

# **TOWN PLANNING BOARD**

**TPB Paper No. 10170**

**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/21-3 TO 9  
AND COMMENTS NO. TPB/R/S/FSS/21-C1 TO C226  
(Group Two – Seven Representations and 226 Comments)**

**DRAFT FANLING/SHEUNG SHUI OUTLINE ZONING PLAN NO. S/FSS/21  
CONSIDERATION OF REPRESENTATIONS NO. TPB/R/S/FSS/21-3 TO 9  
AND COMMENTS NO. TPB/R/S/FSS/21-C1 TO C226**

**(Group Two – Seven Representations and 226 Comments)**

<b>Subject of Representations/ Representation Sites</b>	<b>Representers (Nos. TPB/R/S/FSS/21-) (Annex VI)</b>	<b>Commenters (Annex VII)</b>
<b>Representations relating to one or more or all of Items A, B1 or B2</b>		
<p><b><u>Amendment Item A</u></b> Rezoning of a site at Fanling/Sheung Shui Planning Area 48 (FSS Area 48) from “Industrial” (“I”) and “Green Belt” (“GB”) to “Residential (Group A)3” (“R(A)3”) for public housing development</p> <p><b><u>Amendment Item B1</u></b> Rezoning of a site at FSS Area 48 from “I” and “GB” to “Government, Institution or Community” (“G/IC”)</p> <p><b><u>Amendment Item B2</u></b> Rezoning of a site at FSS Area 48 from “I” to “G/IC”</p>	<b><u>Amendment Item A</u></b>	
	<p><b>R3:</b> City Jet Development Limited (represented by Masterplan Limited)</p> <p>Generally <b>support</b> the proposed public housing, but <b>propose</b> an alternative scheme to rezone part of the “R(A)3” site to a new “R(A)4” zone for private housing development</p>	Nil
	<b><u>Amendment Item B2</u></b>	
	<p><b>R4:</b> Marksworth Limited (represented by Toco Planning Consultants Limited)</p> <p><b>Oppose</b> Item B2, and <b>propose</b> to rezone part of the “G/IC” to “Other Specified Uses” (“OU”) annotated “Automobile Dealership Centre”</p> <p><b>R5:</b> Miss Virginia Yeung</p> <p><b>Oppose</b></p>	<p><b>C1-C226:</b> Organisations and individuals supporting <b>R4</b> opposing Item B2 (Please see <b>Annex VII</b>)</p> <p><b><u>Total: 226</u></b></p>

Subject of Representations/ Representation Sites	Representers (Nos. TPB/R/S/FSS/21-) (Annex VI)	Commenters (Annex VII)
	<b><u>Amendment Items A and B1</u></b>	
	<b>R6:</b> Mrs Law  <b>Oppose</b>	Nil
	<b><u>Amendment Items A, B1 and B2</u></b>	
	<b>R7:</b> Brian Ng for The Hong Kong and China Gas Company Limited  <b>Providing Views</b>	Nil
<b><u>Without Indication of Any Specific Amendment Item</u></b>  Concern on compensation and rehousing matters	<b>R8:</b> 鄭潔冰 <b>R9:</b> 彭啟安  <b>Providing Views</b>	Nil

Note: Representations (**R3-R9**), the list of the Representers and Commenters are at **Annexes IV-R3 to IV-R9, VI and VII**. All the comments are deposited at the meeting for Members' inspection, and a disc containing all the comments had been provided for Members' information. Samples of the comments are at **Annex V**.

## 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 "I" with a minor portion falling within "GB" zone to "R(A)3" zone to facilitate a public housing development, and "G/IC" zones for schools and other Government uses; and (ii) revision to building height (BH) restriction from 25m to 65m (excluding basements) and other plot ratio (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 **R4** in relation to Item B2 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 2 representations and comments. A summary of the representations and comments for this group is attached at **Annex VIII**. The representation site is shown in **Plan H-1**. The representations in Group 1 will be considered by the Board under a separate paper.
- 1.5 The representers and commenters have been invited to attend the meeting in accordance with section 6B(3) of the Ordinance.

## **2. Background**

- 2.1 On 17.9.2010 and 14.8.2015, the Board considered the findings of the ‘Area Assessments of 2009 of Industrial Land in the Territory’ (2009 Area Assessments) and the 2014 Area Assessments respectively, and endorsed the recommendations, amongst others, that the “I” zone in FSS Area 48 has potential for comprehensive residential development which would help upgrade the existing environmental conditions in the area. The site should be rezoned to facilitate residential development thereat upon working out a feasible development option.
- 2.2 To follow up the recommendations of the Area Assessments, Housing Department (HD) has conducted a feasibility study for the FSS Area 48 for public housing development. In general, a domestic PR of 6 has been proposed for most of the public housing sites identified in Fanling/Sheung Shui New Town. In view of the strategic location of the FSS Area 48 site at the gateway of the Fanling/Sheung Shui New Town and the need to optimize the development potential of the housing land, a maximum domestic PR of 6 has been proposed for the public housing development. Supporting G/IC facilities would also be provided to serve the residents. According to the advice of the Secretary for Education (S for E), two primary schools should be reserved at FSS Area 48 to support the proposed public housing development and the demand of the Fanling/Sheung Shui New Town.
- 2.3 To take forward the proposed public housing development, it was proposed to rezone the major part of “I” site with a minor portion of “GB” in FSS Area 48 to “R(A)3” for public housing development. As HD has formulated an indicative development scheme for various technical assessments, the development subject

