

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/FLN/30**

**Applicant** Civil Engineering and Development Department (CEDD), HKSAR Government represented by Townland Consultants Limited

**Sites** Various Lots in D.D. 51, D.D. 52, D.D. 83 and FSSTL and Adjoining Government Land, Fanling North New Development Area (FLN NDA), New Territories

*Note: List of lots involved in the Sites is at **Appendix II**, and land status plans are at **Appendix 1 of Appendix Ib***

**Site Area** About 257,904 m<sup>2</sup> (including about 57,414 m<sup>2</sup> of Government Land)

**Lease/  
Land Status** (a) Private lots (about 78% of the Sites); and  
(b) Government Land (about 22% of the Sites)

**Plan** Approved Fanling North (FLN) Outline Zoning Plan (OZP) No. S/FLN/2

**Zonings**

Site	Zoning	Area (ha) (about)	Development Restrictions
<b>Public Housing Sites</b>			
A1	“R(B)”	1.87	Max. PR 3.5 Max. BH 75/90mPD
A2	“R(B)”	1.86	Max. PR 3.5 Max. BH 75/90mPD
A3	“R(A)2”	1.23	Max. PR 5 (Max. DPR 4) Max. BH 120mPD Terraced Podium
A4	“R(B)”	0.84	Max. PR 3.5 Max. BH 90mPD
A5	“R(A)2”	0.98	Max. PR 5 (Max. DPR 4) Max. BH 120mPD
A6	“R(B)”	1.89	Max. PR 3.5 Max. BH 75mPD
A7	“R(A)3”	1.31	Max. PR 5 Max. BH 110mPD
A8	“R(A)4”	1.23	Max. PR 4 Max. BH 90mPD
A9	“R(A)1”	1.53	Max. PR 6 (Max. DPR 5) Max. BH 105mPD

Site	Zoning	Area (ha) (about)	Development Restrictions
<b>Private Housing Sites</b>			
B1	“R(C)”	1.04	Max. PR 2 Max. BH 55mPD
B2	“R(B)”	0.87	Max. PR 3.5 Max. BH 75mPD
B3	“OU(CRDPTI)2”	0.99	Max. PR 3.05 (Max. DPR 2.18) Max. BH 80mPD Terraced Podium
B4	“R(B)”	0.88	Max. PR 3.5 Max. BH 75mPD
B5	“R(B)”	2.22	Max. PR 3.5 Max. BH 75mPD
B6	“R(A)3”	1.05	Max. PR 5 Max. BH 110mPD
B7	“R(A)1”	1.45	Max. PR 6 (Max. DPR 5) Max. BH 115mPD
B8	“R(A)1”	0.93	Max. PR 6 (Max. DPR 5) Max. BH 110mPD Terraced Podium
B9	“R(A)1”	1.25	Max. PR 6 (Max. DPR 5) Max. BH 110mPD Terraced Podium
B10	“R(A)1”	1.24	Max. PR 6 (Max. DPR 5) Max. BH 110mPD Terraced Podium
B11	“R(A)1”	1.16	Max. PR 6 (Max. DPR 5) Max. BH 110mPD Terraced Podium

Note:

- “R(A)”: “Residential (Group A)”
- “R(B)”: “Residential (Group B)”
- “R(C)”: “Residential (Group C)”
- “OU(CRDPTI)2”: “Other Specified Uses” annotated “Commercial/ Residential Development with Public Transport Interchange (2)”
- Max. PR: Maximum Plot Ratio
- Max. DPR: Maximum Domestic Plot Ratio
- Max. BH: Maximum Building Height
- Terraced Podium: restricted to a maximum BH of 5m on a strip of land (10m in width) along the planned open space/Town Plaza in FLN NDA

### **Application**

Proposed Minor Relaxation of PR and BH Restrictions for Permitted Public and Private Housing Developments; and Proposed Social Welfare Facilities, Shop and Services and Eating Place within Public Housing Developments

