

# TOWN PLANNING BOARD

TPB Paper No. 10403

For Consideration by  
the Town Planning Board on 26.4.2018

CONSIDERATION OF REPRESENTATIONS NO. R1 TO R391 AND R393 TO R1269  
AND COMMENTS NO. C1 TO C15  
IN RESPECT OF THE DRAFT TAI PO OUTLINE ZONING PLAN NO. S/TP/27  
(Group 2)

**CONSIDERATION OF REPRESENTATIONS NO. R1 TO R391 AND R393 TO R1269  
 AND COMMENTS NO. C1 TO C15  
 IN RESPECT OF THE DRAFT TAI PO OUTLINE ZONING PLAN NO. S/TP/27  
 (Group 2)**

<b>Subject of Representation/ Representation Site</b>	<b>Representers</b>	<b>Commenters</b>
<p><b><u>Amendment Item A:</u></b>            Rezoning of a site at Pok Yin Road from “Government, Institution or Community” (“G/IC”) to “Residential (Group B)9” (“R(B)9”) with revision to the stipulated building height (BH) restriction</p> <p><b><u>Amendment Item B:</u></b>            Rezoning of a site at Yau King Lane from “Residential (Group C)” (“R(C)”) to “R(C)10” with revision to the stipulated BH restriction and designation of two BH sub-zones</p>	<p><b><u>Total: 30</u></b></p> <p><b><u>Support Item A</u></b>  <b>R3 (part):</b> Masterplan Limited</p> <hr/> <p><b><u>Provide Views on Items A and B</u></b>  <b>R29:</b> MTR Corporation Limited</p> <p><b><u>Provide Views on Item B</u></b>  <b>R1<sup>1</sup>:</b> Environment, Housing and Works Committee (EHWC) of Tai Po District Council (TPDC)  <b>R2<sup>1</sup>:</b> Individual</p> <hr/> <p><b><u>Oppose Items A and B</u></b>  <b>R4 &amp; R5:</b> TPDC Members</p> <p><b>R7 &amp; R8:</b> Tai Po Rural Committee (TPRC) and TPRC Member</p> <p><b>R6, R9 to R11 &amp; R28:</b> Village Representatives of Cheung Shue Tan and Tai Po Mei Villages</p> <p><b>R13:</b> 濳玥天賦海灣業主委員會</p> <p><b>R3 (part) &amp; R30:</b> Masterplan Limited and Ford World Development Limited</p> <p><b>R12, R14 to R27:</b> Local residents and individuals</p> <p><b><u>Oppose Item A</u></b>  <b>R1 &amp; R2</b></p>	<p><b><u>Total: 15</u></b></p> <p><b><u>Provide Comments</u></b>  <b>C2<sup>1</sup></b> submitted by <b>R2</b> provides general comments without specifying the representation or amendment item to which it relates</p> <p><b><u>Oppose Items A and B</u></b>  <b>C1<sup>1</sup>:</b> Green Sense  <b>C3:</b> Individual</p> <p><b><u>Oppose Item A</u></b>  <b>C4 to C15:</b> Individuals</p>

<sup>1</sup> **R1, R2, C1 and C2** are also in respect of Amendment Item C. The concerned parts of them will be covered in the TPB Paper No. 10402 for Group 1.

<b>Subject of Representation/ Representation Site</b>	<b>Representers</b>	<b>Commenters</b>
<p><b><u>Amendment Item D:</u></b> Rezoning of a site at Ma Wo Road near Classical Gardens I from “Green Belt” (“GB”) to “R(B)10” with stipulation of BH restriction</p>	<p><b><u>Total: 1,245</u></b></p> <p><b><u>Support</u></b> <b>R3 (part)</b> <b>R31:</b> Individual</p> <hr/> <p><b><u>Oppose</u></b> <b>R1, R2, R3 (part), R4 to R6 &amp; R30</b></p> <p><b>R32 to R38:</b> Legislative Council (LegCo) Member and TPDC Members</p> <p><b>R39:</b> 關注馬窩路土地用途大聯盟</p> <p><b>R272 and R1236:</b> Classical Gardens II Owners’ Committee and The Balmoral Owners’ Committee</p> <p><b>R40:</b> The Hong Kong Tin Tak Shing Kau Chung Woo Ching Sai Associated Ltd.</p> <p><b>R41 to R271, R273 to R391, R393 to R1235 &amp; R1237 to R1269:</b> Local residents and individuals</p>	<p><b><u>Total: 3</u></b></p> <p><b><u>Provide Comments</u></b> <b>C2</b></p> <p><b><u>Oppose</u></b> <b>C1 &amp; C3</b></p>

Note: The representations and comments on representations as well as samples of standard letters/formats are attached at **Annexes III and IV** respectively. A CD-ROM containing names of all representers and commenters as well as their submissions is enclosed at **Annex V** (for Town Planning Board Members only). A set of hard copy is also deposited at the Secretariat of the TPB for Members’ inspection.

## **1. INTRODUCTION**

- 1.1 On 4.8.2017, the draft Tai Po Outline Zoning Plan (OZP) No. S/TP/27 (the Plan) (**Annex I**) was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). The Schedule of Amendments setting out the amendments incorporated into the Plan is at **Annex II**. The amendments mainly involve the rezoning of a site at Pok Yin Road from “G/IC” to “R(B)9”, a site at Yau King Lane from “R(C)” to “R(C)10” and a site at Ma Wo Road from “GB” to “R(B)10” for private housing developments (Amendment Items (Items) A, B and D respectively); and revision to the stipulated BH restriction for a “G/IC” site at On Pong Road for the proposed clinic building (Item C).
- 1.2 During the two-month exhibition period, a total of 1,303 valid representations were received. On 17.11.2017, the representations were published for public comments. During the three-week exhibition period, a total of 15 valid comments on the representations were received.
- 1.3 On 2.2.2018, the Town Planning Board (the Board) agreed to consider the representations (**R1 to R391 and R393 to R1304**) and comments (**C1 to C15**) in two groups as follows:

- (a) Group 1: collective hearing of 37 representations (**R1, R2, R1270 to R1304**) and one comment (**C1**) which are related to Item C, and another comment (**C2**) providing general comments on the draft OZP; and
  - (b) Group 2: collective hearing of 1,268 representations (**R1 to R391, R393 to R1269**) and 14 comments (**C1, C3 to C15**) which are all related to Items A, B and/or D, and another comment (**C2**) providing general comments on the draft OZP.
- 1.4 This Paper is to provide the Board with information for consideration of the representations and comments for Group 2. A summary of the representations and comments with responses for this group is attached at **Annex VI**. The representation sites are shown in **Plans H-1a and H-1b**. The representers and commenters have been invited to attend the meeting in accordance with Section 6B(3) of the Ordinance.

## 2. BACKGROUND

- 2.1 Housing is one of the most important livelihood issues to be addressed by the Government. The Government has been increasing land supply through a multi-pronged approach with short, medium and long-term measures to achieve the target of providing a total of 460,000 housing units in the coming ten years. As part of the short to medium term measures, the Government has identified “G/IC” and “GB” sites with housing development potential through on-going land use review. The Item A site at Pok Yin Road and the Item D site at Ma Wo Road are two of these sites. In view of the above, it is proposed to rezone the Item A site from “G/IC” subject to a maximum BH of 47mPD to “R(B)9” subject to a maximum gross floor area (GFA) of 88,200m<sup>2</sup>, of which a GFA of not exceeding 7,500m<sup>2</sup> should be provided for retail purpose, and a maximum BH of 50mPD; and the Item D site from “GB” to “R(B)10”, subject to a maximum GFA of 72,640m<sup>2</sup> and a maximum BH of 110mPD.
- 2.2 Pursuant to the Rural and New Town Planning Committee (RNTPC) of the Board’s agreement on 28.10.2016 to a section 12A application No. Y/TP/24 to relax the development intensity of the Item B site at Yau King Lane, it is proposed to rezone the site from “R(C)” subject to a maximum plot ratio (PR) of 0.6 and a maximum BH of 4 storeys to “R(C)10” subject to a maximum PR of 1.2 and a maximum BHs of 55mPD for its northern portion and 65mPD for its southern portion. This is to take forward the approved section 12A application, which would also lead to additional supply of housing units.

