

TOWN PLANNING BOARD

TPB Paper No. 9796

**For Consideration by the
Town Planning Board on 27.11.2014**

**DRAFT TAI PO OUTLINE ZONING PLAN NO. S/TP/25
CONSIDERATION OF REPRESENTATIONS
NO. TPB/R/S/TP/25- R6(PART) TO R1273(PART), R1274 TO R1323,
R1324(PART), R1326(PART), R1625(PART), R6322(PART)
AND COMMENTS NO. TPB/R/S/TP/25-C2(PART) TO C79(PART)
(Group 1)**

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AND COMMENTS NO. TPB/R/S/TP/25-C2(PART) TO C79(PART)
(Group 1)

Subject of Representation/ Representation Site	Representers (No. TPB/R/S/TP/25-)
<p><u>Amendment Item A1</u> Rezoning of two sites at Tai Po Area 9 from “Green Belt” (“GB”) to “Residential (Group A)9” (“R(A)9”)</p> <p><u>Amendment Item A2</u> Rezoning of a site at Tai Po Area 9 and the eastern portion of Chung Nga Road from “Government, Institution or Community” (“G/IC”) to “R(A)9”</p> <p><u>Amendment Item A3</u> Rezoning of a site at the western portion of Chung Nga Road from “GB” to “R(A)9”</p> <p><u>Amendment Item A4</u> Rezoning of two sites at the western portion of Chung Nga Road from “G/IC” to “R(A)9”</p> <p><u>Amendment Item A5</u> Rezoning of a site at the western portion of Chung Nga Road from “G/IC” to area shown as ‘Road’</p> <p><u>Amendments to the Notes of the Plan</u> To incorporate the planning intention of developing the sites zoned “R(A)9” for public housing</p>	<p><u>Total: 1,322</u></p> <p><u>Oppose one or more or all of Items A1 to A5 R6(Part) to R13(Part), R15(Part), R21(Part) to R1273(Part), R1276 to R1323, R1324(Part), R1625(Part) and R6322(Part):</u> Individuals</p> <p>R14(Part): Designing Hong Kong Ltd. R16(Part): Legislative Councillor R17(Part): The Conservancy Association R18(Part): Kadoorie Farm & Botanic Garden Corporation R19(Part): The Hong Kong Bird Watching Society R20(Part): Green Sense R1274: Honor More Limited R1275: Village Representatives of Nam Hang R1326(Part): Tai Po Rural Committee Chairman</p>
	<p style="text-align: center;">Commenters (No. TPB/R/S/TP25-)</p> <p><u>Total: 78</u></p> <p><u>Support representations (R16 to R1273) opposing one or more or all Items A1, A3, C, D2, E, F and H</u> C2(Part) to C79(Part): Individuals</p>

Note: A CD-ROM containing names of all representers and commenters as well as their submissions is enclosed at **Annex XIII** [for TPB Members only]. The names of all representers and commenters can be found at the Board’s website at http://www.info.gov.hk/tpb/en/plan_making/S_TP_25.html.

1. Introduction

- 1.1 On 11.4.2014, the draft Tai Po Outline Zoning Plan (OZP) No. S/TP/25 (the Plan) (**Annex I**) was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). The amendments are set out in the Schedule of Amendments at **Annex II**. During the two-month exhibition period, a total of 6,322 representations were received. On 5.8.2014, the Town Planning Board (the Board) published the representations for three weeks for public comments. A total of 440 comments were received and one of which is considered invalid.
- 1.2 The amendments involve rezoning of three sites at Tai Po Area 9 and Chung Ng Road for public housing development (**Amendment Items A1 to A5**), six sites for private residential developments (**Amendment Items C to H**) and two sites related to "G/IC" uses (**Amendment Items B and J**) including a site in Hong Chi Pinehill Village and a youth hostel development at Po Heung Street (**Annex I**). Representations **R6 to R1273** and **R1324 to R6321** mainly object to the rezoning of "GB" for residential developments (**Amendment Items A1, A3, C, D2, E, F and H**), in particular, the sites at Fung Yuen (**Amendment Items D1 and D2**) (**R1329 - R1628**) and Lo Fai Road (**Amendment Item E**) (**R1629 - R6321**) which account for 300 and 4,693 representations respectively.
- 1.3 Another 50 representations (**R1274 - R1323**) mainly submitted by individuals object to the rezoning of the site at Chung Nga Road West from "GB" and "G/IC" for public housing development (**Amendment Items A3 and A4**). There are some representations (**R1 - R5**) which give views on the zoning amendments. These include an individual (**R1**) supporting the zoning amendments as an effective way to increase housing supply, The Hong Kong and China Gas Co. Ltd. (**R2**) requesting that the future developer of the housing site at Lai Chi Shan (**Amendment Item F**) should conduct a risk assessment on the high pressure pipeline in the vicinity, MTRCL (**R3**) indicating that the youth hostel site at Po Heung Street (**Amendment Item J1**) may be subject to noise from the East Rail, a District Council member (**R4**) and Village Representatives and villagers of Cheung Shue Tan and Tai Po Mei (**R5**) considering that the rezoning of a site at Kon Hang (**Amendment Item H**) would have feng shui impact.
- 1.4 On 24.10.2014, the Board agreed to consider the representations and comments collectively in two groups as follows¹:
 - (a) Group 1: collective hearing for representations in relation to objections against the rezoning for public housing development; and
 - (b) Group 2: collective hearing for representations and related comments mainly in relation to the rezoning of sites for private residential developments (**Annex II** and **Plan H-1**).
- 1.5 The comments on the representations support the representations against the rezoning of "GB" sites for residential developments (**C1 - C80**) and **Amendment Item E** concerning a proposed residential site at Lo Fai Road (**C81 - C439**).

