor environmental hygiene and water seepage, etc. The redevelopment would provide retail facilities, eating places, waterfront promenade and cycle track; and

- (c) she supported redevelopment of Sites KC-018 and KC-019 together in view of the public gains and the office development on Site KC-019 also had economic benefits.

[Ms Sandy H.Y. Wong joined the meeting at this point.]

R185 – 黎月圓

26. Ms Lai Yuet Yuen made the following main points:

- (a) she had been living in “5-Street” for about 20 years;
- (b) the buildings within Site KC-018 were in dilapidated conditions with numerous problems such as poor environmental hygiene. The existing old buildings without lifts were inconvenient for elderly residents. However, she did not want to move out of the area due to its good accessibility, her existing social network and availability of shops and services;
- (c) there were a number of new developments near Site KC-018 and in Kai Tak, including the Cruise Terminal. The subject redevelopment should integrate with developments in Kai Tak and Kowloon East and provide a continuous waterfront promenade; and
- (d) she supported the redevelopment of Site KC-018 and urged for early commencement of the project to facilitate a facelift to To Kwa Wan.

R236 – 馬頭角道 113 號及明倫街 25 號業主立案法團

27. Mr Kwong Ka Yiu made the following main points:

- (a) he was the representative of the Owners’ Committee of No. 113 Ma Tau Kok Road and No. 25 Ming Lun Street. The concerned owners supported

the redevelopment not merely due to the acquisition of their old properties but also the sustainable development of To Kwa Wan in the long term;

- (b) the “R(A)” zoning of Site KC-018 with an increase in planned population could provide an opportunity to revitalise the area. The redevelopment of Sites KC-018 and KC-019 as well as the Kai Tak Sports Park nearby could attract visitors from other districts for entertainment and work, the revitalising effects would be similar to the redevelopment of the ex-North Point Estate on Hong Kong Island;
- (c) he supported the redevelopment of both Sites KC-018 and KC-019 and suggested that more commercial and office elements should be provided in the redevelopment projects to support economic development. This was particularly so for Site KC-019, as Newport Centre therein, had nurtured the growth of a number of well-known Hong Kong brand. It was also necessary to provide more car parking and market facilities to cope with the increase in planned population. Although there were open space and recreational facilities in the area, including Hoi Sham Park, To Kwa Wan Playground and the planned landscape deck above the Central Kowloon Route tunnel, additional recreational facilities, e.g. tennis, handball and gym, etc, should be provided;
- (d) given the strategic location of Site KC-018, a continuous waterfront promenade should be provided upon redevelopment;
- (e) accessibility of the area had been improved with operation of the MTR Tuen Ma Line but there was reduction in bus services serving the area. The cumulative traffic impact of Site KC-018 and the site previously occupied by the EMSD workshop north of Site KC-019 should be assessed holistically by the Government, and improvement measures, such as increasing frequency of bus services, providing new bus routes to Sai Kung and New Territories East, and increasing ferry services to Central and Wan Chai, should be implemented;

- (f) notwithstanding that the Ma Tau Kok Gas Work (MTKGW) was in the vicinity, the risk impact of redevelopment at Site KC-018 should be within acceptable level in view that there were other redevelopments, e.g. Grand Waterfront, in the area; and
- (g) he supported redevelopment of both Sites KC-018 and KC-019.

R240 – 王韋菁

28. Ms Wong Wai Ching made the following main points:

- (a) she was an owner of a property at Hing Yin Street within Site KC-018. She shared the views expressed by other representers/commenter during their presentations. Many flats had severe water seepage during heavy rain storm, and there was a pressing need to commence the redevelopment as soon as possible; and
- (b) she supported the redevelopment of Site KC-018 and urged the URA to expedite the redevelopment process.

R243/C4 – Mary Mulvihill

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

- (a) there was no indication that the KC-018 redevelopment was supported by the wider community;
- (b) the proposed BH would contradict the stepped BH concept, descending from the hinterland to the waterfront, for developments in Ma Tau Kok. The tall buildings in the redevelopment (120mPD) at Site KC-018 would have visual and air ventilation impacts on the surrounding developments;
- (c) there were serious deficits in GIC facilities in the area according to the Hong Kong Planning Standards and Guidelines (HKPSG). Only 1.3% of

the total gross floor area (GFA) was reserved for GIC facilities but 10% of the GFA would be for retail use. The low percentage of GIC facilities proposed at KC-018 was unacceptable. The percentage of GIC provision for Sites KC-018 and KC-019 combined was only about 1% of the total GFA. URA should provide more GIC facilities as its operation was supported by public funds and their responses for not providing more GIC facilities regarding site constraints and the need to strike a balance were questionable. She requested that not less than 5% of the total GFA at Site KC-018 should be reserved for GIC uses;

- (d) Grand Waterfront in the immediate vicinity had a shopping mall with about 50 stores. She doubted the need for additional large-scale retail facilities at Site KC-018 in view of the recent decline in demand for retail space and the growing trend for on-line shopping. Besides, the proposed retail facilities would compete with existing businesses in the district and the latter would suffer;
- (e) there was no indication as to what measures would be in place to ensure the viability of the retail belt adjoining the waterfront promenade. According to her observation, none of the existing waterfront developments in Hong Kong had provided the variety of food and beverages (F&B) outlets demanded by consumers. For example, the originally proposed outdoor F&B facilities in the redevelopment of the ex-North Point Estate site did not materialise;
- (f) the need for providing large number of car parking spaces was questionable when there were about 260 car parking spaces at Grand Waterfront. The district was well served by public transport facilities with many bus routes and a bus terminus near the Kowloon City Ferry Pier. The Government should improve public transport services and increase the number of bus routes, if necessary;
- (g) in view of the distance and lack of public transport connecting the area and Kai Tak, cycling should be encouraged as an alternative. The provision

of bicycle parking spaces at Site KC-018 was needed to complement the cycle track planned at the waterfront promenade;

- (h) regarding waterfront connectivity, there was no guarantee that the proposed waterfront promenade would be user-friendly. She cited the private waterfront development under the redevelopment of the ex-North Point Estate site where the developer had blocked access from the promenade at the ground floor with shop windows which failed to reinvigorate the waterfront;
- (i) the description ‘Waterfront Plaza’ (the open space between buildings in Sites KC-018 and KC-019) was misleading as it would merely be a pedestrian passageway without active recreational facilities for children. She quoted a successful example of the vacated bus terminus near Hung Hom Ferry Pier which was turned into a popular recreation venue for young kids to ride bicycles; and
- (j) there was no consideration of sponge city design. There should be provision of stormwater storage tanks for flood control within URA’s redevelopment projects in the district. In view of the serious flooding problem in different areas recently, the need for such facilities in To Kwa Wan should be re-evaluated.

R244 –香港中華煤氣有限公司(Towngas)

30. With the aid of a PowerPoint presentation, Mr Leung Chi Kong Albert made the following main points:

- (a) his presentation covered the representations submitted by Towngas on KC-018 and KC-019 DSPs;
- (b) the MTKGW was in operation since the 1950’s and it currently produced about one fifth of the total town gas production capacity in Hong Kong and was needed to ensure gas supply in peak period and emergency situations.

The MTKGW was a strategic and indispensable gas plant, and was needed to ensure reliable gas supply in Hong Kong;

- (c) Sites KC-018 and KC-019 were located less than 100m from the MTKGW, and fell within the consultation zone of the Potentially Hazardous Installation (PHI) of the MTKGW. Redevelopment of the two sites with about 2,200 flats, retail, dining, social welfare facilities and outdoor plaza would lead to substantial increase in resident and transient populations;
- (d) Towngas held high standard on gas safety and had prudently adopted the recommendations of the Quantitative Risk Assessment (QRA) for in-house modifications of the MTKGW. According to Chapter 12 of the HKPSG, sizable developments within the consultation zone of PHI were normally not approved by the Coordinating Committee on Land-use Planning and Control related to Potentially Hazardous Installations (CCPHI), except for cases within the 'As Low As reasonably Practicable' (ALARP) region;
- (e) the QRA prepared by the URA in 2021 was not included in the Planning Statement submitted to the Board. Unlike the previous QRA submission, there were no quantitative details nor adequate information in URA's Technical Note (which was only a qualitative risk appraisal) to address the gas safety concern arising from the redevelopment. The proposed outdoor Waterfront Plaza (120m-long and 25m to 40m-wide) would attract visitors to the area but it was unclear whether the increase in transient population at the Waterfront Plaza had been included in URA's risk assessment. Besides, the proposed Waterfront Plaza was also contradictory to the recommended mitigation measures to minimise at-grade benches/sitting-out areas facing the MTKGW. Upon redevelopment, the proposed mitigation measures, even if implemented, failed to reduce the risk level to the current level. It was estimated that additional hazard posed to the area within the consultation zone was substantial and the societal risk (Potential Loss of Life) would be increased to over 38%; and

- (f) it was noted that there was a genuine need to increase flat supply to meet housing need. However, Towngas had reservation on the redevelopment of Sites KC-018 and KC-019 from a public safety perspective. Towngas was ready to withdraw their representations if a Remark requiring the submission of a QRA to the satisfaction of the Government and Towngas be added to the Notes and Explanatory Statement (ES) of the two DSPs. Towngas was prepared to explore acceptable options with concerned parties and should be consulted during the project implementation stage.

R247/C5 – 九龍城交通(Kowloon City Transport)

31. With the aid of a PowerPoint presentation, Mr Wong Wang Lik made the following main points:

- (a) the Kowloon City transport was set up in 2017 by some residents living in Kowloon City district;
- (b) Sites KC-018 and KC-019 were at a strategic location between To Kwa Wan and Kai Tak waterfront. According to the Kowloon City Urban Renewal Plan (2014), there was a proposal for providing a continuous waterfront promenade from Tsim Sha Tsui to Kai Tak. Although URA proposed to provide a waterfront promenade upon redevelopment at Sites KC-018 and KC-019, the current proposal could only provide connection to Kai Tak and there was a missing link at the Grand Waterfront site for connection with the waterfront promenade to the south;
- (c) according to the ES of the approved Kai Tak OZP No. S/K22/8, the waterfront area was mainly reserved for public enjoyment. Convenient and comfortable pedestrian connections between the hinterland and Kai Tak were emphasised. However, the planned 7-km long waterfront promenade from Tsim Sha Tsui to Kai Tak would be disconnected since a section of waterfront at Grand Waterfront was still closed to public access. Opportunity should be taken to provide an uninterrupted and continuous waterfront promenade connecting Kai Tak Metro Park, Dining Cove,

landscape deck of Central Kowloon Route and Hoi Sham Park;

- (d) according to the 'Kai Tak Planning Review' (2006), some land uses along the Ma Tau Kok waterfront, including the MTKGW adjoining Grand Waterfront, were incompatible with the proposed waterfront promenade and it was proposed that the concerned facilities should be relocated. The proposal for a continuous waterfront promenade in Ma Tau Kok and Kai Tak was also reflected in the ES of the draft Kai Tak OZP No. S/K22/1 gazetted in 2006. The Kowloon City Transport had written to the Harbourfront Commission in October 2022 raising concern on the discontinuity of the waterfront promenade in Kowloon City district and urged the Harbourfront Commission to resolve the issue;

- (e) when the Board considered the two draft new DSPs for Sites KC-018 and KC-019 on 10.2.2023, some Members had enquired about the connection between the subject promenade at the Sites and other waterfront promenade in the area, and how far the waterfront promenade could be extended to. Legislative Councillor Hon. Starry Lee Wai King also enquired in February 2023 about the feasibility to request Towngas to adjust the boundary of the gas facilities or provide setback to facilitate a continuous waterfront promenade. The matter was later discussed at the Subcommittee to Study Policy Issues Relating to the Harbourfront of the Legislative Council on 24.7.2023. The Government responded that the Administration would continue to liaise with the relevant private landowners and explore the feasibility of releasing the concerned harbourfront location for provision of pedestrian links, and set development timetable for alternative connecting options (e.g. viaducts and boardwalks) if a consensus could not be reached with the landowners on the release of the concerned harbourfront site. It was noted in a reply from the Development Bureau (DEVB) to Kowloon City Transport that the gas off-take station adjoining Grand Waterfront was for providing gas supply to Central Kowloon and East Kowloon. There was a pier within the site for transporting naphtha to the MTKGW nearby;

- (f) there was no convincing reason for the continual closure and delayed implementation of the section of waterfront promenade at Grand Waterfront. As shown on the aerial photo, there were a few structures within the boundary of the gas facilities. Referring to a planning application (No. A/K9/279) for a proposed gas governor kiosk approved by the Board on 29.7.2022, it was considered that similar gas supply pressure regulating facilities at the waterfront would not pose significant impact on pedestrian safety. There was another example at the pier for dangerous goods vehicles (DGV pier) in Kwun Tong where pedestrians could have access between the waterfront promenade in Kwun Tong and the bus terminus at the Kwun Tong Ferry Pier via the DGV pier when the latter was not in use; and
- (g) given the need to open up the 65m-long strip of land adjoining the eastern boundary of Grand Waterfront to provide a continuous waterfront promenade, requirements should be added in the Notes and ES of the DSPs for Sites KC-018 and KC-019 to request the Government and URA to actively explore and implement the section of waterfront promenade at Grand Waterfront. The Government, URA and Towngas should conduct feasibility study to overcome the technical constraints for provision of a continuous waterfront promenade, and the findings of the study should be released for public information. In addition, Towngas should disclose information to the public including the layout and photographs of the gas facilities thereat as well as details regarding the frequency and time when the pier was used for transporting naphtha.

