

# **TOWN PLANNING BOARD**

**TPB Paper No. 10612  
For Consideration by the  
Town Planning Board on 20.12.2019**

**DRAFT HEBE HAVEN OUTLINE ZONING PLAN NO. S/SK-HH/7  
CONSIDERATION OF REPRESENTATIONS NO. R1 TO R510  
AND COMMENTS NO. C1 TO C6**

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**CONSIDERATION OF REPRESENTATIONS NO. R1 TO R510**  
**AND COMMENTS NO. C1 TO C6**

<b>Subject of Representations / Representation Site</b>	<b>Representers</b>	<b>Commenters</b>
<p><b><u>Amendment Item A</u></b> Rezoning of a site near the junction of Hiram's Highway and Heung Chung Road from "Government, Institution or Community" ("G/IC") to "Residential (Group C)4" ("R(C)4")</p> <p><b><u>Amendment Item B</u></b> Rezoning of a strip of land at Heung Chung Road from "G/IC" to area shown as 'Road'</p> <p><b><u>Amendment Item C</u></b> Rezoning of a site to the south of Nam Wai from "Green Belt" ("GB") to "Residential (Group C)5" ("R(C)5")</p> <p><b><u>Amendment Item D</u></b> Rezoning of a site occupied by Colour By The River to the south of Nam Wai from "GB" to "Residential (Group C)6" ("R(C)6")</p>	<p><b><u>Total: 505</u></b></p> <p><b><u>Oppose all or individual items (504):</u></b></p> <p><i>Sai Kung District Council (SKDC) and Members (4)</i> <b>R1:</b> SKDC <b>R2:</b> Mr. HIEW Moo-siew <b>R4:</b> Mr. LI Ka Leung Philip <b>R486:</b> Ms. FONG Kwok-shan Christine</p> <p><i>Heung Yee Kuk (1)</i> <b>R505:</b> Heung Yee Kuk</p> <p><i>Incorporated Owners (1):</i> <b>R487:</b> The Incorporated Owners of Marina Cove</p> <p><i>Concern Groups (479):</i> <b>R5:</b> Sai Kung Planning Concern Front <b>R502:</b> Green Sense <b>R7 to R296, R298 to R354, R356 to R367, R369 to R415, R417 to R478 and R480 to R484:</b> Sai Kung Commons</p>	<p><b><u>Total: 6</u></b></p> <p><b><u>Providing views (6):</u></b></p> <p><i>Individuals (6)</i> <b>C1</b> (provides comments on <b>R6</b>) <b>C2</b> (provides comments on <b>R485</b>) <b>C3 to C6</b> (provides comments on <b>R496 to R499</b>)</p>

Subject of Representations / Representation Site	Representers	Commenters
	<p>and Individuals</p> <p><b>R496:</b> 西貢居民 (成元嬌) (with 2,669 signatures enclosed)</p> <p><b>R497:</b> 西貢專線小巴經營者 (Wong Lai Ping) (with 9 signatures enclosed)</p> <p><b>R498:</b> 西貢南圍居民 (Sing Ching On) (with 368 signatures enclosed)</p> <p><b>R499:</b> 西貢專線小巴司機及從業員 (Yau Keung Hing) (with 60 signatures enclosed)</p> <p><i><u>Individuals (19):</u></i></p> <p><b>R3, R6, R485, R488 to R495, R500, R501, R503, R504, R506 to R509</b></p> <p><b><u>Providing views (1):</u></b></p> <p><b>R510:</b> The Hong Kong and China Gas Company Limited</p>	

Note: The names of all representers and commenters are attached at **Annex III**. Soft copy of their submission is sent to TPB Members via electronic means (for TPB Members only), and is also available for public inspection at TPB's website at [https://www.info.gov.hk/tpb/en/Website\\_S\\_SK\\_HH\\_7.html](https://www.info.gov.hk/tpb/en/Website_S_SK_HH_7.html). A set of hard copy is enclosed (**Annex IV**) and is also available for public inspection at the Planning Enquiry Counters of the Planning Department in North Point and Sha Tin.

## 1. **Introduction**

- 1.1 On 21.6.2019, the draft Hebe Haven Outline Zoning Plan No. S/SK-HH/7 (the OZP) (**Annex I**) was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). The Schedule of Amendments setting out the amendments incorporated into the OZP is at **Annex II**. The amendments mainly involve the rezoning of a site near the junction of Hiram's Highway and Heung Chung Road from "G/IC" to "R(C)4" (Amendment Item A) for private housing development; a strip of land at Heung Chung Road from "G/IC" to area shown as 'Road' (Amendment Item B); a site to the south of Nam Wai from "GB" to "R(C)5" (Amendment Item C) for private housing development; and a site occupied by Colour By The River to the south of Nam Wai from "GB" to "R(C)6" (Amendment Item D). Opportunity is also taken to amend the Notes and Explanatory Statement of the OZP to reflect the above amendments and to update the general information of various land use zonings, where appropriate.

- 1.2 During the two-month plan exhibition period, a total of 505 valid representations were received. On 4.10.2019, the representations were published for 3 weeks for public comments. Upon expiry of the three-week exhibition period, a total of 6 valid comments on the representations were received.
- 1.3 On 22.11.2019, the Town Planning Board (the Board) agreed to consider the representations (**R1 to R510**<sup>1</sup>) and comments (**C1 to C6**) collectively in one group.
- 1.4 This Paper is to provide the Board with information for consideration of the representations and comments. A summary of the representations and comments with responses are attached at **Annex V**. The representation sites are shown on **Plan H-2**. The representers and commenters have been invited to attend the meeting in accordance with section 6B(3) of the Ordinance.

