

Tsuen Wan and West Kowloon District

Agenda Item 3

Section 12A Application

[Open Meeting (Presentation and Question Sessions Only)]

Y/TW/19 Application for Amendment to the Draft Tsuen Wan Outline Zoning Plan No. S/TW/38, To rezone the application site from “Green Belt” and “Village Type Development” to “Residential (Group B) 9” and amend the Notes of the zone applicable to the site, Lots 1177 S.A RP, 1181 and 1205 in D.D. 453, Fu Yung Shan, Tsuen Wan
(MPC Paper No. Y/TW/19B)

8. The Secretary reported that the application site (the Site) was located in Tsuen Wan and Aurecon Hong Kong Limited was one of the consultants of the applicants. The following Members had declared interests on the item:

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| Mr Stanley T.S. Choi | - his spouse being a director of a company which owned properties in Tsuen Wan; |
| Professor Simon K.L. Wong | - his company owning a property in Tsuen Wan; and |
| Dr Tony C.M. Ip | - his company currently working with Aurecon Hong Kong Limited. |

9. The Committee noted that Mr Stanley T.S. Choi had tendered an apology for being unable to attend the meeting. As the property owned by the company of Professor Simon K.L. Wong had no direct view of the Site and Dr Tony C.M. Ip had no involvement in the application, the Committee agreed that they could stay in the meeting.

Presentation and Question Sessions

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

PlanD

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| Mr Derek P.K. Tse | - 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) |
| Mr Frankie H.C. Tsang | - Town Planner/Tsuen Wan and West Kowloon |

Applicants' Representatives

Quality Venture Limited and Strong Fit Limited - Applicants

Mr Patrick Fan
Mr K.H. Lee
Mr Irwin Kwok
Ms Winnie Lee

Albert So Surveyors Limited

Dr Albert So
Dr T.C. Wong
Mr Calvin Leung

Ho & Partners Architects

Mr Paul Tang
Mr Hubert Wat

Urban Green Consultant Limited

Ms H.Y. Tang

LLA Consultancy Limited

Mr S.L. Ng

Aurecon Hong Kong Limited

Mr David Stanton

Mr S.H. Tam

Philip So & Associates Limited

Mr C.W. So

11. The Vice-chairperson extended a welcome and explained the procedures of the meeting. She then invited PlanD's representatives to brief Members on the background of the application.

12. With the aid of a PowerPoint presentation, Mr Michael K.K. Cheung, STP/TWK, briefed Members on the background of the application, the proposed rezoning of the Site from "Green Belt" ("GB") and "Village Type Development" ("V") to "Residential (Group B) 9" ("R(B)9") to facilitate a private residential cum Residential Care Home for the Elderly (RCHE) development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. PlanD had no in-principle objection to the application.

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

13. The Vice-chairperson then invited the applicants' representatives to elaborate on the application. With the aid of a PowerPoint presentation, Mr T.C. Wong, the applicants' representative, made the following main points:

- (a) while the Site was located at the foothill of Fu Yung Shan, it was considered convenient and accessible as it was within walking distance from the Tsuen Wan Town Centre and some major residential developments such as Luk Yeung Sun Chuen;
- (b) the vacancy rate for private domestic properties in Tsuen Wan District was generally lower than that of Hong Kong. The proposed development with over 600 residential units would provide a timely housing supply to cater

for the strong private housing demand at the district level;