## 1. The Proposal

- 1.1 The applicant (CEDD) seeks planning permission for minor relaxation of PR and/or BH restrictions for 20 application sites (the Sites), i.e. 9 public housing sites (A1 to A9) and 11 private housing sites (B1 to B11) in FLN NDA; and proposed social welfare facilities, shop and services and eating place uses in the public housing sites. The Sites fall within areas zoned “R(A)1”, “R(A)2”, “R(A)3”, “R(A)4”, “R(B)”, “R(C)” and “OU(CRDPTI)2” on the approved FLN OZP No. S/FLN/2 (**Plans A-1 and A-2**). The Sites are subject to different PR and BH restrictions as set out in the table of paragraph 1.3 below. According to the Notes of the OZP, based on the individual merits of a development or redevelopment proposal, minor relaxation of PR and/or BH may be considered by the Town Planning Board (the Board). Besides, for the Sites zoned “R(B)”, ‘social welfare facilities’, ‘shop and services’ and ‘eating place’ are Column 2 uses that require permission from the Board. For the Sites zoned “R(A)”<sup>1</sup>, ‘shop and services’ and ‘eating place’ uses on the third floor of the development require permission from the Board.
- 1.2 In line with the government’s policy of relaxing the domestic PR (DPR) of public and private housing sites by 30% and 20% respectively and to incorporate social welfare facilities within public housing developments, the applicant proposes minor relaxation of the DPR, non-domestic PR (NDPR) and/or BH restrictions (**Drawings A-1 and A-2**) for the Sites of public and private housing developments in FLN NDA. Details of the proposed changes in DPR, NDPR and BH are shown in the table of paragraph 1.3 below. In addition, social welfare facilities, shop and services and eating place uses are proposed in a total of 4 planned public housing sites zoned “R(B)” (i.e. Sites A1, A2, A4 and A6), and on the third floor of 5 planned public housing sites zoned “R(A)” (i.e. Sites A3, A5, A7, A8 and A9) to provide more design flexibility and improve daily convenience to future residents. The proposed increase in development parameters of the Sites has taken consideration of infrastructure capacity (e.g. traffic and sewerage capacity), and established planning and urban design framework of the NDA.
- 1.3 The proposed increase in development parameters for the Sites is summarised below (**Drawings A-1 and A-2**):

Site	Site Area (ha) (about)	PR			BH (mPD)		
		OZP	Proposed	Change (+)	OZP	Proposed	Change (+)
Public Housing Sites							
A1	1.87	3.5	4.85	30%	75-90	95-110	22.7-26.7%
A2	1.86	3.5	4.89	30%	75-90	95-110	22.7-26.7%
A3	1.23	DPR: 4 NDPR: 1	6.5	30%	120	130	8.3%
A4	0.84	3.5	4.84	30%	90	100	11.1%

<sup>1</sup> According to the Notes of the OZP, ‘Flat’ and general commercial uses such as ‘Shop and Services’ and ‘Eating Place’ on the lowest two floors of a building excluding basements or in a free-standing purpose-designed non-domestic building up to five storeys are always permitted within the “R(A)” zoning.

Site	Site Area (ha) (about)	PR			BH (mPD)		
		OZP	Proposed	Change (+)	OZP	Proposed	Change (+)
A5	0.98	DPR: 4 NDPR: 1	6.5	30%	120	125	4.2%
A6#	1.89	3.5	4.88	30%	75	97.5	30%
A7	1.31	5	6.98	30%	110	135	22.7%
A8	1.23	4	5.58	30%	90	115	27.8%
A9	1.53	DPR: 5 NDPR: 1	7.8	30%	105	135	28.6%
<b>Private Housing Sites</b>							
B1	1.04	2	DPR: 2.4	20%	55	55	0%
B2	0.87	3.5	DPR: 4.2	20%	75	75	0%
B3	0.99	DPR: 2.18 NDPR: 0.87	TPR: 3.66 DPR: 2.62 NDPR: 1.04	20%	80	80	0%
B4	0.88	3.5	DPR: 4.2	20%	75	75	0%
B5	2.22	3.5	DPR: 4.2	20%	75	80	6.7%
B6	1.05	5	DPR: 6	20%	110	120	9.1%
B7	1.45	DPR: 5 NDPR: 1	TPR: 7.2 DPR: 6 NDPR: 1.2	20%	115	140	21.7%
B8	0.93	DPR: 5 NDPR: 1	TPR: 7.2 DPR: 6 NDPR: 1.2	20%	110	120	9.1%
B9	1.25	DPR: 5 NDPR: 1	TPR: 7.2 DPR: 6 NDPR: 1.2	20%	110	120	9.1%
B10	1.24	DPR: 5 NDPR: 1	TPR: 7.2 DPR: 6 NDPR: 1.2	20%	110	120	9.1%
B11	1.16	DPR: 5 NDPR: 1	TPR: 7.2 DPR: 6 NDPR: 1.2	20%	110	120	9.1%

Remarks:

- TPR: Total PR, DPR: Domestic PR, NDPR: Non-domestic PR. To allow flexibility, development of public housing sites A1 to A9 are restricted to the TPR while DPR and NDPR will be worked out by the Housing Department at Planning Brief stage.
- Private housing developments B1 to B11 are restricted to the specified DPR and NDPR in the table.