## 2. **Background**

- 2.1 According to the 2013 Policy Address, the Government would adopt a multi-pronged approach to build up land reserve with a view to meeting housing and other development needs. 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. This includes reviews on the government land currently vacant, under Short Term Tenancies or different short-term or government uses, as well as the reviews on “GB” sites. In this regard, some 150 potential housing sites (including Amendment Item A mentioned below) were identified. In the 2017 Policy Address, through the on-going land use reviews, 26 additional potential housing sites (including Amendment Item C) have been further identified.
- 2.2 The currently proposed amendments to the OZP are mainly related to two potential housing sites in Hebe Haven, Sai Kung for private residential developments. Opportunity has also been taken to amend the OZP to reflect the existing uses of a carpark and an existing residential development (Amendment Items B and D respectively) and to incorporate an authorized road scheme, as well as to revise the Notes to incorporate the latest revisions of the Master Schedule of Notes to Statutory Plans.
- 2.3 On 31.5.2019, the Rural and New Town Planning Committee (RNTPC) of the Board considered the proposed amendments to the approved Hebe Haven OZP No. S/SK-HH/6. Noting SKDC’s objection to the proposed amendments (paragraph 3.3 refers) and taking into account relevant government departments’ comments, RNTPC agreed that the proposed amendments were suitable for exhibition under section 5 of the Ordinance for public inspection. The relevant RNTPC Paper No. 4/19 is available at the Board’s website at [https://www.info.gov.hk/tpb/en/papers/RNTPC/627-rntpc\\_4-19.pdf](https://www.info.gov.hk/tpb/en/papers/RNTPC/627-rntpc_4-19.pdf) and the minutes of the said RNTPC meeting is at **Annex VI**.

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<sup>1</sup> Excluding **R297, R355, R368, R416** and **R479** as the representations were subsequently found to be duplicated.

### 3. Local Consultation

- 3.1 Prior to the submission of the proposed amendments to the approved Hebe Haven OZP No. S/SK-HH/6 for consideration by the RNTPC, the Sai Kung Rural Committee (SKRC) was consulted on the proposed OZP amendments on 1.3.2019. The SKRC members raised concerns on the building bulk of the proposed developments, road capacity, adequacy of car parking spaces to support the proposed residential developments and to meet the demand of local villagers and potential adverse drainage and environmental impacts on the surrounding area. They also commented that sufficient supporting infrastructure should be provided in the area.
- 3.2 On 8.4.2019, a meeting was held between Village Representatives (VRs) and villagers of Nam Wai and Wo Mei Villages and PlanD on the proposed OZP amendments. The VRs and villagers raised similar concerns on the building bulk of the proposed developments, road capacity and potential adverse drainage, environmental and traffic impacts on the surrounding area and provision of sufficient supporting infrastructure.
- 3.3 On 7.5.2019, the SKDC was consulted on the proposed OZP amendments. Members expressed grave concerns on traffic congestion problems of Hiram's Highway; shortfall of Government, Institution or Community (GIC) facilities in the Hebe Haven area and thus the Amendment Item A site should be maintained for GIC use; and drainage and flooding problems in the area in particular the streams at Nam Wai and Ho Chung. Some members from rural areas also complained about land available for Small House developments and zoning of private land of villagers as "GB" and "Conservation Area" ("CA") for conservation purpose. SKDC passed a motion with support of all members objecting to the proposed OZP amendments and requested for further consultation with the concerned villagers. Upon gazettal of the draft Hebe Haven OZP No. S/SK-HH/7, the proposed amendments were also circulated to SKDC on 5.7.2019. Members largely maintained their previous opposing views and subsequently submitted a representation (**R1**) to the Board conveying the views expressed by its members.

### 4. The Representations

#### 4.1 Subject of Representations

- 4.1.1 There are a total of 505 valid representations received. Amongst them, 504 are adverse representations and one representation provides views on the amendments. Their names are attached at **Annex III**, Full set of their submission is available at the Board's website at [https://www.info.gov.hk/tpb/en/Website\\_S\\_SK\\_HH\\_7.html](https://www.info.gov.hk/tpb/en/Website_S_SK_HH_7.html) and the Planning Enquiry Counter of PlanD in North Point and Sha Tin and attached in **Annex IV** (for TPB Members only). A summary of grounds and representations and Government departments' responses to the responses to the representations is attached at **Annex V**. Their views can be summarised as follows:

#### Adverse (504)

- 4.1.2 The adverse representations are submitted by SKDC (**R1**); three SKDC members (Mr. HIEW Moo-siew (**R2**), Mr. LI Ka Leung Philip (**R4**) and Ms. FONG Kwok-shan Christine (**R486**)); Heung Yee Kuk (**R505**); The

Incorporated Owners of Marina Cove (**R487**); Green Sense (**R502**); Sai Kung Planning Concern Front (**R5**); Sai Kung Commons (**R7**) and individuals (**R8** to **R484**); four groups (**R496** with 2,669 signatures enclosed; **R497** with 9 signatures enclosed; **R498** with 368 signatures enclosed; and **R499** with 60 signatures enclosed); and 19 other individuals.

Providing views (1)

- 4.1.3 It was submitted by The Hong Kong and China Gas Company Limited (**R510**) providing views on the proposed amendments.

4.2 Major Grounds, Views and Proposals of Representations

- 4.2.1 Major grounds of objection and views are summarised below.