to a maximum GFA of 178,000m<sup>2</sup> and a maximum BH of 140mPD is considered appropriate. Another two sites of about 0.9 ha and 1.2 ha in the FSS Area 48 were rezoned from “I” zone with a minor portion of “GB” zone and “I” zone respectively to “G/IC” zone for the two proposed primary school and other Government use.

- 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 “R(A)” and “G/IC” zones 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 Fanling District Rural Committee (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 IX**).

### 4. The Representations

#### 4.1 Subject of Representations (Plan H-1)

- 4.1.1 A total of seven representations were submitted by two land owners of FSS Area 48 respectively (i.e. **R3** and **R4**), an organization (i.e. **R7**) and members of the public (i.e. **R5**, **R6**, **R8** and **R9**) (**Annexes IV-R3 to IV-R9**), and they will be considered under this Group.

#### *Supportive Representation*

- 4.1.2 **R3** supports **Item A** for the proposed housing development in general. However, he comments that the development potential of the site should be maximized to incorporate additional private housing development.

#### *Adverse Representations*

- 4.1.3 Both **R4** and **R5** oppose **Item B2** for rezoning the concerned site from “I” to “G/IC” for school development. Whilst **R5** raises objection to Item B2, **R4** specifically objects to the rezoning of Lot Nos. 4250RP,

4252 S.A, 4272 RP, 4273 S.B RP, 4897 RP in D.D. 51 and a small piece of Government land from an “I” zone to “G/IC” for school development.

- 4.1.4 **R6** oppose **Items A** and **B1** for rezoning the concerned sites from “Green Belt” zone to “R(A)3” and “G/IC” zones for public housing and school developments.
- 4.1.5 **R7** submitted by The Hong Kong and China Gas Company Limited provides views on **Items A, B1 and B2** from general gas safety aspect.
- 4.1.6 **R8** and **R9** submit comments on compensation and rehousing matters without specifying the related amendments items.

#### 4.2 Grounds of Representations and Representer’s Proposals

##### **R3**

- 4.2.1 **R3** supports Item A for the proposed housing development at FSS Area 48 in general (**Plans H-1 to H-3**). **R3** stated that he owned various lots in FSS Area 48 under the “R(A)3” zone (**Drawing H-R3c**), which could be separately developed for private housing development (**Drawing H-R3a**). The main grounds of representations are:

##### Scope to Increase Development Intensity

- (a) the Policy Addresses advocate for increase of development densities for housing supply. The FSS Area 48 is at the gateway of Fanling New Town. The proposed housing development fails to signify the gateway location and should be intensified to make prominent the housing development;
- (b) reference should be made to the Hong Kong Planning and Guidelines (HKPSG) that the maximum PR can be 8. The development intensity of the public housing development (with a net domestic PR of 6/gross domestic PR of 4.5) is too low and has not yet maximized the development potential of the site;
- (c) there is scope to allow 20% increase of the development intensity from domestic PR of 6 to 7.2 (an addition of about 32,880m<sup>2</sup>) to allow additional private housing.

##### Proposed Public-Private Housing Mix

- (d) the proposed public housing alone at the site is not in accordance with the public-private housing mix of 60:40 split set out in the Long Term Housing Strategy. It is desirable to provide both private and public housing at the site to allow a diverse housing type and a balanced community. There is also a strong demand for private housing;

- (e) most of the western part of the “R(A)3” site is in private ownership of **R3 (Plan H-4 and Drawing H-R3c)** which should be respected. If the concerned area is rezoned for private housing development, this would avoid the need for land resumption. **R3** would implement the housing development and enable efficient land and housing delivery and better achieve the long term housing targets.