## 3. LOCAL CONSULTATION

- 3.1 Prior to the submission of the proposed amendments to the approved Tai Po OZP No. S/TP/26 for consideration by RNTPC, EHWC of TPDC was consulted on 10.5.2017. In general, EHWC of TPDC did not support Items A and D and had no strong views on Item B. Notwithstanding that, the Chairman of EHWC requested PlanD to further consult TPRC, local residents and the concerned DC Members before submitting the proposed amendments to the Board. Subsequently, TPRC was consulted on 23.5.2017 and objected to Items A and B. A local consultation on Item D arranged by the concerned TPDC Member was also held on 26.5.2017. Written submissions were also received from a LegCo Member, TPDC Members, TPRC, Ma Wo Development Alliance (MWDA 關注大埔馬窩土地用途大聯盟) and the locals.

- 3.2 The views collected from TPDC, TPRC, local consultation and written submissions were mainly on the traffic and transport aspects and inadequate provision of community facilities. They raised strong objection to Item A mainly on the grounds of traffic and transport issues, visual, air ventilation, ecological and fung shui impacts, suggested that reclamation approach should be adopted for increasing land supply and requested for compensation for turning the land previously resumed from the villagers for public purpose into private residential development. There was also concern about the fung shui impact arising from Item B. Their general opposing views on Item D were mainly on landscape, traffic, visual and environmental impacts, insufficient transport infrastructure and car parking spaces for the area, and clearance of domestic structures/graves within the site. They opined that development of brownfield sites should be considered before rezoning of “GB” sites, and suggested for early implementation of an indoor recreation centre at Ma Wo Road.
- 3.3 All views had been incorporated into the RNTPC Paper No. 5/17 for the proposed amendments to the approved Tai Po OZP No. S/TP/26, which were considered and agreed by the RNTPC on 14.7.2017.
- 3.4 Upon gazettal of the draft Tai Po OZP No. S/TP/27, EHWC of TPDC and TPRC were further consulted on 13.9.2017 (**Annex VII**) and 26.9.2017 respectively. EHWC of TPDC maintained their stances on the amendment items and major views for Items A and D on traffic, visual and air ventilation impacts and provision of GIC facilities. For Items A and B, they further suggested to have a comprehensive planning for development of Area 39 and its vicinity, and for Item D, they reiterated that local views should be respected. TPRC also maintained their previous opposing views to Items A and B. Subsequently, out of those who have been consulted/provided views on the proposed amendments, EHWC of TPDC (**R1**), eight TPDC Members (**R4, R5, R32 to R38**), TPRC (**R7**) and one of its Members (**R8**), MWDA (**R39**) and some of the locals, have submitted their representations related to Items A, B and/or D.

#### **4. THE REPRESENTATIONS**

The 1,268 valid representations in Group 2 covered by this Paper are related to Items A, B and/or D.

##### **Amendment Items A and B**

#### **4.1 Subject of Representations**

- 4.1.1 The 30 representations related to Items A and B are submitted by EHWC of TPDC (**R1**) and TPDC Members including Mr. CHAN Siu Kuen and Mr. TANG Ming Tai, Patrick (**R4 and R5**), TPRC (**R7**) and its Member Mr. CHAN Cheung Yau (**R8**), Village Representatives of Cheung Shue Tan and Tai Po Mei Villages including Mr. WAN Man Kit, Mr. Simon LEE, Mr. LI Wing Keung, Mr. YAU Tung Ping and Mr. YAU Wah On (**R6, R9 to R11 and R28**), 濠玥天賦海灣業主委員會 (**R13**), MTR Corporation Limited (**R29**), Masterplan Limited (**R3**), Ford World Development Limited (**R30**), local residents and individuals (**R2, R12, R14 to R27**). Of them, 21 are submitted in/with a standard letter.
- 4.1.2 On Item A, **R3** partly supports and partly opposes, **R29** provides views on and all the other representers oppose. As for Item B, **R1, R2** and **R29** provide views on and all the other representers oppose.

## 4.2 **Major Grounds and Proposals of Representations**

### Supportive Representation (R3 (part))

4.2.1 **R3** partly supports Item A to meet the urgent housing need.

### Representations Providing Views (R29 on Items A and B, and R1 and R2 on Item B)

#### *R29 on Items A and B*

4.2.2 **R29** provides views on Items A and B raising a concern on the potential noise impact from East Rail Line on the proposed developments, and considers that a detailed noise review should be conducted by the development proponent(s) and related requirements should be imposed into the planning and/or land documents.

#### *R1 on Item B*

4.2.3 **R1** provides views on Item B. The Item B site is in the vicinity of Tai Po Area 39 (boundary shown on **Plan H-2a**). **R1** considers that there should be a comprehensive planning for development of Area 39 and its vicinity by making reference to Sha Tin New Town and providing a railway station at Pak Shek Kok, for better land utilization and coordinated provision of transport and community facilities.

#### *R2 on Item B*

4.2.4 **R2** provides views on Item B and generally advocates for comprehensive planning to serve the community in that the Item B site should be used for providing assisted housing and/or elderly care centre. **R2** also raises a concern about the flooding risk of the natural streams on the hillside of the site.

### Adverse Representations (R3 (part), R4 to R28 and R30 on Items A and B, R1 and R2 on Item A)

4.2.5 The major grounds and proposals of adverse representations related to Items A and B are summarized below:

#### *Comprehensive Planning*

4.2.6 There are quite a number of land parcels in Area 39 and its vicinity available for development. Piecemeal developments are not comprehensive in that they cannot fully utilize the land, are not conducive to the coordinated provision of transport and community facilities, and do not pay regard to the overall needs and development of the district. The planning of undeveloped land in Area 39 should be studied by the Task Force on Land Supply. There should be a long term and comprehensive planning for development of Area 39 and its vicinity with reference to other new towns, which includes provision of a railway station at Pak Shek Kok with residential development above. Therefore, the draft OZP should be temporarily suspended or Items A and B should be suspended.

### *Development Restrictions*

- 4.2.7 **R3** considers that the proposed development densities for the sites of Items A and B are very low. This is a very serious waste of land resources in view of the urgent need for housing sites. Given the PRs of 3.0 to 3.6 for the “R(B)” zones to the northeast of Tolo Highway in Pak Shek Kok, land identified for development should be well utilized by appropriate zoning and development restrictions that optimize the development potential of sites and hence the densities of the sites of Items A and B should be increased.
- 4.2.8 **R30** provides planning inputs to contribute to provision of flats. **R30** considers that the proposed GFA/PR restrictions for Items A and B represent under provision of flats and higher development intensity could provide more small flats for the workers in Science Park without causing adverse impacts on the surrounding area.
- 4.2.9 **R3** considers that the BH restriction of the Item A site could be relaxed from 50mPD to 70mPD to allow for more flexibility in the design of the future development and adopt a stepped height concept with decreasing BHs from foothill towards Tolo Harbour, given the BH restrictions of 65mPD for the “R(B)6” site located to the northeast of Tolo Highway and 52mPD for the “R(B)5” site along the waterfront in Pak Shek Kok. Moreover, the BH restriction of Item B site could also be relaxed from 55mPD to 75mPD (northern portion) and from 65mPD to 90mPD (southern portion) as it is situated further inland with the Deerhill Bay on a higher level as a backdrop.
- 4.2.10 **R3** also opines that the setback and non-building area (NBA) requirements for Item A in the Explanatory Statement (ES) of the draft OZP are arbitrary and will set unnecessary constraints in the design of the future development.

### *Traffic and Transport Issues*

- 4.2.11 Tolo Highway and the road network near the University Railway Station are heavily overloaded. The traffic impact of the proposed developments on the village road with heavy traffic of Cheung Shue Tan and Tai Po Mei Villages has not been assessed. Moreover, there are insufficient transport facilities and car parking spaces in the area, which should be improved e.g. by provision of car park, bus interchange near Providence Peak and footbridges linking the planned residential developments to the future railway station.

