

Annex E

Replacement Pages of Supporting Planning Statement

7 PLANNING MERITS AND JUSTIFICATIONS

7.1 Remote Prospect for Implementing the Subsequent Phase as Originally Planned for under the Approved Scheme of “CDA(1)” Zone

- 7.1.1 Back in 1980, the Fung Yuen Site (comprising the Application Site) was once infested with car repair workshops, open storage and illegal petrol filling stations. In 1982, the area was zoned “Other Specified Uses” annotated “Comprehensive Redevelopment Area” (“OU(CRA)”) for the intention of harnessing resources of the private sector to get rid of these “black spots”. Pursuant to the then “OU(CRA)” zoning, the Applicant commenced assembling the private lots and committed tremendous time and resources in clearing the environmentally undesirable uses within the area since 1987. In 1999, the Fung Yuen Site was rezoned to “CDA(1)” for comprehensive development/redevelopment in the area.
- 7.1.2 After spending more than **13** years in assembling the land and clearing the black spots within the “CDA(1)” zone by the Applicant, planning approval for the MLP of the entire “CDA(1)” zone was first granted to the Applicant in 2000 (Planning Application No. A/TP/256). Sequent approvals to amend the approved scheme was granted during the period between 2000 and 2004 (Planning Applications No. A/TP/267, 318, 319 and 333). Afterwards, the Phase 1 of Development Portion, containing the Mont Vert, and the Agricultural Portion were successfully accomplished and executed in accordance with the planning approval of Application No. A/TP/333, whilst the Subsequent Phase of the Development Portion was aimed to reserve for future implementation by the Applicant upon the unification of title of the remaining private lots within the “CDA(1)” zone.
- 7.1.3 For the implementation of Subsequent Phase of the “CDA(1)” zone as planned for in the planning approval, the Applicant has made continuous efforts and determination in land acquisition as far as possible. After spending another **25** years since the 1st planning approval, for assembling the remaining piecemeal private lots scattered within the “CDA(1)” zone, it becomes apparent that the possibility for the Applicant to unify the title of the remaining private lots within the “CDA(1)” zone to implement the Subsequent Phase is extremely remote due to absentee ownership, Tso Tong and land title problems, etc.
- 7.1.4 This application which proposes to rezone a portion of the “CDA(1)” zone for more beneficial uses in meeting urgent housing demand while preserving the originally planned development potential reserved for the future realisation by the private lot owners in the remaining “CDA(1)” zone will facilitate timely development of the area for optimal uses without jeopardising the development potential of the unacquired lots within the remaining CDA(1) zone.

7.2 In Line with Government’s Policy to Untap the Development Potential of Agricultural Land or Underutilised Land to Sustain the Government’s Effort in Land Production.

7.2.1 The need to increase housing land supply to meet the strong demand on residential flats is widely recognised. It has been publicised that the top priority of the Government is to tackle the housing problem; and this can be seen from many of the prevailing policies and revisions to OZPs at various locations to boost housing supply. The Government acts proactively to increase housing land supply by conducting land use reviews and other measures. Government initiatives on housing supply are discussed in **Section 4.1**.

7.2.2 This Rezoning Proposal based on the land consolidated on the south-western portion of the “CDA(1)” zone (which is located closest to the developed areas in the vicinity and is immediately ready for development) and the other landholdings that were assembled outside the “CDA(1)” zone in the south are therefore put forward for reviewing the development potential. Since the implementation of Mont Vert residential development and the Agricultural Portion back in 2004, the Applicant has continually assembled and acquired more agricultural land both within and in the vicinity of the “CDA(1)” zone, some of which have been integrated with the Agricultural Portion of TPTL No. 183 and operated and managed as part of the Agricultural Portion by the Applicant. The Proposed Development would be in line with 2018 Policy Address and Task Force on Land Supply’s recommendations to unleash the development potential of private agricultural land for providing residential development with essential community uses and social welfare facilities expeditiously.

7.2.3 This Rezoning Proposal is exactly on the same path as the Government’s proposal to make the maximal use of the scarce land resources available and avoid under-utilisation of the Application Site. Furthermore, the Proposed Development which is readily available for development will help hasten housing supply in a much shorter time frame by 2030.