¹ The grouping of representations and comments was subsequently rearranged, which was agreed by Members of the Board by circulation.

- 1.6 This paper is to provide the Board with information for the consideration of Group 1 and a summary of representations and comments for this group is attached at **Annex XII**. The representation sites are shown in **Annex I** and **Plan H-1**. The remaining representations in Group 2 will be considered by the Board under a separate paper.
- 1.7 The representers and commenters have been invited to attend the meeting in accordance with section 6B(3) of the Ordinance.

2. **Background**

- 2.1 It was stated in the 2013 Policy Address that the Government would adopt a multi-pronged approach to build up land reserve with a view to meeting housing and other development needs. "G/IC" sites with no designated use and "GB" sites adjoining development areas with no ecological value would be reviewed for housing purpose. The development intensity of Government's unallocated residential sites would also be increased as far as allowable in planning terms. It was reaffirmed in the 2014 Policy Address that the Government would continue to review various land uses and rezone sites as appropriate for residential use.
- 2.2 "GB" zones mainly fall on slopes and hillsides near the fringe of urban or developed areas and vary in locations and conditions. The review of "GB" sites ("GB" review) comprises two stages. In the first stage of "GB" review completed in 2012, the Planning Department (PlanD) mainly identified and reviewed areas zoned "GB" that are devegetated, deserted or formed. With the completion of the first stage of "GB" review, the 2013 Policy Address announced that PlanD was conducting the next stage of "GB" review, with the purpose of releasing more sites for housing development. The second stage of "GB" review considered those vegetated "GB" sites with a relatively lower buffer or conservation value and adjacent to existing transport and infrastructure facilities.
- 2.3 In considering if the "GB" sites are suitable for development, concerned government departments will examine if the development would bring about significant adverse impacts to the surroundings and if necessary, technical assessments would be carried out to ascertain these impacts and devise mitigating measures to minimize the potential impacts. Relevant considerations including transport and infrastructure capacity, provision of community facilities and open space, appropriate development restrictions, local character and existing development intensity, potential environmental, visual and air ventilation impacts etc. have been taken into account in the "GB" review.
- 2.4 To meet the housing need of the community and the Long Term Housing Strategy (LTHS) of providing a total of 470,000 public and private housing units in the coming ten years, six sites in Tai Po have been identified for rezoning from "GB" for private residential developments to provide about 4,175 flats and three sites at Chung Nga Road and Tai Po Area 9 are identified for a comprehensive public housing development to provide about 6,350 flats.

- 2.5 The 2014 Policy Address also announced that except for the north of Hong Kong Island and Kowloon Peninsula, which are more densely populated, the Government considers it feasible to generally increase the maximum domestic plot ratio (PR) currently permitted for the other “density zones” in the territory by around 20% as appropriate. In general, the maximum PR for most of Tai Po New Town falls within Density Zone 2 (i.e. PR of 5). To maximize the development potential of housing land as announced in the Policy Address, in general a PR of 6 for Tai Po is proposed for the high-density residential sites identified, which is equivalent to the maximum of Density Zone 2 (i.e. PR 5) with a 20% increase. For the low density zone with PR of less than 1, consideration could be given to increase the PR by 100% subject to confirmation on traffic and infrastructural capacities and no adverse impact on local characteristics and the surrounding environment.
- 2.6 The proposed amendments together with the views of the Environment, Housing and Works Committee (EHWC) of Tai Po District Council (TPDC) were submitted to the Rural and New Town Planning Committee (RNTPC) for consideration on 4.4.2014 and the Plan, incorporating the above amendments, was exhibited under section 5 of the Ordinance on 11.4.2014 (**Annexes I and II**).

3. Local Consultation

- 3.1 Prior to the submission of the proposed amendments to the Plan for consideration by the RNTPC of the Board, EHWC was consulted, among others, on the proposed rezoning for residential developments on 8.1.2014 and 13.2.2014. EHWC supported the PlanD’s suggestions in principle despite some members had expressed concerns on a number of amendment items from environmental and traffic point of views. The EHWC also relayed the concerns of the local community on the rezoning of the Lo Fai Road site under Amendment Item E. The minutes of the meetings are attached for Members’ reference (**Annexes V and VI**).
- 3.2 For rezoning of the site at Lo Fai Road, PlanD met with a TPDC member and joint representatives from the Owners Incorporations of the five residential estates at Lo Fai Road on 4.3.2014 to explain the amendments to the OZP. The local views collected had been incorporated into the RNTPC paper to facilitate RNTPC’s consideration of the rezoning proposal on 4.4.2014.
- 3.3 During the exhibition period of the Plan, representatives of PlanD, Transport Department (TD), Agriculture, Fisheries and Conservation Department (AFCD) and District Office/Tai Po (DO/TP) attended a meeting with Owners of Incorporations of the five residential estates at Lo Fai Road on 3.5.2014 to exchange views on the proposed residential development under Amendment Item E and the potential impacts.
- 3.4 On 8.5.2014, the TPDC passed a motion that “the TPDC asks that the PlanD and the Town Planning Board fully consider the dissenting views of the TPDC and the residents and stakeholders concerned on the proposed rezoning of the green belt on Lo Fai Road (site of Item E) to “Residential (Group C) 9”. The relevant extracts of the minutes of TPDC meeting are attached for Members’ reference (**Annex VII**).