### *Visual and Air Ventilation Impacts*

- 4.2.12 The proposed developments will cause visual impact on the adjacent Cheung Shue Tan and Tai Po Mei Villages and create wall effect affecting air ventilation of the area.

### *Other Impacts*

- 4.2.13 The proposed developments will have ecological impact on the natural streams of the two villages, and affect the integrity of the “fung shui” area of the two villages.

*Small House Development and Infrastructural Facilities of Cheung Shue Tan and Tai Po Mei Villages*

- 4.2.14 The Government has disregarded the demand for land for Small House development in Cheung Shue Tan and Tai Po Mei Villages and their needs for the infrastructural facilities such as sewage treatment facility.
- 4.2.15 There are some agricultural and building lots resumed by Government for public works and GIC uses under the Public Works Programme (PWP) Item No. 713CL at a low price. Those lots are now zoned for residential purpose and would be sold at a high price. The Government has disregarded the villagers' request for expanding the "V" zone of Cheung Shue Tan and Tai Po Mei Villages as compensation or returning the land in village 'environs' ('VEs') to them.

*Local Consultation*

- 4.2.16 PlanD and the Board have not made any amendments to the amendment items and disregarded the views of the stakeholders and locals. They together with the DC and incumbent DC Members should be duly consulted and their views should be respected.

*Proposals from Representers on Item A*

- 4.2.17 The representers put forward the following proposals in relation to Item A:

*Alternative Use*

- (a) **R2** proposes that the Item A site should be reserved for Vocational Training Council (VTC) facility as there is only one in Sha Tin serving New Territories East with a population of over 1.3 million. Besides, there is also a shortage of hospital beds in the district and the needs of ageing population for medical services must be addressed. The Item A site could be used to provide a facility to take care the medical and caring needs of ageing population.

*Development Restrictions*

- (b) On GFA, **R3** proposes that the development density of the Item A site should be revised and subject to a maximum PR of 3.6. The representer has not explicitly indicated whether the GFA should be derived from the gross site area (GSA) or net site area (NSA). Of which, a maximum PR of 0.6 is for non-domestic use for retail purpose. As for **R30**, it is proposed to increase the maximum GFA to 115,043m<sup>2</sup> or PR of 3.0.
- (c) On BH, while **R2** proposes to keep the original BH restriction of 47mPD, **R3** proposes to revise the current BH restriction from 50mPD to 70mPD.
- (d) On NBA, **R3** proposes to remove the relevant restriction and specify that the provision for air ventilation purpose should be subject to the submission of an Air Ventilation Assessment (AVA) as a requirement in the future lease/land grant.



Proposals from Representers on Item B

4.2.18 The representers put forward the following proposals in relation to Item B:

*Development Restrictions*

- (a) On PR, **R3** proposes to increase the maximum PR to 3.0 and **R30** proposes to upzone to “R(B)4” and increase the maximum GFA/PR to 76,472m<sup>2</sup> or PR of 2.1.
- (b) On BH, **R3** proposes to increase the current maximum BHs from 55mPD to 75mPD (northern portion) and from 65mPD to 90mPD (southern portion), while **R30** proposes to increase to 70mPD (northern portion) and 100mPD (southern portion).
- (c) On NBA, building separation and setback, **R3** proposes to remove the relevant restrictions and specify that the provision for air ventilation purpose should be subject to the submission of an AVA as a requirement in the land lease.

**Amendment Item D**

4.3 **Subject of Representations**

4.3.1 The 1,245 representations related to Item D are submitted by a LegCo Member (Hon. LEUNG Mei Fun, Priscilla) (**R32**), EHWC of TPDC (**R1**) and TPDC Members including Mr. CHAN Siu Kuen, Mr. TANG Ming Tai, Patrick, Mr. LO Hiu Fung, Mr. LI Wah Kwong, Mr. YU Chi Wing, Mr. WOO Kin Man, Mr. TAM Wing Fun, Ms. WONG Pik Kiu (**R4, R5 and R32 to R38**), a Village Representative of Cheung Shue Tan (Mr. WAN Man Kit) (**R6**), 關注馬窩路土地用途大聯盟 (**R39**), Classical Gardens II Owners’ Committee (**R272**), The Balmoral Owners’ Committee (**R1236**), The Hong Kong Tin Tak Shing Kau Chung Woo Ching Sai Associated Ltd. (**R40**), Masterplan Limited (**R3**), Ford World Development Limited (**R30**), local residents and individuals (**R2, R31, R41 to R271, R273 to R391, R393 to R1235 and R1237 to R1269**). Of them, 1,226 are submitted in/with various standard formats.

4.3.2 **R3** partly supports and partly opposes, **R31** supports and all the other representers oppose.

4.4 **Major Grounds and Proposals of Representations**

Supportive Representations (R3 (part) and R31)

4.4.1 **R3** partly supports Item D to meet the urgent housing need and **R31** supports it for air quality improvement.

Adverse Representations (R1, R2, R3 (part), R4 to R6, R30, R32 to R391 and R393 to R1269)

4.4.2 The major grounds of the adverse representations are summarized below.

*Suitability of Rezoning “GB” Sites for Increasing Land Supply*

- 4.4.3 Item D should be rejected or cancelled as rezoning of “GB” sites for residential developments should be the last resort and provided with justifications. Development of brownfield sites, Government and “G/IC” sites or via reclamation should be accorded priority over rezoning of “GB” sites. Consideration should be given to other locations for residential development, such as Fanling Golf Course and the “G/IC” site near Classical Gardens II. Besides, piecemeal development for high priced private housing would not help address the housing supply problem nor provide essential facilities to serve the whole community, the Government should consider to control the over-population of Hong Kong.

*Development Restrictions*

- 4.4.4 On one hand, **R3 and R30** opine that the maximum GFA for the Item D site is very low, and should be increased for the reasons similar to those in paragraphs 4.2.7 and 4.2.8 above. On the other hand, some other representations opine that the high intensity and BH of the proposed development are incompatible with the surrounding area.

*Landscape Impact*

- 4.4.5 The proposed development would not only lead to extensive tree felling, destroy the integrity of the “GB” zone and green landscape of the area, but also affect the functions of “GB” zone as buffer between urban and rural areas, ‘city lung’ and to reduce urban heat island effect.

*Visual and Air Ventilation Impacts*

- 4.4.6 The possible wall buildings of the proposed development would cause adverse visual impacts, block daylight of the existing residential buildings, affect air ventilation and worsen the air pollution from Chung Woo Ching Sai, and hence degrade the living quality of local residents. Relevant clauses should be incorporated in order to prevent wall buildings and/or to require provision of large amount of greening and open space within the proposed development.

*Traffic and Transport Issues*

- 4.4.7 The proposed residential development with 1,210 flats for a wealthier group would substantially increase the number of private cars in the area. It will overload the traffic burden of Ma Wo Road and its nearby roads. It will also lead to the problems of blocking of EVA and traffic safety in the area, as well as aggravate the existing traffic congestion near Tai Po Market Railway Station during daily peak hours.
- 4.4.8 The transport services provided by the residents’ shuttle and green minibus (GMB) connecting the area with Tai Po Market and Railway Station are inadequate during peak hours, and such problem will become more serious due to the proposed development. The proposed development would also aggravate the existing problems of shortage of public car parking spaces and illegal parking activities along Ma Wo Road.
- 4.4.9 Transport services and facilities should be improved. The frequency of residents’ shuttle or GMB services should be increased, and the GMB route should be

extended to Tai Po Centre. New roads linking to highways and Tai Wo Railway Station should also be constructed. There should be more provision of car parking spaces.

- 4.4.10 The frontage on Ma Wo Road is too small for provision of pedestrian and vehicular access for the proposed development.

