

**RURAL AND NEW TOWN PLANNING COMMITTEE
OF THE TOWN PLANNING BOARD**

RNTPC Paper No. 8/22

For Consideration by

The Rural and New Town Planning Committee on 9.12.2022

**PROPOSED AMENDMENTS TO THE
APPROVED MA ON SHAN OUTLINE ZONING PLAN NO. S/MOS/24**

**PROPOSED AMENDMENTS TO THE
APPROVED MA ON SHAN OUTLINE ZONING PLAN NO. S/MOS/24**

1. Introduction

This paper is to seek Members' agreement that:

- (a) the proposed amendments to the approved Ma On Shan Outline Zoning Plan (OZP) No. S/MOS/24 (**Attachment I**) as shown on the draft Ma On Shan OZP No. S/MOS/24A (**Attachment II**) and its Notes (**Attachment III**) are suitable for exhibition for public inspection under section 5 of the Town Planning Ordinance (the Ordinance); and
- (b) the revised Explanatory Statement (ES) of the OZP (**Attachment IV**) is an expression of the planning intention and objectives of the Town Planning Board (the Board) for various land use zonings on the OZP, and is suitable for exhibition together with the OZP and its Notes.

2. Status of the Current Ma On Shan OZP

- 2.1 On 4.1.2022, the Chief Executive in Council (CE in C), under section 9(1)(a) of the Ordinance, approved the draft Ma On Shan OZP No. S/MOS/23, which was subsequently renumbered as S/MOS/24. On 14.1.2022, the approved Ma On Shan OZP No. S/MOS/24 (**Attachment I**) was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.2 On 12.4.2022, the CE in C referred the approved Ma On Shan OZP No. S/MOS/24 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. On 22.4.2022, the reference back of the OZP was notified in the Gazette under section 12(2) of the Ordinance.

3. Background

- 3.1 A section 12A (s.12A) application (No. Y/MOS/6) was agreed by the Rural and New Town Planning Committee (the Committee) of the Board on 26.2.2021 to rezone a site on On Chun Street from "Other Specified Uses" annotated "Hotel" ("OU(Hotel)") to "Residential (Group A)12" ("R(A)12") (**Amendment Item A**).

- 3.2 On 28.5.2021, in considering the RNTPC Paper “Review of Sites Designated “Comprehensive Development Area” (“CDA”) on Statutory Plans in the New Territories for the Years 2019/2021”, the Committee agreed to rezone two “CDA” sites in Whitehead headland to residential zonings to reflect the completed developments (**Amendment Items B and C**).
- 3.3 Furthermore, a pedestrian link zoned “OU(Pedestrian Link with Retail Facilities)” straddling Ma On Shan Road, which was intended to provide connection between Yan On Estate and its extension and Kam Chun Court, is found obsolete, and the zone should be rezoned as an area shown as ‘Road’ (**Amendment Item D**).
- 3.4 In order to take forward the decisions of the Committee and to delete the obsolete “OU(Pedestrian Link with Retail Facilities)” zone as mentioned above, amendments to the Ma On Shan OZP are required. The Notes and ES of the OZP have also been revised accordingly to incorporate the amendments.

4. Proposed Amendments

Amendment Item A – Rezoning of a site at 29 On Chun Street from “OU(Hotel)” to “R(A)12” to take forward an approved s.12A Application (Plans 1a, 2a, 3a, 4a and 4b)