Adverse Representations

*Housing Supply (All Amendment Items)*

- 4.2.2 The proposed rezoning under Amendment Items A, C and D would not benefit the majority of Hong Kong people or those waiting to be housed in public housing, and also could not address the housing need of general Hong Kong people. There is a saturation of luxury residential developments with the highest vacancy rates for residential flats in Sai Kung. The Government should review the current rezoning proposal and assess the impact on Sai Kung area (**R5** to **R296**, **R298** to **R354**, **R356** to **R367**, **R369** to **R415**, **R417** to **R478**, **R480** to **R484**, **R500** and **R502**). Furthermore, the Government should review the planning of rural area of Sai Kung and develop the deserted villages in order to balance conservation and housing needs (**R1** to **R4**).
- 4.2.3 The Government rezones “G/IC” and “GB” sites for development including sites in Sai Kung for low-density residential development. This is not fair to villagers who are eligible for Small Houses but not granted approvals for development (**R1** to **R4**). However, **R362** considers that the Small House Policy should be reviewed.
- 4.2.4 Privately owned brownfield sites, golf courses and the Tseung Kwan O Area 137 should be prioritised for housing developments (**R6**, **R8** to **R296**, **R298** to **R354**, **R356** to **R367**, **R369** to **R415**, **R417** to **R478** and **R480** to **R484**, **R486** to **R495**)

*Public Consultation (All Amendment Items)*

- 4.2.5 There is a lack of consultation in respect of the proposed rezoning. Villagers have not been informed or consulted about the rezoning. Despite the opposition and concerns from SKRC, Heung Yee Kuk, Sai Kung residents, and that SKDC unanimously passed a motion objecting to the proposed amendments at its meeting on 7.5.2019, the Government still proceeded with presenting the proposed amendments to the Board for consideration (**R1** to **R4**, **R496** to **R500** and **R505**).

*Traffic and Transport (Amendment Items A and C)*

- 4.2.6 The proposed developments would attract more traffic into the area and aggravate traffic congestion problems in Sai Kung area. There is also no completed set of road traffic data available for public information and no traffic impact assessment is available in support of the proposed amendments. As road improvement works under Hiram's Highway Improvement Stage 1 are yet to complete and Stage 2 is not confirmed, no significant improvement to the current traffic condition is anticipated in the near future. There is also serious congestion problem at Clear Water Bay Road, New Clear Water Bay Road, as well as Nam Pin Wai roundabout. With the completion of other private housing residential developments and Small House developments in the area, the proposed developments would add further burden to the traffic conditions in the area (**R1 to R5, R7 to R296, R298 to R354, R356 to R367, R369 to R415, R417 to R478, R480 to R485, R496 to R500 and R502**).
- 4.2.7 The high-end residential developments would generate additional parking demand and sufficient parking facilities should be provided in the area before allowing additional development. Planning Department should actively develop land in rural areas and dilapidated villages and improve rural roads, such that development and conservation needs are to be balanced and needs of indigenous villagers could be addressed (**R1 to R4 and R6**).
- 4.2.8 The proposed development at Nam Wai (Amendment Item C) would worsen the traffic congestion in Nam Wai. The Government has underestimated the increase of traffic from the proposed development. The existing road network is already heavily burdened and prone to traffic accidents. The proposed development would create a bottleneck at the already narrow junction to Nam Wai Village (**R486 to R499, R501 and R505**).
- 4.2.9 There is insufficient provision of public transport in and out of Nam Wai, Wo Mei and Heung Chung Villages during morning and afternoon peak hours. Buses are already full before they reach the bus stops at these villages. The existing road network is inadequate to solve the congestion problem in the area and has also seriously affected the livelihood of minibus operators. Villagers have proposed to build flyovers connecting to Diamond Hill and Tiu Keng Leng MTR Stations to improve traffic connection (**R1 to R4 and R496 to R499**).
- 4.2.10 An extension of the MTR line to the Hong Kong University of Science and Technology and Nam Wai should also be considered. Buses and minibuses could run circular routes between Sai Kung and Nam Wai. The rural road network should also be improved (**R1 to R5, R496 to R499 and R505**).

*Provision of GIC Facilities in Sai Kung District (Amendment Items A and C)*

- 4.2.11 Due to the aging population, there may be a shortage of GIC facilities in Sai Kung District. In particular, the social welfare facilities in Hebe Haven are insufficient and the additional population brought upon by the proposed developments will worsen the current situation. There is also inadequate provision of residential care service for the elderly. Elderly facilities in Tseung

Kwan O District has been overloaded and could not support the rural areas of Sai Kung District. While elderly people find it difficult to travel to Sai Kung Town and Tseung Kwan O, social service operators also find it difficult to arrange transport services from Tseung Kwan O to the rural area owing to the traffic congestion problem in the area (**R1 to R5, R7 to R296, R298 to R354, R356 to R367, R369 to R415, R417 to R478, R480 to R495 and R509**).

- 4.2.12 Rezoning of “G/IC” sites for private residential development brings no benefit to the general community. Instead of acquiring private property for provision of social welfare and health care facilities, the Government should retain the current “G/IC” site for such provisions to serve public interest. The site of Amendment Item A is an ideal location for health centre, social welfare facility or community centre use. The site should be used to provide green areas and open spaces, playgrounds and parks for recreational purposes instead of residential buildings (**R1 to R296, R298 to R354, R356 to R367, R369 to R415, R417 to R478, R480 to R495 and R509**).

*Environmental and Ecological Impacts (Amendment Item C)*

- 4.2.13 The stream at Nam Wai has been subject to dumping and blockage problems. The proposed development at Nam Wai will further pollute the stream in Nam Wai Village and create adverse environmental impact to the area. There is flooding risk along Nam Wai Road in adverse weather situations and the rezoning for residential development would worsen the flooding problem (**R1 to R4, R8 to R296, R298 to R354, R356 to R367, R369 to R415, R417 to R478 and R480 to R484 and R504**). The requirement under lease for future developer to conduct Drainage Impact Assessment could not ease concerns of residents on the potential flooding problem (**R2**).
- 4.2.14 The previous “GB” zone of Amendment Item C site serves as a buffer for the adjacent “CA” zone. The rezoning would vague the boundary between the urban and sub-urban areas and promote further development of sub-urban area and even natural area which is against the original planning intention. Rezoning “GB” sites to low-density residential uses would further destroy Sai Kung’s rural landscape and create an undesirable precedent (**R1 to R4, R6 to R296, R298 to R354, R356 to R367, R369 to R415, R417 to R478, R480 to R485 and R502**). One representer (**R503**) however considers that the ex-Sai Kung Primary School and the adjoining site currently used as paint factory (i.e. southern portion of the Amendment Item A site) should be used for residential development, instead of the Nam Wai site which should be a conservation area.
- 4.2.15 Ecological surveys conducted at territorial and coastal area of Nam Wai and Heung Chung by green group show that the area is recorded with species of conservation value including birds, butterflies, insects and trees. These ecosystems can easily be damaged by human disturbance, resulting in pollution to nearby streams and rivers (**R7**). The proposed rezoning will involve large scale tree felling and have adverse landscape impact on the rural environment. The rezoning must be sufficiently justified including the need to undertake an environmental impact assessment (EIA) (**R1 to R4, R7 to R296, R298 to R354, R356 to R367, R369 to R415, R417 to R478 and R480 to R484, R496, R501 to R503, R505, R507 and R508**).



