

**Minutes of 1332nd Meeting of the
Town Planning Board held on 7.3.2025**

Present

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

Chairperson

Mr Stephen L.H. Liu

Vice-chairperson

Ms Sandy H.Y. Wong

Mr Daniel K.S. Lau

Mr Stanley T.S. Choi

Mr K.W. Leung

Professor Jonathan W.C. Wong

Mr Ricky W.Y. Yu

Professor Roger C.K. Chan

Mr Ben S.S. Lui

Mr Timothy K.W. Ma

Professor Bernadette W.S. Tsui

Ms Kelly Y.S. Chan

Dr C.M. Cheng

Mr Daniel K.W. Chung

Dr Tony C.M. Ip

Professor B.S. Tang

Professor Simon K.L. Wong

Mr Simon Y.S. Wong

Mr Derrick S.M. Yip

Chief Traffic Engineer (New Territories West)
Transport Department
Ms Vilian W.L. Sum

Chief Engineer (Works)
Home Affairs Department
Mr Bond C.P. Chow

Assistant Director (Environmental Assessment)
Environmental Protection Department
Mr Gary C.W. Tam

Deputy Director of Lands/General
Ms Jane K.C. Choi

Director of Planning
Mr Ivan M.K. Chung

Deputy Director of Planning/District
Ms Donna Y.P. Tam

Secretary

Absent with Apologies

Dr Venus Y.H. Lun

Mr Vincent K.Y. Ho

Mr Ryan M.K. Ip

Mr Rocky L.K. Poon

In Attendance

Assistant Director of Planning/Board
Ms Caroline T.Y. Tang

Chief Town Planner/Town Planning Board
Ms Katy C.W. Fung

Senior Town Planner/Town Planning Board
Mr Kenny C.H. Lau (a.m.)
Ms Joan S.Y. So (p.m.)

Agenda Item 1

[Open Meeting]

Confirmation of Minutes of the 1331st Meeting held on 7.2.2025

[The item was conducted in Cantonese.]

1. The draft minutes of the 1331st meeting were confirmed without amendment.

Agenda Item 2

[Open Meeting]

Matters Arising

[The item was conducted in Cantonese.]

(i) Approval of Draft Outline Zoning Plan

2. The Secretary reported that on 11.2.2025, the Chief Executive in Council approved the draft Kwu Tung South Outline Zoning Plan (OZP) (renumbered as S/NE-KTS/22) under section 9(1)(a) of the Town Planning Ordinance. The approval of the OZP was notified in the Gazette on 21.2.2025.

(ii) Reference Back of Approved Outline Zoning Plans

3. The Secretary reported that on 3.2.2025, the Secretary for Development referred the approved Ngau Tau Kok and Kowloon Bay Outline Zoning Plan (OZP) No. S/K13/32 and the approved Cheung Chau OZP No. S/I-CC/9 to the Town Planning Board for amendment under section 12(1A)(a)(ii) of the Town Planning Ordinance. The reference back of the OZPs was notified in the Gazette on 14.2.2025.

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

4. The Secretary reported that the hearing arrangement for consideration of

representations in respect of the draft Man Kam To Outline Zoning Plan (OZP) No. S/NE-MK/5 was agreed by Members on 21.2.2025 by circulation, and that for the draft Ho Chung OZP No. S/SK-HC/12 and the draft Tsuen Wan OZP No. S/TW/38 was agreed by Members on 5.3.2025 by circulation. She briefly introduced that the draft Man Kam To OZP, the draft Ho Chung OZP and the draft Tsuen Wan OZP were exhibited for public inspection under section 5 of the Town Planning Ordinance on 13.12.2024, 22.11.2024 and 6.12.2024 respectively. During the 2-month exhibition period, one valid representation was received for the draft Man Kam To OZP, two for the draft Ho Chung OZP and 39 for the draft Tsuen Wan OZP were received. The hearing of the representation of the draft Man Kam To OZP was recommended to be considered by the full Town Planning Board (the full Board). In view of the similar nature of the representations of the draft Ho Chung OZP and the draft Tsuen Wan OZP, the hearing of the representations of each OZP 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 respective hearing session. Consideration of the representations by the full Board of the three draft OZPs was tentatively scheduled for March/April 2025.

[Mr Daniel K.W. Chung joined the meeting during reporting of the hearing arrangement.]

(iv) Meeting Arrangement for Consideration of Further Representations on Proposed Amendments to Draft Outline Zoning Plan

5. The Secretary reported that the item was to seek Members' agreement on the meeting arrangement for consideration of further representations on the proposed amendments to the draft Pok Fu Lam Outline Zoning Plan (OZP) No. S/H10/22 arising from consideration of representations on the draft OZP. The Secretary briefly introduced that on 22.3.2024, the draft OZP, which incorporated amendments including, among others, rezoning a site between Pok Fu Lam Road and Victoria Road (the Site) from "Green Belt", "Residential (Group C)6" and an area shown as 'Road' to "Other Specified Uses" annotated "Global Innovation Centre" ("OU(Global Innovation Centre)") to facilitate the development of a Global Innovation Centre by the University of Hong Kong for deep technology research (Item A), was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). During the 2-month exhibition period, 3,677 valid representations were received. On 29.11.2024, after the hearing held on 1, 4 and 5.11.2024, the Town Planning Board (the Board/TPB) decided to

partially meet some of the representations by proposing amendments to the draft OZP by rezoning the Site from “OU(Global Innovation Centre)” to “Undetermined”. On 13.12.2024, the proposed amendments to the draft OZP were exhibited for public inspection under section 6C(2) of the Ordinance. During the 3-week exhibition period, 1,861 valid FRs were received. In accordance with section 6F(1) of the Ordinance, the Board should hold a meeting to consider the FRs. While there would be no hearing for FRs, the administrative arrangements for handling the FRs were set out in the TPB Guidelines No. 29C. In view of their similar nature, the FRs were recommended to be considered by the full Town Planning Board (the full Board) collectively in one group. Consideration of the FRs by the full Board was tentatively scheduled for March 2025.

6. The Board agreed to the meeting arrangement in paragraph 5 above.

(v) Court of First Instance’s Judgment regarding the Leave for a Judicial Review Application (HCAL 647/2024) against the Decision of the Town Planning Board on Section 16 Application No. A/HSK/474

7. The Secretary reported that a judgment was handed down by the Court of First Instance (CFI) refusing to grant leave for a judicial review (JR) application lodged by Tang So Shan (the JR Applicant) against the decision of the Rural and New Town Planning Committee of the Town Planning Board (the Board/TPB) on a section 16 application No. A/HSK/474 (the s.16 application) for minor relaxation of domestic plot ratio restriction on a site zoned “Other Specified Uses” annotated “Mixed Use” in Kiu Tau Wai, Yuen Long (the Site). The JR Applicant was a commenter of the s.16 application. Mr Timothy K.W. Ma had declared an interest on the item for being a consultant of a company which was planning and building a residential care home for the elderly near Tai Tao Tsuen in Hung Shui Kiu. As the item was only to report the judgment and appeal on a JR leave application and no discussion was required, Members agreed that Mr Timothy K.W. Ma could stay in the meeting.

8. A copy of the CFI’s judgment was sent to Members on 3.3.2025. The Secretary reported that on 28.1.2025, the CFI refused to grant leave to the JR application mainly for the following reasons:

- (a) Ground 1 – the Board had considered the contents in the meeting paper and adopted the recommendations from PlanD to approve the s.16 application with conditions. The JR Applicant’s challenge to the Board’s approval was subjective, abstract, lack of details and speculative;
- (b) Ground 2 – when considering a s.16 application for permission under and in terms of an approved plan, the Board was not given a blank canvas. The Board’s discretion was required to be exercised within the limits of the relevant approved plan. Geological issue of the Site (i.e. falling within cavernous marble area) related to planning, design and approval of building works which fell within the purview of the Building Authority, and was not a prime consideration of the Board. The Board had to consider the nature of a s.16 application and could not disregard the approved OZP. In any case, the relevant facts and potential issues that might arise had been clearly stated in various documents; and
- (c) Additional Grounds – all additional grounds (e.g. failure to fully consider public comments, material error of facts, violation of TPB Guidelines and Proceeding of Meetings, etc.) were not reasonably arguable.

9. The JR Applicant served a Notice of Appeal on 4.2.2025 against the CFI’s judgment dismissing her JR leave application. The hearing date of the appeal was yet to be fixed.

10. Members noted the CFI’s judgment dismissing the JR leave application, and agreed that the Secretary would act on behalf of the Board in dealing with the appeal in the usual manner.

[Mr Stanley T.S. Choi and Professor Bernadette W.S. Tsui joined the meeting during reporting of the judicial review case.]

Tuen Mun and Yuen Long West District

Agenda Item 3

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Representations in respect of the Draft Tuen Mun Outline Zoning Plan No. S/TM/40

(TPB Paper No. 10996)

[The item was conducted in Cantonese.]

11. The Secretary reported that amendment item B was to take forward the decision of an agreed section 12A application No. Y/TM/30, and Arup Hong Kong Limited (ARUP) was one of the consultants of the application. Representations were submitted by MTR Corporation Limited (MTRCL) (R68) and The Hong Kong and China Gas Company Limited (Towngas) (R69), a subsidiary of Henderson Land Development Company Limited (HLD). The following Members had declared interests on the item:

- | | |
|--------------------|--|
| Ms Sandy H.Y. Wong | - being an independent non-executive director of MTRCL; |
| Dr Tony C.M. Ip | - having current business dealings with ARUP; |
| Mr Vincent K.Y. Ho | - having current business dealings with HLD;
and |
| Mr Ryan M.K. Ip | - being the vice-president and executive director of Public Policy Institute of Our Hong Kong Foundation which had received donation from Henderson Group. |

12. Members noted that Messrs Vincent K.Y. Ho and Ryan M.K. Ip had tendered apologies for being unable to attend the meeting, and Ms Sandy H.Y. Wong would join the meeting after this item. As Dr Tony C.M. Ip had no involvement in the concerned s.12A application, Members agreed that he could stay in the meeting.