C1 –市區重建局(Urban Renewal Authority)

32. With the aid of a PowerPoint presentation, Ms Li Yee Ting made the following main points:

- (a) URA commenced the statutory planning procedures for two DSPs in To Kwa Wan/Ma Tau Kok, i.e. KC-018 and KC-019 on 7.10.2022. The sites were previously mainly zoned “Comprehensive Development Area” and

an area shown as 'Road' on the approved Kai Tak OZP No. S/K22/8. The two sites were mainly zoned "R(A)" and areas shown as 'Road' on the two DSPs;

- (b) as regards the proposed development parameters, Site KC-018 would be subject to maximum domestic PR of 6.5 and non-domestic PR of 1, i.e. a total GFA of about 78,720m², 68,220m² domestic GFA (1,280 flats), 10,500m² non-domestic GFA for commercial/retail uses, and 1,000m² GFA for GIC uses and 434 ancillary car parking spaces. The redevelopment was scheduled for completion in 2033;
- (c) URA's planning vision and strategy for the development scheme included:
 - (i) enabling a comprehensively designed waterfront development and helping to achieve the Government's vision in providing a continuous waterfront promenade;
 - (ii) allowing building setback to facilitate the planned road widening at To Kwa Wan Road; and
 - (iii) re-planning the existing road and pedestrian networks to enhance connectivity and walkability of the area;
- (d) URA's proposal was intended to provide planning benefits to the community including:
 - (i) provision of a 20m-wide waterfront promenade along the eastern boundary;
 - (ii) building setback from To Kwa Wan Road to facilitate the planned road widening;
 - (iii) provision of a two-storey retail belt with a width of 10m and full-height setback along the waterfront promenade to promote vibrancy; and
 - (iv) replanning the road network to form an at-grade open-air Waterfront Plaza with landscaping, sitting-out area and pedestrian passageway to strengthen the east-west connectivity and linkage with the waterfront;
- (e) staff of URA had been proactively visiting the business operators to understand their concerns since the commencement of the project. URA would help the affected operators to identify suitable premises to continue their business operations. Some affected owners had indicated their intention to relocate back after redevelopment as To Kwa Wan was

convenient to their operations. Moreover, R236 and R238 supported the holistic redevelopment of Sites KC-018 and KC-019 which could enhance land use efficiency, increase employment opportunities, facilitate economic development and serve the needs of the community through provision of commercial, retail and community facilities; and

- (f) in response to the concerns of the operators and the representations submitted by R236 and R238 of KC-018 and R2 of KC-019, URA proposed to amend the Notes and ES of both DSPs to allow the non-domestic PR to not more than 1.5 while keeping the total PR of the development at 7.5 to allow more flexibility to accommodate the potential returning of current business operators and provide certain commercial floor space to meet the need of future population. The proposed revision of non-domestic PR would not intensify the developments nor involve increase in BH.

33. Mr Mike Y.F. Kwan, representative of C1, supplemented that apart from R236 and R238's suggestion for provision of commercial floor space and services facilities at Site KC-18, other representers (R70, R123, R165 and R236) also indicated in their oral submissions that Sites KC-018 and KC-019 should be redeveloped together and should provide additional GFA for commercial and/or office uses.

[The meeting was adjourned for a short break.]

34. As the presentations of government representatives, 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, their representatives and/or the government representatives to answer. The Q&A session should not be taken as an occasion for the attendees to direct question to the Board or for cross-examination between parties. The Chairperson then invited questions from Members.

Waterfront Plaza, Waterfront Promenade and Connectivity

35. Some Members had the following views and questions:

- (a) noting that the provision of a continuous waterfront promenade could not be realised due to the 65m-long gap at Grand Waterfront, whether there were alternatives to overcome that bottleneck through small scale reclamation or provision of an alternative route in the hinterland; and
- (b) whether bicycle parking spaces were proposed at Site KC-018, either within the buildings or at the waterfront promenade.

36. In response, Ms Vivian M.F. Lai, DPO/K, PlanD, with the aid of some PowerPoint slides, made the following main points:

- (a) the concerned section of waterfront promenade was under private ownership of Grand Waterfront (KML 102 RP) and was currently occupied by Towngas' facilities. As those facilities were still in operation, there was limited scope of opening that waterfront area for the provision of pedestrian access in the short term. Nonetheless, the facilities might be relocated if the MTKGW site was redeveloped for residential use according to the planning intention for "R(A)" zone for that site in future;
- (b) the vision for connecting the surrounding neighbourhoods to Kai Tak was stated in the ES of the approved Kai Tak OZP No. S/K22/8. The Government would continue to explore different options to provide a continuous waterfront promenade, e.g. within the hinterland near To Kwa Wan Road or at the Grand Waterfront site upon redevelopment of the MTKGW;
- (c) as the waterfront at the Grand Waterfront site was outside the boundary of the KC-018 DSP, R247's proposal to incorporate in the Notes and ES of the DSPs the requirement to request URA and relevant parties to explore and implement that section of waterfront promenade could not be accepted; and

- (d) bicycle parking and ancillary facilities would be provided along the Greenway, i.e. a cycle track network for shared use of cyclists and pedestrians that ran through the waterfront promenades, open space in Kai Tak and the DSP sites.

37. Mr Mike Y.F. Kwan, representative of C1, supplemented that the 20m-wide waterfront promenade at Sites KC-018 and KC-019 would form part of the Greenway and cycle track might be provided. There were about 750 car parking spaces at Sites KC-018 and KC-019 upon redevelopment to fulfil the high-end requirements of HKPSG. Those car parking spaces would be accommodated in three basement levels and construction of additional basement level for bicycle parking spaces was technically difficult given proximity of the Sites to the existing seawall. URA would further refine the design at the detailed design stage and explore the feasibility of providing some bicycle parking spaces.

38. The Chairperson said that DEVB's Harbour Office would liaise with the relevant private landowner to explore the possibility of opening up the waterfront area at Grand Waterfront to facilitate provision of a continuous waterfront promenade. The concerned gas facilities and pier were still in operation and might pose constraints for opening up the area in the short term. However, in the longer term, opportunity would arise upon redevelopment of MTKGW when the gas facilities might no longer be needed. She added that this notwithstanding DEVB would follow up on the possibility of interim measures for provision of waterfront promenade outside the DSPs.

39. Mr Wong Wang Lik, representative of R247/C5, supplemented that he appreciated the positive responses from the Government that they would follow up with the concerned private landowner on the opening up the waterfront at Grand Waterfront. He reiterated their proposal that the Notes under the "R(A)" zone and ES of the DSPs for Sites KC-018 and KC-019 should be amended to require: (i) the provision of pedestrian passageway along the waterfront area at Grand Waterfront for provision of a seamless and continuous waterfront promenade connecting Cha Kwo Ling, Ma Tau Kok and Hung Hom; and (ii) the Government and URA should discuss with the concerned landowner proactively to explore options for provision of the waterfront promenade. The proposed amendments to the Notes and ES would provide clear basis for the Government to liaise with the concerned parties.

Risk Aspect

40. Some Members raised the following questions to the government representatives:
- (a) expiry date of the lease for the MTKGW and future planned land use for the site upon its redevelopment; and
 - (b) noting that Towngas indicated that the provision of a Waterfront Plaza with outdoor F&B facilities at Sites KC-018 and KC-019 would attract more transient population, whether the additional transient population was taken into account in the QRA.
41. In response, Ms Vivian M.F. Lai, DPO/K, PlanD, and Mr Raymond S.P. Yu, SE, EMSD, made the following main points:
- (a) the lease term for the MTKGW would expire in 2034. The MTKGW was rezoned to “R(A)” on the Ma Tau Kok OZP in 1998 with planning intention for high-density residential use. Hence, from planning perspective, it was expected that the MTKGW would be phased out in the long term. Given the 10-year period available from the current year, Towngas should plan ahead the gas network and supply and decide whether it was necessary to apply to the Government for extension of the lease term;
 - (b) the South Plant of the gas works was previously redeveloped as Grand Waterfront. That site was rezoned to “R(A)1” in 2006. The QRA submitted by the developer of Grand Waterfront had proposed mitigation measures to address safety concerns of CCPHI. By the same token, redevelopment of Site KC-018 with an endorsed QRA by CCPHI should also be acceptable. Hence, R244’s proposal to add a remark to require submission of a QRA to the satisfaction of the Government and Towngas was not necessary;
 - (c) a QRA to assess the risk levels associated with the MTKGW arising from

developments in the 300m-consultation zone (including Sites KC-018 and KC-019) was completed in 2021 and endorsed by CCPHI. The CCPHI, having consulted relevant government departments, considered that the risk levels were acceptable. A qualitative appraisal of risk impact had been conducted by URA in 2022, which concluded that the redevelopments would not result in additional population compared with that adopted in the endorsed QRA and would not adversely affect the risk levels assessed under the endorsed QRA; and

- (d) the QRA endorsed by CCPHI in 2021 had included resident, working and transient populations from redevelopments in the area, including Sites KC-018 and KC-019. In the endorsed QRA, the pedestrian flow for outdoor activities was assumed based on a conservative approach. According to Chapter 12 of HKPSG, risk assessment should mainly focus on living and working population due to their long term stay in the area, which might have significant effect to the risk level.

42. Some Members raised the following questions to the representative of R244:

- (a) whether Towngas had any plan to relocate the MTKGW;
- (b) existing operation of the MTKGW, including its production capacity and risk control measures;
- (c) whether Grand Waterfront was located within the 300m-consultation zone of the MTKGW and what mitigation measures were taken by that developer to meet the safety requirements;
- (d) information regarding the frequency for transporting naphtha at the pier, and whether there were alternative means for transporting naphtha to the MTKGW;
- (e) what the specific concerns of Towngas were on the risk assessment;

- (f) what Towngas had done from corporate social responsibility perspective to reduce risk of the MTKGW to the community;
- (g) whether the example of opening up the DGV pier in Kwun Tong would be acceptable for the Grand Waterfront area; and
- (h) whether the letter issued by CCPHI regarding the QRA for redevelopment of Site KC-018 was legally binding and URA was obliged to implement the mitigation measures required by CCPHI.

43. In response, Mr Leung Chi Kong Albert, representative of R244, made the following main points:

- (a) there was no plan to relocate the MTKGW and Towngas would seek to extend the lease;
- (b) the MTKGW was in operation since 1930's and the average gas production capacity per annum was about 20% of total gas production in the territory. The production capacity would rise by about 10% during peak seasons. Accordingly, MTKGW was an essential gas facility to cater for peak and steady demands for gas supplies in the whole territory as well as backup for the gas plant production in Tai Po;
- (c) Grand Waterfront was located at the former South Plant of the MTKGW. As the residential development involved closure of one of the two plants at the MTKGW, the risk level was apparently lowered. The developer, also Towngas, had adopted a lot of mitigation measures to address the concerns of EMSD and CCPHI and fulfilled high safety standards. Those mitigation measures included adjustments in the disposition of the towers to reduce direct frontage to the MTKGW, provision of emergency escape routes and 70m-wide building setback from the pier for transporting naphtha. There were numerous rounds of amendments to the building layout. The societal risk was maintained at the same level as that before the redevelopment;

- (d) regarding R247/C5's proposal to open up the waterfront area along the eastern boundary of Grand Waterfront, the area was occupied by a gas off-take station for provision of gas supply to Central and East Kowloon. It was of a much larger scale and not comparable to the gas governor kiosk in Hung Hom mentioned in R247/C5's presentation. In addition, there was a pier for transporting naphtha to the MTKGW within the concerned area;
- (e) the pier was used about one to three times per month. According to relevant safety regulations for dangerous goods, naphtha could only be transported by sea. There was no alternative site in the area for re-locating the pier;
- (f) there was insufficient information, including quantitative figures or details, in URA's submission to address the gas safety concern arisen from the redevelopment at Sites KC-018 and KC-019 and it was doubted whether the increase in transient population at the outdoor Waterfront Plaza had really been included in the assessment. Given the special circumstances explained above, although the QRA for Grand Waterfront could comply with relevant gas safety standards, it did not imply that other developments in the area could also fulfil the requirements. The risk assessments for Grand Waterfront and Site KC-018 were quite different as the latter involved a large number of transient population with more open design;
- (g) whilst noting the need to provide more housing units, Towngas objected to redevelopment of Sites KC-018 and KC-019 including the proposed Waterfront Plaza from the public safety perspective. The additional resident and transient populations would have adverse impact on safety. Additional hazard posed to the consultation zone was substantial with Potential Loss of Life increased by over 38%. The QRA submitted by URA in 2021 was based on a broad brush design concept for Site KC-018. URA should provide details of the risk assessment for public information to demonstrate that a cautious approach had been adopted in the

assessment. Another QRA was required to assess the latest development proposal;

- (h) Towngas had made changes to operation of the MTKGW constantly to ensure gas safety. For example, one gas tank near To Kwa Wan Road/San Shan Road was demolished in 2016 which could reduce risk impact on the surrounding areas. There were other design improvements within the plant that were not discernible to the public;
- (i) the example quoted by R247/C5 regarding the DGV pier in Kwun Tong was different from the gas facilities at Grand Waterfront. The Kwun Tong case was only a pier when there was no usage by DGVs. However, the gas offtake station at Grand Waterfront was in operation. It was undesirable to allow pedestrian access near the station due to concerns of fire risk and vandalism; and
- (j) there was an upward trend in gas consumption after the COVID-19 pandemic. The continued rise in gas consumption was anticipated with the Government's initiative to stimulate economic growth.