- (c) in view of the ageing population in Hong Kong, a growing demand for RCHE was expected. The proposed RCHE, which would provide 328 beds with an average living area of about 10m² floor space per resident, exceeded the existing minimum requirement of 6.5m² floor space per resident and could help meet the demand for RCHE in Tsuen Wan District;
- (d) the existing dilapidated squatters and temporary structures within the Site had adverse impact on the living environment of nearby residents and were considered incompatible with the surrounding environment. The proposed development would have a well-designed and landscaped environment with a major part of the northwestern portion of the Site retained as greenery areas which could help improve the existing condition of the Site;
- (e) the proposed widening and upgrading of the section of the existing sub-standard local access road between Fu Yung Shan Road and the Site to a two-way two-lane carriageway with footpath, together with a new lay-by with associated pedestrian crossing facilities near the junction of Fu Yung Shan Road and the upgraded local access road and provision of lighting and greenery on both sides of the upgraded local access road, would improve the current substandard road condition. It would be beneficial to the residents of Chung Kuk Terrace to the north of the Site as they would be allowed to continue the use of the upgraded local access road in the future;
- (f) other road improvement works, including widening a section of Route Twisk, modifying the road markings at Tsuen Kam Interchange to facilitate vehicles from the Route Twisk arm entering the Tsuen Kam Interchange, and re-provisioning of the affected refuse collection point (RCP) with associated lay-by for refuse collection vehicles, were also proposed;
- (g) the water supply system in the locality would be upgraded to cater for the anticipated demand from the proposed development and existing developments in the surrounding areas;

- (h) a small portion of the Site fell within the “V” zone but was not covered by the village ‘environs’ (‘VE’). Therefore, the proposal would not affect Small House development. The remaining portion of the Site, though falling within “GB” zone, was of low ecological value. The proposed development could better utilise land resources of the Site; and
- (i) the proposed development would not cause insurmountable impacts from ecological, traffic, geotechnical, water supply, drainage, sewage, noise, water quality, waste management, air ventilation, visual and other aspects.

14. As the presentations of PlanD’s representative and the applicants’ representative had been completed, the Vice-chairperson invited questions from the Members.

Land Status and the Existing Condition of the Site

15. Some Members raised the following questions:

- (a) land status of the Site, and the area of the Site owned by the applicants; and
- (b) background of the existing temporary structures within the Site, and whether the applicants would be responsible for compensation and relocation/rehousing of the affected residents on the Site.

16. In response, Mr Derek P.K. Tse, DPO/TWK, with the aid of some PowerPoint slides, made the following main points:

- (a) the Site comprised solely private land held under three land leases for agricultural or garden purpose. The applicants would need to apply to the Lands Department (LandsD) for land exchange for the proposed development, if the application was agreed by the Committee followed by amendment to the Tsuen Wan Outline Zoning Plan (the OZP). While majority of the Site was owned by the applicants, the applicants would also need to unify the land titles at the land administration stage; and

- (b) about 47% of the Site was occupied/covered by residential/temporary structures, local access road and man-made slope, and most of those structures were squatters without licence/permit and had existed for a long time.

17. Mr Patrick Fan, the applicants' representative, said that the applicants would apply to LandsD for land exchange after completion of the statutory planning procedures and would need to settle the issues of adverse possession, and the squatters and existing residents on the Site during the land administration stage.

Land Use Compatibility

18. The Vice-chairperson and a Member raised the following questions:

- (a) noting some opposing public views considered that there was sufficient housing supply and insufficient justification for rezoning the "GB" site for residential development, whether it was still the Government's policy to review "GB" sites for housing developments;
- (b) while noting that the "V" portion of the Site was not covered by the 'VE', whether there were any details regarding the existing village in the concerned "V" zone and whether the proposed development would have any potential impact on Small House development within the concerned "V" zone; and
- (c) whether the proposed development would affect any hiking trails nearby given its proximity to Tai Mo Shan Country Park.

