

**Minutes of 1361st Meeting of the
Town Planning Board held on 12.6.2026**

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 Vincent K.Y. Ho

Mr Ben S.S. Lui

Mr Timothy K.W. Ma

Professor Bernadette W.S. Tsui

Ms Kelly Y.S. Chan

Mr Daniel K.W. Chung

Professor B.S. Tang

Professor Simon K.L. Wong

Mr Simon Y.S. Wong

Mr Eric C.B. Chan

Mr Vincent K.C. Cheung

Dr Chris K.T. Lam

Dr Kelvin K.Y. Leung

Mr Wilson H.K. Shum

Mr Gary X.Y. Zhang

Chief Engineer (Traffic Survey and Support)
Transport Department
Mr W.H. Poon

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

Principal Environmental Protection Officer (Territory North)
Environmental Protection Department
Ms Clara K.W. U

Director of Lands
Mr Maurice K.W. Loo

Director of Planning
Mr C.K. Yip

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

Secretary

Absent with Apologies

Dr C.M. Cheng

Dr Tony C.M. Ip

Mr Ryan M.K. Ip

Mr Rocky L.K. Poon

Mr Derrick S.M. Yip

Professor Janet K.Y. Chan

Professor Herbert P.K. Chia

In Attendance

Assistant Director of Planning/Board
Ms Katy C.W. Fung

Chief Town Planner/Town Planning Board
Mr K.K. Lee

Senior Town Planner/Town Planning Board
Ms Tracy C.Y. Wong

Agenda Item 1

[Open Meeting]

Confirmation of Minutes of the 1360th Meeting

[The item was conducted in Cantonese.]

1. The draft minutes of the 1360th meeting held on 15.5.2026 were confirmed without amendment.

Agenda Item 2

[Open Meeting]

Matters Arising

[The item was conducted in Cantonese.]

(i) Approval of Draft Outline Zoning Plans

2. The Secretary reported that the Chief Executive in Council approved (a) the draft Hung Hom Outline Zoning Plan (OZP) (renumbered as S/K9/30), the draft Ngau Tam Mei OZP (renumbered as S/YL-NTM/16) and the draft Ping Shan OZP (renumbered as S/YL-PS/22) on 12.5.2026; and (b) the draft Tung Chung Valley OZP (renumbered as S/I-TCV/4) and the draft Cha Kwo Ling, Yau Tong, Lei Yue Mun OZP (renumbered as S/K15/29) on 2.6.2026.

3. The approval of the OZPs under items (a) and (b) above were notified in the Gazette on 22.5.2026 and 12.6.2026 respectively.

(ii) Reference Back of Approved Outline Zoning Plan

4. The Secretary reported that on 26.5.2026, the Secretary for Development referred the approved Tuen Mun Outline Zoning Plan (OZP) No. S/TM/41 to the Town Planning Board for amendment under section 12(1A)(a)(ii) of the Town Planning Ordinance. The reference back of the OZP was notified in the Gazette on 5.6.2026.

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

Hung Shui Kiu and Ha Tsuen OZP

5. The Secretary reported that the hearing arrangement for consideration of representations in respect of the draft Hung Shui Kiu and Ha Tsuen Outline Zoning Plan (OZP) No. S/HSK/3 was agreed by Members on 2.6.2026 by circulation. She briefly introduced that the draft OZP was exhibited for public inspection on 20.3.2026 under section 5 of the Town Planning Ordinance (the Ordinance). During the 2-month exhibition period, four valid representations were received. In view of the similar nature of the representations, the hearing of the representations was recommended to be considered by the full Town Planning Board (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 presenter in the hearing session. Consideration of the representations by the full Board was tentatively scheduled for July 2026.

Mai Po and Fairview Park OZP

6. The Secretary reported that the item was to seek Members' agreement on the hearing arrangement for consideration of representations in respect of the draft Mai Po and Fairview Park OZP No. S/YL-MP/9. She briefly introduced that the draft OZP was exhibited for public inspection on 6.3.2026 under section 5 of the Ordinance. During the 2-month exhibition period, five valid representations were received. In view of the similar nature of the representations, the hearing of the representations was recommended to be considered by the full Board collectively in one group. To ensure efficiency of the hearing, a maximum of 10 minutes presentation time would be allotted to each presenter in the hearing session. Consideration of the representations by the full Board was tentatively scheduled for July 2026.

7. The Board agreed to the hearing arrangement in paragraph 6 above.

Tsuen Wan and West Kowloon District

Agenda Item 3

[Open Meeting (Presentation and Question Sessions only)]

Consideration of Representations in respect of the Draft Tsuen Wan Outline Zoning Plan No. S/TW/40

(TPB Paper No. 11062)

[The item was conducted in Cantonese and English.]

8. The Secretary reported that Amendment Items A, B1 and B2 (Items A, B1 and B2) incorporated in the draft Tsuen Wan Outline Zoning Plan were to take forward two partially agreed section 12A (s.12A) applications No. Y/TW/19 and 18 in Fu Yung Shan and Yau Kom Tau respectively. Aurecon Hong Kong Limited (Aurecon) was the consultant of the applicants for application No. Y/TW/19, while Ove Arup & Partners Hong Kong Limited (Arup) and Singular Studio Limited were the consultants of the applicant for application No. Y/TW/18. The following Members had declared interests on the item:

Ms Kelly Y.S. Chan - working with the founder and director of Singular Studio Limited in the Tender Committee of the Hong Kong Housing Authority;

Dr Tony C.M. Ip - his firm having current business dealings with Aurecon and having past business dealings with Arup; and

Professor Simon K.L. Wong - his company owning a property in Tsuen Wan.

9. Members noted that Dr Tony C.M. Ip had tendered apologies for being unable to attend the meeting. As the interest declared by Ms Kelly Y.S. Chan was considered indirect and the property owned by the company of Professor Simon K.L. Wong had no direct view of the amendment sites, Members agreed that they could stay in the meeting.

[Dr Kelvin K.Y. Leung joined the meeting at this point.]

Presentation and Question Sessions

10. The following representatives of the Planning Department (PlanD), representers and representers' representatives were invited to the meeting at this point:

PlanD

Mr Steven Y.H. Siu	- District Planning Officer/Tsuen Wan and West Kowloon (DPO/TWK)
Mr Michael K.K. Cheung	- Senior Town Planner/Tsuen Wan and West Kowloon (STP/TWK)
Ms Jacqueline Y.H. Chan] Town Planners/Tsuen Wan and West
Mr Frankie H.C. Tsang] Kowloon

Representers and Representers' Representatives

R1 – Wong Fah Man

Mr Chiu Sung Chun]
Ms Ng Choi Lam] Representer's Representatives
Ms You Qingyan]
Mr Li Xinhao]

R2 – 吳欣

Ms Ng Yun	- Representer
Mr Yeung Sai Fai	- Representer's Representative

R3 – 倪小紅

Ms Ni Xiaohong	- Representer
Mr Chan Ho Fai]
Mr Ho Lap Sum] Representer's Representatives
Mr Hoang Quang Duc]

R4 – 楊偉傳

Mr Chiu Sung Yip]
Mr Tang Chun Kit] Representers' Representatives
Mr Wong Chung Hei]

R5 – 嚴志良

Mr Yim Chi Leung - Representer

R6 – Mary Mulvihill

Ms Mary Mulvihill - Representer

11. The Chairperson extended a welcome and briefly explained the procedures of the hearing. She said that PlanD's representatives would be invited to brief Members on the representations. The representers and representers' 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 representers' representatives two minutes before the allotted time was to expire, and when the allotted time limit was up. A question and answer (Q&A) session would be held after the representers and representers' representatives had completed their oral submissions. Members could direct their questions to PlanD's representatives, the representers and representers' representatives. After the Q&A session, PlanD's representatives, the representers and representers' representatives would be invited to leave the meeting. The Town Planning Board (the Board/TPB) would then deliberate on the representations in closed meeting and inform the representers of the Board's decision in due course.

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

12. The Chairperson invited PlanD's representatives to brief Members on the representations. With the aid of a PowerPoint presentation, Mr Michael K.K. Cheung, STP/TWK, PlanD briefed Members on the representations, including the background of the amendment items on the draft Tsuen Wan OZP No. S/TW/40, the grounds/views of the representers, government responses and PlanD's views on the representations as detailed in TPB Paper No. 11062 (the Paper). The amendment items on the OZP included:

- (a) Item A – rezoning of a site at Fu Yung Shan from “Green Belt” (“GB”) and “Village Type Development” (“V”) to “Residential (Group B) 9” (“R(B)9”) with stipulation of building height (BH) restriction (BHR) of 150 metres above Principal Datum (mPD) and designation of a non-building area (NBA) for a private residential-cum-residential care home for the elderly (RCHE) and public vehicle park (PVP) development;
- (b) Item B1 – rezoning of a site at Yau Kom Tau from “GB” and “Government, Institution or Community” (“G/IC”) to “R(B)10” with stipulation of BHR of 180mPD for a private residential development with social welfare facilities (SWFs); and
- (c) Item B2 – rezoning of a strip of residual land to the north of the “R(B)10” site from “GB” to “G/IC” for rationalising the zoning boundaries.

13. There were also amendments to the Notes of the OZP to reflect the above rezonings, and incorporate other technical amendments, including amending the covering Notes to keep pace with modern needs.

[Professor Simon K.L. Wong joined the meeting during PlanD’s presentation.]

14. The Chairperson then invited the representers and representers’ representatives to elaborate on their representations.