7.3 Provision of Social Welfare Facilities to Meet the Outstanding Demand of RCHE

7.3.1 The Applicant has examined its available private land located in the vicinity of Area (A). A proposed Social Welfare Complex will be provided in Area (B).

7.3.2 The provision of RCHE and DCU in the proposed Social Welfare Complex is in proactive response to meeting the outstanding demand of RCHE and serving the needs of the ageing population in Hong Kong. The Applicant will take up the construction of the proposed social welfare complex and set up a private or self-financing RCHE to alleviate the surging demand for RCHE, thereby serving the needs of the ageing population in Hong Kong.

7.4 Provision of Supporting Retail Facilities, Public Vehicle Park and Open Space for Surrounding Residents to Form a Neighbourhood Activity Node

7.4.1 There are generally lack of shops and services serving the local community in Fung Yuen. Whilst there are few small-scale local shops in the vicinity, the choices for local residents for daily necessities are still very limited. Considering the daily necessities and needs of surrounding residents, the Applicant has taken the opportunity to provide floor space for 'Shop and Services' use in northern part of Area (A). In addition, at the request of Transport Department, a public vehicle park will be provided. A landscaped open space on top of/adjoining to the retail facilities will be provided for the enjoyment of public and surrounding residents. These facilities forming a neighbourhood activity node would benefit the whole Fung Yuen community.

7.5 Appropriate Land Use Zoning have been Proposed for Different Portions of the "CDA(1)" Zone to Reflect the Long Established "As-built" Conditions

7.5.1 The Mont Vert residential development at the northern portion of the "CDA(1)" zone and the Agricultural Portion under TPTL 183 at the eastern portion of the "CDA(1)" zone has been completed for more than 10 years. Opportunity has been grasped to rezone these remaining portions of "CDA(1)" zones to appropriate zonings to reflect their existing "as-built" conditions. As such, the land falling within these portions could have greater flexibility to utilise their land and avoid planning blight while clear planning intention and development restrictions still apply.

7.6 The Development Site is Suitable to be Rezoned for Residential Use

7.6.1 In recent years, the development extent of Tai Po New Town has been expanded towards its north-eastern fringe where the Application Site is located. Two of the recent examples are the Fu Tip Estate with PR of 6.15 and the planned public housing development at Chung Nga Road West with PR of 6.9 which are located only at approximately 172m and 750m respectively to the west of the Application Site (**Figures 3.2 and 3.3** refer). Given the history of the "CDA(1)" zone as stated in **Section 2.1**, together with Mont Vert residential development (completed in December 2015), the Development Site is a logical and appropriate location for the Proposed Development which would be compatible with the surrounding areas.

7.7 The Development Intensity is Considered Appropriate and Compatible with the Neighbourhood and the Planning of Tai Po New Town

7.7.1 The surrounding context of the Development Site and its compatibility with the existing development in the area, especially the high-rise residential developments to the north and west of the Application Site, have all been taken into careful consideration when devising the development parameters and the overall building layout of the proposed residential development. The proposed residential towers with building height ranging from about +85mPD to +102mPD are compatible with the maximum building height of Mont Vert (about +102mPD). Besides, the Proposed

Development will have a lower building height than the Fu Tip Estate (about +143mPD) and the planned public housing development at Chung Nga Road West (not more than +172mPD) (**Figures 5.2** refers). The proposed building height are considered appropriate and optimised without compromising the existing sub-urban setting.

7.7.2 A stepped building height profile descending from the Proposed Development to Tai Po Industrial Estate and further to the waterfront promenade will be created to help preserve the views towards the ridgeline of Cloudy Hill. It is in line with the planned building height profile for Tai Po New Town as promulgated in the OZP (Paragraph 5.4.7 refers).

7.7.3 As demonstrated in the appraisal and photomontages in the Visual Impact Assessment (“VIA”) in **Appendix 2**, the visual impact associated with the Proposed Development are considered acceptable, and will be fully compatible and largely blend in well with the existing high-rise developments.