19. In response, Mr Derek P.K. Tse, DPO/TWK, with the aid of some PowerPoint slides, made the following main points:

- (a) to meet the long-term housing demand, particularly in the urban area, the Government had conducted ongoing review of "GB" sites for development

purpose, supported by technical assessments. As for the current application submitted under section 12A of the Town Planning Ordinance (the Ordinance), it was the private initiative of the applicants to propose rezoning the private land for residential and RCHE developments. Each application would be considered based on its own individual merits. That said, the application was generally in line with the criteria of Government's review of "GB" sites as the Site was located at the southern periphery of the larger "GB" zone where about 47% of the Site was disturbed and at the fringe of built-up areas close to Tsuen Wan Town Centre and supporting infrastructure facilities, and the vegetated areas in the Site had relatively less buffering effect and lower conservation value;

- (b) the portion of the "V" zone within the Site covered Muk Min Ha Tsuen, which had previously been affected by the Tsuen Wan New Town Development, was a well-established resite village and was not covered by the 'VE'. There was no longer any Small House demand in the "V" zone; and
- (c) no hiking trail would be affected by the proposed development.

Proposed RCHE

20. Some Members raised the following questions:

- (a) operational details and targeted residents of the proposed RCHE, and whether the proposed RCHE would be affordable for the local community; and
- (b) noting that the proposed RCHE was one of the planning gains of the application, whether there were any means to ensure its implementation and continued operation.

21. In response, Mr Patrick Fan, the applicants' representative, made the following main points:

- (a) the proposed RCHE would be constructed by the applicants. An affiliated company of the applicants was currently operating two RCHEs in Hong Kong, and could be involved in the planning and operation of the proposed RCHE. The operational details of the proposed RCHE would be considered at a later stage of the development, taking into account the future market demand; and
- (b) by making reference to some existing RCHEs in Tsuen Wan District, most were operated with open-plan floor layouts, with only a few offering private rooms. The proposed RCHE would adopt a layout with rooms for multiple beds instead of open-plan layout and the fee would be affordable by the local community.

22. Mr Derek P.K. Tse, DPO/TWK, with the aid of a PowerPoint slide, supplemented the following main points:

- (a) to ensure the provision of the proposed private RCHE development and allow flexibility in providing other social welfare facilities in terms of type and floor space, PlanD proposed to stipulate in the Notes of the OZP a minimum gross floor area (GFA) requirement of not less than 5,400m² for government, institution and community (GIC) facilities; and
- (b) should the applicants decide to apply for the Social Welfare Department (SWD)'s Incentive Scheme to Encourage Provision of RCHE Premises in New Private Development, eligible RCHE premises would be exempted from payment of land premium in land exchange and from the calculation of total permissible GFA under the lease, subject to conditions and requirements. Any unauthorised change of use or leaving the RCHE premises vacant for a period of more than 12 months as identified by SWD might constitute a breach of the lease conditions and be subject to lease enforcement action.

23. Noting that an affiliated company of the applicants had operated two RCHEs, the

Vice-chairperson enquired about the information of the two RCHEs under operation. In response, Mr Patrick Fan, the applicants' representative, said that the affiliated company had around 20 years of experience in RCHE operation. One of the RCHEs was for the elderly generally suitable for communal living with limited caring needs and the other was for the elderly requiring a higher level of care.

On-site Underground Sewage Treatment Plant (STP)

24. Noting that there was no proposed sewer connection between the Site and the public sewerage system and an STP was planned underneath the RCHE, the Vice-chairperson and two Members raised the following questions:

- (a) whether the STP would serve the whole proposed development, and if affirmative, the management and maintenance (M&M) arrangement;
- (b) whether the design capacity of the on-site STP would be sufficient to serve the proposed increased population from the residential and RCHE development, and whether the proposed location of the on-site STP was considered suitable as it would generate environmental nuisances to the residents of the RCHE; and
- (c) whether the feasibility of connecting to the public sewerage facilities had been explored.

