

**DRAFT FANLING/SHEUNG SHUI OUTLINE ZONING PLAN NO. S/FSS/27  
CONSIDERATION OF REPRESENTATIONS NO. TPB/R/S/FSS/27-R1 TO R72  
AND COMMENTS NO. TPB/R/S/FSS/27-C1 TO C6**

<b>Subject of Representations (Amendment Items)</b>	<b>Representers</b>	<b>Commenters</b>
<p><b><u>Amendment Item (Item) A</u></b> Rezoning of a site at the junction of Ma Sik Road and Fan Leng Lau Road from “Village Type Development” (“V”) to “Residential (Group A)12” (“R(A)12”) with stipulation of building height (BH) restriction</p> <p>Revision to the Remarks for the “R(A)” zone to incorporate “R(A)12” sub-area with development restrictions</p> <p><b><u>Item B</u></b> Stipulation of BH restriction for the “Comprehensive Development Area” (“CDA”) zone</p> <p>Revision to the Remarks for the “CDA” zone to incorporate development restrictions and requirements</p>	<p><b>Total: 72</b></p> <p><b><u>Support Item A (1)</u></b> <b>R1:</b> Lot Owner</p> <p><b><u>Support Item B (1)</u></b> <b>R2:</b> Lot Owner</p> <p><b><u>Oppose (70)</u></b></p> <p><b><u>Oppose Items A and B</u></b> <b>R5:</b> Individual</p> <p><b><u>Oppose Item B</u></b> <b>R3:</b> North District Council Member</p> <p><b>R6 to R72:</b> Individuals</p> <p><b><u>Oppose the Plan</u></b> <b>R4:</b> Chairman of the Fanling District Rural Committee</p>	<p><b>Total: 6</b></p> <p><b><u>Support Item B (1)</u></b></p> <p><i>Related to R3 to R72</i> <b>C1</b> (also R2): Lot Owner</p> <p><b><u>Oppose Item B (5)</u></b></p> <p><i>Related to R8 to R72</i> <b>C2</b> (also R6), <b>C3</b> (also R7) and <b>C4:</b> Individuals</p> <p><i>Related to R8</i> <b>C5</b> (also R8): Individual</p> <p><i>Not Specified</i> <b>C6</b> (also R5): Individual</p>

Note: The names of all representers and commenters are attached at **Annex III**. A soft copy of their submissions is sent to Town Planning Board (the Board) Members via electronic means; and is also available for public inspection at the Board’s website at [https://www.tpb.gov.hk/en/plan\\_making/S\\_FSS\\_27.html](https://www.tpb.gov.hk/en/plan_making/S_FSS_27.html) and the Planning Enquiry Counters of the Planning Department (PlanD) in North Point and Sha Tin. A set of hard copy is deposited at the Board’s Secretariat for Members’ inspection.

## **1. Background**

- 1.1 On 12.5.2023, the draft Fanling/Sheung Shui (FSS) Outline Zoning Plan (OZP) No. S/FSS/27 (the Plan) (**Annex I**) was exhibited for public inspection under section 5 of the pre-amended Town Planning Ordinance (the pre-amended Ordinance<sup>1</sup>). The Schedule of Amendments setting out the amendments incorporated into the Plan is at

<sup>1</sup> The “pre-amended Ordinance” refers to the Town Planning Ordinance as in force immediately before 1.9.2023.

**Annex II** and the locations of the amendment items are shown on **Plan H-1**.

- 1.2 During the two-month exhibition period, a total of 72 valid representations were received. On 1.9.2023, the representations were published for three weeks for comments. Upon expiry of the publication period, six valid comments on the representations were received.
- 1.3 On 3.11.2023, the Board agreed to consider all the representations and comments collectively in one group.
- 1.4 This Paper is to provide the Board with information for consideration of the representations and comments. The list of representers and commenters is at **Annex III**. The representers and commenters have been invited to attend the meeting in accordance with section 6B(3) of the pre-amended Ordinance.

## **2. Background**

### *Item A – Section 12A application for Proposed Private Residential Development*

- 2.1 On 10.6.2022, the New Town and Rural Planning Committee (RNTPC) of the Board agreed to a s.12A application No. Y/FSS/18 to rezone a site at the junction of Ma Sik Road and Fan Leng Lau Road from “V” to “R(A)12” to facilitate the proposed private residential development with a neighbourhood elderly centre (NEC), a 120-person privately operated residential care home for the elderly (RCHE), and a public vehicle park (PVP) comprising 100 private car parking spaces.

