

TOWN PLANNING BOARD

TPB Paper No. 10169

**For Consideration by the
Town Planning Board on 23.9.2016**

**DRAFT FANLING/SHEUNG SHUI OUTLINE ZONING PLAN NO. S/FSS/21
CONSIDERATION OF REPRESENTATIONS NO. TPB/R/S/FSS/21-1 TO 2
(Group One – Two Representations)**

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Subject of Representations/ Representation Sites	Representers (Nos. TPB/R/S/FSS/21-) (Annex V)	Commenters
<p><u>Amendment (d)</u> Revision to the plot ratio (PR) restriction from 5.0 to either 5.0 or the PR of the existing building, whichever is the greater, for Planning Areas 4 and 30 and On Lok Tsuen (Planning Areas 25 and 26) in the Remarks of the Notes for the “Industrial” (“I”) zone.</p> <p><u>Amendment (e)</u> Revision to the building height (BH) restriction from 25m to 65m (excluding basements) or the building height of the existing building, whichever is the greater, for On Lok Tsuen (Planning Areas 25 and 26) in the Remarks of the Notes for the “I” zone.</p> <p><u>Amendment (g)</u> Incorporation of an exemption clause for uses and facilities ancillary and directly related to the development to be exempted from PR calculation in the Remarks of the Notes for the “I” zone.</p> <p><u>Amendment (h)</u> Incorporation of an additional PR clause under the provision as set out in Regulation 22(1) or (2) of the Building (Planning) Regulations in the Remarks of the Notes for the “I” zone.</p> <p><u>Amendment (i)</u> Incorporation of a minor relaxation clause for PR/BH restrictions in the Remarks of the Notes for the “I” zone.</p>	<u>Amendments (d), (e), (g), (h) and (i)</u>	
	<p>R1: Orientfunds Sourcing (Holdings) Limited</p> <p>Support</p>	<p>Nil</p>
	<u>Amendments (d) and (e)</u>	
	<p>R2: Mr Ng Wing Yuk</p> <p>Support Amendment (e), but Oppose Amendment (d)</p>	<p>Nil</p>

1. Introduction

- 1.1 On 29.1.2016, the draft Fanling/Sheung Shui Outline Zoning Plan (OZP) No. S/FSS/21 (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 main amendments on the OZP included (i) the rezoning of a site at Fanling/Sheung Shui Planning Area 48 (FSS Area 48) previously mainly zoned “Industrial” (“I”) with a minor portion falling within “Green Belt” (“GB”) zone to “Residential (Group A)3” (“R(A)3”) zone to facilitate a public housing development, and “Government, Institution or Community” (“G/IC”) zones for schools and other Government uses; and (ii) revision to BH restriction from 25m to 65m (excluding basements) and other PR/development restrictions in On Lok Tsuen (Planning Areas 25 and 26) under the “I” zone.
- 1.2 During the two-month exhibition period, a total of 9 valid representations were received. On 15.4.2016, the representations were published for public comments for three weeks until 6.5.2016, and 226 comments on the representations were received.
- 1.3 On 22.7.2016, the Town Planning Board (the Board) agreed to consider the representations and comments collectively in two groups as follows:
 - (a) **Group 1:** collective hearing of 2 representations (**R1** and **R2**) related to comments and proposals pertaining to the “I” zone in On Lok Tsuen; and
 - (b) **Group 2:** collective hearing of 7 representations (**R3** to **R9**) and 226 comments (**C1** to **C226**) related to comments and proposals pertaining to the “R(A)3” and/or “G/IC” zones in FSS Area 48 and general compensation/rehousing concerns on land resumption.
- 1.4 This Paper is to provide the Board with information for consideration of Group 1 representations. A summary of the representations for this group is attached at **Annex VI**. The representation site is shown in **Plan H-1**. The representations and related comments in Group 2 will be considered by the Board under a separate paper.
- 1.5 The representers have been invited to attend the meeting in accordance with section 6B(3) of the Ordinance.

2. Background

- 2.1 On 14.8.2015, the Board considered the findings of the 2014 Area Assessments of the Industrial Land in the Territory (“2014 Area Assessments”), and endorsed the recommendations, amongst others, for the On Lok Tsuen Industrial Area (‘the Area’):

