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**Minutes of 394th Meeting of the  
Rural and New Town Planning Committee held at 2:30 p.m. on 8.5.2009**

[Mr. W.K. Hui, District Planning Officer/Shan Tin, Tai Po and North (DPO/STN), Mr. W.W. Chan, Senior Town Planner/Shan Tin, Tai Po and North (STP/STN), Mr. James H.K. Wong, Town Planner/Shan Tin, Tai Po and North (TP/STN), as well as Professor Edward Y.Y. Ng, Air Ventilation Assessment (AVA) Consultant, were invited to the meeting at this point.]

**Agenda Item 3**

[Closed Meeting]

Proposed Amendments to the  
Draft Ma On Shan Outline Zoning Plan No. S/MOS/14  
(RNTPC Paper No. 7/09)

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1. With the aid of a Powerpoint presentation and a fly-through simulation, Mr. W.W. Chan, STP/STN, briefed Members on the proposed amendments to the draft Ma On Shan Outline Zoning Plan (OZP) as detailed in the Paper and covered the following main points:

**Background**

- (a) The proposed amendments to the OZP were based on the findings of a comprehensive review of all the development zones in Ma On Shan undertaken by Planning Department (PlanD). The review covered control of building height and development intensity as well as review for “Commercial/Residential”, open space and free-standing “Government, Institution or Community” buildings in public housing sites;

**Existing Profile and Context of the Sub-Areas of Man On Shan New Town**

- (b) the overall height profile and context of Ma On Shan was outlined in

paragraphs 4 and 6.2 of the Paper. In terms of development character, the new town could be grouped into 5 sub-areas as illustrated in Plan 11 of the Paper, namely:

- Tai Shui Hang;
  - Heng On/Yiu On;
  - Town Centre;
  - Wu Kai Sha and Foothills; and
  - Cheung Muk Tau Urban Fringe;
- (c) Tai Shui Hang Sub-Area : this sub-area comprised the waterfront residential, village and other residential areas. The development at Tai Shui Hang Station formed the southern gateway of the new town;
- (d) Heng On/Yiu On Sub-Area : this sub-area mainly comprised public housing developments and had a general height profile descending from the inland to the waterfront area;
- (e) Town Centre : the Town Centre had a stepped height profile which decreased from the core (with the tallest residential building of 141mPD) towards the waterfront and there was a variation of building height along the waterfront area. The commercial developments at the town centre served as the main town focus of this sub-area;
- (f) Wu Kai Sha and Foothills : this sub-area mainly comprised the existing residential and village developments, the Wu Kai Sha Station and the Whitehead/Lok Wo Shan developments. The development at the MTR Wu Kai Sha Station formed the northern gateway of the new town. In general, there was a stepping height profile from the foothill towards the waterfront area;
- (g) Cheung Muk Tau Urban Fringe : this sub-area was mainly occupied by low-rise and low-density residential and village developments and “G/IC” developments;

- (h) in planning of the new town, the “green fingers” concept was incorporated in the form of open space running in an east-west direction in the Ma On Shan OZP to serve as visual corridors and buffer between developments. They were proven to be beneficial for air ventilation in the AVA for the current review of the Ma On Shan OZP;

#### Imposition of Development Intensity Restrictions in PR/GFA

##### *Purpose and Exception:*

- (i) the purpose of PR/GFA restrictions was to provide better planning control on the building bulk upon development/redevelopment so as to improve the urban environment, allow for more effective planning for infrastructure and GIC facilities, and enhance transparency and certainty in the development of Ma On Shan New Town. The PR/ GFA restrictions would be imposed on all the development zones which did not have such restrictions in the current OZP, except the following:
- the “Village Type Development” (“V”) zone as New Territories Exempted Houses were already restricted to 3 storeys and a maximum area of 65.03m<sup>2</sup> under the Buildings Ordinance (Application to New Territories) Ordinance;
  - the “Other Specified Uses” (“OU”) zones pertaining to utility installation e.g. pier, petrol filling station because of the small scale of the use. However, “OU” zones for large scale development such as hotel, residential, educational and recreational uses, PR/GFA restriction would be imposed in the usual manner; and
  - the “G/IC” zone as the GFA requirements for various GIC uses could be very different, incorporation of PR/GFA restrictions under this zone was considered impractical and unnecessary for the wide range of uses they served and their various scale of developments.