### *Item B – Section 12A application for Proposed Private Residential Development*

- 2.2 On 17.3.2023, the RNTPC agreed to another s.12A application No. Y/FSS/19 to rezone Oi Yuen Villa site from “CDA” to “CDA(1)” zone to facilitate the proposed private residential development with a 100-person privately operated RCHE, and preservation in-situ of the Oi Yuen Villa (a Grade 1 historic building).

### *Amendments to the OZP*

- 2.3 On 21.4.2023, the RNTPC agreed that the proposed amendments to the approved FSS OZP No. S/FSS/26 were suitable for exhibition under section 5 of the pre-amended Ordinance for public inspection.
- 2.4 In relation to the above proposed amendments, the Notes of the OZP have been revised accordingly. Opportunity was also taken to incorporate other technical amendments into the Notes of the OZP for reflecting the latest revision of the Master Schedule of Notes to Statutory Plans, as well as to update the Explanatory Statement (ES) of the OZP to reflect the latest planning circumstances.

- 2.5 The relevant RNTPC Paper No. 3/23 are available at the Board's website<sup>2</sup> and extract of the minutes of the RNTPC meeting on 21.4.2023 is at **Annex IV**. Accordingly, the draft FSS OZP No. S/FSS/27 was gazetted on 12.5.2023.

### 3. Local Consultation

#### *Prior to Submission of the Proposed Amendments to RNTPC*

- 3.1 During the processing of the respective s.12A applications relating to Items A and B, the applications were published for public comments in accordance with the provisions of the pre-amended Ordinance. In considering the two applications on 10.6.2022 and 17.3.2023 respectively, the RNTPC has taken into account of the public comments.

#### *Upon Gazettal of the Draft OZP*

- 3.2 On 12.5.2023, the draft OZP was gazetted for public inspection under section 5 of the pre-amended Ordinance. The Members of North District Council (NDC), Fanling District Rural Committee (FDRC) and Sheung Shui District Rural Committee were also notified on the same date that members of the public can submit representations on the amendments in writing to the Secretary of the Board during the exhibition period of the draft OZP. On 29.6.2023, an Information Paper on the proposed amendments was circulated to the members of the Committee on Land Development, Housing and Works of the NDC. Two of the representations were submitted by a NDC member (**R3**) and the Chairman of FDRC (**R4**) respectively.

### 4. The Representation Sites

- 4.1 The Representation Sites and their Surrounding Areas

#### ***Representation Site under Item A (Drawings H-1a to H-1d, Plans H-1, H-2a, H-3a and H-4a)***

- 4.1.1 The Item A Site abuts Ma Sik Road and Fan Leng Lau Road and is currently mainly used for an open-air public vehicle park (**Plan H-4a**). Item A Site is generally surrounded by existing or planned high-rise residential developments. To the north across Ma Sik Road is the Fanling North (FLN) New Development Area (NDA) and a few planned public and private housing developments with a planned BH of 120mPD to 140mPD as approved under the planning application No. A/FLN/30 (**Plan H-2a**). To the east across Fan Leng Lau Road is a high-rise residential development (Wing Fok Centre). To the south is Fan Garden Police Married Quarters with a BH of 110mPD and to the southwest is planned public and private housing developments with BH restrictions ranged from 135mPD to 170mPD in Fanling Area 17 (**Plan H-1**). To the west and northwest are village houses in Ling Shan Tsuen and low-rise residential development

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<sup>2</sup> The RNTPC Paper No. 3/23 is available at the Board's website at:  
[https://www.tpb.gov.hk/en/meetings/RNTPC/Agenda/717\\_rnt\\_agenda.html](https://www.tpb.gov.hk/en/meetings/RNTPC/Agenda/717_rnt_agenda.html)

(Good View New Village) respectively.

- 4.1.2 Item A Site with an area of about 14,750m<sup>2</sup> is zoned to “R(A)12” subject to a domestic PR of 5.0, a non-domestic PR of 0.18, and a BH of 110mPD. According to the indicative scheme, Item A Site would be developed into a private residential development with social welfare facilities (including a NEC and a 120-place privately operated RCHE) and a PVP with 100 car parking spaces (**Drawing H-1a**). The NEC and PVP as required by the Social Welfare Department (SWD) and Transport Department (TD) respectively would be exempted from the plot ratio (PR) calculation. The major development parameters of the indicative scheme are summarised below:

<b>Site Area</b>	14,750 m <sup>2</sup>
<b>Development Site Area</b>	13,232 m <sup>2</sup>
<b>Total PR</b> - <b>Domestic PR</b> - <b>Non-domestic PR</b>	5.18 5 0.18 (for RCHE only)
<b>BH / Number of Storeys</b>	110mPD / 30 storeys
<b>Number of Flats</b>	1,638
<b>Estimated Population</b>	About 4,586
<b>Social Welfare Facility</b>	- NEC - 120-place privately operated RCHE
<b>Public Vehicle Park for Private Cars</b>	100

***Representation Sites under Item B (Drawings H-2a to H-2d, Plans H-1, H-2b, H-3b, H-4b and H-4c)***

- 4.1.3 Item B Site is currently occupied by Oi Yuen Villa (a Grade 1 historic building), an existing grave and a few small ancillary structures with the remaining area grown with grass and trees (**Plan H-4b**). Item B Site is sandwiched between Fanling Highway to the north and Castle Peak Road – Kwu Tung to the south. On both sides of Item B Site are existing and planned residential developments. To the east is a planned public housing development at Tai Tau Leng with a BH restriction of 130mPD (**Plans H-2b and H-4b**). To the south and southeast is Fanling Golf Course and a medium-rise private residential development (Eden Manor) respectively (**Plan H-2b**). To the west is a local track named Pak Wai Lane, and a low-rise private residential development known as Golf Parkview (**Plans H-2b and H-4c**).
- 4.1.4 Item B Site with an area of about 31,623m<sup>2</sup> is zoned “CDA” subject to a domestic PR of 4.3, non-domestic PR of 0.09, a site coverage (SC) of 27%, and a BH of 130mPD. The Grade 1 historic building, i.e. Oi Yuen Villa, shall be preserved in-situ for adaptive reuse. According to the indicative scheme, Item B Site would be developed into a private residential

development with social welfare facilities (including a 120-place privately operated RCHE). The existing Oi Yuen Villa would be preserved in-situ and would form part of the future residents' clubhouse (**Drawing H-2a**). The major development parameters of the indicative scheme are summarised below:

<b>Site Area</b>	31,623 m <sup>2</sup>
<b>Development Site Area</b>	29,860 m <sup>2</sup>
<b>Total PR</b>	4.39
- <b>Domestic PR</b>	4.3
- <b>Non-domestic PR</b>	0.09 (for RCHE only)
<b>BH / Number of Storeys</b>	130mPD / 32 storeys
<b>Number of Flats</b>	969
<b>Estimated Population</b>	About 2,714
<b>Social Welfare Facility</b>	100-place privately operated RCHE

#### 4.2 Planning Intentions

The planning intentions of the zones in relation to the above representation sites are as follows:

- (a) The “R(A)12” zone under Item A is intended primarily for high-density residential developments.
- (b) The “CDA” zone under Item B is intended 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.

## 5. The Representations

### 5.1 Subject of Representations

5.1.1 There is a total of 72 representations including two supporting the amendment items, and 70 opposing the individual or all amendment items and/or the revision to the Notes. The individual lot owners of the two subject Sites supported Items A and B respectively (**R1 and R2**). Among the 70 adverse representations, a NDC Member (**R3**) opposed Item B, the Chairman of FDRC (**R4**) oppose the draft OZP, an individual (**R5**) opposed both Items A and B, and the remaining 67 representations (**R6 to R72**) submitted by individuals opposed Item B only.

5.1.2 The major grounds/comments of representations and Government departments' responses are summarised in paragraphs 5.2 and 5.3 below.

## 5.2 Major Grounds of Supportive Representations

Major Ground(s)/View(s)	Rep No.
(1) Item A for high-rise development is supported to further optimise the Site potential and to increase the housing supply.	<b>R1</b>
(2) Item B could support the Government's policy to increase the housing supply and facilitate in-situ preservation of Oi Yuen Villa (the Grade 1 historic building) and the provision of RCHE to meet the on-going demand arising from the aging population.	<b>R2</b>
<b>Responses</b>	
In response to (1) and (2):	
(a) The supporting views are noted.	