Presentation and Question Sessions

13. The Chairperson said that reasonable notice had been given to the representers inviting them to 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, Members agreed to proceed with the hearing of the representations in their absence.

14. The following government representatives, representers and/or their representatives were invited to the meeting at this point:

Government Representatives

Planning Department (PlanD)

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

Civil Engineering and Development Department (CEDD)

Mr Carl K.S. Ng	- Senior Engineer
Mr Joseph C.W. Fan	- Engineer

Atkins China Limited

Mr Louis N.K. Lau]
Mr Terry W.Y. Lam] Consultants
Mr W.K. Chiu]

Mr Joe C.H. Chiu]

Representers and Representers' Representatives

R6 – The Owner Committee of Oceania Heights (海典軒業主委員會)

Mr Wu Chiu Yin] Representer's Representatives

Ms Law Ka Wai]

R8 – Tsang Chun Ming

Mr Tsang Chun Ming - Representer

Ms Mak Pui Ling - Representer's Representative

R17 – 何顯毅

Mr Ho Hin Ngai - Representer

R28 – 趙偉麟

Mr Chiu Wai Lun - Representer

R29 – 樂詠敏

Ms Lok Wing Man - Representer

R43 – Chow Hoi Fei

Ms Chow Hoi Fei - Representer

R48 – 許振盛

Mr Hui Chun Shung Franklin - Representer

R51 – Tsui Hiu Lam

Ms Tsui Hiu Lam - Representer

R56 – Sher Chun Fai Perray

Ms Sher Chun Fai Perray - Representer

R69 – Towngas

Mr Cheng Wa

- Representer's Representative

15. The Chairperson extended a welcome and briefly explained the procedures of the hearing. She said that representatives of PlanD would be invited to brief Members on the representations. The representers and/or their representatives would then be invited to make oral submissions. To ensure efficient operation of the hearing, each representer would be allotted 10 minutes for making presentation. There was a timer device to alert the representers and/or their representatives 2 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 and/or their representatives had completed their oral submissions. Members could direct their questions to the government representatives, the representers and/or their representatives. After the Q&A session, the government representatives, the representers and/or their representatives would be invited to leave the meeting. The Town Planning Board (the Board) would then deliberate on the representations in closed meeting and would inform the representers of the Board's decision in due course.

16. The Chairperson invited PlanD's representatives to brief Members on the representations. With the aid of a PowerPoint presentation, Ms L.C. Cheung, STP/TMYLW, PlanD briefed Members on the representations, including the background of the amendment items on the draft Tuen Mun Outline Zoning Plan (the draft OZP), the grounds/views/proposals of the representers, government responses and PlanD's views on the representations as detailed in TPB Paper No. 10996 (the Paper). The amendment items included:

- (a) Item A1 – rezoning of a site to the northwest of Light Rail Transit (LRT) Goodview Garden Station (Item A1 Site) from “Government, Institution or Community” (“G/IC”) to “Residential (Group A)29” (“R(A)29”) with stipulation of building height restriction (BHR);
- (b) Item A2 – rezoning of a site being part of the residential development ‘Oceania Heights’ from “G/IC” to “R(A)” with stipulation of BHR;
- (c) Item B – rezoning of a site to the east of Tuen Mun Town Plaza (Item B Site) from “Green Belt” (“GB”) and an area shown as ‘Road’ to “R(A)30” with

stipulation of BHR; and

- (d) Item C – rezoning of a site to the west of Hing Fu Street from “GB” to “G/IC(5)” with stipulation of BHR.

17. The Chairperson then invited the representers and/or their representatives to elaborate on their representations.

R6 – The Owner Committee of Oceania Heights (海典軒業主委員會)

18. Mr Wu Chiu Yin made the following main points:

- (a) Item A1 Site was too small for housing development and there was not enough space for building separation. It would be very congested to accommodate 525 flats in such a small site. With insufficient building separation between Item A1 Site and Oceania Heights, the natural lighting and visual openness of Oceania Heights would be obstructed by the proposed residential development;
- (b) the requirements to incorporate a public transport terminus (PTT) and government, institution and community (GIC) facilities would reduce the incentive for developers to bid for the site. Together with the undesirable building layout due to the small site area of Item A1 Site, the risk of failed tender would increase. In such case, the Government would have to adjust the development parameters, e.g. increasing the plot ratio (PR), leading to a waste of time and forming a vicious cycle of dampening the property market;
- (c) he acknowledged the Government’s policy to increase housing land supply. While not objecting to the increase in land supply, he cast doubt on the appropriateness of some related policies. For example, the relaxation of mortgage rules in 2019 caused a twist in the property market;
- (d) knowing that the land sale and the proposed development would proceed, he requested an opportunity to discuss the matter with the Development Bureau

(DEVB) and PlanD in order to formulate a better proposal that would be supported by R6. The Board should exercise its authority to pause the planning process so that the current proposal could be revised for a better layout design to enhance the appeal of the land sale for a higher price; and

- (e) a congested development would not attract buyers, resulting in a lower bid for the site. He proposed that Item A1 Site should be extended eastward by integrating it with the western part of Hoi Chu Road Playground, thereby creating an enlarged site up to the pedestrian passage in the east. A larger site would allow more flexibility for locating the building blocks and providing separation between Item A1 Site and the adjoining existing residential development, which would be beneficial to the residents, developer and the Government.

R8 – Tsang Chun Ming

19. With the aid of a PowerPoint presentation, Mr Tsang Chun Ming and Ms Mak Pui Ling made the following main points:

- (a) they had lived in Oceania Heights for 19 years after marriage with three children. Ms Mak was a patient recovering from depression. They hoped that the Board could look into the issue from a humane angle and balance the interests of various stakeholders;
- (b) Item A1 Site was not suitable for housing development. The proposal would result in insufficient building separation between Item A1 Site and Oceania Heights as the two sites were only separated by a narrow pedestrian passage, and the building blocks of the proposed residential development would be located close to the residential flats of Oceania Heights. The proposed residential development would block the open view, obstruct natural lighting, and cause adverse traffic and air ventilation impacts on the surrounding areas. Residents of Oceania Heights should be consulted;

- (c) Item A1 Site was much smaller in area than Oceania Heights and Siu Tsui Court. They doubted whether it was appropriate to develop two 26-storey residential blocks at the site. A total of 525 flats would likely be nano flats, which might not be welcomed by the market;
- (d) as stated at the meeting of the Tuen Mun District Council (TMDC) on 9.9.2024, the time for consultation on the proposal was not sufficient. Housing land supply should not be increased by way of infill development. The proposal would worsen the existing problems if the traffic and supporting community facilities remained inadequate;
- (e) instead of objecting to new land supply, they suggested swapping Hang Kwai Street Playground with Item A1 Site. This alternative site was three times larger in area, allowing for more buildings to be built in a more cost-effective manner. It would also allow appropriate building separation from nearby residential developments, thereby reducing density and increasing attractiveness to new buyers. Item A1 Site could then be used for a children's playground and to re-provide the sport facilities of Hang Kwai Street Playground;
- (f) the Paper stated that should there be any other potential sites considered suitable for housing developments, relevant government bureaux/departments (B/Ds) would proceed to review their feasibility and suitability as appropriate with a view to increasing housing land supply. The Government should consider the alternative site at Hang Kwai Street Playground as there was no insurmountable technical problem for residential development; and
- (g) the alternative proposal would better meet the buyers' needs in terms of density and space required. It would also enhance the appeal of the land sale and reduce the risk of failed tender. The alternative proposal would gain community support, making it a win-win solution for both the community and the Government.

R17 – 何顯毅

20. Mr Ho Hin Ngai made the following main points:

- (a) he had been a resident of Goodview Garden for 7 to 8 years. He moved to Tuen Mun from the urban area in search of a less populated environment;
- (b) his flat was facing Item A1 Site at a distance of about 20m. The proposed infill development at the small Item A1 Site surrounded by buildings would obstruct natural lighting and air ventilation in the existing residential developments in the surrounding area;
- (c) he supported the alternative proposal of swapping Hang Kwai Street Playground with Item A1 Site. The alternative site was far away from other developments and would not create any spatial oppression; and
- (d) he hoped that the government officials would respond positively to the community concerns.

R28 – 趙偉麟

21. Mr Chiu Wai Lun made the following main points:

- (a) he was a resident of Goodview Garden living on the lower floor of Tower 4 facing Item A1 Site;
- (b) the proposed residential development at Item A1 Site would block natural lighting, trap air pollutants caused by vehicular traffic and cause adverse air ventilation impact on the surrounding areas;
- (c) the existing local road networks were already saturated. During peak periods, the pavement along Hoi Chu Road outside Goodview Garden could not accommodate the passers-by and the people lining up at the bus stops. The

increase in population would further aggravate the congestion issues. The carriageway and pavement along Hoi Chu Road should be widened;

- (d) the planned MTR Tuen Ma Line Tuen Mun South Extension (TML TME) Project would not be operational until its completion in 2030. The planned entrance/exit would not provide direct access to Goodview Garden and most passengers would likely choose to take the road public transport nearby instead. In view of the growing number of residents in the area, relevant government departments should examine whether the existing bus and LRT services would be overloaded during peak hours; and
- (e) instead of infill development, more housing land supply could be provided in a less dense area like Hang Kwai Street Playground.

R29 – 樂詠敏

22. Ms Lok Wing Man made the following main points:

- (a) she had been a resident of Goodview Garden living in Tower 4 facing Item A1 Site for a year;
- (b) the proposed residential development at Item A1 Site would block natural lighting and cause adverse air ventilation impact on the surrounding areas;
- (c) she raised concerns about air and noise pollution during construction as her flat was not installed with sound-proofed windows. She was also worried that the construction works might affect the building safety of Goodview Garden, which was about 30 years old, and lead to the subsidence of the LRT station; and
- (d) should the plan for a new residential development proceed, another site with less impact should be selected. She was frustrated by DEVB's announcement that Item A1 Site had been included for disposal by tender tentatively in the first quarter of 2025-26 Financial Year. It was doubtful whether the hearing held by the Board was a genuine consultation.