7.8 The Proposed Development is Carefully and Comprehensively Designed

7.8.1 Compared with the development proposal submitted under previous s.12A Application No. Y/TP/38, the current development proposal includes all land to the west of Fung Yuen Road within the “CDA(1)” zone. By utilising the Agricultural Portion and Government land within the Western and Southern Portion, the Proposed Development is carefully and comprehensively designed as a single, integrated and coordinated development with self-sustained and supporting facilities to achieve an optimal layout and building disposition.

7.9 The Indicative Development Proposal is Technically Feasible

Ecological

7.9.1 According to the assessment of the potential ecological impacts (**Appendix 3** refers) associated with the proposed residential development during construction and operational phases, impacts on species of conservation importance will be insignificant. The Fung Yuen Stream and its riparian zone will not be disturbed. As *Mucuna championii* will be retained *in situ* and the recorded fauna species are highly mobile, direct impacts on the habitats and flora and fauna species of conservation importance are anticipated to be low even without mitigation measures. Similar habitats can also be found in the close vicinity of the Development Site.

7.9.2 Indirect impacts on Fung Yuen Stream, the surrounding habitats and associated wildlife owing to construction runoff, waste and human activities are assessed. With the implementation of the proposed mitigation measures such as proper control of construction runoff and good construction practices, potential disturbance to the existing habitats will be minimised. No unacceptable residual ecological impacts on the local area due to the Proposed Development are anticipated.

Noise

- 7.9.3 A Noise Impact Assessment has been conducted for the Proposed Development (**Appendix 4** refers). The dominant noise source is attributable to the road traffic noise from the nearby road network, namely Ting Kok Road and Fung Yuen Road. The predicted maximum road traffic noise level of the residential units and RCHE cum DCU facilities will exceed the stipulated 70dB(A) noise criterion. Nonetheless, with the provision of acoustic window (baffle type), all residential units and RCHE cum DCU would comply with the 70dB(A) criterion. The Proposed Development will not be subject to adverse noise impact from surrounding roads and industrial noise sources.

Land Contamination

- 7.9.4 Potential land contamination impacts associated with the Proposed Development have been reviewed (**Appendix 5** refers). Based on the observation from the site inspections and the review of historical aerial photographs, the Application Site was mainly farmland, vegetated and/or abandoned. No activity and equipment resulting in potential land contamination were observed at the Development Site. In addition, the information from Environmental Protection Department indicated that there was no chemical waste producer, chemical spillage and leakage records in the Application Site. Therefore, potential contamination is not anticipated in the Development Site.

Waste Management

- 7.9.5 With the implementation of recommended measures such as on-site sorting, reusing construction and demolition materials proposed in the Waste Management Assessment (**Appendix 6** refers), no adverse waste management implication is anticipated during construction stage. During the operational phase, municipal solid waste would be generated. With the proper treatment and disposal of the waste, no adverse waste management impact is anticipated.

Air Quality

- 7.9.6 As revealed in the Air Quality Impact Assessment in **Appendix 7**, the chimney emissions and the vehicular emissions are identified as the two major air pollution sources in the neighbourhood. The concentration and dispersion of Nitrogen Dioxide ("NO₂"), Respirable Suspended Particulates ("RSP"), Fine Suspended Particulates ("FSP") and Sulphur Dioxide ("SO₂") are the major pollutants which have been predicted by computer models. It is concluded that the cumulative concentration of all air pollutants is within the stipulated Hong Kong Air Quality Objectives ("HKAQO") limits. The Proposed Development would not be affected by chimney emissions and vehicular emissions. In addition, no emission of fluff and odour impact is anticipated.

Air Ventilation

- 7.9.7 An Air Ventilation Assessment - Expert Evaluation has been conducted for the Proposed Development at the Development Site (**Appendix 8** refers). The Proposed Development may inevitably result in wind blockage impact under particular wind directions and the wind availability would be slightly affected; nevertheless, the optimal building disposition and provision of building separations would enhance the air ventilation performance at the pedestrian level and minimise potential air ventilation impacts. It is concluded that the Proposed Development would unlikely impose unacceptable impact on the surrounding areas from air ventilation perspective.