44. In response to Members' questions, Mr Mike Y. F. Kwan, representative of C1, supplemented the following main points:

- (a) the QRA for Sites KC-018 and KC-019 was prepared by a consultant firm, which was a subsidiary of Towngas. The consultant was the sole agent authorized by Towngas to conduct QRA for proposed developments within the 300m-consultation zone of the MTKGW and project proponents had no choice in the selection of alternative consultant. The consultant submitted the QRA directly to CCPHI for endorsement, and no details about the QRA had been provided by the consultant to URA during and upon completion of the study process on the ground of Towngas' commercial secret. URA only received a one-page executive summary of the QRA;

- (b) the CCPHI endorsed a QRA (covering Sites KC-018 and KC-019) in 2021 subject to implementation of mitigation measures including: (i) implementation of emergency plan for both construction and operation phases; (ii) minimisation of window opening directly facing the MTKGW; (iii) provision of direct land line between the management office of the project and the MTKGW for direct communication in case of emergencies; and (iv) installation of flammable gas detection system to alert people on any possible flammable gas leakage. URA would implement the mitigation measures for compliance with the statutory requirements required by CCPHI;
- (c) in fact, the maximum night-time population in the endorsed QRA was 5,699 and the maximum night-time population under the DSPs was reduced to 5,200. CCPHI and relevant government departments had no adverse comment on the DSPs;
- (d) in addition, the QRA endorsed by CCPHI had adopted a conservative approach and taken into account the transient population to and from Kai Tak Sports Park; and
- (e) he was responsible for preparation of submission of the QRA for the Grand Waterfront project. The main reason why the QRA needed to be amended in several rounds, as mentioned by R244, was due to the proposal for phased completion of the development.

45. The Chairperson said that the representatives of C1 had pointed out that they were not given details of the QRA from the consultant given their sensitive nature. URA was therefore unable to provide contents of the QRA report for public information. The QRA conducted in 2021 assumed a maximum population higher than that assumed in the qualitative appraisal for the DSPs. The risk assessment and appraisal conducted by URA were not broad brush in nature and reflected the updated development parameters. She added that the MTKGW was held under a Special Purpose Lease with a specific purpose for production of town gas. According to established policy, the Lease would not be renewed automatically and the renewal or not and at what terms would be subject to a review by Government. The

relevant policy bureaux would review the need for the MTKGW prior to expiry of its lease term and take into consideration overall demand for town gas and compatibility of the MTKGW with the surrounding high-density developments, etc. before deciding whether to renew the lease.

Provision of GIC Facilities

46. Some Members had the following questions:

- (a) the rationale for the proposed floor space for GIC facilities (i.e. equivalent to less than 5% of the total GFA);
- (b) whether the proposed GIC facilities were exempted from GFA calculation; and
- (c) any minimum requirement for provision of GIC facilities in projects under prevailing policy.

47. Ms Vivian M.F. Lai, DPO/K, PlanD responded that according to the Notes of the “R(A)” zone for the DSP, the floor space for GIC facilities, as required by Government, would be exempted from GFA calculation.

48. In response, Mr Mike Y.F. Kwan, representative of C1, made the following main points:

- (a) under the district-based planning approach and having regard to the size of the sites, URA proposed to provide GIC uses equivalent to 1,000m² GFA and 500m² GFA within the non-domestic portion of Sites KC-018 and KC-019 respectively. Other than GIC uses, the redevelopment would provide other planning gains including a waterfront promenade of not less than 20m-wide, an at-grade open-air Waterfront Plaza with a minimum width of 25m and a retail belt with F&B facilities. The Harbourfront Commission was of the view that waterfront alfresco dining would promote vibrancy of the waterfront area. Taking account of the QRA, further increase in GIC facilities at Site KC-018 would increase risk levels.

URA would explore the feasibility to provide additional GIC facilities in its future projects within the same district; and

- (b) although public housing developments would reserve floor space equivalent to 5% of the total domestic GFA for GIC uses, such practice was not a mandatory requirement for URA's projects.

Air Ventilation and Visual Aspects

49. A few Members had the following views and questions:

- (a) whether there was scope to relax the BH of 120mPD at Site KC-018, having regard to air ventilation impacts and visual permeability, and that the BH at Grand Waterfront was 176mPD;
- (b) details on the scale of the podium at Grand Waterfront;
- (c) regarding R243/C4's concern on visual impact of the redevelopment, whether there was statutory provision on protection of private views; and
- (d) the proposed Waterfront Plaza would benefit prevailing wind and wind flow from the waterfront to the hinterland. However, noting that summer wind from the southwestern direction would be blocked by the high-rise blocks at Grand Waterfront (176mPD) and URA's proposed building separation in Site KC-018 might not be effective to facilitate air ventilation, whether there were measures to improve air ventilation in the summer, especially for users of the Waterfront Plaza.

50. In response, Ms Vivian M.F. Lai, DPO/K, PlanD, made the following main points:

- (a) Site KC-018 was located at the waterfront and further increase in BH might not be compatible with the new waterfront development (e.g. Hong Kong Housing Society's planned development at 100mPD to the north of Site KC-019). The BH restriction of 120mPD was considered optimal and

sufficient to accommodate the proposed GFA (at a total PR of 7.5) vis other developments in the hinterland with higher PR;

- (b) the BHs of the podium at Grand Waterfront was mostly about 29mPD near “5-Street” in the north and 15mPD near San Ma Tau Street in the south; and
- (c) there was no statutory provision for protection of private views.

51. Mr Mike Y.F. Kwan, representative of C1, supplemented that although wind from the southwestern direction would be blocked by Grand Waterfront, air ventilation at Site KC-018 would be enhanced by the 10m-wide non-building area along the southern boundary. The disposition of flats had been planned to respect public views from the hinterland to the waterfront and only a small number of flats was proposed at the eastern portion of Site KC-018.

Design and Management Aspects

52. The Vice-chairperson had the following questions:

- (a) how an integrated design of the Waterfront Plaza, which spanned both Sites KC-018 and KC-019, could be achieved;
- (b) future management arrangement for the Waterfront Plaza; and
- (c) means to encourage alfresco dining and promote vibrancy of the waterfront area.

53. In response, Mr Mike Y.F. Kwan, representative of C1, made the following main points:

- (a) based on their previous experience in the various projects say in Ma Tau Kok, development agreements would be signed between URA and the developers of Sites KC-018 and KC-019, under which URA could scrutinise and monitor the design and development of the Waterfront Plaza

to ensure that a coherent and integrated design would be achieved;

- (b) URA would co-ordinate the future developments at Sites KC-018 and KC-019, and there were various options regarding the management of the Waterfront Plaza, for example: (i) assigning the management responsibility to one developer; (ii) shared management by both developers; or (iii) URA to be responsible for the management, that was similar to the existing arrangement for the management of the Wing Lok Street Plaza in Sheung Wan; and
- (c) the proposed 20m-wide waterfront promenade would not be handed over to the Government, and URA would co-ordinate with the developer(s) for the two sites to promote vibrancy of the waterfront area. Besides, the Waterfront Plaza was not regarded as a public open space under lease, which would allow flexibility in the provision of alfresco dining and place-making. The waterfront promenade would be opened to the public at all time. The Waterfront Plaza would be opened to the public at reasonable hours and would take into account the impact on sensitive receivers at the domestic portion of both Sites.

Proposed Revision of Non-domestic PR

54. The Vice-chairperson and some Members had the following questions:

- (a) noting C1's proposal to revise the PR restrictions for both Sites KC-018 and KC-019 to allow flexibility for more non-domestic uses, the rationale for PlanD to recommend proposing amendments only to the Notes and ES of KC-019 DSP and not for KC-018 DSP; and
- (b) the likelihood of affected operators returning after redevelopment based on URA's past experience.

55. In response, Ms Vivian M.F. Lai, DPO/K, PlanD, said that regarding URA's proposal to amend the Notes and ES of both DSPs, as there was no written submission of

representation of KC-018 expressly proposing more flexibility for more non-domestic PR/uses in KC-018, no such proposed amendment to KC-018 DSP was recommended. That said, the Board could decide whether or not to propose amendments to the KC-018 DSP, taking into account the explanation/elaboration given in oral submissions from the representers at the hearing.

56. Mr Mike Y.F. Kwan, representative of C1, with the aid of some PowerPoint slides, said that some affected owners of Site KC-019 had indicated their intention to relocate back after redevelopment, e.g. for succession of family business. The maximum non-domestic PR of 1 under the “R(A)” zone was inadequate to provide sufficient non-domestic GFA to accommodate those operators to return. URA proposed to amend the Notes and ES of both DSPs to allow maximum domestic PR to not more than 6.5 while keeping the total PR of the developments at 7.5, would allow greater flexibility to provide more non-domestic floor space to accommodate the potential returning of current business operators at the Sites. Some representers (R70, R123, R165 and R236 of KC-018) indicated in their oral submissions at the hearing that Sites KC-018 and KC-019 should be redeveloped at the same time with provision of additional non-domestic floor space. Hence, the Board was requested to uphold those representations and propose amendments to the Notes and ES for KC-018. The current discussions with the affected operators were on a non-committal basis and the likelihood of them returning after redevelopment could not be ascertained at the present stage.

Others

57. Some Members had the following questions to the representative of C1:

- (a) information on the proposed flat size in the redevelopments;
- (b) noting that there was an open-air Waterfront Plaza between the podia of Sites KC-018 and KC-019, whether the podia could be connected by a covered walkway; and
- (c) whether there were environmental friendly recycling and refuse collection facilities within the redevelopments.

58. In response, Mr Mike Y.F. Kwan, representative of C1, made the following main points:

- (a) the average construction floor area and net usable floor area of the units were about 500 ft² and 400 ft² respectively. Information on the specific flat sizes would only be available at the detailed stage. URA had imposed a minimum flat size of 300 ft² on developments similar to the size of new flats in the area;
- (b) the ES of KC-019 DSP stated that a footbridge connection at the podium level of Site KC-019 would be separately explored, to enable development of a footbridge by others over To Kwa Wan Road to connect the hinterland area to the west and the waterfront. The idea to provide connection between Sites KC-018 and KC-019 was also suggested by the Energizing Kowloon East Office of DEVB. URA would explore the feasibility to provide such connection, either at-grade, underground or in the form of a footbridge, at the detailed design stage; and
- (c) URA was committed to adopting environmental friendly measures and facilities in their projects. For example, URA had been liaising with the CEDD to explore the feasibility of connecting to and using the district cooling system within its redevelopment projects in the area. However, the provision of central air-conditioning system was more applicable to large scale non-domestic uses.

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

[The meeting adjourned for lunch break at 1:25 p.m.]

60. The meeting was resumed at 2:45 p.m.

61. 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

Dr C.H. Hau

Ms Sandy H.Y. Wong

Mr Franklin Yu

Ms Lilian S.K. Law

Mr K.W. Leung

Professor John C.Y. Ng

Professor Jonathan W.C. Wong

Mr Ricky W.Y. Yu

Dr Venus Y.H. Lun

Mr Ben S.S. Lui

Mr Timothy K.W. Ma

Ms Bernadette W.S. Tsui

Mr K.L. Wong

Chief Traffic Engineer/Kowloon
Transport Department
Mr Gary C.H. Wong (for Agenda Item 3)

Chief Traffic Engineer/New Territories East
Transport Department
Mr K.L. Wong (for Agenda Items 4 to 10)

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

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

Director of Lands
Mr Andrew C.W. Lai

Director of Planning
Mr Ivan M.K. Chung

Kowloon District

Agenda Item 3

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Representations and Comments in respect of the Draft Urban Renewal Authority To Kwa Wan Road/Ma Tau Kok Road Development Scheme Plan No. S/K22/URA2/1

(TPB Paper No. 10920)

[The item was conducted in Cantonese and English.]

