

TOWN PLANNING BOARD

TPB Paper No. 9797

**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- R1 TO R5, R6(PART) TO R1273(PART), R1324(PART), R1325,
R1326(PART), R1327 TO R1624, R1625(PART), R1626 TO R6321, R6322(PART)
AND COMMENTS NO. TPB/R/S/TP/25-C1, C2(PART) TO C79(PART), C80 TO C439
(Group 2)**

DRAFT TAI PO OUTLINE ZONING PLAN NO. S/TP/25
CONSIDERATION OF REPRESENTATIONS
NO. TPB/R/S/TP/25- R1 TO R5, R6(PART) TO R1273(PART), R1324(PART), R1325,
R1326(PART), R1327 TO R1624, R1625(PART), R1626 TO R6321, R6322(PART)
AND COMMENTS NO. TPB/R/S/TP/25-C1, C2(PART) TO C79(PART), C80 TO C439
(Group 2)

Subject of Representation/ Representation Site	Representers (No. TPB/R/S/TP/25-)
<p><u>Amendment Item B</u> Revising the building height restriction for a site within the “Government, Institution or Community” (“G/IC”) zone for the Hong Chi Pinehill Village from 4 storeys to 8 storeys</p> <p><u>Amendment Item C</u> Rezoning of a site to the west of Nethersole Hospital from “Green Belt” (“GB”) to “Residential (Group A)10” (“R(A)10”)</p> <p><u>Amendment Item D1</u> Rezoning of a site near Fung Yuen from “G/IC” to “Residential (Group C)10” (“R(C)10”)</p> <p><u>Amendment Item D2</u> Rezoning of a site near Fung Yuen from “GB” to “R(C)10”</p> <p><u>Amendment Item E</u> Rezoning of a site at Lo Fai Road near Tycoon Place from “GB” to “Residential (Group C)9” (“R(C)9”)</p> <p><u>Amendment Item F</u> Rezoning of a site at Lai Chi Shan from “GB” to “Residential (Group B)8” (“R(B)8”)</p> <p><u>Amendment Item G</u> Rezoning of a site near Yat Yiu Avenue from “Residential (Group C) (“R(C)”) to “Residential (Group C)7” (“R(C)7”)</p>	<p><u>Total: 6,272</u></p> <p><u>Providing Views (5)</u> R1: Individual (General views) R2: Hong Kong and China Gas Company Limited (Item F) R3: MTR Corporation Limited (MTRCL) (Item J1) R4: Tai Po District Council (TPDC) Member (Item H) R5: Village Representatives of Cheung Shue Tan Village and Tai Po Mei Village (Item H)</p> <p><u>Oppose one or more or all of Items B to J1, J2 R6(Part) to R13(Part), R15(Part), R21(Part) to R1273(Part), R1324(Part), R1325, R1330 to R1624, R1625(Part), R1626 , R1627, R1632, R1645 to R6321 and R6322(Part):</u> Individuals</p> <p>R14(Part): Designing Hong Kong Ltd. R16(Part) , R1629- 1631: Legislative Councillors R17(Part): The Conservancy Association R18(Part): Kadoorie Farm & Botanic Garden Corporation R19(Part): The Hong Kong Bird Watching Society R20(Part): Green Sense R1326(Part): Tai Po Rural Committee Chairman R1327, R1328, R1634-R1636: TPDC Members R1329: Village Office of Fung Yuen Village R1628: WWF-Hong Kong</p>

<p><u>Amendment Item H</u> Rezoning of a site at Kon Hang from “GB” to “R(C)8”</p> <p><u>Amendment Item J1</u> Rezoning of a site at Po Heung Street from “G/IC” to Government, Institution or Community(2) (“G/IC(2)”)</p> <p><u>Amendment Item J2</u> Rezoning of a site at Po Heung Lane from “G/IC” to area shown as ‘Road’</p>	<p>R1633: TPDC Chairman R1637: Civic Force R1638: Lo Fai Road Green Belt Concern Group R1639: Owners of Richwood Park R1640: The Incorporated Owners of Forest Hill R1641: The Incorporated Owners of Tycoon Place R1642: The Incorporated Owners of Richwood Park R1643: The Incorporated Owners of Casa Marina I R1644: The Incorporated Owners of Casa Marina II</p>
	<p style="text-align: center;">Commenters (No. TPB/R/S/TP25-</p> <p><u>Total: 439</u></p> <p><u>Support R1328 opposing Item C</u> C1: TPDC Member</p> <p><u>Support representations opposing all rezoning involving “GB” Items A1, A3, and C</u> C2(Part) and C3(Part): Individuals</p> <p><u>Support representations opposing all rezoning involving “GB” Items A1, A3, C, D2, E, F and H</u> C4(Part) to C79(Part): Individuals</p> <p><u>Support representations opposing Items D1, D2 and E</u> C80: The Chairman of Environment, Housing and Works Committee (EHWC), TPDC</p> <p><u>Support representations opposing Items E</u> C81 to C88, C90, C92 to C404, C406 to C435, C437 to 439: Individuals</p> <p>C89: Hobman Company Limited C91: 反對露輝路綠化地帶改建住宅關注組 C405: The Incorporated Owners of Forest Hill C436: Legislative Councillor</p>

Note: A CD-ROM containing names of all representers and commenters as well as their submissions is enclosed at **Annex XI** [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 2 and a summary of representations and comments for this group is attached at **Annex X**. The representation sites are shown in **Annex I** and **Plan H-1**. The remaining representations in Group 1 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, the EHWC of TPDC 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 have 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 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 have 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**

Subject of Representations (Plan H-1)

- 4.1 A total of 6,272 valid representations relating to Amendment Items B to J (**Annex II**) were received and will be considered under this Group. (Samples of representations are in **Annex III**)

Representations Providing Views

- 4.2 One supporting representation (**R1**) and four representations providing views were received. The Hong Kong and China Gas Co. Ltd. (**R2**) requests 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, MTRC (**R3**) indicates 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**) consider that the rezoning of a site at Kon Hang (**Amendment Item H**) would have feng shui impact and the height of the development should not be too high; and request to release more land near Cheung Shue Tan and Tai Po Mei Villages for village type developments.

Adverse Representations

- 4.3 The remaining 6,267 representations oppose either all, or one or more of the amendment item(s). Most of the representations, a total of 4,993, object to the rezoning of the "GB" sites at Fung Yuen (**Amendment Items D1 and D2**) (**R1329 – R1628**) and Lo Fai Road (**Amendment Item E**) (**R1629 - R6321**) for residential developments, which account for 300 and 4,693 representations respectively. The representers comprise Legislative Councillors, District Council members, green/concern groups, residents and owners' committees of residential developments in the vicinity and members of the public. The objections are mainly on the grounds that the zoning amendments are inconsistent with the 2014 Policy Address; the proposed residential developments would bring about adverse traffic, visual, landscape and environmental impacts; the proposed residential developments could not meet the prevailing demand for affordable housing; and the public consultation procedures are improper.