# Site involved in previous application No. A/KTN/54

- 1.4 For the public housing sites A1 to A9, to allow flexibility, the applicant seeks permission to relax the maximum PR without restricting the maximum DPR and NDPR so that the actual DPR and NDPR can be worked out at detailed design stage<sup>2</sup>. The proposed BH in public housing sites has taken into account the provision of above ground parking spaces, as appropriate, as requested by the Housing Department (HD). The proposed shop and services and eating place on the third floor of the public housing developments is to accommodate the corresponding increase in non-domestic GFA for social welfare and retail facilities to serve the additional population.
- 1.5 One public housing site, i.e. A6, is covered by a previous application No. A/KTN/54 (**Plan A-1**) for minor relaxation of PR and/or BH restrictions for 8 public housing sites in Kwu Tung North (KTN) and FLN NDA, which was approved by the Rural and New Town Planning Committee (the Committee) on 16.11.2018. Its total PR was relaxed from 3.5 to 3.9 (+10%).
- 1.6 The DPRs of a total of 11 private housing sites are also proposed to be relaxed by 20% with corresponding BH relaxation as shown in the table above. It is estimated that the proposed minor relaxation in DPR under this application will provide about 5,200 additional units as compared to the scenario under the OZP restriction, or about 5,000 additional units as compared to the previous application No. A/KTN/54. Together with the proposed rezoning proposal in FLN NDA, the total new housing units and population in FLN NDA will be increased to around 36,300 and 95,300 respectively. Corresponding community facilities are planned to serve the planned population.
- 1.7 Indicative layout plan (**Drawing A-3**) for the Sites are prepared for technical assessment purposes. The technical assessment reports are at **Appendix Ic**. The Traffic and Transport Impact Assessment (TTIA) (Appendix 4 of **Appendix Ic**) demonstrates that most of the assessed road links would operate with satisfactory operation performance, except a section of the road link at Fanling Highway (south of Heung Yuen Wai Interchange). It is expected that the road link will have marginal exceedance of the volume-to-capacity (V/C) ratio<sup>3</sup> in year 2041, indicating that there would be an onset of congestion at this strategic road link but the congestion would still be at a manageable degree. Notwithstanding, the government would explore possible long-term improvement schemes to mitigate the traffic impact to the said road links. The TTIA review concluded that the proposed traffic improvement schemes (e.g. provide an additional traffic lane at Ma Sik Road eastbound, etc.), the highway and transport systems could address the traffic demand from the intensification of housing sites in the NDA.
- 1.8 Visual Impact Assessment (VIA) and landscape review have been carried out (Appendices 2 and 9 of **Appendix Ic**). Based on the assessments, significant adverse visual and landscape impacts due to the proposed minor relaxation and non-domestic uses are not anticipated. Landscape mitigation measures such as slope landscaping, vertical greening, green roof, screen planting, aesthetical design of bundling, etc., are proposed. Photomontages showing the visual impact of the proposed changes in BH restriction are at **Drawings A-4 and A-5**.

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<sup>2</sup> For technical assessment purpose, the applicant has prepared indicative schemes with DPR and NDPR (Appendix Ib). However, they are subject to change at detailed design stage, and flexibility should be allowed to accommodate various types of public housing unit (each with specific GFA standard) and community facilities that can only be finalised at detailed design stage.

<sup>3</sup> A V/C ratio less than 1.0 is considered acceptable. The V/C ratio of the subject Fanling Highway section is 1.1.

- 1.9 For air ventilation aspect, the Air Ventilation Assessment – Expert Evaluation (AVA-EE) (Appendix 3 of **Appendix Ic**) recommends a ground floor setback in the planned public housing development at Site A9 to increase the permeability at pedestrian level to channel incoming prevailing wind and mitigate possible ventilation impact to downstream existing Fanling/Sheung Shui (FSS) New Town area. Upon the implementation of the recommended mitigation measures, the AVA-EE concluded that the minor relaxation of development restrictions would not lead to significant air ventilation impact on the overall wind environment.
- 1.10 As shown in the Environmental Review (Appendix 8 of **Appendix Ic**), the proposed relaxation of PR/BH restrictions and proposed non-domestic uses are acceptable in terms of air quality, traffic noise and water quality aspects. For the air quality aspect, the additional population from the proposed minor relaxation would be affected by the induced vehicular emissions from nearby roads, while adverse vehicular emissions are not expected where the buffer distance requirement could be fulfilled. For noise aspect, there would be no noise exceedance at the sensitive uses with the adoption of additional mitigation measures (e.g. acoustic insulation of the facades). For water quality aspect, appropriate measures such as installation of proper drainage systems where necessary would be adopted to minimise/avoid the potential water quality impact.
- 1.11 For sewerage impact, the Sewerage Impact Assessment (SIA) (Appendix 5 of **Appendix Ic**) shows that there would be no adverse impact on sewerage network, including the Shek Wu Hui Sewage Treatment Works (SWHSTW) which is planned to be upgraded and expanded, as a result of the intensification of population and the addition of proposed non-domestic uses. The Water Supply Impact Assessment (WSIA) and Drainage Impact Assessment (DIA) (Appendices 6 and 7 of **Appendix Ic**) show that the proposed relaxation of development restrictions and proposed non-domestic uses are acceptable in terms of water supply and drainage.
- 1.12 The Sites all fall within the Remaining Phase of the NDA. Site formation and infrastructural works of the Remaining Phase development is scheduled to commence in 2024 while the first population intake of the Remaining Phase is anticipated in 2030/2031.
- 1.13 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 17.8.2022 (Appendix I)
  - (b) Further Information received on 20.9.2022<sup>#</sup> (Appendix Ia)
  - (c) Supplementary Planning Statement (Volume I) – Planning Statement, Figures and Land Status Plans (Appendix 1) (Appendix Ib)
  - (d) Supplementary Planning Statement (Volume II) – Technical Assessments (Appendices 2 to 9) (Appendix Ic)

<sup>#</sup>*accepted and exempted from publication*

[Planning Statement and Technical Assessments received on 17.8.2022 have been replaced by the updated and consolidated reports in Appendices **Ib** and **Ic**.]

