

**Minutes of 1311th Meeting of the
Town Planning Board held on 19.1.2024**

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

Mr Daniel K.S. Lau

Ms Lilian S.K. Law

Mr K.W. Leung

Professor John C.Y. Ng

Professor Jonathan W.C. Wong

Dr Venue Y.H. Lun

Mr Vincent K.Y. Ho

Mr Ben S.S. Lui

Mr Timothy K.W. Ma

Professor Bernadette W.S. Tsui

Chief Traffic Engineer (Hong Kong)
Transport Department
Mr Horace W. Hong

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

Ms Sandy H.Y. Wong

Mr Franklin Yu

Mr Stanley T.S. Choi

Mr Ricky W.Y. Yu

Professor Roger C.K. Chan

Dr Conrad T.C. Wong

Mrs Vivian K.F. Cheung

Mr K.L. Wong

In Attendance

Assistant Director of Planning/Board

Ms Caroline T.Y. Tang

Chief Town Planner/Town Planning Board

Ms W.H. Ho

Senior Town Planner/Town Planning Board

Mr L.K. Wong

Agenda Item 1

[Open Meeting]

Confirmation of Minutes of the 1310th Meeting held on 5.1.2024

[The item was conducted in Cantonese.]

1. The draft minutes of the 1310th meeting held on 5.1.2024 were confirmed without amendment.

Agenda Item 2

[Open Meeting]

Matters Arising

[The item was conducted in Cantonese.]

- (i) Hearing Arrangement for Consideration of Representations on Draft Outline Zoning Plan

2. The Secretary reported that the item was to seek Members' agreement on the hearing arrangement for consideration of representations in respect of the draft Kwun Tong (South) Outline Zoning Plan (OZP) No. S/K14S/25 (the draft OZP).

3. The Secretary reported that one of the amendment items of the draft OZP involved rezoning a site to the west of Lai Yip Street which was supported by the Technical Study on the Lai Yip Street Site in Kowloon East (the Study) commissioned by the Energizing Kowloon East Office (EKEO) of the Development Bureau (DEVB). Ho & Partners Architects Engineers & Development Consultants Limited (HPA) was one of the consultants of the Study. The Chairperson and the following Member had declared interests on the item:

Ms Doris P.L. Ho - the Works Branch of her policy bureau
(as Permanent Secretary for commissioned the Study; and
Development (Planning
Lands))

Dr Conrad T.C. Wong - having past business dealings with HPA.

4. As the item for seeking the Town Planning Board (the Board)'s agreement on the hearing arrangement for the draft OZP was procedural in nature, Ms Doris P.L. Ho who had declared interest could continue the chairmanship of the item. Members also noted that Dr Conrad T.C. Wong had tendered an apology for being unable to attend the meeting.

5. The Secretary introduced that on 20.10.2023, the draft OZP, involving mainly rezoning a site to the west of Lai Yip Street from "Government, Institution or Community (1)", "Open Space" and areas shown as 'Road' to "Commercial (1)" for commercial development, and some minor or technical amendments, including incorporating the area covered by the approved Urban Renewal Authority (URA) Kwun Tong Town Centre - Yuet Wa Street Site into the OZP and zoning the area mainly as "Residential (Group B)1", was exhibited under section 5 of the Town Planning Ordinance (the Ordinance). During the two-month exhibition period, two valid representations were received.

6. The Secretary reported that in view of the similar nature of the representations, the hearing of the two representations was recommended to be considered by the full Board collectively in one group. To ensure efficiency of the hearing, a maximum of 10 minutes presentation time would be allotted to each representer in the hearing session. Consideration of the representations by the full Board of the draft OZP was tentatively scheduled for March 2024.

7. After deliberation, the Board agreed to the hearing arrangement in paragraph 6 above.

(ii) Town Planning Appeal Decision Received

Town Planning Appeal No. 8 of 2019

Proposed House (New Territories Exempted House (NTEH) - Small House) and Minor Relaxation of Gross Floor Area Restrictions in “Comprehensive Development Area” (“CDA”) Zone, Lots 1109 S.A ss.1 and 1124 S.A in D.D. 218, Che Ha Village, Shap Sz Heung, Sai Kung North

(Application No. A/NE-SSH/127)

Town Planning Appeal No. 9 of 2019

Proposed House (NTEH - Small House) and Minor Relaxation of Gross Floor Area Restrictions in “CDA” and “Village Type Development” (“V”) Zones, Lots 1109 S.A RP and 1124 RP in D.D. 218, Che Ha Village, Shap Sz Heung, Sai Kung North

(Application No. A/NE-SSH/128)

8. The Secretary reported that the subject appeals were against the Town Planning Board (the Board/TPB)’s decision to reject on review two applications (No. A/NE-SSH/127 and 128) for proposed house (NTEH – Small House) at each of the application sites (the Sites). The site of Application No. A/NE-SSH/127 fell entirely within the “CDA” zone, while that of application No. A/NE-SSH/128 fell mainly within the “CDA” zone and partly within the “V” zone on the Shap Sz Heung Outline Zoning Plan (the OZP).

9. The appeals were heard together by the Town Planning Appeal Board (TPAB) on 14.12.2021, 8, 9, 15, 16 and 22.8.2022, and 29.9.2022. On 6.12.2023, the appeals were dismissed by a 3:2 majority of the TPAB and the reasons were summarised below:

- (a) TPAB unanimously reached a conclusion that there was no general shortage of land to meet the demand for Small House development in Che Ha as the land available within the “V” zone for Small House development could fully meet the outstanding Small House applications and the 10-year Small House demand forecast, and the appellants’ claim that the demand from other villages of the Heung should also be taken into account was not accepted by TPAB;

- (b) TPAB did not accept the grounds of the appellants that the rejection reason to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services was unreasonable; and
- (c) the appellants’ allegation that TPB failed to sufficiently consider the sympathetic considerations applicable to the appeal cases was not accepted by TPAB. While two members of TPAB considered that they could find no justification to depart from TPB’s previous decisions made in 2015 to approve the review applications for proposed houses (NTEH – Small Houses) at the Sites, majority members of TPAB considered that since there was no general shortage of land in Che Ha, there was insufficient justification for granting planning permission for the development of Small Houses at the Sites.