62. The Chairperson said that after the presentation and question sessions of the subject agenda item (i.e. Agenda Item 3), the deliberation session of Agenda Items 2 and 3 would be conducted together.

63. The Secretary reported that the draft Development Scheme Plan (the draft DSP) submitted by the Urban Renewal Authority (URA) involved a site (Site KC-019) located in Ma Tau Kok/Kowloon City. A representation had been submitted by the Hong Kong and China Gas Company Limited (Towngas) (R3), a subsidiary of Henderson Land Development Co. Ltd. (HLD). Besides, a representation had been submitted by Kum Shing Group Limited (R2). URA (C1) had also submitted a comment on the draft DSP. The following Members had declared interests on the item:

Mr Ivan M.K. Chung - being a non-executive director of the URA Board
(as Director of Planning) and a member of its Committee;

Mr Andrew C.W. Lai - being a non-executive director of the URA Board
(as Director of Lands) and a member of its Committee;

Mr Timothy K.W. Ma - being a member of the Land, Rehousing & Compensation Committee and Development Project Objection Consideration Committee of URA, a director of the Board of the Urban

Renewal Fund, and a member of the Supervisory Board of Hong Kong Housing Society (HKHS) which currently had discussion with URA on housing development issues;

- Dr Conrad T.C. Wong - having current business dealings with URA; his companies owning four properties in Ma Tau Kok; his close relative owning a property in Kowloon City; and Build King - Kum Shing Joint Venture was a client of his firm;
- Mr Lincoln L.H. Huang - being a former Vice-chairman of the Appeal Board Panel of URA;
- Mr Ben S.S. Lui - being a former Executive Director of URA;
- Mr Ricky W.Y. Yu - being a former director of the Board of 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 HKHS which currently had discussion with URA on housing development issues;
- Mr Daniel K.S. Lau - being a member of the 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, and previously had discussion with DEVB on the use of a site to the immediate north of Site KC-019 for dedicated rehousing estate (DRE) development by HKHS;
- Miss Winnie W.M. Ng - her company owning two properties in Ma Tau Kok;
- Dr C.H. Hau - being an employee of the University of Hong Kong (HKU) which had received donation from a family member of the Chairman of HLD before, and having past business dealings with HLD;
- Mr Stephen L.H. Liu - being a former member of the Council of the Hong Kong Polytechnic University which had obtained sponsorship from HLD before;
- Ms Bernadette W.S. Tsui - being a former employee of HKU which had received donation from HLD before; and
- Mr Vincent K.Y. Ho - having business dealings with HLD.

64. Members noted that Messrs Stephen L.H. Liu, Wilson Y.W. Fung, Daniel K.S. Lau, Vincent K.Y. Ho, Dr Conrad T.C. Wong and Miss Winnie W.M. Ng had tendered apologies for not being able to attend the meeting/afternoon session of the meeting; Messrs Ivan M.K. Chung and Andrew C.W. Wai had left the meeting temporarily; and Mr Timothy K.W. Ma had not joined the meeting yet. As the interests of Messrs Lincoln L. H. Huang, Ricky W.Y. Yu, Dr C.H. Hau and Ms Bernadette W.S. Tsui were indirect, and Messrs Ben S.S. Lui, K.L. Wong and Ms Lilian S.K. Law had no involvement in the DSP or submission of the relevant representations and comments, Members agreed that they could stay in the meeting.

Presentation and Question Sessions

65. The Chairperson said that notifications 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.

66. 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 Ernest C.M. Fung - Senior Town Planner/Kowloon
Ms Joyce L.M. Lee - Town Planner/Kowloon

Electrical and Mechanical Services Department

Mr Raymond S.P. Yu - Senior Engineer

Representers, Commenters and their Representatives

R2 – 金城營造集團有限公司 (Kum Shing Group Limited)

Ms Cheung Nga Man]

KTA Planning Limited

Ms Wong Pui Sai] Representer's Representatives

Civic Consultancy Ltd.

Ms Poon Wai Ching]

R3 – 香港中華煤氣有限公司 (Towngas)

Mr Leung Chi Kong Albert] Representer's Representative

R4/C28 – Mary Mulvihill

Ms Mary Mulvihill - Representer and Commenter

R5/C29 – 九龍城交通 (Kowloon City Transport)

Mr Wong Wang Lik] Representer and Commenter's

Mr Chan King Hang] Representatives

Mr Yeung Tsz Kuen]

C1 – 市區重建局 (Urban Renewal Authority)

Mr Mike Y.F. Kwan]

Ms Clarice N.S. Ho] Commenter's Representatives

Ms Li Yee Ting]

67. 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, and their representative would be allotted 10 minutes for making presentation. There was a timer device to alert the representers, commenters, and their representatives two minutes before the allotted time was to expire, and when the allotted time limit was up. A 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.

68. The Chairperson also said that since the redevelopment project under the subject Agenda Item (i.e. KC-019 project) was located just right next to that under Agenda Item 2 (i.e. KC-018 project), some of the issues might have been discussed in the morning session. The government representatives, representers/commenters and their representatives were advised to

make their presentations/oral submissions succinctly.

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

70. With the aid of a PowerPoint presentation, Mr Ernest C.M. Fung, STP/K, PlanD, briefed Members on the representations and comments, including the background of the draft DSP and the development scheme, 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. 10920 (the Paper).

[Mr Paul Y.K. Au joined the meeting during PlanD's presentation.]

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

R2 – 金城營造集團有限公司 (Kum Shing Group Limited)

72. With the aid of a PowerPoint presentation, Ms Wong Pui Sai made the following main points:

- (a) the representer (i.e. R2), one of the owners of Newport Centre covered by the draft DSP with its office therein, objected to the rezoning of the Site KC-019 from "Comprehensive Redevelopment Area" ("CDA") to "Residential (Group A)" ("R(A)") subject to a plot ratio (PR) restriction of 7.5 (PR 6.5 for domestic use and 1.0 for non-domestic uses), and suggested that the site be rezoned to "Other Specified Uses" annotated "Mixed Uses" ("OU(MU)") with a total PR of 9;
- (b) unlike other URA ordinary residential redevelopment projects aiming to replenish housing stock by redeveloping dilapidated buildings, Newport Centre was an active and relatively young 6-storey industrial building (completed in 1979 to 1981) in fair condition with business operations in most of the industrial units of the subject building;

- (c) under the ordinary residential redevelopment within “R(A)” zone, commercial/retail/social welfare facilities uses were only permitted in the lowest three floors of the building. URA did not take into account the uniqueness of Newport Centre in preparing the draft DSP and there was no specific measure to address the needs of the affected business operators;
- (d) according to the survey conducted under the 2020 Area Assessments of Industrial Land in the Territory by PlanD, near half of the operators in industrial buildings (IBs) within “CDA” zone in Ma Tau Kok/To Kwa Wan (including Newport Centre) would like to continue their businesses in the same district if the IBs were to be redeveloped. With reference to URA’s Social Impact Assessment (SoIA) (Stage 2) for KC-019 project, 56% of business operators in Newport Centre indicated that they would like URA to assist them in finding new premises to continue their businesses. In that regard, URA agreed to assist in identifying suitable premises nearby to enable them to relocate and continue their operation as far as practicable. Also, 16% of the business operators responding to the survey expressed that their employees had major concerns on the proposed redevelopment due to worry about unemployment and inconvenience to work after relocation of the businesses;
- (e) there was a slim chance for the affected operators to continue their businesses in the To Kwa Wan/Ma Tau Kok area as the IBs therein falling within areas zoned “R(A)”, “Residential (Group E)” and “CDA” were all intended to be phased out for residential developments, and there were only two IBs in the area which were built later than Newport Centre;
- (f) a comprehensive and inclusive urban renewal approach by means of adopting “OU(MU)” zone should be explored to encourage mixed use development for redevelopment scheme involving IBs with a higher PR so as to reserve more non-domestic gross floor area (GFA) for the affected businesses. As compared with “R(A)” zone, it was more flexible in terms of the permitted types of non-polluting non-domestic uses for the “OU(MU)” zone (such as information technology and telecommunications industries,

office, training centre and wholesale trade) in the non-residential portion of the redevelopment with proper physical segregation from the residential portion. The proposed total PR of 9 for “OU(MU)” zone was also compatible with the existing developments in the area; and

- (g) the above “OU(MU)” proposal was considered as an all win planning solution. URA could have more flexibility in revising the draft DSP to increase the portion of non-domestic uses and respond to the needs of affected operators. From planning perspective, the proposed “OU(MU)” zoning could help to provide diverse job opportunities within the KC-019 project and to offset the impact of job loss from the redevelopment proposal. This was a key to sustaining a thriving community in the area.

R3 – 香港中華煤氣有限公司 (Towngas)

73. Mr Leung Chi Kong Albert made the following main points:

- (a) his oral submission in the morning session had covered both KC-018 and KC-019 projects. He summed up that the representation was made based on the concern of public safety but not against the redevelopment; and
- (b) the representation could be withdrawn if a proper quantitative risk assessment (QRA) could be conducted for the two projects.

R4/C28 – Mary Mulvihill

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

Access to Town Planning Board Papers

- (a) it was difficult for her to navigate Town Planning Board papers with many pages. Under the amended Town Planning Ordinance, she could only represent herself but not the others during the representation hearing meetings and only 10 minutes were available for making oral submission. In the past,

she relied on the “comment” phase (i.e. comment on the representations) to a certain extent where new information and points coming up which she might fail to look at. As the “comment” phase had been abolished, it was a real danger that some essential information in the papers might be missed out if it was not easy to access to papers. The papers posted onto the Board’s website should be easily accessed to all, which meant that they were easily downloaded using small home computers and with search function of key words;

Loss of job opportunities and environmental impact

- (b) hundreds of tenants from Yip On Factory Estate in Kowloon Bay, Siu Fai Factory Estate in Fo Tan, Wang Cheong Factory Estate in Cheung Sha Wan and Kwai On Factory Estate in Kwai Chung had been evicted recently. These were districts with sizeable blue collar worker population similar to that of To Kwa Wan. Newport Centre with less than 50 years old, high occupancy rate and no structural issues should not be demolished;
- (c) the impact of global warming exacerbated by rampant construction and development was an issue. Serviceable buildings should not be redeveloped just to generate more income, particularly for URA which had pledged to play its part in reducing emissions;
- (d) the site was previously zoned “CDA” rather than for residential use, which meant that there should be a balance in the provision of services and facilities for the district. Job opportunities were eliminated as a result of redevelopment;
- (e) URA focusing on redevelopment for housing created an imbalance in home-job spatial distribution and deprived communities of the opportunity to find jobs at locations within walking distance of their homes, particularly for housewives in the families;
- (f) URA’s response that displaced operators could resume businesses in the retail podium of the proposed redevelopment was misleading as shopping

mall would not be rented to such enterprises as workshops, storage, etc.;

Provision of public/subsidised housing

- (g) in view of the adjacent HKHS's DRE development, any redevelopment at Site KC-019 should be under HKHS for the same purpose in order to provide an option for those residents to acquire a home and remain in the district and achieve a holistic development;
- (h) in view of the significant decline in residential sales as a result of rising interest rates and the poor economy, the focus should be on housing those living in poor conditions, i.e. provision of either public or subsidised housing. The Government could recompense URA for the costs involved;
- (i) URA mentioned that development of public housing or subsidised housing at the site was not in line with the principle and policy direction for urban regeneration as stipulated in the Urban Renewal Authority Ordinance (URAO) and Urban Renewal Strategy. However, from the overriding public need perspective, it was certainly related to the need for public housing rather than private housing. There was no reason why URA could facilitate the displacement of households and resumption of land but not handed back the site to the Government for providing housing to those in need;

Government, institution and community (GIC) facilities

- (j) the proposed GIC facilities only accounted for about 0.85% of the total GFA (500m²) of the KC-019 project. However, for public housing projects undertaken by the Hong Kong Housing Authority and HKHS, GFA equivalent to about 5% of the domestic GFA would be reserved for the provision of social welfare facilities. There was no reason why URA could be excluded from such requirement. In recent s.12A planning applications submitted by the private developers, GIC facilities were required in the development schemes. The successful tenderer for a land sale site in Kai

Tak awarded recently was required to build part of the underground shopping street as well as provide GIC facilities in the future development. While URA explained that such a low percentage of total GFA for GIC facilities was due to the provision of waterfront promenade with shops and food and beverage (F&B) outlets, such an argument was not convincing;

- (k) URA should sell the shopping malls instead of keeping them in order to generate money to fund its redevelopment projects;

Provision of bicycle parking spaces

- (l) more than 700 vehicle parking spaces would be provided for the two redevelopment projects (i.e. KC-018 and KC-019 projects). Taking away 10 to 20 vehicle parking spaces for bicycle parking was suggested. Existing bicycle parking spaces in Kai Tak was quite remote from the redevelopment sites, which would be inconvenient for the future residents;

Ma Tau Kok Gas Works (MTKGW)

- (m) the Special Purpose Lease for the MTKGW site would expire in 2034, only about 10 years away from now. Relocation of the MTKGW was complicated and there was no removal plan in place at the juncture. The Government had also no development plan for the MTKGW site. Towngas, which was owned by a property developer, had no intention to relocate the MTKGW. It was queried whether it was due to the gas supply issue or the developer's other plans for the MTKGW site and its surrounding areas;

Other aspects

- (n) URA should let people know whether the waterfront promenade would be managed by URA or sold to the further developer. There was absolutely no guarantee to have a vibrant waterfront if the waterfront promenade were to be sold to the developer;

- (o) URA had become a mechanism to enable the Government to circumnavigate its own regulations and policy statements, and in the subject case the provision of GIC facilities and safety concerns expressed by Towngas; and
- (p) the building height restriction of 120mPD on the draft DSP as compared with that of 65mPD on the approved Kai Tak OZP would definitely have significant impact which had not been properly evaluated.