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

4.4 **Major Grounds of Representations - General**

- 4.4.1 The major grounds of the adverse representations as mentioned in paragraph 4.3 above are summarized below: (**R6(Part)** to **R1273(Part)**, **R1324(Part)**, **R1325**, **R1326(Part)**, **R1327** to **R1624**, **R1625(Part)**, **R1626** to **R6321**, **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 proposed residential development for luxurious housing is not aimed at providing affordable housing to the general public and therefore unable to ease the prevailing pressure on housing supply. There are already large number of vacant housing units in Tai Po and the proposed rezoning for private residential development cannot solve the housing problem.
- (c) 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.
- (d) 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

- (e) The proposal would involve extensive clearance of vegetation. The cumulative impact has not been addressed.
- (f) 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”.
- (g) 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.
- (h) 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

- (i) Insufficient technical assessments had been conducted. Various technical assessments including comprehensive ecological assessment and tree survey should be conducted prior to development.

- (j) Some housing sites are distant from the town centre or 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.
- (k) Construction works and developments will bring nuisance to the sensitive receivers.
- (l) 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

- (m) 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.
- (n) There had been no prior public consultation and/ or the consultation process with TPDC was improper/misleading. The Government should withdraw the amendments and to carry out extensive public consultation afresh.
- (o) The site at Lo Fai Road is already included in the Application List, but the screening procedure of town planning has just begun. The Board should refuse the zoning amendment to discourage the Government’s malpractice of putting land under the Application List before filing for rezoning. The purpose of so doing is to confuse the public and compel the Board to give in. This totally disrespects the public opinion. The strong local objection for rezoning of the “GB” site had not been properly reflected in the RNTPC paper.

4.4.2 The specific grounds of the adverse representations in relation to **Amendment Item C** (west of Nethersole Hospital site) are as follows:

- (a) The area is densely covered with trees and is given the unique name of “green island”. There is a big banyan tree in the middle of the site. The construction works would affect a lot of trees, endanger the banyan tree and ruin the green environment. (R20, R1328)
- (b) The site is too close to the hospital and the proposed residential development would not be compatible with hospital use. (R1325)

Besides, it would seriously affect Fu Heng Estate's external traffic.
(R1328)

- 4.4.3 The specific grounds of the adverse representations in relation to **Amendment Items D1 and D2** (Fung Yuen site) are as follows:

Adverse traffic impact

- (a) There would be a new columbarium development in Sha Lo Tung. Access to Sha Lo Tung will be shared with the proposed residential development. The cumulative traffic impact of the projects should be considered and evaluated to prevent posing threat to these ecological hubs. **(R17 (Part))**
- (b) A 10m-wide buffer should be reserved for road widening at Ting Kok Road. **(R1327)**

Adverse visual, landscape and ecological impacts

- (c) It is concerned that if viewed from Cloudy Hill and Fung Yuen Road, the proposed development would pose significant visual impacts on the area. **(R17(Part))**
- (d) The site is covered by some secondary woodland patches comprising native tree species, together with abundant shrubs and understorey vegetation which has good potential to become mature woodland. Species of conservation interest are found in the site and an Environmental Impact Assessment (EIA) should be conducted in accordance with the EIA Ordinance. **(R17(Part))**
- (e) Tree felling is required for the new access road hence it would have adverse environmental impact. **(R17(Part))**
- (f) The site should be rezoned to "Conservation Area" ("CA"). **(R13 (Part))**

Impact on nearby hiking paths

- (g) The site is located adjacent to a popular hiking route. The passive recreational value of "GB" zone and the public interest in the enjoyment of the countryside should not be ignored. The importance of Sha Lo Tung Road as a regionally important "passive recreational amenity" has not been assessed. **(R13(Part) and R18(Part))**

Feng shui and other concerns

- (h) The rezoning proposal would affect the shrine of Tai Wong Ye and endanger villagers' lives and health as well as the feng shui or 'dragon vein' of Fung Yuen. It would also affect the existing buffer from the Hong Kong and China Gas Production Plant **(R1326(Part), R1329 to R1624 and R1625(Part))**.

- (i) Two of the villages in Fung Yuen have no village office and the site of **Amendment Item D1** should be used for GIC facilities such as a village office or a history museum to serve the local villagers. **(R1625(Part))**

4.4.4 The specific grounds of the adverse representations in relation to **Amendment Item E** (Lo Fai Road site) are as follows:

Function of the “GB” zone and landscape impact

- (a) The subject “GB” functions as a buffer for the residential developments at Lo Fai Road to the surrounding obnoxious uses including the Shuen Wan landfill, sewage treatment plant, concrete batching plant, gas production plant and Tai Po Industrial Estate. Moreover, the dense vegetation at the subject site also functions to reduce urban heat island effect. Instead of using the Lo Fai Road site, the brownfield site at Tung Tsz near Hong Kong Institute of Education (HKIED) should be utilized for private residential development.
- (b) The woodland at Lo Fai Road is one of the key green zones on the peripheral of the Country Park and the proposed rezoning would undermine the environment, air quality, temperature and ecology of Hong Kong.

Traffic impact

- (c) Traffic is already extremely busy at Lo Fai Road and Ting Kok Road. The confirmed development projects along Ting Kok Road include Tsz Shan Monastery, spa hotel resort, columbarium, residential projects at Lung Mei Beach, Fung Yuen, etc. A holistic transport development plan is required.
- (d) The proposed number of new housing units almost doubles the total number of households in the five estates around Lo Fai Road and will overload the nearby road network. The increase in traffic would also affect the junctions at Ting Kok Road, delay emergency services and cause great inconvenience and disruption to staff and students of the neighbouring HKIED.
- (e) The only public parking at Lo Fai Road will be affected and this is a total neglect of the problem of shortage of parking space in the area.

Incompatible with surrounding environment and other adverse impacts

- (f) The building height of the proposed development and the overall built form is undesirable from urban design point of view as it contravenes the urban design guidelines set out in the Hong Kong Planning Standards and Guidelines (HKPSG) which promotes the preservation of ridgelines and peaks.

- (g) The site is just 3m from the main entrance of the two nearby residential estates. The proposed development is in close proximity to existing developments and would cause adverse impact in terms of light penetration, air ventilation and noise pollution.
- (h) The existing green zone is the only open space enjoyed by residents living along the hillside of Lo Fai Road. Taking away an important community gathering place is unjust and will lead to legal action.