- (a) retain the Area as “I” zone to cater for the strong demand for general logistics/warehousing;
 - (b) enhance the Area to better utilize the land resources, increasing employment opportunities and job variety;
 - (c) consideration may be given to disposing suitable government sites in the Area for industrial development which may act as a catalyst to encourage more redevelopment of existing industrial buildings (IBs) by the private sector; and
 - (d) subject to technical assessment on its feasibility, consideration may also be given to relaxing the existing development restrictions on the OZP to help optimize the utilization of sites and also encourage private redevelopments.
- 2.2 To take forward the recommendations of the 2014 Area Assessments, a review on the development parameters and framework of local enhancement measures for the Area had been conducted. In brief, the review revealed that the development intensities in the Area are constrained by the existing infrastructure provision, and there should be scope for individual sites to increase development intensities over PR of 5 subject to detailed technical assessments.
- 2.3 The key amendments to the OZP pertaining to the “I” zone in On Lok Tsuen are as follows:
- (a) revision to the building height restriction from 25m to 65m (excluding basements) or the building height of the existing building, whichever is the greater for On Lok Tsuen (Planning Areas 25 and 26) in the Remarks of the Notes for the “I” zone;
 - (b) incorporation of exemption clause for public vehicle parks, as required by the Government, to be exempted from plot ratio calculation for On Lok Tsuen (Planning Areas 25 and 26) in the Remarks of the Notes for the “I” zone; and
 - (c) incorporation of a provision for minor relaxation on the plot ratio and building height restrictions in the Remarks of the Notes for the “I” zone.
- 2.4 The proposed amendments were submitted to the Rural and New Town Planning Committee (RNTPC) for consideration on 8.1.2016 and the Plan, incorporating the above amendments, was exhibited under section 5 of the Ordinance on 29.1.2016 (**Annexes I and II**). Notes of the “I” zone of the Draft Fanling Sheung Shui OZP No. S/FSS/21 is at **Annex III**.

3. Local Consultation

- 3.1 Prior to the submission of the proposed amendments to the Plan for consideration by the RNTPC of the Board, the FDRC has been consulted on the major proposed

amendments to the Fanling/Sheung Shui OZP. As the operation of the North District Council (NDC) was suspended between October and December 2015, the incumbent and other members of NDC were briefed regarding the major proposed amendments on an informal basis, and they have not expressed in-principle objection.

- 3.2 Upon gazettal of the OZP on 29.1.2016, the District Minor Works and Environmental Improvement Committee (DMW&EIC) of NDC was consulted at its meeting held on 21.3.2016 on the amendments. No adverse comments were raised on the amendment items at the meeting by the members of DMW&EIC of NDC, and they expressed support to the proposed amendments to the OZP. The minutes of the meeting are attached for Members' reference (**Annex VII**).

4. The Representations

4.1 Subject of Representations (Plan H-1)

- 4.1.1 A total of 2 representations (i.e. **R1** and **R2**) were submitted by one of the land owners of On Lok Tsuen (**Annex IV-R1**) and a member of the public respectively (**Annex IV-R2**), and they will be considered under this Group.
- 4.1.2 **R1** supports the relaxation of BH restrictions of the "I" zone in On Lok Tsuen, the incorporation of an exemption clause for uses and facilities ancillary and directly related to the development to be exempted from PR calculation, the incorporation of an additional PR clause under the provision as set out in the Building (Planning) Regulations, and the incorporation of a minor relaxation clause for PR/BH restrictions.
- 4.1.3 **R2** supports the revision to BH restriction for the "I" zone in On Lok Tsuen; however, **R2** objects to the PR restriction of 5.0 or the PR of the existing building, whichever is the greater (**Annex IV-R2**).

4.2 Grounds of Representations

- 4.2.1 **R1** supports the proposed amendments (d), (e), (g), (h) and (i) which would better utilize the limited industrial land resources in the On Lok Tsuen industrial area.
- 4.2.2 **R2** supports the revision to BH restriction from 25m to 65m (excluding basements) for On Lok Tsuen. However, **R2** objects to retain the PR of either 5.0 or the existing building, whichever is the greater, for On Lok Tsuen. He considers that, with the relaxation of BH restriction from 25m to 65m (excluding basements), the PR restriction should be correspondingly relaxed from 5 to 9.

5. Planning Considerations and Assessments

5.1 The Representation Site and the Surrounding Areas (Plans H-1 to H-3 and photos on Plan H-4)

5.1.1 The Area is located at the fringe of Fanling New Town and adjacent to Luen Wo Hui with Fanling North (FLN) New Development Area (NDA) to the north. To its further east and south, there are low rise village settlements of Shung Him Tong and Tong Hang. It is bounded by the Ma Wat River on its southern and eastern sides and the Sha Tau Kok Road and Jockey Club Road to its north and west (**Plan H-2**). There are only three junctions which provide external vehicular access to On Lok Tsuen.

5.1.2 With a total area of 32.6 ha, the Area is the major employment node in the North District (with an estimate of about 6,500 workers¹).

5.2 Planning Intention

The “I” zone is intended primarily for general industrial uses to ensure an adequate supply of industrial floor space to meet demand from production-oriented industries. Information technology and telecommunications industries and office related to industrial use are also always permitted in this zone. The “I” zone in On Lok Tsuen (Planning Areas 25 and 26) is subject to a maximum PR of 5.0, and a maximum BH of 65m (excluding basements) or the PR and the height of the existing building, whichever is the greater.

5.3 Responses to Grounds of Representations

BH Restriction

5.3.1 The supportive views of **R1** on the revision to BH and other PR/development restrictions in On Lok Tsuen are noted.