- 4.1 The “OU(Hotel)” zone, which is currently subject to a maximum plot ratio (PR) of 7.0 and building height (BH) of 50mPD, is occupied by an existing hotel named ‘Horizon Suite Hotel’ (海澄軒), with a total of 831 hotel rooms. Fronting the Ma On Shan Promenade, the site is situated within an area characterized by residential intermixed with Government, Institution or Community (GIC) uses and open space such as Ma On Shan Swimming Pool to the northeast, Ma On Shan Park to the east, and two primary schools across On Chun Street.
- 4.2 On 26.2.2021, the Committee agreed to a s.12A application (No. Y/MOS/6) to rezone the site from “OU(Hotel)” to “R(A)12”. Two indicative schemes for partial or wholesale conversion of the existing hotel, namely the “Residential cum Hotel Scheme” with 637 flats and 194 hotel rooms and the “Full Residential Scheme” with 758 flats, for a population of about 2,013 and 2,396 respectively, were proposed by the applicant. Both schemes would not exceed 50mPD (**Plan 5**). Supporting commercial and recreational facilities were also proposed for both schemes. According to the proposed Notes of the “R(A)12” zone, ‘Flat’ is a Column 1 use which is always permitted, while ‘Hotel’ is a Column 2 use subject to planning permission. In this regard, while ‘Flat’ use is always permitted under the proposed “R(A)12” zone, redevelopment of the site for ‘hotel’ use would require planning permission. Extracts of the major development parameters for both schemes are at **Attachment V**.

- 4.3 Taking into account that the proposed residential development with supporting commercial facilities is well served by public transport and not incompatible with its surroundings characterized by residential and GIC uses; that the proposed development restrictions of the “R(A)12” zone are the same as those under the existing “OU(Hotel)” zone to reflect the existing building bulk; and that there would be no adverse impacts as demonstrated by technical assessments on traffic, noise, air quality and sewerage aspects, the proposed rezoning of “OU(Hotel)” to “R(A)12” zone for residential development is considered acceptable by the Committee.
- 4.4 In considering the application, Members generally considered that the application could be supported as the existing hotel had been leased out to the locals for long or short stay in response to market demand. After conversion, the residential units would be for sale rather than for lease, which implied merely a change in the operation mode. Members also noted that the floor layout of the existing hotel was akin to a residential unit and no substantial conversion works would be involved. The resultant building bulk and building height (BH) of the proposed development would remain unchanged and the proposed residential use was generally in line with the planning intention of the Ma On Shan area. Extracts of the relevant meeting minutes of the Committee are at **Attachment VI**.
- 4.5 To take forward the decision of the Committee, it is proposed to rezone the site from “OU(Hotel)” to “R(A)12”, subject to a maximum PR of 7.0 and a BH of 50mPD. Requirements of relevant technical assessments (including Traffic Impact Assessment (TIA), Noise Impact Assessment (NIA) and Sewerage Impact Assessment (SIA), etc.) should be imposed under the lease to address any potential issues at the detailed design stage. Such amendments are to be incorporated into the ES of the OZP.

Amendment Item B – Rezoning of a site in the southwestern part of Whitehead headland from “CDA(2)” to “Residential (Group C)4” (“R(C)4”) to reflect the completed development (Plans 1a, 2b, 3b, 4c and 4d)

- 4.6 The “CDA(2)” zone, which is located in the southwestern part of Whitehead headland, is currently subject to a maximum gross floor area (GFA) of 40,000m² and a maximum BH of 50mPD. With an area of about 3.77 ha, the site is now occupied by a completed residential development named ‘St. Barths’.
- 4.7 The development was completed in 2019 with total GFA of 39,999.76m² and maximum BH of 49.7mPD, which are generally in line with the intended uses and development parameters as set out in the Planning Brief (PB) for the “CDA(2)” zone agreed by the Committee on 22.11.2013.
- 4.8 In the latest CDA Review by the Committee on 28.5.2021, the Committee agreed to rezone the site to other suitable land use zonings to reflect the existing development. It is therefore proposed to rezone the site from “CDA(2)” to “R(C)4”, subject to the same development restrictions of the “CDA(2)” zone, i.e. a maximum GFA of 40,000m² and a maximum BH of 50mPD to reflect its as-built

conditions. Such amendments are to be reflected on the Plan and its Notes and ES.