No significant contribution to housing supply

- (i) The planned number of flats (660 units) is unrealistic because it is unlikely that the developer will build housing estates with average flat size of 70m² in this location with fantastic seaview. If the average flat size of the adjoining sea-facing developments is adopted, the number of flats would only be about 200.
- (j) The site could be reserved for the expansion of the HKIEd. (R1636)

Consultation with TPDC

- (k) There were fundamental flaws in the consultation with TPDC and DC members as they were misled by the information presented that the net plot ratio for the proposed residential development at Lo Fai Road is about 1.1. (R1638 and R1689)

4.4.5 The adverse representations in relation to **Amendment Item F** (Lai Chi Shan site) are mainly on the grounds that the site is well vegetated and covered with woodland. A water course at the northern part of the site may be affected. (R17(Part))

4.4.6 The adverse representations in relation to **Amendment Item G** (Yat Yiu Avenue site) are mainly on the grounds that the site is well vegetated and ecologically connected to adjacent woodland habitats. A detailed and comprehensive ecological assessment, including a tree survey, should be conducted prior to any development in the area to avoid loss of woodland habitat with ecological value. (R13(Part) and R18(Part))

4.4.7 The specific grounds of the adverse representations in relation to **Amendment Item H** (Kon Hang site) are as follows:

- (a) The site is in close proximity to “CA” zone covered by woodland and has a natural stream course flowing through the northern portion. The woodland and the natural stream course flowing through the northern portion should be excluded. (R13(Part))
- (b) To compensate for the loss of “GB” due to the rezoning, other wooded areas along Tai Po Road beyond Tai Po Mei Waterfall should be rezoned to “CA”. (R13(Part))

4.5 Representers' Proposals

The representers' proposals are summarized as follows:

Specific Proposals on Amendment Items C, D2, E, F and H

- (a) **R40(Part)** objects to rezoning of "GB" sites and proposes that they should be included into Country Park.

Specific Proposals on Amendment Item H (Site at Kon Hang near Cheung Shue Tan)

- (b) To maintain the "GB" zone so as to serve as a buffer for the adjacent "CA" zone and for the biologically rich natural habitats within the Tai Po Kau Nature Reserve. (**R18(Part)**)
- (c) To rezone the site to "CA". (**R1325(Part)**)

5. Comments on Representations

The grounds raised by comments **C1** to **C439** (**Annex IV**) are summarized as below:

- (a) **C1** submitted by a TPDC Member is echoing his opposing views against **Amendment Item C** as stated in **R1328**.
- (b) **C2(Part)** to **C79(Part)** support part of **R16** to **R1273**'s opposition to one or more or all of **Amendment Items C, D2, E, F and H** for rezoning of the "GB" for residential developments.
- (c) **C80** submitted by EHWC Chairman supports a TPDC Member's (**R1327**) views on **Amendment Items D and E**.
- (d) **C81** to **C439** support the representations which object to **Amendment Item E** for rezoning of the "GB" site at Lo Fai Road mainly on grounds similar to those mentioned in the representations.

The views of the commenters are very similar to those of the representations.

6. Planning Considerations and Assessment

6.1 The Representation Sites and the Surrounding Areas

Sites involved rezoning to facilitate private housing developments

- 6.1.1 **Amendment Item C: West of Nethersole Hospital Site (Plans H-1, H-2c, H-3c-1 to 3)**

- (a) The site is a piece of government land with an area of about 0.57 ha located at the junction of Chuen On Road and Chung Nga Road (**Plan H-3c-1**). The site previously formed part of a formation area which was reinstated and replanted thereafter (**Plan H-3c-2**). The western portion of the site is dominated by *Hibiscus tiliaceus* (黃槿), and the eastern portion of the site near Chuen On Road is dominated by exotic tree species such as *Acacia confusa* (台灣相思), *A. mangium* (大葉相思), etc. Some native and exotic trees such as *Cassia siamea* (鐵刀木), *Ficus hispida* (對葉榕), etc. are found in the rest of the site. According to the tree survey conducted, there are about 280 trees including both native and exotic species. The most abundant species are *Hibiscus tiliaceus* (黃槿), *Ficus hispida* (about 18%) and *Acacia* (about 13%).
- (b) Areas in the surrounding are mainly existing residential, educational/institutional developments and open space. To the north is Chuen On Road Garden and to the west across Chung Nga Road are Fu Heng Estate and a public transport terminus. Nethersole Hospital is about 150m to the east. To the southeast are schools including China Holiness Church Living Spirit College, Tai Po Methodist School and Jockey Club Elaine Field School. To the southwest are Sacred Heart of Mary Catholic Primary School and a rest garden. Access to the site is via Chung Nga Road.
- (c) The site is rezoned from “GB” to “R(A)10” subject to a maximum domestic PR of 6 and a maximum non-domestic PR of 9.5 with composite formula applied, and a maximum building height of 110mPD. It is expected that the site can provide about 680 flats.

6.1.2 **Amendment Items D1 and D2: Fung Yuen site (Plans H-1, H-2d, H-3d-1 to 4)**

- (a) The site is a piece of government land with an area of 4.78 ha located at the eastern part of Fung Yuen Valley at the sub-urban fringe of Tai Po New Town (**Plan H-3d-1**). The southern portion of the site along Ting Kok Road is flat and is being used by the Society of Horticulture (Hong Kong) Limited under a short term tenancy. The northeastern portion of the site is a gentle sloping area and largely a plantation woodland. According to the tree survey conducted, there are about 1,260 trees including both native and exotic species. The most abundant species are *Acacia confusa* (台灣相思) (about 70%) and *Eucalyptus spp.* (桉屬) (about 5%). There are a few *Pyrenaria spectabilis* (石筆木), *Rhodoleia championii* (紅花荷) and *Aquilaria sinensis* (土沉香) within the site but no Old and Valuable Tree (OVT) or Potentially Registrable OVTs are recorded in this survey.
- (b) Adjoining the site to the west is an access road leading to Sha Lo Tung and Ha Hang Government Quarters is located to the east. To the further east is Ha Hang Village. To the south of the site across

Ting Kok Road is the Tai Po Industrial Estate. To the north are hillslopes and a service reservoir. To the west at Fung Yuen Valley are Fung Yuen Villages including Lo Tsuen, Mak Uk and Tin Sam and the Fung Yuen CDA development (PR 0.64). The neighbouring Ha Hang Government quarters are zoned "R(C)" with a maximum PR of 0.6.