10. Members noted the decision of the TPAB.

[The Vice-chairperson and Mr Stephen L.H. Liu joined the meeting at this point.]

(iii) Appeal Statistics

11. The Secretary reported that as at 15.1.2024, five cases were yet to be heard by the Town Planning Appeal Board and the decisions of two cases were outstanding.

12. Details of the appeal statistics were as follows :

Allowed	44
Dismissed	175
Abandoned/Withdrawn/Invalid	213
Yet to be Heard	5
Decision Outstanding	2
<hr/> Total	439

Hong Kong District

Agenda Item 3

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Representations and Comments in respect of the Draft Shau Kei Wan Outline Zoning Plan No. S/H9/19

(TPB Paper No. 10950)

[The item was conducted in Cantonese and English.]

13. The Secretary reported that the amendment items on the draft Shau Kei Wan Outline Zoning Plan No. S/H9/19 (the OZP) mainly involved the rezoning for two public housing developments (PHDs) undertaken by the Hong Kong Housing Authority (HKHA) and the Hong Kong Housing Society (HKHS) respectively, wholesale conversion of a clinic building for hospital use proposed by the Hong Kong Sanatorium & Hospital Medical Group Limited (HKSH), and a redevelopment undertaken by the Salvation Army. The HKHA's PHD proposal was supported by an Engineering Feasibility Study (EFS) conducted by the Civil Engineering and Development Department (CEDD) and the Salvation Army's redevelopment proposal was supported by technical assessments conducted by Ove Arup & Partners Hong Kong Limited (ARUP). The following Members had declared interests on the item:

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

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

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

- Mr Franklin Yu - being a member of the Building Committee and Tender Committee of HKHA and his firm having current business dealings with ARUP;
- Mr Timothy K.W. Ma - being a member of the Supervisory Board of HKHS;
- Mr Daniel K.S. Lau] being a member of HKHS;
Ms Lilian S.K. Law]
- Mr K.L. Wong - being a member and an ex-employee of HKHS;
- Dr Conrad T.C. Wong - having current business dealings with HKHA, HKHS and HKSH; 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 adviser to CEDD on the development of New Territories North.

14. Members noted that Dr Conrad T.C. Wong and Messrs Franklin Yu and K.L. Wong had tendered apologies for being unable to attend the meeting; and Mr Timothy K.W. Ma had not joined the meeting yet. The interests of Messrs Ivan M.K. Chung, Andrew C.W. Lai and Paul Y.K. Au were direct and they were invited to leave the meeting temporarily for the item. As Dr C.H. Hau, Mr Daniel K.S. Lau and Ms Lilian S.K. Law had no involvement in the amendment items of the OZP, Members agreed that they could stay in the meeting.

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

Presentation and Question Sessions

15. 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, the rest had made no reply. As reasonable notice had been given to the representers and commenters, Members agreed to proceed with the hearing of the representations and comments in their absence.

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

Government Representatives

Planning Department (PlanD)

Ms Janet K.K. Cheung	-	District Planning Officer/Hong Kong (DPO/HK)
Mr Elton H.T. Chung	-	Senior Town Planner/Hong Kong (STP/HK)
Ms Gloria Y.L. Sze	-	Town Planner/Hong Kong

Housing Department (HD)

Ms Emily W.M. Ip	-	Senior Planning Officer (SPO)
Mrs S.M. Wong	-	Architect
Mr Kyle K.Y. Chan	-	Civil Engineer
Ms Ada W.Y. Tam	-	Planning Officer

CEDD

Mr Jason W.K. Hung	-	Chief Engineer/Special Duties (Works) (CE/SD(W))
Mr Benedict W.K. Yau	-	Senior Engineer, Civil Engineering Office (CEO)
Mr Samuel C.W. Yau	-	Engineer, CEO
Mr Tony W.K. Lin	-	Senior Engineer, South Development Office (SE/SDO)
Ms Maggie H.H. Wong	-	Engineer, SDO

CEDD's Consultants

Ms Sally Yeung]	
Mr Vicco Chan]	
Mr Ronald Lee]	WSP (Asia) Limited
Mr Paul Lau]	
Mr Nate Lee]	

Representers, Commenters and their Representatives

R1 – HKHS

HKHS

Mr Markus Li Chi Cheong]	
Mr Alex Hui Wai Man]	Representer's Representatives
Mr Leo Chung Wing Hong]	

Townland Consultants Limited (TCL)

Representer's Representatives

Ms Wong Delius Hoi Ki]

Ms Leung Wing Lam]

Wong Tung & Partners

Representer's Representatives

Mr Cho Tai Wong]

Ms Hon Yung Helen Lau]

R2 – The Salvation Army

Mr Ng Pak Kin - Representer's Representative

R3 – Chan Woon Man

Mr Chan Woon Man - Representer

Mr Hui Wah Kui - Representer's Representative

R4 – Mary Mulvihill

Ms Mary Mulvihill - Representer

C1 – HKSH

HKSH

Mr Woon Tong Joseph Chan] Commenter's Representatives

Mr Sai Kong Simon Tang]

TCL

Ms Wong Delius Hoi Ki] Commenter's Representatives

Ms Leung Wing Lam]

MVA Hong Kong Limited

Mr Alan Wai Lun Pun - Commenter's Representative

C4 – Wong Chi Yan Dick

Mr Wong Chi Yan Dick - Commenter

Mr Chan Yau Hing] Commenter's Representatives

Mr Lai Cham Yuen]

LCH Planning & Development Consultants Limited

Mr Joseph Junior Ho] Commenter's Representatives

Ms Hui Sin Tung Emily]

C6 – Lo Hon Bo

Mr Lo Hon Bo - Commenter

17. 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, and the representers, commenters and their representatives would be invited to leave the meeting. The Town Planning Board (the Board) would then deliberate on the representations and comments in their absence and inform the representers and commenters of the Board's decision in due course.