Traffic

- 7.9.8 Since the proposed residential development is tentatively scheduled for completion in 2029 and 2030, a TIA for the design year 2033 has been carried out to assess the possible traffic impacts onto the local road network (**Appendix 9** refers). It was estimated that the Proposed Development would generate and attract trips of 161 and 132 pcu/hr in the AM peak and 136 and 128 pcu/hr in the PM peak. With the proposed traffic improvement schemes, all surveyed key junctions operating under both 2033 reference and design scenarios would continue to have ample capacity to accommodate the future traffic growth and the additional traffic generated by the Proposed Development. Internal transport facilities would be provided in accordance with the requirements as stipulated in the latest HKPSG. The Proposed Development is considered acceptable in the traffic aspect and would not induce adverse traffic impact to the surrounding road network.

Drainage

- 7.9.9 The drainage impact to the existing drainage system due to the Proposed Development has been assessed with hydraulic model (**Appendix 10** refers) under 1 in 10 years, 1 in 50 years and 1 in 200 years flood events. For the Proposed Development at Area (A) Phase I, the runoff generated will be discharged to the new box culvert via connecting pipes; while for developments at Area (A) Phase II and Area (B), it will be discharged to existing stream course. With the provision of the proposed drainage mitigation measures, the drainage condition at upstream and mid-stream of the stream course will be greatly improved. It is concluded that there will be no significant adverse drainage impact arising from the proposed development.

Sewerage

- 7.9.10 The Sewerage Impact Assessment (**Appendix 11**) indicated that the sewage generated from the proposed development in Area (A) Phase II and the social welfare complex in Area (B) will be discharged to the public sewerage system with no adverse impact, whereas the existing public sewerage system has insufficient capacity for the proposed development in Area (A) Phase I. An on-site sewage treatment plant is therefore proposed to treat the sewage arising from the proposed residential

development. The sewage effluents will be sanitised to fulfil all relevant statutory standards before discharge to the existing drainage system. No adverse sewerage impact is anticipated as a result of the Proposed Development.

Water Supply

7.9.11 According to the results of the Water Supply Impact Assessment (**Appendix 12** refers), there will be increased fresh water and salt water demands as a result of the Proposed Development. However, it is anticipated that the existing main supply systems will have adequate spare capacity to cater for the expected increases. It is concluded that the proposed development can be implemented without resulting in any insurmountable water supply impact.

EIAO Implication

7.9.12 According to the TIA under this Application, improvement schemes are proposed at 5 junctions.

7.9.13 According to the Section 6 of EIAO – TM, it defines “material change” shall be used for a material change to a designated project, the material change shall refer to significant changes only. As a general rule, changes of 5 circumstances are regarded as material changes to a designated project, which summarise in **Table 7.1** below.

Table 7.1 Circumstances regard as Material Change

| | Circumstances regard as Material Change (Section 6 of EIAO – TM) |
|-----|--|
| (a) | A change to physical alignment, layout or design of the project causing an environmental impact likely to affect existing or planned community, ecologically important areas or sites of cultural heritage; |
| (b) | A physical change resulting in an increase in the extent of reclamation or dredging affecting water flow or quality likely to affect ecologically important area, or disrupting sites of cultural heritage; |
| (c) | An increase in pollution emissions or discharges or waste generation likely to violate guidelines or criteria in this technical memorandum without mitigation measure in place; |
| (d) | An increase in throughput or scale of the project leading to physical additions or alterations that are likely to violate the guidelines or criteria in this technical memorandum without mitigation measures in place; or |
| (e) | A change resulting in physical works that are likely to affect a rare, endangered or protected species, or an important ecological habitat, or a site of cultural heritage. |