25. In response, Ms H.Y. Tang and Mr T.C. Wong, the applicants' representatives, made the following main points:

- (a) the on-site STP would serve the whole development, including the residential portion and the RCHE, and the M&M arrangements would be considered in the preparation of the Deed of Mutual Covenant;
- (b) the STP serving a designed population of 2,456 (2,128 in residential towers and 328 in RCHE) would be a small-scale secondary treatment level STP with necessary facilities including sedimentation and filtration tanks. The

STP underneath the proposed RCHE block would be easily accessible to meet the operational needs of the STP. The design of the STP would comply with the relevant requirements of the Environment Protection Department (EPD) and the Drainage Services Department (DSD). Treated effluent would be discharged to the public drain in compliance with EPD's guidelines. Deodourising measures including carbon filter would be installed, with the exhaust vent facing away from residential developments to minimise the potential odour impact; and

- (c) while there was proposal to upgrade the public sewerage system along Route Twisk by the Government, given that no detailed information was available at the current stage, an on-site STP was proposed. The feasibility for sewer connection to the public sewerage system would be explored during the detailed design stage.

26. In response to the further enquiries from a Member regarding the design requirements of a STP, Miss Queenie Y.C. Ng, Principal Environmental Protection Officer (Territory South), EPD, made the following main points:

- (a) it was common practice for rural residential developments to have their own sewage treatment facilities. While the discharge of wastewater was controlled by the Water Pollution Control Ordinance, Guidelines for the Design of Small Sewage Treatment Plants (the Guidelines) was issued by EPD with a view to providing relevant professionals general advice on the design of small STP for private development up to 2,000 population. Specific requirements on design and effluent discharge for STP of different design capacities were included in the Guidelines to ensure that the treated effluent could meet relevant standards. For STP serving population exceeding 2,000, the Guidelines stated that the project proponent could approach EPD to discuss a suitable design for the proposed STP, just like the case of the application;
- (b) installing deodourising units as proposed by the applicants was considered a means to minimise potential odour impact of the proposed STP. EPD and

DSD had no objection to the proposed on-site STP under the application;
and

- (c) she did not have information at hand on similar cases with on-site STPs for residential developments of comparable scale.

27. The Secretary said that the coverage of public sewerage in rural and urban fringe areas was not as well-established as in developed areas, and there were examples of new residential developments with on-site STP serving only the particular development. For example, a proposed residential development at the northern fringe of Tuen Mun New Town with a larger development scale as compared with the current application, which had been approved by the Rural and New Town Planning Committee recently, had proposed an on-site STP and the project proponent committed to exploring the feasibility of a public sewer connection during the detailed design stage. The proposed on-site sewerage facilities had to comply with relevant requirements of concerned government bureaux/departments (B/Ds), including EPD.

28. Mr Derek P.K. Tse, DPO/TWK, added that in general, public sewerage should be used for sewage disposal as this was the most efficient and safe means. For the current application, owing to the difficulty in upgrading the public sewerage along Route Twisk given existing traffic flow, EPD had no objection to the application noting that the applicants had undertaken to explore the feasibility of connecting to the public sewerage system during detailed design stage.

29. In response to a Member's enquiry, Mr Derek P.K. Tse, DPO/TWK, said that he did not have the information at hand on whether on-site STPs were provided for the two existing developments namely The Cairnhill and The Cliveden located at the upstream of Route Twisk.

30. A Member emphasised that both the ventilation and sludge treatment system of the proposed on-site STP should be carefully designed so as to minimise the potential odour impact. Another Member echoed that proposing such facility underneath the RCHE block, where future senior residents would be living in, was undesirable, and enquired whether locating the STP underneath the landscaped part of the Site had been explored. In response,

Messrs Paul Tang and T.C. Wong, the applicants' representatives, said that after taking into account the overall design layout to retain the existing trees located in the northwestern portion of the Site forming part of the communal open space, the currently proposed location of the on-site STP was considered suitable. The on-site STP would comply with relevant requirements of EPD. Having said that, the location of the STP could be further reviewed at the detailed design stage in compliance with the requirements of relevant B/Ds.