18. The Chairperson invited PlanD's representatives to brief Members on the representations and comments. With the aid of a PowerPoint presentation, Mr Elton H.T. Chung, STP/HK, PlanD briefed Members on the representations and comments, including the background of the OZP, the grounds/views of the representers and commenters and PlanD's views on the representations and comments as detailed in TPB Paper No. 10950 (the Paper). The amendments mainly included (i) Item A1 – rezoning of a site at A Kung Ngam Village (AKNV) to “Residential (Group A)6” (“R(A)6”) with stipulation of building height restriction (BHR) of 110 metres above Principal Datum (mPD) for HKHA's PHD; (ii) Item A2 – rezoning of a site at A Kung Ngam Village Lane to an area shown as ‘Road’ for provision of access to

the HKHA's PHD; (iii) Item A3 – rezoning of a site occupied by Yuk Wong Po Din Temple (玉皇寶殿) to “Government, Institution or Community” (“G/IC”); (iv) Item B – rezoning of a site to the north of Ming Wah Dai Ha (MWDH) to “R(A)5” with stipulation of BHR of 100mPD for HKHS's PHD; (v) Item C – rezoning of a site at 5 A Kung Ngam Village Road to “Other Specified Uses” annotated “Business(1)” with the stipulation of BHR of 80mPD for HKSH's hospital proposal; (vi) Item D – rezoning of a site at 456 Shau Kei Wan Road to “G/IC(1)” with the stipulation of BHR of 11 storeys for Salvation Army's redevelopment; and (vii) amendments to the Notes of the OZP, including the incorporation of a plot ratio (PR)/gross floor area (GFA) exemption clause for the provision of Government, institution or community (GIC) facilities as required by the Government in the “R(A)5” and “R(A)6” zones; and a PR exemption clause for the provision of public vehicle parks in the “R(A)5” zone.

[Mr Vincent K.Y. Ho joined the meeting during PlanD's presentation.]

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

R1 – HKHS

20. With the aid of a PowerPoint presentation, Ms Wong Delius Hoi Ki and Mr Cho Tai Wong, R1's representatives, made the following main points:

- (a) site conditions – before rezoning the site under Item B to “R(A)5”, the site had been zoned mainly “Open Space” (“O”) since the late 1980s but the Government had no plan to implement the open space. At present, except for a long flight of stairs in the northern part of the site providing the only connection between Basel Road and A Kung Ngam Road, the site was occupied by haphazard/unauthorised uses with dilapidated conditions. In light of this, HKHS submitted a section 12A application proposing rezoning of the site to “R(A)5” for PHD, which was subsequently approved by the Board and incorporated into the OZP;
- (b) the HKHS's PHD would better utilise the valuable land resources at the site to provide 646 housing units and help shorten the waiting time for public

housing;

- (c) with a PR of 6.73 and a maximum building height (BH) of 100mPD, the proposed PHD would be compatible with the high-density buildings in Shau Kei Wan, such as the adjacent MWDH and those along Shau Kei Wan Main Street East;
- (d) the HKHS's PHD would also provide social welfare facilities, including a child care centre and a boys' hostel, and retail facilities and eating places to cater for the needs of the local community;
- (e) the proposed PHD would enhance pedestrian connectivity of the area. A new staircase and landscaped barrier-free access, including shuttle lifts and ramps, would be provided in the northern and southern parts of the site to facilitate access within the neighbourhood;
- (f) a setback along Shan Pin Terrace and a landscape garden at Miu Tung Street would help foster a vibrant streetscape and encourage social interaction;
- (g) the proposed public vehicle park providing 25 car parking spaces at the site would help meet the local parking demand and address the illegal parking problem; and
- (h) there would be no insurmountable technical impact on the surrounding areas in terms of traffic, environment, infrastructural, visual, landscape, air ventilation and geotechnical aspects. To facilitate air ventilation, the residential tower would be elevated on the northern side to create a larger space between the residential portion atop and the podium.

R3 – Chan Woon Man

21. Mr Chan Woon Man and his representative, Mr Hui Wah Kui, made the following main points:

- (a) R3 was the land owner of AKNL 27 S.A which was originally occupied by a 2-storey building but was demolished by the Lands Department (LandsD) by mistake in 1991. After the demolition, R3 submitted three planning applications with a view to redeveloping his land, but all applications were rejected by the Board mainly for incompatibility with the “O” zoning of the lot. However, the planned open space had never been implemented. At present, the Government planned to resume the lot for road works under Item A2. Noting that LandsD admitted nothing about its mistake in 1991, the compensation to be offered by the Government for the resumption of his vacant lot would be less than the amount estimated by his surveyor; and
- (b) AKNL 27 S.A should be excluded from the land resumption area, or a land exchange should be arranged with R3 such that he could undertake development at an appropriate location.

C4 – Wong Chi Yan Dick

22. With the aid of a PowerPoint presentation, Mr Wong Chi Yan Dick and his representative, Mr Joseph Junior Ho, made the following main points:

- (a) there were many tangible and intangible cultural heritage resources in Shau Kei Wan, such as Yuk Wong Po Din Temple, Tam Kung Temple, the old quarry and the stone house adjoining the HKHA’s PHD site covered by Item A1. The Board was requested to consider C4’s proposals to pay homage to the said cultural heritage which would not adversely affect the implementation of HKHA’s PHD;
- (b) a Pai Fong was proposed at A Kung Ngam Village Road to signify the entrance of the affected AKNV. With a height of about 10m only, the proposed Pai Fong would not generate any adverse visual impact. Instead, it would enrich the visual quality of the area;
- (c) a multifunctional centre was suggested on the northern boundary of the HKHA’s site to provide activity, exhibition and gathering spaces for the

villagers and preserve the cultural value and collective memories of AKNV. Given the small size and peripheral location of the proposed site, the provision would not adversely affect the PHD;

- (d) special design features could be incorporated into various parts of the HKHA's PHD, such as children's play areas, to reflect the character of A Kung Ngam and the history of the old quarry; and
- (e) the Wong's family had settled at A Kung Ngam since 1894 and worked in the quarrying industry. For villagers not from the Wong's family, they had settled there for 60 to 70 years. While the Government's proposal to resume land for HKHA's PHD was welcomed, the resumption would affect about 15 village households and 55 squatter households. The land occupied by the village households was about 10,700 square feet with a total floor area of about 22,000 square feet. For land resumption, the Government was requested to provide the affected village households with another piece of land of about a few thousand square feet, say within the HKHA site, by means of village resite for villagers to re-build their houses or build some low-rise residential buildings. Reference could be made to the previous cases in Sai Kung, Tseung Kwan O and Ngau Chi Wan.