*Other Aspects (Amendment Items B and C)*

- 4.2.16 The Amendment Item B site should be a buffer lane between any development and parking facilities (**R6**).
- 4.2.17 The site at Nam Wai was originally within the ‘Village Environs’ (‘VE’) of Nam Wai (**Plan H-3b**), but has now been excluded without consulting villagers. Villagers who live on the affected lots would have their houses destroyed and this cannot be justified only by compensation according to law (**R496** and **R505**).
- 4.2.18 Some existing ancestral graves at the site of Nam Wai will be affected by the proposed development. The proposed development would also create adverse ‘fung shui’ impact (**R486** to **R496** and **R505**).
- 4.2.19 The facilities for electricity supply in Nam Wai have already reached capacity and so far there are no possible means to increase the supply. The current electricity network could not support the proposed developments (**R378**, **R496** and **R505**).

Representation Providing Views

- 4.2.20 The Hong Kong and China Gas Co., Ltd (**R510**) advises that the project proponent of the proposed developments should evaluate the potential risk on the town gas pipeline in the vicinity of the sites and determine necessary mitigation measures. The company should be consulted in the design stage and close coordination should be carried out during the construction stage, and provide protective measures.

The Proposal of the Representations

- 4.2.21 Retain Amendment Item A site for GIC facilities such as health centres, social welfare facilities, community centre use, medical facilities and elderly care facilities (**R1** to **R4**, **R7** to **R296**, **R298** to **R354**, **R356** to **R367**, **R369** to **R415**, **R417** to **R478** and **R480** to **R495** and **R509**).

**5. The Comments on Representations**

- 5.1 Six comments on representations were submitted by individuals (**C1** to **C6**) which are **R6**, **R485** and **R496** to **R499** respectively. **C1** recapitulates the concern on the deficit in community facilities such as elderly care. **C2** to **C6** reiterates the concerns on traffic congestion during morning peak hours and that Sai Kung residents are worried that the proposed developments would worsen the traffic congestion in the area.
- 5.2 A summary of the representations and comments and government departments’ responses is attached at **Annex V**.

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

### **6.1 The Representation Sites and their Surrounding Areas**

#### ***Amendment Item A (Plans H-3a, H-4a and H-5a)***

- 6.1.1 The site (about 4,668m<sup>2</sup>) is bounded by Hiram's Highway to the southwest and coastline of Pak Sha Wan to the northeast. Access to the site is via Hiram's Highway. The northern portion of the site is government land (GL) and was previously occupied by Highways Department (HyD) as a temporary maintenance depot. It is currently vacant. The southern portion of the site is mainly private land (for the purpose of agriculture only) used as a paint storage under Short Term Waiver (STW) with a small piece of GL under Short Term Tenancy for storage purposes in association with the STW. However, no active industrial use was found during the site visits in March and May 2019.
- 6.1.2 To its immediate northwest is a vacant school building (i.e. ex-Sai Kung Central Primary School, 5 storeys of about 22.2mPD). It has been allocated to the Social Welfare Department (SWD) for conversion into a social welfare services complex. On its northeast and east is a large piece of water area (i.e. Pak Sha Wan) which is the estuary of Ho Chung River and is zoned "Coastal Protection Area" ("CPA") on the OZP. As advised by the Director of Agriculture, Fisheries and Conservation (DAFC), the water area consists of a mangrove stand which is generally considered as an important habitat in Hong Kong. On its immediate southeast is the public car park at Heung Chung Road. To its west is Hiram's Highway and Nam Pin Wai roundabout. On its further west and northwest across Hiram's Highway are a public car park and a low-rise low-density residential development namely Villa Royale (ranging from 18.6mPD to 20.9mPD). To the further north, east and south are low-density residential areas namely Berkeley Bay Villa of about 12.8mPD; Roseville Villas of about 27mPD and village type development in Wo Mei respectively.
- 6.1.3 The Amendment Item A site is subject to a maximum plot ratio of 1.5 and a maximum building height of 25mPD.

#### ***Amendment Item B (Plans H-3a, H-4a and H-5a)***

- 6.1.4 The site (about 275m<sup>2</sup>) comprises a strip of land located near Heung Chung Road forming part of an existing unmetered road side car park and partly occupied by roadside planting.

#### ***Amendment Item C (Plans H-3b, H-4b and H-5b)***

- 6.1.5 The site (about 6,990m<sup>2</sup>) is partly situated on vegetated slopes, partly occupied by temporary structures on formed terraces in the northern part and a village track, with elevation undulating between about 20mPD to 42mPD and steep slopes to its east and south. According to District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD), there are some existing temporary structures within an existing Government Land Permit (GLP) at the site and cancellation of the GLP, rehousing of affected occupants, clearance of temporary structures and other clearance items, such as crops, are necessary

prior to developing the site. The site does not fall within any 'VE'. The existing vehicular access to/from the site is via a village track leading to Nam Wai Road before joining Hiram's Highway.