### **R3's Proposal**

- 4.2.2 **R3** proposes to increase the domestic PR from 6 to 7.2 and rezone the western part (about 0.67 ha) of the “R(A)3” site to “R(A)4” for private housing development.
- 4.2.3 **R3** submits an alternative housing scheme for a mixed private and public housing development (**Drawing H-R3a, Drawings H-R3c to H-R3d**). **R3** proposed to rearrange the public housing towers, the community/welfare blocks and the open spaces provision so as to allow an additional private housing tower at the western part of the site.
- 4.2.4 By allowing a 20% increase in the PR from 6 to 7.2, an addition of 544 private housing flats (about 33,000m<sup>2</sup>) could be provided. The key development parameters are as follow:

	<b>HD's Development Proposal</b>	<b>R3's Alternative Scheme</b>
Total Site Area	4.0 ha  (all for public housing)	4.0 ha  (3.33 ha for public housing; 0.67 ha for private housing)
Net Domestic GFA / PR	164,400m <sup>2</sup> / 6	164,400m <sup>2</sup> / 6 for public housing; 32,880m <sup>2</sup> / 1.2 for private housing  <b>Total: 197,280m<sup>2</sup> / 7.2 (+20%)</b>
No. of Flat for Public Housing	4,089	4,089 for public housing; 544 for private housing  <b>Total: 4,633</b>

- 4.2.5 **R3** reviews the technical assessments undertaken by HD and submits a broad assessment from environmental, visual, air ventilation, traffic and sewerage aspects. According to **R3**, the alternative scheme is technically feasible.

- 4.2.6 **R3** proposes to revise the Notes of “R(A)” zone and the relevant parts of the Explanatory Statement of the OZP to reflect the alternative scheme.

#### **R4 & R5**

- 4.2.7 Both **R4** and **R5** object to Item B2 (**Plans H-1 to H-3 and Drawing H-R4a**). **R4** opposes rezoning a piece of private land comprising Lot Nos. 4250RP, 4252 S.A, 4272 RP, 4273 S.B RP, 4897 RP in D.D. 51 (**Drawing H-R4e**) and a small piece of Government land from an “I” zone to “G/IC” for a school development as it would affect **R4**’s plan for a proposed Automobile Dealership Centre (the Centre) (**Drawings H-R4b to H-R4c**). The main grounds of representation are as follows:

##### Undermined Private Development Right

- (a) **R4** purchased the concerned private lots on 17.9.2015 with the intention to develop the Centre at the site. **R4** has commenced preparation work for building design and land exchange application. The project is targeted for completion by 2018. The rezoning of the site from “I” to “G/IC” would jeopardize the development of the Centre. The new “G/IC” zoning would restrict the development right and cause substantial financial loss to the land owner.

##### Site Suitable for Automobile Dealership Centre

- (b) With direct frontage along Tai Wo Service Road West, the site is easily accessible to Fanling Highway linking both local and district traffic. In view of its accessibility to visitors, it is suitable for the development of the Centre. The proposed development is compatible with the adjacent village, highway and proposed public housing development. Furthermore, it would create long-term job opportunities for the locals.

##### Site Not Suitable for School Use

- (c) The “G/IC” zone under Item B2 is planned for a reserved primary school at FSS Area 48 to meet the demand of Fanling/Sheung Shui New Town. There is not yet definite programme for the school development. In fact, the planned population of Fanling/Sheung Shui New Town is decreasing which would affect the demand of primary school places.
- (d) The site is not suitable for school use as it is located along Fanling Highway with high traffic and noise impacts. Majority of the land is under private ownership. As an alternative, **R4** identifies three other school sites in Fanling/Sheung Shui (**Drawing H-R4d**) and also suggests there are a few abandoned village schools in Fanling, namely Wo Him School in Wo Hop Shek Village and Tsung Him School near On Lok Tsuen (**Plan H-5**) for the said school use.



No Prior Consultation

- (e) There is no prior direct consultation with the landowner on the rezoning amendment.

4.2.8 **R5** opposes Item B2 on the ground that there is a lack of industrial land in Hong Kong. It is good to retain the concerned area as industrial zone for future development.

**R4's Proposal**

4.2.9 **R4** proposes to rezone the site within the "G/IC" zone (**Drawing H-R4a**) to "Other Specified Uses" ("OU") annotated "Automobile Dealership Centre", with the stipulation of a maximum PR of 5 and a maximum building height of 50m (excluding basements). A set of Schedule of Uses for the "OU (Automobile Dealership Centre)" zone submitted by **R4** is attached at **Appendix I**. Uses including 'Eating Place (Canteen only)', 'Public Vehicle Park (excluding container vehicle)', 'Shop and Services', 'Training Centre', 'Utility Installation for Private Project', 'Vehicle Repair Workshop' and 'Warehouse (excluding Dangerous Goods Godown)' are Column 1 which are always permitted under the concerned zone.

4.2.10 According to **R4**, the Centre comprises a building of 8-storey with a roof garden and landscaped area on ground level. The Centre would include a driving gallery, workshop, training, car holding area and office. A master layout plan (MLP) and landscape master plan (LMP) (**Drawings H-R4b** and **H-R4c**) together with broad assessments on traffic, environmental and sewage aspects had been submitted to support the proposal.

**R6**

4.2.11 **R6** opposes the rezoning of the concerned land under Items A and B1 from "I" and "GB" to become "R(A)3" and "G/IC" site without providing specific grounds of objections. **R6** enquires on the details about trees to be affected and comments that compensatory planting proposal should be provided.

