

**DRAFT TSING YI OUTLINE ZONING PLAN NO. S/TY/31  
INFORMATION NOTE AND HEARING ARRANGEMENT  
FOR CONSIDERATION OF REPRESENTATIONS AND COMMENTS**

**1. Introduction**

- 1.1 On 2.7.2021, the draft Tsing Yi Outline Zoning Plan (OZP) No. S/TY/31 (the Plan) was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). The amendments mainly involve:
  - (a) rezoning of a site to the west of Tsing Yi Road West from “Green Belt” (“GB”) to “Residential (Group A) 5” (“R(A)5”) with stipulation of building height restriction (Item A) and;
  - (b) amendments to the Notes of the Plan mainly corresponding to Item A as mentioned above.
- 1.2 The Schedule of Amendments setting out the amendments incorporated into the draft OZP is at **Annex I** and the location of Item A is shown on **Plan P-1**.
- 1.3 During the two-month exhibition period, a total of 5,599 representations were received. 5,277 representations were made in accordance with the revised requirement set out in the Town Planning Board Guidelines No. 29B (TPB PG-No. 29B)<sup>1</sup>. 322 representations were made with identity information missing which should be considered as not having been made pursuant to sections 6(2)(b) and 6(3)(b) of the Ordinance.
- 1.4 On 16.11.2021, 5,277 valid representations were published for public comments for three weeks until 7.12.2021. During the three-week publication period, a total of 1,635 comments were received. 1,627 comments were made in accordance with the revised requirement set out in TPB PG-No. 29B while the remaining eight comments were made with identity information missing which should be considered as not having been made pursuant to sections 6A(2) and 6A(3)(b) of the Ordinance.
- 1.5 The lists of representers and commenters are shown at **Annexes II** and **III** respectively for Members’ reference. The location of the representation site, i.e. Item A, is shown on **Plan P-2**.

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<sup>1</sup> According to TPB PG-No. 29B on Submission and Publication of Representations, Comments on Representations and Further Representations under the Town Planning Ordinance, which has taken effect since 1.1.2019, representers/commenters/further representers and their authorised agents are required to provide their full name as shown on the HKID card/passport and their HKID card/passport number (only the first four alphanumeric characters are required) in the submission. For submission with no full name, incomplete and/or illegible names or no HKID card/passport number, the representation/comment/further representation concerned may be treated as not having been made.

## 2. The Representations and Comments

- 2.1 Among the 5,277 valid representations, there are 90 supporting representations and 5,187 adverse representations. Their major views are summarized in the following paragraphs:

### Supporting Representations

- 2.2 **R1 to R76, R78, R79, R81 to R88, R3077, R3079, R5273 and R5276** submitted by individuals support Item A on the ground that it would facilitate public housing development to meet the acute housing demand.

### Adverse Representations

- 2.3 Amongst the 5,187 adverse representations, seven representations are submitted by the green groups (**R89 to R95**), one by the Tsing Yi Rural Committee (**R99**), three by the Kwai Tsing District Councillors (**R96 to R98**), one by a community officer of a political party (**R100**), two by the Owners' Committees of Mount Haven and Ching Wah Court (**R101 and R102**) and the other 5,173 from individual members of the public. Among the representations, about 3,000 representations are submitted mainly in three types of standard letters.

- 2.4 All of them oppose or express concerns/adverse views on the proposed public housing development at the representation site. Their grounds are summarized as follows:

- (a) rezoning of the site for public housing development is not in line with the planning intention of "GB" zone and the general presumption against development within the "GB" zone;
- (b) the "GB" zone serves as a natural barrier separating the oil depots to the southwest, which is considered as a "Potentially Hazardous Installation" (PHI). As the site falls within the consultation zone of the PHI, developments at the site should not be permitted;
- (c) the proposed development intensity and building height of public housing are excessive and not compatible with the surrounding developments/uses;
- (d) the proposed development will have adverse impacts, including the traffic, environmental, ecological, landscape, visual, air ventilation, sewerage and drainage aspects, and will adversely affect the existing watercourse and adjoining Tsing Yi Natural Trails;
- (e) there would be inadequate provision of car parking facilities, open space, retail facilities, government, institution and community facilities and insufficient public transport services, etc., for local residents after the completion of development;
- (f) the traffic and transport impact assessment and preliminary environmental review conducted by the government have not adequately considered the baseline conditions and underestimated the adverse impacts. There is also insufficient information in the technical assessments in support of the proposed development;

- (g) brownfield site, idle government site or alternative site should be identified for development instead of developing the “GB” site, and the proposed public housing development at this site will not be cost-effective in terms of the construction cost and time required; and
- (h) the public consultation for the rezoning exercise was unsatisfactory due to the lack of public consultation, insufficient/incomplete information for consultation and disregard of public comments received.

#### Comments on Representations

- 2.5 There are 1,627 valid comments submitted by two green groups (C1 and C2 also R94 and R89 respectively), the Owners’ Committee of Mount Haven (C3 also R101) and 1,624 individuals (including about 910 commenters who are also representers). All of them oppose to the rezoning, object to the supportive representations and/or provide comments/views similar to those stated in paragraph 2.4 above.

### **3. Arrangement for Consideration of Representations and Comment**

- 3.1 Under section 2A of the Ordinance, the Town Planning Board (the Board) is empowered to appoint a Representation Hearing Committee (RHC) from among its members to consider representations and comments, propose amendments to the Plan to meet representations, consider further representations in respect of the proposed amendments, and consider whether to vary the proposed amendments upon consideration of any adverse further representations. Since there is only one amendment item and the representations/comments received are of similar nature relating to local concerns on the proposed public housing development, it is considered more efficient for the full Board to hear the representations and comments without resorting to the appointment of a RHC. A separate hearing session may be arranged, if necessary. The arrangement would not delay the completion of the representation consideration process.
- 3.2 Under section 6B(6) of the Ordinance, the Board may determine whether the representations and the related comments shall be considered at the same meeting and whether they shall be considered individually or collectively. As the concerns of the representers and commenters are generally related to the proposed public housing development and associated technical matters, while the issues involved are of similar nature, the hearing of all representations and comments is suggested to be considered in one group.
- 3.3 To ensure the efficiency of the hearing, it is recommended to allot a maximum of 10 minutes presentation time to each representer/commenter in the hearing session, subject to confirmation of the number of representers and commenters attending the hearing and the aggregated presentation time required.
- 3.4 Consideration of the representations and comments by the full Board under section 6B of the Ordinance is tentatively scheduled for April 2022.

#### **4. Decision Sought**

- 4.1 The Board is invited to note that pursuant to sections 6(2)(b), 6(3)(b), 6A(2) and 6A(3)(b) of the Ordinance, 322 representations and eight comments with the required identity information missing as mentioned in paragraphs 1.3 and 1.4 above should be considered as invalid and treated as not having made.
- 4.2 The Board is invited to consider whether:
- (a) to appoint a RHC for consideration of the representations and comments; and
  - (b) the representations and comments should be considered in the manner as proposed in paragraph 3 above.

#### **Attachments**

<b>Annex I</b>	Schedule of Amendments to the Approved Tsing Yi OZP No. S/TY/30
<b>Annex II</b>	List of Representers
<b>Annex III</b>	List of Commenters
<b>Plan P-1</b>	Draft Tsing Yi OZP No. S/TY/31 showing Item A
<b>Plan P-2</b>	Location Plan of the Representation and Comment Site

**PLANNING DEPARTMENT  
FEBRUARY 2022**