R1 – Wong Fah Man

15. With the aid of a visualiser, Mr Chiu Sung Chun made the following main points:

Item A

- (a) there were fewer than 100 residents currently living within the Item A site, and he was among them. The residents were concerned about the sewerage, drainage, waste, air pollution and traffic impacts of the proposed development,

which was the largest development ever proposed in Fu Yung Shan, with two residential towers accommodating over 2,000 people;

- (b) the developer had only implemented a smaller-scale development project in Yuen Long before and had no experience in undertaking such a large-scale project involving residential development and a RCHE;
- (c) based on the departmental comments, the proposed sewage treatment facility for the development was not adequate and would require further enhancement. It was queried whether the developer had submitted a revised sewage treatment proposal to the Board. While the developer expressed an intention to connect to the public sewer, there was concern as to whether the developer had discussed such sewerage works proposal with the Government; otherwise, sewage leakage might occur if the capacity of the public sewer was not increased to cater for the influx of over 2,000 residents;
- (d) Fu Yung Shan Road was narrow and steep. While residents relied on the current minibus service to commute, the service was infrequent due to low passenger volume. Vehicular trips generated by an additional 2,000 people would bring about traffic congestion and noise nuisance. Traffic congestion was particularly serious during the morning and afternoon peak hours, and pedestrians would find it difficult to cross the road. As a number of temples were located in the Fu Yung Shan area, traffic congestion would be aggravated during Ching Ming festival days or other traditional occasions due to the influx of worshippers. According to the Transport Department (TD), the road junction was connected to Route Twisk and Tsuen Kam Interchange in the vicinity, and the traffic capacity of the latter was already saturated. With the proposed residential development cum RCHE, additional traffic impact arising from residents' and visitors' vehicles as well as rehabilitation buses would further worsen the road traffic conditions;
- (e) during the construction stage of the proposed development, heavy vehicles would utilise Fu Yung Shan Road, which would affect the vehicular access for ambulances or fire engines, as well as pedestrian road safety. Residents had

grave concerns in that regard; and

- (f) there had been no discussions or communications between the developer and the existing residents regarding the future use of the Item A site.

16. Mr Li Xinhao raised the following queries on the development proposal:

- (a) whether the developer could advise on the additional sewage generated by the proposed residential cum RCHE development and the basis for the calculation, and whether the underground sewage treatment facility could cope with the additional load;
- (b) whether the proposal would further strain the public sewer, and whether the sewerage improvement works would affect the existing residents; and
- (c) what the project timeline would be and when the improvement works were expected to be completed.

17. Ms Ng Choi Lam made the following main points:

- (a) the developer admitted that the design flow to capacity (DFC) ratio of Tsuen Kam Interchange would be close to saturation 3 years after completion of the proposed development. In other words, traffic conditions would be significantly affected; and
- (b) Fu Yung Shan Road was a minor and very narrow road. Given that the increase in residential population and visitors to the RCHE would worsen traffic conditions, it was questioned whether the traffic impact assessment (TIA) report had reflected the reality.

R2 – 吳欣

18. With the aid of a visualiser, Ms Ng Yan made the following main points:

Item A

- (a) as a resident of Fu Yung Shan, she loved the area with its flowers, grasses and trees. Noting that two previous rezoning applications were rejected, it was queried why the third application (i.e. Y/TW/19) was approved. It was considered not yet the right time to develop “GB” zones in Hong Kong, as they should be preserved as the city’s lungs, providing fresh air and a pleasant environment for the public;
- (b) the level of public opposition to the development proposals was inconsistent, as hundreds of opposing comments were received for the earlier rezoning application No. Y/TW/16, but only dozens of comments were made against application No. Y/TW/19. The reason for such a difference was questioned;
- (c) Fu Yung Shan was considered to be of ecological value with trees, birds and insects. The habitat should be preserved and enhanced, rather than replaced by tall buildings which would result in greater human disturbance. The trees, being 20 to 30 years old, provided greening and oxygen, and it would be difficult to reinstate their aesthetic and functional values through the planting of new tree seedlings;
- (d) it was wondered how trees, animals and insects could be relocated, and whether they would simply be removed. The effectiveness of tree compensation proposal at a ratio of 1:1 was also queried, particularly on how many years it would take for the replanted trees to achieve the same canopy shade, temperature regulation, water absorption and soil-binding functions as the original trees. It was further queried whether rooftop gardens and vertical greening could compensate for the loss of natural vegetation. Consideration should also be given to retaining the NBA within the Item A site under “GB” zoning;
- (e) water runoff from Fu Yung Shan during heavy rainfall was another major concern, and it was queried how the applicants could guarantee that the proposed development would not aggravate runoff. It would be best to

maintain the status quo;

- (f) visual impact was also a concern as high-rise buildings in Fu Yung Shan would become an eyesore and adversely affect the scenic view from Discovery Park. Given that housing supply was already saturated, residential buildings could be built elsewhere, and the “GB” zone should be kept intact for environmental protection regardless of the scale of the project; and
- (g) it was queried whether the grounds for rejecting the previous rezoning applications, such as issues relating to development intensity, greening space and the undesirable precedent, had been resolved by the applicants, and whether traffic, sewerage, slope safety, ecology and infrastructure problems still existed. If such problems remained, it was questioned why the rezoning and revised scheme could now be supported.

19. With the aid of a visualiser, Mr Yeung Sai Fai made the following main points:

- (a) the developer did not submit any photomontages to illustrate the BH. An image generated using artificial intelligence (AI) to show the two high-rise residential buildings was presented. The developer should produce visual illustrations to show the visual impact of the proposed development and its impact on the ridgeline, for example, as viewed from the top of Fu Yung Shan; and
- (b) the “GB” area could serve as a buffer to keep wild boars, snakes and squirrels away from the urban area; otherwise, they would venture further into the urban area to search for food and create nuisance to the public.

R3 – 倪小紅

20. With the aid of a visualiser, Mr Hoang Quang Duc made the following main points:

Item A

- (a) Fu Yung Shan was situated on sloping terrain, where flooding and slope runoff were long-standing problems known to residents. The developer claimed that the geotechnical concerns could be managed, but the vast area of hard surfaces would alter the direction of runoff during heavy rainfall, potentially diverting polluted water into residential dwellings. It was queried whether relevant government departments had conducted site visit during inclement weather to understand the real situation;
- (b) the large-scale development would involve land excavation, piling and frequent passage of heavy construction vehicles, posing risks to residents and stability of old structures and squatters. Vibration from heavy vehicles might create cracks or cause land subsidence, thereby endangering existing dwellings. It was wondered how residents could lodge complaints and whether monitoring records would be made available during the construction stage. Without information about the detailed design and solutions, residents would feel insecure. It would be too late if detailed assessments were only conducted after rezoning approval, as residents could not afford repeated disruptions and changes to their living conditions. Geotechnical risks should be managed on a precautionary basis as landslides could occur without warning;
- (c) it was enquired whether the developer had conducted site visit during inclement weather to inspect flooding, landslides, slope runoff and road surface conditions; whether the direction of runoff, together with waste water and stagnant water from construction activities, would affect residents in Chung Kuk Terrace and squatters and the nearby road network; and how access for emergency vehicles would be arranged given the large elderly population in the area;
- (d) the proposed private development would affect local residents' livelihood. As the proposal was approved by the Board, the Government should bear the responsibility for compensation and rehousing and should not use 'private development' as an excuse. The community, with its residents, squatters, right-of-way access and religious activities, had long existed, and such site

conditions should have been known to the Government and the developer during the land transaction process. The assessment of the rezoning application should not focus solely on land use, BH, RCHE provision without taking into account the existing residents' way of life. If the proposal was approved and the developer was responsible for site clearance, relocation, rehousing and livelihood support, it would be unfair for residents to face an uncertain future;

- (e) it was considered ironic that the developer would provide a SWF, i.e. an RCHE, by displacing existing elderly residents. Elderly residents with limited choices would be forced to leave their homes where they had been living in for many years and wished to remain there and retire in familiar surroundings. The planning gains of providing an RCHE would be at the expense of the elderly residents, who would lose their familiar environment and support from neighbours. Demolishing their homes for a commercially operated RCHE would contravene the principle of "ageing in place". The Board's decision should not override residents' wellbeing if there was no agreement on rehousing arrangements; and
- (f) the developer had refused to acknowledge the long-standing presence of residents, squatters, local access, religious activities and related users on the Item A site. Neither the Board nor the developer had confirmed the rehousing and compensation arrangements for the affected residents. Prior to submitting the proposal, the developer had not reached out to any residents in Fu Yung Shan or listened to residents' aspirations through site visits or meetings. It was questioned whether the Board would consider rehousing and compensation for the existing residents before granting permission, or would defer such matters to the developer after approval. It was also asked whether the developer had set aside funding for compensation and rehousing. Without such provision, it would be difficult for the developer to gain the trust of the residents.

[Mr C.K. Yip, Director of Planning, left the meeting during the presentation of R3's representative.]