## 5.3 Major Grounds of Adverse Representations

### *Item A*

Major Grounds/Comments	Rep No.
<p>(1) Though Item A Site was originally zoned "V", it was not implementable for small house developments due to the suspension of the implementation of Ling Hill Village Expansion Area, and thus could be used for high-rise residential development. However, instead of being used for private housing, it should be used for much needed public housing developments or provision of government, institution or community (GIC) facilities.</p> <p>(2) In view of the shortfall of GIC facilities/services in accordance with the Hong Kong Planning Standards and Guidelines (HKPSG), the provision of RCHE at Item A Site is considered insufficient.</p> <p>(3) Regarding the building design layout, there is lack of separation between building blocks, thus resulting in adverse air ventilation and natural light impacts.</p>	<b>R5</b>
<b>Responses</b>	
In response to (1):	
(a) The "R(A)12" zone is intended primarily for high-density residential developments. There is no specification of the housing type under the "R(A)12" zone. The "R(A)12" zone mainly comprises private land (about 76% of the zone) and the Government has no intention to resume the private	

land within the zone for public housing development.

- (b) Regarding the supply of public housing units, over the past 7 to 8 years, the Government had adopted a multi-pronged approach to provide land in FSS New Town for public housing developments, through land resumption, vacant industrial land, reviews of “Government, Institution or Community” sites, open space and green belt. A total of about 24,700 units<sup>3</sup> is estimated to be provided in the planned housing developments within the FSS New Town.
- (c) Amendment Item A is to take forward the decision of the RNTPC on the s.12A application and the Site has been rezoned from “V” to “R(A)12” to facilitate the proposed residential development. Making use of the Site for private residential development could render a balance flat mix in the FSS New Town. The overall public/private housing mix upon implementation of the planned/committed housing projects would be about 68:32.

In response to (2):

- (d) The existing and planned provision of GIC facilities in FSS New Town are generally adequate to meet the demand of the existing and planned population of the FSS New Town in accordance with the requirements of the HKPSG and assessments of relevant Government bureaux/departments, except for some elderly, childcare and rehabilitation facilities (**Annex V**).
- (e) As the HKPSG requirements for these facilities are long-term goals, the provision would be addressed by SWD on a wider district basis, having regard to a number of factors including the distribution of facilities, land supply and service demand as a result of population growth and demographic changes. These facilities could be incorporated in new development or redevelopment in consultation with relevant Government departments when opportunities arise. To meet the demand, social welfare facilities with no less than 5% of the domestic GFA of the proposed/planned public housing developments within the FSS New Town will be provided. In Item A Site, a NEC would be provided as required by SWD. Besides, a privately-operated RCHE would also be provided to meet the elderly residential care services in the private market.

In response to (3):

- (f) Technical assessments on various aspects including environment, traffic, visual, tree preservation, air ventilation, drainage, sewerage and water supply were conducted to ensure technical feasibility in support of the s.12A application (No. Y/FSS/18) under Item A. The assessments concluded that the proposed development would not cause any insurmountable problems

<sup>3</sup> The planned public housing developments include the projects at FSS Area 48, FSS Area 11 Jockey Club Road, FSS Area 4 Po Shek Wu Road, Sheung Shui Areas 4 and 30, Choi Shun Street, Tai Tau Leng, Ching Hui Road, and Fanling Area 17.

with the implementation of suitable mitigation/improvement measures in the detailed design and project implementation stages.

- (g) According to the submitted Visual Impact Assessment (VIA), some design and mitigation measures including a stepped BH profile descending from the east towards the existing low-rise houses to its west, two 15m-wide building separations between the residential blocks to promote visual openness and permeability (**Drawing H-1a**), building setbacks of about 9m to 20m along the site boundaries for peripheral landscape treatment were proposed to improve visual permeability. With the implementation of these mitigation measures, the scale and height of the proposed development are considered not incompatible with the existing/planned residential character of the area in the wider context. CTP/UD&L of PlanD had no adverse comment on the VIA submitted by the applicant from urban design perspective.
- (h) An Air Ventilation Assessment (Expert Evaluation) (AVA(EE)) on the air ventilation performance of the proposed development was conducted. Taking into consideration of the existing topography, the location of the existing built areas and provision of mitigation measures, it is considered the proposed development would not have significant adverse impact on surrounding environment with the implementation of the proposed building separations and building setbacks. CTP/UD&L of PlanD had no adverse comment on the AVA(EE) submitted by the applicant from air ventilation perspective.