Amendment Item C – Rezoning of a site in the southeastern part of Whitehead headland from “CDA(3)” to “R(C)5” to reflect the completed development (Plans 1a, 2b, 3b, 4c and 4d)

- 4.9 The “CDA(3)” zone, which is located in the southeastern part of Whitehead headland, is currently subject to a maximum GFA of 30,000m² and a maximum BH of 50mPD with a 15m-wide strip of land as shown on the Plan restricted to 2 storeys. With an area of about 2.35 ha, the site is now occupied by a completed residential development named ‘Altissimo’.
- 4.10 A planning application (No. A/MOS/107) for proposed residential development with minor relaxation of GFA from 30,000m² to 36,000m² and BH restriction from 50mPD to 58mPD was approved with conditions by the Committee in 2015. The development was completed in 2020 with total GFA of 35,999.95m² and maximum BH of 58mPD, which are generally in compliance with the PB for the site approved by the Committee on 22.8.2014.
- 4.11 In the latest CDA Review on 28.5.2021, the Committee agreed to rezone the subject “CDA” site to other suitable land use zoning to reflect the existing development. It is therefore proposed to rezone the site from “CDA(3)” to “R(C)5”, subject to the same development restrictions of the “CDA(3)” zone, i.e. a maximum GFA of 36,000m² and a maximum BH of 58mPD with a 15m-wide strip of land as shown on the Plan restricted to 2 storeys to reflect its as-built conditions. Such amendments are to be reflected on the Plan and its Notes and ES.

Amendment Item D – Rezoning of an area from “OU(Pedestrian Link with Retail Facilities)” to an area shown as ‘Road’ on Ma On Shan Road to reflect the removal of the obsolete footbridge alignment (Plans 1b, 2c, 3c and 4e)

- 4.12 In 2014, when the sites for Yan On Estate and its extension and Kam Chun Court were rezoned to “R(A)8” and “R(A)9” zones respectively, the footbridge connecting the said estates straddling Ma On Shan Road was rezoned to “OU(Pedestrian Link with Retail Facilities)” to provide a pedestrian link with retail facilities connecting these public housing developments. As advised by Housing Development (HD), as the retail study conducted after rezoning of “R(A)8” and “R(A)9” indicated that the retail facilities in Yan On Estate could satisfy the needs of future residents of both Yan On Estate and Kam Chun Court, no retail facilities would be provided for the pedestrian link and its alignment has become obsolete. Instead, a new footbridge with a shorter length is provided between Yan On Estate and Kam Chun Court (**Plan 1b**).
- 4.13 As the original alignment of the footbridge is outdated and the new footbridge is under construction for completion in 2023, the “OU(Pedestrian Link with Retail Facilities)” zone is proposed to be rezoned to an area shown as ‘Road’. The

footbridge under construction falls within an area shown as 'Road' and footbridge is always permitted.

5. Provision of GIC Facilities and Open Space

- 5.1 Taking into account the proposed amendments as mentioned above, the planned population of the Ma On Shan Planning Area would be about 249,600 persons. As shown in **Attachment VII**, the existing and planned provision of major GIC facilities and open space, except hospital beds, child care centres, community care services facilities, residential care homes for the elderly, pre-school rehabilitation services and residential care services, are generally adequate to meet the demand in accordance with the requirements of the Hong Kong Planning Standards and Guidelines and assessments of relevant Government bureaux/departments (B/Ds).

GIC Facilities

- 5.2 The need for hospital beds will be catered for in the First and Second Ten-year Hospital Development Plans (HDPs) of the Hospital Authority. The redevelopment of Prince of Wales Hospital, phase 2 (stage 1) project under the First Ten-year HDP, the expansion plans of private hospitals, such as CUHK Medical Centre (CUHKMC) and Union Hospital, will provide adequate healthcare services to meet the demand of the population in Ma On Shan in the long run.
- 5.3 Regarding the deficits in some elderly, child care and rehabilitation services/facilities for persons with disabilities, the standard set for these services/facilities is a long-term goal and the actual provision would be subject to the consideration of the Social Welfare Department in the planning and development process as appropriate. The Government will continue to adopt a multi-pronged approach with long, medium and short term strategies to identify suitable sites or premises for provision of more welfare services, so as to meet the ongoing welfare service needs of the district.

Open Space

- 5.4 There is a surplus of planned district and local open space of about 3.85 ha and 19.62 ha respectively in the Ma On Shan Planning Area.