R4 – 楊偉傳

21. With the aid of a visualiser, Mr Chiu Sung Yip made the following main points:

Item A

- (a) he strongly opposed the proposed development, which had been mooted for over 10 years. The proposed development in the “GB” zone would destroy the natural environment. Contrary to the developer’s claim of no existing population, there were in fact about 40 to 50 households, comprising over 100 residents, currently residing in the Item A site. This was based on his personal experience, having grown up and lived in the area for over 60 years. While the need for development was acknowledged, the potential impact on existing residents and the lack of consultation had left many residents worried;
- (b) there was a serious lack of communication between the developer and the residents. Some residents had previously won court cases for adverse possession over parts of the lots within the Item A site. Complaints had been made about the lack of response from Strong Fit Limited, one of the applicants of the s.12A application, despite written invitations for meetings having been issued. The developer had not responded to residents for over 2 years. Moreover, some parts of the site belonged to the Government, while others belonged to the developer, and there was no communication between the developer and local residents;
- (c) residents from Muk Min Ha Tsuen (木棉下村) and Fu Yung Shan San Tsuen (芙蓉山新村) also objected to the proposal. Despite residents’ written pleas to the developer and the Board, the proposed development had been revised several times without any response from the developer. Residents were not aware of the latest proposal or the opportunity to give oral representations until local community organisations reached out to help. The developer lacked professionalism, and failed to coordinate or communicate with residents to avoid misunderstandings. The developer did not take responsibility for

addressing residents' concerns. For example, residents were told by staff of the developer not to repair shattered window panes, leading to safety risks;

- (d) traffic and construction impacts were also major concerns. The ownership titles of Chung Kuk Terrace were fragmented with many stakeholders, and only a single road was shared among residents. Construction vehicles for the future development would pose traffic problems. Moreover, there was a cluster of temples nearby. Traffic impacts brought by the development and road closure during Ching Ming Festival might cause serious traffic problems, and the technical feasibility of the proposal was uncertain; and
- (e) the proposed development would have impacts on temples and intangible cultural heritage. The temples of Sim Lo (禪廬) and Kwun Yam Tai Lei Tong (觀音大利堂) were located on part of the land owned by Strong Fit Limited. Demolishing half of the temples for the sake of only two car parking spaces was considered not desirable, as it would permanently eliminate space for worship, community reunions and resident gatherings. Kwun Yam Tai Lei Tong was affiliated with a Fa Pao Association (花炮會), which usually attracted around 200 to 300 people to celebrate Kwun Yam Birthday and other festive occasions. It was noted that very few Fa Pao Associations remained in Tsuen Wan, and such intangible cultural heritage would be affected due to the provision of only two parking spaces.

22. Mr Tang Chun Kit made the following main points:

- (a) he queried whether the applicants had ascertained the land ownership, easement right of local access and road usage arrangement, and whether consensus had been reached with the residents; and
- (b) the proposal would remain controversial if no prior notification had been given to, or consent obtained from, the residents. Residents' right to be informed and heard was not respected, as the developer had no communication with the affected people.

23. Mr Chiu Sung Yip further cited a resident's opinion that despite the possible receipt of monetary compensation, the residents would still be left homeless. The Housing Department might consider providing interim housing to rehouse the affected residents.

R5 – 嚴志良

24. Mr Yim Chi Leung made the following main points:

Item B1

- (a) he was a resident in Tsuen Wan West and supported the Board in approving new development sites to alleviate the housing problem in Hong Kong. However, the Government had to resolve the traffic problems arising from new developments;
- (b) a proposal from one of the developers for the Yau Kom Tau area would comprise 490 flats with 100 to 130 parking spaces. The proposed development would increase traffic burden on roads leading from Yau Kom Tau Village (油柑頭村) and further to Castle Peak Road;
- (c) during morning peak hours each day, drivers from Tsuen Wan West had to wait for about 7 to 12 minutes before they could merge into the traffic lane and leave the Hoi Hing Road Roundabout near Kong Nam Industrial Building;
- (d) the only exit from Yau Kom Tau Village was connected to Castle Peak Road. The Government should consider diverting the additional traffic generated by future developments in the Yau Kom Tau area to other trunk roads, such as Tuen Mun Road or Hoi On Road;
- (e) if the problem was ignored, the cumulative impact of approving residential developments in the Yau Kom Tau area would aggravate traffic congestion on Castle Peak Road, potentially leading to congestion for most of the daytime; and

- (f) if the traffic problems were not resolved, the Board should reject the development proposal.

R6 – Mary Mulvihill

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

Items A and B1

- (a) she strongly opposed Items A and B1. Both involved the provision of SWFs, which were exploited to justify the felling of hundreds of trees and disturbance to ecosystems. This had undermined the policy statements of not pursuing developments in “GB” zones;
- (b) the developers of both amendment item sites did not participate in the representation hearing, indicating that they might have believed that the OZP would be approved regardless;

Item A

- (c) the location formed part of a buffer zone between Tai Mo Shan Country Park and the urban area of Tsuen Wan;
- (d) 90% of the Item A site was zoned “GB”. Of the 303 trees on site, 191 would be felled, while the 112 existing trees would be retained to form part of the Tree Walk. The concerned portion could have remained undisturbed as “GB” zone, but it was included in the Item A site to inflate the plot ratio (PR). The proposed development intensity, with a PR of 3, was considered excessive in the “GB” setting, with extensive clearance of existing natural vegetation;
- (e) a large number of vacant units in recently completed private residential developments and older buildings, together with the growing number of unsold units in new private developments, would take years to be occupied. Rezoning the “GB” for residential use was considered not necessary;

- (f) the proposed development would have a massive impact on the panorama and would open up more in area around Route Twisk for development. The cumulative impact of approving such requests would further aggravate the traffic conditions on Route Twisk;
- (g) the proposed development would pose potential landslide risks. Despite substantial site formation works and retaining walls on both sides of the RCHE block, water could cascade down the retaining wall and the backfill area might become a muddy pond;
- (h) there was a possibility that the proposed RCHE might be dropped at the implementation stage;
- (i) the location of the proposed sewage treatment plant (STP) underneath the proposed RCHE was undesirable. Connection to the public sewerage system was necessary. In addition, there was no information on whether on-site STPs were provided for two existing developments, namely The Cairnhill and The Cliveden, at the upstream of Route Twisk;
- (j) the proposed PVP would merely provide additional parking for residents of the proposed development, as no non-residents would use it. With the latest policy to exempt aboveground carpark from GFA calculation, the proposed basement carpark would likely be forgone, which would undermine the effectiveness of the originally proposed visual mitigation measures, including the podium free design and 15m-wide building separation;
- (k) a large portion of the Item A site would be occupied by roads upon development;

Item B1

- (l) rezoning “GB” sites for large-scale development ran contrary to the policy directive in the 2023 Policy Address. Unsold units and new flats would increase the housing stock. Approving “GB” sites for developments would undermine the urgent need for urban redevelopment;

- (m) the subject “GB” site should be preserved as it also served as a buffer for the adjacent Yau Kom Tau Fresh Water Service Reservoir and Treatment Works (YKTFWSR&TW);
- (n) the proposed development was incompatible with the surrounding area and would set an undesirable precedent for further encroachment into the “GB” zone to the north of Tuen Mun Road;
- (o) no independent assessment was carried out on the affected flora (including the claimed poor health condition of trees) and fauna species. A total of 695 out of 702 trees within the Item B1 site would be felled;
- (p) the Item B1 site was not suitable for government, institution or community (GIC) facilities due to its isolated location and lack of public transport. The provision of GIC facilities was simply a ploy to obtain the Board’s approval;
- (q) the proposed slope excavation works would adversely affect slope stability during heavy rainfall;
- (r) it was considered undesirable to construct an access road solely to serve the proposed private development;
- (s) with the latest policy to exempt aboveground carpark from GFA calculation, the proposed basement carpark would likely be forgone. As a result, the building bulk would likely increase with negative visual impact, and the on-site STP might be relocated at grade;

Item B2

- (t) rezoning the Item B2 site from “GB” to “G/IC” would remove the safeguard against tree felling;

Amendments to the Notes of the OZP

- (u) the proposed amendment to the covering Notes would allow commercial activities by small unmanned aircrafts to take place in parks and public areas, which would generate noise pollution, create safety hazard and give rise to privacy concerns;
- (v) incorporating data centre as a Column 1 use within the “Other Specified Uses” annotated “Commercial and Residential Development” zone would lead to noise and air pollution, increase in fire safety risks and affect the stability of power supply. It would also deprive the relevant government departments of control over such use. Although data centre was not classified as an air-polluting use under the Hong Kong Planning Standards and Guidelines (HKPSG), this classification should be reviewed timely, given that an international study report concluded that data centres in Hong Kong had a carbon footprint exceeding the global average; and
- (w) incorporating ‘Driving School’, ‘Place of Entertainment’ and ‘Private Club’ uses in the “G/IC(9)” sub-zone would set an undesirable precedent for other districts by allowing more commercial activities to take place on land intended for community purposes.

[The meeting was adjourned for a 10-minute break.]

26. As the presentations of PlanD’s representative, the representers and representers’ representatives had been completed, the meeting proceeded to the Q&A session. The Chairperson explained that Members would raise questions to the representers, representers’ representatives and/or PlanD’s representatives to answer. The Q&A session should not be taken as an occasion for the attendees to direct questions to the Board nor for cross-examination between parties. The Chairperson then invited questions from Members.

“GB” Zoning

27. Some Members raised the following questions:

Item A

- (a) the proportion of “V” and “GB” zones being rezoned to “R(B)9” under Item A;
- (b) noting R2’s suggestion of retaining the NBA as “GB” zone, whether any trees within the NBA would be preserved intact for environmental or greening purposes;
- (c) noting R6’s concerns that the northwestern portion of the Item A site (i.e. the NBA) should not be included in the site boundary of the proposed development, what the rationale for such inclusion was;
- (d) whether new trees would be planted and which part of the site would involve tree felling;
- (e) whether the Tree Walk would be open to the public or restricted to residents of the proposed development only;
- (f) whether the quality of the replanted trees would be assessed by their age, or by their carbon sequestration capacity and oxygen release equivalent to those of the existing trees;
- (g) whether the proposed development would affect residents’ and visitors’ access to Tai Mo Shan Country Park for recreational purposes; and

Item B1

- (h) noting that the proposed development at the Item B1 site would involve extensive tree felling, whether any trees were of ecological value.