C6 – Lo Hon Bo

23. Mr Lo Hon Bo said that AKNV had an association called Ah Kung Ngam Village Tam Kung Association (亞公岩村譚公會) (the Association) registered under the Societies Ordinance since 2014. The Government was requested to provide a small piece of land for the Association to continue its operation.

24. Mr Wong Chi Yan Dick, C4, supplemented that the Association would organise activities for Yu Lan Festival (盂蘭節) and Tam Kung Festival (譚公誕). The descendants of the community would come back to AKNV to celebrate. After land resumption for the HKHA's PHD, it would be difficult for the villagers to meet and organise activities. The Government was requested to provide land for the continued operation of the Association.

R4 – Mary Mulvihill

25. Ms Mary Mulvihill made the following main points:

- (a) the climate change was not taken into account in the development proposals put forward under the OZP. The proposals were objected;

HKHA's PHD

- (b) for HKHA's PHD, no effort had been made to redevelop the nearby aging industrial buildings for housing provision. Instead, HKHA would carry out extensive slope cutting and fell some 500 trees which would cause disruption to the natural habitat. Given the lesson learnt from the landslide at the cut slope of Yiu Tung Estate, the proposed slope cutting might cause hazard to the future residents. The Preliminary Natural Terrain Hazard Study and the Preliminary Geotechnical Appraisals undertaken for the proposed PHD were not convincing;
- (c) the compensatory planting for PHD was not tenable as the planting might be distant from the development site, bringing no benefit to the affected community;
- (d) the proposals made by C4 to preserve cultural heritage, such as provision of Pai Fong, were supported. The elimination of the cultural heritage and activities of AKNV by HKHA's PHD would thwart the Government's own efforts to promote cultural activities and tourism, including preservation of cultural attractions for tourists. It was not in the best interest of Hong Kong;
- (e) the demand for public housing was not well justified. HKHA's recent effort to take back public housing units from tenants with private properties should have reduced the need for additional PHD. If the Urban Renewal Authority (URA) ceased to undertake urban renewal projects for private housing, less residents in old districts would need to be rehoused and thus the need for PHD

would be further reduced. In fact, it was questionable whether those URA projects were still needed as the vacancy of private housing units was high;

HKHS's PHD

- (f) similarly, HKHS's PHD was objected for its adverse impacts on hillslopes and felling of trees;
- (g) the proposed terraces would not be friendly to pedestrians or safe for children. The improvements that would be brought by the proposed development, including enhancement of pedestrian accessibility, street level vibrancy and air ventilation, were questionable. There were insufficient design merits to justify the PHD;
- (h) there was no reason to provide a public vehicle park in PHD to resolve the illegal on-street parking problem which should be dealt with by the Police;

HKSH's Hospital

- (i) there was already an oversupply of private hospitals. The general public, including the less well-off people in the area, would not be able to afford the fees of the HKSH's hospital;
- (j) even if it was decided to build more private hospitals, they should be proposed in the New Territories because most of the population were living there and the population would further grow after the implementation of the Northern Metropolis development;

Others

- (k) for new developments like those proposed under Items A1 and B, the long-term planning standard for open space recommended by Hong Kong 2030+ Study should be adopted for the provision of local open space and district open space. If so, the open space provision in Shau Kei Wan would be in

deficit;

- (l) the provision of many GIC facilities was also inadequate. The shortfall was undesirable, especially when the Government was encouraging people to have more children; and
- (m) regarding the provision for GFA exemption for GIC facilities as required by the Government in the “R(A)5” and “R(A)6” zones under the Notes of the OZP, a cap for such GFA exemption should be stipulated in the OZP. GFA for the public vehicle park in the “R(A)5” zone should not be exempted as HKHS had no responsibility to provide such facilities. Generally, floor area in the PHD should be used for the welfare of the future residents.

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

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

HKHA’s PHD under Item A1

Overall Planning

27. Some Members raised the following questions:

- (a) noting that HKHA’s PHD would almost encircle Manson Industrial Building in the north resulting in an undesirable industrial/residential interface, whether the Government had explored including the industrial building in the development site;
- (b) the building age of Manson Industrial Building;

- (c) the scope to improve the layout design to address the interface with the nearby industrial buildings, e.g. the separation between Manson Industrial Building and the proposed Block 3A, and the long and narrow strip of sunken space between the proposed Block 2 and the two industrial buildings to the immediate west of the site;
- (d) the reasons for a relatively low PR of 6 and BH of 100mPD proposed for HKHA's PHD site which was at a prime location; and
- (e) while the design for air ventilation between blocks was satisfactory, whether HD would improve the air ventilation at the podium deck and the street level in light of the inadequate separation between the podium deck and the residential towers, and the BH of the podium of some 20m respectively.

28. With the aid of some PowerPoint slides, Ms Janet K.K. Cheung, DPO/HK, PlanD and Ms Emily W.M. Ip, SPO, HD made the following responses:

- (a) Manson Industrial Building was zoned "Other Specified Uses" annotated "Business" on the OZP with the planning intention for general business uses. While it was mainly used for office and storage purposes, the other industrial buildings in the vicinity had been changed to business uses. According to the EFS, Manson Industrial Building would not cause unacceptable environmental impacts on the PHD. There was no proposal to incorporate Manson Industrial Building into the PHD;
- (b) the building age of Manson Industrial Building was about 48 years;
- (c) the indicative layout and configuration of the building blocks were designed to address environmental constraints arising from the nearby industrial buildings and the Island Eastern Corridor. HD would further work on the layout design to address the interface with the surrounding industrial buildings at the detailed design stage;

- (d) to avoid obstruction of the view from Lei Yu Mun Park Lookout Point (98mPD), a lower BH of 80mPD was proposed for Block 2. Based on a stepped-height design concept, the BH of other blocks was proposed to be not more than 110mPD which was comparable to those in the “Residential (Group A)” (“R(A)”) zone of Shau Kei Wan (about 100mPD to 120mPD). Given the proposed BHs and the need to provide greening and open spaces, a lower PR of 6 was proposed for the PHD; and
- (e) the podium deck would not be enclosed and the scope to enhance the openness of the car park floors to facilitate air ventilation would be explored at the detailed design stage. HD would also conduct quantitative air ventilation assessment and study the micro-climate at that stage with a view to enhancing air ventilation of the proposed development and the surrounding area.