R43 – Chow Hoi Fei

23. Ms Chow Hoi Fei made the following main points:

- (a) her family had lived in Oceania Heights for about 5 years. The flat was purchased as a long-term residence at a high cost because of the good living environment while the adjacent land was used as a bus terminus and open space which, according to the developer of Oceania Heights, were unlikely to change;
- (b) the building separation between Item A1 Site and Oceania Heights was less than 2m. It was inappropriate to build a residential development at Item A1 Site which would create spatial oppression;
- (c) the housing supply had surpassed the demand, resulting in a downward spiral of house prices. The gloomy economic outlook had dampened buyers' interest. It led to the suspension of the development of Avignon Tower Phase 2 at So Kwun Wat. In recent years, residential developments near Oceania Heights such as Regency Bay and Siu Tsui Court had been completed. Given that there was already sufficient housing supply in the area, there was no pressing need to rezone Item A1 Site for residential use;
- (d) Item A1 Site was not the most suitable location for residential development and the representations submitted were all opposing Item A1. To address the objections to Item A1 Site, the alternative sites such as Hoi Chu Road Playground and Hang Kwai Street Playground or the suggestion from R6 to integrate Item A1 Site with the western part of Hoi Chu Road Playground, which was less frequently used, should be considered. A larger development site would allow more flexibility for locating the building blocks and providing appropriate separation from the nearby residential developments; and
- (e) the Board should consider the concerns of the residents of Oceania Heights, put on hold the land sale of Item A1 Site and reconsider the site selection for

residential development. The Board was welcomed to visit Oceania Heights and have a meeting with the residents.

R48 – 許振盛

24. Mr Hui Chun Shung Franklin made the following main points:

- (a) he had lived in Oceania Heights for 19 years with two children. His flat was located on the lower floor of Tower 2 facing Item A1 Site, which was very close to the proposed residential development;
- (b) Item A1 Site was too small for housing development. There were 200 to 300 people lining up at the bus terminus every morning. The temporary relocation of the affected bus terminus and bus stops to the east along Hoi Chu Road adjacent to Hoi Chu Road Playground with a distance of about 150m away would be inconvenient for the passengers;
- (c) although the TML TME Project was scheduled for completion in 2030, most passengers preferred commuting by bus. His elder child commuted to school by LRT and often had to wait for two or three trains before being able to board. The existing bus and LRT services were overloaded during peak hours. There were insufficient public transport services to support the additional population. He expressed doubt on the findings of the Traffic Impact Assessment (TIA) conducted, which concluded that there would be no adverse traffic impact on the surroundings; and
- (d) he supported R8's suggestion of swapping Hang Kwai Street Playground with Item A1 Site as the alternative site was located farther away from other residential developments. The Board should reconsider the site selection and balance the interests of various stakeholders without compromising the living quality of nearby residents.

[Mr Bond C.P. Chow left the meeting temporarily during R48's presentation.]

R51 – Tsui Hiu Lam

25. Ms Tsui Hiu Lam made the following main points:

- (a) she lived on the lower floor of Tower 2 in Oceania Heights facing Item A1 Site. Item A1 Site was too close to Oceania Heights. The developer of Oceania Heights told them that there would be no development at Item A1 Site and hence they bought a flat in Oceania Heights with all their savings. The proposed development at Item A1 Site would adversely affect the property value and the living environment. Her mother suffered from lung cancer and her condition would be worsened due to the stress and anxiety caused by the proposed development at Item A1 Site;
- (b) she acknowledged that the technical assessments conducted for the proposed development at Item A1 Site had demonstrated that all the relevant standards and requirements were complied with. Nevertheless, the actual impact on the nearby residents should be considered and minimised, especially given that majority of the representations objected to Item A1. Instead of selecting Item A1 Site for ease of development on bare ground, alternative sites such as Hoi Chui Road Playground and Hang Kwai Street Playground should be considered;
- (c) according to the Paper, the Leisure and Cultural Services Department (LCSD) had no plan to redevelop Hoi Chui Road Playground and Hang Kwai Street Playground for other uses. While the recreation and sports facilities therein including parks and garden, basketball courts and football pitch were frequently used, the possibility of alternative proposals should not be disregarded;
- (d) the alternative site at the eastern part of Hoi Chui Road Playground as shown on Plan H-2a of the Paper should include the pedestrian passage in the south. It was 1.5 times larger in area than Item A1 Site. Without the need to incorporate the PTT, developers would have more incentive to bid for the site. The affected basketball court in the eastern part of Hoi Chui Road Playground could be reprovisioned at Item A1 Site. Together with the western part of Hoi Chu Road Playground which was less frequently used, Item A1 Site should be

developed as an open space. She was willing to meet with LCSD to discuss the feasibility of this alternative proposal; and

- (e) the alternative proposal would be beneficial to the residents of Oceania Heights, the Government in terms of land sale, developers bidding for the land and the future residents of the proposed development. Implementing the alternative proposal would be a well-received policy which could alleviate opposition, improve public perception and gain residents' support for the Government. The Board should reconsider the site selection and accept the alternative proposal.

R56 – Sher Chun Fai Perray

26. Ms Sher Chun Fai Perray made the following main points:

- (a) she had been a resident of Goodview Garden living in Tower 4, which faced Item A1 Site, for more than 10 years. She learnt that Item A1 Site was an open space when she bought the flat. She shared the views and concerns raised by other representers;
- (b) Item A1 Site was too small for housing development. It was too close to the adjacent residential developments and would generate nuisance to the nearby residents. An alternative site at Hang Kwai Street Playground would have a larger development site area with greater visual openness, which would enhance the appeal of the site to developers who would have more incentive to bid for the site. This would reduce the risk of failed tender which was conducive to the government revenue; and
- (c) the Board should consider the alternative proposal given the impact of the proposed development at Item A1 Site on the nearby residents and the concerns of the opposition.

R69 – Towngas

27. Mr Cheng Wa made the following main points:

- (a) since Item B Site was in close proximity to the Intermediate Pressure pipeline at Castle Peak Road - Castle Peak Bay, the project proponent was suggested to conduct a quantitative risk assessment (QRA) to evaluate the potential risk based on the forecasted ultimate population and recommend necessary mitigation measures where appropriate. A copy of the QRA should be provided to Towngas for record; and
- (b) the project proponent should consult Towngas at the design stage and liaise closely with Towngas during the construction stage to ensure that appropriate protective measures would be implemented.

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

[Mr Bond C.P. Chow rejoined the meeting after the break.]

28. As the presentations of PlanD's representative, the representers and/or their representatives had been completed, the meeting proceeded to the Q&A session. The Chairperson explained that Members would raise questions to the representers and/or their representatives and 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.

Building Separation between Item A1 Site and Residential Developments Nearby

29. A Member raised the following questions:

- (a) what the building on the left of the alley as shown on Photo 6 of Plan H-4c of the Paper was; and

- (b) noting that Item A1 Site was not too close to Tower 2 of Oceania Heights as shown on Plan H-2a of the Paper, what the distance from the proposed development at Item A1 Site to the windows of the flats in Tower 2 was.

30. In response, Mr Raymond H.F. Au, DPO/TMYLW, PlanD, with the aid of some PowerPoint slides, made the following points:

- (a) the building on the left of the alley was the podium structure of Oceania Heights for shops and services. The alley was about 2m to 2.4m wide for pedestrian passage, which would be retained upon completion of the proposed development at Item A1 Site; and
- (b) there were two towers in Oceania Heights. The shortest distance between Tower 2 of Oceania Heights (the residential tower near Item A1 Site) and the site boundary of Item A1 Site was about 8m. According to the conceptual development scheme, the distance between Tower 2 of Oceania Heights and the nearest residential tower of the proposed development in the western part of Item A1 Site would be about 16m. The distances between Tower 4 and Tower 5 of Goodview Garden and the site boundary of Item A1 Site were about 20m and 34.5m respectively. The distance from the nearest residential tower of Nerine Cove to the site boundary of Item A1 Site was about 41.5m while the separation among buildings within Nerine Cove was much narrower. In terms of control, there were requirements of natural lighting and buildings separation under the Building (Planning) Regulations (B(P)R). The natural lighting and ventilation provisions for habitable rooms in Oceania Heights and Goodview Garden were self-sustained under B(P)R, which had been verified under building plan submissions by the Building Authority. As such, the proposed development at Item A1 Site would not adversely affect the natural lighting and ventilation provisions of the existing residential developments in the surrounding areas.

31. Noting that under the Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineer – Sustainable Building Design Guidelines (PNAP APP-152), the distance between the building façade and the site boundary should not

be less than 7.5m and the distance between the building façade of two towers should not be less than 15m, a Member raised the following questions:

- (a) whether the western tower of the proposed development at Item A1 Site could be shifted eastward so that more building separation could be allowed between Oceania Heights and the proposed development for better ventilation; and
- (b) whether the western part of Hoi Chu Road Playground as suggested by R6 could be incorporated into Item A1 Site but not for development purpose and gross floor area (GFA)/PR calculation so that the towers of the proposed development could be moved farther towards the east to allow a greater separation distance between Oceania Heights and the proposed development.

32. In response, Mr Raymond H.F. Au, DPO/TMYLW, PlanD, with the aid of a PowerPoint slide, made the following points:

- (a) according to the Preliminary Air Ventilation Assessment in the form of Expert Evaluation (AVA-EE) conducted under the feasibility study, Item A1 Site was not located within any major breezeways. While the minimum distance between the building façades of the two towers was 15m as required under PNAP APP-152, a distance of 20m had been assumed in the conceptual development scheme as a worst-case scenario for assessment purpose. In the future layout design, there was room to shift the western tower at Item A1 Site eastward so that the building separation between Oceania Heights and the proposed development could be increased; and
- (b) air ventilation was not considered an issue for this case. Incorporating the western part of Hoi Chu Road Playground as suggested by R6 into Item A1 Site would necessitate a substantial review of the development layout and its associated technical assessments. Without further study and assessments at this stage, it was considered appropriate to retain Item A1 Site on the draft OZP.