R5/C29 – 九龍城交通 (Kowloon City Transport)

75. With the aid of some PowerPoint slides, Mr Wong Wang Lik made the following main points:

- (a) the efforts made by the Government on taking forward the harbourfront initiatives were appreciated by the general public;
- (b) the MTKGW was a potentially hazardous installation. However, the representative of Towngas (R3) did not provide the Board with the detailed layout of the installation and the facilities therein, nor elaborate the risks and consequences associated with the MTKGW with concrete examples of the risks involved;
- (c) the representative of R3 mentioned in the morning session that the existing pier off Grand Waterfront was used for the transport of naphtha for gas production one to three times per month only. As such, there might be possibility for opening up the concerned waterfront area (65m in length) to allow public access. In that regard, one of the relevant examples was the waterfront of Laguna Verde in Hung Hom, which allowed public access even though there was an existing extra high voltage (400kw) substation in the vicinity. The proposed opening up of the concerned waterfront area was not costly and could promote the image of Towngas. It was hoped that the R3's representative could, at the current meeting, commit to liaising with the Government and URA to explore the possibility of opening that stretch of the waterfront wholly or partially or by other means (such as improving the

pedestrian environment of To Kwa Wan Road and San Ma Tau Street) to enhance the connectivity of Sites KC-018 and KC-019 with the planned/existing waterfront promenade to the south;

- (d) to effect the above, it was suggested to amend the Notes and the Explanatory Statements (ESs) of the two draft DSPs as discussed in the morning session. The proposed statement had taken into account the private land issue, the uncertainty on opening up the concerned waterfront area, and the scenario when consensus could not be reached;
- (e) the hardware/infrastructure relating to the opening up of the concerned stretch of the waterfront (such as erection of directional signage, enhancement of the environment of that part of the waterfront to facilitate visual permeability) could be in place in advance while the long-term management, operation and implementation issues were being sorted out, in the manner similar to that of Kwun Tong Vehicular Ferry Pier; and
- (f) in view of the need and importance of linking up To Kwa Wan waterfront with Hung Hom, it was suggested to regularly update the general public the progress of the proposal via means such as the Legislative Council meeting. A feasibility study could also be undertaken to examine the technical constraints and formulate an implementation timetable for the proposal, whereas the study information on the layout and photos of the MTKGW and the current arrangement on the transport of naphtha through the pier off Grand Waterfront should be published and made available to the public.

C1 – 市區重建局 (Urban Renewal Authority)

76. With the aid of a PowerPoint presentation, Ms Li Yee Ting made the following main points:

- (a) both the KC-018 and KC-019 projects were commenced on 7.10.2022, which would be implemented by means of development schemes under section 25 of the URAO. Site KC-019 was previously zoned “CDA” on the Kai Tak OZP,

which was intended for a comprehensive development/redevelopment of the area for residential and/or commercial uses with the provision of a waterfront promenade, open space and other supporting facilities. The site was currently zoned “R(A)” and shown as ‘Road’ on the draft DSP;

- (b) according to the current notional scheme, the total GFA for the proposed development at Site KC-019 would be about 58,620m² (Domestic GFA: 50,800m²; Non-domestic GFA: 7,820m²). About 950 small- to medium-sized flats would be provided within the site for completion in 2033;
- (c) a planning-led approach was adopted for the KC-019 project with the following visions:
 - (i) to enable a comprehensive designed waterfront development and help the Government to achieve its vision of achieving a world-class waterfront promenade;
 - (ii) to free up more ground space to facilitate the implementation of widening of To Kwa Wan Road from four lanes to six lanes so as to enhance the connectivity between the old To Kwa Wan area and the new Kai Tak Development Area;
 - (iii) to restructure and replan existing roads and pedestrian network to enhance connectivity and walkability of the area;
- (d) both the KC-018 and KC-019 projects would provide a 20m-wide waterfront promenade with the provision of a 2-storey retail belt to enhance the vibrancy;
- (e) an open-air Waterfront Plaza with a minimum width of 25m at the centre of the comprehensive redevelopment was proposed to enhance connectivity. Retail cum F&B outlets were also proposed alongside the Waterfront Plaza to extend the waterfront ambience to the inland of Ma Tau Kok area. A total GFA of 1,500m² would be provided for GIC facilities (about 1,000m² for KC-018 project and about 500m² for KC-019 project);

- (f) should either one of the redevelopment projects be unable to pursue further, the above-mentioned planning gains could not be fully achieved;
- (g) since the commencement of the two redevelopment projects, URA had been proactively visiting every affected business operator to understand their concerns on redevelopment, operational needs and relocation requirements. The key concerns included the intention to relocate back after redevelopment due to special ancestral reason and the need for relocation space to continue operation in the district. The affected business operators also considered that To Kwa Wan was convenient to suit their operational needs. Under the prevailing mechanism, URA would help the affected operators to identify suitable premises to continue their business operations in the replacement premises as far as practicable, if required;
- (h) according to the representations received in respect of the draft DSP, supportive views including an increase in PR and hence the land supply to maximise land utilisation in the urban area, provision of more job opportunities and promotion of economic development, and attracting new commercial and service facilities were received (R1). As regards the comments on the representations, the affected operators sought assistance to continue their businesses in the same district, and proposals to provide more commercial uses and more office space upon redevelopment were received (C15 to C27); and
- (i) based on the representations and comments received, in order to allow more flexibility in response to the changing market demand for the development, it was proposed to amend the Notes of the “R(A)” zone. Instead of adopting original domestic and non-domestic PR restrictions of 6.5 and 1 for “R(A)” zone, the future developments at Sites KC-018 and KC-019 were proposed to be subject to a maximum PR of 6.5 for a domestic building or 7.5 for a building that was partly domestic and partly non-domestic so as to allow interchange between domestic and non-domestic GFA while the total PR remained as 7.5.

77. As the presentations of the representers, commenters, and their representatives had been completed, the meeting proceeded to the Question and Answer (Q&A) session. The Chairperson explained that Members would raise questions and the Chairperson would invite the 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.

Commercial and Business Uses in Newport Centre and the Proposed Returning of the Affected Operators

78. Two Members asked the following questions:

- (a) the proportion of pure industrial (e.g. workshop) and business uses in Newport Centre and the trend of industrial-business conversion, and whether such industrial-business conversion was permitted from the planning perspective;
- (b) whether “allowing flexibility” as mentioned by URA (C1) meant that more commercial and business GFA to cater for the proposed returning of the affected operators; and
- (c) whether the existing office and showroom uses in Newport Centre were legal, and if not, the necessity to accommodate such illegal uses.

79. In response, Ms Vivian M.F. Lai, DPO/K, PlanD made the following main points:

- (a) according to the findings of the SoIA (Stage 2), some one-third of the units in Newport Centre were used as offices and the remaining operations were workshops, showrooms, etc. A planning application for converting 3,043m² GFA for office use was approved with conditions by the Board in 2022, and the use was currently in operation. This showed that there was a transition going on from industrial to commercial/office uses within Newport Centre;
- (b) Sites KC-018 and KC-019 were previously zoned “CDA” on the Kai Tak OZP, with a clear planning intention for residential use. There was no change of

such planning intention. The primary focus of the two sites was still for residential use but with more flexibility for the provision of non-domestic use for accommodating compatible but affected uses; and

- (c) as for the legality of the current uses within Newport Centre, it depended on whether the uses were in compliance with the Occupation Permit of the subject building, with valid planning permission and valid short-term waiver of user restriction under the leases. It was expected that some of them had obtained the requisite approvals.

80. Mr Mike Y.F. Kwan, representative of URA (C1), supplemented the following main points:

- (a) according to the findings of the SoIA (Stage 2), out of the 64 surveyed operators, 22 were running their offices, 17 were operating industrial workshops, four were undertaking retail businesses (including showrooms), one was service provider, six were other businesses and the remaining 14 had not responded to the survey;
- (b) the flexibility for the provision of more non-domestic GFA had been incorporated in the Notes of the “R(A)” zones on many Kowloon OZPs. The actual non-domestic PR for the redevelopments to be provided would depend on the number of eligible operators for returning to the site. In that connection, only compatible uses including office, showroom and retail businesses were allowed to be returned to the redevelopment sites. Industrial workshops were considered incompatible with residential use; and
- (c) it was understood that some offices in Newport Centre had obtained planning permissions and short-term waivers. As for showroom use, it was permitted within “Industrial” zone and classified as “Shop and Services” under “R(A)” zone. That said, it should be emphasised that the KC-019 project was for the redevelopment of non-residential buildings. Given the previous unsuccessful industrial redevelopment pilot scheme projects, an inclusive approach was being adopted by URA to overcome the constraints with the prime objective of taking forward the project. The intention of current industrial operators to return to

the site to set up offices would be considered.

81. In response to a Member's question on the meaning of "ancestral operation", Mr Mike Y.F. Kwan, representative of URA (C1), said that "ancestral operation" referred to the businesses/operations which had been in Newport Centre since the building completion or for decades, and they were more akin to family operations with one or two generations engaged in the businesses. They were mainly offices. Currently, URA had no established policy on special treatment/arrangement for affected operators on ancestral ground. That said, based on the views and aspirations of affected operators, the long-term policy associated with the above arrangement could be formulated for submission to the URA Board for consideration.

Flexibility in the Interchange between Domestic and Non-domestic PR and the Proposed Revised Notes for "R(A)" Zone

82. A Member raised a question on whether URA had considered any other options of further increasing the non-domestic PR. In response, Mr Mike Y.F. Kwan, representative of URA (C1), said that the revised Notes prepared by URA were based on those of "R(A)" zoning on Kowloon OZPs in general. The revised Notes allowed for more non-domestic GFA to be provided. According to the current estimation, a non-domestic PR of not more than 1.5 would be sufficient for the redevelopment projects. URA had no intention to go beyond the non-domestic PR of 1.5, considering the financial implication and flat supply.

83. Another Member had the following questions:

- (a) whether it was desirable to set a limit of non-domestic PR in the Notes, given that the non-domestic PR (say PR 7.4 for non-domestic PR) could be much higher than the domestic PR according to the proposed revised Notes; and
- (b) whether the original Notes for "R(A)" zone of the two draft DSPs could be retained to avoid further representation(s) and hence delay in the redevelopment process as a slight increase in the non-domestic PR could be dealt with via submitting s.16 application for minor relaxation of PR restriction by URA.

84. In response, Ms Vivian M.F. Lai, DPO/K, PlanD made the following main points:
- (a) according to the proposed revised Notes for “R(A)” zone, it was permissible that the non-domestic PR of the redevelopment could be much higher than the domestic PR. That said, it was clearly specified in the Notes of the two draft DSPs that “R(A)” zone was primarily intended for high-rise residential development and such planning intention could be enforced through land lease by setting maximum GFA for domestic and non-domestic uses; and
 - (b) according to the Notes of the “R(A)” zone, there was provision for minor relaxation of PR to accommodate the increase in non-domestic PR under s.16 application. On the other hand, there was sufficient time for the further representation hearing procedures (if any) and for submission of the two draft DSPs to the Chief Executive in Council for approval on or before February 2024 under the pre-amended Town Planning Ordinance.
85. Mr Mike Y.F. Kwan, representative of URA (C1), also made the following responses:
- (a) URA had no objection if the Board considered appropriate to stipulate a maximum non-domestic PR of 1.5 in the Notes of the concerned “R(A)” zone for the two sites; and
 - (b) the proposed amendment to the Notes of the “R(A)” zone, if agreed by the Board, would not cause a delay in the redevelopment process as there was statutory deadline for submission. On the contrary, if the proposed increase in non-domestic PR would be handled by submitting s.16 planning application for consideration by the Board, the redevelopment process would be delayed with reference to the redevelopment case of Tai Hang Sai Estate. In recent URA redevelopment projects, instead of zoning the redevelopment sites to “CDA” (e.g. Lee Tung Street), “R(A)” zoning was adopted so as to streamline the whole redevelopment process for the benefit of the society and for the good of residents living in aged buildings.