6.1.6 On its west is an existing stream running in the north-south direction connecting to Pak Sha Wan and sandwiches between the site and a low-rise and low-density residential development namely Colour By The River (building height of 2 storeys over 1 story of carport). On its south and east are steep vegetated slopes, with a knoll at 91.8mPD, zoned "CA" on the OZP. There are some temporary structures to the immediate southeast of the site which are accessed via a village track cutting through the site. On its north are 2-3 storeys village houses at Nam Wai. To its further west are the elevated Hiram's Highway and New Hiram's Highway and some 2-3 storeys village house clusters in Wo Mei.

6.1.7 The Amendment Item C site is subject to a maximum plot ratio of 1.3 and a maximum building height of 50mPD.

***Amendment Item D (Plan H-3b, H-4b and H-5b)***

6.1.8 The site (about 4,030m<sup>2</sup>) is located to the south of Nam Wai. The site is private land and currently occupied by an existing residential development namely Colour By The River, with a building height of 2 storeys over 1 storey of carport

**6.2 Planning Intentions**

6.2.1 The planning intentions of the zones in relation to the Items are as follows:

**Current Zoning**

- (a) 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.
- (b) Areas shown as 'Road' are intended for road use.

**Previous Zonings**

- (c) The "G/IC" zone is intended primarily for the provision of GIC facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.
- (d) The "GB" zone is intended primarily for defining the limits of urban and sub-urban development areas by natural features including foothills, lower hillslopes, spurs, isolated knolls, woodland, vegetated land as well as amenity areas, and to contain urban sprawl as well as to provide

passive recreational outlets.

### 6.3 Responses to Major Grounds, Views and Proposals of Representations

- 6.3.1 The major grounds of the adverse representations are detailed in paragraph 4.2 above. PlanD in consultation with relevant government departments have the following responses:

#### Adverse Representations

##### *Housing Supply (All Amendment Items)*

- 6.3.2 Over the years, the Government has adopted a multi-pronged approach for increasing land supply. To meet the acute housing need of the community, various measures in short, medium and long terms will be considered and explored concurrently. Among other measures, an immediate and effective way to augment housing land supply in the short to medium terms is to optimize the use of developable areas with available infrastructure. The two potential housing sites (Amendment Items A and C) identified are sites of sufficient size (about 4,668m<sup>2</sup> and 6,990m<sup>2</sup> respectively) with infrastructure support and is in close proximity to major road networks and other developed sites. The sites and the scale of the proposed developments are generally compatible with the surrounding areas comprising mainly residential developments and GIC uses (**R5 to R296, R298 to R354, R356 to R367, R369 to R415, R417 to R478, R480 to R484, R500 and R502**).
- 6.3.3 The major rural areas of Sai Kung are covered by respective OZPs, with appropriate land use zonings to reflect their existing conditions and planning intentions, including “CA” and “GB” zonings on areas with conservation value and “Residential” and “V” zones for residential and village developments. Sites occupied for GIC uses or reserved for GIC developments are also zoned “G/IC” to reflect the planning intention. Land use reviews may be considered according to the area’s changing needs (**R1 to R4, R7 and R361**).
- 6.3.4 Appropriate areas around existing villages have been zoned as “V” on the OZP to cater for Small House demand while Small House grant is under Government’s established procedures (**R1 to R4 and R361**).
- 6.3.5 Regarding the representers’ suggestion to use brownfield sites, golf courses and the Tseung Kwan O Area 137 for housing development, the Government is currently undertaking a Planning and Engineering study for Re-planning of Tseung Kwan O Area 137 for residential, commercial and other development uses. Technical feasibility study is being conducted for the land to the east of Fan Kam Road at the Fanling Golf Course. As for the brownfield sites, the Government has completed the Study on the Existing Profile and Operations of Brownfield Sites in the New Territories. Among the sites identified with relatively higher potential for development, assessment will soon commence to identify suitable sites for public housing development. Notwithstanding the above, there is still a need to develop the Amendment Items A and C sites to meet the short to medium-term housing needs (**R6, R8 to R296, R298 to R354, R356 to R367, R369 to R415, R417 to R478 and R480 to R484, R486 to R495 and R500**).

- 6.3.6 Amendment Item D is to reflect an existing residential development (Colour By The River) at the site (**R6**).

*Public Consultation (All Amendment Items)*

- 6.3.7 Regarding representers' concerns on lack of public consultation, the statutory and administrative procedures in consulting the public on the OZP amendments have been duly followed. The exhibition of the OZP for public inspection and the provisions for submission of representations and comments also form part of the statutory consultation process under the Ordinance. SKRC, VRs and villagers of Nam Wai and Wo Mei Villages and SKDC were consulted on 1.3.2019, 8.4.2019 and 7.5.2019 respectively. In considering the proposed amendments to the OZP on 31.5.2019, the RNTPC had taken into account concerns and objections raised by locals and SKDC, as well as comments and advice by relevant government departments. Upon gazettal of the draft Hebe Haven OZP No. S/SK-HH/7, the proposed amendments were circulated to SKDC on 5.7.2019. SKDC and local villagers have submitted representations raising their concerns and objection to the OZP amendments which are to be considered by the Board at this meeting (**R1 to R4, R496 to R500 and R505**).

*Traffic and Transport (Amendment Items A and C)*

- 6.3.8 Access to the Amendment Item A site will be via Hiram's Highway and the Amendment Item C site will be served by a proposed access road connecting to the junction at Hiram's Highway/Nam Wai Road. It is estimated that the proposed residential developments would produce a total of about 230 flats. Commissioner for Transport (C for T) advises that according to the design information of the Hiram's Highway Improvement Stage 1 (which involves Dualling of Hiram's Highway between Clear Water Bay Road and Marina Cove and Improvement to Local Access to Ho Chung), on completion of the ongoing project, the volume to capacity ratio of the sections of Hiram's Highway between the Clear Water Bay Road and New Hiram's Highway, as well as between the Nam Pin Wai roundabout and Pak Wai will be 0.4 to 0.5. The Hiram's Highway Improvement Stage 1 is expected to complete by end of 2020, which is earlier than the planned completion year of the proposed developments. The additional peak hour traffic generated from the proposed developments of 230 flats is not expected to cause insurmountable traffic impact to the adjacent road network. In addition to Hiram's Highway Improvement Stage 1, there are rural road network improvements in surrounding areas, such as junction improvement works at Hiram's Highway and Nam Wai Road and at Clear Water Bay Road and Ngan Ying Road, as part of the development of the former Shaw Studio site (**R1 to R296, R298 to R354, R356 to R367, R369 to R415, R417 to R478 and R480 to R485, R496 to R502 and R505**).
- 6.3.9 Regarding the representers' suggestion that sufficient transport infrastructures including parking facilities should be provided in support of the proposed developments, C for T advises that parking facilities of the proposed developments will be provided in accordance with the requirement stipulated in the Hong Kong Planning Standards and Guidelines (HKPSG). In respect of car