28. In response, Mr Steven Y.H. Siu, DPO/TWK, PlanD, with the aid of some PowerPoint slides, made the following main points:

- (a) the original “GB” and “V” zonings accounted for about 90% and 10% respectively of the “R(B)9” zone under Item A;
- (b) the Tree Walk area was located within the NBA at the northwestern portion of the Item A site. The applicants proposed to preserve trees within that area, which would serve as ancillary open space for the residents of the proposed development. No significant tree felling was expected, though the possibility of individual trees being felled to provide the Tree Walk and associated amenities could not be precluded. Detailed design of the NBA would be further controlled through a landscape master plan (LMP) to be implemented through administrative means, which was one of the requirements stipulated in the Explanatory Statement (ES) of the OZP;
- (c) the NBA formed part of the lot belonging to the developer and did not involve any government land (GL). As ancillary open space was required for the residential development, it was reasonable to make good use of the landscape resources in situ for the Tree Walk;
- (d) according to the relevant Practice Notes, tree compensation was related to the landscape value of trees and any Old and Valuable Trees (OVTs) should be protected. No OVT was identified in both the Item A and Item B1 sites;
- (e) the designation of the NBA within the Item A site was an additional requirement stipulated by the Metro Planning Committee (MPC) when considering the s.12A application. The NBA would avoid, to a certain extent, vegetation clearance and could serve as an ancillary open space for the residents of the proposed development;
- (f) according to the relevant Practice Notes and Technical Circular, the tree compensation ratio should be at least 1:1. If the site condition allowed, the compensated trees should be comparable to the felled trees in terms of tree girth. The quality of tree compensation would be assessed based on tree species;

- (g) the Item A site was about 300m south of Tai Mo Shan Country Park. A staircase to the further west of the site provided access further uphill to the Country Park. There was no formal hiking path within the Item A site; and
- (h) for the Item B1 site, one South China Rosewood (*Dalbergia balansae*) (南嶺黃檀) was found within the assessment area. It was not a common species but was not regarded as OVT. Given its poor form/health with low suitability for transplanting, according to the applicants' tree felling proposal, the South China Rosewood would be felled. Other native species of conservation interest such as *Artocarpus hypargyreus* (白桂木) would be planted as compensation.

29. A Member raised the following questions:

- (a) whether there were any previous rezoning applications regarding the Item A site over the past 10 years;
- (b) in considering whether "GB" could be rezoned to other land use zonings, what prerequisites or reasons could be considered, for example, whether rooftop garden or tree planters could substitute for felled trees, and whether considerations such as equivalent visual appeal, beautification, psychological effect or perceptions would be relevant; and
- (c) whether the subject "GB" zone of both the Items A and B1 sites currently served as a buffer to the country park, and whether the applicants had addressed how the different flora and fauna in the NBA would be dealt with.

30. In response, Mr Steven Y.H. Siu, DPO/TWK, PlanD, with the aid of some PowerPoint slides, made the following points:

- (a) a previous s.12A application (Y/TW/16) at the Item A site was submitted by the same applicants and was subsequently withdrawn before it was submitted for consideration by MPC. There were also two zoning amendment

applications submitted by another applicant in 1999 and 2000, both of which were rejected mainly on the consideration that there were insufficient technical assessments. Given the changes in planning circumstances over the past two decades and the submission of technical assessments to the satisfaction of concerned government departments, the s.12A application pertaining to Item A could be supported;

- (b) the major consideration in considering rezoning of “GB” zones was to assess whether the buffer function between the countryside and the urban area would be compromised. Trees were recognised as natural visual assets, and any loss would require mitigation. Greening features such as trees and shrub planting at ground level or tree clusters within the NBA could largely satisfy the landscape requirements. In the present case, around half of the Item A site was considered to have already been altered by human interference, as part of the site was currently occupied by temporary structures and roads, and the site was not entirely vegetated; and
- (c) the proposed developments in both the Item A and B1 sites would not affect the buffer function. For Item A, the site was located at the urban fringe about 300m away from the country park boundary, with over 110 hectares (ha) of unspoiled “GB” zone remaining. For Item B1, the site was sandwiched between Tuen Mun Road and YKTFWSR&TW, and it could not effectively serve as a buffer due to its elongated configuration and location. Accordingly, the planning intention of the relevant “GB” zones would not be compromised. For Item A, according to the submitted Ecological Impact Assessment (EcoIA), no species of conservation importance were identified within the site, and therefore no remedial measure was required.

Technical Assessments

31. A Member raised the following questions:

- (a) noting R3’s concern that the technical assessments undertaken for the Item A site would be too late, what the procedures and requirements of technical

assessments to be considered by relevant government departments were; and

- (b) whether the requirements, especially those relating to slope safety, should be satisfied prior to commencement of construction works and whether construction activities would need to be suspended in the event of non-compliance.

32. In response, Mr Steven Y.H. Siu, DPO/TWK, PlanD made the following main points:

- (a) regarding the technical assessments submitted by the applicants for the proposed development at the Item A site, there were no objection or adverse comments from the relevant government departments. Through administrative means, the ES of the OZP stipulated the requirements for the submission of sewerage impact assessment (SIA) and LMP, as well as implementation of relevant mitigation measures identified in the submitted TIA. The lease could also reflect certain provisions accordingly; and
- (b) the administrative requirements could be satisfied before or during the construction stage. In terms of slope safety, geotechnical assessment would likely be required and should be submitted at the building plan submission stage before commencement of construction works according to the Buildings Department (BD)'s Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-25. A proposed development meeting the relevant criteria but not accompanied by a geotechnical assessment could lead to the building plans being rejected under the Buildings Ordinance. The detailed proposal, for technical aspects concerning public safety for example, should generally be approved before commencement of construction and could be subject to refinement afterwards.

33. Noting that the RCHE and residential blocks at the Item A site might be prone to landslide or flooding due to slope runoff, a Member asked whether the developer had proposed any measures to protect future residents against flooding risks. In response, Mr Steven Y.H. Siu, DPO/TWK, PlanD, with the aid of some PowerPoint slides, said that according to BD's PNAP APP-25 and judging from the site conditions, the submission of geotechnical assessment was a

prerequisite for obtaining building plan approval.

34. Noting that Chuk Lam Sim Yuen (竹林禪院) was a Grade 2 historic building, a Member enquired whether other religious institutions in the Fu Yung Shan area were also graded and whether a heritage impact assessment had been conducted by the developer of the Item A site. In response, Mr Steven Y.H. Siu, DPO/TWK, PlanD said that a number of temples were located along Fu Yung Shan Road but he had no information at hand regarding their historic building gradings. According to the relevant Technical Circular, a heritage impact assessment was required if a graded building was located within 50m of a proposed development. As Chuk Lam Sim Yuen was located beyond 50m of the Item A site, such an assessment was not required.

Traffic

35. Some Members raised the following questions on Item A:

- (a) whether the new access road proposed by the developer of the Item A site could be used by other people going to Chung Kuk Terrace and whether a gate would be installed;
- (b) whether the 24-hour free access could be implemented, and any measures for emergency vehicles if the road was affected;
- (c) whether any columbaria were located within the temples in the Fu Yung Shan area, which might have traffic impacts during Chung Yeung and Ching Ming Festivals; and
- (d) how the views of the two representers that the PVP should not be regarded as a community facility could be responded to.

36. In response, Mr Steven Y.H. Siu, DPO/TWK, PlanD, with the aid of some PowerPoint slides, made the following main points:

- (a) residents of Chung Kuk Terrace could freely use the local access road running through the Item A site at present. During the s.12A application stage, the

applicants had undertaken to maintain the status quo by keeping the local access road open to residents of Chung Kuk Terrace both during the construction stage and upon completion of the proposed development. According to the s.12A application, the local access road would not be gated;

- (b) the lease for the Item A site could incorporate the right-of-way requirement during the construction stage and upon completion of the proposed development. This approach had been adopted in many developments involving right-of-way issue;
- (c) there were columbaria in the Fu Yung Shan area. Given their relatively small scale, insignificant traffic impact and the proximity of MTR Tsuen Wan Station (about 300m), no special traffic control measure was in place during the Ching Ming and Chung Yeung festival days; and
- (d) the PVP with 20 car parking spaces would help alleviate the local illegal parking problem and had been accepted by the relevant government departments.

37. In response to a Member's enquiry on the ratio of parking provision at the Item A site and the proportion of additional traffic flow forecast, Mr Steven Y.H. Siu, DPO/TWK, PlanD said that the developer would provide ancillary car parking spaces for residents in accordance with HKPSG. The car park would contain both ancillary car parking spaces and 20 public car parking spaces. No adverse comment was received from the relevant government departments on the TIA as no significant traffic impact on the nearby roads and junctions was anticipated 3 years after the expected completion of the proposed development, i.e. the design year adopted in the TIA.

Sewage Treatment Plant

38. Some Members raised the following questions:

- (a) regarding the concern of R1, whether any measures would be adopted for the STP at the Item A site to ensure that odour from the STP would not affect residents, and whether the odour would be filtered before being discharged;

- (b) the quantity of sludge expected to be generated by the STP, the frequency of transporting sludge off site and the environmental protection measures during its transportation;
- (c) if sewage pipes were to be laid near the Item A site, whether the developer would connect to the public sewer and decommission the STP; and if affirmative, how the vacated underground space of the STP would be used and whether approval would be required for any future change of use; and
- (d) whether the existing sewerage treatment network would be improved or adversely affected in terms of treatment capacity and odour issue.

39. In response, Mr Steven Y.H. Siu, DPO/TWK, PlanD, with the aid of some PowerPoint slides, made the following main points:

- (a) the STP at the Item A site would adopt tertiary treatment for effluent with enclosed tank and deodourising function prior to discharge;
- (b) the developer intended to connect the sewage pipes to the public sewer if possible to reduce the operational cost of sewage treatment. Despite presence of sewage pipes near the Item A site, the public sewer would have to be upgraded to cater for the increased sewage flow generated by the proposed development. As Route Twisk and Fu Yung Shan Road were two-lane, two-way carriageways, it would be difficult to close the roads to undertake the necessary excavation or improvement works for sewer connection, especially during peak hours. Therefore, an on-site STP was proposed as a compromised solution;
- (c) the sludge volume would be monitored to ensure that the sludge would be pumped out and removed when necessary. The sludge would be deodourised and the exhaust outlet of the STP would be located about 35m from the nearest residential units, allowing adequate downwind dispersion before discharge; and

- (d) even if a public sewer connection was made, opportunity was not precluded to retain the STP in situ as a contingency measure in the event of malfunction of the public sewerage system. In any event, the underground space could not be used for habitation, and any possible usage would be subject to scrutiny through building plan submission.