## 2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in **Appendix Ib**. They are summarised as follows:

### *In Line with Government Policies*

- (a) To address the acute housing demand in Hong Kong, the government has adopted policies to enhance the development intensity of public and private housing sites to optimise flat production in short to medium term through multi-pronged approach. There is also a prevailing policy to incorporate social welfare facilities, equivalent to no less than 5% of the domestic gross floor area (GFA) within public housing developments to meet social needs. The application is in line with the government policies to increase housing supply and social welfare facilities.

### *Maximising the Utilisation of Land Resources and Meeting Acute Demand for More Housing Units*

- (b) With FLN NDA being an important strategic growth area and a housing and land supply source, it is necessary to optimise the use of lands through good planning and design. With the proposal under the application be implemented, about additional 3,700 public housing units and 1,500 private housing units could be delivered in short to medium term. This would be a substantial increase of housing supply and a major planning gain.

### *Provision of Retail and GIC Facilities to Meet the Daily Needs of Residents*

- (c) Sufficient provision of retail and GIC facilities should be provided to meet the daily needs of the future residents upon implementation of the proposal. According to the applicant, there would be generally sufficient provision of GIC facilities in accordance with the requirements of the Hong Kong Planning Standards and Guidelines (HKPSG) to serve the increased planned population arising from the proposal.

### *Respecting Established Planning and Design Framework of the NDA*

- (d) The proposal respects the established planning and design framework of FLN NDA as stipulated on the OZP that maintains the stepped height profile with the tallest development at the southern side of FLN NDA and the lowest residential developments along the southern banks of Ng Tung River. As such, the proposed minor relaxation would not undermine the planning intention and urban design concepts as set out on the OZP.

### *No Significant Adverse Impacts*

- (e) The applicant has conducted various technical assessments to ascertain that the proposed increase in development intensity and proposed non-domestic uses would not have significant adverse impacts on traffic, sewerage, drainage, water supply, environmental, visual, landscape, air ventilation aspects, and the proposal is technically feasible.

## 3. **Compliance with the “Owner’s Consent/Notification” Requirements**

The applicant is not the current land owner but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No.31A) by publishing the notices of the application on local newspapers specified by the Board,

posting site notices at/near the Sites, and sending notices to Sheung Shui District Rural Committee (SSDRC) and Fanling District Rural Committee (FLDRC) by local registered post. Detailed information would be deposited at the meeting for Members' inspection. For the Government Land, the "Owner's Consent/Notification" Requirements as set out in TPB PG-No.31A are not applicable.

#### **4. Background**

- 4.1 The North East New Territories New Development Areas Planning and Engineering Study (NENT NDAs Study) was completed in 2013. A comprehensive planning and urban design framework (including stepping height profile, major breezeways, view corridors, non-building areas (NBAs), landscaped shopping streets/terraced podiums, open space/pedestrian/cycle track systems, etc.) was established under the NENT NDAs Study for the FLN NDA and subsequently incorporated to the FLN OZP which was approved by ExCo in 2015 to facilitate the implementation of FLN NDA.
- 4.2 In 2018, having reviewed the infrastructural capacity, it was found that the intensity of 2 public housing sites in FLN could be intensified. A s.16 application No. A/KTN/54 for minor relaxation of PR and/or BH restriction covering the 2 public housing sites in FLN NDA and 6 public housing sites in KTN submitted by CEDD was approved by the Committee on 16.11.2018.
- 4.3 In recent years, the government's progressive implementation of the "East in East out, West in West out" planning strategy for cross-boundary goods traffic, upgrading of the SWHSTW and other infrastructural upgrading works have released future road and sewerage capacity in the North District. This has rendered the opportunity to further intensify the development intensity of the housing sites in the FLN Remaining Phase.
- 4.4 In 2014 Policy Address, the then Chief Executive (CE) announced that in order to address the continued shortage of land supply for housing development, the maximum DPR for housing sites outside the north of Hong Kong Island and Kowloon Peninsula could be generally increased by around 20%, subject to availability of infrastructural capacities (such as traffic and sewerage capacities), environmental and other technical constraints as well as urban design considerations. The policy was taken forward in the planning application in 2018 (No. A/KTN/54 as detailed in paragraph 4.2 above). Subsequently, the policy was refined by the then CE in end 2018 by further intensifying the PRs of public housing sites in the Main Urban Areas (except Density Zone 1) and New Towns by up to 30% where feasible. The potential for housing sites in the Remaining Phase of FLN NDA for intensification is therefore further reviewed in light of the released infrastructural capacities. The proposed intensification with 30% increase in PR for public housing sites and 20% increase in PR for private housing sites under this application is in line with the latest policy.
- 4.5 In 2020 Policy Address, the then CE proposed to increase the PR of future public housing projects so that 5% of the attainable domestic GFA would be set aside for social welfare facilities without compromising flat production. In this regard, the NDPR in the housing sites are proposed to be relaxed on par with the DPR to accommodate the required GFA for social welfare facilities and additional retail facilities to serve the additional population.