Traffic and Accessibility

31. The Vice-chairperson and two Members raised the following questions:
- (a) whether the applicants would be responsible for the maintenance of the upgraded local access road and whether it could be used by the nearby residents including those from Chung Kuk Terrace;
 - (b) whether the upgraded local access road would be in place before the construction of the proposed development to minimise the impact on the nearby residents;
 - (c) the accessibility of the Site, both on foot and by public transport, to the MTR Tsuen Wan Station (Tsuen Wan Station); and
 - (d) whether the 20 private car parking spaces for public use were proposed to comply with relevant requirements.
32. In response, Mr S.L. Ng, the applicants' representative, made the following main points:
- (a) the land owner would be responsible for the upgrading works and the M&M of the concerned local access road. The nearby local residents, including those in Chung Kuk Terrace, could use the upgraded local access road at all times which would be suitably reflected in the future land lease of the Site;

- (b) the construction works for both the proposed development and the upgrading of the local access road would be carried out at the same time, and the applicants committed to providing and maintaining a temporary access road at all times during the construction stage to ensure that the access for residents of Chung Kuk Terrace and other developments in the vicinity would not be adversely affected; and
- (c) there were existing footpaths from the Site to Tsuen Wan Station. As the walking distance was over 500m with level differences, residents of the proposed development might not prefer walking to Tsuen Wan Station. Besides, the public transport services in the area including the bus services running along Route Twisk were quite busy during rush hours. As such, shuttle bus services with pick-up/drop-off point within the Site were proposed. The Transport Department (TD) had no in-principle objection to the proposed shuttle bus services.

33. Mr Derek P.K. Tse, DPO/TWK, with the aid of a PowerPoint slide, supplemented the following main points:

- (a) the Site was connected to Tsuen Wan Station by two footpaths, with one located on the southeastern side of the Site through Luk Yeung Sun Chuen and the other on the southwestern side of the Site connecting to the footbridge between Tsuen Wan Station and D-Park. The lengths of the two routes were about 800m and 600m respectively; and
- (b) apart from the provision of ancillary car parking spaces and loading/unloading facilities as required under the Hong Kong Planning Standard and Guidelines (HKPSG), the applicants also proposed a public vehicle park (PVP) with 20 private car parking spaces to meet the local demand as a planning gain of the proposed development.

Landscape, Visual and Sustainable Design

34. The Vice-chairperson and two Members raised the following questions:

- (a) the size of the proposed landscaped communal open space at the northwestern portion of the Site, where existing trees were proposed to be retained, and whether the future RCHE residents could enjoy the area and other facilities within the Site; and
- (b) details of the tree removal and compensation proposal and whether the proposal followed the Development Bureau (DEVB)'s Technical Circular on Tree Preservation.

35. In response, Mr T.C. Wong, the applicants' representative, made the following main points:

- (a) the proposed greenery area at the northwestern portion of the Site accounted for about 20% of the total area of the Site. The applicants would be responsible for the construction and maintenance of the greenery area and it would be for use of the future residents including the RCHE residents. The M&M arrangement of the greenery area and other facilities within the proposed development would be subject to further consideration at the Deed of Mutual Covenant stage; and
- (b) among the trees proposed to be felled within the Site, none were of special tree species and most were common in Hong Kong. Similar species would be planted within the Site.

36. Regarding the tree compensation proposal, Mr Derek P.K. Tse, DPO/TWK, supplemented that 191 affected trees were proposed to be felled with 191 new trees proposed to be planted in a compensation ratio of 1:1 in quantity within the Site, which was in line with the requirements under DEVB's Technical Circular.

37. A Member enquired whether the concern on potential visual impact was one of the reasons for PlanD recommending "partially agree" instead of "agree" to the application such that appropriate development restriction(s) could be imposed in the OZP amendment to address such concern. In response, Mr Derek P.K. Tse, DPO/TWK, said that while the

proposed development would generate visual impact on the surrounding areas, the applicants proposed various design measures such as retaining the existing trees at the northwestern portion of the Site as a communal open space, tree compensation and plantation within the Site and along the upgraded local access road, which might help add visual interest to the Site. In order to better control the proposed scheme with no building at the northwestern portion of the Site, PlanD recommended designating a non-building area (NBA) at the northwestern portion of the Site, which was one of the reasons for recommending “partial agreement” to the application.