## **Item B**

### **5.3.1 Traffic Aspect**

<b>Major Grounds/Comments</b>	<b>Rep No.</b>
(1) The existing road network, in particular the Pak Wai Lane ( <b>Plans H-2b and H-4b</b> ), would be overloaded by the additional traffic generated by the proposed development. The proposed development would exacerbate the existing traffic congestion problem in the area in addition to the cumulative traffic impacts brought about by the nearby existing and planned developments.	<b>R3 and R8 to R72</b>
(2) The Traffic Impact Assessment (TIA) conducted for the proposed development is not reflecting the actual traffic situation in the area.	<b>R6 to R72</b>
(3) There is no proposed improvement works to resolve the existing adverse traffic impacts in the area. The capacity of the major roads and Po Shek Wu Road Roundabout (also known as Tai Tau Leng Roundabout) has been seriously overloaded.	<b>R3</b>
(4) The potential traffic congestions may cause safety/emergency issue to the proposed RCHE.	<b>R8 to R72</b>



<p>(5) The proposed development would share the same vehicular access road for ingress/egress with the adjoining residential development, Golf Parkview. The ingress/egress point should be located to the further east near the Tai Tau Leng public housing site to avoid overloading of traffic at Pak Wai Lane. The Pak Wai Lane and the existing narrow footpath could not accommodate the increased pedestrian and vehicular flows.</p>	<p><b>R6 and R7</b></p>
<p>(6) Insufficient public transportation is provided to support the existing residential development, Golf Parkview, and the future development with RCHE.</p>	<p><b>R8 to R72</b></p>
<p><b>Responses</b></p>	
<p>In response to (1) to (5):</p> <p>(a) A TIA conducted by the applicant under s.12A application No. Y/FSS/19 demonstrated that, with the proposed traffic improvement measures to be carried out under various Government projects, including Kwu Tung North (KTN)/FLN NDA and the public housing development at Tai Tau Leng, the traffic generated by the proposed development including the RCHE would not bring insurmountable traffic impact to the surrounding areas. Commissioner for Transport advised that with the planned junction/road improvement works to be carried out by other projects, the road network in the vicinity of the Site is still within the design capacity with the proposed development and has no objection to the proposed development from traffic engineering point of view.</p> <p>(b) The Po Shek Wu Road Roundabout and So Kwun Po Roundabout on Fanling Highway are currently the main junctions serving both local traffic in the North District and traffic to the urban areas. The Government had programme to improve the carrying capacities of the two roundabouts tentatively by building by-passes (i.e. Po Shek Wu Road Flyover and So Kwun Po Link respectively) to divert part of the local traffic from entering into the two roundabouts. According to CEDD, the two by-pass infrastructures are scheduled to be completed by 2030/31 tentatively.</p> <p>(c) The nearby junctions including the one at Pak Wai Lane/Castle Peak Road – Kwu Tung were identified for assessment of traffic impact arising from the proposed development. The road/junction improvement works including the two by-passes mentioned above, widening of Castle Peak Road – Kwu Tung proposed under KTN/FLN NDA, and those works to be implemented associated with the planned public housing site at Tai Tau Leng would be carried out to improve the overall traffic condition in the area. The applicant had indicated that the population intake of proposed development would only commence after the completion of all relevant road/junction improvements works committed under other projects/developments, subject to further consideration of the TIA at the s.16 application stage. New pedestrian footpath along the southeastern side of Pak Wai Lane is also proposed under Y/FSS/19 to improve the pedestrian access from Castle Peak Road – Kwu Tung.</p>	

- (d) The TIA indicates that there will be sufficient capacity at the junction of Pak Wai Lane and Castle Peak Road – Kwu Tung to cater for the proposed development such that the ingress/egress at Pak Wai Lane is technically feasible. The TIA findings and the access arrangement was accepted by TD. The location of the RCHE is proposed to be placed in a convenient location near the ingress/egress point for better accessibility from the public road. Furthermore, a roundabout is proposed near the ingress/egress point for better manoeuvring space at the end of Pak Wai Lane (**Drawing H-2a**).

In response to (6):

- (e) More public transport services would be provided in tandem with the planned Tai Tau Leng public housing development to the immediate east of the Site. Laybys for taxis and buses are also proposed along the Castle Peak Road - Kwu Tung to cater for the passenger demand under the said public housing development. The submitted TIA under Y/FSS/19 had taken into account the impact of the proposed development on the demand for the public transport services.