**R7**

4.2.12 **R7** provides views on Items A, B1 and B2 from gas safety aspect in view of the existence of a high pressure pipeline at Tai Wo Service Road West nearby. **R7** urges the future developer(s) to conduct a risk assessment for evaluating the potential risk and determining mitigations if required. There should be further consultation with **R7** at design and construction stages of the proposed developments.

### **R8 & R9**

- 4.2.13 **R8** and **R9** provide comments on compensation and rehousing matters of the North East New Territories New Development Areas (NENT NDAs) and urban renewal matters without specifying the related amendment items.
- 4.2.14 In addition, **R8** further proposes to adopt the development mode of the Urban Renewal Authority (URA) in conducting urban renewal in the Sheung Shui District and to compensate the affected residents in accordance with the practice adopted by the URA. **R9** proposes that there should not be income/assets test if the residents of squatter structures were registered prior to 1982 and to compensate the affected residents in accordance with the practice adopted by the URA if they are owners of the affected lands.

## **5. The Comments on Representations**

- 5.1 All 226 comments received support **R4**'s view which oppose Item B2. Among the 226 comments on representations, 12 of them were submitted by organizations (**C1-C6**, **C8-C9**, **C11**, **C29** and **C32-C33**) including the representer **R4**, and the remaining 214 comments were submitted by individuals (**C7**, **C10**, **C12-C31**, **C34-C226**) who in general representing the employees of BMW Concessionaries (HK) Ltd, car owners of BMW/MINI and individuals (Samples of the comments are at **Annex V**).
- 5.2 **C1** supports **R4** to set up an automobile dealership centre and opines that there should be industrial land to accommodate such advance operation of automobile investors and operators in order to sustain the economy and employment market in Hong Kong. **C1** also provides further views that other areas can be designated for "G/IC" uses while the subject site should be remained as "I" or "OU" zone to facilitate the development of an automobile dealership centre.
- 5.3 **C2 – C226** support **R4** and provide views that the proposed Centre with proper environmental measures would increase the coverage of customer service, upgrade the neighborhood and provide employment opportunities for the local district. The location of the proposed Centre is very convenient for the residents of the New Territories north and west.

## **6. Planning Considerations and Assessments**

- 6.1 The Representation Site (under Items A, B1 and B2) and the Surrounding Areas (Plans H-1 to H-4 and photos on Plans H-6a to H-6g)
- 6.1.1 The FSS Area 48 is located at the fringe of Fanling New Town. The western part of the site is mostly private land currently occupied by temporary workshops, warehouses and various open storage uses. There is a temporary maintenance depot of the Highways Department at the northern boundary abutting Tai Wo Service Road West. A cluster of

squatters/temporary domestic structures (collectively known as Ho Ka Yuen) is found on the Government land at the eastern part of the site. Based on observation from site inspection, the squatter area consists of roughly 40 residential dwellings (**Plan H-4**).

- 6.1.2 The site under Items A, B1 and B2 is situated at the foothill near Wo Hop Shek Village. To the north of the site is Tai Wo Service Road West. To the west is Wo Hop Shek Village. To the immediate east and south of the site are sloping areas covered by vegetation. To further south is Wo Hop Shek Cemetery and the traditional burial grounds of the indigenous villagers. There is a cluster of high-density public and private residential development to the further west including Dawning Views, Avon Park and Wah Sum Estate, of which the PR are ranging from 4.0 to 5.7.

## 6.2 Planning Intention

- 6.2.1 The “R(A)” zone is intended primarily for high-density residential developments. 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. The planned public housing development in FSS Area 48 is under “R(A)3” zone. Development/redevelopment within “R(A)3” is subject to a maximum total GFA of 178,100m<sup>2</sup> and a building height restriction as shown on the Plan (i.e. 140mPD), or the GFA and height of existing building, whichever is the greater. While the building height restriction stipulated on the Plan is the maximum permitted height, a discernible stepped height profile should be adopted to enhance the visual compatibility of the development with the surroundings.
- 6.2.2 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.

## 6.3 Responses to Grounds of Representations and Representers’ Proposal

### ***R3 – Increase Development Intensity for Mixed Public/Private Housing (Item A)***

- 6.3.1 The supportive views of **R3** on the proposal of housing development are noted.

#### Scope to Increase Development Intensity

- 6.3.2 HKPSG stipulates that a domestic PR of 8 should only be permitted where there are no infrastructure constraints such as with close to high capacity transport system. In most existing New Towns, a maximum permitted domestic PR for high-density developments is generally 5.

The PR is applied to the net site area which is calculated from the gross site area excluding slopes, roads and other infrastructure reserves.