Residential Development and RCHE

40. A Member enquired about the existing population in the Fu Yung Shan area and the net population increase arising from the proposed development at the Item A site. In response, Mr Steven Y.H. Siu, DPO/TWK, PlanD said that the Fu Yung Shan area contained temples and rehousing villages. Upon completion of the proposed development, the total population of the area would amount to several thousand.

41. Noting R6's narrative that elderly facilities were exploited to obtain planning approval, a Member asked whether any developments were approved in the past because of the provision of SWFs, or in response to a shortfall of a particular type of facility identified in the GIC table for a specific district. In response, Mr Steven Y.H. Siu, DPO/TWK, PlanD said that the provision of the proposed RCHE at the Item A site was only one of the many considerations in support of the rezoning proposal. The planning intention and technical justifications had also been duly considered to ensure that no significant landscape, traffic and geotechnical impacts would be generated on the surrounding areas.

Consultation and Liaison

42. Some Members asked the following questions:

- (a) noting R2's concern regarding the inconsistency whereby hundreds of public comments were received for s.12A application No. Y/TW/16 but only dozens of comments were received for the latest s.12A application No. Y/TW/19 pertaining to the Item A site, what exactly R2 meant by that concern;

- (b) noting the concern of R3's representative about forced eviction, whether he was a resident within the Item A site affected by the proposed development or was living nearby;
- (c) whether R4 could further explain the lack of communication between the developer of the Item A site and the local residents;
- (d) whether Chung Kuk Terrace was located within the Item A site, and if so, whether the squatters were situated on building lots or agricultural lots; and
- (e) noting that several representers had raised concerns regarding the rehousing arrangements following clearance of the Item A site, whether such responsibility should be borne by the Government or the developer.

43. In response, Ms Ng Yan, R2, said that many residents had actively submitted comments on s.12A application No. Y/TW/16 pertaining to the Item A site. Residents thought that the proposal was no longer active as the application (No. Y/TW/16) was withdrawn, hence the residents' attention to the proposal diminished. It was later replaced by another s.12A application No. Y/TW/19 which was not broadly known to the residents, hence lesser comments were submitted. Mr Yeung Sai Fai, R2's representative, supplemented that during the public inspection period of application No. Y/TW/16, many comments were submitted by green groups, community groups and relevant organisations. As previously clarified with the TPB Secretariat, application No. Y/TW/16 was withdrawn by the applicants, and hence the relevant public comments were invalidated and not carried forward to the subsequent application No. Y/TW/19. The views previously expressed by green groups and religious groups on application No. Y/TW/16 were not taken into account when processing the latest application No. Y/TW/19. R2 cast doubt on the legitimacy of such handling, noting that the Item A site involved two s.12A applications, but the public comments submitted in respect of the earlier application were ignored and not subject to thorough discussions.

44. Mr Hoang Quang Duc, R3's representative, said that he was a resident living within the Item A site. For forced eviction and land resumption, the developer had fenced off the site, preventing residents from gaining access to their water meters and power meters. When a water pipe burst at his home last month, he was unable to enter the site to turn of the water valve because

access was prohibited. He had to climb over the fence to fix the issue. The residents within the site or living in the adjacent area were adversely affected.

45. Mr Chiu Sung Yip, R4's representative, said that the developer of the Item A site had not communicated with the residents of Chung Kuk Terrace, but had designated a team to handle village-related affairs, for example, preventing residents from fixing water pipes. During the future construction stage, it would be difficult to communicate with the developer on resolving disputes over site boundary and other issues. He opined that the Government should be involved in the discussion and could not defer to the developer in handling such issues at its discretion. Mr Tang Chun Kit, R4's representative, supplemented that while the developer had a site office, and community organisations and residents had sent letters to the developer to enquire about the rehousing arrangements, no formal written reply from the developer was received over the past 2 years. There had been no negotiations with the residents.

46. In response to Members' questions, Mr Steven Y.H. Siu, DPO/TWK, PlanD, with the aid of some PowerPoint slides, made the following main points:

- (a) the Item A site involved two s.12A applications with public comments received during the respective statutory public inspection periods. Application No. Y/TW/16 was withdrawn for technical reasons as the applicants failed to notify some landowners; and
- (b) Chung Kuk Terrace was located less than 100m to the north of the Item A site. Several village houses and temporary structures were located near Chung Kuk Terrace, some of which might involve GL. The Item A site comprised private land only. The resolution of disputes concerning land titles and rehousing arrangements should be the responsibility of the concerned landowners.

47. Noting the lack of communication between the developer and the local residents, as well as the availability of some reasonable mitigation measures recommended in the completed technical assessments, a Member enquired whether the Government could spend more effort in explaining the measures to the residents to ease their worries. In response, the Chairperson suggested that DPO/TWK be invited to follow up as appropriate by encouraging the developer to strengthen communication with the local villagers on issues such as rehousing arrangements.

48. Ms Mary Mulvihill, R6, expressed concern that no representatives from the developers of the Items A and B1 sites had attended the representation hearing to answer questions in person.

AI Images

49. A Member sought clarification from R3's representatives regarding the authenticity of the illustrations shown on the visualiser during the presentation, stating that as the TPB meeting was open to public viewing, fictitious illustrations that were not grounded in facts, data or objective conditions would be misleading. It appeared that the image of the proposed development in the Item A site was generated by AI software and did not match the scale of the surroundings when compared with the drawings submitted by the applicants in the s.12A application.

50. In response, Mr Chan Ho Fai, R3' representative, explained that the illustrations were generated by AI software based on the materials submitted by the applicants in the MPC paper. The viewpoint was virtually simulated from hilltop overlooking Tsuen Wan, and the depiction of proposed building blocks was not based on engineering data. The AI images could help illustrate the residents' concerns about possible impacts of the proposed development.

51. A Member enquired how the AI-generated images should be assessed in visualising the future development at representation hearing, noting that the applicants' drawings had already been considered at the MPC meeting. In response, Mr Steven Y.H. Siu, DPO/TWK, PlanD said that the photomontages prepared by the applicants in the s.12A application had been verified by PlanD according to TPB Guidelines No. 41A on Submission of Visual Impact Assessment, to ascertain whether the proposed buildings were accurately presented in the images.

[Mr Timothy K.W. Ma left the meeting during the Q&A session.]

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

Deliberation Session

53. The Chairperson invited views from Members.

Proposed Residential Developments on “GB” Zone

54. Some Members expressed the following views or observations:

- (a) as the Policy Address had stated that housing land supply from rezoned “GB” sites was sufficient, relying solely on the justification of increasing housing supply to rezone “GB” sites might not be well-grounded. The development proposals should be accompanied by adequate planning gains;
- (b) the Board had been consistent in processing rezoning proposals initiated by the Government and private developers for “GB” zones, and each case would be considered on its individual merits. The Board had previously rejected a government-led rezoning proposal for a “GB” zone in Ma On Shan due to site specific considerations. It had also approved another rezoning proposal involving a “GB” zone near the Item B1 site for a housing project by the Hong Kong Housing Society. The approval of the rezoning for the Items A and B1 sites did not deviate from the Board’s previous decisions;
- (c) it was noted that many “GB” areas had been zoned long time ago due to their lush greenery, and it was not easy to change such zoning for more gainful uses. For the Item A site, it was previously zoned “GB” with a 300m buffer distance from Tai Mo Shan Country Park. As the site was not within a polluted area, the buffer distance from the Country Park could be further reduced to about 50m to 100m. Moreover, given that the Item A site was only about 300m from MTR Tsuen Wan Station, the development potential of the site could be unleashed through rezoning it to “R(B)9”;
- (d) the inclusion of the NBA into the Item A site could increase the GFA of the proposed development by enlarging the site area. It was noted that the developer had committed to preserving the trees within the NBA;

- (e) despite R6's contention that the vacancy rate of residential units in Hong Kong was high, data from the Rating and Valuation Department indicated that the average vacancy rate for private residential units was only 4.3%. The need for residential developments therefore remained persistent. Apart from the future development focus of the Northern Metropolis, new private residential developments in the urban fringe area were also welcomed;
- (f) noting that 90% of the Item A site was being rezoned from "GB", there might be concern on how TPB Guidelines No. 10 for Application for Development within "GB" Zone (TPB PG-No. 10) was applicable, particularly with regard to the exceptional circumstances or strong planning grounds required for approval, in considering the s.12A application for the Item A site;
- (g) while the minimum tree compensation ratio at 1:1 was applicable to developments in "GB" and all other zones, development of "GB" sites involving vegetation clearance was expected to achieve a higher tree compensation ratio, particularly for the Item A site located by the hillside. The proposed tree compensation ratio of 1:1.07 for the Item B1 site could also be improved. An appropriate balance should be struck between development and nature conservation; and
- (h) noting that the current assessment criteria for the quality of replanted trees were based on tree girth, age and species, a more scientific approach could be explored to safeguard the functions of trees in improving air quality. For instance, a "no net loss" approach in terms of oxygen production by trees might be considered.