Greening

29. Some Members raised the following questions:

- (a) the reasons for proposing only hydroseeding on the extensive slopes in the southern part of the site, given that tree planting would provide a better greening effect;
- (b) whether CEDD had explored the option to form terraces on the slopes for tree planting, similar to the approach adopted by the Kadoorie Farm and Botanic Garden and some private developments;
- (c) as an alternative option to forming terraces for tree planting on the whole slopes, whether CEDD would consider creating such terraces only at selected slope areas, such as on the gentle slopes close to the proposed public housing blocks; and
- (d) whether farming areas would be provided in the PHD, in light of the government policy to promote urban farming.

30. In response, Mr Tony W.K. Lin, SE/SDO, CEDD and Ms Emily W.M. Ip, SPO, HD made the following main points:

- (a) some slopes with a gradient more than 50 degrees would be created, which would be difficult for tree planting. Therefore, hydroseeding was proposed as the landscape treatment for the slopes;
- (b) while terrace planting was technically feasible, it would be costly and require a longer construction period due to the rocky slopes. A balanced consideration taking into account the technical feasibility and maintenance cost was needed;
- (c) for the site formation, more greening options, including tree planting on terraces at slope areas, would be explored at the detailed design stage; and
- (d) if terrace planting was proceeded after consideration of its cost-effectiveness, the project team would explore the feasibility of providing farming areas on the slopes and the safe public access thereto.

Affected Villagers and Their Cultural Activities

31. Some Members raised the following questions:

- (a) the extent of AKNV, location of the affected houses and numbers of affected households and villagers;
- (b) relationship between Yu Wong Po Din Temple and ANKV;
- (c) cultural activities organised by the villagers and their venues;
- (d) whether the EFS for the PHD had included any study on the cultural and heritage matters, particularly the intangible heritage, and if affirmative, the conclusion and recommendations; and

- (e) whether HD would further explore ways to incorporate cultural heritage elements in the planning and design of the PHD.

32. In response, Messrs Lo Hon Bo (C6), Wong Chi Yan Dick (C4) and Joseph Junior Ho (C4's representative) made the following main points:

- (a) AKNV covered an area bounded by A Kung Ngam Village Lane in the north, Centro-Sound Industrial Building and Elegance Printing Centre in the west, hillslopes in the south and the Island Eastern Corridor in the east. AKNV had about 15 village households in private lots and 55 squatter households, with a total of around 200 residents;
- (b) Yu Wong Po Din Temple was built at least 60 years ago and had been part of the daily life of the villagers for a long time. The Temple had been managed by residents of A Kung Ngam before being transferred to the Chinese Temples Committee for management; and
- (c) the Association organised celebration activities for Tam Kung Festival (譚公誕) every year, including street parade on roads in Shau Kei Wan and outside the Tam Kung Temple. The parade would also go to AKNV with gathering at Yu Wong Po Din Temple.

33. Regarding the EFS and further study on the cultural heritage matters, Ms Janet K.K. Cheung, DPO/HK, PlanD, Mr Tony W.K. Lin, SE/SDO, CEDD and Ms Emily W.M. Ip, SPO, HD responded with the following main points:

- (a) the EFS included a heritage review covering the historical value of the quarry and the historic buildings within the site. The review found that buildings within the HKHA's site had either been modified or deteriorated, and thus their historical value was relatively low. As such, removal of those buildings was considered acceptable; and

- (b) HD and CEDD would further explore the scope to incorporate relevant cultural heritage elements into the landscape and detailed design of the PHD. Consideration would also be given to preserving the quarried stone within PHD.

Villagers' Proposals

34. The Vice-chairperson and some Members raised the following questions:
- (a) the current location of the Association;
 - (b) whether C6's request regarding land provision was for the reprovisioning of the Association's office or venues for cultural activities;
 - (c) if land resumption proceeded, where the Association could continue its operation;
 - (d) while HKHA indicated that they would preserve the cultural value of the PHD site, what its current plan was; and
 - (e) HKHA premises' letting criteria and information, and whether HKHA would take a more proactive role in providing premises and activity spaces within the PHD site for the Association.
35. In response, Messrs Lo Hon Bo, Wong Chi Yan Dick and Joseph Junior Ho made the following main points:
- (a) the Association did not have a formal office and Mr Lo Hon Bo's home was used as the registration address of the office;
 - (b) the Association needed a place for villagers to get together and carry out activities; and
 - (c) as the Association did not charge any membership fee, it might not be

affordable to pay rental fee, even if space was available in the future PHD for the Association's operation. If Mr Lo Hon Bo's land was resumed without any reprovisioning of the office, it would be difficult for the Association to continue its operation. Therefore, the Government was requested to grant a piece of land close to the cleared AKNV, which could be a few hundred square feet only, to the Association. Consideration might be given to the piece of land on a small mound currently occupied by a temple adjacent to 3 A Kung Ngam Village Road.

36. Regarding the questions on HKHA's role in cultural heritage preservation, Ms Emily W.M. Ip, SPO, HD made the following main points:

- (a) in considering preservation of the cultural heritage value of AKNV, HD would make reference to the approach adopted for other public housing estates such as On Tai Estate, which paid homage to the previous Anderson Road Quarry by incorporating designs reflecting the landscape and history of the quarry; and
- (b) the project team would convey Members' views to the estate management and invite them to consider taking a proactive role in providing spaces to the affected villagers for organising activities as far as practicable. While local open spaces and ancillary facilities in the PHD would generally be used by the residents therein, there would be commercial properties mainly for retail facilities with appropriate trade mix for letting. HKHA also had welfare services lettings at concessionary rent which might be available to non-governmental organisations (NGO) with policy support if those NGOs provided the necessary documents as required.