38. A Member asked whether the proposed development had incorporated sustainable design and whether any sustainability requirements for development proposals could be imposed under the planning regime. In response, Mr Derek P.K. Tse, DPO/TWK, said that adequate building separation and greenery provision had been proposed in the indicative scheme. The requirements for building separation, building setback and greenery provision as set out in the Sustainable Building Design Guidelines would be incorporated into the lease upon land exchange. Mr Patrick Fan, the applicants’ representative, added that installation of solar panels on the rooftops of the proposed building blocks could be explored at the detailed design stage.

Geotechnical Aspect

39. Noting from the Geotechnical Planning Review Report that the proposed RCHE was located within landslide catchment area that met “Alert Criteria” with historical landslide events and that substantive site formation works and retaining walls on both sides of the RCHE block would be required, a Member enquired whether the location of RCHE was appropriate from geotechnical safety perspective. In response, Mr C.W. So, the applicants’ representative, said that the natural terrain to the north of the Site was prone to landslide. A detailed Natural Terrain Hazard Study would be conducted and a geotechnical assessment would be submitted at the general building plan submission stage to the satisfaction of the Geotechnical Engineering Office of the Civil Engineering and Development Department. Slope safety measures including boulder fences and/or retaining walls within the Site would be provided. With the preventive/mitigation measures proposed, the proposed development was considered technically feasible from slope safety perspective.

GIC Provision in Tsuen Wan

40. In response to the Vice-chairperson's enquiry on the GIC provision in Tsuen Wan District, Mr Derek P.K. Tse, DPO/TWK, with the aid of some PowerPoint slides, said that while there were deficits in the provision of secondary school places, hospital beds, child care services and community care services facilities, there was a surplus in the provision of RCHE within the OZP area according to the HKPSG. However, from a wider geographical perspective, there were shortfalls in the provision of RCHE in the Kwai Tsing and Tsuen Wan West areas. The proposed RCHE would help meet the demand for RCHE in a wider area. In addition, the RCHEs that were currently in operation in the vicinity of the Site were all subsidised RCHEs. As advised by SWD, the setting up of self-financed/privately-operated RCHEs in the private market could provide alternative choice for the elderly who could afford non-subsidised residential care services outside the public arena.

Reprovisioning/Provision of Facilities

41. In response to a Member's enquiry on the reprovisioning of the affected RCP along the local access road, Mr T.C. Wong, the applicants' representative, said that the affected RCP with associated lay-by facilities for refuse collection vehicle would be suitably re-provisioned to serve local residents in consultation with the Food and Environmental Hygiene Department at the detailed design stage to meet the relevant requirements.

42. In response to a Member's enquiry on whether there were any non-domestic elements such as commercial and retail uses provided within the Site in support of the proposed residential and RCHE development, Mr Derek P.K. Tse, DPO/TWK, confirmed that only residential use and RCHE were proposed under the application and the demand for commercial and retail needs would be met by existing provisions in Tsuen Wan Town Centre.

Previous Rezoning Applications and Precedent Implication

43. Noting from the Paper that the two previous rezoning applications covering the eastern part of the Site were rejected by the Committee for reasons including excessive

development intensity and setting of undesirable precedent for similar rezoning requests, among others, the Vice-chairperson and a Member enquired whether there were any changes in planning circumstances for the current application compared to the previously rejected applications.

