

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-SSH/142

Applicant : Light Time Investments Limited represented by Llewelyn-Davies Hong Kong Limited

Site : Tai Po Town Lots 157 RP and 253 and Various Lots in D.D. 165, D.D. 207 and D.D. 218 and Adjoining Government Land, Sai Sha, Shap Sz Heung, New Territories

Site Area : About 74.8 ha (Including about 11 ha of Government land)

**Lease/
Land Status** : (i) Tai Po Town Lot (TPTL) 157 RP (about 35 ha) (about 46.8%)
- Restricted to non-industrial (excluding private residential, godown, hotel, office and petrol filling station) uses with Government Accommodation

(ii) TPTL 253 (about 27.3 ha) (about 36.5 %)
- Restricted to non-industrial (excluding godown, hotel, office and petrol filling station) uses

(iii) Government land (about 11 ha) (about 14.7%)

(iv) Various Lots in D.D. 165, D.D. 207 and D.D. 218 (about 1.5 ha) (about 2%)
- Block Government Lease (demised for agricultural/building purposes)

Plans : Approved Shap Sz Heung Outline Zoning Plan (OZP) No. S/NE-SSH/11 and Approved Ma On Shan OZP No. S/MOS/24

Zonings : “Comprehensive Development Area” (“CDA”) on the approved Shap Sz Heung OZP No. S/NE-SSH/11 (about 85%) (about 63.6 ha)

Development Restrictions:

Maximum Gross Floor Area (GFA)

- 448,576 m² (domestic);
- 8,957 m² (residents' club);
- 9,290 m² (commercial facilities including kindergarten/nursery and church)

Maximum building height (BH)

24 residential storeys over one storey of residential entrance lobby and a maximum 3 levels for ancillary car park, if the residential building is constructed above the car park.

Minor relaxation of the GFA/BH restrictions may be considered by the Town Planning Board (the Board) on application

The remaining portions fall within “Village Type Development”, “Government, Institution or Community” (“G/IC”), “Open Space”, “Green Belt”, “Country Park”¹ and area shown as ‘Road’ on the Approved Shap Sz Heung OZP No. S/NE-SSH/11 or Approved Ma On Shan OZP No. S/MOS/24 (about 15%) (about 11.2ha)

Application : Proposed Comprehensive Residential and Commercial Development with Government, Institution or Community Facilities with Minor Relaxation of GFA and BH Restrictions (Proposed Amendments to Approved Master Layout Plan (MLP))

1. **The Proposal**

- 1.1 The applicant seeks planning permission for proposed amendments to the approved MLP for a proposed comprehensive residential and commercial development with government, institution or community (GIC) facilities with minor relaxation of GFA and BH restrictions (proposed amendments to approved MLP) at the application site (the Site) (**Plan A-1**). The Site is the subject of several previous approved applications (No. A/NE-SSH/5, 7, 10, 15, 16, 18, 22, 26, 28, 61 and 120) submitted by the same applicant for comprehensive development since 1997. The latest s.16 Application No. A/NE-SSH/120 was approved with conditions by the Rural and New Town Planning Committee (the Committee) on 18.1.2019, with minor amendments to the approved scheme approved by the Director of Planning on 14.10.2020 (s.16A Application No. A/NE-SSH/120-1). According to the approved scheme, the comprehensive development comprises three parts (i.e. Sites A, B and C) (**Drawing A-1**). Sites A and B² are for proposed comprehensive residential and commercial development while Site C is for proposed recreational and sports development with provision of several GIC and open space facilities.
- 1.2 The current application is for proposed amendments to the approved MLP under Application No. A/NE-SSH/120-1 covering Site C only (the Proposed Scheme) (**Drawing A-2**). Compared with the approved scheme under Application No. A/NE-SSH/120-1, there is no change to key development parameters of Sites A and B. Details of the proposed scheme are set out in paragraphs 1.3 to 1.8 below. A table showing the comparison of key development parameters of the approved schemes under applications No. A/NE-SSH/120 and 120-1 and the proposed scheme provided by the applicant (extracted from the planning statement) is at **Appendix II**. A