Provision of Road under Item A2

37. Some Members raised the following questions:

- (a) whether the matter in relation to the demolition of the previous building on AKNL 27 S.A, i.e. R3's land covered by Item A2, had been settled as stated

in the Paper;

- (b) the background of the three planning applications made by R3 for redevelopment of his land, i.e. AKNL 27 S.A, covered by Item A2; and
- (c) the planning considerations in respect of Item A2 and how the concerned road works related to HKHA's PHD.

38. With the aid of some PowerPoint slides, Ms Janet K.K. Cheung, DPO/HK, PlanD made the following responses:

- (a) the demolition case had already been settled and was not relevant to the consideration of Item A2;
- (b) R3 had submitted three planning applications which were rejected by the Board in 1991, 2005 and 2023 respectively. The first application (No. A/H9/34) was rejected as the proposal would mainly frustrate the future road works. The second one (No. A/H9/61) was rejected as the proposal was not in line with the planning intention of the "O" zone and technically unacceptable for encroachment upon an access road and not meeting the relevant building requirements. The last application (No. A/H9/84) was rejected for encroachment onto the planned road area for access and circulation to HKHA's PHD; and
- (c) the road improvement works for the current substandard A Kung Ngam Village Lane covered by Item A2 would provide access to Block 3 of the PHD in the east. Such access would require resumption of the northern half of AKNL 27 S.A. The improved A Kung Ngam Village Lane would also provide emergency vehicular access to the lower towers of Block 2 in the west which would require resumption of the remaining part of AKNL 27 S.A.

HKHS's PHD under Item B

39. Two Members raised the following questions:

- (a) while the development scheme was satisfactory in terms of air ventilation and place making, whether the existing trees in the south could be retained;
- (b) whether vertical greening could be provided on the blank south-facing wall of the shuttle lift tower at the garden in the south; and
- (c) how the barrier-free access could be provided for the garden in the south.

40. In response, with the aid of some PowerPoint slides, Messrs Markus Li Chi Cheong, and Cho Tai Wong, R1's representatives, made the following main points:

- (a) in order to provide recreational spaces at the garden in the south, terraces would need to be formed and tree felling/transplanting on the slopes would be required. As the roots of those trees were mostly tilted, their survival rate would be low if transplanted. Therefore, they were proposed to be felled;
- (b) given the proximity of the site and the tower blocks of MWDH Phase 3 (about 100mPD), the natural lighting on the south-facing wall of the shuttle lift tower would not be adequate for planting. The survival rate of vertical greening on the wall would not be high and the management would be difficult. That said, HKHS would further study that greening option at the detailed design stage. Alternatively, consideration might be given to the installation of planters on the glass wall on the western side of the shuttle lift tower; and
- (c) the shuttle lift tower in the south would be connected to each floor of the podium via footbridges which would also be linked to the terraces of the adjacent garden.

HKSH's Hospital under Item C

41. In response to a Member's question on the need for private hospital services at the site covered by Item C, Mr Woon Tong Joseph Chan, C1's representative, said that the services provided by HKSH Eastern Medical Centre at the site were for Hong Kong as a whole. The

Centre focused on oncological specialist services for cancer management, providing a range of treatments, e.g. radiotherapy, chemotherapy, etc. There were no obstetrics or general paediatrics services. Since July 2023, the Centre had already worked with the Government to provide proton therapy for five children patients transferred from the Hong Kong Children's Hospital. It was inappropriate to assume that the Centre would only serve patients from the Hong Kong Island.

GFA Exemption Clause in the Notes of the OZP

42. Noting R4's query, the Vice-chairperson raised a question on the rationale for exempting GFA for the provision of public vehicle park at the HKHS's site (i.e. "R(A)5" zone of the OZP), and whether such exemption applied to all other "R(A)" sites.

43. In response, Ms Janet K.K. Cheung, DPO/HK, PlanD said that illegal parking was serious on Shau Kei Wan Main Street East and there was a parking demand in the district. While the GFA exemption clause would help resolve the parking problem, the provision of public housing units would not be compromised.

44. The Secretary supplemented that the Government's policy was to encourage the provision of more public vehicle parking spaces in areas in need of such facility. Should the need be identified by the Transport Department, public vehicle parks might be proposed in PHDs undertaken by HKHA and HKHS. Subject to the findings of the relevant feasibility studies that the parking provision was technically feasible and would not affect the provision of public housing units, PlanD would propose to incorporate a GFA exemption clause for public vehicle park under the concerned zonings in the Notes of the OZPs. Such practice had already been adopted in some "R(A)" zones in other districts.

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

Deliberation Session

46. The Chairperson invited views from Members.

47. Members generally supported the amendments incorporated in the OZP. Some Members had the following observations/suggestions:

HKHA's PHD (Item A1)

- (a) the proposed PR and BH were generally acceptable;
- (b) the residential towers above the podium deck should be raised, say for a few metres, to enlarge the space in between to improve air ventilation;
- (c) the layout and configuration of the proposed podiums and residential towers should be reviewed to increase their separations from the nearby industrial buildings. Noting that the podium deck was about 20m above the street level, the height of the podium was considered excessive and should be reduced to avoid canyon effect causing adverse impact on the micro-climate of the area;
- (d) given the extensive slope areas, more greening should be provided and consideration might be given to forming terraces at selected locations on the slopes for tree planting. Reference could be made to the slope works to the south of Hopewell Centre. The Government should also review and change its existing practice of adopting a typical approach for slope treatment (i.e. grassing the slopes) with a view to increasing tree planting on the slopes for the benefits of the future residents;
- (e) the heritage review in the EFS, which focused on historic buildings only, was not satisfactory. There was insufficient study on the local cultural activities of AKNV, such as street parades, which were worth preserving. Efforts should be made to better preserve the intangible heritage;