Recognising their urban design and air ventilation benefits, it was proposed to contain their building bulk by imposing building height restrictions.

#### Proposed PR/GFA Restrictions for “R(A)” Zone

##### *Private Residential Sites:*

- (j) the planning of the Ma On Shan New Town was generally in accordance with the density standard laid down in the Hong Kong Planning Standards and Guidelines (HKPSG). Developments were generally subject to the administrative control for a maximum domestic and non-domestic plot ratio of 5 and 9.5 or the composite formula of 5/9.5 for mixed commercial and residential developments except certain cases where site characteristics or circumstances dictated the adoption of a different PR based on the departmental layout plans prepared for each planning area;
- (k) based on PlanD’s study, it was proposed that the existing administrative PR control for 5/9.5 domestic/non-domestic PR, the lease entitlement or the existing PR/GFA of the existing developments, as appropriate, be incorporated into the Notes for the “R(A)” zone and its subzones as detailed in paragraph 5.4 of the Paper;

##### *Public Housing Sites:*

- (l) the public housing sites under “R(A)” would be subject to a maximum PR restriction of 5/9.5 which were higher than their existing PR/GFAs. Following the established practice, the PR restriction on the OZP represented the maximum permissible density and the actual development intensity would be guided by a planning brief. Following the practice for private development, development potential should be calculated on the basis of the net site area. This requirement was stated in the Explanatory Statement of the OZP;

Proposed PR/GFA Restrictions for “C” Site

- (m) there was only one “C” site (which had been included in the 2009-10 Application List) at Sai Sha Road in Planning Area 77 planned for a commercial/office development. It was proposed to incorporate the administrative PR of 3 into the Notes of the “C” zone according to the layout plan for Area 77;

PR/GFA Restrictions for “OU” annotated “Railway Development and Public Transport Interchange with Commercial/Residential Development” Zone

- (n) this “OU” zone covered the existing Wu Kai Sha Station of Ma On Shan Rail with its Public Transport Interchange (PTI). The property development was under construction. It was proposed to stipulate into the Notes the maximum GFA in accordance with the lease of domestic GFA of 168,650m<sup>2</sup>, non-domestic GFA of 4,000m<sup>2</sup> and the GFA of the completed PTI of 15,066m<sup>2</sup>. The GFA of Wu Kai Sha Station itself was exempted;

Proposed PR/GFA Restrictions for “R(B)”, “R(C)”, “CDA”, “CDA(1)”, “OU(Hotel)” and “OU(Educational and Recreational Development)” zones

- (o) it was proposed to retain the current PR/GFA restrictions on the OZP for these zones;

*The Restrictions and Minor Relaxation Clause:*

- (p) the proposed PR/GFA restrictions of all the development zones were shown in Plan 5 of the Paper. Based on the individual merits of a development or redevelopment proposal, minor relaxation of the PR/ GFA restrictions would be allowed through the planning permission system;
- (q) in case the existing development intensity had exceeded the proposed restrictions, the existing development intensity would be respected. A clause was stated in the Notes that upon redevelopment, the existing PR/GFAs could

be retained if the lot was redeveloped for the same type of building as the existing building. Hence, it was envisaged that there would be no loss of existing PR/GFAs for existing developments as a result of the imposition of development intensity restrictions in the OZP. Since the existing development intensity had already exceeded the optimal intensity proposed, there was a general presumption against application for minor relaxation except under exceptional circumstances;

### Imposition of Building Height Restrictions

#### *Need for Building Height Control:*

- (r) the majority of area in the OZP were not subject to statutory height controls. With the growing community concern on the built-environment, the stipulation of building height restrictions on the OZP was considered a more effective measure to regulate the development height profile and to set out the planning intention more clearly and more transparent for public scrutiny under the provisions of the Town Planning Ordinance, there were statutory avenues for the relevant stakeholders to express their views to the Town Planning Board on the proposed restrictions;

#### *Local Wind Environment and Air Ventilation Assessment:*

- (s) an air ventilation assessment (AVA) by expert evaluation (EE) for the Ma On Shan area was undertaken and the report of which was annexed as Attachment V of the Paper. The annual prevailing wind of the area came from the east and north-east directions. In summer, the south-west background prevailing wind flowed from Shing Mun River Channel unobstructed into the south-western part of the Ma On Shan area. Tolo Harbour could create some “southeast-northwest” land and sea breeze effect to the area. The recommendations of the AVA were highlighted as follows:

- with careful design and disposition of buildings, the proposed building height and PR restrictions should not lead to air ventilation issue for the Ma On Shan area; and
- to enhance the air path network for better air ventilation, a number of non-building/low building areas of 25-40 m wide might be strategically specified in Lok Wo Sha, Lee On Estate, Ma On Shan Town Centre, Heng On Estate, Kam Fung Court/Chung On Estate, and the “C” site at Area 77 as shown in Plan 13E of the Paper;

*Guiding Principles for Formulating Building Height Restrictions:*

- (t) Apart from relevant considerations such as plot ratio restrictions, existing topography, existing landuses and building heights, local wind environment and ventilation improvement, the following guiding principles had been considered in formulating the building height restrictions:
- the proposed height profile should respect the existing land uses, townscape and character and the building height of individual developments approved by the TPB;
  - adopting the stepped height profile descending from the town centre to the peripheral areas, and from the foothill areas to the waterfront;
  - encourage variation of building heights for developments along the waterfront to enhance visual quality to the Tolo Harbour;
  - enhancing the existing development nodes at Wu Kai Sha Station and Tai Shui Hang Station to serve as gateways to the new town;
  - maintaining the low-rise profile of the various “G/IC” sites as visual and spatial relief and breathing space;

- preserving the “Green Fingers” as open space buffers and enhancing them with creation of airpaths or view corridors where appropriate; and
  - compatibility with the character of the neighbourhood and allowing variations in building heights;
- (u) the proposed building height restrictions should be able to accommodate the development intensity permitted under the OZP. To provide certainty and clarity, the proposed building height restrictions were generally specified in terms of mPD, except for “G/IC” zone of not more than 13 storeys, which would be subject to restrictions on the number of storeys (excluding basement(s)) so as to allow more design flexibility;
- (v) for those existing developments with their building height exceeding the proposed building height restrictions, their existing building height would be respected upon redevelopment. Minor relaxation of the restrictions would be allowed to cater for design flexibility and site constraints through the planning permission system on individual merits. However, for any existing building with building height already exceeding the building height restrictions, there was a general presumption against such application except under exceptional circumstances. Otherwise, the intended height profile would be frustrated;

[Mr. Y.M. Lee, Professor Edwin H.W. Chan and Mr. Y.K. Cheng arrived to join the meeting at this point.]

#### Overall Building Height Concept

- (w) the overall building height concept for the new town was illustrated in Plan 14 of the Paper. It followed a building height profile stepping down from the foothills areas toward the waterfront, and descending from the town centre and two gateway nodes at Tai Shui Hang Station and Wu Kai Sha Station. Along the waterfront, varying building heights were encouraged;



Proposed Building Height Restrictions for Residential and Commercial Developments

(x) the proposed building height restrictions for commercial and residential sites were shown at Plan 15 of the Paper. The effects of the proposed building height restrictions were demonstrated by photomontages at Plans 17A to 17C of the Paper which were taken at 3 viewpoints, 2 from the Chinese University of Hong Kong and 1 from the Tai Po Industrial Estate. In general, the proposed height restrictions reflected the majority of the existing buildings/committed proposals. The proposed height restrictions in the 5 sub-areas in Ma On Shan were highlighted below:

- Tai Shui Hang : 80-120mPD
- Heng On/Yiu On : 80-120mPD
- Town Centre : 50-150mPD
- Wu Kai Sha and Foothills : 105-185mPD, 8 storeys at Whitehead
- Cheung Muk Tau Urban Fringe : 36-55mPD, 7 storeys at Nai Chung

Proposed Building Height Restrictions for “G/IC” and “OU” Zones

(y) the proposed building height restrictions for the “G/IC” sites were detailed in Plans 18A and 18B of the Paper, stipulated either in terms of no. of storeys or mPD based on the scale of use;

Designation of Non-Building Areas

(z) the non-building areas included the following:

- non-building area: Based on the recommendations of the AVA, it was proposed to designate 3 pieces of “non-building area” (NBA) respectively across the northern part of Kam Fung Court/Chung On Estate and the southwestern part of Lee On Estate (both are 25m

wide), and along the northern boundary of the “C” site in Area 77 (15m wide) as shown in (Plan A-1 of the Paper). A minor relaxation clause would be incorporated in the Notes of the relevant zones to allow minor relaxation of the NBA restrictions as shown on the Plan under exceptional circumstances; and