- 3.5 EHWC was further consulted at its meeting held on 14.5.2014 on the gazetted amendments. EHWC supported Amendment Items B and J but had some concerns/reservations on the other Amendment Items for residential developments. As for the public housing development under Amendment Item A, EHWC expressed support but considered that the Government could develop Tai Po Area 9 (TP9) and Chung Nga Road East (CNRE) sites first and then deal with the planning issues of Chung Nga Road West (CNRW) site later. The minutes of the meeting are attached for Members' reference (**Annex VIII**).

4. **The Representations**

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

A total of 1,322 valid representations relating to Amendment Items A1 to A5 (**Annex II**) were received and will be considered under this Group.

Adverse Representations

- (a) **R6(Part)** to **R10(Part)** object to all items. **R11(Part)** to **R1273(Part)** and **R6322(Part)** object to rezoning of "GB" and/or "G/IC" sites for residential developments in general (Samples of representations submitted are in **Annex III**);
- (b) **R1324(Part)** object to Amendment Items A1 and A3 on the grounds that "GB" sites are public resources and the housing type proposed could not solve the housing need of Hong Kong;
- (c) **R1625(Part)** expresses concern that Amendment Item A1 may affect the burial ground of Fung Yuen;
- (d) **R1274** indicates not opposing to rezoning the site under Amendment Items A3 and A4 from "GB" and "G/IC" for residential use but requests that it be rezoned to "Comprehensive Development Area" ("CDA") and not to specify it for public housing use. **R1275**, with the support of **R1326(Part)**, expresses conditional objection to Amendment Items A3 and A4 on the grounds that the proposed development would affect the feng shui and burial ground of Nam Hang Village. **R1276** to **R1323** object to Amendment Item A3 and propose to use the site for private housing development.

The representations are summarized in **Annex XII**.

4.2 **Major Grounds and Proposals of Representations - General**

- 4.2.1 The major grounds of the adverse representations as mentioned in paragraph 4.1 above are summarized below: (**R6(Part)** to **R1273(Part)**, **1324 (Part)** and **R6322(Part)**)

Government Policy and Housing Supply

- (a) The proposed rezoning sites are richly covered with vegetation and dense woodlands rather than “devegetated, deserted or formed” as advocated by the Government. The proposed rezoning proposals are not in line with the Government’s Policy Address. The large scale development of “GB” indicates a vital change in Policy without public consultation.
- (b) The Government has not well utilized the existing land. The Government should develop the brownfield sites and consider redevelopment of under-utilized sites first, rather than devastating the environment and the ecology to give way for development.
- (c) The zoning amendments are contrary to public interest and public expectations that the wooded landscapes are to be protected and valued. These amendments will create a bad precedent and cause cumulative adverse impacts in future.

Preservation of the “GB” zone, tree felling and landscape impact

- (d) The proposal would involve extensive clearance of vegetation. The cumulative impact has not been addressed.
- (e) The proposed rezoning “GB” sites play an important role in maintaining the public’s quality of life by improving the landscape and air quality as well as moderating the heat island effect. They have always been a vital buffer between the urban area and Country Park and cannot be sacrificed. The proposed rezoning is against the planning intention of “GB”.
- (f) There is fundamental failure to detail the ecological importance of the rezoning sites. Site visits and ecological survey done by green groups reveal findings very different from those of the Government.
- (g) Hong Kong is a signatory to the Convention of Biological Diversity (CBD) but is not complying with its requirements.

Lack of technical assessments and adverse impacts

- (h) Insufficient technical assessment had been conducted. Various technical assessments including comprehensive ecological assessment and tree survey should be conducted prior to development.
- (i) The housing sites are distant from the railway station. Demand on public transport and transport infrastructure would have impacts on existing and future residents as roads in Tai Po are already congested.
- (j) Construction works and developments will bring nuisance to the sensitive receivers.

- (k) There are not sufficient supporting community facilities such as medical services, education and other community services to serve the increased population. There are concerns over the Tai Po town carrying capacity as the rezoning proposal will bring about an increase of 29,500 residents with more demand for land for infrastructure, commercial and community facilities. At present, primary and kindergarten places are already under provided in the Tai Po district.

Public Consultation and planning procedures

- (l) The Government has extensively rezoned "GB" sites all over Hong Kong, which is an important directional change in Hong Kong's town planning policy. Nonetheless, no in-depth comprehensive consultation has been conducted. At present, the issue is dealt with on a piecemeal basis at District Council level, which is contrary to procedural justice.
- (m) There had been no prior public consultation and/ or the consultation process with TPDC was improper/misleading. The proposed amendments should be withdrawn and Government should carry out extensive public consultation afresh.

4.2.2 Specific Grounds on Amendment Items A1 and A2

- (a) The site is a natural hillslope covering with dense vegetation, which acts as a buffer within urban periphery and with Fung Yuen Site of Special Scientific Interest (SSSI). Furthermore, the site is considered not suitable for high density housing development due to high relief, potential impact of chimney of the adjacent hospitals and lack of supporting facilities. Future development at the site may have impacts to nearby sensitive areas, such as Fung Yuen SSSI, Pat Sin Leng Country Park. **(R17 (Part))**
- (b) The proposed development would bring shading effect to the farmland at the site and Fung Yuen SSSI. **(R14 (Part))**
- (c) The site under Amendment Item A1 adjoins the burial ground of Fung Yuen. A 30m wide tree planting strip should be reserved as a buffer. **(R1625 (Part))**
- (d) The "G/IC" zoning under Amendment Item A2 should be retained for specialist institutions and schools such as Pine Hill focusing on rehabilitation. **(R13 (Part))**

4.2.3 Specific Grounds on Amendment Items A3 and A4

R1274

- (a) The Board should consider rezoning the site to "CDA" so as to exercise full planning control on the future residential development.