55. In response to Members' concerns, the Chairperson made the following remarks:

- (a) Hong Kong had over 10,000 ha of "GB" zones. The New Development Areas in the Northern Metropolis (NM) included many development sites rezoned from "GB" assessed to have no or little ecological value. Pending the availability of housing land in NM, the Government had conducted a large-scale site trawling exercise in the past for rezoning "GB" zones for

individual residential development to increase housing land supply. Stage 1 of the review involved “GB” sites with gentle slopes, less vegetation and locations at the urban fringe, where construction costs were lower and engineering works were more feasible, and approvals from the Board for rezoning individual sites had been obtained. Stages 2 and 3 involved sites with more challenging site conditions, including steeper slopes, denser vegetation and greater remoteness from existing infrastructure. Rezoning of some “GB” sites under Stage 2 were approved taking into account the technical assessments available, but a growing number of negative comments was observed. The rest of the “GB” areas under Stage 3, which included many extensive slopes with dense vegetation, had been considered highly challenging and many were not taken forward after the study stage. As announced in the 2023 Policy Address, the Government had no plan for the time being to further use the “GB” areas for large-scale development;

- (b) there was no distinctive difference between government-led and private-led rezoning proposals as the procedures for site selection and technical assessments were generally the same. Where sites were of certain ecological value or subject to technical concerns, appropriate mitigation or compensatory measures would be proposed and implemented;
- (c) regarding the Items A and B1 sites, they were located at the urban fringe. According to the submitted technical assessments, the ecological value of the trees at the sites was relatively low. The s.12A applications for both sites were supported by technical assessments that were acceptable to the relevant government departments. Appropriate tree preservation measures would be implemented, and the trees to be felled were not of high ecological value. A general tree compensation ratio of at least 1:1 would also be achieved; and
- (d) for the Item A1 site, while most of the site was rezoned from “GB”, about half of it was already subject to human disturbance, including the presence of squatters. This indicated that not all “GB” zones should necessarily remain untouched, and the rezoning of “GB” sites had been considered on a case-by-case basis.

56. As regards the applicability of TPB PG-No. 10, the Secretary supplemented that TPB PG-No. 10 served to guide section 16 (s.16) applications for Column 2 uses in the “GB” zone by providing the main planning criteria for reference. Under exceptional circumstances, some uses could be permitted within “GB” zones. This was different from s.12A applications for rezoning “GB” sites to other land use zonings. While some general principles set out in TPB PG-No.10 could be taken as reference, the guidelines could not be applied directly to the consideration of s.12A applications involving “GB” zones.

Decision-making Process of the Board

57. Noting that half of the Item A site had already been subject to human disturbance, a Member considered that it was not realistic to maintain the site as a “GB” zone. The MPC had agreed to the s.12A application to rezone the site for residential development. The representations made at the hearing were not sufficiently convincing to warrant reversing the decision on Item A.

58. Two Members expressed the following views:

- (a) the purpose of the representation hearing was to consider any new points or considerations not covered at the MPC meeting and to identify any changes in planning circumstances or site context since the s.12A application stage;
- (b) in assessing the suitability of a site for rezoning, it was considered appropriate to apply the same technical considerations to both public and private sector projects, and to evaluate the extent to which the proposals would benefit Hong Kong’s overall development; and
- (c) noting the different considerations applicable to s.16 and s.12A applications for “GB” sites, there was concern whether policy support should be taken into account, or whether technical justifications alone would suffice.

59. The Chairperson remarked that technical assessments for a s.12A application were reviewed by PlanD and relevant government departments, and the proposal was considered

either at MPC or RNTPC meeting where the decision on the application was made. Once approved, the rezoning proposal of the application would then become an amendment item to the OZP, which would be published for public inspection and submission of representations. The Board's role at the representation stage was mainly to consider whether the representations should be upheld in revising the proposed OZP amendments, rather than to undertake a fresh assessment of the acceptability of the development proposal.

Vehicular and Pedestrian Circulation

60. A Member said that the administrative measure to ensure the implementation of the right-of-way for local access should be duly considered to address local residents' concerns, and that such arrangement could be incorporated into the lease. Another Member opined that the right-of-way for Chung Kuk Terrace was essential as it was situated at a higher level than the Item A site. The provision of new access and footpath could benefit pedestrians travelling from Chuk Lam Sim Yuen to Yuen Yuen Institute (圓玄學院) and Western Monastery (西方寺).

Landslides and Flooding

61. Two Members made the following main points:

- (a) the area surrounding the Item A site comprised narrow roads and squatters. The planning merits of the development proposal at the site could include the provision of a retaining wall and a new access road. According to the discussion of the s.12A application at the MPC meeting, the proposed RCHE was located within a landslide catchment area that met the 'Alert Criteria'. The residential development could help finance the substantial construction cost of a large retaining wall. Noting the representers' concerns about flooding and landslides under extreme weather conditions, the proposal could improve the living environment of the existing residents;
- (b) the safety factor for man-made slopes was generally higher than that for natural slopes. Landslides on natural slopes would result in soil debris moving downslope until an equilibrium was reached. The retaining wall would have a higher safety factor and would comply with the requirements of the

Geotechnical Engineering Office of the Civil Engineering and Development Department; and

- (c) the developer of the Item A site was required to submit a drainage impact assessment to satisfy the requirements of the Drainage Services Department. R3's concern regarding flood risks arising from slope runoff should therefore be adequately addressed.

STP

62. A few Members had the following views/concerns:

- (a) although the proposed residential development at the Item A site was technically feasible, frequent removal of sludge generated by over 2,000 residents might not be desirable in the long term;
- (b) there was reservation about the on-site STP at the Item A site. While it might be acceptable under the circumstances, such an arrangement should not be encouraged. There was precedent case in which an on-site STP, after being in operation for about 20 years, had suffered from inadequate maintenance due to alienation of land titles; and
- (c) the STP would incur substantial operation and maintenance costs which would likely be borne by the flat owners following the alienation of land titles. At the land exchange stage, a lease clause might be imposed requiring the developer to retain responsibility for the operation and maintenance of the STP for a certain period of time upon completion of flat sale. The developer could also be required to connect the sewerage network of the development to the public sewer in the future when the necessary technical conditions became feasible.

63. Members noted that it was not uncommon for residential developments in rural areas outside the coverage of the public sewerage to provide on-site STPs and the operation of the STW should meet relevant regulations and requirements of concerned departments. Developers were generally willing to connect the sewerage systems of their developments to the public sewer once

it became available or had been upgraded. For the Item A site, however, it might not be feasible to excavate the narrow access road to carry out sewerage improvement works as sewage pipes were laid underneath the road. DPO/TWK could further liaise with the developer on the sewerage arrangements.

64. In response to a Member's suggestion that the developer should be required under the lease to retain responsibility for maintaining the STP, Mr Maurice K.W. Loo, Director of Lands, said that for purely residential developments, the developer concerned would no longer assume any role under lease after it had disposed of all residential units, and it would therefore not be possible for the developer to be held responsible for maintaining the facility through the lease. In the case of the Item A site, if the developer retained ownership of the RCHE such that it continued to hold an undivided share of the land lot, it was possible to impose a requirement under lease for the developer to maintain the STP. Mr Loo added that it was not uncommon for the company undertaking a development project to dissolve after all the flats were sold, which would imply that no single entity could any longer be held responsible.

65. A Member suggested that a lease condition could be imposed requiring the STP to retain as a retained portion of the Item A site until a direct sewerage connection to the public sewer was completed in the future. Another possible approach would be to require the payment of a compulsory bond to establish a sinking fund for the future maintenance of the STP. Both measures could help ensure that the developer remained responsible for the maintenance of the STP, thereby avoiding an excessive financial burden on the flat owners.

AI-generated Images

66. A few Members had the following views/suggestions:

- (a) in view of the presentation of AI-generated images by representers at the hearing, which might give rise to confusion regarding their accuracy, the Secretariat might consider formulating guidelines requiring representers/applicants to specify the source of any images presented to the Board, including the date and location at which the site photos were taken, and to indicate clearly whether the images were AI-generated or artists' impressions;

- (b) the guidelines on AI-generated images should also address circumstances where representers/applicants failed to provide an appropriate disclaimer but continued to use the illustrations during oral submission; and
- (c) in addition to the proper indication of AI-generated images and photomontages, the Secretariat could consider requiring the representers/applicants to submit digital models of the proposed buildings. The model could be embedded into the Government's 3D Digital Map for a more scientific, objective and direct simulation of the visual impacts from different viewing angles. The modelling could provide an open and fair platform for illustrating visual impacts and help avoid unnecessary disputes.

67. In response, the Chairperson agreed that the use of AI-generated images as part of the representation should be clearly specified, with an indication of the assumptions or basis adopted during the representation. The Secretary supplemented that the 3D Digital Map was more suitable for assessing a wider area, whereas the focus of assessing the visual impacts of a development site in a planning application was different. Visual impact assessment (VIA) was conducted through photomontages to evaluate visual impacts from public viewing points, and the magnitude of visual change and the proposed mitigation measures would also be featured. Accordingly, large-scale information modelling could not replace the function of a VIA.

Consultation and Communication

68. Some Members made the following comments:

- (a) the Secretariat should strongly encourage the applicants whose s.12A applications pertaining to the amendment items had been approved to attend the representation hearing and answer Members' questions directly, thereby facilitating thorough consideration of the representations by the Board; and
- (b) despite the environmental improvements and enhanced utilisation of land resources that would benefit local residents, the dispute over land clearance remained unresolved for the Item A site. The lack of communication between

the developer and the affected residents might result in adverse impacts during project implementation, and more communication should take place going forward. PlanD should encourage the developer to strengthen liaison with the local residents throughout the development process, including during site clearance.

Identity of Speakers

69. In response to a Member's suggestion regarding the need to regulate the identification of the representers or their representatives before delivering oral representations, the Secretary made the following main points:

- (a) according to the Board's 'Guidance Notes on Attending the Meeting for Consideration of Representations under the Town Planning Ordinance', representers could present their oral submissions at the representation hearing;
- (b) in some cases, a representer was not a natural person but a company or an organisation, which would need to appoint a representative. Where the representer could not attend the hearing for valid reasons such as being out-of-town or for medical reasons, he/she could authorise a representative to attend on his or her behalf;
- (c) a representer, for example an elderly person, might wish to be accompanied by another person to attend the hearing. The existing arrangement allowed for such accompanying persons, subject to prior registration with the Secretariat;
- (d) regardless of the number of representatives or accompanying persons, each representer would be allotted a maximum of 10 minutes for the oral presentation; and
- (e) it would be difficult to regulate the content of oral representations through TPB Guidelines. Members could weigh the representer's oral submission against the written representation and exercise their judgement as to the extent to which the oral representation should be taken into account.