- (c) The site is rezoned from "GB" and "G/IC" to "R(C)10" with a maximum domestic GFA of 43,500m² and a maximum building height of 7 storeys. It is expected that the site can provide about 620 flats.

6.1.3 Amendment Item E: Lo Fai Road Site (Plans H-2e, H-3e-1 to 4)

- (a) The site is a piece of government land with an area of about 4.13 ha located at Lo Fai Road within a low-rise residential neighbourhood (Plan H-2e and Plan H-3e-1). The site mainly comprises a knoll overlooking the Shuen Wan Landfill and Tolo Harbour to the south, was previously a borrow area which was reinstated and replanted thereafter. There is a footpath/walking trail connecting Lo Fai Road along the southern fringe of the site. According to the tree survey conducted, there were about 2,500 trees within the site and about 64% are exotic species such as *Acacia mangium* (大葉相思) and the *Acacia spp.* (金合歡屬) and about 14% are *Eucalyptus spp.* (桉屬).
- (b) The surrounding developments are mainly low-density residential developments including Casa Marina I and II (PR of 0.8 and BH 3 storeys), Tycoon Place (PR of 0.8 and BH 4 storeys), Richwood Park (PR of 1.59 and BH 5 storeys) and Forest Hill (PR of 1.8 and BH 5 storeys). HKIED is located about 500m to the further northwest (Plan H-2e).
- (c) The site is rezoned from "GB" to "R(C)9" with a maximum domestic GFA of 46,200m² and a maximum building height of 5 storeys. It is expected that the site can provide about 660 flats.

6.1.4 Amendment Item F: Lai Chi Shan Site (Plans H-2f, H-3f-1 to 4)

- (a) The site is a piece of government land with an area of about 4.25 ha located to the south of Tolo Highway and to the east of Lai Chi Shan Village (Plan H-3f-1). The northern portion of the site is being used as temporary works areas by Highways Department (HyD) and Water Supplies Department (WSD) whilst the central and southern portions mainly comprise vegetated land. The site previously formed part of a formation area which was reinstated and replanted thereafter (Plan H-3f-2). According to the tree survey conducted, there were about 1,100 trees with around half of the tree species recorded are exotic species commonly used for afforestation in Hong Kong, such as *Acacia confuse* (台灣相思) (about 28%) and *Leucaena leucocephala* (銀合歡) (about 27%). No OVT or

Potentially Registrable OVTs are recorded in this survey. Areas near Tolo Highway have been formed and hard paved. There is natural water course at the northern portion of the site. Avoidance of impact to this water course should be duly considered.

- (b) The surrounding areas are mixed with low and high-density residential developments. Low-density residential developments including The Paramount and JC Castle with PR 0.8 and 0.6 respectively are located to the east of the site, villages such as Shan Tong New Village to the northeast and Lai Chi Shan and Wun Yiu to the west. To the north across Tolo Highway and Tai Po River are some high-density residential developments including Home Ownership Scheme developments namely King Nga Court and Tak Nga Court. To the south are mainly woodland and temporary structures. A new access branching off Shan Tong Road would be required.
- (c) The site is rezoned from "GB" to "R(B)8" with non-building areas (NBAs) designated and a maximum domestic GFA of 107,100m² and maximum building heights of 100mPD at the northern portion and 80mPD at the southern portion. It is expected that the site can provide about 1,785 flats.

6.1.5 Amendment Item G: Site near Yat Yiu Avenue (Plans H-2g, H-3g-1 to 3)

- (a) The site is a piece of government land with an area of about 2.09 ha located near the junction of Tai Po Road and Yat Yiu Avenue (**Plan H-3g-1**). It is a wooded knoll overlooking Tolo Harbour with government quarters located at the southeastern portion. The site is within a low-rise residential neighbourhood.
- (b) Existing residential developments in the vicinity include Emerald Palace to the east and The Kingston Hills, L'utopie and Savanna Garden to the south. To the southwest are scattered village houses and temporary structures, agricultural land and natural slopes. To the immediate north (about 15m) is a helipad serving Strafford House which is being used as CLP's system control centre, staff quarters and management training centre. Access to the site is via a local road branching off Yat Yiu Avenue and part of the access need to pass through private lots.
- (c) The site is up-zoned from "R(C)" with a PR restriction of 0.6 to "R(C)7" with a maximum GFA of 20,000m² and a maximum building height of 7 storeys. It is expected that the site can provide about 280 flats.

6.1.6 Amendment Item H: Site at Kon Hang near Cheung Shu Tan (Plans H-2h, H-3h-1 to 2)

- (a) The site with an area of about 2.54 ha is located in a valley to the west of Tai Po Road near Cheung Shue Tan (**Plan H-3h-1**). A

government site of about 1.12 ha proposed for land sale and the adjacent areas of about 1.42 ha mainly comprising private lots and land under government licences and short term tenancies was identified in the first stage of "GB" review as suitable for rezoning for residential development.

- (b) The surrounding area is predominantly rural in character with some village houses and temporary structures varying from 1 to 3 storeys and private gardens under short term tenancies. To the east across Tai Po Road are low-density residential developments including Ferry Hill and Banyan Villa. The site is surrounded by woodland zoned "CA" on the OZP. Two areas zoned "GB" to the further north and south of the site are permitted burial grounds. The site is accessible via an access road from Tai Po Road.
- (c) This site is rezoned from "GB" to "R(C)8" with a maximum domestic PR of 1.5 and a maximum building height of 120mPD. It is expected that the government site would provide about 150 flats.

Sites involved rezoning to facilitate development of G/IC facilities

6.1.7 Amendment Item B: Site at Hong Chi Pinehill Village (Plans H-2b, H-3b-1 to 2)

- (a) The site with an area of about 0.87 ha is located at the northern fringe of Tai Po New Town and forms part of Hong Chi Pinehill Village operated by the Hong Chi Association (the then HK Association for the Mentally Handicapped), a non-profit-making organization, which provides various training, education, support and professional therapy for mentally handicapped persons.
- (b) To facilitate the implementation of the redevelopment proposal, the maximum building height restriction covering the site was revised from 4 storeys to 8 storeys.

6.1.8 Amendment Items J1 and J2: Site at Po Heung Street (Plans H-2j, and H-3j-1 to 3)

- (a) To facilitate the implementation of a youth hostel proposal which could provide up to 76 hostel places, it is proposed to rezone the site currently zoned "G/IC" and subject to a maximum building height of 2 storeys to "G/IC(2)" with a maximum domestic GFA of 2,412m², a maximum non-domestic GFA of 1,040m² and a maximum building height of 80mPD, with 'Residential Institution' (Hostel and Dormitory only) use placed in Column 1.
- (b) Opportunity is also taken to rezone the adjoining Po Heung Lane (an area of about 0.1 ha) from "G/IC" to area shown as 'Road'.