## **5. Previous Applications**

- 5.1 There are 3 previous applications involving the Sites. Details of these applications are summarised at **Appendix IV** and their locations are shown on **Plan A-1**.
- 5.2 Two of the previous applications (Nos. A/FSS/31 and 52), involving the Sites A7, B6 and B7, are for proposed low-density residential development, which are irrelevant to the current application for minor relaxation of PR and/or BH restrictions and proposed non-domestic uses.
- 5.3 The remaining previous application No. A/KTN/54 is for minor relaxation of maximum PR and/or BH restrictions comprising a total of 8 public housing sites in KTN and FLN NDA (2 sites in FLN area and 6 sites in KTN area), covering the Site A6 under the current application. For the Site A6, the maximum PR and BH restrictions were relaxed from 3.5 to 3.9 (+10%) and from 75mPD to 85mPD (+13%) respectively. The application was approved by the Committee on 16.11.2018 on the considerations that the proposed minor relaxation would optimise the land resources to address pressing demand on public housing in the territory which was in line with the 2018 Policy Address to boost the supply of public housing flats; the application complied with the established land use planning and development framework, planning themes, objectives and concepts of the KTN and FLN NDA embedded in the OZPs; various technical assessments conducted demonstrated that the minor relaxation would be technically feasible in terms of traffic, sewerage, drainage, water supply and environmental aspects; and government departments consulted generally had no adverse comment on the application.

## **6. Similar Applications**

- 6.1 There are 3 similar applications for minor relaxation of PR and/or BH restrictions for housing sites in FLN NDA. Details of these applications are summarised at **Appendix V** and their locations are shown on **Plan A-1**.
- 6.2 Two of the similar applications (Nos. A/FLN/17 and 19), both involving the same private housing site (i.e. FSSTL262), are for minor relaxation of PR restriction to facilitate the provision of a proposed 6m-wide covered pedestrian walkway at the site and mainly for minor relaxation of BH restriction to allow higher floor-to-floor heights of the residential floors at the site respectively. These two applications are irrelevant to the current application.
- 6.3 The remaining similar application No. A/FLN/28 is for minor relaxation of PR, BH and NBA restrictions for a permitted public housing development. The application was approved by the Committee on 18.2.2022 on considerations that the proposed minor relaxation of restrictions were considered not incompatible with the development scales and heights of the surrounding planned developments; the proposal was in line with the government policies of increasing housing supply; and government departments consulted generally had no adverse comment on the application.

**7. The Sites and their Surrounding Areas (Plans A-1 and A-2, aerial photos on Plans A-3a and A-3b, and site photos on Plans A-4a to A-4d)**

- 7.1 The Sites comprise a total of 20 sites, of which 9 sites are public housing sites (A1 to A9) and 11 sites are private housing sites (B1 to B11). All the Sites will be cleared and formed for the NDA development in future<sup>4</sup>. Sites A1 to A5 and B1 to B4 are located in the western part of the NDA. Sites A6 to A9 and B6 to B11 are located in the eastern part of the NDA.
- 7.2 Sites A1 to A5 are mainly occupied by brownfield uses (e.g. temporary warehouse, open storage, rural workshop, recycling collection centre, etc.) intermixed with some temporary domestic structures. Sites B2 to B4 are largely covered by vegetation and active/fallow farmlands. Site B1 is a vacant school site of the former Wa Shan Public School.
- 7.3 Sites A6, A8, A9, B5, B6 and B8 to B11 are mainly occupied by active/fallow farmlands and some temporary domestic structures in Ma Shi Po and Wu Nga Lok Yeung. Part of the Sites A7 and B7 have been formed. The private residential development under an approved planning application (No. A/FSS/52) has been demolished.
- 7.4 The surrounding areas of the Sites are planned for the following uses:
- (a) Sites A1 to A5 and B2 to B4 are within a future residential cluster bounded by Ng Tung River to the north; a planned “Government, Institution or Community” (“G/IC”) site for school developments to the east; and planned Road L4 to the south. The residential cluster will accommodate a mix of residential use, retail and social and community facilities along the southern bank of Ng Tung River. The area will be well connected and integrated into the open space/pedestrian system to create a pleasant walking environment;
  - (b) Site B1 is surrounded by Wa Shan to the east and south; to the west is a “Green Belt” (“GB”) zone; to the north is a cluster of brownfield uses (e.g. temporary warehouse, open storage, rural workshop, recycling collection centre, etc.) intermixed with some temporary domestic structures; and
  - (c) Sites A6 to A9 and B5 to B11 are located within/near the future Eastern District Centre and Town Plaza of FLN NDA bounded by Ng Tung River to the north, a planned public housing development with approved minor relaxation of PR and BH (under Application No. A/FLN/28) to the east, and Ma Sik Road to the south. There will be a cluster of high-density residential developments zoned “R(A)1” (i.e. Sites B8 to B11) intermixed with the FLN Town Plaza zoned “Open Space” (“O”). To the south across Ma Sik Road is the existing FSS New Town with some high-rise residential buildings known as Wing Fok Centre and Belair Monte.