parking space provision in village housing, it is generally provided through communal parking areas within respective villages and other designated parking areas. There are existing road side car parks (both metered and unmetered) which serve the needs of local villagers (**R1 to R6**).

- 6.3.10 For concerns that the proposed development at Nam Wai (Amendment Item C) will worsen the traffic congestion at Nam Wai Village, creating a bottleneck at the road junction, there would also be junction improvement works at the intersection of Hiram's Highway and Nam Wai Road and a widened access road (subject to detailed design) to improve traffic from Nam Wai Village and provide access to the existing residential development (Colour By The River) and the proposed development (**R486 to R496 and R501**).
- 6.3.11 The sites are served by a number of road-based public transport services. Locations of the existing franchised bus and GMB stops are less than 200m walking distance from the Amendment Item A site and less than 600m from the Amendment Item C site. C for T advises that, according to observation, the existing bus services could cater for the passenger demand. Besides, the GMB operators will gradually replace the 16-seater vehicles with 19-seater vehicles so as to increase the carrying capacity. Transport Department (TD) will continue to closely liaise with the public transport service operators, and monitor the public transport service arrangement of the entire Hebe Haven area. Appropriate adjustments will be made in accordance with future community needs (**R1 to R4, R496 to R499 and R505**).
- 6.3.12 In response to representers' views that the existing road network is inadequate to solve the congestion problem in Sai Kung area and suggestions to build flyovers and MTR line extension to Sai Kung, C for T advises that junction improvement works will be undertaken at Clear Water Bay Road and Ngan Ying Road and will continue to monitor the traffic condition at the junction and consider further improvement work if required. In the long run, the Government is implementing Route 6 which includes Tseung Kwan O-Lam Tin Tunnel, Central Kowloon Route and Trunk Road T2 which will alleviate the busy road network at Central and East Kowloon (**R1 to R6, R8 to R296, R298 to R354, R356 to R367, R369 to R415, R417 to R478 and R480 to R485, R496 to R500, R502 and R505**).

*Provision of GIC Facilities in Sai Kung District (Amendment Items A and C)*

- 6.3.13 Taking into account the two proposed private residential developments, the planned population of Hebe Haven as estimated by PlanD would be about 7,100 persons. Based on the requirements in HKPSG and the planned population, as shown in **Annex VIII**, the planned provision for GIC facilities in the area is generally adequate to meet the demand of the overall planned population (including the increase in population from the proposed housing developments) except for primary school (-9 classrooms) and hospital (-39 beds). Provision of hospital beds and primary schools are on a wider district basis and can be addressed by the provision in the adjoining area (**R1 to R5, R7 to R296, R298 to R354, R356 to R367, R369 to R415, R417 to R478 and R480 to R495 and R509**).

- 6.3.14 The Government has been closely monitoring the development and service demand in Sai Kung and Tseung Kwan O districts, and is devoted to set up suitable community and public facilities therein. As advised by the Director of Social Welfare (DSW), currently there are various types of welfare facilities in Sai Kung, including integrated family service centre, integrated children and youth services centre, elderly and rehabilitation facilities, etc. providing suitable services for people at different ages with different needs (**R1 to R296, R298 to R354, R356 to R367, R369 to R415, R417 to R478 and R480 to R495 and R509**).
- 6.3.15 SWD advises that it will continue to adopt a multi-pronged approach to identify suitable accommodation (including private and public housing developments, “G/IC” premises, etc.) for the provision of welfare facilities. In view of the keen demand for elderly and rehabilitation services in the community, SWD will convert the ex-Sai Kung Central Primary School, located to the immediate northwest of the Amendment Item A site, into an elderly and rehabilitation service facilities complex comprising a 60-place day activity centre cum hostel for severely mentally handicapped persons (including 49 reprovisioned service places and 11 additional service places) and a contract residential care home for the elderly cum day care unit, providing a total of 100 residential care places and 30 day care places (all are new service places) (**R1 to R296, R298 to R354, R356 to R367, R369 to R415, R417 to R478, R480 to R495 and R509**).

*Environmental and Ecological Aspects (Amendment Items C)*

- 6.3.16 In 2013, PlanD completed the second stage of “GB” review, covering “GB” sites that are on the fringe of “GB” or are in close proximity to roads, near the fringes of new towns or in close proximity to existing settlements. The Amendment Item C site is located at the fringe of “GB” and in close proximity to the developed area of Nam Wai Village. The site is also close to supporting infrastructure facilities (e.g. those related to transport, water supply and sewerage, etc.), it is considered having good potential to be rezoned for residential development. In addition, there is no recognized site of conservation importance nor ecologically important stream within the site. A 10m wide buffer zone is provided between the site and the stream to the west of it. DAFC advises that the buffer is adequate to protect the stream with natural stream-bed and strips of wild-grown vegetation on both sides from any impact of the future development (**R1 to R4, R6 to R296, R298 to R354, R356 to R367, R369 to R415, R417 to R478, R480 to R485, R502, R504 to R508**).
- 6.3.17 Regarding representers’ views that the proposed residential developments will further pollute the adjoining stream in Nam Wai Village and create adverse environmental and ecological impact to the area, Director of Environmental Protection (DEP) advises that based on his records, he has not received any water pollution complaints at Nam Wai and Heung Chung in the past three years. Recent site inspections conducted by DEP’s Regional Office at the said stream in August 2019 revealed that there was no illegal discharge to the stream and the general conditions of the streams were found satisfactory. DAFC also advises that there are no record of faunal or floral species of significant conservation importance to the said stream. Nevertheless, as noted in paragraph 6.3.16 above, sufficient buffer has been maintained between the

Amendment Item C site and the stream located to its west (**R1 to R4, R7 to R296, R298 to R354, R356 to R367, R369 to R415, R417 to R478, R480 to R496, R501 and R503 to R508**).