### 5.3.2 Visual and Air Ventilation Aspects

Major Grounds/Comments	Rep No.
(1) The BH restriction stipulated in the original “CDA” zone was for low-rise development. The building height of the proposed development is too high, resulting in wall effect to the surrounding areas.	<b>R3, R5, R8 to R72</b>
(2) The proposed development intensity is incompatible with the surrounding areas and would result in walled effect, and adverse visual and air ventilation impacts.	<b>R6 to R72</b>
(3) The development proposal under application No. Y/FSS/15 (i.e. maximum domestic PR of 3.0 and non-domestic PR of 0.09, SC of 27% and BH of 99.65mPD, or the PR, SC and BH of the existing building) with lower development intensity should be adopted to alleviate the walled effect on Golf Parkview and to improve the air ventilation.	<b>R6 and R7</b>
Responses	
<p>In response to (1) and (2):</p> <p>(a) Item B Site is sandwiched between Golf Parkview and Tai Tau Leng planned public housing site to the immediate west and east respectively. While Golf Parkview is an existing low-rise private residential development (with existing PR around 0.89 and BH of 4 storeys over one-storey carpark), Tai Tau Leng housing site will be developed for high-rise public housing use (with maximum PR of <b>6.87</b> and BH of <b>130.47mPD</b>) (<b>Plan H-4b</b>). Given the</p>	

above planning context, the proposed private residential development is considered not incompatible with the surrounding land uses although it would inevitably bring forth further visual changes to the surrounding neighbourhood. In order to mitigate the visual impact, the proposed development scheme have introduced building gaps ranging from 15m to 28m and a stepped BH profile from about 111mPD in the west up to 130mPD in the east to allow a cascading skyline in harmony with the adjacent low to high-rise developments (**Drawing H-2d**). To minimise its possible visual impact on the neighbourhood, the applicant is advised to explore further design measures for enhancing the visual permeability at the future s.16 application stage. The VIA conducted under Y/FSS/19 demonstrated that the proposed development would not result in significant visual impact. CTP/UD&L, PlanD considered that the proposed development would form a new residential cluster together with the surrounding planned high-rise developments.

- (b) On the air ventilation aspect, an AVA - Initial Study using computational fluid dynamic modelling was carried out to support the proposed development scheme. Building gaps and building setbacks from the southwestern and northern site boundaries (**Drawing H-2d**) could serve as wind corridors, and insurmountable adverse air ventilation impact to the surrounding residential developments is not anticipated. CTP/UD&L of PlanD had no adverse comment on the proposed development scheme as reflected from air ventilation perspective.

In response to (3):

- (c) The previous application No. Y/FSS/15 at the Item B Site with a proposed PR of 3 and BH ranging from 83mPD to 99mPD was withdrawn by the applicant at the RNTPC meeting on 20.11.2020 and is irrelevant to the consideration of the current proposal.

### 5.3.3 Provision of GIC Facilities

Major Grounds/Comments	Rep No.
(1) The original proposed 30-place day care units for the elderly at the Site was deleted. The “CDA” zone is intended for comprehensive development with provision of GIC facilities.	<b>R5</b>
(2) The proposed 100-place beds of privately-owned RCHE at the Item B Site is not necessary as there is such provision at the KTN Multi-welfare Services Complex.	<b>R3</b>
(3) There are provisions of RCHE at other planned public housing sites in the North District including KTN/FLN NDA. Item B Site is not a suitable location for a RCHE.	<b>R8 to R72</b>

(4) The RCHE should be located close to public housing developments for better service catchment and accessibility.	<b>R6 and R7</b>
(5) The provision and details of the privately-operated RCHE should be stipulated on the Notes and ES.	<b>R6 and R7</b>
<b>Responses</b>	
<p>In response to (1):</p> <p>(a) The planning intention of the subject “CDA” zone is intended for comprehensive development/redevelopment of the area for residential and/or commercial uses with the provision of open space and other supporting facilities. The originally proposed day care units for the elderly was no longer required in consultation with SWD.</p>	
<p>In response to (2) to (4):</p> <p>(b) Taking into account the new RCHE facilities to be provided in the KTN Multi-welfare Services Complex, there is deficits of about 450 and 280 RCHE places within FSS New Town and the North District respectively. Responses on provision of GIC facilities in paragraphs 5.3 (d) and (e) above are relevant.</p> <p>(c) The privately operated RCHE could provide quality RCHE in order to meet the community’s diverse demand in the market. The Government also encourages developers to provide RCHEs in new private development projects under the Incentive Scheme. SWD had no objection in principle for the development of the proposed RCHE to be operated on private financing mode from the service perspective. In view of the rapidly ageing population, there is a pressing need for the Government to enhance its medium and long-term planning of elderly services. The privately run RCHE could enable market diversity and offer alternative choices for different users in the community.</p> <p>(d) While there is no specific location requirement set out in the HKPSG, RCHE should be accessible with proper vehicular access for convenience service and be compatible with the surrounding land uses. In terms of site accessibility and compatibility, the current proposed location of the RCHE is considered appropriate.</p>	
<p>In response to (5):</p> <p>(e) The privately operated RCHE would be counted towards the gross floor area/PR calculation. Accordingly, the non-domestic PR of 0.09 has been stipulated on the Notes for the “CDA” zone and the ES has specified that the non-domestic PR would be solely for provision of RCHE at the Site. Upon the plan-making process, the applicant is still required to submit a Master Layout Plan (MLP) when seeking planning permission from the Board under “CDA” zone. Details of the RCHE will need to be included in the MLP</p>	