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<sup>4</sup> Except for the private housing sites which would be accepted for land exchange by the Government before the land resumption process.

## **8. Planning Intentions**

- 8.1 For Sites A3, A5, A7 to A9 and B6 to B11, the planning intention of the “R(A)” zone is primarily for high-density residential developments. Commercial uses are always permitted on the lowest two floors of a building excluding basements, or in a free-standing purpose-designed non-domestic building up to five storeys. For the “R(A)3” and “R(A)4” zones, the planning intention is purely for residential development.
- 8.2 For Sites A1, A2, A4, A6, B2, B4 and B5, the planning intention of the “R(B)” zone is primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.
- 8.3 For Site B1, the planning intention of the “R(C)” zone is primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.
- 8.4 For Site B3, the planning intention of the “OU(CRDPTI)2” zone is primarily for the provision of commercial and residential uses with public transport interchange. Commercial uses are always permitted on the lowest two floors of a building excluding basements, or in a free-standing purpose-designed non-domestic building up to five storeys.
- 8.5 Based on the individual merits of a development or redevelopment proposal, minor relaxation of the PR and/or BH restrictions may be considered by the Board.
- 8.6 For Sites B8 – 11, B3 and A3, as stated in the Explanatory Statement (ES) of the OZP, Terraced Podiums are to be provided along site boundaries abutting the open space. Land designated as ‘Terraced Podium’ is subject to a maximum BH of 5m and 10m-wide setback at first floor level. This terraced design could promote pedestrian experience and enhance air ventilation at street level.

## **9. Comments from Relevant Government Departments**

- 9.1 The following government departments have been consulted and their views on the application are summarised as follows:

### **Urban Design and Landscape**

- 9.1.1. Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD):

#### **Visual and Urban Design Aspect**

- (a) according to the submitted photomontages in the VIA (Appendix 2 of **Appendix Ic**), the proposed minor relaxation of PR and/or BH restrictions for permitted housing developments would create changes in BH and building footprint resulting to an overall slight visual impact as rated by the applicant. Various mitigation measures have been proposed by the applicant to minimise potential visual impacts, such as

provision of vertical greening and green roof. The proposals are considered compatible in scale and height with the planned developments of the NDA. The stepped BH concept for the NDA with the overall development intensity and BH profile stepping down from district nodes towards the periphery and riverside as stated in the Explanatory Statement of the OZP would generally be maintained. As such, the proposal would unlikely induce significant adverse visual impacts on the surroundings;

### **Landscape Aspect**

- (b) she has no comment on the application from the landscape planning perspective. Having regard that the proposed development remains within the planned development areas under the OZP, and there is no change in terms of the extent of site formation works, further adverse impact on landscape resources and landscape character areas generated from the proposed minor relaxation is not anticipated;
- (c) it is noted that detailed landscape plan and works will be formulated in the detailed design stage by HD for public housing sites and project proponents for private housing sites; and
- (d) according to the submitted planning statement, local open space in FLN NDA can still meet the additional demand from additional population as recommended in the HKPSG.

### **Local Views**

9.1.2. Comments of the District Officer/North, Home Affairs Department (DO/N, HAD):

he has consulted the locals from 24.8.2022 to 7.9.2022. All consultees, including the Chairman of Lung Shan Area Committee, the Chairman of Fanling District Rural Committee, the incumbent North District Councilor of N18 Constituency, etc., have no comment on the application.

9.2 The following government bureaux / departments have no objection/adverse comment on the application. Their comments, if any, are at **Appendix VII**.

- (a) Secretary for Development (SDEV);
- (b) Secretary of Education (SED);
- (c) Director of Housing (D of H);
- (d) Director of Environmental Protection (DEP);
- (e) Director of Social Welfare (DSW);
- (f) District Lands Officer/North, Lands Department (DLO/N, LandsD);
- (g) Chief Estate Surveyor/New Development Area, LandsD (CES/NDA, LandsD);
- (h) Chief Highway Engineer/NT East, Highways Department (CHE/NTE, HyD);
- (i) Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD);
- (j) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (k) Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD);

- (l) Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD);
- (m) Director of Agriculture, Fisheries and Conservation (DAFC);
- (n) Director of Fire Services (D of FS);
- (o) Commissioner for Transport (C for T);
- (p) Commissioner of Police (C of P);
- (q) Director of Food and Environmental Hygiene (DFEH);
- (r) Director of Leisure and Cultural Services (DLCS); and
- (s) Director of Electrical and Mechanical Services (DEMS).