70. The Secretary reported that a Member who had left the meeting had requested her to convey the view that the representations should not be upheld for revision of the OZP amendments. The representations mainly focused on the lack of communication between the developer and local residents, which had led to certain conflicts. Relevant government departments, especially the Home Affairs Department, could be involved in mediating between the developer and the affected residents, and in explaining the site clearance arrangements to the local residents.

Conclusion

71. The Chairperson concluded that Members generally supported the OZP amendments, and agreed that the OZP should not be amended to meet the adverse representation. 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 PlanD's representatives at the meeting. The Chairperson also suggested the following follow-up actions:

- (a) PlanD should encourage the developer of the Item A site to strengthen communication in a more direct and effective manner with the affected residents within the site and those living nearby;
- (b) for future representation hearings, PlanD could invite the relevant developers/project proponents to attend as representers, thereby facilitating more efficient and informed decision-making by the Board;
- (c) the possibility of including a provision in the future lease conditions for the Item A site to specify the developer's maintenance responsibilities for the on-site STP should be explored;
- (d) the possibility of increasing the tree compensation ratio for future developments at the Items A and B1 sites should be explored; and
- (e) the Secretariat should review the formulation of instructions on the use of AI-generated images in planning submissions and at TPB meetings.

72. After deliberation, the Town Planning Board (the Board) decided not to uphold R1 to R6 and agreed that the draft Tsuen Wan Outline Zoning Plan (OZP) should not be amended to meet the representations for the following reasons:

“Items A and B1

- (a) Items A and B1 are to take forward the decisions of the Metro Planning Committee on two partially agreed section 12A applications for proposed private residential developments with other uses subject to appropriate development restrictions. The proposed developments are considered not incompatible with their surroundings and relevant technical assessments have been conducted which demonstrate that the sites are suitable for residential developments and no insurmountable impacts on the surrounding areas are anticipated, while concerned government bureaux/departments (B/Ds) have no objection to or no adverse comment on the proposed developments at the respective sites. The zoning and relevant development restrictions for the respective sites on the OZP are considered appropriate (**R1 to R6**);

Item B2

- (b) arising from the rezoning of the Item B1 site, Item B2 is merely to rationalise the zoning boundaries by aligning with the Government Land Allocation boundary of the adjoining Yau Kom Tau Fresh Water Service Reservoir and Treatment Works. Concerned government B/Ds have no objection to the zoning adjustment to reflect the land status (**R6**);

Amendments to Notes (a) and (g) for the Covering Notes and the “Other Specified Uses” annotated “Commercial and Residential Development” (“OU(C&R)”) Zone

- (c) the amendment to the covering Notes is to facilitate the provision, maintenance or repair of small unmanned aircrafts take-off and landing facilities, while the amendment to the Notes for the “OU(C&R)” zone is to broaden its Column 1 uses with reference to the prevailing Master Schedule of Notes for the “Commercial” zone. Any proposals for the aforesaid uses must also conform

to any other relevant legislation, the conditions of the government lease concerned and any other government requirements (**R6**); and

Amendment to Notes (i) for the “Government, Institution or Community (9)” (“G/IC(9)”) Subzone

- (d) the incorporation of ‘Driving School’, ‘Place of Entertainment’ and ‘Private Club’ as Column 2 uses under Schedule III of the “G/IC” zone (i.e. for the two “G/IC(9)” subzones beneath an elevated highway) is to take forward the Board’s earlier suggestion to allow a broader spectrum of land uses at these underutilised sites. Any proposals for the aforesaid Column 2 uses will be subject to further scrutiny by the Board by way of section 16 planning application and must also conform to any other relevant legislation, the conditions of the government lease concerned and any other government requirements (**R6**).

73. 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.

[Mr Simon Y.S. Wong and Professor Simon K.L. Wong left the meeting at this point.]

Sai Kung and Islands District

Agenda Item 4

[Open Meeting (Presentation and Question Sessions only)]

Review of Application No. A/SK-TMT/84

Proposed Place of Recreation, Sports or Culture (Golf Putting Range) with Ancillary Facilities and Associated Filling and Excavation of Land in “Green Belt” Zone, Various Lots in D.D. 216,

Long Keng, Sai Kung

(TPB Paper No. 11063)

[The item was conducted in Cantonese and English.]

Presentation and Question Sessions

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

PlanD

Mr Ernest C.M. Fung	- District Planning Officer/Sai Kung and Islands (DPO/SKIs)
Ms Tammy S.N. Kong	- Senior Town Planner/Sai Kung and Islands (STP/SKIs)
Ms Sylvia L.Y. Lam	- Town Planner/Sai Kung and Islands

Applicant and Applicant’s Representatives

Mr Douglas Paul Marshall	- Applicant
Mrs Marshall Lam Yui Ming] Applicant’s Representatives
Mr Li Tin Chi]

75. The Chairperson extended a welcome and explained the procedures of the review hearing. To ensure smooth and efficient conduct of the meeting, a time limit of 15 minutes was set for presentation of the applicant. She then invited PlanD’s representatives to brief Members on the review application.

76. With the aid of a PowerPoint presentation, Ms Tammy S.N. Kong, STP/SKIs, PlanD briefed Members on the background of the review application including the application site (the Site) and its surrounding areas, the applicant's proposal and justifications, the considerations of the section 16 (s.16) application by the Rural and New Town Planning Committee (RNTPC) of the Town Planning Board (the Board/TPB), departmental and public comments, and the planning considerations and assessments as detailed in TPB Paper No. 11063 (the Paper). As there had been no major change in planning circumstances since the consideration of the s.16 application, PlanD maintained its previous view of not supporting the application.

[Mr Gary X.Y. Zhang left the meeting at this point.]

77. The Chairperson then invited the applicant to elaborate on the review application.

78. With the aid of a visualiser, Mrs Marshall Lam Yui Ming, the applicant's representative, made the following main points:

- (a) their development proposal had been suppressed by the Government, mainly due to concerns relating to the adjacent water gathering ground (WGG). Based on the site photos, the adjacent WGG had been left unattended for two decades by the Water Supplies Department (WSD), with overgrown vegetation, dog waste, animal remains and other refuse. The proposal should be supported as it was in line with the Government's initiative in optimising "Green Belt" ("GB") areas for recreational uses on a non-profit-making basis, would make beneficial use of the Site, improve the visual quality of the "GB" zone, would not cause disturbance to the nearby residents, and had addressed the relevant environmental issues;
- (b) the Site was previously approved by the Board for the use as a camp site, although no water flow assessment was conducted at that time. Human waste generated by camp site visitors was discharged into the stream. Moreover, visitors had trespassed onto the applicant's agricultural land, against which the applicant had lodged complaints;

- (c) the golf coaches expressed support for the proposal, noting that the Site would become the only golf putting range in Hong Kong. It would promote sports and provide opportunities for people from lower-income families to learn golf. The uneven terrain would be utilised for golf putting in harmony with the natural topography, with artificial turf to be laid on the section designated for child players;
- (d) since the applicant residing in the locality in 2010, flooding issues had persisted for an extended period prior to the clearance of obstructions and debris within the WGG. Graves were also observed in the vicinity;
- (e) previous applications for using the Site for golf driving range and horse riding school were unreasonably rejected due to concerns relating to the adjacent WGG. While noise from golf swings or horses could be a concern, golf putting was a form of passive recreational activity and was not expected to generate comparable noise impacts;
- (f) the debris had accumulated to about 1m in height and had encroached onto the applicant's house. A group of foreigners had lodged complaint about the hygiene conditions of the WGG. The Government subsequently deployed a diver to inspect the depth of debris. Eventually, over 20 truckloads of debris, including animal remains, were removed. There was no more flooding issue after such clearance;
- (g) with reference to a site photo taken on 11.6.2026, clogging caused by debris was again observed within the WGG. The applicant had moved a large log to act as a barrier to prevent further accumulation of debris. The applicant had no intention to disrupt the natural ecology, but rather wished to make use of the Site for the benefit of all people in Hong Kong. International professional coaches could provide training at the Site instead of travelling to Chinese Mainland. It was considered unfair to conclude that the proposal was not feasible due to concerns relating to the WGG;

- (h) the Site had already been formed and its entrance was wide enough to allow access by two fire engines;
- (i) locations 1, 2, 3, 5 and 6 of the Site on the site plan belonged to the owner of the neighbouring farm, who operated fisheries and solar panels. The applicant, as a golf enthusiast, suggested combining the adjacent land for productive use and enabling foreign golf coaches to make a living as they could not travel to Chinese Mainland as frequent as the locals;
- (j) a tennis court with eating place in Sha Kok Mei, which was surrounded by houses, was permitted because it was not located within the “GB” zone. It was not reasonable to forbid any use in the “GB” zone. Turning the Site into a golf putting range in the “GB” zone would not be problematic, would not cause flooding, and would in fact be beneficial to the adjacent WGG;
- (k) no trees were felled until government officials advised that removal was necessary due to termites and pests which posed risks to the surrounding flora and fauna. Unlike a driving range which required a large open area, the presence of trees was desirable for a putting range;
- (l) three structures on the Site were proposed for family use, so that children could participate in sports and be encouraged to stay away from electronic devices. It was beneficial for children to learn golf from international coaches;
- (m) usage of the Site was expected to be low, with around 20 visitors at a time. Visitors would be encouraged to walk for five minutes from the main road to access the Site. Eco-friendly mobile toilets would be provided, similar to those at the golf course in Fanling;
- (n) the applicant did not intend to destroy the environment for future development, but genuinely wished to preserve its natural state;

- (o) if the golf putting range at the Site proved successful, the surrounding agricultural land could be further converted to passive recreational uses such as lawn bowls;
- (p) golf training at Go Park or Whitehead was expensive while the venues and protective nets were considered to be substandard. The foreign golf coaches considered that Hong Kong lacked an affordable golf putting range offering coaching. They therefore liaised with the applicant, who eventually agreed to release his land for such use and approached the neighbouring farm owner to join this proposal; and
- (q) the applicant was willing to comply with any necessary requirements to facilitate the approval and implementation of the proposed use and was also willing to accept monitoring by the relevant government departments.