44. In response, Mr Derek P.K. Tse, DPO/TWK, with the aid of a PowerPoint slide, said that the major rejection reason of the two applications in 1999 and 2000 was related to traffic concerns. At that time, TD advised that although the potential traffic generation from the proposed schemes under the two applications with plot ratio (PR) of 0.9 and 0.75 respectively was considered acceptable, approving the applications might set precedent for similar applications to develop other sites along Route Twisk and the cumulative traffic impacts would be undesirable. Subsequently, with the completion of the extension of Cheung Pei Shan Road to Tuen Mun Road in around 2003/04, the traffic conditions of Tsuen Kam Interchange and the general traffic condition of Tsuen Wan District were improved. According to the Traffic Impact Assessment (TIA) submitted by the applicants under the current application, with the proposed mitigation measures in place, the proposed development would not generate adverse traffic impact. TD had no in-principle objection to the current application.

45. Noting that the “GB” zone in the Fu Yung Shan area, where the Site was located, covered over 100ha, the Vice-chairperson asked whether the approval of the current application would set precedent for similar proposals within the same “GB” zone with the aforementioned traffic improvement works. In response, Mr Derek P.K. Tse, DPO/TWK, said that each individual case would be considered on its own merits with justifications.

46. Mr S.L. Ng, the applicants’ representative, supplemented that according to the TIA conducted for the proposed development, it was anticipated that the design flow to capacity (DFC) ratio of the Tsuen Kam Interchange would reach 0.81 three years after completion of the proposed development, which was still considered satisfactory according to TD’s standard (i.e. DFC ratio below 0.85 was considered satisfactory generally) but might not have much room for additional developments. Having said that, in light of the Government’s announcement in December 2024 to take over the Tai Lam Tunnel in the near future, the traffic condition of Route Twisk might be improved.

PlanD's Views on the Application

47. A Member enquired about the reasons for PlanD's recommendation to partially agree to the application. In response, Mr Derek P.K. Tse, DPO/TWK, with the aid of a PowerPoint slide, said that while PlanD had no in-principle objection to the application to rezone the Site to the proposed "R(B)9" zone, for better control of the proposed development, PlanD proposed to revise the Notes of the OZP for the new "R(B)9" sub-zone to (i) stipulate a minimum GFA of not less than 5,400m² for GIC facilities; (ii) designate NBA at the northwestern portion of the Site (which had higher landscape value); (iii) add 'PVP' as an always permitted use for the new "R(B)9" sub-zone under Column 1 in the Notes; and (iv) incorporate in the remarks of the new "R(B)9" sub-zone that underground car park should be provided. Should the Committee agree to the application, appropriate revision to the applicants' proposed Notes and Explanatory Statement of the OZP would be made and the relevant proposed amendments to the OZP would be submitted to the Committee for consideration prior to gazetting under the Ordinance.

48. As the applicants' representatives had no further points to raise and there were no further questions from Members, the Vice-chairperson informed the applicants' representatives that the hearing procedures for the application had been completed and the Committee would deliberate on the application in their absence and inform the applicants of the Committee's decision in due course. The Vice-chairperson thanked PlanD's and the applicants' representatives for attending the meeting. They left the meeting at this point.

[Professor Simon K.L. Wong left the meeting during the question and answer session.]

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

Deliberation Session

49. While not objecting to the application, a few Members raised concerns on details of the application and the precedent implication, including whether information on the operational details of the proposed RCHE should be provided by the applicants, whether the proposed on-site underground STP was technically feasible, and whether approval of the current application would set precedent for similar applications for rezoning "GB" sites for

developments in the vicinity and subsequently undermine the integrity of the concerned “GB” zone which was over 100ha in area. A Member was concerned whether the proposed development with a PR of 3 and a building height of about 70m for the residential buildings would be compatible with the surroundings.