- 6.3.18 DAFC also advises that the existing residential development (Colour By The River, ie. Amendment Item D site) located across the stream should not cause significant additional ecological impacts as the site is already occupied by an existing residential development and the rezoning of the site will preserve the existing characteristic and development intensity (**R1 to R4, R7 to R296, R298 to R354, R356 to R367, R369 to R415, R417 to R478, R480 to R496, R504 and R508**).
- 6.3.19 In response to representers' views on increased flooding risk brought upon by the rezoning (Amendment Item C), Director of Drainage Services (D of DS) advises that considering the general topography of Nam Wai, it is a low-lying area in proximity to the sea. The general area of Nam Wai is being monitored as one of the storm surge spots. An early alert system for predicted storm surges has been implemented with the Home Affairs Department and the Hong Kong Observatory since 2010. Besides, D of DS would conduct routine site inspections for the natural stream at Nam Wai in particular before the typhoon. After the inspections, Drainage Services Department would carry out clearance works for the debris found, cutting of vegetation and desilting works at the stream concerned, if necessary (**R1 to R4, R7 to R296, R298 to R354, R356 to R367, R369 to R415, R417 to R478, R480 to R485, R504, R505 and R508**).
- 6.3.20 Regarding representers' views concerning biodiversity of the Amendment Item C site and the ecological survey submitted by a representer (**R7**), DAFC advises that there is no significant faunal or floral record within the site. Regarding the Incense Trees (*Aquilaria sinensis*) mentioned by **R508**, tree surveys were conducted by LandsD on the Amendment Items A and C sites and concludes there are no rare, protected or endangered species and Registered Old and Valuable Trees within the boundaries of the sites. The majority of the existing trees are common in Hong Kong, of diameters of breast height below 300mm and are in fair to poor conditions. Nevertheless, a *Glochidion zeylanicum* 香港算盤子 in mature size with conservation interest was identified within the Amendment Item C site. Tree protection measures will be addressed at land disposal stage (**R1 to R4, R6 to R296, R298 to R354, R356 to R367, R369 to R415, R417 to R478, R480 to R496, R501 to R508**).
- 6.3.21 In response to **R508's** concern that no EIA has been carried out, DEP advises that the scope of the proposed development at the Amendment Item C site is not classified as a designated project under the Environmental Impact Assessment Ordinance. Technical requirements could be handled in land disposal stage through appropriate lease conditions requiring the future developer to undertake relevant technical assessments, if required, to demonstrate that the proposed developments will not cause any adverse environmental impact to the site and surrounding areas (**R1 to R4, R6 to R296, R298 to R354, R356 to R367, R369 to R415, R417 to R478, R480 to R496, R501 to R508**).



*Other Aspects (Amendment Items B and C)*

- 6.3.22 Amendment Item B is to reflect the existing use of a car park which serves the car parking needs of local villagers (**R6**).
- 6.3.23 According to DLO/SK, the site at Nam Wai (Amendment Item C) did not and does not fall within the 'VE' of Nam Wai. The site comprises exclusively of GL and there are temporary structures within an existing GLP at the site. Cancellation of the GLP, rehousing of affected occupants, clearance of temporary structures and other clearance items, such as crops, are necessary prior to developing the site. Relevant departments would make suitable arrangements for qualified persons and temporary structures located within the rezoning site according to established procedures (**R486 to R496 and R505 to R507**).
- 6.3.24 Relevant departments would make suitable arrangements according to established procedures if existing ancestral graves are affected. Fung shui matter is not a material planning consideration. According to DLO/SK's records, the Amendment Item C site does not form part of any fung shui area and there is no fung shui area for Nam Wai Village (**R486 to R496 and R505**).
- 6.3.25 In response to representers' views on electricity supply in Nam Wai, in ensuring continuity of electricity for Nam Wai Village, the future developer/project proponent of the site should liaise with the electricity supplier (i.e. China Light and Power Hong Kong Limited) to ensure that the electricity network is sufficient to support the proposed developments (**R378, R496 and R505**).

Representation Providing Views

- 6.3.26 In response to **R510's** comment, DEMS advises that the future developer/project proponent would be required to undertake a quantitative risk assessment to assess the potential risks associated with the high pressure gas pipeline, having considered the proposed development, and implement mitigation measures if necessary to reduce the risk level. Moreover, the future developer/project proponent should liaise with the Hong Kong and China Gas Company Limited in respect of the exact locations of existing and planned gas pipes/gas installations in the vicinity of the sites and any required minimum set back distance away from them during the design and construction stages of the development.

The Proposal of the Representations

- 6.3.27 In response to representers' views that the Amendment Item A site should be retained to provide for social welfare and health care facilities, it should be noted that the ex-Sai Kung Central Primary School premises, located to the immediate northwest of the Amendment Item A site, has been allocated to the SWD for conversion into a social welfare services complex. There will be adequate provision of major GIC facilities to ensure there is no shortfall in the areas. (**R1 to R5, R7 to R296, R298 to R354, R356 to R367, R369 to R415, R417 to R478, R480 to R495 and R509**).