- (f) given that HKHA was experienced in paying homage to former quarry sites, such as the case in Choi Ying, Choi Fai and Choi Tak Estates, the Government and HKHA might need to act more proactively and make some special arrangements to help preserve the cultural activities that were still being organised in AKNV;
- (g) HKHA should consider incorporating some of C4's proposals in the PHD, such as the Pai Fong which was not difficult to implement;
- (h) it would be desirable if land/premises would be given to the Association such that it could continue its operation. Noting that a stone house outside the housing site pending grading assessment would be retained at the northern corner of the "R(A)6" zone, the feasibility of using that stone house as the Association's office should be explored;
- (i) the retention of Manson Industrial Building would cause an industrial/residential interface with HKHA's PHD. Such undesirable situation would not be improved substantially even when the industrial building was converted or redeveloped for business uses. Consideration might be given to rezoning the site to "Residentail (Group E)" to encourage redevelopment for residential use in the longer term;

HKHS (Item B)

- (j) the building design for air ventilation at the site was satisfactory;
- (k) similar to HKHA's PHD, more greening should be provided at the HKHS site. In particular, vertical greening on the south-facing wall of the shuttle lift tower might be feasible and should be further explored; and

Salvation Army's Redevelopment (Item D)

- (l) the Government should make sure that the proposed open space would be

open to the public at reasonable hours through the future land grant.

48. The Chairperson concluded that the Board supported the amendments incorporated in the OZP. On cultural preservation for AKNV, the Development Bureau would liaise with relevant government departments to explore possible way for providing operation space to the Association, as appropriate. Regarding greening of slopes, CEDD would be requested to review the existing slope treatment practices and explore options to increase tree planting. Members' views would be reflected in the minutes of the meeting and conveyed by PlanD to HKHA and HKHS for consideration.

49. After some discussions, Members considered that the amendments to the OZP, including the zonings and development restrictions, were appropriate. The OZP should not be amended to meet the representations and all grounds of the representations and comments had been addressed by the departmental responses as detailed in the Paper and the presentations and responses made by the government representatives at the meeting.

50. After deliberation, the Board noted the supportive views of **R1, R2 and R4 (part)**, decided not to uphold representations **R3 and R4 (part)** and agreed that the draft Shau Kei Wan Outline Zoning Plan (OZP) should not be amended to meet the representations for the following reasons:

“Item A1

- (a) the Government has been adopting a multi-pronged approach to increase housing land supply on an on-going basis. An Engineering Feasibility Study comprising technical assessments on traffic, visual, air ventilation, landscape, environmental and cultural heritage aspects as well as infrastructural capacity and land requirements has been conducted and confirmed that there is no insurmountable technical problem and no unacceptable adverse impact. The development intensity and building height of the proposed public housing development at Item A1 site are considered appropriate. It is considered appropriate to rezone Item A1 site as “Residential (Group A)6” for proposed public housing development (**R4 (part)**);

- (b) it is necessary to form building platforms at the slopes within Item A1 site for the proposed public housing development, and tree felling is involved. Details of the new tree planting, tree transplanting and compensatory proposals, including off-site planting, will be explored at the detailed design stage in accordance with the latest relevant guidelines and/or technical circular (**R4 (part)**);

Item A2

- (c) it is considered appropriate to rezone Item A2 site from “Open Space” (“O”) and “Other Specified Uses” annotated “Business” (“OU(B)”) to an area shown as ‘Road’ to reflect the proposed upgrading of A Kung Ngam Village Lane to standard road for providing necessary access to the future public housing development, Yuk Wong Po Din Temple and Manson Industrial Building (**R3**);

Item B

- (d) relevant technical assessments in the agreed section 12A application confirmed that there is no insurmountable impact in respect of development intensity, air ventilation, visual and traffic, arising from the proposed development. Tree Preservation and Removal Proposal should be submitted by the applicant for consideration and approval in accordance with the latest relevant guidelines and/or technical circular. Pedestrian connectivity between areas around A Kung Ngam Road and Shau Kei Wan Main Street East would also be improved and enhanced with barrier-free access, landscape features and enhanced walking environment arising from the proposed development. Rezoning the site from “O”, “Residential (Group A)” and “Government, Institution or Community” (“G/IC”) to “Residential (Group A)5” with appropriate planning control is considered appropriate (**R4 (part)**);

Item C

- (e) Item C is to allow expansion of existing medical facility through wholesale conversion to include in-patient hospital services, which can help meet the

demand for private medical services. Relevant technical assessments in the agreed section 12A application confirmed that there is no insurmountable impact in respect of traffic, environment and sewerage impact arising from the development. Rezoning the site from “OU(B)” to “Other Specified Uses” annotated “Business(1)” with appropriate planning control is considered appropriate (**R4 (part)**);

Item D

- (f) relevant technical assessments submitted by the project proponent confirmed that there is no insurmountable air ventilation impact arising from the development. The provision of planned district and local open space is generally sufficient to serve the population in Shau Kei Wan, and the affected sitting out area will be reprovisioned in-situ. To expand and improve the provision of rehabilitation facilities and social services for the community, rezoning the site from “G/IC” and “O” to “G/IC(1)” is considered appropriate (**R4 (part)**);

Incorporation of Plot Ratio and Gross Floor Area (GFA) Exemption Clause for Government, Institution or Community (GIC) Facilities for the “R(A)5” and “R(A)6” Zones

- (g) the amendment is only applicable to GIC facilities required by the Government and the exempted GFA is only equivalent to about 5% of the attainable domestic GFA of the public housing development under the prevailing government policy (**R4 (part)**); and

Incorporation of Plot Ratio Exemption Clause for Public Vehicle Parks for the “R(A)5” Zone

- (h) there will be appropriate control on GFA under lease, Buildings Ordinance and Outline Zoning Plan (OZP). Any change of use in relation to the exempted GFA would be subject to compliance with the Buildings Ordinance and/or lease and any additional GFA resulting in exceedance of GFA/plot ratio restriction

under OZP would require planning permission (**R4 (part)**).”

51. The Board also agreed that the OZP, together with its Notes and updated Explanatory Statement, was suitable for submission under sections 8(1)(a) and 29(8) of the Town Planning Ordinance to the Chief Executive in Council for approval.