- (b) Specification of the planning intention for public housing in the Notes of OZP is against the long-established practice of allowing sufficient flexibility under the OZP.

R1276 to R1323

- (c) The site should be used for private housing development as there is an over-concentration of public housing in the area.
- (d) Private housing development at the site would help improve the housing mix in the area, enhance the balance of age of population, inject new energy, increase commercial activities and job opportunities, bring about better design and supporting facilities, and have less pressure on infrastructure and public facilities/services.
- (e) Private housing development would facilitate timely provision of flats in the locality without land resumption.

R1275

- (f) The proposed development would affect the feng shui and burial ground of Nam Hang Village. Prior negotiation with the villagers to resolve the issues on feng shui and access to burial grounds is required.
- (g) The village development area, infrastructure and supporting facilities of Nam Hang Village and the peripheral areas should be included for comprehensive planning. Development restrictions on "GB" of Nam Hang should be relaxed so as to release more land for Small House development. **R1326(Part)** supports the views of **R1275**.

5. Comments on Representations

C2(Part) to C79(Part) (samples in **Annexes IV-1 and IV-2**) submitted in the form of standard letters express support to part of **R16 to R1273's** opposition to rezoning of the "GB" sites at TP9, CNRW and CNRE for residential development. Their views are in general very similar to the representations.

6. Planning Considerations and Assessment

6.1 The Representation Sites and the Surrounding Areas

6.1.1 Amendment Items A1 to A5 (Plans H-2a-1, H-3a-1 to 7)

- (a) An area to the north Tai Po Hospital in TP9 and two pieces of land at Chung Nga Road have been identified for a comprehensive public housing development to provide a total of about 6,350 flats, two schools, retail and various social welfare facilities. Based on Housing Department's latest preliminary proposal as shown on **Plan H-5**, major development parameters of the proposed comprehensive public

housing development under “R(A)9” zone are at **Annex IX**. The site with an area of about 9.6 ha is located in the northern fringe of Tai Po New Town. It is composed of three portions, namely, CNRE and CNRW sites along Chung Nga Road and an area previously reserved for private hospital development and its adjacent vacant Government land to the north of Tai Po Hospital in TP9 (**Plan H-2a-1**). Majority of land within the site is government land except part of the CNRW site which comprises 0.85 ha of private land.

- (b) The TP9 site was previously a borrow area (**Plan H-3a-2**) which was reinstated and replanted thereafter. It mainly consists of two existing platforms at about 33mPD and 52mPD with slopes in between. It is vacant and covered with shrubs and vegetations (**Plan H-3a-1**). Exotic trees and weedy plants are the dominant species such as *Acacia auriculiformis* (耳果相思), *Acacia confusa* (台灣相思), *Eucalyptus spp.* (桉屬), *Leucaena leucocephala* (銀合歡), etc. The CNRE site is being used as a temporary cultivation area by Hong Chi Pinehill Village (**Plan H-3a-4**). Some tree groups are located at its northern periphery with species such as *Bridelia tomentosa* (土蜜樹), *Schefflera octophylla* (鵝掌柴), *Ficus variegata* (青果榕), etc. The CNRW site is located on a gentle slope partly vacant and partly covered with shrubs and tree groups with scattered temporary structures and a small Drainage Services Department works area in the southeast (**Plan H-3a-5**). The trees include exotic species such as *Acacia confusa* (台灣相思), and native species such as *Ficus variegata* (青果榕), *Macaranga tanarius* (血桐), etc. The CNRW site is accessible via an access track with a width of about 7m leading from Chung Nga Road.
- (c) Developments in the surrounding areas generally consist of institutional uses, including the Hong Chi Pinehill Integrated Vocational Training Centre, the Tai Po Hospital and the Nethersole Hospital, as well as public housing developments including Chung Nga Court and Fu Heng Estate. A permitted burial ground is located to the east of the TP9 site on a natural hillslope overgrown with mature trees (**Plan H-2a-1**). The Fung Yuen SSSI is located to the further north of the site (**Plan H-1**). Opposite to the eastern spur of the site is a “CDA” development under construction at Fung Yuen. To the south of the CNRW site across Chung Nga Road is Fu Heng Estate, Chung Nga Court and Hong Kong Red Swastika Society Tai Po Secondary School.
- (d) To the north of CNRW site are the permitted burial grounds of Nam Hang Village and a large “GB” area with footpaths connecting to Wilson Trail and further north to Pat Sin Leng Country Park. To the further west is Nam Hang Village which is a recognized village (**Plan H-2a-1**). Clusters of village house intermixing with temporary structures and tree groups are found. It is served by a range of GIC facilities and open space including village office, refuse collection point, public toilet, public car park and sitting-out areas. Commercial

and transport facilities provided in Fu Heng Estate and Tai Yuen Estate are readily available to serve the villagers. Drainage and sewerage systems have been provided, with proper connections to the drainage system along Ting Lai Road and Chung Nga Road.

- (e) The CNRW site is the subject of a s.12A application (No. Y/TP/19) for rezoning the site from “GB” to “Residential (Group B)8” for private residential development (**Plan H-2a-2**). The application was considered by the RNTPC on 4.4.2014 together with the proposed zoning amendments to the OZP. After assessing the merits of developing public or private housing on the application site, the RNTPC considered that public housing was more suitable and decided to reject the rezoning application mainly, amongst others, on the grounds that part of the application site would be included as an integral part of a comprehensive public housing development. A brief summary of the major development parameters of the application and the proposed public housing development scheme is at **Annex X** and a plan showing the site boundaries is at **Plan H-2a-2**.