#### 6.4 Responses to Grounds of Comments

- 6.4.1 Regarding **C1**'s concern on the deficit in community facilities such as elderly care, the planning considerations set out in paragraphs 6.3.13 to 6.3.15 above are relevant.
- 6.4.2 Regarding **C2** to **C6**'s concern on traffic congestion during morning peak hours and that Sai Kung residents are worried that the proposed developments would worsen the traffic congestion in the area, the planning considerations set out in paragraphs 6.3.8 to 6.3.12 above are relevant.

### 7. Consultation

7.1 The following government departments have been consulted and their comments have been incorporated in the above paragraphs or **Annex V**, where appropriate:

- (a) District Lands Officer/Sai Kung, Lands Department;
- (b) Commissioner for Transport;
- (c) Director of Environmental Protection;
- (d) Director of Social Welfare;
- (e) Chief Highway Engineer/New Territories East, Highways Department;
- (f) Project Manager, Major Works Project Management Office, Highways Department;
- (g) Chief Engineer/Mainland South, Drainage Services Department;
- (h) Director of Agriculture, Fisheries and Conservation;
- (i) District Officer (Sai Kung), Home Affairs Department;
- (j) Director of Electrical and Mechanical Services; and
- (k) Railway Development Office, Highways Department.

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

- (a) Chief Engineer/Construction, Water Supplies Department; and
- (b) Chief Engineer (Works), Home Affairs Department.

### 8. Planning Department's Views

8.1 The representation of **R510** providing views is noted.

8.2 Based on the assessments in paragraph 6 above and the following reasons, the Planning Department does not support **R1** to **R296**, **R298** to **R354**, **R356** to **R367**, **R369** to **R415**, **R417** to **R478** and **R480** to **R509** and considers that the Plan should not be amended to meet the representations:

#### All Amendment Items

- (a) the Government has adopted a multi-pronged strategy to increase land supply. The two potential housing sites (Amendment Items A and C) identified are sites of sufficient size with infrastructure support and is in close proximity to major road networks and other developed sites. The sites and the scale of proposed

developments are generally compatible with the surrounding areas comprising mainly residential developments and GIC uses and is considered suitable for residential developments to meet the short to medium-term housing needs;

- (b) the statutory and administrative procedures in consulting the public on the OZP amendments have been duly followed. The exhibition of the OZP for public inspection and the provisions for submission of representations and comments also form part of the statutory consultation process under the Ordinance;

#### Amendment Items A and C

- (c) with the completion of Hiram's Highway Improvement Stage 1 by end of 2020, which is earlier than the planned completion year of the proposed developments, the additional peak hour traffic generated from the proposed developments is not expected to cause insurmountable traffic impact to the adjacent road network. In addition, there are rural road network and junction improvements at the rezoning sites and surrounding areas;
- (d) parking facilities for the proposed developments will be provided in accordance with the HKPSG. The public transport service arrangement of the entire Hebe Haven area will be monitored and appropriate adjustments will be made in accordance with future community needs;
- (e) the planned provision for GIC facilities in the area is generally adequate to meet the demand of the overall planned population. The Government has been closely monitoring the development and service demand in Sai Kung and Tseung Kwan O districts and is devoted to set up suitable community and public facilities therein. SWD will convert the ex-Sai Kung Central Primary School, located to the immediate northwest of the Amendment Item A site, into an elderly and rehabilitation service facilities complex comprising day activity centre cum hostel for severely mentally handicapped persons and a contract residential care home for the elderly cum day care unit;
- (f) there is no recognized site of conservation importance nor ecologically important streams within the Amendment Item C site. A 10m wide buffer zone is provided between the site and the stream to its west which should be adequate to protect the stream with natural stream-bed and strips of wild-grown vegetation on both sides from any impact of the future development;
- (g) technical requirements could be handled in land disposal stage through appropriate lease conditions requiring the future developer to undertake relevant technical assessments, if required, to demonstrate that the proposed developments will not cause any adverse environmental impact to the site and surrounding areas (**R1 to R4, R6 to R296, R298 to R354, R356 to R367, R369 to R415, R417 to R478, R480 to R496 and R501 to R508**);
- (h) suitable arrangements would be made for affected temporary structures and ancestral graves according to established procedures. Fung shui matter is not a material planning consideration by the Board; and

Amendment Items B and D

- (i) the amendments are to reflect the existing uses of a road side carpark serving the car parking needs of local villagers (Amendment Item B) (**R1 to R296, R298 to R354, R356 to R367, R369 to R415, R417 to R478 and R480 to R485**) and an existing residential development (Amendment Item D) (**R1 to R296, R298 to R354, R356 to R367, R369 to R415, R417 to R478, R480 to R485 and R502 to R504**).

**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**

<b>Annex I</b>	Draft Hebe Haven Outline Zoning Plan No. S/SK-HH/7 (reduced size)
<b>Annex II</b>	Schedule of Amendments to the Approved Hebe Haven Outline Zoning Plan No. S/SK-HH/6
<b>Annex III</b>	List of Representers (R1 to R510) and Commenters (C1 to C6)
<b>Annex IV</b>	Submission of Representations and Comments (for TPB Members only)
<b>Annex V</b>	Summary of Representations and Comments and Government Departments' Responses
<b>Annex VI</b>	Extract of the Minutes of the Meeting of Rural and New Town Planning Committee held on 31.5.2019
<b>Annex VII</b>	Extract of the Minutes of the Meeting of Sai Kung District Council held on 7.5.2019 (in Chinese only)
<b>Annex VIII</b>	Provision of Major Community Facilities and Open Spaces in Hebe Haven Area
<b>Plan H-1</b>	Amendments incorporated in the draft Hebe Haven Outline Zoning Plan No. S/SK-HH/7
<b>Plan H-2</b>	Location Plan of the Representation Sites
<b>Plans H-3a and H-3b</b>	Site Plans of the Representation Sites
<b>Plans H-4a and H-4b</b>	Aerial Photos of the Representation Sites
<b>Plans H-5a and H-5b</b>	Site Photos of the Representation Sites

**PLANNING DEPARTMENT  
DECEMBER 2019**