*Other Impacts and Relevant Technical Assessments*

- 4.4.11 The public sewerage system in the area does not have any capacity for the proposed development. The proposed development would also cause other permanent adverse impacts on the surrounding area on the ecological, environmental, drainage, slope stability, public order and hygiene aspects. Other concerns include cumulative traffic and environmental impacts arising from the undesirable precedent set by the proposed development for similar developments in the area, nuisances to the tranquil environment and during construction, and cultural difference in the area as a result of additional population, etc. There are no relevant impact assessments on landscape, traffic, visual, environmental (including air quality), sewerage, ecological, drainage, geotechnical and risk aspects. The Government should address the adverse impacts of the proposed development prior to consideration of Item D.
- 4.4.12 The proposed development itself is subject to the noise and air pollution arising from the traffic of Ma Wo Road and Tolo Highway.

*Supporting GIC Facilities*

- 4.4.13 There has been a lack of supporting GIC facilities, in particular, recreation and sports facilities in the locality of the Item D site. Such situation would be worsened by an increase of around 3,000 population from the proposed development. The provision of supporting facilities for the local residents should be improved, such as to implement the projects of sports centre and open space of the ex-Regional Council in the area.

*Clearance/Relocation of Squatters and Graves*

- 4.4.14 There are quite a number of squatters where the households have been living for decades, and their residences would be destroyed by the proposed development. There are also graves in the Item D site. The Government should properly address the matters of clearance/relocation of squatters and graves.

*Concerns related to Chung Woo Ching Sai*

- 4.4.15 **R40** indicates that the proposed development would block the existing pedestrian access to its lot (Lot No. 443sA in DD 24), which hence should be reprovisioned therein. **R40** also considers that an EVA for its another Lot No. 441 RP in DD 24 should be allowed to avoid affecting its development right.
- 4.4.16 There may be collusion between the Government and business sector since land resumption is only confined to the small and piecemeal land parcels outside Chung Woo Ching Sai, which may subsequently be granted by the Government to Chung Woo Ching Sai for its expansion rather than for the proposed development.

### *Local Consultation*

4.4.17 The views on local consultation in relation to Item D are similar to those in paragraph 4.2.16 above.

### Proposals from Representers

4.4.18 The representers put forward the following proposals in relation to Item D:

#### *Retain as “GB” Zone*

- (a) It is proposed to retain the “GB” zone (**R516, R965, R1236, R1261 and R1267**).

#### *Development Restrictions*

- (b) On GFA, **R3** proposes that the development density of the Item D site should be revised and subject to a maximum PR of 3.6. The representer has not explicitly indicated whether the GFA should be derived from the GSA or NSA. As for **R30**, it is proposed to increase the maximum GFA to 79,877m<sup>2</sup> or PR of 3.5.
- (c) On BH, it is proposed to lower the maximum BH for daylight and air ventilation purposes (**R4, R5 and R33 to R38**).

## **5. COMMENTS ON REPRESENTATIONS**

- 5.1 The 15 commenters in Group 2 are **C1** (Green Sense), **C2** (also **R2**) and **C3 to C15** (individuals). Of them, **C5 to C15** are submitted in form of standard comments. Whilst **C2** provides general comments on the draft OZP, there are 14 comments (**i.e. C1, C3 to C15**) related to Item A, and two comments (**i.e. C1 and C3**) related to Items B and D.
- 5.2 **C2** advises the Board to ensure that each district has sufficient G/IC sites to meet the requirements for community facilities, respect public opinion and demand solid facts and data from Government departments to substantiate their claims.

### **Amendment Items A and B**

- 5.3 **C1** supports all the representations against Items A and B, and opposes the rezonings mainly on the grounds that rezoning for residential developments is ineffective to solve the housing problem, and the traffic capacity and community facilities in Tai Po are overloaded.
- 5.4 **C3** does not specify the representation to which it relates and opposes rezoning for further increase in population in Tai Po.
- 5.5 Specific to Item A, **C4 to C15** supports **R2**'s proposal to provide the new VTC campus or healthcare facility for the elderly at the site.

### **Amendment Item D**

- 5.6 C1 supports all the representations against Item D and opposes the rezoning of “GB” sites mainly on the grounds similar to those for Items A and B, and considers that rezoning of “GB” sites would create urban sprawl and destroy the natural environment and hence the “GB” zone should be retained.
- 5.7 C3 does not specify the representation to which it relates and opposes rezoning for further increase in population in Tai Po.

## **6. PLANNING CONSIDERATIONS AND ASSESSMENTS**

### **6.1 The Representation Sites and the Surrounding Areas (Plans H-1a and H-1b, H-2a and H-2b, H-3a to H-3d, H-4a to H-4c)**

#### **Amendment Items A and B**

- 6.1.1 The Item A site (about 3.81 ha in area) is a flat and formed piece of Government land located at Pok Yin Road/Yau King Lane in Area 39. It was originally zoned “G/IC” and reserved for tertiary educational institution and associated uses. The Education Bureau (EDB) has no objection to release the site for other higher priority development as there is neither expansion plan for the Chinese University of Hong Kong (CUHK) and Education University of Hong Kong (EdUHK) nor implementation programme for education development. The site is covered with grasses and scattered trees mainly along its north-western edge. There are existing public drains at the site and a drainage reserve is required. Access to the site is via Yau King Lane.
- 6.1.2 The Item B site (about 3.64 ha in area), comprising both private and Government land, is located at Yau King Lane in Area 12. It was originally zoned “R(C)” subject to a maximum PR of 0.6 and maximum BH of 4 storeys. The site is an elongated strip of vacant land with sloping profile and covered with grass and trees. It is also served by Yau King Lane.
- 6.1.3 Situated at the southeastern fringe of Tai Po New Town, the surrounding area of the sites of Items A and B is sub-urban in character mainly comprising low-to-medium density residential developments, GIC facilities, village settlements and vegetated hillslopes. The Item A site is bounded by East Rail Line/Tolo Highway and GIC facilities including the existing and planned CUHK facilities to its east, a car park and other reserved “G/IC” sites to its southwest and the EdUHK Sports Centre to its north. Medium-density “R(B)” residential developments of PRs ranging between 3.0 and 3.6 and BHs ranging from about 36mPD to 65mPD are on the opposite side of Tolo Highway in Pak Shek Kok.
- 6.1.4 To the northwest of the Item A site, the Item B site is located on the lower hillslopes. It is adjoining to GIC facilities (including the EdUHK Sports Centre and a site reserved for a primary school) on the east. On the other sides, it is surrounded by Deerhill Bay of 0.32 in PR and about 68mPD to 120mPD in BH. Further away from the Item B site on upper hillslopes are other low-density “R(C)” residential developments subject to a PR restriction of 0.6 and a BH restriction of 4 storeys. The BH profile is in general gradually descending down from Tai Po Road to the

west of Tolo Highway. Further to the south is the “V” zone for Cheung Shue Tan and Tai Po Mei Villages.

### **Amendment Item D**

6.1.5 The Item D site (about 2.28 ha in area) is a piece of Government land located on a slope to the north of Ma Wo Road near Classical Gardens I in Area 6. The site is covered with tree groups, shrubland, fallow agricultural land and a number of scattering temporary structures and graves. Access to the site is via the roundabout at Ma Wo Road.

6.1.6 The site is located at the urban fringe of Tai Po. The surrounding area is mainly urban in character with medium-rise medium-density residential developments including Classical Gardens I, Classical Gardens II, Dynasty View, Grand Dynasty View and The Balmoral. On the draft OZP, they are zoned “R(B)” and its sub-areas, with PRs ranging between 1.8 and 3.3 and BHs ranging between 8 and 13 storeys.

## **6.2 Planning Intentions**

6.2.1 The planning intentions of the zones in relation to Items A, B and D are as follows:

- (a) The “G/IC” zone is intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.
- (b) The “R(B)” zone is intended primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board. In the “R(B)9” zone, commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.
- (c) The “R(C)” zone is intended primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.
- (d) The “GB” zone 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 a general presumption against development within this zone.