Rationale behind the Redevelopment of Newport Centre

86. Given the building age (about 40 years) and conditions of Newport Centre, a Member raised a question to URA (C1) on the rationale behind in deciding to redevelop Site KC-019. In response, Mr Mike Y.F. Kwan, representative of URA (C1), made the following main points:

- (a) URA had adopted a comprehensive, holistic and district-based approach in urban renewal process. One of the planning gains of the two projects was the provision of a 20m-wide waterfront promenade. Site KC-018 would become an isolated site if KC-019 project would not be taken forward. Also, the planned widening of Ma Tau Kok Road could not be proceeded as the land area required for such road improvement works fell largely within Site KC-019; and
- (b) the Board had been forward looking by designating Sites KC-018 and KC-019 as one “CDA” zone on the Kai Tak OZP for comprehensive development/redevelopment several years ago. Redevelopment of Site KC-018 only for residential development would give rise to an industrial-residential interface problem, which would be incompatible with the industrial workshops within Newport Centre, causing adverse environmental impacts such as air and noise pollution to the future residents at Site KC-018.

Waterfront Connectivity and Continuity

87. A Member asked the following questions:

- (a) whether there were suitable planning tools to address the waterfront connectivity issue outside Sites KC-018 and KC-019 and whether it was appropriate to revise the Notes and the ESs of the two draft DSPs as suggested by R5/C29; and
- (b) whether flexibility had been allowed in the Kai Tak OZP to tackle the issues such as waterfront connectivity.

88. In response, Ms Vivian M.F. Lai, DPO/K, PlanD made the following main points:

- (a) the suggestion made by R5/C29 involved a section of proposed promenade outside the KC-018 and KC-019 DSPs. Besides, the ES was to assist understanding of the statutory plan and elaborate on and explain the planning intentions of various land use zonings within the Planning Scheme Area concerned, rather than a working manual to guide implementation. The measures to achieve the planning intentions and objectives would be subject to the prevailing mechanisms. As such, it was considered not appropriate to include the remarks in the Notes and ESs of the DSPs as proposed by R5/C29 regarding the proposed promenade facing Grand Waterfront; and
- (b) the section of proposed promenade by R5/C29 was designated as a promenade on the Kai Tak OZP, forming part of the To Kwa Wan waterfront promenade. New development or redevelopment thereat would have to comply with the statutory plan. The section was under private ownership and some facilities were still in operation as said in the morning session. The Development Bureau (DEVB) would oversee and take the lead to liaise with relevant departments in exploring opportunities to achieve the planning objective to enhance the connectivity along the harbourfront area.

89. In response to another Member's question on the possibility of opening up the concerned waterfront area off Grand Waterfront to form a continuous and connected promenade for public enjoyment when the pier therein was not in use by Towngas, Mr Leung Chi Kong Albert, representative of Towngas (R3), said that apart from the pier concerned, there was a large-scale gas offtake station operating round the clock for Central Kowloon. If relocation of such facilities was required, it would be a challenge and might take a long time to find an alternative site for the gas offtake station in the urban area.

Risks Associated with the MTKGW

90. A Member raised a question on how to mitigate the risks associated with the operation of the MTKGW on the surrounding areas and the transport of naphtha for the production of towngas, given that Cattle Depot (the ex-Ma Tau Kok Animal Quarantine Depot) was located just

next to the MTKGW while Sites KC-018 and KC-019 were at least separated from it by To Kwa Wan Road. In response, Mr Leung Chi Kong Albert, representative of Towngas (R3), said that Towngas always mitigated the risks at the source first. Apart from the above, quoting the example of Grand Waterfront, the nearest building block to the waterfront had adopted a 70m set back from the pier and there was no window on the podium façade facing the harbour. Increasing the distance from the source to mitigate the associated risks was effective, and the indoor risk was considered smaller than the risk in the outdoor area. He also said that an initiative to revitalise Cattle Depot was raised six to seven years ago. Given its location adjacent to two naphtha tanks, a 10m high retaining wall was required to be erected and a maximum capacity was introduced to restrict the number of visitors visiting Cattle Depot if the revitalising proposal was to be taken forward. All the above “DBR” (i.e. Distance, Block and Reduce) mitigation measures were approved by the Coordinating Committee on Land-use Planning and Control relating to Potentially Hazardous Installations (CCPHI).

91. The same Member had the following follow-up questions:

- (a) any concrete “DBR” recommendations made to URA as regards the risk mitigation measures in respect of the two redevelopment projects; and
- (b) whether flexibility had been allowed in the Kai Tak OZP to address the safety concern related to the MTKGW.

92. In response, Mr Leung Chi Kong Albert, representative of Towngas (R3), said that Towngas was willing to liaise with the relevant parties to explore the risk mitigation measures and related issues. As the design of the two redevelopment projects had not been finalised and was still subject to change, and given that insufficient information was provided for the two projects at the juncture, Towngas might not be able to provide concrete or specific responses and recommendations on the subject matter at the current meeting.

93. With regard to the flexibility allowed on the Kai Tak OZP to address the risk concern, Ms Vivian M.F. Lai, DPO/K, PlanD responded that the QRA to assess the risk levels associated with the MTKGW arising from developments in the consultation zone, including Sites KC-018 and KC-019, was already endorsed by the CCPHI. Any amendments to the redevelopment schemes could be handled in accordance with the prevailing mechanism, including the vetting of

building plan submissions. If the scheme as shown on the building plan submission deviated significantly from the original endorsed scheme supported by relevant technical assessments, the Buildings Department and other relevant departments would be informed accordingly for follow-up action. Given the above mechanism had already been in place, it was considered not necessary to incorporate in the Notes of the two draft DSPs the requirement of a QRA submission for agreement by the Government, URA and Towngas.

Management of Commercial Uses by URA

94. In response to a Member's question on whether the provision of commercial uses and their long-term management were within the ambit of URA or URA should confine itself to undertaking redevelopment projects for residential purpose with ancillary F&B facilities under the URAO, Mr Mike Y.F. Kwan, representative of URA (C1), said that URA was allowed to manage non-domestic space/properties (e.g. commercial podium/shopping mall). From financial perspective, selling non-domestic space/properties would yield a lump sum of money but keeping them would generate a steady stream of income. That said, URA might, subject to the approval of URA Board, retain and manage such space/properties for the purpose of pursuing the committed planning gains that were unlikely to be achieved by the developers. For the KC-018 and KC-019 projects, it was premature to decide whether the proposed non-domestic space/properties would be retained by URA at the early planning stage.

95. 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 government representatives and the representers, commenters and their representatives for attending the meeting. They left the meeting at this point.

Deliberation Session (for Agenda Items 2 and 3)

96. The deliberation session was recorded under confidential cover.

[Mr Gary C.H. Wong left, Messrs Timothy K.W. Ma and K.L. Wong joined, and Messrs Ivan M.K. Chung and Andrew C.W. Lai rejoined the meeting at this point.]

Sha Tin, Tai Po and North District

Agenda Item 4

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/NE-TKL/723

Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone,
Lot 662 S.B in D.D. 82, Ta Kwu Ling

(TPB Paper No. 10922)

[The item was conducted in Cantonese.]

97. The Secretary reported that the application site (the Site) was located in Ta Kwu Ling. Dr Conrad T.C. Wong had declared an interest on the item for his companies owning some land in Ta Kwu Ling.

98. Members noted that Dr Conrad T.C. Wong had tendered an apology for not being able to attend the meeting.

Presentation and Question Sessions

99. The following representative of the Planning Department (PlanD), the applicant and the applicant’s representatives were invited to the meeting at this point:

PlanD

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

Applicant and his representatives

Mr Lee Bon Sin - Applicant
Mr Lee Tsang Lam] Applicant’s representatives
Ms Liu Kam Choi]

100. The Chairperson extended a welcome and explained the procedures of the review hearing. She then invited PlanD’s representative to brief Members on the review application.

101. With the aid of a PowerPoint presentation, Ms Margaret H.Y. Chan, DPO/STN, PlanD, briefed Members on the background of the review application including the Site and the surrounding areas, the applicant's proposal and justifications, 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 the planning considerations and assessments as detailed in TPB Paper No. 10922 (the Paper). PlanD did not support the review application.

102. The Chairperson then invited the applicant and his representatives to elaborate on the review application.

103. With the aid of a visualiser, Ms Liu Kam Choi, the applicant's representative, made the following main points:

- (a) there was no cultivated land in the surrounding areas of the Site. To the immediate north and west/southwest of the Site were village houses and access road respectively, and to the immediate southeast of the Site was fallow land overgrown with grass and to its further southeast were village houses;
- (b) referring to the consideration of RNTPC as mentioned in paragraph 1.2 of the Paper which indicated that approval of the application might lead to further extension of Small House development to the east of the Site, it was agreed that the area concerned should be retained for agricultural rehabilitation;
- (c) to the immediate west and north of the Site were an access road and a Tudigong (土地公) (7 feet (height) x 9 feet (width) x 8 feet (length)) of Lei Uk Village, which had existed for several hundred years, forming part of the historical and cultural heritage of Lei Uk Village;
- (d) the site area of Lot 662 in D.D. 82 was about 6,000 square feet. A portion of Lot 622 in D.D. 82 (about 3,218 square feet), which was zoned "Village Type Development" ("V"), was surrendered to the Government for building an access road to Lei Uk Village in 1968. Subsequently, the applicant found that part of the road alignment had mistakenly encroached onto Lot 662 RP in D.D. 82. That portion of land was returned to the applicant in 2015. The Site fell

entirely within the “Agriculture” (“AGR”) zone. It was hoped that sympathetic consideration could be given by the Board in respect of the application, considering that a portion of Lot 622 in D.D. 82 had been surrendered to the Government for building an access road, and building a Small House at the Site could prevent reproduction of insects and living organisms at the adjacent areas;

- (e) in 1990, the applicant first applied to the Lands Department (LandsD) for building a Small House at the Site owned by his father at that time but not successful as the ownership of the Site was not yet transferred to the applicant. In 1997, the applicant applied again but did not fill in the lot number in his application as no land was available with the “V” zone for Small House development by the applicant. While there was a piece of land owned by the applicant’s great-grandfather in Lei Uk Village, the dispute among family members over the land concerned was yet and also difficult to be resolved. In 2016, the applicant submitted another application to the LandsD as the applicant did not want to give up his once-in-a-lifetime right to build a Small House in the village for his own use; and
- (f) whilst vacant land was available within the “V” zone of Lei Uk Village for Small House development, the owners would normally develop their land by themselves or reserve the land for their next generations. They would not sell their land to other people.

104. As the presentations of PlanD’s representative and the applicant’s representative had been completed, the Chairperson invited questions from Members.

105. In response to a Member’s question on whether the applicant had ever owned land which was zoned “V” in Lei Uk Village, Ms Margaret H.Y. Chan, DPO/STN, PlanD explained with the aid of PowerPoint slides that Lot 662 S.A in D.D. 82 was previously owned by the applicant and subsequently resumed by the Government in 1968 for building an access road to Lei Uk Village. The area concerned had not been covered by any statutory plan until 1990, and it was currently zoned “V” on the OZP. As for the Site (i.e. Lot 662 S.B in D.D. 82), it was all along under the ownership of the applicant, and was partly zoned “Unspecified Use” (67%) and

partly zoned “V” (33%) on the Ping Che and Ta Kwu Ling Interim Development Permission Area Plan No. IDPA/NE-TKL/1 gazetted on 17.8.1990, the first statutory plan covering the area concerned. The whole site was then zoned “Unspecified Use” on the draft Ping Che and Ta Kwu Ling Development Permission Area Plan No. DPA/NE-TKL/1 gazetted on 12.7.1991, pending the determination of whether the Site and the adjacent areas were suitable for agricultural purpose. The Site had been zoned “AGR” since the gazettal of the draft Ping Che and Ta Kwu Ling OZP No. S/NE-TKL/1 on 1.7.1994. The road area at the Site, which was shown on previous versions of statutory plans, was deleted since the gazettal of the approved Ping Che and Ta Kwu Ling OZP No. S/NE-TKL/14 on 2.2.2010 as the road alignment had been adjusted to avoid the subject lot. Ms Liu Kam Choi, the applicant’s representative, added that Lot 662 S.A. in D.D. 82 had been previously owned by the applicant’s ancestors for several hundred years.

106. Mr Andrew C.W. Lai, Director of Lands, confirmed that the Government acquired Lot 662 S.A in D.D. 82 by resumption in 1968 for building an access road to Lei Uk Tsuen and the land resumption process had been completed more than 50 years ago. Lot 662 S.B in D.D. 82 was owned by the applicant. As the Small House Policy was only introduced in 1972 and the Site had not been covered by the statutory plan until 1990, he considered that any subsequent planning application in relation to the Site should be assessed in accordance with the prevailing policy and mechanism rather than the land ownership in the past.