## **10. Public Comments Received During Statutory Publication Period**

- 10.1 On 19.8.2022, the application was published for public inspection. During the three weeks of the statutory public inspection period, 27 comments from the Real Estate Developers Association of Hong Kong (REDA), a private company and 25 individuals were received (**Appendix V**).
- 10.2 The REDA, a private company and an individual in principle support the application but consider that the proposal has not optimised the opportunities for flat development. The BH restriction of housing sites near the FLN District Centre should be increased from around 120mPD to around 150mPD. REDA suggests that higher BH restriction and PR relaxation should be applied to these private housing sites to optimise flat production. There is also concern on the connectivity and greening in the public realm.
- 10.3 19 individuals object to the application mainly on the considerations that the proposed developments may impose adverse traffic and environmental impacts to the area. Besides, the development intensity of North District is high already. The proposed developments may further increase the population and the demand for social welfare facilities in the district.
- 10.4 4 individuals raise concerns about the provision of hospital, traffic and drainage impacts. One individual indicates no comment.

## **11. Planning Considerations and Assessments**

- 11.1 The application involves a total of 20 sites in FLN NDA, of which 9 sites are public housing sites (A1 to A9) and 11 sites are private housing sites (B1 to B11) (**Drawing A-3**). The applicant applies for minor relaxation of the PR (from 2–6 to 2.4–7.8) and/or BH restrictions (from 75–120 mPD to 80–140 mPD) (**Drawings A-1 and A-2**) of the Sites, as detailed in paragraph 1.3, to optimise the land resources to address pressing housing demand in the territory. In addition, the application also proposed social welfare facilities, shop and services and eating place uses in a total of 4 planned public housing sites zoned “R(B)” (i.e. A1, A2, A4 and A6) where there is previously no planned non-domestic facilities to improve daily convenience to future residents. The provision of NDPR on the third floor of 5 planned public housing sites zoned “R(A)” (i.e. A3, A5, A7, A8 and A9) is to provide more design flexibility.

Policy Aspect

- 11.2 FLN NDA project is an important source of land and housing supply in the medium and long term. Optimising the utilisation of land resources by uplifting the development density, where infrastructure permits, within the NDA is one of the key policy initiatives identified by the government. The proposed minor relaxation in PR would increase the housing supply by about 5,167 housing units. Together with other rezoning proposal for housing use to be considered by the Committee at this meeting, the total number of units for the FLN NDA is estimated to increase to 36,300 units (including public and private housing units) accommodating about 95,300 population. As such, the current application dovetails with the government's overall policy of increasing housing supply, in particular for public housing. It has strong planning merit to meet the imminent needs of the community. The NDPR of the housing sites is also proposed to be increased by the same scale. This is in line with the government's policy to reserve GFA of about 5% of the domestic GFA for social welfare facilities in public housing developments without affecting flat supply, and on the other hand to provide more retail GFA to serve the additional residents and the district.

Planning Intention, Development Framework and Urban Design Concepts

- 11.3 The current application involves minor increase in PR and/or BH restrictions by not more than 30% and 5–20m respectively. The application would not result in any significant change to the established land use planning and development framework, and would not alter the major planning themes, objectives and concepts of the NDA embedded in the OZP. Despite the potential adjustments to the building bulk, the indicative layout design for the Sites (**Drawing A-3**) demonstrates that various urban design concepts of the NDA such as NBAs, major breezeways, key view corridors landscaped shopping streets/terraced podiums and open space systems (including riverside promenade, open space and the Town Plaza) will not be adversely affected, ensuring the pleasant living environment and greenery.
- 11.4 The established PR and BH profile could be maintained under this proposal. Upon approval of the application, the higher development intensity sites are still located around the district centre of the NDA (**Drawing A-1**). Also, the proposed increase of BH generally respects the overall established BH profile stepping down from the district centre towards the periphery and riverside in order to enhance variety in height and massing, and to ensure a better integration with the adjacent rural setting (**Drawing A-2**). As such, the overall townscape and neighbourhood environment of the NDA could be maintained.

Visual, Landscape and Air Ventilation

- 11.5 On visual aspect, the proposed minor relaxation would create changes in BH, footprint and layout resulting minor obstruction to some of the viewpoints. Various measures, such as providing vertical greening and green roof, etc., are proposed. The developments with the proposed relaxation of PR and/or BH restrictions are considered compatible in scale and height with the planned developments of the area. As such, the proposal is unlikely to result in significant visual impact to the surroundings. On landscape aspect, as the proposed developments remain within the planned development areas under the OZP, and there is no change in terms of the extent of site formation works, it is anticipated that the impact on landscape resources generated from the proposed minor relaxation (Appendix 9 of **Appendix Ic**) would be insignificant. CTP/UD&L, PlanD has no comment on the application.