33. Upon the Chairperson's enquiry, Mr Raymond H.F. Au, DPO/TMYLW, PlanD said that the building separation between Tower 2 of Oceania Heights and the nearest residential tower in Item A1 Site could be increased from about 16m to about 21m by reducing the separation distance between the two residential towers within the site from 20m as shown in the conceptual development scheme to 15m in accordance with PNAP APP-152.

Design of the Proposed Development at Item A1 Site

34. A Member enquired whether the layout of the proposed development at Item A1 Site was indicative and hence there was room for adjustment, and whether planning permission would be required in future under the "R(A)29" zone. In response, Mr Raymond H.F. Au, DPO/TMYLW, PlanD, with the aid of some PowerPoint slides, said that the conceptual development scheme was formulated for the purpose of conducting technical assessments on traffic, noise and air ventilation aspects, etc. in the feasibility study. There would be flexibility for developers to adjust the layout and design of the buildings within the site provided that relevant statutory requirements pertinent to lighting, ventilation and noise aspects were complied with. Item A1 Site was zoned "R(A)29" on the OZP and there was no requirement for layout plan submission to the Board for approval.

35. Noting some representers' allegation that nano flats would be provided in the proposed development at Item A1 Site, a Member enquired about the flat size of the proposed development. In response, Mr Raymond H.F. Au, DPO/TMYLW, PlanD said that an average flat size of 50m² was assumed in the conceptual development scheme, which would provide about 525 flats. As set out in the government policy in 2022, a minimum flat size of 26m² would apply to all land sale, lease modification and land exchange applications for private residential development projects.

Traffic Impact of the Proposed Development at Item A1 Site

36. A Member appreciated the proactive expression of views/concerns by representers, and considered that solving housing problems and addressing residents' concerns should not be in conflict. Noting the traffic concerns raised by some representers, the Member enquired about the traffic impact resulted from the increase in flat supply in the area. In response, Ms Vilian W.L. Sum, CTW(NTW), Transport Department, with the aid of a PowerPoint slide, said that the TIA

conducted under the feasibility study had been examined. The proposed development at Item A1 Site was relatively small in scale, providing about 525 flats for about 1,418 persons, and hence would have negligible vehicular generated impact during the morning peak. For commuters using public transport, the existing bus stops would be temporarily relocated about 150m eastward during construction, which might cause a certain degree of inconvenience to residents. Nonetheless, upon completion of the proposed development, a covered PTT would be provided at Item A1 Site. All the existing bus routes would be maintained at the temporary bus stops and the future PTT. Moreover, the planned TML TME Project would be completed in 2030 and a station would be located in proximity to the proposed development at Item A1 Site. The overall accessibility of the site was considered acceptable

Alternative Sites for Item A1 Site

37. A Member enquired whether the alternative sites suggested by some representers were feasible for residential development even though there was no insurmountable problem with the proposed residential development at Item A1 Site. In response, Mr Raymond H.F. Au, DPO/TMYLW, PlanD, with the aid of a PowerPoint slide, said that to meet and expedite housing land supply in the short and medium terms, the Government had been carrying out various land use reviews on an ongoing basis, including reviews on the government land currently vacant, under short term tenancies or different short-term or government uses, with a view to identifying more suitable sites for residential use. Item A1 Site was located in Tuen Mun Area 16 in the southern part of Tuen Mun New Town which was a well-established residential neighbourhood with various GIC facilities and open spaces. The technical assessments conducted under the feasibility study had demonstrated that Item A1 Site was technically feasible for accommodating the proposed residential development with PTT and GIC facilities. The proposed residential development at Item A1 Site was of similar scale and compatible with the existing and planned developments in the vicinity. Hoi Chui Road Playground was currently serving the population of Tuen Mun Area 16 and was frequently used. It was not vacant land or for short-term use, which did not fall within those categories of sites for land use reviews. Extending Item A1 Site eastward to include the western part of Hoi Chui Road Playground would result in a larger site area and hence GFA, which would generate more flats and population. Without technical assessments conducted, it was difficult to ascertain the feasibility of residential development at the alternative sites at the current stage.

38. Two Members followed up and enquired whether swapping Item A1 Site with other alternative sites as suggested by some representers had been considered, and whether those alternative sites could serve as medium-term housing solutions. In response, Mr Raymond H.F. Au, DPO/TMYLW, PlanD, with the aid of a PowerPoint slide, said that Item A1 Site represented a logical extension of the residential neighbourhood in the area, taking into account the existing land use and development context. The alternative site at the basketball courts in the eastern part of Hoi Chu Road Playground as proposed by several representers was relatively small and located next to Tuen Mun Heung Sze Wui Road in the east, and might be subject to adverse traffic noise impact. As for another alternative site at Hang Kwai Street Playground proposed by some representers, since it was located at the junction of Tuen Mun Heung Sze Wui Road and Hoi Wing Road, it might also be subject to adverse traffic noise impact. Furthermore, to the south of this site was an area zoned “Industrial (1)” covering industrial buildings and a logistics centre and to its further south was a public cargo working area. As those land uses would generate noise and environmental nuisance, the issue of land use compatibility would need to be examined. If there were any other potential sites considered suitable for residential developments, the feasibility and suitability could be reviewed as appropriate with a view to increasing housing land supply. Nonetheless, the alternative sites were both existing playgrounds with basketball courts and football pitch frequently used by students and the public. In addition, LCSD had no plan to redevelop the two playgrounds for other uses. There was currently no plan to include those alternative sites as suggested by some representers in the land use review for medium to long-term housing supply.

39. A Member raised the following questions to R6:

- (a) the number of residents in Oceania Heights opposing the proposal at Item A1 Site; and
- (b) whether the residents were in support of the alternative proposal of extending Item A1 Site to incorporate the western part of the Hoi Chu Road Playground.

40. Mr Wu Chiu Yin, R6’s representative, made the following points:

- (a) according to their survey, 270 out of 544 flats in Oceania Heights opposed the proposed development at Item A1 Site; and

- (b) the small site area and congested development layout of Item A1 Site would not be attractive to developers and would result in unsuccessful tendering, and the Government might have to increase PR and flat number for retendering. Extending the site to include the western part of Hoi Chu Road Playground to the east of Item A1 Site was a suggestion for negotiation with the Government. That part of Hoi Chu Road Playground was once a crime site of a murder case and became less frequently used by the public, and hence he suggested including this part in Item A1 Site. Developers, who had to pay for the construction of the PTT, would be more inclined to bid higher for a larger development site with greater design flexibility. The owners' committee was on behalf of the residents of Oceania Heights to voice their views though it had not yet consulted all residents on the alternative proposal. He hoped that the current proposal of Item A1 Site could be put on hold and they could discuss with DEVB and PlanD regarding the alternative proposal. If the alternative proposal was adopted, he was confident that the proportion of supporting residents would increase.

41. Upon the Chairperson's enquiry on whether the development intensity of Item A1 Site could be further increased, Mr Raymond H.F. Au, DPO/TMYLW, PlanD said that the current proposal had optimised the development potential of Item A1 Site. With a site area of 0.44ha and a maximum PR of 6, the proposed development could produce about 525 flats, accommodating a population of about 1,418 persons. Relevant technical assessments including TIA, AVA-EE, Environmental Assessment and Visual Impact Assessment conducted had demonstrated that the proposed development was technically feasible. Relevant B/Ds had no objection to or adverse comment on the proposal. The planning restrictions of a maximum PR of 6 and a maximum building height (BH) of 100mPD at Item A1 Site had been incorporated in the Notes of the draft OZP. If there were any upward adjustments to the development parameters such as increase in PR, number of flats and/or BH, a new round of technical assessments would be required and the revised proposal would be scrutinised under the relevant town planning procedures. Construction of the PTT, as required by the Government, would be undertaken by the developer of the proposed development and such requirement would be imposed under the relevant lease conditions. The construction cost would be taken into account by the developers and reflected in the bid prices of the site.

42. Assuming the western part of Hoi Chu Road Playground was incorporated into Item A1 Site as suggested by R6, a Member enquired about the relevant town planning procedure. In response, Mr Raymond H.F. Au, DPO/TMYLW, PlanD said that should the Board decide not to amend the OZP to meet the representations, the draft OZP together with the Notes and Explanatory Statement (ES) would be submitted to the Chief Executive in Council (CE in C) for approval. In case the Board considered it suitable to enlarge Item A1 Site by including the western part of Hoi Chu Road Playground as suggested by R6, another feasibility study supported by technical assessments had to be conducted. Subject to the findings of the feasibility study, the proposed amendment(s) to the OZP would be submitted for the Board's consideration and exhibited for public inspection, and the Board would hold a hearing to consider the representations received, if any, in accordance with the Town Planning Ordinance (the Ordinance).

43. The same Member followed up and enquired if there was a simpler and more time-efficient way to make amendment to the OZP to meet R6's proposal. In response, Mr Raymond H.F. Au, DPO/TMYLW, PlanD said that before submission to CE in C for approval, the draft OZP could be further amended under section 7 of the Ordinance subject to confirmation of technical feasibility of R6's proposal for extending Item A1 Site for residential development under a new round of technical assessments which in general would take more than a year for completion. The statutory plan-making procedure for plan amendments under section 7 of the Ordinance would be subject to the same procedures as the current OZP amendments. The programme for the proposed development would have to be postponed in either way.

44. A Member raised the following questions:

- (a) why there was a pedestrian passage separating Hoi Chu Road Playground into two parts; and
- (b) the frequency of use of the western part of Hoi Chu Road Playground which was a previous crime site.

45. In response, Mr Raymond H.F. Au, DPO/TMYLW, PlanD, with the aid of a PowerPoint slide, made the following points:

- (a) to facilitate pedestrian flow, the pedestrian passage in between Hoi Chu Road Playground had aligned and connected with the pedestrian walkways between Goodview Garden and Tsui Ning Garden across Hoi Chu Road in the north and along Hang Fu Street across the LRT line in the south; and
- (b) statistical data on the frequency of use of the western part of Hoi Chu Road Playground was not available. LCSD advised that Hoi Chu Road Playground currently served the population of Tuen Mun Area 16 including the nearby residents, the students and workers in the area.