107. In response to another Member’s questions on the planned use for the applicant’s land and the user restriction under the Block Government Lease (previously known as Block Crown Lease) and land ownership in 1968, Ms Margaret H.Y. Chan, DPO/STN, PlanD, said that the area concerned was not covered by any statutory plan in 1968. The land concerned was likely to be under Block Government Lease for agricultural use. As regards the land ownership, the area concerned was originally within Lot 662 in D.D. 82. After the land resumption of Lot 662 S.A in D.D. 82 in 1968, the remaining land was still under the ownership of the applicant’s family. The Secretary supplemented that referring to Annex A of the Paper, the Site was currently under Block Government Lease (demised for agricultural use). In general, any structure to be erected on the Site would require the approval from the Director of Lands. Mr Andrew C.W. Lai, Director of Lands, pointed out that land in the New Territories was usually granted under Block Crown Lease for agricultural use in the early days and the development control primarily relied on land lease documents at that time. As the area concerned was later covered by a statutory plan, land development would also be subject to statutory control under the planning regime. While

the land ownership for both Lots 662 S.A and 662 S.B in D.D. 82 was originally under the same owner, only Lot 662 S.B remained under the private ownership after the land resumption by the Government in 1968.

108. On land ownership, Ms Liu Kam Choi, the applicant's representative, supplemented that apart from Lot 662 S.A in D.D. 82, the remaining area of Lot 662 in D.D. 82 was further subdivided into Lot 662 S.B (the Site) and Lot 662 RP. Lot 662 RP, which was owned by the applicant's father, was intended to be rented out/sold for car parking by others and the income generated would subsidise the applicant to build the Small House.

109. A Member raised a question to the applicant's representative on the meaning of returning a portion of the land by the Government in 2015 as mentioned in her presentation, given that Lot 662 S.A in D.D. 82 had been surrendered and currently under the Government's ownership. In response, Ms Liu Kam Choi, the applicant's representative, said that the access road alignment encroached onto Lot 662 RP in D.D. 82. She lodged a complaint in that regard, requesting shifting the access road away from the private land. Ms Margaret H.Y. Chan, DPO/STN, PlanD supplemented that Lot 662 S.A was surrendered to the Government for building an access road and the Government had no record of returning the surrendered land to the applicant. Part of the remaining area of Lot 662 referred to as Lot 662 S.B in D.D. 82 was previously planned for constructing an access road. The applicant lodged a complaint on the subject matter to the District Lands Office/North, LandsD in 2013, and subsequently the access road was shifted westwards to avoid encroaching onto the private land.

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

Deliberation Session

111. The Chairperson invited Members for views. A Member said that sympathetic consideration could be given to the review application in view of the historical reasons as

mentioned by the applicant's representative at the meeting on land resumption by the Government for building an access road to Lei Uk Village in 1968 and the existence of Small Houses in the immediate north and south of the Site. While noting that the area to the east of the Site was mostly covered by vegetation, the review application, if approved, should not be considered as a precedent case for Small House applications within the "AGR" zone in future.

112. Another Member said that land use planning was changing over time and indigenous villagers usually acquired information about their land rights from the village representatives or Heung Yee Kuk New Territories rather than from Government Gazette. What the applicant mentioned about the deposition of construction waste close to the Site by the Resident Representative of Lei Uk Village in his written submission was irrelevant to the review application. While sympathetic consideration might be given to the review application, the same Member enquired if any discretion could be exercised by the Board to approve the review application in accordance with the Interim Criteria for Consideration of Application for New Territories Exempted House (NTEH)/Small House in New Territories (the Interim Criteria), and whether such approval would set an undesirable precedent for other similar applications in future.

113. In response to the Member's question, the Secretary said that referring to paragraph (d) of the Interim Criteria at Appendix II of Annex A of the Paper, the proposed development which was not in line with the criteria would normally not be allowed. As there was sufficient land within the "V" zone of Lei Uk Village to accommodate the outstanding Small House applications, the application should be rejected. That said, the Board might wish to consider if sympathetic consideration could be given if there were specific circumstances to justify the cases, such as the application site was an infill site among existing NTEHs/Small Houses, the processing of the Small House grant was already at an advance stage, etc. The specific circumstances as mentioned in paragraph (d) of the Interim Criteria were not exhaustive, and the Board should consider whether the review application was within the category of specific circumstances. As the land resumption had been completed according to the Government's prevailing policy and mechanism at that juncture, Members should decide whether the above should be taken into account in considering the review application. Mr Andrew C.W. Lai, Director of Lands, said that the land was resumed in 1968 and the land owner was duly compensated for the land resumption. The Small House Policy was only introduced in 1972 and the Site had only been covered by the statutory plan since 1990. As the Government had resumed substantial amount of land in the past years, the review application, if approved with reference to the land ownership situation before the

land resumption in 1968, would have major read-across implications on similar applications in future.

114. A majority of Members agreed that the land resumption in 1968 was not a material consideration on the current review application, and the Interim Criteria should be followed in deciding whether to approve the review application or not. A Member also said that if the review application was approved, it would open the floodgates to other similar cases and be unfair to other applicants applying for NTEH/Small House. Another Member opined that PlanD should have considered the suitability of the area concerned for farming and village elements therein (if any) before delineating the zoning boundaries of the “V” zone of Lei Uk Village and the “AGR” zone.

115. The Chairperson concluded that a majority of Members agreed with the Paper’s recommendation to reject the application on review and the major consideration was that land was still available within the “V” zone of Lei Uk Village for Small House development, and considered that it was not sufficient for the Board to exercise discretion based on the land resumption in 1968.

116. After deliberation, the Board decided to reject the application for the following reasons:

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

[Mr K.W. Leung left the meeting during the deliberation session.]

Agenda Item 6

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/NE-KLH/621

Proposed House (New Territories Exempted House - Small House) in “Agriculture” and “Village Type Development” Zones, Lots 94 S.G ss.8 RP, 94 S.G ss.9 and 324 S.B RP in D.D. 9, Kau Lung Hang, Tai Po

(TPB Paper No. 10924)

[The item was conducted in Cantonese.]

117. The Secretary suggested and Members agreed that Agenda Item 6 would be considered first as the applicant’s representative had been waiting for quite a long time and had to leave soon due to prior commitment while the applicants’ representatives of Agenda Item 5 had no objection to such arrangement.

118. The Secretary reported that the application site (the Site) was located in Tai Po. Dr Venus Y.H. Lun had declared an interest on the item for co-owning with spouse a property in Tai Po.

119. As the property co-owned by Dr Venus Y.H. Lun and her spouse did not have direct view of the Site, Members agreed that she could stay in the meeting.

Presentation and Question Sessions

120. The following representative of the Planning Department (PlanD) and the applicant’s representative were invited to the meeting at this point:

PlanD

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

Applicant’s representative

Mr Chan Kwok Wai Colin

121. The Chairperson extended a welcome and explained the procedures of the review hearing. She then invited PlanD's representative to brief Members on the review application.

122. With the aid of a PowerPoint presentation, Ms Margaret H.Y. Chan, DPO/STN, PlanD, briefed Members on the background of the review application including the Site and the surrounding areas, the applicant's proposal and justifications, 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 the planning considerations and assessments as detailed in TPB Paper No. 10924 (the Paper). PlanD maintained its previous view of not supporting the application.

123. The Chairperson then invited the applicant's representative to elaborate on the review application.

124. With the aid of a visualiser, Mr Chan Kwok Wai Colin, the applicant's representative, made the following main points:

- (a) he did not agree with the PlanD's view stated in paragraph 7.6 of the Paper that the planning considerations of the approved similar Applications No. A/NE-KLH/519, 533 and 540 were not applicable to the review application for the following reasons:
 - (i) the paragraph stated that the sites under Applications No. A/NE-KLH/533 and 540 were immediately surrounded by existing village houses/approved Small House applications. However, according to Plan R-2b of the Paper, no existing houses could be found in the immediate surroundings of the two sites. Instead, there were some Small House applications being processed by the Lands Department only. When the Board approved the two applications in 2017, it was believed that there were no houses around the two sites. For the Site, existing houses could be found to its immediate north, with the nearest one only within 10m;

- (ii) referring to paragraph 7.6 of the Paper, more than 90% of the proposed Small House footprint under Application No. A/NE-KLH/540 fell within the “Village Type Development” (“V”) zone. However, as shown on Plan R-2b of the Paper, by overlaying the boundary line of the “V” zone on the location plan of the site under Application No. A/NE-KLH/540, it was noted that not more than 90% of the site fell within the “V” zone;
 - (iii) it was also mentioned in the paragraph that the Application No. A/NE-KLH/519 was approved in view of similar approved applications in the surrounding areas. While the site concerned fell wholly within “Agriculture” (“AGR”) zone on the Kau Lung Hang Outline Zoning Plan, the application was approved by the Board in 2016, i.e. after the Board had formally adopted a more cautious approach in considering applications for Small House development in August 2015 (the cautious approach). As for the Site, there were two planning applications for Small House development to its north-west, which were also approved by the Board; and
 - (iv) as mentioned in the paragraph, the Site was located at the fringe of the village ‘environs’ (‘VE’) of Kau Lung Hang and Yuen Leng Villages. Referring to Plan R-2b of the Paper, the site under Application No. A/NE-KLH/519 was also located at the fringe of the ‘VE’, which was approved by the Board for Small House development in 2016; and
- (b) as near 80% of the proposed Small House footprint at the Site fell within the “V” zone and there were existing Small Houses and similar approved applications in the surrounding areas of the Site, it was hoped that sympathetic consideration could be given in respect of the application so as to address the housing demand of young people and better utilise the land resources.

125. As the presentations of PlanD's representative and the applicant's representative had been completed, the Chairperson invited questions from Members.

126. In response to a Member's question regarding the interpretation of the 50% rule on Small House footprint (the 50% rule) under the Interim Criteria for Consideration of Application for New Territories Exempted House (NTEH)/Small House in New Territories (the Interim Criteria), Ms Margaret H.Y. Chan, DPO/STN, PlanD, said that according to the Interim Criteria, sympathetic consideration might be given to the application if not less than 50% of the proposed Small House footprint fell within the "V" zone of the village concerned and there was a general shortage of land in meeting the demand for Small House development in the "V" zone of the village. For the current application, although more than 50% of the footprint fell within the "V" zone, land available in the "V" zones was capable of meeting the outstanding Small House applications. While the applicant claimed that about 86% of the revised Small House footprint fell within the "V" zone, PlanD estimated based on the applicant's submitted drawing under the review application that about 78.1% of the proposed Small House footprint fell within the "V" zone.

127. Noting from Plan R-3 of the Paper that the Site was largely hard-paved, a Member asked whether the concerned filling of land was unauthorised and whether the Site was paved by the applicant. In response, Ms Margaret H.Y. Chan, DPO/STN, PlanD, said that the Site was zoned "AGR" in half and "V" for the other half. Land filling activities should comply with the provisions in the Notes of the two zones, though no enforcement action was taken against the concerned filling of land at the Site at the current stage. Mr Chan Kwok Wai Colin, the applicant's representative, said that the Site had already been hard paved at the time of purchase two years ago.

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

Deliberation Session

129. The Chairperson invited the Secretary to brief Members on the Interim Criteria relevant to the review application. The Secretary said that with reference to paragraphs (a) and (b) of the Interim Criteria at Appendix II of Annex A of the Paper, sympathetic consideration might be given if not less than 50% of the proposed NTEH/Small House footprint fell within the 'VE' of a recognised village or within the "V" zone, and there was a general shortage of land in meeting the demand for Small House development in the "V" zone of the village. Regarding the current application, although about 78.1% of the proposed Small House footprint fell within the "V" zone, land was still available within the "V" zones of Kau Lung Hang and Yuen Leng Villages to meet the outstanding Small House applications. As such, the review application did not comply with the Interim Criteria. That said, the Board should consider whether sympathetic consideration could be given in view that about 78.1% of the proposed Small House footprint fell within the "V" zone. The Chairperson then invited views from Members.

130. In response to a Member's question on the 50% rule, the Secretary said that the rule applied to the footprint of the proposed Small House (i.e. the land area covered by the Small House) rather than the application site. Under the review application, the percentage of the Site falling within the "V" zone (about 48.5%) was smaller than that of the proposed Small House footprint (about 78.1%). The same Member also recalled that for Small House applications, sympathetic consideration could be given only when the site concerned was the subject of previous approval before the adoption of the cautious approach by the Board but the applicant did not pursue the proposed development before expiry of the planning approval. The Secretary concurred and supplemented that sympathetic consideration might also be given to infill site as stated in paragraph (d) of the Interim Criteria.

131. In response to two Members' questions regarding the reasons for approving Applications No. A/NE-KLH/519, 533 and 540, the Secretary, with reference to paragraph 7.6 and Plan R-2a of the Paper, said that Application No. A/NE-KLH/519 was approved mainly on sympathetic consideration as several similar applications adjoined the eastern site boundary and located to the west of the "V" zone of Kau Lung Hang were approved before. Applications No. A/NE-KLH/533 and 540 were approved on sympathetic consideration in that more than 90% of the Small House footprint fell within the "V" zone and the application sites were immediately surrounded by the existing village houses/approved Small House applications. The latter two

application sites were located within a strip of land sandwiched between the two “V” zones of Kau Lung Hang and Yuen Leng Villages.