- 11.6 On the aspect of air ventilation, the AVA-EE (Appendix 3 of **Appendix Ic**) has demonstrated that the air ventilation performance under the indicative scheme is generally comparable to the OZP-compliance scheme. Besides, the good design features in the Sites such as terraced podiums design in some “R(A)” sites are retained in the proposed intensification to facilitate the wind flow within and across the Sites, and a ground floor setback is also proposed at a public housing site. Considering all the mitigation and improvement measures, it is anticipated that the proposed increase in PR and BH would not have significant impact on the overall wind environment.

#### Technical Aspects

- 11.7 The applicant has submitted review reports of various technical assessments (Appendices 2 to 9 of **Appendix Ic**) to demonstrate that the proposed minor relaxation of development restrictions is technically feasible in terms of traffic, sewerage, drainage, water supply and environmental aspects. Concerned departments, including C for T, CHE/NTE, HyD, DEP, CE/MN, DSD and CE/C, WSD have no objection to/no adverse comments on the application.

#### Sufficient Planned Provision of Open Space and Major GIC Facilities

- 11.8 In FLN NDA, sufficient land is reserved for open space and GIC facilities generally in accordance with HKPSG or as requested by concerned departments to meet the increased planned population in the NDA upon approval of the application. Additional GFA for social welfare facilities is also reserved in public housing sites according to the latest policy. In accordance with HKPSG, Local Open Space (“LO”) will be provided within public housing sites to serve the residents.

#### Implementation

- 11.9 The implementation of FLN NDA will be completed in phases with estimated flat production from 2023 to 2031. All the Sites fall within the Remaining Phase of the NDA. Site formation and infrastructural works of the Remaining Phase development is scheduled to commence in 2024 while the first population intake of the Remaining Phase is anticipated in 2030/2031.
- 11.10 For the Sites which are designated for public housing development, Planning Briefs setting out the requirements of concerned government departments will be prepared to guide future development on the Sites. Besides, the HD or private developers will conduct relevant technical assessments as required by concerned departments to their satisfaction.

#### Indicative Scheme

- 11.11 It should be noted that the layout plan for the Sites submitted by the applicant is indicative and solely for technical assessments purpose. It is used to illustrate that the proposed increase of PR and BH would have no significant adverse impacts on the environmental, air ventilation and visual quality, etc. Should the Committee approve the application, the approval is for application as stated in paragraph 11.1. The development scheme of the Sites does not form part of the approval. The layout of the Sites does not form part of the approval. This is to allow flexibility to accommodate various types of public/private housing units and/or community facilities in individual site, which can only be finalised at detailed design stage. Besides, it should be noted that the actual site area are subject to detailed survey at a later stage.

#### Previous and Similar Applications

- 11.12 As stated in paragraphs 5 and 6 above, the Committee has approved a previous application No. A/KTN/54 for minor relaxation of PR and/or BH restrictions involving 1 of the Sites. A similar application No. A/FLN/28 mainly for minor relaxation of PR and BH restrictions was approved by the Committee on 18.2.2022. Approving the current application is generally in line with the Committee's previous decisions.

#### Public Comments

- 11.13 There are 27 public comments as stated in paragraph 10, of which 19 object to the application, 3 support the application, 4 raise concern, and 1 indicates no comments. Relevant government departments' comments and planning considerations above are relevant. Regarding the suggestion to further increase the PR and BH for some of the Sites, the proposed PR and BH were formulated after taking into account ExCo's policy on PR increase and urban design considerations, etc.

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

- 12.1 Based on the assessment made in paragraph 11 and having taken into account the public comments in paragraph 10, the Planning Department has no objection to the application.
- 12.2 To cater for a longer development timeframe for the Sites, a longer validity period of the planning permission of 6 years is suggested. Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 23.9.2028, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The advisory clauses at **Appendix VII** are suggested for Members' reference.
- 12.3 There is no strong reason to recommend rejection of the application.

### **13. Decision Sought**

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant the permission.
- 13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.
- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

### **14. Attachments**

#### **Appendix I**

Application form received on 17.8.2022



<b>Appendix Ia</b>	Further Information received on 20.9.2022
<b>Appendix Ib</b>	Supplementary Planning Statement (Volume I) – Planning Statement, Figures and Land Status Plans (Appendix 1)
<b>Appendix Ic</b>	Supplementary Planning Statement (Volume II) – Technical Assessments (Appendices 2-9)
<b>Appendix II</b>	Lots involved in the Application Sites
<b>Appendix III</b>	Detailed Development Restrictions on the Proposed Minor Relaxation of PR and/or BH Restrictions
<b>Appendix IV</b>	Previous Applications
<b>Appendix V</b>	Similar Applications
<b>Appendix VI</b>	Public Comments
<b>Appendix VII</b>	Advisory Clauses
<b>Drawings A-1 and A-2</b>	Proposed Minor Relaxation of PR and/or BH Restrictions
<b>Drawing A-3</b>	Indicative Master Layout Plan for the Application Sites
<b>Drawings A-4 and A-5</b>	Photomontages from Key Viewpoints
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plans A-3a and A-3b</b>	Aerial Photos
<b>Plans A-4a to A-4d</b>	Site Photos