50. Noting Members’ concerns, the Vice-chairperson invited the Secretary to explain whether the application could be deferred to request the applicants to submit further information to substantiate the application particularly on the RCHE and the STP. In response, the Secretary provided the following information:

- (a) the Government had conducted ongoing review of “GB” sites for identifying suitable “GB” sites for development purpose, supported by technical assessments to ascertain the feasibility;
- (b) with regard to the concern about setting precedent, the Site zoned “GB” was under private ownership and was located at the periphery of a larger “GB” zone and fringe of Tsuen Wan New Town. About 47% of the Site had been disturbed. Existing trees at the northwestern portion of the Site would be preserved to form the communal open space for use of the future residents of the RCHE and the residential development. Each application under the Ordinance should be considered based on individual merits with sufficient justifications and supported by technical assessments for the consideration of the Town Planning Board (the Board);
- (c) this was a rezoning application submitted under section 12A of the Ordinance, in which the proposed scheme was indicative only. In some cases, submission of layout plan could be incorporated in the Notes of the respective zone for consideration of the Board under section 16 planning application to address specific concerns such as environmental concern through careful layout design. For the current application, Members’ key concerns on the operational details of the proposed RCHE and technical feasibility on the STP could be dealt with during the detailed design and land administration stages as the applicants would need to

submit land exchange application to LandsD and follow up with SWD and EPD on the RCHE and the STP respectively in order to ensure that the facilities would comply with the relevant requirements/guidelines prior to commencement of the proposed development. For the requirement of providing the RCHE, it was proposed that a minimum GFA of not less than 5,400m² for GIC facilities be stipulated in the Notes of the OZP; and

- (d) PlanD would submit proposed amendments to the OZP for the Committee's consideration should the Committee agree or partially agree to the application.

51. The Vice-chairperson reiterated that under the established mechanism, should the rezoning application be agreed, it was necessary to go through the statutory plan-making procedures including, inter alia, preparation of proposed amendments to the OZP, publication of the draft OZP for a period of 2 months for representation and consideration of the representations by the Board.

52. Members noted that the Site was located at the urban fringe area of Tsuen Wan New Town and at the southern periphery of the larger "GB" zone and had been disturbed with low ecological value; the proposed development has no direct impact on Tai Mo Shan Country Park and on the Small House development; there were various planning gains including the proposed road improvement works serving the local community and the provision of RCHE and PVP to meet the needs of the area; and the requirement for RCHE and STP would comply with relevant guidelines/requirements of SWD and EPD respectively. In view of the above, Members generally agreed that deferral of the case for submission of further information was not necessary, and considered that the current application could be agreed.

53. In response to a Member's enquiry on whether the proposed zoning would need to be specific for the Site to ensure provision of GIC facilities alongside the residential development, the Secretary said that the "Other Specified Uses" zone was for designation of a site for specific uses/developments. In the subject case, PlanD had recommended under the Notes for the new "R(B)9" sub-zone that 'social welfare facility' use, which included RCHE, would be always permitted under Column 1, and the incorporation of minimum GFA

for the provision of GIC facilities.

54. A Member enquired whether the minimum GFA of 5,400m² for RCHE should be stipulated under the Notes of the new “R(B)9” sub-zone to ensure its implementation. The Secretary explained that the current proposal of specifying the minimum GFA for GIC facilities allowed flexibility for SWD to consider appropriate types of social welfare facilities to be provided in the Site at a later stage, which could be incorporated in the lease document.

55. A Member expressed that the Explanatory Statement (ES) of the OZP should state clearly the planning gains as proposed by the applicants such as road improvement works and preservation of trees. Another Member suggested that it should be specified that a PVP of not less than 20 private car parking spaces should be provided within the Site.

56. After deliberation, the Committee decided to partially agree to the application. The appropriate zoning(s) and development restrictions and requirements would be worked out in consultation with relevant government bureaux/departments. The relevant proposed amendments to the Tsuen Wan Outline Zoning Plan, together with the revised Notes and Explanatory Statement, would be submitted to the Committee for consideration prior to gazetting under the Town Planning Ordinance.

[Mr Kervis W.C. Chan, Senior Town Planner/Tsuen Wan and West Kowloon, and Mr Chris K.C. Ma, Town Planner/Tsuen Wan and West Kowloon (TP/TWK), were invited to the meeting at this point.]