## **6.3 Responses to Grounds of Representations and Proposals**

### **Amendment Items A and B**

#### **Supportive Representation (R3 (part))**

6.3.1 The supportive views of **R3** on Item A are noted.

Representations Providing Views (R29 on Items A and B, and R1 and R2 on Item B)

R29 on Items A and B

- 6.3.2 The views of **R29** on Items A and B regarding the potential noise impact from East Rail Line on the proposed developments are noted. The Environmental Protection Department (EPD) has no objection to Items A and B from the environmental perspective. It is already stated in the ES of the draft OZP that the requirement on Noise Impact Assessment, where appropriate, would be incorporated into the lease at the land disposal/exchange stage.

R1 on Item B

- 6.3.3 The views of **R1** on Item B regarding comprehensive planning of the area are noted. Area 39 and its vicinity has been well planned with most of the sites are either developed or designated for residential and GIC uses. The Item B site has been zoned “R(C)” since 1983, its land use and development intensity are in line with the established planning concept of the fringe area of New Town where the site is located to preserve the sub-urban character.

R2 on Item B

- 6.3.4 The views of **R2** on Item B are noted. As for the type of housing or elderly facility that should be provided for the community, the Item B site has been zoned “R(C)” since 1983 and comprises private lots, the private housing development thereat will also contribute to the Government’s efforts in meeting pressing demand for different types of housing for the community. Regarding **R2**’s concern on the flooding risk, as advised by the Chief Engineer/Mainland North, Drainage Services Department (DSD), the area where the site is located is not a flooding blackspot identified by DSD.

Adverse Representations (R3 (part), R4 to R28 and R30 on Items A and B, and R1 and R2 on Item A)

*Comprehensive Planning*

- 6.3.5 Area 39 and its vicinity has been well planned with most of the sites are either developed or designated for residential and GIC uses, including a site designated for CUHK facilities and another one reserved for primary school in the eastern and northern portions respectively.
- 6.3.6 The sites of Items A and B form part of the southeastern fringe of Tai Po New Town, which has been planned and developed with sub-urban character mainly comprising low-to-medium density residential developments, GIC facilities and village settlements (**Plans H-2a and H-3c**). The land uses and development intensities for Items A and B are in line with the established planning concept of this fringe area to preserve its local character to blend well in with the wider natural setting. The district and local open space and a range of GIC facilities are generally sufficient to meet the demand of the planned population in Tai Po. The suggestion of providing Pak Shek Kok Station along East Rail Line was assessed. Due to the lack of transport demand, the proposal was not included in the Railway Development Strategy 2014. Nevertheless, the Railway Development Office (RDO) of Highways Department and Transport Department (TD) will undertake the

“Strategic Studies on Railways and Major Roads beyond 2030”. These studies will review the traffic demand of Hong Kong beyond 2031 comprehensively and study the required strategic transport infrastructure network and improvements on the performance of the current major transport corridors (including railways and major roads).

- 6.3.7 Regarding the view to temporarily suspend the draft OZP, as part of the statutory plan-making process, the consideration of the representations and comments is subject to the relevant provisions and a statutory time limit under the Ordinance.
- 6.3.8 As for the views that Items A and B should be suspended, the sites of Items A and B are developable land in the existing urbanized developments with infrastructural facilities available in New Town, and the proposed housing developments thereat are compatible with the surrounding environment. They are considered suitable for residential developments to meet the pressing housing needs in the short-to-medium term. Relevant technical assessments reveal that the proposed developments would not cause significant traffic, visual and air ventilation impacts on the surrounding areas; and the requirement on other relevant technical assessments/provisions, where necessary, would be incorporated into the leases to guide the design and implementation of the proposed developments by future developers.

#### *Development Restrictions*

- 6.3.9 The proposed development restrictions for Item A have taken into account the Government policy to optimize the use of land, the BH profile of the area (**Plan H-2a and H-3c**) and the need to exclude the drainage reserve and public road occupying an area of about 1.36 ha. The GFA restriction of 88,200m<sup>2</sup> (about PR of 3.6 based on NSA) and BH restriction of 50mPD are considered appropriate.
- 6.3.10 The PR restriction of 1.2 and BH restrictions of 55mPD and 65mPD for the northern and southern portions respectively for the Item B site are imposed on the basis of the section 12A application approved by the RNTPC. Relevant technical assessments have been conducted by the applicant to demonstrate that the proposed development would not cause significant impacts on the surrounding area.
- 6.3.11 According to the findings of AVAs for the proposed developments, design measures such as NBA, building separation and setback should be provided at the sites of Items A and B for air ventilation purpose. As stated in the ES of the draft OZP, flexibility has already been allowed for changing these measures subject to submission of a quantitative AVA to demonstrate that the performance of any future development be no worse off than the scenario with these measures (**Annex IX**).

#### *Traffic and Transport Issues*

- 6.3.12 A TIA has been conducted for Item A and demonstrated that the proposed development would have no insurmountable impacts on the surrounding area. It is concluded that all the assessed junctions would operate with acceptable performance and the road link capacity assessment shows that there would not be any significant adverse traffic impact with the proposed development in place. For the strategic transport issue about the performance of current major transport corridors such as Tolo Highway, it will be studied for improvements under the



“Strategic Studies on Railways and Major Roads beyond 2030” as mentioned in paragraph 6.3.6 above.

- 6.3.13 For Item B, the TIA of the section 12A application demonstrates that the proposed development would not impose significant traffic impact on the nearby road network and recommends provision of lay-bys along Yau King Lane for GMB or public transport to drop off/pick up.
- 6.3.14 Regarding the public transport facilities, TD will closely monitor the public transport need and consider to enhance the GMB route(s) during both morning and evening peak periods to accommodate the future demand generated by the proposed developments. This enhancement would suffice without the need to explore new bus interchange.
- 6.3.15 Regarding the car parking provision, TD advises that the upper bound of parking provision in the HKPSG would be adopted to provide sufficient ancillary parking facilities for the proposed developments to meet the need. To meet the public demand, TD will continue to explore providing public car parking spaces in other appropriate sites.

#### *Visual and Air Ventilation Impacts*

- 6.3.16 Item A will result in an increase of 3m in maximum BH only. VA has been undertaken and concluded that the proposed development is considered visually compatible with the surroundings and its visual impact would be insignificant (**Plans H-5a to H-5f**). The AVA has been conducted and revealed that with provision of certain design measures, the proposed development would not create significant air ventilation impact on the overall wind environment around the site.
- 6.3.17 For Item B, its maximum BHs of 55mPD and 65mPD are in general lower than the development platforms of Deerhill Bay ranging from approximately 61mPD in the northern portion to 75mPD in the southern portion. The maximum BHs are proposed by the applicant of the section 12A application approved by the RNTPC. The VA and AVA in support of the application demonstrate that the proposed development would not lead to any insurmountable visual and air ventilation impacts on the surrounding area with provision of certain mitigation measures.

#### *Other Impacts*

- 6.3.18 Cheung Shue Tan Hang and Tai Po Mei Hang of the two villages are not Ecologically Important Streams as designated by the Agriculture, Fisheries and Conservation Department (AFCD), and they converge into a nullah near the Item A site. There are short streams in the Item B site, which is however further away from the two villages. AFCD has no adverse comments on the two amendment items.
- 6.3.19 The fung shui matter is not a material planning consideration. As advised by the Lands Department (LandsD), both Items A and B do not form part of the fung shui area of Cheung Shue Tan Village and there is no fung shui area for Tai Po Mei Village.