- 6.3.3 According to the Policy Address 2014, the Government considers it feasible to generally increase the maximum domestic plot ratio by around 20% as appropriate. However, it does not mean an automatic increase in development intensity for all individual housing sites. The increase in the maximum domestic PR of a site will be pursued only when there is scope in terms of development capacity and the various constraints and impacts could be addressed or mitigated through appropriate measures.
- 6.3.4 The maximum domestic PR of the Fanling/Sheung Shui New Town is generally 5. As per the Policy Address 2014, the PR could be increased 20% from 5 to 6, subject to infrastructural capacity and technical considerations. In this regard, the domestic PR for the proposed public housing development at FSS Area 48 has been increased from 5 to 6 together with a non-domestic PR of 0.5 so as to optimize the development potential of the site. Such development intensity was commensurate with those of the Fanling/Shueng Shui area and other New Towns. As compared with the existing high-density public and private residential developments in the adjacent area, namely Dawning Views, Avon Park and Wah Sum Estate, with a PR of 4.0 to 5.7, the development intensity of the proposed public housing development is considered appropriate.
- 6.3.5 The proposed development intensity has been worked out taken into account the development constraints including limited infrastructure capacities (such as road capacity and sewage treatment capacity), environmental implications (in particular air ventilation and visual impacts) and compatibility with the adjacent village development. Various technical assessments including environmental assessment (EA), visual appraisal (VA), air ventilation assessment (Expert Evaluation) AVA(EA) and traffic impacts assessment (TIA) have been undertaken and confirm that there should be no insurmountable problem for the development. Appropriate building setback, breezeways and air paths have been allowed to optimize air permeability and enhance wind performance.
- 6.3.6 Relaxation of the development intensity is constrained by the limited infrastructure capacities, in particular road capacity and sewage treatment capacity. Commissioner for Transport (C for T), Director of Environmental Protection (DEP) and Chief Engineer/Construction of Water Supplies Department (CE/C, WSD) commented that the design capacity of the existing road network, sewage treatment and water supplies system did not cater for the proposed further increase of development intensity. The proposed relaxation of PR to 7.2 is not substantiated by technical assessments to ascertain the feasibility and impacts of the proposal. Relaxing the PR from 6 to 7.2 would set an undesirable precedent, resulting in similar request for other development sites in the area. The cumulative impacts of further relaxing the

development intensity would result in significant adverse impacts such as environmental, traffic and sewerage, etc.

#### Proposed Public-Private Housing Mix

- 6.3.7 According to Long Term Housing Strategy, the Government will continue to maintain the public / private split of 60:40 for the ten-year period from 2016-17 to 2025-26. Such ratio is applied to the existing Fanling/Sheung Shui New Town as a whole. According to the latest estimate, the public/private housing split of the existing and planned housing developments in Fanling/Sheung Shui New Town is 61:39.
- 6.3.8 In face of the urgent housing needs of Hong Kong people, especially the pressing needs of those waiting to move into public rental housing (the average waiting time for general applicants was 4.1 years as at end-June 2016) or to improve their living environment, the Government has adopted a multi-pronged approach in identifying potential housing sites in the short, medium and long terms. The public housing sites could accommodate about 4,000 households to meet Hong Kong's short- to medium-term housing needs. FSS Area 48 is one of the identified public housing sites submitted for NDC and Legislative Council (LegCo)'s information in June 2014 and January 2015 respectively.

#### Response to **R3**'s Proposal

- 6.3.9 The proposed public housing development with a domestic PR of 6 and non-domestic PR 0.5 is considered appropriate taking into account the development constraints and the findings of various technical assessments as mentioned in paragraph 6.3.6.
- 6.3.10 **R3** proposes to increase the domestic PR from 6 to 7.2 so as allow the provision of an additional private housing tower for 544 flats. However, as indicated in the alternative scheme submitted, it entails an additional residential tower and large podium footprint that would significantly increase the building mass within the site (**Drawings H-R3a and H-R3b**). The proposed increase in development intensity would exacerbate the visual impact to the surrounding area, in particular to the adjoining low-rise village development. Besides, concerned departments have concerns/adverse comments from traffic, sewage, environmental and landscape aspects.
- 6.3.11 DEP commented that Shek Wu Hui Sewage Treatment Works (SWHSTW) is unable to receive the additional flow from the proposed private development. **R3** has not addressed how sewage generated from the proposed private development would be treated and disposed of. Besides, the noise impact assessment (NIA) is unacceptable and it fails to demonstrate that the concerned residential development is not subject to adverse noise impacts.
- 6.3.12 C for T comments that the traffic review submitted by **R3** fails to demonstrate that the Tai Wo Service Road West could cater for the

proposed private housing development and has underestimated the traffic impact of the proposed Centre on the So Kwun Po Road Interchange. Besides, the rearrangement of the cul-de-sac under **R3**'s alternative scheme will adversely affect the public transportation arrangements for the proposed public housing development and the school. Regarding the landscape aspect, CTP/UD&L of PlanD has concern on the provision of landscape and open space in the alternative development scheme.