Planning intentions

6.1.9 The planning intentions of “GB”, “R(B)”, “R(C)” and “G/IC” zones in relation to the amendment items above are as follows:

- (a) 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.
- (b) The “R(B)” zone is intended primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Town Planning Board.
- (c) The “R(C)” zone is intended primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Town Planning Board.
- (d) 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. For “G/IC(2)” zone, 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 for such uses as hostel cum youth centre, and other institutional establishments.

6.2 Responses to Grounds of Representations

Representation Providing Views

6.2.1 The support of **R1** to the proposed zoning amendments is noted.

6.2.2 Hong Kong and China Gas Company Limited’s concern (**R2**) about the existence of a high pressure pipeline in close proximity to Site F at Lai Chi Shan is noted. The future developer would be required via land sale conditions to conduct a risk assessment to ascertain that the risk levels posed by the gas installations in the vicinity would comply with the Government Risk Guidelines and provide mitigation measures to the satisfaction of Director of Electrical and Mechanical Services (DEMS). The project proponent would be advised to maintain liaison/coordination with the Hong Kong and China Gas Company at the land grant stage.

6.2.3 MTRCL’s concern (**R3**) about the noise impact from East Rail on Site J1 is noted. Building design such as noise tolerant facades facing East Rail, vertical architectural fins, special window designs etc could be effective to reduce noise impact. The proponent shall be required via lease conditions to conduct Noise Impact Assessment (NIA) and provide noise mitigation measures to the satisfaction of DEP. DEP has no objection to the zoning

amendment from environmental aspect.

- 6.2.4 Regarding **R4** and **R5**'s concerns that the height of the development in Kon Hang at Site H should not be too high and that feng shui and access to the burial ground should not be affected, the proposed development with appropriate development restrictions on development intensity and building height on the OZP would be compatible with the neighbouring developments. The VA conducted by PlanD indicates that the proposed development would not have adverse visual impact on the surrounding area. Rezoning of the site from "GB" to "R(C)8" would also not affect the existing access to the burial ground. As for the villagers' request for more land around Cheung Shue Tan and Tai Po Mei Villages for Small House developments, the areas concerned are not the subject of amendments to the OZP. Should the villagers wish to rezone the area for village development, they could submit planning application to the Board under the s.12A of the Ordinance. Each application would be considered by the Board on individual merits. As for feng shui issue, it is not a planning consideration of the Board.

6.3 Adverse Representations - General

Government policy and housing supply

- 6.3.1 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 optimize 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.
- 6.3.2 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.
- 6.3.3 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 new 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

- 6.3.4 The proposed "GB" sites for rezoning are mostly adjacent to disturbed or developed areas at urban fringe. According to AFCD, 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.
- 6.3.5 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 make them natural candidates for urban expansion. They are considered suitable for residential development to meet the pressing needs for housing.
- 6.3.6 As advised by Director of Agriculture, Fisheries and Conservation (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

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.

as buffer would be included in the lease. Significant adverse impacts on biodiversity are not anticipated.

Lack of technical assessments and adverse impacts

- 6.3.7 Technical reviews were conducted by TD, HyD, Water Supplies Department (WSD), Drainage Services Department (DSD) and Environmental Protection Department (EPD) to assess the feasibility of the new housing sites in Tai Po. They confirm that the proposed residential developments would not induce any insurmountable problems on these various aspects. The proposed rezoning would not have adverse cumulative impacts on the traffic and infrastructural capacities in the Tai Po New Town. Technical requirements can also be included in the lease to guide the design and implementation of the development by future developer.
- 6.3.8 With appropriate mitigation measures and improvement/upgrading of the transport infrastructures, the proposed amendments for housing developments would not have adverse cumulative impacts on the traffic capacity in the Tai Po New Town. C for T's traffic assessment on the road capacity with the proposed developments are as follows:
- (a) the proposed development near Nethersole Hospital will be connected to the existing Chung Nga Road, which is a local single two carriageway with 2-way capacity of 1400veh/h. The additional traffic generated from the proposed development will be about 50 vehicles at AM peak hour. Even with this additional traffic, the existing Chung Nga Road will still be operated within its handling capacity;
 - (b) the proposed development near Fung Yuen will be connected to the existing Fung Yuen Road and Ting Kok Road. Fung Yuen Road is a local single two carriageway with 2-way capacity of 1400veh/h while that section of Ting Kok Road is dual-two carriageway with 1-way capacity of 2800veh/h. The additional traffic generated from the proposed development will be about 280 vehicles at AM peak hour. Even with this additional traffic, the existing Ting Kok Road will still be operated within its handling capacity;
 - (c) the proposed development at Lo Fai Road will be connected to the existing Lo Fai Road and Ting Kok Road. Lo Fai Road is a local single two carriageway with 2-way capacity of 1400veh/h while that section of Ting Kok Road is dual-two carriageway with 1-way capacity of 2800veh/h respectively. The additional traffic generated from the proposed development will be about 300 vehicles at AM peak hour. Even with this additional traffic, the existing Lo Fai Road and Ting Kok Road will still be operated within its handling capacity. Notwithstanding this, the junction of Lo Fai Road/Lo Ping Road will be modified, if necessary, to cater for the additional traffic on Lo Fai Road;
 - (d) the proposed development at Lai Chi Shan will be connected to the existing Shan Tong Road, which is a local single two carriageway

with 2-way capacity of 1400veh/h. The additional traffic generated from the proposed development will be about 550 vehicles at AM park hour. Even with this additional traffic, the existing Shan Tong Road will be still operated within its handling capacity;

- (e) the proposed development near Yat Yiu Avenue will be connected to the existing Tai Po Road - Tai Po Kau via an access road. Tai Po Road - Tai Po Kau is a single two carriageway with 2-way capacity of 1400 veh/h. The additional traffic generated from the proposed development will be about 80 vehicles at AM park hour. Even with this additional traffic, the existing Tai Po Road - Tai Po Kau will be still operated within its handling capacity;
- (f) the proposed development at Kon Hang will be connected to the existing Tai Po Road - Tai Po Kau, which is a single two carriageway with 2-way capacity of 1400 veh/h. The additional traffic generated from the proposed development will be about 40 vehicles at AM park hour. Even with this additional traffic, the existing Tai Po Road - Tai Po Kau will be still operated within its handling capacity.