Planning Intentions

- 6.1.2 The “GB” zone is intended primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.
- 6.1.3 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.
- 6.1.4 The “Residential (Group 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. For the “R(A)1” and “R(A)9” zones, the planning intention is for public housing development.

6.2 Responses to Grounds of Representation

Adverse Representations - General

Government Policy and Housing Supply

- 6.2.1 Planning is an on-going process and the Government will continue to review zonings of different sites from time to time so as to provide land to meet the economic and development needs of Hong Kong. The general background of the Government’s Policy and efforts to increase housing supply has been laid down in paragraph 2 above. To increase and expedite

housing land supply in the short to medium term to meet the community's acute housing needs, the Government needs to optimise the use of developable land in the existing urban areas and new towns, as well as in their nearby areas with infrastructural facilities available. In this connection, the Government has been carrying out various land use reviews, including reviews on "G/IC" sites, the Government land currently vacant, under Short Term Tenancies or different short-term or Government uses, as well as the review on "GB" sites, with a view to identifying suitable sites for residential use.

- 6.2.2 Various technical assessments/reviews including traffic, sewerage, drainage, water supply, environmental, air ventilation and visual impacts have been undertaken where necessary. It has been confirmed that the amendments would not cause insurmountable problems on traffic and other infrastructural capacity as well as on the environmental, air ventilation and visual aspects. Requirements for submission of tree preservation proposals and landscape proposals/landscape master plan, where appropriate, will be included in the lease conditions of the housing sites.
- 6.2.3 Land suitable for development in Hong Kong is scarce and there is a need to optimize the use of land available to meet the increasing housing demand. To increase and expedite housing land supply in the short to medium term, the Government is taking a multi-pronged strategy to increase supply of flats. The brownfield sites could also be considered if found suitable for residential development. Supply of various types of housing will help meet different needs of the community. The rezoning proposals will contribute to the Government's effort in meeting the pressing need for increase housing land supply to both public and private sectors. It is estimated that the proposed residential sites under amendments would in total produce 10,525 flats, 6,350 for public housing and 4,175 for private housing.

Preservation of the "GB" zone, tree felling and landscape impact

- 6.2.4 The proposed "GB" sites for rezoning are mostly adjacent to disturbed or developed areas at urban fringe. According to Director of Agriculture, Fisheries and Conservation (DAFC), no designated sites of conservation interest are located within or in close proximity to the sites. Trees found in these sites are largely trees of exotic or common species. In this regard, it is unlikely that the rezoning would result in significant ecological issues. If tree felling and substantial clearance of vegetation are necessary at the "GB" sites to facilitate residential developments, the Government will carry out tree surveys to ascertain the condition and strive to minimize the impacts on the environment by requiring the developer to carry out appropriate mitigation measures, including preservation or relocation of existing trees with conservation value, or compensatory planting in accordance with the existing guidelines² and tree preservation mechanism.

² "Development Bureau Technical Circular (Works) No. 10/23" (DEVB TC(W) 10/13) – "Tree Preservation and Tree Removal Application for Building Development in Private Projects" and Lands Administration Office, Lands Department Practice Note (No. 7/2007) provides guidelines on the tree preservation mechanism.

- 6.2.5 The identified sites, though vegetated, have relatively less buffering effect and low conservation value. Their location in proximity to existing urbanized development and infrastructures also makes them natural candidates for urban expansion. They are considered suitable for residential development to meet the pressing needs for housing.
- 6.2.6 As advised by DAFC, Hong Kong's existing nature conservation policy and measures are generally in line with the objectives of the CBD. Existing nature conservation measures include designation of country parks, special areas, marine parks, marine reserves and conservation zonings, and implementation of conservation plans for important habitats and species etc. If the zoning amendments have duly taken into account the protection of important habitats and species of conservation importance, they are deemed to be in line with the objectives of the CBD in general. Given that the developer of the rezoning sites would be required to carry out appropriate mitigation measures, including preservation or transplanting of existing trees with conservation value, or compensatory planting in accordance with the existing guidelines and tree preservation mechanism, the development proposals which comply with the relevant requirements would not be considered as contravening the objectives of the CBD. Besides, the requirement for adequate landscape area around the site periphery to serve as buffer would be included in the lease. Significant adverse impacts on biodiversity are not anticipated.

Lack of technical assessments and adverse impacts

- 6.2.7 For the proposed public housing development, Housing Department (HD) has undertaken relevant technical assessments including Transport Impact Assessment (TIA), Drainage Impact Assessment (DIA), Sewerage Impact Assessment (SIA), air ventilation assessment by Expect Evaluation (AVA(E)), Visual Appraisals (VA) and Environmental Assessment (EA). The TIA concluded that, with incorporation of the Public Transport Terminus (PTT) and appropriate junction improvement, the proposed development would not cause any significant adverse traffic impact on Chung Nga Road. Commissioner for Transport (C for T) also considers that with appropriate mitigation measures and improvement/upgrading of the transport infrastructures, the public housing development would not have adverse cumulative impacts on the traffic capacity in the Tai Po New Town. Preliminary findings of the other technical assessments reveal that the proposed development would not have significant adverse impacts on the drainage, air ventilation, visual and environmental aspects on the surrounding areas.
- 6.2.8 Regarding the construction impacts of the proposed housing developments, the proponent/future developer would be required to follow and implement the Recommended Pollution Control Measures for Construction Contract, which are generally good engineering practice to minimize inconvenience and environmental nuisance to nearby residents and other sensitive receivers.