***R4 & R5 - Rezoning of "I" for "GIC" (Item B2)***

- 6.3.13 The FSS Area 48 had been designated as "I" on the Fanling/Sheung Shui OZP since 1987. The site, adjacent the Wo Hop Shek Village, is currently occupied by temporary workshops, warehouse and various open storage uses. The 2009 Area Assessments recommended that the "I" zone have potential for comprehensive residential development and the "I" zone should be rezoned to facilitate residential development upon working out a feasible development option. This would help upgrade the existing environmental conditions in the area. The findings and recommendations of 2009 Area Assessments have been uploaded to PlanD's website for public information since September 2010.
- 6.3.14 To take forward the recommendation, HD has conducted a feasibility study and recommended a proposed public housing development at FSS Area 48 under Item A. FSS Area 48 is one of the identified public housing sites submitted for NDC and LegCo's information in June 2014 and January 2015 respectively, of which the relevant information is available to the public. To support the public housing development and meet the demand of the Fanling/Sheung Shui New Town, S for E requested the provision of two primary schools in the area. In this regard, S for E reconfirms the need of the primary school site under Item B2 to serve the local community.

**School Use (R4)**

- 6.3.15 With the implementation of the proposed public housing development and the existing Wo Hop Shek Village to its west, FSS Area 48 would become a residential neighborhood. The G/IC use is considered compatible with the surrounding residential use. Besides, the proposed school development could serve as a visual buffer between the proposed high-density residential development and low-rise village houses in Wo Hop Shek Village. Concerned departments including DEP, C for T, CE/C of WSD and Chief Engineer/Mainland North of Drainage Services Department (CE/MN of DSD) have been consulted and considered that it would not cause any insurmountable problems on environmental, traffic, sewerage, drainage and water supplies aspects. DEP has been consulted and there is no insurmountable noise problem of the site for the school developments.

#### Alternative School Sites (R4)

- 6.3.16 **R4** proposes three alternative school sites in Fanling/Sheung Shui and suggests two vacant village school sites. However, the proposed sites are considered not feasible. The proposed site at Castle Peak Road is currently used as a Towngas Fanling West Offtake Station serving the North District, WSD's Fanling Waterworks Depot and various Government workshops. Another proposed site at the junction of San Wan Road/Shau Tau Kok Road – Lung Yeuk Tau has been planned for the New Territories East Cultural Centre. For the "G/IC" site at Chi Wah Lane, it has been reserved for the planned police facilities (**Drawing H-R4d**). Regarding the village school, the Former Tsung Him School is being actively pursued for accommodating an international school. The Former Wo Him School site with an area of about 1,500m<sup>2</sup> is too small to accommodate a standalone primary school (**Plan H-5**).
- 6.3.17 Apart from **R4**'s proposal, other vacant "G/IC" sites in Fanling have been reviewed. However, it is noted that all vacant G/IC sites with sufficient dimension have been planned for designated G/IC uses to support the new town development. No suitable alternative "G/IC" site could be identified for the required primary school.

#### Consultation (R4)

- 6.3.18 The administrative procedures in consulting the public on the proposed zoning amendments have been duly followed as set out in paragraphs 3.1 and 3.2. Also, the exhibition of OZP for public inspection and the provisions for submission of representations and comments form part of the statutory consultation process under the Ordinance.

#### Proposed Automobile Dealership Centre (R4)

- 6.3.19 Regarding **R4**'s proposed Automobile Dealership Centre, the main facilities include a vehicle holding area, training area, workshop (for car-repairing and car washing), driving gallery and office. It is considered not entirely compatible with the existing and planned residential development. Concerned departments including Project Manager/New Territories East of Civil Engineering and Development Department (PM/NTE of CEDD), C for T, CE/MN of DSD and CTP/UD&L of PlanD have concerns/adverse comments from traffic, environmental and landscape aspects.
- 6.3.20 PM/NTE of CEDD commented that the proposed run-in and Emergency Vehicle Access (EVA) of the proposed Centre will be in conflict with the future realigned Tai Wo Service Road West. C for T pointed out that **R4** has not provided sufficient information to justify the relatively low estimated trip rate (i.e. 97 vehicles per day and 22 passenger car units (pcu) in total during peak hours). Thus, its conclusion of no adverse impacts to the traffic networks is unfounded. Besides, the traffic review

submitted by **R4** fails to address the public transport arrangement for the development. CE/MN of DSD stated that the sewage impact assessment has not assessed the impacts of all facilities such as water features and water pond, and is considered unacceptable. DEP raised that further assessments would need to be conducted to identify the mitigation measures required (such as the location of the discharge port of air extraction system, details of double-skin façade and noise reducing louvers) to address the environmental concerns arising from the Centre. CTP/UD&L of PlanD raised concern as the adverse impact of the development on the existing trees was not ascertained in the planning statement. In sum, **R4** fails to demonstrate that the proposed Centre is technically feasible.