*Small House Development and Infrastructural Facilities of Cheung Shue Tan and Tai Po Mei Villages*

- 6.3.20 The sites of both Items A and B fall outside the ‘VEs’ of Cheung Shue Tan and Tai Po Mei Villages. Based on PlanD’s estimate, about 2.22 ha (equivalent to about 88 Small House sites) of land is available within the “V” zone of the two villages on the draft OZP, which is sufficient to meet the 55 outstanding Small House applications provided by LandsD<sup>2</sup>. There are provisions for application to the Board for development or redevelopment of Small House outside the “V” zone under the draft OZP. Relevant Government departments would keep in view the need for provision of necessary infrastructural facilities subject to technical feasibility and resource availability.
- 6.3.21 As advised by DLO/TP, LandsD, PWP Item No. 713CL as quoted by the representations involving land resumption did not cover the Item A site and was in fact for provision of roads, car parks and infrastructural facilities to serve Cheung Shue Tan and Tai Po Mei Villages. Within the Item A site, 12 private lots were resumed together with other lots for another public works project for the Remaining Engineering Infrastructure Works for Pak Shek Kok Development. These 12 private lots however have never been zoned “V” nor fall within the ‘VEs’ of the two villages. Regarding the change of use for the resumed land, the Government will give proper consideration but is not obliged to offering the land back to the ex-owners according to the established practice under the Roads (Works, Use and Compensation) Ordinance.

*Local Consultation*

- 6.3.22 In proposing amendments to the OZP, PlanD has duly followed the established statutory and administrative procedures in consulting the public. Before gazetting the draft OZP, public views, including those from the EHWC of TPDC, TPRC and the local consultation had been sought and reported to the Board for consideration of the proposed amendments. After gazettal of the draft OZP, the EHWC of TPDC and TPRC have been further consulted. Furthermore, the statutory plan-making process, which involves exhibition of the draft OZP for public inspection and hearing of representations and comments received, is itself a public consultation process under the Ordinance.

*Responses to Specific Proposals on Item A*

*Alternative Use*

- 6.3.23 As for the proposal to reserve the Item A site for VTC facility, as advised by EDB, there are currently 6 VTC facilities in the New Territories East. According to VTC’s strategic development plan, there is a need for a new campus in the urban area (instead of the New Territories) to re-provision two overcrowded and aged campuses therein and a suitable site has been earmarked therefore in Kai Tak. The Item A site cannot meet the VTC’s locational requirement.
- 6.3.24 Regarding the proposal to provide healthcare facility for the elderly at the Item A site, based on the HKSPG requirements, a range of GIC facilities, except for

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<sup>2</sup> As advised by the District Lands Officer/Tai Po (DLO/TP), LandsD in January 2018, for the Cheung Shue Tan and Tai Po Mei Villages, there were 42 and 13 outstanding Small House applications and the total of the latest 10-year Small House demand forecasts provided by the respective IIRs were 240 and 175 respectively.

primary school classrooms and hospital beds, are generally adequate to meet the need of the planned population in Tai Po New Town (**Annex VIII**). For the deficit of 64 hospital beds, the Hospital Authority (HA) plans its services on a cluster basis and Tai Po comes under the New Territories East Cluster. In order to ensure that the medical needs of the community are met, HA regularly reviews the service capacity and physical conditions of its healthcare facilities for planning the redevelopment or expansion of existing hospitals and the development of new hospitals. The relaxation of BH restriction at the “G/IC” site at On Pong Road would accommodate more facilities providing primary healthcare services to better serve the medical needs of the community.

- 6.3.25 The proposed amendments to the approved Tai Po OZP No. S/TP/26 have been formulated in consultation with relevant Government bureaux/departments, which had no requirement for GIC facilities at the sites of Items A and B. There are no strong planning justifications for the new VTC or healthcare facility at the site.

*Development Restrictions*

- 6.3.26 Regarding the proposals to revise the development restrictions for Item A, the responses in paragraphs 6.3.9 and 6.3.11 above are relevant. There are no relevant technical assessments submitted to support the proposals to substantially increase the maximum GFA and BH and to remove the NBA restriction.

Responses to Specific Proposals on Item B

*Development Restrictions*

- 6.3.27 Regarding the proposals put forward by **R3** and **R30** to further relax the development restrictions for Item B, the responses in paragraphs 6.3.10 and 6.3.11 above are relevant. It should be noted that the development restrictions for Item B are based on the development scheme of the approved section 12A application No. Y/TP/24, which was submitted by **R30**. There are no relevant technical assessments submitted to support proposals to substantially increase the maximum PR and BHs as well as to remove the NBA, building separation and setback restrictions.

**Amendment Item D**

Supportive Representations (R3 (part) and R31)

- 6.3.28 The supportive views of **R3** and **R31** on Item D are noted.

Adverse Representations (R1, R2, R3 (part), R4 to R6, R30, R32 to R391 and R393 to R1269)

*Suitability of Rezoning “GB” Sites for Increasing Land Supply*

- 6.3.29 As committed in the Policy Address (October 2017), to increase land supply is a must, be it about solving people’s home ownership problems or improving their living conditions. Over the years, the Government has proposed many strategies for increasing land supply including reclamation outside the Victoria Harbour, has looked at the development potential of Fanling Golf Course and is actively pursuing New Development Area (NDA) projects which cover brownfield sites, such as Hung Shui Kui NDA. The Task Force on Land Supply was established in

September 2017 to examine the pros and cons of different land supply options in a thorough and macro manner, with a view to achieving the broadest consensus in the community.

- 6.3.30 Meanwhile, the Government has been increasing land supply through a multi-pronged approach. As advised by the Development Bureau, the most immediate and effective way to augment housing land supply in the short to medium term is to make more optimal use of the developed areas in the existing urban areas and new towns, as well as nearby land in the vicinity of existing infrastructure. In this connection, the Government has been carrying out various land use reviews, including reviews on Government and “G/IC” sites as well as “GB” sites, with a view to identifying suitable sites for residential use. Relevant Government departments will keep in view the need for provision of GIC facilities taking into account population intake, utilization of existing facilities and resource availability.
- 6.3.31 Regarding the proposal to use the “G/IC” site near Classical Gardens II for residential development, it should be noted that apart from two existing schools, a portion of the site next to Classical Gardens II has been reserved for the development of a sports centre. As for the other portion of the site fronting Tat Wan Road, it will be developed as an open space (**Plan H-2b**).

#### *Development Restrictions*

- 6.3.32 Taking into account the medium-density residential character of the neighbourhood with a maximum PR of 3.3 and the Government policy to generally increase the maximum domestic PR currently permitted for the “density zones” other than the north of Hong Kong Island and Kowloon Peninsula in the territory by around 20%, the GFA restriction of 72,640m<sup>2</sup> (which is equivalent to a PR of 4.0 based on NSA of about 1.82 ha) is considered appropriate. TIA, VA and AVA have been conducted and demonstrated that the proposed development would not cause significant impacts on the surrounding area.
- 6.3.33 Having regard to the general medium-rise BH profile of surrounding residential developments ranging between 8 and 13 storeys (about 53mPD to 65mPD) and the topography of the Item D site on a sloping ground at higher levels between 46mPD and 90mPD, the BH restriction of 110mPD (which is equivalent to about 13 storeys according to the indicative layout) is considered appropriate to provide more certainty on BH control while allowing design flexibility (**Plan H-2b**).

#### *Landscape Impact*

- 6.3.34 According to the tree survey conducted by LandsD, the Item D site is dominated by fruit trees without any Old and Valuable Trees. With a number of scattering temporary structures and graves, the site forms part of Ma Wo Village in the southwestern corner of the original “GB” zone, which is bounded by private residential developments on the south at the urban fringe of New Town. The proximity to existing urbanized developments and infrastructure of the New Town make the site a natural candidate for urban expansion to meet the pressing housing needs.
- 6.3.35 To minimize the landscape impact of the proposed development, a minimum of 30% green coverage should be provided in accordance with the Sustainable

Building Design Guidelines. The prospective developer(s) will be required to carry out appropriate greening measures and tree preservation/compensation proposals in accordance with the Tree Preservation and Tree Removal Application for Building Development in Private Projects.

- 6.3.36 Across Tolo Highway to the south and west of the Item D site is an extensive “GB” zone, which together with other “GB” zones largely encircle the Tai Po New Town buffering it from Country Parks and rural areas, and occupy more than 1,230 ha or 50% of the land in the Area (**Annex I**). The reduction in area of the “GB” zone (i.e. 2.28 ha) by less than 0.2% would not affect the function and integrity of the overall “GB” zone in the Area.