Air Ventilation and Visual Aspects

- 6.2.9 The AVA(EE) conducted by HD shows that the annual prevailing wind directions are from east and northeast whereas the summer prevailing wind comes from southeast. The proposed public housing development, by incorporating good wind responsive measures, such as adjusting building orientation, providing building separations of 10m and 15m wide and increasing opening at ground floor, would maintain the air ventilation of the surrounding areas during annual and summer prevailing wind conditions and no adverse air ventilation impact is envisaged. Given the size of the sites (over 9 ha), there would be reasonable scope to accommodate good building design and layout disposition to avoid wall effect of buildings and enhance permeability.
- 6.2.10 To assess the visual impact of the public housing sites, photomontages have been prepared to illustrate the possible visual impacts of the proposed residential development (**Plans H-4a to H-4e**). As illustrated in the photomontages, the proposed public housing development would not be incompatible with the surrounding developments and would not cause significant changes to the overall townscape and character. Whilst existing developments located in close proximity to the sites are more likely to experience greater visual changes, it should be noted that private views of buildings could not be guaranteed in the light of the development pace in Hong Kong. It is also not practical to protect private views without stifling development opportunity and balancing other considerations.

Insufficient supporting GIC facilities

- 6.2.11 Tai Po is a well planned and established New Town. The planned provision of major GIC facilities in the district is generally sufficient. There will also be a surplus provision of local open space and district open space in the Tai Po OZP planning area (**Annex XI**). As for education aspect, two new primary school sites have been reserved in the comprehensive public housing development. Besides, social welfare facilities such as Day Care Centre for the Elderly, Child Care Centre and Early Education and Training Centre would also be provided to serve the local community (**Annex IX**). Since the site at TP9 is no longer required for hospital use, Food and Health Bureau has no objection to releasing the site for other uses.

Public consultation and planning procedures

- 6.2.12 In processing the zoning amendments, PlanD has followed the established procedures including departmental consultation, District Council and Rural Committee consultation, Town Planning Board submission, and gazetting under the Town Planning Ordinance. Prior to the submission to RNTPC of the Board, the EHWC of TPDC was consulted on 8.1.2014 and 13.2.2014. Meetings have also been held with local residents. The views collected have been incorporated into the RNTPC paper to facilitate RNTPC's consideration of the rezoning proposal on 4.4.2014. The proposed amendments were published for exhibition on 11.4.2014 for two months

until 11.6.2014. Furthermore, EHWC was further consulted at its meeting held on 14.5.2014 on the gazetted amendments.

- 6.2.13 The public have been consulted on rezoning proposals in accordance with the provisions of the Ordinance. The exhibition of OZP for public inspection and the provisions for submission of representations and comments on representations form part of the statutory public consultation process under the Ordinance. The public and stakeholders have been given the opportunity to provide their views and counter-proposals to the proposed amendments. Besides, all representers/commenters have been invited to the meeting to present their views under section 6B(3) of the Ordinance. The statutory and administrative procedures in consulting the public on the proposed zoning amendments have been duly followed.

Responses to specific grounds of representation in relation to Amendment Items A1 and A2

- 6.2.14 Part of the site is previously reserved for private hospital development. Technical assessments carried out by HD confirm that the site is now suitable for public housing development. Assessment on chimney emission impact from Tai Po Hospital and Nethersole Hospital reveals that the predicted SO₂ and NO₂ and respirable suspended particulates (RSP) concentrations at various assessment heights would comply with the relevant Air Quality Objectives. No adverse air quality impact on the proposed public housing developments is envisaged. **(R17(Part))**
- 6.2.15 Sites A1 and A2 are largely covered by grassland, plantation dominated by exotic species, active agricultural land and temporary structures. They are about 250m from Fung Yuen SSSI. No significant direct ecological impact from the residential development on the Fung Yuen SSSI is anticipated. HD will undertake an ecological study and tree survey for the development at Sites A1-4 to ascertain that no important species within the Fung Yuen SSSI would be directly affected by the proposed public housing development. DAFC has no objection to the rezoning of the site to "R(A)9" from nature conservation perspective. **(R17(Part))**
- 6.2.16 Regarding the shading effect raised by **R14(Part)** on the farmland at CNRE, the site currently used by Hong Chi Association has been reserved for public housing development. According to HD, an alternative site within the Hong Chi Pinehill Village has been identified for reprovisioning of the small farm. As such, no shading effect is anticipated. **(R14(Part))**
- 6.2.17 The Fung Yuen burial ground (**Plan H-2a-1**) mentioned by **R1625(Part)** is about 15m from the site and the area in-between is already covered with trees and dense vegetation. Further provision of buffer planting is considered not necessary. **(R1625(Part))**
- 6.2.18 Area to the north of the "R(A)9" site is zoned "G/IC" and is currently occupied by Hong Chi Pinehill Integrated Vocational Training Centre. This 8 ha site, is specifically intended for rehabilitation services. Redevelopment

proposals are being pursued by the Hong Chi Association. The building height restriction of the Integrated Vocational Training Centre has been relaxed from four storeys to eight storeys (Item B) to optimize development potential and to facilitate redevelopment proposal. In this regard, reserving the public housing site for rehabilitation purposes is considered not necessary. (R13(Part))

Responses to specific grounds of representation in relation to Amendment Items A3 and A4