- 2 storey building height restriction: 3 strips of land, one across Heng On Estate/Kam On Court (16m wide) and two located within the “CDA(1)” zone at Lok Wo Sha (15m wide), were stipulated with a building height restriction of 2 storeys as shown in Plan A-5 and A-6 of the Paper. Minor relaxation of the restrictions would be allowed to cater for design flexibility through the planning permission system on individual merits;

#### Land Use Review of “C/R” and “O” Zones

##### *Review of “C/R” Zone:*

- (aa) the three “C/R” zones in the Town Centre, namely, Sunshine City Phase IV, Bayshore Towers and Villa Oceania, were proposed to be rezoned as detailed in paragraphs 8.2(a)-(c) of the Paper, according to the principles recommended in the Metroplan Review;

##### *Review of “O” Zone:*

- (bb) there were currently 14 “O” sites, 12 of which were on government land and two were partly under private ownership. It was proposed to rezone these two “O” zone to “R(A)” and “V” and ‘Road’;

#### Proposed Amendments to the OZP

- (cc) the proposed amendments to the OZP, its Notes and ES were detailed in paragraphs 11 to 13 of the Paper;

Public Consultation

(dd) to avoid pre-mature release of the development control information, the Sha Tin District Council and Tai Po District Council would be consulted during the exhibition period of the proposed amendments gazetted under section 7 of the Ordinance.

2. The Secretary reported that a replacement page (page 4) of the Paper was tabled at the meeting for Members' reference. The amended text was mainly to clarify that the development density standards applied in Ma On Shan were based on the then Hong Kong Outline Plan instead of HKPSG.

3. A Member enquired whether there was a definition for the term of administrative plot ratio. In response, Mr. W.K. Hui replied that there was no official definition for this term. It generally referred to non-statutory provisions. He further explained that while the plot ratio control prescribed under the Building (Planning) Regulations according to the class of site was a statutory building control, the administrative plot ratio was an administrative measure adopted by government in the early days of new town development to regulate the development density and a domestic plot ratio of 5 and a non-domestic plot ratio of 9.5 as the maximum were adopted. In the planning of the second generation new towns in the 1980s, the administrative maximum domestic plot ratio of 5 had been increased to 8 to respond to the rising housing need. In this connection, some sites in the Ma On Shan area that an administrative domestic plot ratio higher than 5 had been applied. With the incorporation of the respective administrative plot ratios into the OZP, it would enhance transparency and certainty in the development of the New Town.

4. The Secretary supplemented that the Hong Kong Outline Plan, currently called the HKPSG, provided guidance on development intensity for the development of new towns. The administrative control of maximum domestic and non-domestic plot ratio of 5 and 9.5 respectively was applicable to Residential Zone 1 areas in the new town, whereas there were other areas (such as Zones 2 and 3 as well as R4) subject to lower plot ratio. Apart from the administrative plot ratio control, the development intensity of certain sites might be governed by the plot ratio adopted in the departmental layout plan prepared for individual planning areas.

[Mr. B.W. Chan arrived to join the meeting at this point.]

5. Members considered that the proposed amendments to the OZP and agreed to the amendments detailed in paragraphs 11 and 12 of the Paper.

6. After further deliberation, the Committee decided to :

- (a) agree to the proposed amendments to the draft Ma On Shan Outline Zoning Plan (OZP) No. S/MOS/14 and that the draft Ma On Shan OZP No. S/MOS/14A at Attachment I (to be renumbered to S/MOS/15 upon exhibition) and its Notes at Attachment II of the Paper were suitable for exhibition under section 7 of the Ordinance; and
- (b) adopt the revised Explanatory Statement (ES) at Attachment III of the Paper for the draft Ma On Shan OZP No. S/MOS/14A as an expression of the planning intentions and objectives of the Town Planning Board (the Board) for the various land use zonings on the Plan and the revised ES would be published together with the Plan under the name of the Board.

[The Chairperson thanked Mr. W. K. Hui, DPO/STN, Mr. W. W. Chan, STP/STN, Mr. James H. K. Wong, TP/SNT, as well as Professor Edward Y. Y. Ng, the AVA Consultant, for their attendance to answer Members' enquiries. Mr. Wong and Professor Ng left the meeting at this point.]