[Messrs Ivan M.K. Chung and Andrew C.W. Lai rejoined and Mr Timothy K.W. Ma joined 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-KLH/623

Proposed House (New Territories Exempted House - Small House)

in “Village Type Development” and “Agriculture” Zones, Lot 975 S.A RP in D.D. 7,

Wai Tau, Tai Po

(TPB Paper No. 10951)

[The item was conducted in Cantonese.]

Presentation and Question Sessions

52. The following representatives of the Planning Department (PlanD) and the applicant’s 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) |
| Ms Jenny S.M. Chan | - Town Planner/Tai Po (TP/TP) |

Applicant's representatives

Mr Lau Chee Sing

Mr Cheung Kwok Yiu

Mr Cheung Chik Fook

Mr Cheung Phillip Tsing Kwok

53. 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.

54. With the aid of a PowerPoint presentation, Ms Jenny S.M. Chan, TP/TP, 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. 10951 (the Paper). PlanD maintained its previous view of not supporting the application.

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

56. With the aid of a visualiser showing Plan R-2b of the Paper, Messrs Lau Chee Sing and Cheung Kwok Yiu, the applicant's representatives, made the following main points:

- (a) the application site straddled the "Village Type Development" ("V") and "Agriculture" ("AGR") zones. As about 70% of the footprint of the proposed Small House fell within the "V" zone, it was not appropriate to consider the application as a proposal for building a New Territories Exempted House (NTEH) in the "AGR" zone. Instead, it should be taken as a peripheral development in the "V" zone. Favourable consideration should be given under the Interim Criteria for Consideration of Application for NTEH/Small House in New Territories (the Interim Criteria);
- (b) given the 10-year Small House demand forecast of 305, the land available within the "V" zone for the development of 107 Small Houses as estimated

by PlanD was insufficient to meet the Small House demand;

- (c) the Board should make reference to the approved applications No. A/NE-KLH/389 and A/NE-KLH/427 under criterion (b) of the Interim Criteria and also approve the present review application. It was unreasonable for the Board to change its practice to adopt a more cautious approach in the consideration of Small House applications. Approving the previous cases but rejecting the present case with similar circumstances was not a consistent decision. Favourable consideration should also be given to the present case;
- (d) the land availability estimated by PlanD was questionable. It should be noted that fung shui land could not be developed. In addition, much of the developable land identified by PlanD was not owned by the villagers of Wai Tau. Some of the land was tso/tong land that was not available for Small House development;
- (e) the Board should consider relaxing the Interim Criteria, e.g. no planning application would be required if more than 50% of the application site fell within the “V” zone. More favourable consideration should also be given under the Interim Criteria to allowing eligible villagers to build Small Houses. If the Interim Criteria were relaxed with clearer guidelines, fewer planning applications would be required and government resources could be saved; and
- (f) the reason for the small number of outstanding Small House applications being processed by the Lands Department (LandsD) was that eligible villagers did not have land for making such applications. PlanD’s estimation of land available for Small House development did not show how much land was actually owned by eligible villagers. PlanD was urged to conduct site visits before coming up with the figure.

[Mr Paul Y.K. Au rejoined the meeting during the presentation of the applicant’s representatives.]

57. As the presentations of PlanD and the applicant’s representatives had been

completed, the Chairperson invited questions from Members.

The Interim Criteria

58. Three Members raised the following questions:

- (a) the reasons for PlanD not supporting the review application;
- (b) whether the adoption of a more cautious approach had been made known to the public; and
- (c) PlanD's response to the view that tso/tong land was not developable.

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

- (a) about 72% of the proposed Small House footprint fell within the "V" zone. According to criterion (b) of the Interim Criteria, while favourable consideration could be given to a NTEH/Small House development with not less than 50% of the proposed NTEH/Small House footprint falling within the "V" zone, it should also be subject to the condition that there was a general shortage of land in meeting the demand for Small House development in the "V" zone, in addition to satisfying the other criteria in the Interim Criteria. In considering applications for Small House development, since August 2015, the Board had formally adopted a more cautious approach by putting more weighting on the number of outstanding Small House applications provided by LandsD. For the present case, according to LandsD's record, while the 10-year Small House demand forecast was 305, the total number of outstanding Small House applications for Wai Tau Tsuen was eight only which was far less than PlanD's estimated number of Small Houses that could be built within the "V" zones of Wai Tau Tsuen, i.e. about 107;
- (b) the more cautious approach had been formally adopted consistently by the Board in assessing planning applications since August 2015. Villagers

should be familiar with the approach; and

- (c) in assessing the land available for Small House development within the “V” zone, PlanD would take into account various factors that might pose constraints on buildable land, such as the presence of trees and slopes. However, land ownership might not be a material consideration as it could be subject to change due to transactions in the private market.

60. On the remark of the applicant’s representatives that it was not possible to make use of tso/tong land in the “V” zone for Small House development, the Chairperson supplemented that the Government was reviewing the management issues of tso/tong in the New Territories together with the Heung Yee Kuk New Territories with a view to unlocking the development potentials of tso/tong land. The availability of tso/tong land for development might change overtime.

61. As Members had no further question to raise, the Chairperson said that the hearing procedure for the review application had been completed. The Board would further deliberate on the review application in the absence of the applicant’s representatives and 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

62. The Chairperson invited views from Members.

63. In response to a Member’s enquiry on whether it was the Government’s responsibility to identify land for Small House development, Mr Andrew C.W. Lai, the Director of Lands, said that under the current government policy, eligible indigenous villagers might apply for a small house grant in respect of his private land, or identify suitable government land where the land grant would be made at concessionary premium.

64. A Member remarked that if the review application was rejected, the applicant could still consider building a Small House with a smaller footprint such that the house/site would

fall completely within the “V” zone to satisfy his housing need. Under such circumstances, planning permission from the Board would not be required.

65. Members generally considered that there had been no major change in the planning circumstances since the consideration of the subject application by RNTPC.

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

67. 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 Wai Tau Tsuen 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 more orderly development pattern, efficient use of land and provision of infrastructure and services.”

Agenda Item 5

[Open Meeting]

Any Other Business

[The item was conducted in Cantonese.]

68. There being no other business, the meeting was closed at 1:20 p.m.