- 6.2.19 Proposed “CDA” zoning for the site to exercise full planning control (R1274)
- (a) The planning intention of “R(A)9” zone is primarily for high-density residential developments and intended for public housing development. The CNRW site forms an integral part of the comprehensively planned public housing development with two primary schools, public transport terminus, social welfare facilities and other associated supporting facilities. According to HD’s development proposal, a primary school and about 950 flats will be provided at the CNRW site. Details of the proposed public housing development including implementation program will be stipulated in the planning brief. The proposed public development will be governed by the planning brief and there should be sufficient control under the present planning and land administration mechanism to ensure that the proposed public housing development will be developed comprehensively and will not have significant adverse impacts. Hence, there is no need to rezone the site from “R(A)9” to “CDA”.
 - (b) The planning intention of “CDA” zone is for comprehensive development/redevelopment of the area for residential and/or commercial uses with the provision of open space and other supporting facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints. Since various technical assessments including TIA, DIA, SIA, EA, AVA and VA have been carried out for the public housing development to demonstrate that the proposed public housing development with appropriate mitigation measures implemented would have no significant adverse impacts on the surrounding areas, As such, further planning control by means of “CDA” zone is not necessary.
- 6.2.20 Not to specify the planning intention of the site for public housing in the Notes (R1274) and to use the site for private housing development (R1276 to R1323)
- (a) The site has been identified suitable and reserved for public housing. It is appropriate to spell out clearly the planning intention in the Notes of the Plan, which gives greater certainty and transparency in the planning system and thus to avoid unnecessary ambiguity and speculation on the supply of public housing.

- (b) The proposal for rezoning the site for public housing development was made known to the public through District Council consultation on 13.2.2014 and was subsequently submitted to RNTPC of the Board on 4.4.2014. As mentioned in paragraph 6.1.1 (e) above, at the same meeting, the RNTPC also gave due consideration to a s.12A application (No. Y/TP/19) (the applicant same as **R1274**) for rezoning the application site from "GB" to "Residential (Group B)8" for private residential development (**Plan H-2a-2**). Some RNTPC members considered that the HD's scheme with one residential block and one primary school at the site would be more favourable than the private housing development on environmental and visual aspects. Noting that the three sites at TP9, CNRW and CNRE would be physically connected and would form a comprehensive public housing development in the area, the inclusion of the southern part of the application site would generate synergy effect for better integration and provision of GIC facilities in the proposed housing development. After assessing the merits of developing public or private housing on the application site, the RNTPC considered that the site was more suitable for public housing purpose and decided to reject the rezoning application mainly, amongst others, on the ground that part of the application site would be included as an integral part of a comprehensive public housing development. It is considered necessary to state explicitly as to the intended public housing use of the site in the Notes of the OZP.
- (c) According to the LTHS, the Government advocated that public housing should account for a higher portion of new housing production and has proposed the ratio between public housing and private housing to be 60:40. The provision of public housing at the site could help achieve a better housing mix of public and private housing within the Tai Po New Town (52:48 as at 2011). With the current round of OZP amendments, the public-private housing mix will be slightly improved to about 53:47.
- (d) In terms of building design, under the prevailing practice, HD would put forward appropriate design option at the site and consult the TPDC and local residents. Since the site would be developed into a public housing block and a primary school, there is wider scope and design flexibility for public housing development at the site to address the concerns of the TPDC and local residents. The proposed primary school, with a lower building height, would also create an open vista to the surrounding area and provide better air ventilation and light penetration. In this regard, the public housing development would blend in better with the surrounding areas and have less environmental and visual impacts than a private residential development.

6.2.21 To include village development area, infrastructure and supporting facilities of Nam Hang Village and the peripheral areas for comprehensive planning (**R1275**)

- (a) There are public drainage and sewerage systems available in the area. Developments in Nam Hang village can be connected to the existing drainage and sewerage facilities. As mentioned in paragraphs 6.2.7 above, the public housing development with appropriate mitigation measures would have no adverse impacts on the surrounding areas. For new infrastructure provision to Nam Hang village, the concerned government departments including EPD, DSD and WSD would monitor and review the situations as the village type developments in the village proceed and minor improvement works would be considered and implemented by Home Affairs Department as necessary.
- (b) As for feng shui issue, it is not a planning consideration of the Board. The site is partly vacant and partly covered with shrubs and trees. DAFC advises that there is no feng shui woodland and no tree species of conservation interests within the site, and adverse ecological impact is not expected. To ease the villagers' concern on feng shui and access to burial ground, HD would coordinate with relevant Government departments, including District Lands Officer/Tai Po and District Officer (Tai Po), to discuss with the villagers on the layout of the proposed development in future.
- (c) Regarding the view that development restrictions on "GB" of Nam Hang should be relaxed so as to release more land for Small House development, no village 'environs' or "Village Type Development" zone of Nam Hang is covered by any amendment items under the current rezoning exercise. Planning application for Small House development in "GB" zone could be submitted to the Board for consideration under s.16 of the Ordinance. Each application would be considered on individual merits.

6.3 Responses to Grounds of Comments and Commenters' Proposals

As the commenters are supporting the representations **R16(Part)** to **R1273(Part)**, the responses to the respective representations made in the above paragraphs are relevant.

7. Departmental 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 Development;
- (b) Director of Environmental Protection;
- (c) Commissioner for Transport;
- (d) Chief Town Planner/Urban Design and Landscape, PlanD;
- (e) Director of Housing;
- (f) Chief Engineer/Mainland North, Drainage Services Department;
- (g) Chief Engineer/Development (2), Water Supplies Department;
- (h) Director of Agriculture, Fisheries and Conservation; and
- (i) District Officer (Tai Po), Home Affairs Department.