- 6.3.9 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

- 6.3.10 Regarding air ventilation aspect, an AVA(E) was commissioned by the PlanD to assess the likely impacts of the proposed housing sites under Amendment Items C (site to the west of Nethersole Hospital) and F (site near Lai Chi Shan). Based on the recommendations of the AVA(E), NBAs have been designated on the OZP for the two sites. According to the Housing, Planning and Lands Bureau Technical Circular No. 1/06 on AVA setting out the guidance for applying AVA for government projects, AVA would only be required for sites over a plot ratio of 5 and exceeding a GFA of 100,000m². The remaining sites do not meet the criteria under which AVA would be required. Furthermore, given the size of the sites (all over 1 ha) and they have relatively open exposure to winds from all directions, there would be reasonable scope to accommodate good building design and layout disposition to avoid wall effect of buildings and enhance permeability.

- 6.3.11 To assess the visual impact of the private housing sites VA for the sites were also undertaken by PlanD. Photomontages have been prepared to illustrate the possible visual impacts of the proposed residential developments at the sites (**Plans H-4b to H-4j**). As illustrated in the photomontages, the proposed housing developments in Tai Po would not be incompatible with the surrounding developments and would not impose 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

- 6.3.12 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 IX**). As for education aspect, two new primary school sites have been reserved in the proposed comprehensive public housing development zoned “Residential (Group A)9” under Amendment Item A at Chung Nga Road and Tai Po Area 9. Besides, social welfare facilities such as Day Care Centre for the Elderly, Child Care Centre and Early Education and Training Centre would be provided within the comprehensive public housing development to serve the local community.

Public consultation and planning procedures

- 6.3.13 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 were also 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.
- 6.3.14 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.
- 6.3.15 Sites included in the application list are indication of future land supply. Availability of land for sale is subject to completion of planning procedures for OZP amendments. Each proposed amendment on the OZP would be considered by the Board on individual merits.

6.4 Responses to specific grounds of representation in relation to Amendment Item C (west of Nethersole Hospital Site)

- 6.4.1 Based on the land use review conducted and comments of relevant departments consulted, the site is identified as suitable for residential development. DAFC advises that the site is a disturbed habitat (**Plan H-3c-2**). According to the tree survey, the eastern part of the site is dominated by common native tree species and the western part is dominated by exotic tree species. The large *Ficus microcarpa* (細葉榕) is recommended to be preserved. Appropriate mitigation measures to minimize the impacts on the environment, including preservation or relocation of existing trees with conservation value, or compensatory planting in accordance with the existing guidelines and tree preservation mechanism could be imposed in the lease. Regarding **R1325's** concern that the site is too close to the Nethersole Hospital, the site is about 150m away from the hospital. Area to the west, on the opposite of Chung Nga Road, is Fu Heng Estate. The proposed development with PR of 6 for domestic and 9.5 for non-domestic is considered compatible with the surrounding areas.
- 6.4.2 Tai Po is well served with public transport. To the immediate west of the site is a public transport terminus to serve the need of the local residents. TD will closely monitor the provision of the public transport and liaise with public transport service providers to provide the necessary new services as the development proceeds.

6.5 Responses to specific grounds of representation in relation to Amendment Item D (Fung Yuen Site)

Adverse traffic impact

- 6.5.1 Regarding the concern of **R17(Part)** on the cumulative traffic impact, as mentioned in paragraph 6.3.8(b) above, Ting Kok Road would be within its operating capacity even with the proposed residential development. C for T further advises that the volume/capacity ("v/c") ratio during peak hours of the section of Ting Kok Road from Tai Po Industrial Estate to Shuen Wan is currently about 0.5 to 0.6, indicating that there is sufficient capacity to cope with the existing and anticipated traffic flow. In this regard, the proposal to reserve 10m-wide buffer for widening of Ting Kok Road raised by **R1327** is therefore not necessary.
- 6.5.2 A new access road connecting to Fung Yuen Road will be provided by decking over a nullah and widening a short section of the existing access road to Sha Lo Tung. The proposed road improvement works would be able to accommodate the traffic generated by the proposed development. The hiking route along Sha Lo Tung Road would not be affected and peripheral tree planting would be provided around the site to enhance amenity.

Adverse visual, landscape and ecological impacts

- 6.5.3 Based on the VA conducted, from the two view points at Ha Hang Playground and the other at the cycle track at Ting Kok Road, the proposed development is compatible with the surrounding developments including village houses at Ha Hang and industrial blocks along Ting Kok Road. Existing trees along the slopes and roadside and buffer planting around the site would reduce the visual prominence of the development and provide for the visual integration of the buildings within the existing context. Hence, it would not impose significant visual impacts on local character of the area in general.
- 6.5.4 Lands Department (LandsD) has conducted tree survey on the site. Although some individuals of protected species were found near Fung Yuen, namely *Aquilaria sinensis* (土沉香), *Rhodoleia championii* (紅花荷) and *Pyrenaria spectabilis* (石筆木), the site is a mainly plantation dominated by exotic species, which have much lower plant diversity, simpler structure and lower fauna diversity. There is no strong justification for rezoning the site to "CA". Tree preservation and Landscape Master Plan clauses would be included in the lease conditions.

Feng shui and other concerns

- 6.5.5 The site is at a distance of about 600m away from the Hong Kong and China Gas Production Plant, which is a potential hazardous installation (PHI), in Tai Po Industrial Estate. The developer is required to carry out hazard assessment (i.e. Quantitative Risk Assessment) to assess the risks posed by the PHI in accordance with the HKPSG. Given that the proposed development at the site is a low-density residential development, there should be scope in the proposed site to incorporate appropriate mitigation measure to comply with the requirement of risk assessment. DEMS has no objection to the proposed amendment as far as gas safety is concerned.
- 6.5.6 According to the OZP, "Village Office" use is always permitted in the nearby "Village Type Development" ("V") zones of Fung Yuen. There is land available within the "V" zone concerned for village office use. The site of Amendment Item D1 is considered suitable for residential development and the government has no plan for development of regional GIC facilities such as a history museum in the area.
- 6.5.7 As for the shrine mentioned by R1329 to R1624, the zoning shown on the OZP is broad-brush and the shrine is not within the land sale site. As for feng shui issue, it is not a planning consideration of the Board.

6.6 Responses to specific grounds of representation in relation to Amendment Item E (Lo Fai Road Site)

Function of the "GB" zone and landscape impact

- 6.6.1 The Lo Fai Road site was previously a borrow area (Plan H-3e-2) which was reinstated and replanted thereafter. According to the tree survey conducted by the LandsD, no OVTs are found within the site. DAFC

advises that the site is a plantation woodland dominated by exotic tree species such as *Acacia confuse* (台灣相思), *A. mangium* (大葉相思), *Eucalyptus torelliana* (細葉桉) etc. He has no strong view on the proposed rezoning from the nature conservation perspective. To minimize the adverse landscape impacts on the site and surrounding environment, requirements on submission of a Landscape Master Plan with tree preservation proposal would be incorporated into the lease conditions as appropriate.