Background of Item A1 Site

46. A Member enquired how Item A1 Site had evolved into its current use as a PTT and amenity area. In response, Mr Raymond H.F. Au, DPO/TMYLW, PlanD, with the aid of a PowerPoint slide, said that Item A1 Site and its surrounding areas were originally zoned “Industrial” on the OZP and later rezoned to “G/IC” in 1986. Since 1994, part of the site had been used as a bus terminus. The area to the east of Item A1 Site was subsequently developed and later rezoned to “Open Space” on the OZP in 2007.

Public Consultation of Item A1

47. A Member enquired whether the community stakeholders were consulted at an early stage when conducting the feasibility study for the proposed development at Item A1 Site. In response, Mr Raymond H.F. Au, DPO/TMYLW, PlanD said that the statutory and administrative procedures for public consultation had been duly followed. As a general practice, stakeholders would not be consulted in the feasibility study stage given that the details of development proposal were yet to be ascertained. With the availability of a preliminary proposal, PlanD and CEDD had jointly consulted TMDC on the proposal in September 2024. Some TMDC members expressed concerns on traffic capacity, potential adverse visual and air ventilation impacts, building mass, disposition and separation but no alternative proposal had been suggested at the TMDC meeting. The concerns of TMDC members had been taken into

consideration in the feasibility study and their views were duly relayed to the Rural and New Town Planning Committee (RNTPC) of the Board in considering the proposed OZP amendments. Under the Ordinance, the OZP amendments would be published for public inspection for 2 months. The hearing of representations was part of the statutory consultation procedure. In response to the same Member's enquiry, Mr Wu Chiu Yin and Ms Law Ka Wai, R6's representatives, said that the owners' committee and the management office of Oceania Heights had not received any notice about the proposed development at Item A1 Site. By monitoring the TMDC meeting agenda, they learnt about Item A1 site in August 2024 and attended the TMDC meeting on 9.9.2024. At the said TMDC meeting, all TMDC members objected to the proposed development at Item A1 Site. PlanD's representatives responded that it was a preliminary proposal and would further discuss with relevant government departments to explore minor refinements in light of TMDC members' comments. Since then, R6 had been in liaison with TMDC members but there was no opportunity for them to discuss the proposal with PlanD. They wished to have an opportunity to discuss the alternative sites with DEVB and PlanD.

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

Deliberation Session

49. The Chairperson remarked that as raised by some Members, a greater building separation between Oceania Heights and the proposed development could be achieved by shifting the residential tower of the proposed development eastward. Should part of Hoi Chu Road Playground be incorporated into Item A1 Site, the timetable of the proposed development would inevitably be delayed due to the need for reprovisioning the affected existing open space.

50. The Chairperson invited views from Members. Members generally considered that the amendment items could be supported and expressed the following views/suggestions:

- (a) Members acknowledged the concerns of the representers but noted that in the context of high-density development in Hong Kong, it was common for

buildings to be located close to one another. Similar concerns had been raised in the past meetings from time to time. It was not practical to preserve private views without stifling development opportunity and balancing other considerations. The same principle should be applied in considering the same issue in relation to Item A1;

- (b) the primary concern of the representers was the buffer distance between the proposed development at Item A1 Site and other residential developments in the neighbourhood. Hence, the concerns on natural lighting, air ventilation and spatial oppression were raised. Given the layout of the flat units of Tower 2 of Oceania Heights, which were closest to Item A1 Site, the impact on natural lighting and visual openness would be minimal, particularly if the western tower of the proposed development could be shifted eastward by an additional 5m. As the annual prevailing wind in Tuen Mun mainly came from the north and south, the impact on air ventilation from the east was relatively limited. The concerns on air ventilation and spatial oppression were subjective and lacked substantiated justifications;
- (c) supported by technical assessments, there was no contention that Item A1 Site was appropriate for residential use from planning point of view. The proposal was in line with the surrounding developments in terms of land use compatibility and development intensity (i.e. a PR of 6 and a BH of 100mPD). The provision of a covered and hence weatherproof PTT for the benefit of the community should not be neglected;
- (d) there was no need to amend Item A1 to address the representers' concerns in order not to interrupt the short-term housing land supply. The conceptual development scheme was indicative and represented a worst-case scenario. There would be flexibility to rearrange the disposition of residential blocks for a different layout with lesser impact on the residents of the adjoining development. A remark could be added in the ES of the OZP to encourage the developer to consider formulating a layout to address the concerns of the nearby residents e.g. providing greater separation of the residential block of

Item A1 Site from the adjoining development, say 12m from the site boundary of Item A1;

- (e) the indicative layout of the conceptual development scheme was considered somewhat misleading as it heightened concerns over the perceived narrow space left between the proposed development at Item A1 Site and its adjoining development. Due considerations should be given in the feasibility study in aspect of urban design for a better site layout design, taking into account the adjoining developments. For compliance with the requirements of 10m buffer distance from Hoi Chu Road and 25m building setback from the LRT track, only a narrow strip of land remained available for development within Item A1 Site. The BH restriction of 100mPD might be reviewed to allow more flexibility in layout design for development at a PR of 6, taking into account higher BHs in new developments;
- (f) without a feasibility study, the alternative sites for Item A1 Site as suggested by some representers could not yet be considered at this stage. Those sites might also incur opposition from other residents in the community. Similar views as raised by those in Goodview Garden might be echoed by residents of Tsui Ning Garden if Hoi Chu Road Playground was proposed for development purpose. The crime site at the western part of Hoi Chu Road Playground might evoke psychological concerns among the public, leading to lower utilisation. The possibility of using this site for other use/development could be explored separately in the future for better land utilisation when opportunity arose;
- (g) Items B and C were agreed by RNTPC of the Board and the amendments were to reflect the approved section 12A applications; and
- (h) there was room for enhancement of public consultation. DC members, together with the district office, might communicate with the residents more on development proposals, e.g. early engagement with locals at the preliminary design stage and during construction.

51. Upon a Member's enquiry, the Secretary said that in accordance with the Ordinance, the section 12A provision allowed submission of applications for amendments to OZP for proposed developments to the Board for consideration. If the Board agreed to the section 12A application, the proposed amendments would be incorporated into the OZP for gazettal and exhibited for public inspection for 2 months. A hearing would then be held to consider the representations received. For OZP amendments, in addition to the statutory consultation procedure under the Ordinance, an administrative arrangement of consulting DC would be conducted in accordance with the established practice to gather locals' views. Rural committees were also involved for development in the New Territories. Relevant district offices (DOs) assisted to collect views and comments of the community which would be conveyed to concerned departments for consideration. For large-scale feasibility study like the developments in the Northern Metropolis, the public engagement process commenced long before the relevant amendments to OZPs. For expediting housing land supply in the short and medium terms, the feasibility study for smaller scale development was usually conducted within a tight timeframe like Item A1, and the DC would be consulted when the preliminary study results were available and views of locals could be collated through DC members and DOs.

52. Noting Members' comments and suggestions on the land use planning and the consultation process, Mr Ivan M.K. Chung, Director of Planning, supplemented that the Government had adopted a multi-pronged approach to increase housing land supply. The feasibility study conducted focused on Item A1 Site because it was government land without designated GIC uses, which could be explored for residential use in the short to medium term. Should the adjacent open space at Hoi Chu Road Playground be incorporated into the site for study, issues such as re-provisioning and hence the cost incurred had to be resolved with relevant government departments before the commencement of the study. This would prolong the study period and affect the land sale programme. Regarding the development parameters of Item A1, the proposed residential development with PTT and GIC facilities was feasible as demonstrated by the technical assessments conducted. The proposed PR of 6 was in line with the government policy of increasing the maximum domestic PR by 20% in new towns based on the maximum PR restriction of 5. The proposed BH of 100mPD had taken into consideration the BH restrictions of the area and could accommodate development with a PR of 6. For example, a site zoned "R(A)26" on the Tuen Mun OZP, a BH restriction of 100mPD could accommodate a residential development (i.e. Siu Tsui Court) at a PR of 6.5. In future, a broader perspective of planning and design of a site could be considered subject to the planning and development context and

timeframe allowed. For Item A1, if the Board decided to add a remark on building separation of the proposed development at Item A1 Site in the ES, the requirement could be reflected in the land lease prior to the land sale of the site. While the administrative consultation procedure might be reviewed in consultation with DOs, a balance had to be struck between expediting housing land supply and the timing of public consultation.

53. The Chairperson said that recently, there was some misguided suggestion that we had already created enough housing land to meet the demand. The fact was while the property market had softened in past few years, the housing price level remained out of reach for some members of the public. To provide adequate affordable housing, there was still a need to create more housing land. Infill sites such as the one in the present case had all along been a cause for concern for the local community. In future, there might be merits in considering the broader planning context in formulating the layout design of a housing site that was located in the vicinity of existing residential developments. Subject to resource and time constraints, there might also be merits in advancing the timing of consultation with local stakeholders so that their views could be incorporated into the layout design for the purpose of technical assessments. She invited the Secretariat to follow up on these issues and report back to the Board in due course. She also agreed with Members' suggestion that the ES should be suitably revised to state that the building separation between the proposed development at Item A1 Site and Tower 2 of Oceania Heights should be maximised. Potential bidders would be informed of the same requirement in the tender document.

54. Ms Jane K.C. Choi, Deputy Director of Lands/General, Lands Department supplemented that it would be more appropriate to set the building separation requirement above podium level since sufficient space should be allowed to accommodate a PTT to be erected on the ground floor of the proposed development at Item A1 Site. Relevant government departments would be further consulted on the building separation requirement in that regard.

Conclusion

55. The Chairperson concluded that Members generally supported or had no objection to the OZP amendments, and agreed that the OZP should not be amended to meet the adverse

representations. All grounds of the representations had been addressed by the departmental responses as detailed in the Paper as well as the presentations and responses made by the government representatives at the meeting.