6. Proposed Amendments to Matters Shown on the Plan

The proposed amendments as shown on the draft Ma On Shan OZP No. S/MOS/24A (**Attachment II**) are as follows:

- (a) Amendment Item A (about 0.8 ha) (Plans 1a, 2a, 3a, 4a and 4b)

Rezoning of a site on On Chun Street from "OU(Hotel)" to "R(A)12" subject to a maximum PR of 7.0 and a maximum BH of 50mPD.

(b) Amendment Item B (about 3.77 ha) (Plans 1a, 2b, 3b, 4c and 4d)

Rezoning of a site in the southwestern part of Whitehead headland from “CDA(2)” to “R(C)4”, subject to a maximum GFA of 40,000m² and a maximum BH of 50mPD.

(c) Amendment Item C (about 2.35 ha) (Plans 1a, 2b, 3b, 4c and 4d)

Rezoning of a site in the southeastern part of Whitehead headland from “CDA(3)” to “R(C)5”, subject to a maximum GFA of 36,000m² and a maximum BH of 58mPD and 2 storeys for the 15m-wide strip of land as shown on the Plan.

(d) Amendment Item D (about 0.12 ha) (Plans 1b, 2c, 3c and 4e)

Rezoning of an area from “OU(Pedestrian Link with Retail Facilities)” to an area shown as ‘Road’ on Ma On Shan Road.

7. Proposed Amendment to the Notes of the OZP

- 7.1 The following proposed amendments have been incorporated into the draft Notes at **Attachment III** with additions in *bold and italics* and deletions in ~~single crossed out~~ for Members’ consideration.

“R(A)” zone

- 7.2 In relation to Amendment Item A as mentioned in paragraph 6(a) above, the Notes and Remarks for “R(A)” zone will be revised to incorporate the development restrictions for the “R(A)12” sub-zone.

“R(C)” zone

- 7.3 In relation to Amendment Items B and C as mentioned in paragraphs 6(b) and 6(c) above, the Notes and the Remarks for “R(C)” zone will be revised to incorporate the development restrictions for the “R(C)4” and “R(C)5” sub-zones.

“CDA” zone

- 7.4 In relation to Amendment Items B and C as mentioned in paragraphs 6(b) and 6(c) above, paragraphs (d) and (e) under the Remarks for “CDA(2)” and “CDA(3)” sub-zones will be deleted.

“OU” zone

- 7.5 In relation to Amendment Items A and D as mentioned in paragraphs 6(a) and 6(d) above, the “OU(Hotel)” and “OU(Pedestrian Link with Retail Facilities)” sub-zones will be deleted.

8. Revision to the Explanatory Statement of the OZP

The ES of the OZP has been revised to take into account the proposed amendments as mentioned in the above paragraphs. Opportunity has also been taken to update the general information for various land use zones to reflect the latest status and planning circumstances of the OZP. The updated ES (with additions in ***bold and italics*** and deletions in ~~single crossed-out~~) is at **Attachment IV** for Members’ consideration.

9. Plan Number

Upon exhibition for public inspection, the OZP will be renumbered as S/MOS/25.

10. Consultation

Consultation with STDC on 15.11.2022

- 10.1 On 15.11.2022, PlanD consulted the Development, Housing, Environment and Health Committee (DHEHC) of the Sha Tin District Council (STDC) on the proposed amendments to Ma On Shan OZP.
- 10.2 Regarding Amendment Item A, DHEHC Members raised concerns on the technical feasibility to convert the hotel for residential use; implementation timing of the development; land premium difference between hotel and residential uses; adequacy of car parking spaces in the development; and lack of car parking provision in Ma On Shan. In response, PlanD advised that the existing hotel layout was similar to that of flats and that the proposed residential development has to meet the buildings and lands requirements at the building plans submission and lease modification stages; the implementation of the development would be subject to relevant statutory requirements; both land premium and car parking requirements would be reviewed at the lease modification stage; and relevant departments would continue to explore the provision of more carparking spaces in Ma On Shan.
- 10.3 Regarding Amendment Items B and C, DHEHC Members asked about the merits of rezoning the concerned sites from “CDA(2)” and “CDA(3)” to “R(C)4” and “R(C)5”. In response, PlanD explained that it was the Board’s practice to rezone completed developments under “CDA” zone to an appropriate zoning to reflect the existing use and avoid MLP submission for all changes in land use.