132. A Member pointed out that there were some active agricultural activities going on to the south and southwest of the Site as shown on Plan R-3 of the Paper. In that regard, another Member considered that as the Site encroached upon the “AGR” zone and was located adjacent to active agricultural land, approval of the current review application for Small House development might have adverse impact on the agricultural activities nearby.

133. The Chairperson concluded that Members generally agreed with the decision of RNTPC, and that the review application should be rejected.

134. After deliberation, the Board decided to reject the application for the following reasons:

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

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

Agenda Item 5

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/NE-LT/757

Temporary Private Vehicle Park (Private Cars Only) for a Period of 3 Years and Filling of land in “Agriculture” Zone and area shown as ‘Road’, Lots 1055 S.B ss.5 RP and 1055 S.B ss.4 in D.D. 8, San Tong, Lam Tsuen, Tai Po

(TPB Paper No. 10923)

[The item was conducted in Cantonese.]

Presentation and Question Sessions

135. The following representative of the Planning Department (PlanD) and the applicants’ representatives were invited to the meeting at this point:

PlanD

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

Applicants’ representatives

Mr Lee Ting Yau

Mr Lee Ting Wan

136. The Chairperson extended a welcome and explained the procedures of the review hearing. She then invited PlanD’s representative to brief Members on the review application.

137. With the aid of a PowerPoint presentation, Ms Margaret H.Y. Chan, DPO/STN, PlanD, briefed Members on the background of the review application including the application site (the Site) and the surrounding areas, the applicants’ proposal and justifications, 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 the planning considerations and assessments as detailed in TPB Paper No. 10923 (the Paper). PlanD maintained its previous view of not supporting the application.

138. The Chairperson then invited the applicants' representatives to elaborate on the review application.

139. With the aid of a visualiser, Mr Lee Ting Yau, the applicants' representative, made the following main points:

- (a) concerning paragraph 7.4 of the Paper on Small House application, the Site was the subject of a Small House application submitted on 9.4.2010, which was subsequently rejected by the Lands Department in view of the close proximity of the Site to an existing road;
- (b) most of the agricultural land in Lam Tsuen was currently abandoned and covered with trees and weeds. The remaining agricultural land was mainly used for growing Lunar New Year flowers which were more resistance to pest insects or for leisure farming only; and
- (c) it was doubtful if the applied use would really cause adverse impact on the water quality in the area.

140. As the presentations of PlanD's representative and the applicants' representative had been completed, the Chairperson invited questions from Members.

141. A Member enquired whether surface runoff collected within the water gathering grounds (WGG) was stored in reservoir or discharged to Lam Tsuen River, given that mitigation measure such as the provision of grease trap and petrol interceptor could be adopted for treating water before discharging to Lam Tsuen River while the water stored in reservoir was pollution sensitive in nature. In response, Ms Margaret H.Y. Chan, DPO/STN, PlanD, said that the Site was located within upper indirect WGG. While no information was available on whether the rainwater collected was stored in reservoir or discharged to Lam Tsuen River, having reviewed the applicants' submission, the Water Supplies Department considered that there was insufficient information to demonstrate that there would be no material increase in pollution effect to the WGG resulting from the applied use, and therefore had reservation on the review application.

142. As regards the presentation of the applicants' representative at the meeting, Ms

Margaret H.Y. Chan, DPO/STN, PlanD clarified that the approved applications as mentioned in paragraph 7.4 of the Paper were related to vehicle park use within “Village Type Development” (“V”) zone in Lam Tsuen rather than for Small House development. The paragraph listed out the considerations on approving such applications, including no Small House application record received by the Lands Department on the application sites, among others.

143. Noting from Plans R-3 and R-4 of the Paper that the Site was currently hard paved with concrete, a Member asked the applicants’ representatives if hard paving the Site was the only way to solve the weed problem. Mr Lee Ting Yau, the applicants’ representative, replied in the negative and pointed out that the Site was not suitable for farming activities and currently left idle. The applied use would better utilise the vacant land and meet the parking demand of the villagers. Since land filling was illegal, the Site had already been reinstated. The Secretary supplemented that part of the Site was the subject of two planning enforcement cases against unauthorised developments (UDs) involving parking of vehicles and/or storage use, and Reinstatement Notice was issued to the land owners. In that regard, Mr Lee Ting Yau, the applicants’ representative, said that a fine penalty had been imposed by the court for the concerned illegal land filling.

144. Mr Lee Ting Yau, the applicants’ representative, enquired whether the Board would impose conditions on submission and implementation of the proposal on grease trap and petrol interceptor, drainage proposal and fire service installations proposal as recommended in the Paper should the review application be approved. The Chairperson said that in view of the location of the Site which was within the WGG, the Board would likely impose the above conditions should the application be approved. In response to further enquiries raised by Mr Lee Ting Yau, the applicants’ representative, on the impact of water quality caused by large private vehicle parks in other villages within Lam Tsuen and illegal parking issue, the Chairperson said that each application for private vehicle park would be considered on individual basis and circumstances. If the areas concerned fell with the WGG, it was quite sure that relevant approval conditions should have been imposed on the planning approval, if any, and the approval conditions should be complied with before the commencement of the vehicle park use. Enforcement and prosecution actions would be taken by the Planning Authority against any UD as appropriate, similar to the applicants’ illegal land filling case.

145. As Members had no further question to raise, the Chairperson said that the hearing procedure for the review application had been completed. The Board would further deliberate

on the review application in the absence of the applicants' representatives and would inform the applicants of the Board's decision in due course. The Chairperson thanked PlanD's representative and the applicants' representatives for attending the meeting. They left the meeting at this point.

[Ms Sandy H.Y. Wong left the meeting during the question and answer session.]

Deliberation Session

146. The Chairperson invited views from Members. A Member said and other Members concurred that even though the applicants were of the view that the temporary private vehicle park with only nine parking spaces at the Site would not cause adverse impact on the water quality in the area, the application should still comply with the relevant requirements of the WGG. The Chairperson concluded that Members generally agreed with the decision of RNTPC, and that the review application should be rejected.

147. After deliberation, the Board decided to reject the application for the following reasons:

- “(a) the 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 and to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis; and
- (b) the applicants fail to demonstrate that the development located within the water gathering grounds would not cause adverse impact on the water quality in the area.”

Tuen Mun and Yuen Long West District

Agenda Item 8

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/YL-TT/578

Temporary Warehouse for Storage of Construction Equipment for a Period of 3 Years in “Village Type Development” Zone, Lot 936 in D.D. 118, No. 66 Nam Hang Tsuen, Yuen Long (TPB Paper No. 10926)

[The item was conducted in Cantonese.]

Presentation and Question Sessions

148. The Secretary suggested and Members agreed that Agenda Item 8 would be considered first as the applicant’s representatives had been waiting for quite a long time.

149. The following representatives of the Planning Department (PlanD) and the applicant’s representatives were invited to the meeting at this point:

PlanD

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| Mr Raymond H.F. Au | - District Planning Officer/Tuen Mun and Yuen Long West |
| Ms L.C. Cheung | - Senior Town Planner/Tuen Mun and Yuen Long West (STP/TMYLW) |

Applicant’s representatives

- | | |
|-------------------|------------------------------------|
| Mr Poon Wai Sun | |
| Mr Or Hon Chow | |
| Mr Yung Pak Yeung | - Conrad Tang & Associates Limited |

150. The Chairperson extended a welcome and explained the procedures of the review hearing. She then invited PlanD’s representatives to brief Members on the review application.

151. With the aid of a PowerPoint presentation, Ms L.C. Cheung, STP/TMYLW, PlanD,

briefed Members on the background of the review application including the application site (the Site) and the surrounding areas, the applicant's proposal and justifications, 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 the planning considerations and assessments as detailed in TPB Paper No. 10926. PlanD maintained its previous view of not supporting the application.

[Mr Paul Y.K. Au left the meeting during PlanD's presentation.]

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

153. With the aid of a visualiser, Messrs Yung Pak Yeung and Or Hon Chow, the applicant's representatives, made the following main points:

- (a) the Site would not be used for Small House development as the applicant was not an indigenous villager. The approval for the applied use on a temporary basis for a period of three years would make the best use of the land resources and would not jeopardise the long-term planning intention of the "Village Type Development" ("V") zone;
- (b) the Site was located at the north-eastern fringe of Nam Hang Tsuen. To the immediate east of the Site was an area zoned "Other Specified Uses" annotated "Rural Use" ("OU(RU)"), where temporary structures and vehicle parks could be found. The applied use was not incompatible with those uses within the said "OU(RU)" zone;
- (c) the warehouse structures at the Site were enclosed and there were existing trees serving a buffer between the Site and the adjacent village houses. As there were no open storage and workshop within the Site, the applied use did not cause adverse environmental impacts on the surrounding area. The applied use also did not cause adverse traffic and visual impacts as it had been operated at the Site for a long time and no complaint caused by the warehouse use had been received since its operation;

- (d) Application No. A/YL-TYST/1123 for temporary warehouse use at a site in Tong Yan San Tsuen, which was subject to previous approvals and in close proximity to village houses, was tolerated and approved by the Board in 2021. The current application shared similar characteristics and should warrant the same planning considerations;
- (e) not many sites with vehicular access were available for warehouse use within the “V” zone. Since there was only one similar application (No. A/YL-TT/145) which was rejected by the Board in 2003, it was not anticipated that approval of the current application would set an undesirable precedent for similar applications in future;
- (f) the Site had also been used as a warehouse by the previous land owner. The temporary warehouse was for the storage of small construction equipment and parts only. The vehicular trip generation and loading/unloading as a result of the warehouse operation was minimal; and
- (g) it was hoped that sympathetic consideration could be given by the Board in respect of the current application, given that the employees would be retired in a few years and the warehouse at the Site would cease operation by that time. Otherwise, the applicant had no choice but to dismiss the employees.

154. As the presentations of PlanD’s representative and the applicant’s representatives had been completed, the Chairperson invited questions from Members.

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

Deliberation Session

156. The Chairperson invited views from Members. Members generally agreed with the

decision of RNTPC, and that the review application should be rejected. A Member considered that the temporary warehouse at the Site had been an unauthorised use without prior planning permission for more than 10 years and the application should be rejected. He was concerned about the adverse drainage impact that might be caused by unauthorised developments in the New Territories on the surroundings. Another Member concurred and considered that sympathetic consideration should not be given to the review application.

157. After deliberation, the Board decided to reject the application for the following reasons:

- “(a) the applied use is not in line with the planning intention of the “Village Type Development” zone, which is primarily for development of Small Houses by indigenous villagers. No strong planning justifications have been given in the submission for a departure from the planning intention, even on a temporary basis; and
- (b) the applied use is not compatible with the surrounding residential character.”

Sha Tin, Tai Po and North District

Agenda Item 7

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/NE-KLH/615

Temporary Warehouse for a Period of 3 Years in “Green Belt” Zone, Lot 477 RP in D.D. 9, Nam Wa Po, Tai Po

(TPB Paper No. 10925)

[The item was conducted in Cantonese.]

Presentation and Question Sessions

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

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

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

160. With the aid of a PowerPoint presentation, Ms Margaret H.Y. Chan, DPO/STN, PlanD, briefed Members on the background of the review application including the application site and the surrounding areas, the applicant's proposal and justifications, 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 the planning considerations and assessments as detailed in TPB Paper No. 10925. PlanD maintained its previous view of not supporting the application.

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

162. As Members had no 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

163. Noting that the applicant had not provided additional justifications or information in support of the review application, Members generally agreed that there was no reason to deviate from RNTPC's decision and the review application should be rejected.

164. After deliberation, the Board decided to reject the application for the following reasons:

- “(a) the applied use is not in line with the planning intention of “Green Belt” (“GB”) zone, which is primarily for defining the limits of urban and sub-

urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification provided in the submission to justify a departure from the planning intention; and

- (b) the development does not comply with the Town Planning Board Guidelines No. 10 (TPB-PG No. 10) for ‘Application for Development within “GB” zone under Section 16 of the Town Planning Ordinance’ in that there is insufficient information in the submission to demonstrate that the development has complied with the development controls and restrictions of areas designated as water gathering grounds.”

Sai Kung and Islands District

Agenda Item 9

[Open Meeting]

Request for Deferment of Review of Application No. A/SK-CWBN/71

Proposed Temporary Organic Farmland and Education Centre for a Period of 3 Years in “Conservation Area” Zone, Various Lots in D.D. 227 and Adjoining Government Land, Pak Shui Wun, Sai Kung

(TPB Paper No. 10927)

[The item was conducted in Cantonese.]

165. After deliberation, the Committee decided to defer a decision, being the first deferment, on the application for two months as requested by the applicant pending the submission of further information, as recommended in the Paper.

Agenda Item 10

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

Any Other Business

166. There being no other business, the meeting was closed at 7:15 p.m.