*Visual and Air Ventilation Impacts*

- 6.3.37 The VA conducted by PlanD, with focus on public accessible views and local vantage points, concludes that whilst the proposed development entails visual obstruction to some surrounding buildings, it is only visible from two public view points in the vicinity and the effect on public views is minimal (**Plans H-5g to H-5k**). The proposed development is considered not visually incompatible with the surrounding area.
- 6.3.38 According to the AVA commissioned, the proposed development, on the whole, will have no significant air ventilation impacts on the surrounding area. The prospective developer(s) will be required to comply with the Buildings Ordinance and follow the requirements of building separation and setback, site coverage of greenery, as stipulated in the Sustainable Building Design Guidelines, and such provisions, if considered necessary, would be incorporated into the lease at the land disposal stage.

*Traffic and Transport Issues*

- 6.3.39 According to the TD’s TIA, the proposed development would not generate insurmountable traffic impact to the surrounding road and pedestrian networks. The junction assessment reveals that Ma Wo Road and the assessed junctions near Tai Po Market Railway Station will be operating with ample reserve capacities and the road link capacity assessment shows that no adverse traffic impact on the road links to Tolo Highway will be caused by the proposed development.
- 6.3.40 To avoid any adverse impact on the current public transport services/facilities, it is proposed to enhance the existing or provide additional public transport services, such as GMB and franchised bus, to address the extra trips to be generated. Road improvement works are required for implementation by the future developer at and near the roundabout of Ma Wo Road for manoeuvring of buses and provision of a lay-by for public transport to serve the proposed development. TD will closely monitor the public transport situations to liaise with public transport service providers for enhancing the services and the implementation of necessary road improvement works when required. As advised by TD, the upper bound of parking provision in the HKPSG would be adopted to provide sufficient ancillary parking facilities for the proposed development to meet the need. To meet the public demand, TD will continue to explore providing public car parking spaces in other appropriate sites. TD and Leisure and Cultural Services Department are now under consideration to provide public car parking spaces in the proposed sports centre near Classical Gardens II (**Plan H-2b**).

- 6.3.41 Frontage for the access of the Item D site is available at the roundabout of Ma Wo Road, which allows provision of both vehicular and pedestrian access of sufficient width as proposed in the TD's TIA.

*Other Impacts and Relevant Technical Assessments*

- 6.3.42 Concerned Government departments have no objection to/no major adverse comment on Item D. TIA, VA, AVA and tree survey have been conducted with their reports/executive summaries included in the RNTPC Paper No. 5/17, and demonstrated that the proposed development would have no insurmountable impacts on the surrounding area. The requirement on other relevant technical assessments/provisions, where necessary, would be incorporated into the lease.

*Supporting GIC Facilities*

- 6.3.43 Based on the HKPSG requirements, the district and local open spaces and a range of GIC facilities, except for primary school classrooms and hospitals beds, are generally adequate to meet the need of the planned population in Tai Po New Town (**Annex VIII**). The Education Bureau (EDB) will keep reviewing the latest projections and monitoring closely the supply and demand of school places in Tai Po. For the deficit of hospital beds, the responses in paragraph 6.3.24 are relevant. The proposed amendments to the approved Tai Po OZP No. S/TP/26 have been formulated in consultation with relevant Government bureaux/departments, which had no requirement for GIC facilities at the Item D site.
- 6.3.44 Regarding the particular concern on provision of recreation and sports facilities in the area, the five-year plan for sports and recreation facilities as announced in the Policy Address (January 2017) has stated that the open space fronting Tat Wan Road will be implemented under the five-year plan whereas a technical feasibility study will be undertaken for the sports centre near Classical Gardens II (**Plan H-2b**).

*Clearance/Relocation of Squatters and Graves*

- 6.3.45 According to LandsD, there are 6 Government Land Licences (GLL) for cultivation/temporary structures, over 10 domestic structures, some temporary structures not covered by any form of permits and a number of graves/urns/Hau To in the Item D site. The Government would follow the established procedures if the affected structures and graves need to be cleared for development. Ex-gratia allowance will be issued to eligible households and grave/urn's claimants.

*Concerns related to Chung Woo Ching Sai*

- 6.3.46 It should be noted that the Item D site is a piece of Government land. **R40** has used a footpath within the Item D site as pedestrian access to Chung Wo Ching Sai. There are in fact alternative existing accesses to its lots via another footpath and a vehicular access road connecting Ma Wo Road to the south (**Plan H-2b**).
- 6.3.47 Regarding the allegation of possible collusion between the Government and business sector on resumption of land outside Chung Wo Ching Sai for its expansion, it should be noted that the Item D site is a piece of Government land for

which resumption of private land is not required and is now zoned for the proposed residential development.

*Local Consultation*

6.3.48 Please see paragraph 6.3.22 above for the responses.

Responses to Proposals from Representers

*Retain as “GB” Zone*

6.3.49 The Item D site is developable land near the existing urbanized developments with infrastructural facilities available in the New Town fringe area, and the proposed housing development thereat are compatible with the surrounding environment. It is considered suitable to be rezoned for residential development to meet the pressing housing needs in the short-to-medium term. Relevant technical assessments reveal that the proposed development would not cause significant traffic, visual and air ventilation impacts on the surrounding area; and the requirement on other relevant technical assessments/provisions, where necessary, would be incorporated into the lease to guide the design and implementation of the proposed development by future developer.

*Development Restrictions*

6.3.50 Regarding the proposals to revise the development restrictions, the responses in paragraphs 6.3.32 and 6.3.33 above are relevant. There are no relevant technical assessments submitted to support the proposals to increase the maximum GFA. As for the proposal to lower the maximum BH for daylight and air ventilation purposes, VA and AVA have been conducted which reveal that the proposed development would have no significant visual and air ventilation impacts.

6.4 Responses to Grounds of Comments

Amendment Items A and B

6.4.1 The views of **C1 to C15** on Item A and those of **C1 to C3** on Item B opposing rezonings for residential developments, raising concerns on traffic capacity and community facilities and/or public opinion and proposing to retain the Item A site for GIC use are largely similar to those of the representations. The responses in the paragraph 6.3 above are relevant.

Amendment Item D

6.4.2 The views of **C1 to C3** on Item D opposing rezoning of “GB” sites for residential developments, raising concerns on traffic capacity and community facilities and/or public opinion, and proposing to retain the “GB” zone are largely similar to those of the representations. The responses in the paragraph 6.3 above are relevant.

6.4.3 As for **C2**'s demand for solid facts and data from the Government, the proposed amendments to the approved Tai Po OZP No. S/TP/26 have been formulated in consultation with relevant Government bureaux/departments. As demonstrated in the figures on the provision of open space and major GIC facilities in the Tai Po OZP Planning Area, a range of GIC facilities are generally adequate to meet the

need of the planned population based on the HKPSG requirements. Such information has been incorporated in the RNTPC Paper No. 5/17 for the Board's consideration and updated at **Annex VIII**.

## **7. CONSULTATION**

7.1 The following Government bureaux/departments have been consulted and their comments have been incorporated in the above paragraphs, where appropriate:

- (a) Chief Engineer/Railway Development Office, Highways Department;
- (b) Secretary for Education;
- (c) Commissioner for Transport;
- (d) Director of Agriculture, Fisheries and Conservation;
- (e) Chief Engineer/Mainland North, Drainage Services Department;
- (f) Director of Environmental Protection;
- (g) District Lands Officer/Tai Po, Lands Department;
- (h) Secretary for Development;
- (i) Director of Leisure and Cultural Services;
- (j) Chief Engineer/Construction, Water Supplies Department;
- (k) Secretary for Food and Health/ Director of Health;
- (l) Director of Social Welfare;
- (m) Director of Electrical and Mechanical Services;
- (n) Head of Geotechnical Office, Civil Engineering and Development Department; and
- (o) Chief Town Planner/ Urban Design and Landscape, Planning Department.