- 10.4 For Amendment Item D, DHEHC Members were concerned with the rationale of changing the location of the footbridge. In response, PlanD advised that the current location of the footbridge was the most suitable one upon review by HD at the detailed design stage.

Departmental Consultation

- 10.5 The proposed amendments to the OZP have been circulated to the following bureaux/departments for comment. No objection or adverse comments have been received and their comments (if any) have been incorporated into the proposed amendments to the OZP as appropriate.

- (a) Secretary of Development;
- (b) Executive Secretary (Antiquities and Monuments), Development Bureau;
- (c) Chief Building Surveyor/New Territories 2 & Railway, Buildings Department
- (d) Chief Engineer/Construction, Water Supplies Department;
- (e) Chief Engineer/Mainland South, Drainage Services Department;
- (f) Chief Highway Engineer/New Territories East, Highways Department;
- (g) Chief Technical Advisor/Central Management Division 1, Architectural Services Department;
- (h) Chief Town Planner/Urban Design and Landscape, Planning Department;
- (i) Commissioner for Transport;
- (j) Commissioner of Police;
- (k) Commissioner for Tourism;
- (l) Director of Environmental Protection;
- (m) Director of Fire Services;
- (n) Director of Food and Environmental Hygiene;
- (o) Director of Health;
- (p) Director of Housing;
- (q) Director of Leisure and Cultural Services;
- (r) Director of Social Welfare;
- (s) District Lands Officer/Shau Tin, Lands Department; and
- (t) District Office (Shau Tin), Home Affairs Department

Public Consultation

- 10.6 If the proposed amendments are agreed by the Committee, the draft OZP incorporating the amendments (to be renumbered to S/MOS/25 upon exhibition) and its Notes will be exhibited under section 5 of the Ordinance for public inspection. Members of the public can submit representations on the OZP to the Board during the two-month statutory public inspection period.

11. Decision Sought

Members are invited to:

- (a) agree to the proposed amendments to the approved Ma On Shan OZP No. S/MOS/24 as shown on the draft Ma On Shan OZP No. S/MOS/24A at **Attachment II** (to be renumbered as S/MOS/25 upon exhibition) and its Notes at **Attachment III** are suitable for exhibition for public inspection under section 5 of the Ordinance; and
- (b) adopt the revised ES at **Attachment IV** for the draft Ma On Shan OZP No. S/MOS/24A (to be renumbered as S/MOS/25) as an expression of the planning intentions and objectives of the Board for various land use zonings on the OZP; and agree that the revised ES is suitable for exhibition for public inspection together with the OZP.

12. Attachments

Attachment I	Approved Ma On Shan OZP No. S/MOS/24 (reduced scale)
Attachment II	Draft Ma On Shan OZP No. S/MOS/24A
Attachment III	Revised Notes of Draft Ma On Shan OZP No. S/MOS/24A
Attachment IV	Revised ES of Draft Ma On Shan OZP No. S/MOS/24A
Attachment V	Extracts of Development Parameters under approved s.12A Application No. Y/MOS/6 in relation to Amendment Item A
Attachment VI	Extracts of Minutes of the Rural and New Town Planning Committee Meeting held on 26.2.2021 in relation to Amendment Item A
Attachment VII	Provision of Major Community Facilities and Open Space in Ma On Shan OZP
Plans 1a and 1b	Comparison of existing and proposed zonings on the OZP
Plans 2a to 2c	Site Plans
Plans 3a to 3c	Aerial Photos
Plans 4a to 4e	Site Photos
Plan 5	Indicative Section Plans under approved s.12A Application No. Y/MOS/6

**PLANNING DEPARTMENT
DECEMBER 2022**