#### Provision of Industrial Land (R5)

- 6.3.21 According to the 2014 Area Assessments, there is an increasing demand forecast in industrial floor space in 2018 and 2023. To meet the demand of industrial land, the Area Assessments have recommended that available government sites in "I" zone, if considered suitable, may be considered to be disposed in the short- to medium-term to help augment potential industrial land supply. In the long-term, suitable new industrial land would be identified, planned and reserved to meet the future demand of the industrial sector. To this end, economic land requirements and spatial development strategy for various types of industrial uses among others will be reviewed holistically in the Hong Kong 2030+: Towards a Planning Vision and Strategy Transcending 2030 (Hong Kong 2030+).
- 6.3.22 Besides, the 2014 Areas Assessments have also made various recommendations to enhance the On Lok Tsuen industrial area in Fanling to better utilize the industrial land resources. The Area Assessments has also suggested that consideration be given to disposing suitable government sites in the On Lok Tsuen to industrial development which may act as a catalyst to encourage more redevelopment of existing industrial buildings to meet the demand.
- 6.3.23 Since the release of the 2009 Area Assessments, FSS Area 48 has already been recommended for rezoning for comprehensive residential development. The 2014 Area Assessments has re-confirmed the potential of the site for residential development which could also help upgrade the environment of the area. To take this forward, HD has conducted a feasibility study with various assessments to work out the technical details of the proposed public housing development.

#### ***R6 – Felling of Trees (Item A and B1)***

- 6.3.24 **R6** opposes the rezoning of the concerned sites from “I” and “GB” to “R(A)3” and “G/IC” under Items A and B1 and requests information of trees on site. The concerned area is along the foothill at the south of Wo Hop Shek Village, partly covered by trees and structures. According to Director of Agriculture, Fisheries and Conservation (DAFC), there is no



record of rare species and important trees within the site. HD will reserve the concerned area for slope protection/retaining structure and preserve the trees as far as possible. Detailed tree survey would be conducted and appropriate landscape measures would be worked out at the detailed design stage. Unnecessary tree felling will be minimized within the site and compensatory trees/plantings would be maximized when opportunities arise.

***R7 – Gas Safety (Items A, B1 and B2)***

- 6.3.25 **R7's** comments on the gas safety are noted. Director of Electrical and Mechanical Services (DEMS) has been consulted and there is no insurmountable risk problem of the site for the public housing and school developments. For Item A, HD conducted Qualitative Risk Assessment (QRA) for the existing High Pressure Gas Pipe for the proposed public housing development and sufficient building buffer distance for the underground high pressure town gas pipeline along Tai Wo Service Road West has been reserved. For Items B1 and B2, the proposed school developments are Government projects and the project proponent will conduct relevant technical assessments for the future development and the relevant departments, including DEMS will be consulted accordingly. The project proponents are advised to liaise with R7 on any possible interface at implementation stage.

***R8 and R9 – Compensation and Rehousing***

- 6.3.26 **R8** and **R9** raise comments on compensation and rehousing matters of the NENT NDAs and urban renewal without specifying the related amendment items on the OZP. In this regard, the concerned area falls outside the Kwu Tung North and Fanling North NDAs and is currently occupied by temporary workshops, warehouses and various open storage uses. A cluster of squatter/temporary domestic structures are found on the Government land at the eastern part of the area. For affected residents, the Government will offer compensation, Ex-gratia Allowances and/or rehousing arrangements to the eligible affected parties in accordance with existing policies.

6.4 Response to Ground of Comments

Comments relating to the availability of industrial land and hence expansion of the service coverage as well as provision of employment opportunities

- 6.4.1 With regard to the provision of industrial land, in particular industrial land to accommodate the advance operation of automobile investors and operators, the responses as stated in paragraphs 6.3.21 and 6.3.22 are relevant.

Comments relating to the upgrading of neighbourhood

- 6.4.2 As recommended in the 2009 Area Assessments, FSS Area 48 had potential for comprehensive residential development. The 2014 Area Assessment has re-confirmed the potential of the site for residential

development which could also help upgrade the environment of the area. The rezoning from “I” to “G/IC” and “R(A)3” would help upgrade the existing environmental conditions. To support the public housing development and meet the future demand of Fanling/Sheung Shui New Town, a primary school site is required at Item B2 to serve the local community. In addition, the proposed school could serve as a visual buffer between the public housing development and village houses in Wo Hop Shek Village.

Comments relating to the alternative school sites

- 6.4.3 With regard to the proposal on reprovisioning the school at alternative school sites or other “G/IC” sites, the responses as stated in paragraphs 6.3.16 and 6.3.17 are relevant.
- 6.4.4 The major grounds of comments and PlanD’s response are at **Annex VIII**.