7.2 The following Government bureaux/departments have no major comment on the representations/comments:

- (a) Secretary for Transport and Housing;
- (b) Chief Highway Engineer/New Territories East, Highways Department;
- (c) Chief Building Surveyor/ New Territories West, Buildings Department;
- (d) Director of Housing;
- (e) District Officer (Tai Po), Home Affairs Department;
- (f) Project Manager/North, Civil Engineering and Development Department;
- (g) Commissioner of Police;
- (h) Director of Food and Environmental Hygiene; and
- (i) Director of Fire Services.

## **8. PLANNING DEPARTMENT'S VIEWS**

- 8.1 The supportive views of **R3** on Amendment Items A and D, and **R31** on Amendment Item D are noted.
- 8.2 The views of **R29** on Amendment Items A and B regarding potential rail noise on the proposed developments are noted. The requirement on Noise Impact Assessment, where appropriate, would be incorporated into the lease.
- 8.3 The views of **R1** on Amendment Item B regarding comprehensive planning of the area are noted. Area 39 and its vicinity has been well planned with most of the sites are either developed or designated for residential and GIC uses.



- 8.4 The views of **R2** on Amendment Item B are noted. As for the type of housing or elderly facility that should be provided for the community, the private housing development at the site will also contribute in meeting pressing demand for different types of housing for the community. Regarding the concern on the flooding risk, the area where the site is located is not a flooding blackspot identified by the Drainage Services Department.
- 8.5 Based on the assessment in paragraph 6 above, PlanD does not support **R1 to R28, R30, R32 to R391 and R393 to R1269** on Amendment Items A, B and/or D, and considers that the Plan should not be amended to meet the representations for the following reasons:
- (a) The sites of Amendment Items A, B and D are considered suitable for residential developments to meet the pressing housing needs in the short to medium term. The proposed developments with appropriate densities and building heights are compatible with the surrounding environment. Relevant technical assessments reveal that the proposed developments would not cause significant traffic, visual and air ventilation impacts on the surrounding areas; and the requirement on other relevant technical assessments/provisions, where necessary, would be incorporated into the leases. The district and local open space and a range of GIC facilities are generally sufficient to meet the demand of the planned population (**R1 to R28, R30, R32 to R391 and R393 to R1269**);
  - (b) The statutory and administrative procedures in consulting the public on the zoning amendments have been duly followed. The exhibition of the Outline Zoning Plan (OZP) for public inspection and the provisions for submission of representations and comments also form part of the statutory consultation process under the Town Planning Ordinance (**R1, R4 to R12, R15 to R28, R32 to R39, R41 to R271, R294, R306, R307, R309, R327, R338, R342, R356, R362 to R391, R393 to R1261 and R1266**);

#### **Amendment Items A and B**

- (c) Area 39 and its vicinity has been well planned with most of the sites are either developed or designated for residential and GIC uses. The land uses and development intensities for Amendment Items A and B are in line with the established planning concept of the fringe area of New Town where the representation sites are located (**R1, R2 and R4 to R28**);
- (d) Flexibility has already been allowed for changing the non-building area, building separation and setback measures subject to submission of a quantitative Air Ventilation Assessment (**R3**);
- (e) Regarding the public transport facilities, the Transport Department (TD) will consider to enhance the green minibus route(s) during both morning and evening peak periods to accommodate the future demand generated by the proposed developments and provide parking spaces as appropriate (**R1, R4 to R12 and R15 to R28**);
- (f) The fung shui matter is not a material planning consideration of the Board (**R5 to R12 and R15 to R28**); and
- (g) Land is still available within the “Village Type Development” (“V”) zone on the draft OZP to meet the outstanding Small House demand of Cheung Shue Tan and Tai Po Mei Villages. Relevant Government departments would keep in view the need for

provision of necessary infrastructural facilities subject to technical feasibility and resource availability (**R5 to R12 and R15 to R28**); and

- (h) Regarding the change of use for the private lots previously resumed within the Amendment Item A site, the Government will give proper consideration but is not obliged to offering the land back to the ex-owners according to the established practice under the Roads (Works, Use and Compensation) Ordinance (**R5 to R12 and R15 to R28**).

#### **Amendment Item D**

- (i) The prospective developer(s) will be required to carry out appropriate greening measures and tree preservation/compensation proposals. The proposed development would not affect the function and integrity of the overall “GB” zone in the Area (**R2, R4, R5, R32 to R39, R41 to R52, R55, R57 to R59, R61 to R76, R78 to R85, R87 to R113, R120, R121, R123, R124, R128, R130, R132 to R179, R185 to R187, R189, R193 to R213, R216, R219 to R235, R238 to R254, R256 to R264, R266 to R272, R287, R298, R305, R312, R317, R319, R325, R328, R329, R331, R334, R338, R346, R351, R355, R357, R358, R362 to R391, R393 to R1235, R1237 to R1263 and R1265 to R1267**);
- (j) Regarding the public transport services/facilities, TD will closely monitor the public transport situations to liaise with public transport service providers for enhancing the services and the implementation of necessary road improvement works as well as provide parking spaces as appropriate. The site allows provision of both vehicular and pedestrian access of sufficient width (**R1, R4, R5, R32 to R38, R41 to R53, R55 to R63, R75 to R88, R103, R114 to R122, R124, R127 to R133, R135 to R138, R177 to R187, R189, R190, R192 to R253, R255 to R272, R287, R289, R290, R294 to R298, R300, R305, R313, R314, R321, R322, R326, R328 to R333, R337 to R341, R343, R346 to R349, R351, R502, R518, R531, R534, R967, R975, R1214, R1233, R1258, R1262, R1266 and R1267**);
- (k) The Government would follow the established procedures if the affected structures and graves need to be cleared for development (**R4, R5, R32 to R38, R44 to R49, R52, R55, R56, R60, R61, R75, R76, R78 to R81, R103, R121, R124, R130 to R132, R135 to R138, R177, R179, R182, R185 to R187, R189, R193 to R196, R198, R199, R201, R202, R204 to R207, R209 to R213, R219 to R225, R227 to R233, R238, R241 to R244, R248 to R253, R256 to R258, R260 to R264, R266 to R271, R312, R520, R1262 and R1263**); and
- (l) There are alternative existing pedestrian and vehicular accesses to the lots owned by **R40**. The Amendment Item D site is a piece of Government land and now zoned for residential development (**R40, R249, R250, R538, R1216 and R1262**).

#### **9. DECISION SOUGHT**

The Board is invited to give consideration to the representations and comments and decide whether to propose/not to propose any amendment to the Plan to meet/partially meet the representations.

## **10. ATTACHMENTS**

<b>Annex I</b>	Draft Tai Po OZP No. S/TP/27 (reduced size)
<b>Annex II</b>	Schedule of Amendments to the Approved Tai Po OZP No. S/TP/26
<b>Annex III</b>	Submissions of Representations and Samples of Standard Letters/Formats in Group 2
<b>Annex IV</b>	Submissions of Comments on Representations and Sample of Standard Comments in Group 2
<b>Annex V</b>	CD-ROM containing Names of All Representers and Commenters as well as Their Submissions in Group 2 (for Members only)
<b>Annex VI</b>	Summary of Representations and Comments and Planning Department's Responses
<b>Annex VII</b>	Extract of the Minutes of Meeting of Environment, Housing and Works Committee of Tai Po District Council held on 13.9.2017
<b>Annex VIII</b>	Provision of Open Space and Major GIC Facilities in the Draft Tai Po OZP No. S/TP/27 Planning Area
<b>Annex IX</b>	Notes and Explanatory Statement of "R(B)9", "R(B)10" and "R(C)10" Zones
<b>Plans H-1a and H-1b</b>	Location Plans of the Representation Sites
<b>Plans H-2a to H-2b</b>	Site Plans
<b>Plans H-3a to H-3d</b>	Aerial and Helicopter Photos
<b>Plans H-4a to H-4c</b>	Site Photos
<b>Plans H-5a to H-5k</b>	Viewpoints and Photomontages

**PLANNING DEPARTMENT  
APRIL 2018**