56. After deliberation, the Town Planning Board (the Board) noted the supportive views of **R1 to R5** on Item B and the views provided by **R68** on Items A1 and B and **R69** on Item B, and decided not to uphold R6 to R67 and agreed that the draft Tuen Mun 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 make available sufficient supply of housing land progressively to meet the acute demand for housing, including carrying out various land use reviews on an on-going basis. Item A1 Site is located in Tuen Mun Area 16 in the southern part of Tuen Mun New Town with residential, government, institution and community (GIC) and open space uses in the area. It is considered appropriate for rezoning the Item A1 Site for residential use with a view to increasing housing land supply (**R6 to R19, R43 to R52, R54, R56, R60, R61, R66 and R67**);
- (b) a Feasibility Study with technical assessments covering various aspects including traffic, environmental, air ventilation, landscape and visual has been conducted by the Government and confirmed that there is no insurmountable technical problem in developing Item A1 Site for private residential use (**R6 to R11, R14 to R17, R19 to R21, R26 to R40, R43 to R52 and R54 to R67**);
- (c) the provision of GIC facilities is generally sufficient to meet the demand of the planned population in the Tuen Mun District in accordance with the Hong Kong Planning Standards and Guidelines, except for provision of residential care homes for the elderly, community care services facilities and child care centres. The provision of GIC facilities will be closely monitored by the relevant government bureaux/departments. Besides, there are surplus planned provisions of 32.66 ha of district open space and 58.99 ha of local

open space in the planning area to cater for the planned population (**R6 to R9, R11 to R14, R17, R19 to R25, R28, R29, R31 to R34, R36, R38 to R54, R57 to R60, R62, R66 and R67**);

Item A2

- (d) the rezoning is to reflect the as-built conditions of a residential development named ‘Oceania Heights’ which was completed in 2004. The rezoning of Item A2 is considered appropriate (**R43 to R59 and R63 to R67**);

Item B

- (e) the rezoning is to take forward the decision of the Rural and New Town Planning Committee of the Town Planning Board on the agreed s.12A application for private residential development with social welfare facilities. The technical assessments undertaken by the applicant have demonstrated that the development proposal is technically feasible and will not cause significant adverse impacts on the surroundings on traffic, visual, air ventilation and environmental aspects. The rezoning of Item B is considered appropriate (**R60 to R67**); and

Item C

- (f) the rezoning is to take forward the decision of the Rural and New Town Planning Committee of the Town Planning Board on the agreed s.12A application for columbarium development. The technical assessments undertaken by the applicant have demonstrated that with the implementation of the proposed traffic and crowd management measures, the columbarium use is technically feasible and would not induce significant traffic, visual and environmental impacts on the surroundings. Future operations of the columbarium would be subject to the licensing requirements under the Private Columbaria Ordinance. The rezoning of Item C is considered appropriate (**R63 to R67**).”

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

[Post-meeting note: Paragraph 9.3.10 of the ES for the “R(A)29” zone was amended to read as “The “R(A)29” zone to the northwest of Light Rail Transit Goodview Garden Station in Area 16 is intended for private residential development, which is subject to a maximum plot ratio of 6, or the plot ratio of the existing building, whichever is the greater. A public transport terminus and GIC facilities shall be provided, as required by the Government. ***Opportunities for maximising the buffer distance between the residential tower of the proposed development at the site and the residential tower of Oceania Heights should be explored.***”]

[Messrs Daniel K.S. Lau and Derrick S.M. Yip left the meeting during deliberation.]

[The meeting was adjourned for lunch break at 12:45 p.m.]

58. The meeting was resumed at 2:00 p.m.

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

Permanent Secretary for Development
(Planning and Lands)

Ms Doris P.L. Ho

Mr Stephen L.H. Liu

Chairperson

Vice-chairperson

Ms Sandy H.Y. Wong

Mr Stanley T.S. Choi

Mr K.W. Leung

Professor Jonathan W.C. Wong

Mr Ricky W.Y. Yu

Professor Roger C.K. Chan

Mr Ben S.S. Lui

Mr Timothy K.W. Ma

Professor Bernadette W.S. Tsui

Ms Kelly Y.S. Chan

Dr C.M. Cheng

Mr Daniel K.W. Chung

Dr Tony C.M. Ip

Professor B.S. Tang

Professor Simon K.L. Wong

Mr Simon Y.S. Wong

Mr Derrick S.M. Yip

Chief Traffic Engineer/New Territories West

Transport Department

Ms Vilian W.L. Sum

Assistant Director (Environmental Assessment)

Environmental Protection Department

Mr Gary C.W. Tam

Deputy Director/General

Lands Department

Ms Jane K.C. Choi

Director of Planning

Mr Ivan M.K. Chung

[Ms Sandy H.Y. Wong, Professor Roger C.K. Chan and Professor B.S. Tang joined the meeting at this point.]

Tuen Mun and Yuen Long West District

Agenda Item 4

[Open Meeting]

Review of Application No. A/HSK/530

Proposed Temporary Open Storage of Construction Materials with Ancillary Site Office for a Period of 3 Years and Associated Filling of Land in “Green Belt” Zone, Lots 207 (Part) and 208 (Part) in D.D. 125, Ha Tsuen, Yuen Long

(TPB Paper No. 10997)

[The item was conducted in Cantonese and English.]

Presentation and Question Sessions

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

PlanD

- | | |
|-----------------------|---|
| Mr Raymond H.F. Au | - District Planning Officer/Tuen Mun and Yuen Long West (DPO/TMYLW) |
| Ms Carman C.Y. Cheung | - Senior Town Planner/Tuen Mun and Yuen Long West (STP/TMYLW) |
| Ms Sherry M.W. Kong | - Town Planner/Tuen Mun and Yuen Long West |

Applicant’s Representatives

Mr Raymond C.H. Tam

Mr S.H. Yuen

61. 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.

62. With the aid of a PowerPoint presentation, Ms Carman C.Y. 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 of the Town Planning Board (TPB/the Board), departmental and public comments, and the planning considerations and assessments as detailed in TPB Paper No. 10997 (the Paper). As there had been no major change in planning circumstances since the consideration of the section 16 (s.16) application, PlanD maintained its previous view of not supporting the application.

[Professor Bernadette W.S. Tsui joined the meeting during PlanD's presentation.]

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

64. With the aid of a PowerPoint presentation, Mr Raymond C.H. Tam, the applicant's representative, made the following main points:

Application Background and Applicant's Efforts

- (a) the application aimed to facilitate the relocation of open storage (OS) of construction materials displaced by the Hung Shui Kiu/Ha Tsuen New Development Area (NDA) project. The relocation would reduce the operational area from about 3,808m² to 3,219m²;
- (b) the applicant conducted due diligence in searching for suitable sites and reviewing the Outline Zoning Plan (OZP) and relevant TPB guidelines. The Site was considered the only suitable and practical option, given the operational requirements and surrounding context;

- (c) the applicant's business supported major construction projects in Hong Kong by supplying metal scaffolding to construction firms. The relocation was essential for maintaining the existing operations and employment, as well as sustaining the construction industry;
- (d) paragraph (9) of the covering Notes of the approved Hung Shui Kiu and Ha Tsuen OZP stated that temporary use not exceeding a period of 3 years required permission from the Board, notwithstanding that the use was not provided for in terms of the OZP;
- (e) the proposed use was temporary in nature and would not jeopardise the long-term planning intention of the "Green Belt" ("GB") zone;
- (f) the proposed use would not cause adverse traffic and environmental impacts on the surrounding areas. All government departments consulted had no objection to the application;

The Site and Surrounding Areas

- (g) the Site had already been cleared, hard-paved and left vacant, with no substantial vegetation. Its ecological value and function had been lost, and its current conditions no longer justified its zoning as "GB";
- (h) the surrounding areas comprised graves, woodlands, warehouses and OS uses. The Urban Design and Landscape Section of PlanD considered the proposed use not incompatible with the surrounding environment and character;
- (i) a warning letter for suspected unauthorized development (UD) at the Site was received in 2016 but the site conditions had been rectified without further enforcement action;
- (j) the Site was annotated as "OS" in the base map of the Board's Statutory Planning Portal 3 (SPP3), further supporting the applicant's understanding that the Site was suitable for OS use;

Application of TPB Guidelines

- (k) the TPB Guidelines for Application for Development within “GB” Zone (TPB PG-No. 10) were only applicable to new developments which were permanent in nature;
- (l) the Site did not contain features that the “GB” zone was intended to safeguard and the application of the planning intention of the “GB” zone for the Site should be reconsidered. There was no deviation from TPB PG-No. 10 even though the guidelines were not relevant to the current application;
- (m) with reference to paragraph 1.3 of the TPB Guidelines for Application for OS and Port Back-up (PBU) Uses (TPB PG-No. 13G), temporary OS and PBU uses might be permissible on application to the Board unless such uses fell within environmentally/ecologically sensitive areas. As the Site did not fall within such areas, permission could be granted based on the individual merits of the case;

Precedent Cases

- (n) over the past 22 years, 10 similar applications for temporary OS uses within “GB” zones had been approved across the territory, demonstrating that approving the subject application would not set an undesirable precedent or encourage proliferation of OS uses within the “GB” zone; and

Sympathetic Consideration

- (o) the Board was requested to give sympathetic consideration to the application in light of the applicant’s efforts, the site conditions, the absence of adverse departmental comments and the importance of the business operation. In accordance with the relevant TPB Guidelines, each application should be assessed based on its individual merits.

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

TPB PG-Nos. 10 and 13G and Covering Notes of the OZP

66. Noting the justifications presented by the applicant's representative, a Member raised the following questions:

- (a) whether TPB PG-No.10 were applicable only to permanent development;
- (b) the relevant provisions in TPB PG-No. 13G, particularly paragraphs 1.3 and 3.3;
- (c) whether the Site would retain its "GB" zoning in the future or be rezoned for other development purposes;
- (d) whether there were any objections to the application from government departments; and
- (e) whether the application had obtained policy support from the relevant policy bureau.