- 6.6.2 The Lo Fai Road site is about 500m away from the Tai Po Industrial Estate. Effluents generated from the industrial estate have to comply with the requirements of the relevant Ordinances. Environmental mitigation measures have also been implemented to address the pollutants or wastes including air, water and noise at source if necessary. In this regard, the surrounding areas will not be subject to the significant adverse environmental impact of the industrial estate. Director of Environmental Protection (DEP) has no objection to the proposed residential development. Besides, a large piece of land with a width of about 150m between the site and Ting Kok Road is zoned "GB". In this regard, the rezoning of the site from "GB" to "R(C)9" would not pose adverse environmental impact or undermine the environmental quality of its surrounding areas.

- 6.6.3 Regarding the proposal to develop an alternative "GB" site near HKIED instead, it should be noted that the land is mostly private land subject to various development constraints. 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.

Traffic impact

- 6.6.4 As mentioned in paragraph 6.3.8(c) above, C for T advises that the existing Lo Fai Road and Ting Kok Road will be operated within its handling capacity and able to accommodate the additional traffic generated from the proposed development subject to traffic improvement measures, if necessary. TD will keep monitoring the traffic situations and implement appropriate traffic improvement measures as the proposed development proceeds. The public car park at Lo Fai Road affected by the proposed amendment will be reprovisioned as required by TD.

Incompatible with surrounding environment and other adverse impacts

- 6.6.5 General responses on visual impact of the proposed rezoning sites in Tai Po have been provided in paragraph 6.3.11 above. Regarding the potential visual impact as mentioned by the representers, in the highly developed context of Hong Kong, it is not practical to protect private views without stifling development opportunity. In the interest of the public, it is far more important to protect public views, particularly those easily accessible and popular to the public or tourists. The development parameters of the proposed development at Lo Fai Road are comparable to adjacent developments with plot ratios ranging from 0.8 to 1.8 and building heights from 3 to 5 storeys. According to the visual appraisal undertaken by PlanD, the proposed development of 5 storeys would not create adverse visual

impact to the surrounding areas.

- 6.6.6 Given the size of the site (over 4 ha) and the low development intensity, there would be reasonable scope to accommodate good building design and layout disposition to avoid wall effect of buildings and enhance permeability. The proposed development is of low-rise and low-density in nature and within a suburban environment surrounded with vegetation, thus urban heat island effect is not anticipated.
- 6.6.7 The residential developments at Lo Fai Road have their own open space and recreational facilities. There is also a general surplus of land for open space use (about 45ha) in Tai Po district compared with the HKPSG requirements. In addition, there are three country parks including Pat Sin Leng Country Park, Plover Cove Country Park and Tai Mo Shan Country Park in the vicinity of Tai Po New Town. As such, there are ample spaces for residents in Tai Po to enjoy the natural environment.

No significant contribution to housing supply

- 6.6.8 As mentioned in paragraphs 6.3.1 to 6.3.3 above, the proposed residential zones will contribute to the Government's effort in meeting the pressing need for increase housing land supply to both public and private sectors. For a residential development, a range of flat size would be provided by the developer taking into account the character and adjacent developments. The assumed average flat size of 70m² is for estimating the number of potential flat supply.
- 6.6.9 For the proposal to reserve the site for the expansion of HKIED, suitable site would be identified for tertiary education purpose should such a need arise.

Consultation with TPDC

- 6.6.10 Regarding the **R1638** and **R1689**'s allegation on plot ratio for Amendment Item E, it should be noted that on 8.1.2014, it was presented to the EHWC of TPDC that the site at Lo Fai Road to be zoned "R(C)9" would be subject to a maximum domestic GFA of 46,200m² and the relevant information had been clearly stated in the EHWC paper no. 10/2014 and included in the Appendix II of the EHW paper no. 14a/2014 considered by EHWC on 13.2.2014. Given that the site area covered by the "R(C)9" zone is about 4.13 ha, the development intensity of the site with GFA of 46,200m² (GFA/site area) is equivalent to a plot ratio of about 1.1. The information provided to TPDC is correct and does not involve any misunderstanding.

6.7 Responses to specific grounds of representation in relation to Amendment Item F (Site at Lai Chi Shan)

According to the tree survey conducted, the site is a disturbed and fragmented habitat generally covered with exotic trees. No OVT or Potentially Registrable OVTs are recorded in the tree survey. The requirement for tree preservation and Landscape Master Plan would be imposed in the lease. Avoidance of impact to natural streams/rivers is recognized. The requirement for protection of natural stream would

be subject to relevant technical circular³ and could be incorporated into the lease conditions as appropriate.

6.8 Responses to specific grounds of representation in relation to Amendment Item G (Site at Yat Yiu Avenue)

The site was previously zoned “R(C)” and already reserved for residential development. The proposed amendment is for up-zoning to a higher development intensity to optimize the development potential of the site. DAFC has no comment on the proposed amendment from the nature conservation point of view. The developer will be required to follow the existing guidelines and tree preservation mechanism to carry out appropriate mitigation measures, including preservation or relocation of existing trees with conservation value, or compensatory planting; and tree preservation clause and submission of Landscape Master Plan would be imposed under the lease.

6.9 Responses to specific grounds of representation in relation to Amendment Item H (Site at Kon Hang near Cheung Shu Tan)

6.9.1 The subject site consists mainly of village houses, temporary structures, a plant nursery and interspersed with some common amenity or exotic tree species. It is largely surrounded by woodland in the adjoining “CA” zone and a natural stream course is flowing through its northern portion. According to DAFC, the stream is not an Ecological Important Stream. The technical circular on protection of natural stream would be followed. About 1.12 ha of the site is Government land and is intended for sale for private residential development. A tree preservation clause would be imposed in the lease, the details of which should be subject to the pre-land sale tree survey to be conducted by LandsD.

6.9.2 As regards **R13(Part)**’s view on rezoning the wooded areas along Tai Po Road beyond Tai Po Mei Waterfall to “CA”, the areas are not covered by any amendment items under the current rezoning exercise. There is no strong justification for rezoning the wooded areas which are mainly zoned “GB” to “CA”.