submission. The RCHE would also be scrutinised under the general building plans by the Building Authority. In terms of the operation and management, the RCHEs would need to meet the licencing requirements and would be governed under relevant ordinances/regulations.

#### 5.3.4 Other Aspects

Major Grounds/Comments	Rep No.
(1) <b>R6 to R72</b> maintain their objections expressed in the public comments received for the agreed s.12A application (No. Y/FSS/19).	<b>R6 to R72</b>
(2) The provision of private residential units is oversupplied. More community services, in particular for the elderly, should be provided.	<b>R5</b>
(3) One of the Board Members who is a personal friend of the lot owner of Item B should not be involved in the discussion and deliberation of the subject matters.	<b>R3</b>
(4) Piling works during the construction period would induce adverse impacts on the structure of Golf Parkview. An in-depth assessment of the construction impact on Golf Parkview should be conducted prior to the commencement of the proposed development.	<b>R6 and R7</b>
Responses	
<p>In response to (1) and (2):</p> <p>(a) Item B Site is the subject of the s.12A application No. Y/FSS/19, which was considered and agreed by the RNTPC on 17.3.2023. In agreeing the s.12A application, the RNTPC has taken into consideration all the public comments received, relevant technical assessments, and comments from relevant bureau/departments. The objections are mainly based on traffic, visual and air ventilation grounds, which had already been addressed by the technical assessments submitted by the applicant.</p> <p>(b) In terms of housing supply, it is the Government's on-going policy of adopting a multi-pronged approach to increase land supply to meet the acute demand for both public and private housing.</p> <p>(c) For the provision of GIC facilities, the responses in paragraphs 5.3 (d) and (e) above are relevant.</p>	
<p>In response to (3):</p> <p>(d) The concerned Board Member had declared an interest during the consideration of s.12A application No. Y/FSS/19 and the proposed</p>	

amendments to the draft OZP at RNTPC on 17.3.2023 and 21.4.2023 respectively. Since the interest was direct, the concerned Board Member had not participated in the discussion of both s.12A application and the proposed amendments to the draft OZP.
In response to (4):
(e) Building plan submissions including foundation plan and structural plan would be required under the Buildings Ordinance and subject to the approval of the Building Authority prior to the construction of the proposed development. During the construction period, appropriate precautionary measures would be carried out, and all proposed building works should comply with relevant codes of practice and regulations to ensure structural safety.

### 5.3.5 General Issues involving All Amendment Items

Major Grounds/Comments	Rep No.
(1) The development of the Northern Metropolis with lots of public housing developments and infrastructure/construction works have affected Sha Tau Kok Road and caused severe traffic congestion, noise and air pollution as well as sewage problems, which have caused serious disturbances to the livelihood of community.	<b>R4</b>
Responses	
In response to (1):	
(a) The amendment items are to take forward the two s.12A planning applications which were agreed by the RNTPC. Both applicants have submitted technical assessments, which have taken into account the committed developments at the time of application. The technical assessments confirmed that there is no insurmountable technical impact arising from the proposed developments with the implementation of appropriate mitigation/improvement measures. Concerned government departments have no objection to/adverse comment on the applications. The RNTPC has taken into consideration all the public comments received, finding of relevant technical assessments, and comments from the relevant government departments.	

## 6. Comments on Representations

- 6.1 Six comments were received including one (C1) from the subject lot owner supporting Item B and the remaining five comments submitted by the individuals (C2 to C6) opposing Item B. C1 to C3 and C5 to C6 are also representers (R2, R6, R7, R8 and R5 respectively). C1 supported Item B as various technical

assessments conducted have confirmed that the proposed development is technically feasible and would not generate adverse impact to the surrounding environment with appropriate mitigation measures and improvement works.