**7. Consultation**

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

- (a) Secretary for Education;
- (b) District Lands Officer/North, Lands Department;
- (c) Commissioner for Transport;
- (d) Director of Housing;
- (e) Director of Environmental Protection;
- (f) Chief Town Planner/Urban Design and Landscape, PlanD;
- (g) Chief Architect/Central Management Division 2, Architectural Services Department;
- (h) Department of Electrical and Mechanical Services;
- (i) Chief Engineer/Construction, Water Supplies Department;
- (j) Chief Engineer/Mainland North, Drainage Services Department;
- (k) Chief Estate Surveyor/Acquisition, Lands Department;
- (l) District Officer (North), Home Affairs Department;
- (m) Director of Agriculture, Fisheries and Conservation;
- (n) Project Manager/New Territories East, Civil Engineering and Development Department;
- (o) Head of Civil Engineering Office, Civil Engineering and Development Department; and
- (p) Chief Building Surveyor/New Territories West, Buildings Department;

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

- (a) Director of Leisure and Cultural Services;
- (b) Chief Highway Engineer/New Territories East, Highways Department;
- (c) Chief Engineer/Railway Development 2-2, Highways Department;
- (d) Head of Geotechnical Office, Civil Engineering and Development Department;
- (e) Director-General of Trade and Industry;

- (f) Director-General of Communications;
- (g) Director of Food and Environmental Hygiene;
- (h) Director of Health;
- (i) Director of Social Welfare;
- (j) Government Property Administrator;
- (k) Director of Fire Services; and
- (l) Commissioner of Police.

## **8. Planning Department's Views**

- 8.1 The supportive views of **R3** on the proposal of housing development are noted.
- 8.2 Based on the assessments in paragraph 6 above and the following reasons, PlanD does not support the remaining part of **R3** and **R4 to R9** and considers that the draft OZP should not be amended to meet the representations:

### **For R3**

- (a) The proposed development intensity for the public housing development which has been taken into account the relevant development constraints and planning considerations is considered appropriate. Technical assessments have been conducted and confirm no insurmountable adverse impacts of the proposed development.
- (b) The public / private split of 60:40 ratio is applied to that of the existing Fanling/Sheung Shui New Town as a whole but it is not necessary that the 60:40 split must be distributed within any individual development.

### **For R4 & R5**

- (c) The 2009 and 2014 Area Assessments have recommended the rezoning of the "I" zone at Fanling Area 48 for comprehensive residential development. Two primary schools are required to support the public housing development and meet the demand of the district. (R4 & R5)
- (d) The "G/IC" site is intended to provide a primary school to meet the demand of district. The school use is compatible to the surrounding existing/planned residential development. (R4 & R5)
- (e) The statutory and administrative procedures in consulting the public on the proposed zoning amendments have been duly followed. The exhibition of the Plan for public inspection and the provision for submission of representation/comments form part of the statutory consultation process under the Ordinance. (R4)
- (f) The 2014 Area Assessments have recommended short- to long- terms measures to help augment potential industrial land supply. Economic land requirements and spatial development strategy for industrial uses will be reviewed in the Hong Kong 2030+ Study. (R5)

**For R6**

- (g) There is no record of rare species and important trees within the site. While the area would be reserved for slope protection/retaining structure, the trees would be preserved as far as possible.

**For R7**

- (h) There is no insurmountable risk problem of the site for the public housing and school developments. A Qualitative Risk Assessment (QRA) has been conducted by HD and sufficient building buffer distance has been reserved in the public housing scheme. Besides, project proponent will conduct relevant technical assessments for the future school development and the relevant departments will be consulted accordingly. The project proponents are advised to liaise with R7 on any possible interface at implementation stage.

**For R8 and R9**

- (i) The concerned area falls outside the Kwu Tung North and Fanling North NDAs. For affected residents, the Government will offer compensation, Ex-gratia Allowances and/or rehousing arrangements to the eligible affected parties in accordance with the existing policies.

**9. 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 “R(A)” Zone and “G/IC” Zone of the Draft Fanling/Sheung Shui OZP No. S/FSS/21
Annexes IV-R3 to IV-R9	Submissions made by the Representers
Annex V	Sample Submissions made by the Commenters (a disc containing all comments is for Board Members only)
Annex VI	List of Representers
Annex VII	List of Commenters
Annex VIII	Summary of Representations and Comments and PlanD’s Response
Annex IX	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 X	Provision of Major Community Facilities in Fanling/Sheung Shui
Appendix I	Schedule of Uses for the “OU (Automobile Dealership Centre)” zone Submitted by R4
Drawings H-R3a to H-R3d	Drawings Submitted by R3
Drawings H-R4a to H-R4e	Drawings Submitted by R4
Plan H-1	Location Plan of the Representation Sites
Plan H-2	Site Plan of the Representation Sites
Plan H-3	Aerial Photo
Plan H-4	Land Status of the Representation Sites
Plan H-5	Alternative School Sites and Vacant School Sites Proposed by R4
Plans H-6a to H-6g	Site Photos

**PLANNING DEPARTMENT**  
**SEPTEMBER 2016**