

DRAFT FANLING/SHEUNG SHUI OUTLINE ZONING PLAN NO. S/FSS/23

**INFORMATION NOTE AND HEARING ARRANGEMENT FOR
CONSIDERATION OF REPRESENTATIONS AND COMMENTS**

1. Introduction

- 1.1 On 29.3.2019, the draft Fanling/Sheung Shui Outline Zoning Plan No. S/FSS/23 (the OZP) was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). The amendments mainly involve rezoning of five sites for public or private residential developments including a site at Sheung Shui Area 30 (**Item A1**) from “Industrial” (“I”) to “Residential (Group A)4” (“R(A)4”); a site at Sheung Shui Area 4 (**Item A2**) from “I” and “Other Specified Uses” annotated “Bus Depot” to “R(A)4”; a site to the east of Po Shek Wu Road, Sheung Shui Area 4 (**Item A3**) from “Open Space” (“O”) to “R(A)5”; a site at Jockey Club Road, Fanling Area 11 (**Item A4**) from “Government, Institution or Community” (“G/IC”) to “R(A)4”; and a site at Wu Tip Shan, Fanling Area 40 (**Item B**) from “G/IC” to “R(A)6”; as well as technical amendments to reflect the existing use of roads (**Items C1 to C3**). The Schedule of Amendments setting out the amendments incorporated into the OZP is at **Annex I** and the location of the amendment items are shown on **Plan 1**.
- 1.2 During the two-month public exhibition period of the draft OZP, a total of 3,919 representations were received. 123 submissions were made in accordance with the revised requirements set out in Town Planning Board Guidelines No. 29B (TPB PG-No. 29B)¹ by providing the full name as shown on the Hong Kong Identity (HKID) card/passport and the first four alphanumeric characters of HKID card/passport number. The remaining 3,796 submissions were made with missing identity information or identity information in doubt (e.g. suspicious or incomplete name).
- 1.3 Considering that this is the first batch of amended OZPs subject to revised submission requirements under TPB PG-No. 29B, the Board agreed to allow the representers with the identity information in doubt or missing in their submissions a further opportunity to submit the required information and that if such representers failed or refused to provide such identity proof, the representations would be treated as not having been made. On 4.7.2019, the Secretariat sent out

¹ According to TPB PG-No. 29B on Submission and Publication of Representations, Comments on Representations and Further Representations under the Town Planning Ordinance, which have taken effect since 1.1.2019, representers/commenters/further representers and their authorized agents are required to provide their full name as shown on the Hong Kong Identity (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.

verification letters to the concerned parties but only one representer submitted the required information. As no response was received from the remaining 3,795 submissions with identity information in doubt or missing, they should be considered as invalid and treated as not having been made pursuant to sections 6(2)(b) and 6(3)(b) of the Ordinance.

- 1.4 On 19.7.2019, 124 valid representations were published for three weeks for public comments. Upon expiry of the public inspection period on 9.8.2019, 2 comments were received. The lists of representers and commenters and the summaries of the representations and comments are shown at **Annex II, III, IV and V** respectively for Members' reference. The location of the representation sites are shown on **Plan 1**.

2. **The Representations and Comments**

- 2.1 The 124 representations include six supporting representations, 116 adverse representations, and two providing views. Their views are briefly summarized as follows:

Supporting (6)

- 2.2 The six supporting representations (**R1 to R6**) were submitted by the Hong Kong Housing Society (HKHS), and five individuals. HKHS and one individual (**R1 and R5**) support **Item A4** specifically. The others support the amendment items in relation to the proposed public housing developments (**Item A1 to A4, and C1 to C3**). The supporting representations are mainly on the grounds that the proposed housing developments could alleviate the acute housing demand.

Adverse (116)

- 2.3 All the 116 adverse comments (**R7 to R122**) are submitted by individuals. Except for two, all of them are submitted in two standard formats mainly against the proposed housing developments covered by the relevant amendment items. The major grounds of objection include (i) the proposed tall buildings are incompatible with the existing developments in the vicinity and would create adverse impact on air ventilation; (ii) the existing transport facilities cannot fulfil the needs, and new housing development shall not be constructed before traffic problems are solved; (iii) the proposed amendments would result in excessive population and tourists in the North District and will further increase the burden on community facilities. Some representers suggest the provision of more social welfare facilities and car parks.

Providing views (2)

- 2.4 Two representations (**R123 and R124**) provide views on particular items. **R123** submitted by the MTR Corporation Limited has no objection to all amendment items but provides views on **Items A1, A2, A3 and B** that due consideration/measures should be taken to ensure the future residents of the proposed developments would not be exposed to potential noise impact caused by the East Rail. **R124** submitted by The Hong Kong and China Gas Co Ltd

provide views on **Item B** that a Quantitative Risk Assessment and necessary mitigation measures are required for the proposed development in the “R(A)6” zone, which is in close proximity to a high pressure town gas pipeline.

Comments on Representations

- 2.5 Two comments on representations were submitted by HKHS and one individual. HKHS mainly reiterates their support to the proposed housing development at Jockey Club Road (**Item A4**). The other comment provided general views on the OZP amendments, which mainly relates to the provision of sufficient G/IC facilities to cope with the demand of additional population and synergy between the Fanling/Sheung Shui New Town, Kwu Tung North and Fanling North New Development Area.

3. Arrangement for Consideration of Representations and Comments

- 3.1 Under section 2A of the Ordinance, the Board is empowered to appoint a Representation Hearing Committee (RHC) from amongst 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. As there are only 124 representations and two comments, it is considered more efficient for the full Board to hear the representations and comments without resorting to the appointment of a RHC. The hearing could be accommodated in the Board’s regular meeting and a separate hearing session would not be 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 on the proposed housing developments and the issues involved are similar, it is suggested to consider the representations and the comments collectively.
- 3.3 In view of the number of representations and comments received and to ensure 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 October 2019.

4. Decision Sought

The Board is invited to consider:

- (a) whether to appoint a RHC for consideration of the representations and comments;
and
- (b) whether the representations and comments should be considered in the manner as proposed in paragraph 3 above.

5. Attachments

Annex I	Schedule of Amendments to the Approved Fanling/Sheung Shui Outline Zoning Plan No. S/FSS/22
Annex II	List of the Representers
Annex III	List of the Commenters
Annex IV	Summary of the Representations
Annex V	Summary of the Comments
Plan 1	Location of Amendment Items

**PLANNING DEPARTMENT
SEPTEMBER 2019**