- 6.2 **C2 to C5** reiterated their opposing views on Item B which are similar to the grounds of representations stated in paragraphs 5.3.1 to 5.3.5 above and the corresponding responses are relevant.
- 6.3 **C6** also suggested that cycling parking should be provided at the proposed development to encourage the environmentally friendly mode of transportation. According to the requirement set out in the HKPSG, taking into account the site location from the Sheung Shui MTR Station and the proposed flat size, provision of bicycle parking area is not required for the proposed development. Nevertheless, the details of the proposed development would be subject to scrutiny of concerned departments at s.16 planning application stage.

## **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) Director of Social Welfare;
- (b) Commissioner for Transport; and
- (c) Chief Town Planner/Urban Design & Landscape, Planning Department.

- 7.2 The following Government bureau/departments have been consulted and they have no comment on the representations and comments:

- (a) Secretary for Development;
- (b) Chief Building Surveyor/New Territories West, Buildings Department;
- (c) Chief Engineer/Construction, Water Supplies Department;
- (d) Chief Engineer/Mainland North, Drainage Services Department;
- (e) Chief Highway Engineer/New Territories East, Highways Department;
- (f) Commissioner of Police;
- (g) Director of Electrical and Mechanical Services;
- (h) Director of Environmental Protection;
- (i) Director of Fire Services;
- (j) Director of Food and Environmental Hygiene;
- (k) District Land Officer/North, Lands Department;
- (l) Chief Estate Surveyor/Land Supply, Lands Department;
- (m) Director of Leisure and Cultural Services;
- (n) District Officer (North), Home Affairs Department; and
- (o) Project Manager/North, Civil Engineering and Development Department.

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

- 8.1 The supportive views of **R1 and R2** are noted.
- 8.2 Based on the assessments in paragraph 5.3 above, the Planning Department does not support **R3 to R72** and considers that the Outline Zoning Plan should not be amended to meet the representations for the following reasons:
- (a) Items A and B are to take forward two s.12A applications which were agreed by the Rural and New Town Planning Committee taking into consideration all the public comments received, findings of relevant technical assessments, and comments from the relevant government departments. The proposed amendments are considered appropriate (**R3 to R72**);
  - (b) relevant technical assessments on traffic, environmental, visual, and air ventilation aspects have been conducted under the two s.12A applications and confirmed that there is no insurmountable technical impact arising from the proposed developments with the implementation of appropriate mitigation/improvement measures (**R3 to R72**); and
  - (c) the planned Government, institution and community (GIC) facilities are generally sufficient to meet the demand of the planned population in the Fanling/Sheung Shui New Town in accordance with the Hong Kong Planning Standards and Guidelines and assessments of relevant Government bureaux/departments, except for some GIC facilities. Appropriate Government, institution and community facilities would be provided in the proposed developments to meet the needs of the future residents in the area. The provision of community facilities will be closely monitored by the relevant Government bureaux/departments. The Government would continue adopting a multi-pronged approach to further enhance the provision of Government, institution and community to serve the district needs (**R3, R5 to R72**).

## **9. Decision Sought**

- 9.1 The Board is invited to give consideration to the representations and comments taking into consideration the points raised in the hearing session, and decide whether to propose/not to propose any amendment to the Plan to meet/partially meet the representations.
- 9.2 Should the Board decide that no amendment should be made to the OZP to meet the representations, Members are also invited to agree that the OZP, together with the Notes and updated Explanatory Statement, are suitable for submission under section 8 of the pre-amended Ordinance to the Chief Executive in Council for approval.



## **10. Attachments**

<b>Annex I</b>	Draft Fanling/Sheung Shui OZP No. S/FSS/27 (reduced size)
<b>Annex II</b>	Schedule of Amendments to the Approved Fanling/Sheung Shui OZP No. S/FSS/26
<b>Annex III</b>	List of Representers and Commenters in respect of Draft Fanling/Sheung Shui OZP No. S/FSS/27
<b>Annex IV</b>	Extract of Minutes of RNTPC Meeting held on 21.4.2023
<b>Annex V</b>	Provision of Major Community Facilities and Open Space in Fanling/Sheung Shui New Town (Including Fanling/Sheung Shui Extension Area)
<b>Drawings H-1a to H-1d</b>	Indicative Development Scheme of Amendment Item A
<b>Drawings H-2a to H-2d</b>	Indicative Development Scheme of Amendment Item B
<b>Plan H-1</b>	Location Plans of the Representation Sites
<b>Plans H-2a and H-2b</b>	Site Plans of the Representation Sites
<b>Plans H-3a and H-3b</b>	Aerial Photos of the Representation Sites
<b>Plans H-4a to H-4c</b>	Site Photos of the Representation Sites

**PLANNING DEPARTMENT  
DECEMBER 2023**