67. In response, Mr Raymond H.F. Au, DPO/TMYLW, PlanD, with the aid of a PowerPoint slide, explained that according to TPB PG-No.13G, new OS and PBU uses were not encouraged to infiltrate into the NDAs. Sympathetic consideration might be given to applications for relocation of the uses/operations affected by government projects to sites designated for development purpose in NDAs subject to policy support given by the relevant policy bureaux. However, the Site was zoned "GB" and there was no policy support for the application from the relevant policy bureau. While no objections were raised by relevant government departments, PlanD did not support the application based on the planning considerations and assessments outlined in the Paper. Mr Au also clarified that TPB PG-No.10 were applicable to applications for both permanent and temporary uses.

68. At the invitation of the Chairperson, the Secretary, with the aid of a visualiser and a PowerPoint slide, elaborated on the key considerations under the relevant provisions of TPG PG-No. 13G and made the following main points:

- (a) under paragraph 1.3 of TPG PG-No. 13G, temporary OS and PBU uses were prohibited in environmentally/ecologically sensitive areas, such as “Site of Special Scientific Interest”, “Conservation Area”, “Coastal Protection Area”. For other land use zones, including “GB” zone, applications might be submitted for consideration by the Board. The assessment criteria for such applications were set out in section 2 of TPG PG-No. 13G;
- (b) paragraph 3.3 of TPG PG-No. 13G stated there was a general presumption against the infiltration of new OS and PBU uses into NDAs. Sympathetic consideration might be given to applications for relocation of the uses/operations affected by government projects to sites designated for development purpose within NDAs as temporary use/development before those sites were required for NDA development, subject to policy support given by the relevant policy bureau(x) and no adverse departmental comments and local objections, or the concerns could be addressed by approval conditions;
- (c) in such a context, if the application site was not designated for development purpose, the application would not meet the prerequisite for consideration and would unlikely be supported; and
- (d) as the Site was zoned “GB” and not designated for development purpose, the sympathetic consideration under paragraph 3.3 of TPG PG-No. 13G was not applicable to the current application.

69. At the request of Mr Ivan M.K. Chung, Director of Planning, for clarification on the provisions of paragraph (9) of the covering Notes of the OZP, Mr Raymond H.F. Au, DPO/TMYLW, PlanD, with the aid of a visualiser, explained that applications for temporary uses not exceeding a period of 3 years could be submitted for consideration by the Board under the OZP. The Board had the authority to consider each application based on its individual

merits and decide whether or not to grant permission. The phrase “notwithstanding that the use or development is not provided for in terms of the Plan” allowed applications to be submitted but did not guarantee approval by the Board.

Enforcement Actions

70. Noting from the aerial photos that the Site was densely vegetated in 2014 but cleared and hard-paved in 2015, a Member enquired why the landowner(s) had not been required to reinstate the Site and what enforcement actions had been taken at that time. In response, Mr Raymond H.F. Au, DPO/TMYLW, PlanD, with the aid of some PowerPoint slides, said that enforcement action had been initiated in 2016 with a warning letter issued due to suspected UD on the Site. Following the discontinuation of the UD, no further enforcement actions had been taken at that time. In recent years, upon enforcement action and assessment of the site conditions, a Reinstatement Notice was issued in 2024 in accordance with the latest enforcement policy, requiring the landowner(s)/concerned parties to reinstate the Site by removing hard-paving and grassing the land. While there was no reinstatement requirement in the early days, this did not legitimate the actions of the landowner(s)/concerned parties.

Rationale of “GB” Boundary and Base Map of SPP3

71. Noting from Plan R-1 of the Paper that the boundary of the “GB” zone appeared to have been drawn with reference to the boundary of the permitted burial ground but extended to cover both the temporary structures and the Site, a Member enquired about the nature of the temporary structures and the rationale for delineating the boundary of the “GB” zone. In response, Mr Raymond H.F. Au, DPO/TMYLW, PlanD, with the aid of a PowerPoint slide, said that an aerial photo from 2014 showed that there were graves adjoining the northwestern boundary of the Site and dense vegetation to its north. The temporary structures to the further north were a chicken farm and some OS uses, which might be regarded as “existing uses”. The “GB” zoning boundary was designated based on the recommendations of the Recommended Outline Development Plan (RODP) for the Hung Shui Kiu/Ha Tsuen NDA project, taking into account the topography, site characteristics, dense vegetation and the Site’s connection to the adjacent permitted burial ground, with conservation being the primary planning intention.

72. At the request of Mr Ivan M.K. Chung, Director of Planning, regarding the notation of “OS” for the Site in the base map of SPP3, Mr Raymond H.F. Au, DPO/TMYLW, PlanD explained that the notation was intended to reflect the observed land use at the time the map was prepared. It did not imply that OS was a permitted use for the Site. The permitted land uses should be determined by referring to the relevant OZP.

Others

73. In response to a Member’s question on whether the applicant had made any alternative arrangements for relocation or contingency plans in the event that the Site was not approved for the applied use ultimately, Mr Raymond C.H. Tam, the applicant’s representative, said that the applicant relied solely on the Site to continue its business operations as it was the only suitable and practical location identified. If approval was not granted, the business would likely have to cease operations. PlanD’s stance of not supporting the application hindered the applicant from obtaining the necessary policy support.

74. Two Members enquired whether the applicant’s representatives were aware that the Board had the discretion to approve or reject the application based on relevant considerations and that the site should be located in an area designated for development purpose in NDAs for the application to be approved.

75. In response, Mr Raymond C.H. Tam, the applicant’s representative, made the following main points:

- (a) while the Board had the discretion to approve or reject the application based on relevant considerations and the Board’s decision would be respected, he requested the Board to give sympathetic consideration to the current application in light of its individual merits, including the Site’s conditions, its suitability for temporary use and the absence of objections from other government departments; and
- (b) while noting the prerequisite for temporary OS use to be located in a site designated for development purpose in NDA, the applicant had followed all necessary steps to submit the application, based on their interpretation of TPG

PG-No. 13G. It was unclear how the planning criteria of the guidelines applied to their case and how the correlations among different parts of the guidelines were interpreted. It was considered that the guidelines should be revised to provide greater clarity, including elaborations on the requirements and the connections between different sections.

76. 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.

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

Deliberation Session

77. The Chairperson invited Members to express views on the application.

78. Some Members observed that the applicant had focused heavily on paragraph 1.3 of TPB PG-No. 13G, which emphasised assessing applications on individual merits. Nevertheless, the applicant did not interpret the guidelines comprehensively by taking into account the considerations set out in paragraph 3.3, which stipulated that sympathetic consideration might be given to applications for relocation of uses/operations affected by government projects to sites designated for development purpose in NDAs. The Site did not meet such a requirement. Besides, no policy support had been given to the application. Members generally agreed that sympathetic consideration was not warranted for the current application after taking into account its individual circumstances.

79. The Secretary supplemented that both the covering Notes of the OZP and paragraph 1.3 of TPB PG-No. 13G outlined the conditions under which an application could be submitted. However, as the Site was located within a NDA, the provisions under section 3 of TPB PG-No. 13G were relevant, which stated that new OS and PBU uses were generally not encouraged to infiltrate into the NDAs. For sympathetic consideration to be given, the proposed uses should

be located on sites designated for development purpose in NDAs, subject to policy support from the relevant policy bureau(x) and no adverse departmental comments and local objections, or the concerns could be addressed by approval conditions. While the applicant was entitled to submit the planning application, the decision to approve or reject it would be based on a host of planning considerations as set out in the guidelines.

80. In response to a Member's enquiry regarding the 10 applications for temporary uses approved in "GB" zones previously, the Secretary said that given only 10 applications were approved across the territory in the last 22 years, it was evident that such approvals were very rare and were only granted under exceptional circumstances. When considering applications in the "GB" zones, the relevant TPB guidelines should be strictly adhered to.

81. A Member considered that as the operation was affected by a government project, there was no objection from relevant government departments on technical grounds and the Site was hard-paved and no longer served the intended "GB" function, sympathetic consideration might be given to the application. Another Member noted that granting a temporary approval for a period of 3 years might not have a long-term impact on the site conditions if the land was already degraded. Nevertheless, approval should not be granted in this case to avoid sending a wrong message of encouraging a "destroy first, build later" approach.

82. The Secretary supplemented that previous legal advice had confirmed that for cases involving "destroy first, build later" activities, the application should be assessed based on the original site conditions/reinstated conditions rather than the degraded conditions.

83. A Member enquired whether there was a mechanism in place to ensure that the Site would be properly reinstated to better serve its "GB" function. In response, the Secretary said that the current enforcement actions involving conservation zones, such as "GB", would require restatement of the sites, including removing hard paving and grassing the land. If the responsible party failed to comply with the Reinstatement Notice, the Planning Authority could initiate prosecution action.

84. The Chairperson concluded that majority of Members did not support the review application, having considered the justifications provided by the applicant/applicant's representatives and all relevant considerations.

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

- “(a) the proposed use with associated filling of land is not in line with the planning intention of the “Green Belt” 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 in the submission for a departure from the planning intention, even on a temporary basis;
- (b) the proposed use with associated filling of land is not in line with the Town Planning Board Guidelines for Application for Development within the “Green Belt” Zone (TPB PG-No. 10) in that the proposed development is considered incompatible with the surrounding areas; and
- (c) the proposed use with associated filling of land is not in line with the Town Planning Board Guidelines for Application for Open Storage and Port Back-up Uses (TPB PG-No. 13G) in that new open storage and port back-up uses are generally not encouraged to infiltrate into the New Development Areas.”

[Professor Bernadette W.S. Tsui left the meeting during deliberation session.]

Sha Tin, Tai Po and North District

Agenda Item 5

[Open Meeting]

Review of Application No. A/NE-TK/824

Proposed Temporary Public Vehicle Park (Private Cars and Medium Goods Vehicles Only) for a Period of 3 Years and Associated Filling of Land in “Agriculture” Zone, Lots 408 RP, 410 RP (Part), 411 RP, 412 RP, 422 in D.D. 14, Tung Tsz, Tai Po
(TPB Paper No. 10998)

[The item was conducted in Cantonese.]