7.9.14 According to the TIA, improvement schemes are proposed at 5 junctions, the details are listed in **Table 7.2**.

Table 7.2 Details of the Proposed Junction Improvement Works

| Ref. | Location of Junction | Road Type | Proposed Improvement Details related to the Physical Alignment Change |
|------|---|--|---|
| A | Ting Kok Road/ Dai Fat Street | Primary distributor/ Local road | <ul style="list-style-type: none"> Additional lane for right turn movement at Ting Kok Road (Eastbound) |
| B | Ting Kok Road/ Fung Yuen Road | Primary distributor/ Local road | <ul style="list-style-type: none"> Additional lane for left turn movement for Fung Yuen Road (Southbound) Additional right turn movement in Ting Kok Road (Westbound) Relocate the bus stop at Ting Kok Road |
| C | Ting Kok Road/ Dai Fuk Road/ Yuen Shin Road | Primary distributor/ Local road/ Expressway | <ul style="list-style-type: none"> Additional lane of left turn from Ting Kok Road (Eastbound) to Ting Kok Road (Northbound) |
| D | Yuen Shin Road/ Dai Fat Street | Expressway/ Local road | <ul style="list-style-type: none"> Additional lane on Yuen Shin Road (Southbound) Additional straight ahead movement lane of |
| E | Tai Po Tai Wo Road/ Yuen Shin Road | Primary distributor/ Expressway | <ul style="list-style-type: none"> Additional right turn movement lane of Tai Po Tai Wo Road (Eastbound) by narrowing down the central divider |

7.9.15 According to the item A.1, Part I, Schedule 2 of the EIAO, a carriageway for motor vehicles that is an expressway, trunk road, primary distributor road or district distributor road are classified as designated project. According to The Annual Traffic Census 2024, Ting Kok Road, Yuen Shin Road and Tai Po Tai Wo Road are classified as primary distributor/expressway, all these roads are developed before 1998, hence these roads are considered as exempted project under EIAO

7.9.16 For Ting Kok Road, which have total 3.2km long. There are 3 junction improvement schemes related to Ting Kok Road, that cover 9% of Ting Kok Road's total length (i.e. about 295m). The kerb of Ting Kok Road would be widened by 2m due to the proposed additional lane, such that the distance between the road and the nearest existing NSR would have minor change only. The proposed Development will induce about 0.6% – 7% changes for the traffic flow of Ting Kok Road. All these changes to Ting Kok Road are minor, adverse pollution emissions due to the proposed improvement works is not anticipated.

7.9.17 For Yuen Shin Road, which have total 1.2km long. There are 3 junction improvement schemes related to Yuen Shin Road, that cover about 18% of Yuen Shin Road (i.e. 217m). The kerb of Yuen Shin Road would be widened by 2m due to the proposed additional lane, such that the distance between the road and the nearest existing NSR would have minor change only. The proposed Development will induce about 3% – 4% changes for the traffic flow of Yuen Shin Road. All these changes for Yuen Shin Road are minor, adverse pollution emissions due to the proposed improvement works is not anticipated.

7.9.18 For Tai Po Tai Wo Road, which have total 2.7km long. There is 1 junction improvement scheme related to Tai Po Tai Wo Road, that cover 6% of Tai Po Tai Wo Road's total length (i.e. about 150m). The kerb of Tai Po Tai Wo Road would be widened by 1m due to the proposed additional lane, such that the distance between the road and the nearest existing NSR would have minor change only. The proposed Development will induce about 4% changes for the traffic flow of Tai Po Tai Wo Road. All these changes for Tai Po Tai Wo Road are minor, the existing NSRs are far away from the road, adverse pollution emissions due to the proposed improvement work is not anticipated.

7.9.19 According to the EIAO Guidance Note No. 12/2023, the improvement of a road junction or roundabouts would not cause significant changes of noise impact on a nearby NSR as it would not affect the design capacity of the concerned road section and not significantly reduce the distance between the alignment of the main carriageway and the nearby NSR.

7.9.20 With considering the above factors, all the changes to Ting Kok Road, Yuen Shin Road and Tai Po Tai Wo Road are minor in nature. The scale of the proposed junction improvement works is relatively small, do not involve any reclamation or dredging, and also do not have any physical works that will affect a rare, endangered or protected species, or an important ecological habitat or a site of cultural heritage. Therefore, the proposed junction improvement works will not constitute a material change to an existing Designated Project or exempted project of EIAO.