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

- (a) Secretary for Transport and Housing;
- (b) Secretary for Home Affairs;
- (c) Secretary for Education;
- (d) District Lands Officer/Tai Po, Lands Department;
- (e) Chief Highway Engineer/New Territories East, Highways Department;
- (f) Project Manager/New Territories East, Civil Engineering and Development Department;
- (g) Head of Geotechnical Office, Civil Engineering and Development Department;
- (h) Chief Building Surveyor/New Territories West, Buildings Department;
- (i) Director of Leisure and Cultural Services;
- (j) Chief Engineer/Railway Development Office, Highways Department;
- (k) Director of Fire Services;
- (l) Director of Electrical and Mechanical Services;
- (m) Director of Food and Environmental Health; and
- (n) Commissioner of Police.

8. Planning Department's Views

8.1 Based on the assessment in paragraph 6 above and for the following reasons, PlanD does not support R6(Part) to R1273(Part), R1274 to R1323, R1324(Part), R1326(Part), R1625(Part) and R6322(Part) and considers that the Plan should not be amended to meet the representations:

For R6(Part) to R1273(Part), R1276 to R1323, R1324(Part), R1625(Part) and R6322(Part)

- (a) Land suitable for development in Hong Kong is scarce and there is a pressing need for increasing housing supply. Rezoning of "GB" sites is one of the multi-pronged approaches to meet housing and other development needs. As the sites are suitable for housing development, it is considered appropriate to rezone the sites for residential use to meet the housing needs of the community.
- (b) Various technical assessments have been conducted for the amendment items to ascertain the feasibility of the housing development proposals. Relevant departments have assessed the proposed development in accordance with the established mechanism to ensure that the zoning amendments would not generate unacceptable impacts in terms of traffic, environment, landscape, infrastructure, air ventilation and visual impacts on the surrounding areas.
- (c) The identified sites, though vegetated, have relatively less buffering effect and low conservation value and are located in proximity to existing urbanized development and infrastructures. They are considered suitable for residential development to meet the pressing needs for housing. If tree felling and substantial clearance of vegetation are necessary, the Government will carry out tree surveys to ascertain the condition and strive to minimize the impacts on the environment by requiring the developer to carry out appropriate mitigation measures in accordance with the existing guidelines and tree preservation mechanism.

- (d) Sufficient land has been reserved for the provision of open space, GIC and other supporting facilities in Tai Po. Retaining the sites for G/IC or open space uses is not required.
- (e) The statutory and administrative procedures in consulting the public on the proposed zoning amendments have been duly followed. The exhibition of OZP for public inspection and the provisions for submission of representations/comments form part of the statutory consultation process under the Ordinance.

Additional reasons on specific grounds and proposals for Amendment Items A3 and A4

- (f) The sites form an integral part of the comprehensively planned public housing development with the provision of schools and necessary supporting facilities. It will generate synergy effect for better integration and provision of GIC facilities. Various technical assessments have also been carried out to ensure that the proposed public housing development will not have significant adverse impacts on the surrounding areas. Further planning control by means of "CDA" zone is not necessary. (R1274 and R1276 to R1323)
- (g) As the sites have been considered more suitable for public housing development, it is appropriate to specify clearly the planning intention for public housing development in the Notes of the OZP. (R1274)

For R1275 and R1326(Part) only

- (h) There are public drainage and sewerage systems available in the area. Developments in Nam Hang village can be connected to the existing drainage and sewerage facilities. The concerned government departments including EPD, DSD and WSD would monitor and review the infrastructure provision as the village type developments in the village proceed.
- (i) For Small House development, no village 'environs' or "Village Type Development" zone of Nam Hang is covered by any amendment items under the current rezoning exercise. Planning application for Small House development within "GB" zone could be submitted to the Town Planning Board for consideration under s.16 of the Town Planning Ordinance. Each application could be considered on individual merits.

9. Decision Sought

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

10. Attachments

Annex I	Draft Tai Po Outline Zoning Plan No. S/TP/25
Annex II	Schedule of Amendments to the Approved Tai Po Outline Zoning Plan No. S/TP/24
Annex III	Extracts of submissions made by the Representatives
Annex IV	Extracts of submissions made by the Commenters
Annex V	Extracts of minutes of EHWC meeting held on 8.1.2014
Annex VI	Extracts of minutes of EHWC meeting held on 13.2.2014
Annex VII	Extracts of minutes of TPDC meeting held on 8.5.2014
Annex VIII	Extracts of minutes of EHWC meeting held on 14.5.2014
Annex IX	Major development parameters of the proposed comprehensive public housing development
Annex X	Comparison Table on Public Housing Scheme and Private Housing Scheme under Application No. Y/TP/19
Annex XI	Provision of GIC Facilities and Open Space in Tai Po
Annex XII	Summary of Representations and Comments and PlanD's responses
Annex XIII	CD-Rom of all representations and comments [TPB Members only]
Plan H-1	Location Plan of the Representation Sites
Plan H-2a-1	Site Plan of the Representation Sites
Plan H-2a-2	Location Plan of S12A Application No. Y/TP/19
Plans H-3a-1 to 3a-7	Aerial/Site Photos
Plans H-4a to 4e	Photomontages
Plan H-5	Conceptual Layout of Public Housing Scheme

**PLANNING DEPARTMENT
NOVEMBER 2014**