[Ms Donna Y.P. Tam left the meeting at this point.]

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

80. A Member asked the applicant whether he had hired professionals or consultants to conduct technical assessments, and whether the application was supported by a feasibility study or technical assessments.

81. In response, Mrs Marshall Lam Yui Ming, the applicant's representative, and Mr Douglas Paul Marshall, the applicant, said that they had sought advice from consultants and had acquired relevant experience. They further indicated that over HK\$1million had been spent on preparing technical assessments and engaging a retired Lands Department official as a consultant to demonstrate that there were no issues relating to soil contamination or excavation in support of the previous camp site application about 10 years ago. Regarding the feasibility study, the applicant had purchased the land and would further discuss detailed arrangements with the coaches, but did not intend to invest additional funds in technical assessments. The coaches, who were qualified members of the Professional Golfers Association (PGA) of Australia and had experience in teaching golf at Whitehead, Clear Water Bay and Fanling, were familiar with managing the Site

having regard to its natural conditions without the need for grass. They could make use of the natural terrain in designing the golf putting range while ensuring that visitor numbers remained at a manageable level and sewage was properly managed. Regarding the “GB” zoning, much of Kau Sai Chau was designated and managed as a “GB” area to conserve the natural landscape, coastal character and ecology, yet approximately the northern half of the island was excluded from the general zoning to accommodate the Jockey Club Kau Sai Chau Public Golf Course under a specific recreational sports zoning. While the applicant was not a builder, his proposal had the support from Sai Kung District Council Members, including Mr Li Tin Chi who attended the subject meeting.

82. A Member enquired why the previous application for proposed temporary holiday camp and tent camping ground was made, noting that ‘Tent Camping Ground’ and ‘Picnic Area’ were Column 1 uses which were always permitted in the “GB” zone, although the Notes of the OZP for the “GB” zone stated that filling of land/pond or excavation of land to effect a Column 1 or Column 2 use would require planning permission.

83. In response, Mrs Marshall Lam Yui Ming, the applicant’s representative, said that she was not clear about the requirement but noted that land filling or soil excavation had taken place in many locations without prior permission. As the current proposal involved soil excavation of less than 1m, it should be always permitted. On top of the natural terrain, there were a few proposed resting canopies and indoor facilities for children’s golf and simulation play. No environmental damage would result from the proposed excavation and land filling. The applicant’s submission had listed the proposed facilities and their sizes. She also noted that a previous planning application for a golf driving range in D.D. 216, Sai Kung submitted around 10 to 12 years ago was eventually rejected due to concerns relating to the WGG, despite the submission of technical assessments. However, it was observed that the WGG had not been properly maintained for a considerable period.

84. Mr Ernest C.M. Fung, DPO/SKIs, PlanD supplemented that the proposed golf putting range in the current application was regarded as ‘Place of Recreation, Sports or Culture’, which was a Column 2 use in the “GB” zone. According to the Notes of the OZP, filling and excavation of land also required planning permission. PlanD had advised the applicant of the need to prepare technical assessments covering traffic, environmental and landscape impacts, as well as a risk assessment in relation to the WGG. A site visit was also arranged by PlanD with the applicant

and representatives from the Environmental Protection Department and WSD to explain the need for conducting such technical assessments. Regarding the previous application, the permission for proposed temporary holiday camp and tent camping ground for a period of 3 years and associated filling and excavation of land was granted by RNTPC in September 2022. Comprehensive technical assessments were submitted to demonstrate the technical feasibility of the proposal and there were no adverse comments from relevant government departments. The applicant had also committed to reinstating the Site upon termination of the use. Nevertheless, as the implementation part of the approval conditions was not complied with, the planning permission was revoked.

85. A Member said that as the Board acted in the public interest and had the responsibility of ensuring the optimal use of valuable land resources through proper development control, it was necessary for the applicant to provide technical assessments to assist the Board in assessing the planning application in a professional and objective manner. This approach had long been established in considering applications submitted under the statutory provisions of the Town Planning Ordinance. PlanD had previously requested the applicant to provide technical assessments, which could have served as the basis for constructive dialogue between the Board and the applicant. However, the submitted materials in the current application were rather superficial and unconvincing.

86. In response, Mrs Marshall Lam Yui Ming, the applicant's representative, said that the proposal would be beneficial to Hong Kong, and that a support letter had been obtained from the Sai Kung Rural Committee. With reference to the previously approved application for camp site, that applicant had prepared technical assessments but was unable to comply with the approval conditions. She suggested that similarly, the Board could impose approval conditions on the current application, allowing the technical assessments to be undertaken after planning permission was granted.

87. The Chairperson explained that the prerequisite for considering the planning application required technical assessments to be undertaken by professionals from relevant fields. The potential impact on the WGG, including drainage and flooding issues arising from the turf and grass of the Site for the proposed use, should also be examined. Furthermore, the traffic issues, including pedestrian flow, vehicular traffic and impacts on the road network and its capacity, should be assessed. The provision of site photos, a support letter and subjective statements alone

would not be sufficient. Relevant technical assessments should be submitted to demonstrate that the proposal would not generate adverse impacts on aspects such as environment and drainage. The applicant should therefore consider engaging consultants to conduct the necessary technical assessments for the Board's consideration.

88. In response, Mrs Marshall Lam Yui Ming, the applicant's representative, said that technical assessments for the Site had been prepared for the previous planning application in 2022, demonstrating that there were no technical problems. The applicant had also briefed relevant government officials on the site conditions during the site visit.

89. The Chairperson said that the previous planning application involved a different land use proposal. The application site in 2022 only overlapped with part of the Site under the current application. Accordingly, the applicant could not rely on the technical assessments prepared for the previously approved application to demonstrate the technical feasibility of the current application. Technical assessments specifically prepared for the current proposed use should therefore be submitted in support of the current application.

90. In response, Mrs Marshall Lam Yui Ming, the applicant's representative, said that commissioning consultancy reports would involve substantial costs that would not be proportionate to the proposal. She preferred to allocate the funds to charitable purposes rather than preparing the technical assessments. Members were invited to undertake a site visit with the applicant to appraise the Site.

91. Noting from public comments that the owners of three lots (Lots 420, 426RP and 428 in D.D. 216) within the Site raised objection to the application, a Member enquired whether the applicant had considered how the proposed use could proceed without the dissenting lots involving locations 7, 8 and 9 on the site plan, and whether the applicant would obtain ownership of all the relevant lots or seek agreement from other lot owners before implementation. In response, Mrs Marshall Lam Yui Ming, the applicant's representative, said that she did not have such information but would further liaise with the concerned lot owners. Mr Douglas Paul Marshall, the applicant, supplemented that the golf putting range was different from a golf driving range. Unlike the Whitehead venue, where golf balls could be hit to a height equivalent to 7 storeys, golf putting would only involve balls travelling along the ground. There would be no large-scale land excavation. If the Board considered that further information was required, he would endeavour

to comply with all the necessary requirements should the application continue to be processed.

92. As the applicant and the applicant's representatives had no further points to raise and there were no further questions from Members, the Chairperson said that the presentation and question sessions for the review application had been completed. The Board would further deliberate on the review application and would inform the applicant of the Board's decision in due course. The Chairperson thanked PlanD's representatives, the applicant and the applicant's representatives for attending the meeting. They left the meeting at this point.

Deliberation Session

93. The Chairperson remarked that the applicant did not agree with the RNTPC's decision to reject his application and sought a review of that decision by the Board. However, no additional information on the aspect of technical assessments was submitted to substantiate the application.

94. Members generally agreed with PlanD's recommendation not to approve the application as the applicant had not submitted any technical assessments in support of the review application.

95. Some Members considered that the proposal and the negative or false claims made by the applicant had been clarified during the question and answer session at the open meeting, so that the public would be aware of the facts and avoid any misunderstanding.

96. The Board noted that according to the Definition of Terms of the Board, 'Tent Camping Ground' use meant any place open to the public where tents were put for temporary lodging for recreational or training purpose and it excluded those which were privately owned and/or commercially operated. Such commercial operations were regarded as 'Holiday Camp' use which required planning permission in the "GB" zone. Moreover, regarding some trees within the Site that had been removed as revealed from the aerial photos in Plan R-4d of the Paper, enforcement action would be taken by the Planning Authority if unauthorised development was confirmed.

97. The Board also noted that the technical assessments conducted for the previous s.16 application for proposed temporary holiday camp and tent camping ground at the Site could not be relied upon for the current application as the two proposals were fundamentally different.

98. Given that there had been no material change in the planning circumstances since the consideration of the s.16 application by RNTPC and the applicant had not provided any technical assessments or substantive new information to support the review application, Members agreed to maintain RNTPC's decision to reject the application.

99. After deliberation, the Town Planning Board decided to reject the application on review for the following reasons:

- “(a) the proposed development 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 no strong planning justification in the submission for a departure from the planning intention; and;
- (b) the proposed development is not in line with the Town Planning Board Guidelines No. 10 for ‘Application for Development within “Green Belt” Zone’ in that there are no exceptional circumstances or strong planning grounds to justify the application, the proposed development does not comply with the development controls and restrictions of areas designated as water gathering grounds and the applicant fails to demonstrate that the proposed development with excavation and filling of land is compatible with the surrounding area and would not generate adverse water supplies, drainage and landscape impacts on the application site and the surrounding area.”

Agenda Item 5

[Open Meeting]

Any Other Business

[The item was conducted in Cantonese.]

100. There being no other business, the meeting was closed at 2:10 p.m.