6.10 Responses to Representers’ Proposals

Responses to Specific Proposals on Amendment Items C, D2, E, F and H

6.10.1 The representer (**R40(Part)**) proposes to rezone the concerned “GB” sites to Country Park. DAFC advises that any proposal to include areas into Country Park should be assessed against the established principles and criteria, which include conservation value, landscape and aesthetic value, recreational potential, size, proximity to existing country parks, land status

³ Environment, Transport and Works Bureau Technical Circular (Works) No. 5/2005 - Protection of Natural Streams / Rivers from Adverse Impacts Arising from Construction Works

and land use compatibility, as well as other relevant considerations. Designation of Country Park is under the jurisdiction of the Country and Marine Parks Authority governed by the Country Parks Ordinance (Cap. 208) which is outside the purview of the Board.

Responses to Specific Proposals on Amendment Item H

6.10.2 Although the site is not far from the Tai Po Kau Nature Reserve to the west, its western portion is mainly a developed area comprising village houses with building entitlement. **R18(Part)**'s proposal to retain the "GB" zoning is considered inappropriate.

6.10.3 As regards **R1325**'s proposal to rezone the site to "CA", "CA" zone is normally designated to conserve areas of high conservation value. However, according to DAFC, the area is not of particular high ecological value which warrants designation of a "CA" zoning.

6.11 Responses to Grounds of Comments and Commenters' Proposals

As the commenters are supporting the representations **R16(Part)** to **R1273(Part)**, **R1327** and **R1328** and the opposing views on Amendment Item E, 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 **R1's** supporting views on the zoning amendments are noted.
- 8.2 **R2's** view on Amendment Item F concerning an existing high pressure gas pipeline in the proximity of the site is noted. The future developer would be required under land sale conditions to conduct a risk assessment and provide mitigation measures to the satisfaction of DEMS. The project proponent would be advised to maintain liaison/coordination with the Hong Kong and China Gas Company.
- 8.3 **R3's** view on Amendment Item J1 concerning the noise impact from East Rail on the site is noted. The project proponent would be required under lease conditions to conduct NIA and provide noise mitigation measures to the satisfaction of DEP.
- 8.4 Regarding **R4** and **R5's** concerns, the proposed development at Site H with appropriate development restrictions on development intensity and would not have adverse visual impact on the surrounding area. Rezoning of the site from "GB" to "R(C)8" would also not affect the existing access to the burial ground. As for Small House developments around Cheung Shue Tan and Tai Po Mei Villages, the areas concerned are not the subject of amendments to the OZP. Should the villagers wish to rezone the areas for village development, they could submit planning application to the Board under the s.12A of the Ordinance.
- 8.5 Based on the assessment in paragraph 6 above and for the following reasons, PlanD does not support **R6(Part)** to **R1273(Part)**, **R1324(Part)**, **R1325**, **R1326(Part)**, **R1327** to **R1624**, **R1625(Part)**, **R1626** to **R6321** and **R6322(Part)** and considers that the Plan should not be amended to meet the representations:

For **R6(Part)** to **R1273(Part)**, **R1324(Part)**, **R1326(Part)**, **R1325**, **R1327** to **R1624**, **R1625(Part)**, **R1626** to **R6321** 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 rejection reasons on specific grounds and proposals

- (f) Designation of Country Park is under the jurisdiction of the Country and Marine Parks Authority governed by the Country Parks Ordinance (Cap. 208) which is outside the purview of the Town Planning Board. (R40)

Item C

- (g) The site to the west of Nethersole Hospital is about 150m away from the hospital, and Fu Heng Estate and a public transport terminus are located to the west on the other side of Chung Nga Road. The proposed residential development at the site is considered compatible with the surrounding developments. (R1325)

Item D

- (h) Ting Kok Road has sufficient capacity to cope with the existing and anticipated traffic flow even with the proposed residential development at Fung Yuen. In this regard, it is not necessary to reserve 10m-wide buffer for widening of Ting Kok Road. (R1327)
- (i) The hiking route along Sha Lo Tung Road would not be affected by the proposed residential development at Fung Yuen and peripheral planting would be provided to improve amenity. (R13(Part) and R18(Part))
- (j) The site is mainly a plantation dominated by exotic species, which have much lower plant diversity, simpler structure and lower fauna diversity. There is no strong justification for rezoning the site to "CA". (R13(Part))

- (k) The zoning shown on the OZP is broad-brush and the shrine near the southern end of the proposed residential development at Fung Yuen is not within the land sale site. The site is at a distance of about 600m away from the Hong Kong and China Gas Production Plant and the developer would be required to carry out hazard assessment in accordance with the HKPSG. As for feng shui issue, it is not a planning consideration of the Town Planning Board. (R1326(Part), R1329 to R1624, R1625(Part) and R1626)
- (l) According to the OZP, "Village Office" use is always permitted in the "V" zone and there is land available within the "V" zones of Fung Yuen for village office use. (R1625(Part))

Item E

- (m) The public car park at Lo Fai Road affected by the proposed residential development will be reprovisioned as required by the Transport Department. (R1237(Part), 1252(Part), 1271(Part) to 1273(Part), R1633, R1643 to R1644, R1656, R1663, R1984 to R2403, R2775 and R4365 to R5249)
- (n) It has been presented to the EHWC of TPDC that the site at Lo Fai Road with a total area of about 4.13 ha would be subject to a maximum domestic GFA of 46,200m² and such information has been stated clearly in the EHWC paper. The information provided is correct and does not involve any misunderstanding. (R1638 and R1689)

Items F and H

- (o) The requirement for protection of natural stream would be subject to relevant technical circular and would be incorporated into the lease conditions of the sites. (R13(Part) and R17(Part))

Item H

- (p) The areas proposed for "CA" zone at Tai Po Mei are not covered by any amendment items under the current rezoning exercise. There is no strong justification for rezoning the wooded areas which are mainly zoned "GB" to "CA". (R13(Part))
- (q) "CA" zone is normally designated to conserve areas of high conservation value. The area is not of particular high ecological value which warrants designation of a "CA" zoning. (R1325)

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 Representers
Annex IV	Extract of Submissions made by the Commenters
Annex V	Extract of Minutes of EHWC meeting held on 8.1.2014
Annex VI	Extract of Minutes of EHWC meeting held on 13.2.2014
Annex VII	Extract of Minutes of TPDC meeting held on 8.5.2014
Annex VIII	Extract of Minutes of EHWC meeting held on 14.5.2014
Annex IX	Provision of GIC Facilities and Open Space in Tai Po
Annex X	Summary of Representations and Comments and PlanD's responses
Annex XI	CD-Rom of all representations and comments [TPB Members only]
Plan H-1	Location Plan of the Representation Sites
Plans H-2b to H-2j	Site Plan of the Representation Sites
Plans H-3b to 3j	Aerial/Site Photos
Plans H-4b to 4j	Photomontages

**PLANNING DEPARTMENT
NOVEMBER 2014**