5.3.2 The supportive views of **R2** on the revision to BH restriction are noted.

5.3.3 The relaxation in BH would facilitate building design with reduced site coverage and thus enhance the visual/air permeability and street environment as well as a greater flexibility in building design for modern industrial uses.

PR Restriction

5.3.4 **R2** objects to retain the maximum PR of either 5.0 or the existing building, whichever is the greater, for the “I” zone of On Lok Tsuen and proposed to relax the PR restriction from 5 to 9. It should be noted that the development intensities in the Area are constrained by the existing infrastructure capacity, particularly in terms of traffic, water supply and sewerage. Commissioner for Transport (C of T) indicated that as On

¹ The figure is based on the 2014 Area Assessments.

Lok Tusen is bounded by Sha Tau Kok Road and Jockey Club Road to its north and west and several road junctions along both roads are currently operating close to capacity. The proposed en-bloc increase of PR for On Lok Tsuen will significantly increase the traffic flows and overload the existing road network. In addition, Chief Engineer/Construction of Water Supplies Department (CE/C, WSD) and Chief Engineer/Mainland North of Drainage Services Department (CE/MN, DSD) commented that the design capacity of the existing water supplies system and sewage treatment is planned to accommodate a PR of 5, instead of an en-block relaxation of the PR to 9. Additional demand on water supply system and sewage treatment capacity could only be considered on case-by-case basis with detailed technical assessment.

- 5.3.5 While an en-bloc increase in PR is not technically feasible at this stage, a provision of application for minor relaxation of PR and BH has been incorporated in the Notes of the OZP for the “I” zone. Based on the individual merits of a development or development proposal, minor relaxation of the PR/BH restrictions may be considered by the Board under section 16 of the Ordinance. Subject to detailed technical assessments and approval of the Board, there is a scope for individual sites to increase development intensities.

6. Consultation

- 6.1 The following Government departments have been consulted and their comments have been incorporated in the above paragraphs, where appropriate:

- (a) Commissioner for Transport;
- (b) Chief Engineer/Construction, Water Supplies Department; and
- (c) Chief Engineer/Mainland North, Drainage Services Department.

- 6.2 The following departments have no comment on the representations:

- (a) District Lands Officer/North, Lands Department;
- (b) Director of Environmental Protection;
- (c) Director of Leisure and Cultural Services;
- (d) Director of Agriculture, Fisheries and Conservation;
- (e) Chief Town Planner/Urban Design and Landscape, PlanD;
- (f) Secretary for Education;
- (g) District Officer (North), Home Affairs Department;
- (h) Chief Highway Engineer/New Territories East, Highways Department;
- (i) Chief Engineer/Railway Development 2-2, Highways Department;
- (j) Project Manager/New Territories East, Civil Engineering and Development Department;
- (k) Head of Geotechnical Office, Civil Engineering and Development Department;
- (l) Chief Architect/Central Management Division 2, Architectural Services Department;
- (m) Chief Building Surveyor/New Territories West, Buildings Department;
- (n) Department of Electrical and Mechanical Services;

- (o) Director-General of Trade and Industry;
- (p) Director-General of Communications;
- (q) Director of Food and Environmental Hygiene;
- (r) Director of Health;
- (s) Director of Social Welfare;
- (t) Government Property Administrator;
- (u) Director of Fire Services; and
- (v) Commissioner of Police.

7. Planning Department's Views

- 7.1 The supporting views of **R1** and **R2** are noted.
- 7.2 Based on the assessments in paragraph 5 above and the following reasons, PlanD does not support the remaining part of **R2** and considers that the draft OZP should not be amended to meet the representation:
- (a) The Area is constrained by the existing infrastructure capacity including traffic, sewerage and water supply. The proposed increase in plot ratio from 5 to 9 is not supported by any technical assessment.
 - (b) There is a provision for minor relaxation of the BH/PR restrictions under the OZP. Each case would be considered by the Board based on individual merits.

8. Decision Sought

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

Attachments

Annex I	Draft Fanling/Sheung Shui OZP No. S/FSS/21 (reduced size)
Annex II	Schedule of Amendments to the Approved Fanling/Sheung Shui OZP No. S/FSS/20
Annex III	Notes of the "I" Zone of the Draft Fanling/Sheung Shui OZP No. S/FSS/21
Annexes IV-R1 to IV-R2	Submissions made by the Representers
Annex V	List of Representers
Annex VI	Summary of Representations and PlanD's Response
Annex VII	Extract of the Minutes of the Meeting of District Minor Works and Environmental Improvement Committee of North District Council held on 21.3.2016

Annex VIII	Provision of Major Community Facilities in Fanling/Sheung Shui
Plan H-1	Location Plan of the Representation Site
Plan H-2	Site Plan of the Representation Site
Plan H-3	Aerial Photo
Plan H-4	Site Photos

PLANNING DEPARTMENT
SEPTEMBER 2016