Presentation and Question Sessions

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

PlanD

Mr Rico W.K. Tsang	- District Planning Officer/Shan Tin, Tai Po and North (DPO/STN)
Mr Jeffrey P.K. Wong	- Senior Town Planner/Shan Tin, Tai Po and North (STP/STN)
Ms Charlotte T.W. Wun	Assistant Town Planner/Shan Tin, Tai Po and North

Applicant’s Representatives

Mr W.Y. Yip

Mr C.S. Ho

87. 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.

88. With the aid of a PowerPoint presentation, Mr Jeffrey P.K. Wong, STP/STN, 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 of the Town Planning Board (the Board), departmental and public comments, and the planning considerations and assessments as detailed in TPB Paper No. 10998 (the Paper). As there had been no major change in planning circumstances since the consideration of the section 16 (s.16) application, PlanD maintained its previous view of not supporting the application.

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

90. With the aid of a visualiser, Mr C.S. Ho, the applicant's representative, made the following main points:

Agricultural Perspective

- (a) there was an excessive supply of abandoned agricultural land and the demand for agricultural use on private lots was low. According to the Director of Agriculture, Fisheries and Conservation, there were about 3,188 ha of abandoned farmland in Hong Kong, and the utilisation rate of farmland was about 19% in 2023;
- (b) among the 13 farms with crop production in the Agri-Park, only three were in full production and the remaining 10 farms had crop production only in part of their leased areas, with the rest left fallow. Besides, two farms in the Agri-Park had remained fallow for about eight and nine months respectively;

- (c) many private landowners were reluctant to lease their land to farmers, which limited the potential for agricultural rehabilitation. Furthermore, the Site was not included in the Agricultural Land Rehabilitation Scheme;
- (d) members of the Tai Po District Council suggested optimising the vacant agricultural land for car parking;
- (e) the Director of the Hong Kong and Macao Work Office of the Communist Party of China Central Committee agreed that the agricultural land in the New Territories could be released for development as there was sufficient food supply from the Mainland;
- (f) the Site had not been utilised for agricultural purposes in the past 24 years, indicating no intention for such use by farmers;
- (g) the proposed use was on a temporary basis for 3 years. If the landowner needed to use the Site for rehabilitation for cultivation, the applicant could reinstate the Site to agricultural land;

Parking Demand Perspective

- (h) the two closest public vehicle parks to the Site were at least 1 km away, providing 52 parking spaces for private cars and 7 parking spaces for light goods vehicles to serve the population of 477 in Shuen Wan, which were planned between 1996 and 1997. The supply of parking spaces was not sufficient to cater for the demand, leading to roadside parking of private cars, medium goods vehicles (MGVs) and heavy goods vehicles (HGVs). Photos shown by the applicant's representatives revealed that roadside parking was particularly severe at night;
- (i) the proposed public vehicle park would help address the needs of local residents and directly benefit the local community by alleviating the parking shortage, reducing roadside parking problems and improving road safety;

- (j) the Hong Kong Planning Standard and Guidelines (HKPSG) set out up to one car parking space for each standard New Territories Exempted House (NTEH), with 10% to 15% of provision for overnight goods vehicles. However, there was no overnight parking provision for goods vehicles in the neighbouring villages of Tung Tsz and Wai Ha, resulting in illegal roadside parking of MGVs and HGVs, hence causing obstruction and safety issues. Regarding the objecting public comment received under the s.16 application which claimed that parking lots were available in the nearby “Village Type Development” (“V”) zones, the above justifications were relevant;

Planning Perspective

- (k) the Board should consider each application based on its own merits and circumstances;
- (l) although the proposed use was not in line with the planning intention of the “Agriculture” (“AGR”) zone, it aimed to serve the nearby villagers without undermining the long-term planning intention. The Highways Department, Water Supplies Department, Fire Services Department and Transport Department supported or had no objection to the application; and
- (m) regarding the objecting public comment received under the s.16 application about the intention of extending the open storage use next to the Site, the Board could impose relevant approval conditions and the planning permission would be revoked in case of non-compliance.

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

Parking Standard

92. In response to a Member’s enquiry on the parking standards for NTEHs under HKPSG, Mr Rico W.K. Tsang, DPO/STN, PlanD, with the aid of a PowerPoint slide, said that Chapter 8 of HKPSG on Internal Transport Facilities stipulated a provision standard of up to

one car parking space for each standard NTEH, with 10-15% of provision for overnight goods vehicles, and the car parking spaces were generally to be provided in communal parking areas within the village 'environs'. While the parking standards under HKPSG were advisory in nature and could be applied flexibly, the actual provision would be subject to the advice of the Transport Department (TD), taking into account specific circumstances of each case.

93. Ms Vilian W.L. Sum, CTE/NTW, TD supplemented that the parking standards under HKPSG was a maximum of one parking space per village house, and nil provision was also acceptable. She explained that the standards were derived based on the general sizes of specific housing types, with different housing types having different parking standards.

Similar Applications

94. A Member enquired about the grounds for rejecting four similar applications (No. A/NE-TK/636, 671, 739 and 740) for temporary public/private vehicle parks, particularly application No. A/NE-TK/671. In response, Mr Rico W.K. Tsang, DPO/STN, PlanD, with the aid of a PowerPoint slide, explained that the four applications were all rejected mainly on the consideration of being not in line with the planning intention of the "AGR" zone. Three of them (applications No. A/NE-TK/636, 739 and 740) were also rejected for the ground that the applicants failed to demonstrate no adverse landscape and/or traffic impacts. Such rejection ground did not apply to application No. A/NE-TK/671, having regard to the site condition and local circumstances.

Site Context and Parking Situation

95. With the agreement of the Chairperson, Mr W.Y. Yip, the applicant's representative, supplemented the following main points regarding the site context and parking situation in the area:

- (a) he was the village representative of Tung Tsz Village and a member of the Tai Po North Area Committee. He had lived in the area for 41 years and witnessed the development of the rural area;

- (b) the application aimed to address the issue of illegal parking, which was serious and led to frequent conflicts between local residents and the authorities;
- (c) the MGVs and HGVs parked along the road were owned by local residents to support their livelihoods. Parking spaces in nearby villages were insufficient;
- (d) the area lacked metered parking spaces. Cross-departmental actions would be necessary to remove vehicles not associated with local residents, thereby allowing better utilisation of the limited parking spaces. The provision of metered parking spaces was supported as it would enable better monitoring;
- (e) over 90% of land in the nearby Tung Tsz Village and Wai Ha Village had been developed with houses, with the remaining areas being unsuitable for car parking;
- (f) the development of proposed Agricultural Priority Areas (APAs), which usually involved advanced-technology facilities, should preferably be located far from residential areas. The Site was close to “V” zones, making it less practical for proposed APA development;
- (g) the suitability of the Site for agricultural uses was questionable as it relied on rainwater from nearby ponds as its primary water source;
- (h) the public comments raising ecological concerns, such as impact on butterflies, were not substantiated; and
- (i) the Site was directly accessible by road, making it more viable than some other previously rejected applications, which lacked road access.

96. In response to the assertion of Mr W.Y. Yip, the applicant’s representative, that the unbuilt areas of Tung Tsz Village and Wai Ha Village were not suitable for car parking, Mr Rico W.K. Tsang, DPO/STN, PlanD, with the aid of some PowerPoint slides, pointed out that

about 5,000m² and 9,300m² of land within the “V” zones of Wai Ha Village and Tung Tsz Village respectively were identified as having potential for temporary parking use, though the areas should primarily be reserved for Small House development in the long term. Mr W.Y. Yip, the applicant’s representative, stated that those areas within the “V” zones identified by PlanD were not feasible for parking use due to the hilly or sloping terrain, the presence of stream or vegetation, and inaccessibility. If those sites were suitable, applications for parking use would have already been submitted.

97. 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.

[Mr Stephen L.H. Liu left the meeting after the question and answer session.]

Deliberation Session

98. The Chairperson invited views from Members.

99. Some Members expressed the following views on the car parking issue:

- (a) the car parking issue in rural areas was complex and long-standing, often resulting in conflicts between local residents and the Government. It required serious attention and should be addressed comprehensively at a higher policy level;
- (b) car ownership and parking demand were interrelated as increasing the provision of parking spaces might encourage higher car ownership, thereby perpetuating the problem; and
- (c) the feasibility of making better use of existing resources for car parking should be explored, such as utilising nearby sites, like Tung Tsz Scout Centre,

Scout Association of Hong Kong, during time when the parking area of such premises were not in use. Reference could be made to recent discussions on allowing school buses to park within school premises at night.

100. Some Members noted that a considerable portion of land within “AGR” zones remained unused and were concerned whether the planning intention could be realised. They considered that that a land use review might need to be conducted to optimise the utilisation of agricultural land in the future when opportunity arose.

101. A Member highlighted that the total area of agricultural land in Hong Kong had decreased significantly over time, from over 10,000 ha to about 4,000 ha at present, and would be further reduced to about 760 ha of proposed APAs. As the Site was within an area designated as proposed APA, approving the application would set an undesirable precedent for the proliferation of developments into proposed APAs. There was a need to maintain a reserve of agricultural land to strengthen local food supply.

102. Some Members expressed the need to review the development situation in “V” zones, particularly regarding whether car parking spaces and community facilities should be planned to support village developments.

103. The Chairperson remarked that issues related to “V” zones were highly complex and required careful consideration. Regarding the “AGR” zones, there might be scope to explore the feasibility of converting some agricultural land, particularly non- proposed APA sites, for alternative uses to better meet community needs.

104. The Chairperson concluded that Members generally did not support the review application as the proposed temporary public vehicle park use was not in line with the planning intention of the “AGR” zone and there was no strong justification to deviate from such planning intention.

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

“the proposed use and associated filling of land are 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, even on a temporary basis.”

Agenda Item 6

[Open Meeting]

Any Other Business

[The item was conducted in Cantonese.]

106. There being no other business, the meeting was closed at 4:25 p.m.