¹ Only on Ma On Shan OZP

² Sites A and B comprise mainly residential use with a total of 46 residential towers (17 residential towers at Site A and 29 residential towers at Site B) providing a total of 9,700 flats. The maximum BHs (at main roof level) at Sites A and B are 147mPD and 131mPD respectively. A total of 12,077m² commercial GFA for two kindergartens/ nurseries, a church and other retail facilities, residents' club with GFA of 13,446m² and two transport interchanges with a total GFA of 9,000m² would be provided within Sites A and B.

comparison of the MLPs between the approved scheme under A/NE-SSH/120-1 and the proposed scheme are in **Drawings A-1 and A-2** and comparison of the landscape master plans (LMPs) are in **Drawings A-3 and A-4**.

Major Amendments to the approved MLP for Site C

- 1.3 According to the proposed scheme submitted by the applicant, Site C mainly comprises recreational and sports facilities for public use at payment of fees, a welfare centre with basement public vehicle park, two reserved primary school sites and a public open space (**Drawing A-2**). The major changes to the approved scheme is the changes in types of outdoor recreational and sports facilities provided at Site C from ‘Golf Driving Range’ to ‘Place of Recreation, Sports or Culture’ to facilitate the provision of various outdoor recreational and sports facilities including sports field/ball court/pool/driving range/training path for cycling (Item A). The table below summarises the changes in the provision of the outdoor recreational and sports facilities with the estimated number of visitors per session.

Facilities	Approved Scheme (No. A/NE-SSH/120-1) (number of visitors per session)	Proposed Scheme (No. A/NE-SSH/142) (number of visitors per session)
Golf Driving Range	Two golf driving ranges (86 bays) (172)	One golf driving range (70 bays) (140)
Tennis Court	3 courts (15)	5 courts (25)
Football Court	Nil	1 (50)
Lacrosse	Nil	1 (15)
Surfing Pool	Nil	1 (2)
Training Path for Cycling	Nil	1 (30)
Total number of visitors per session	(187)	(262)

- 1.4 Due to the changes in recreational and sports facilities above, the soft and hard landscape ratio under the proposed scheme would change from 97:3 to 47:53 (**Drawing A-10**). A comparison plan illustrating the difference in hard and soft landscape ratio under the last approved scheme (Application No. A/NE-SSH/120-1) and proposed scheme is in **Drawing A-10**.

Other Amendments to the approved MLP for Site C

- 1.5 Other proposed amendments to the approved scheme include (i) increase in number of ancillary blocks for recreation and sports centre (Item B), (ii) change in building form of recreational and sports centre and golf driving range (Item C), (iii) increase in BH of welfare centre building (Item D), (iv) change in configuration of reserved school sites (Item E), (v) change in alignment of access road to Che Ha Village (Item F), and (vi) change in alignment of internal road and emergency vehicular access (EVA) within Site C (Item G). According to Town Planning Board Guidelines No.

36B – Class A and Class B Amendments to Approved Development Proposals (TPB-PG No. 36B), items B, C, D and G fall within Class B amendments, whilst items E and F are classified as Class A amendments which do not require further application. **Drawings A-5 to A-8** submitted by the applicant illustrate the proposed amendments to the approved MLP. The table below summarized key development parameters of the approved schemes for Site C under Applications No. A/NE-SSH/120 and 120-1 as well as the proposed scheme under the current application:

Key Development Parameters of Site C	Approved Scheme (No. A/NE-SSH/120) (a)	Approved Scheme (No. A/NE-SSH/120-1) (b)	Proposed Scheme (No. A/NE-SSH/142) (c)	Changes (c) – (a) (%)	Changes (c) – (b) (%)
Development Site Area (m ²)	366,983	366,983	366,983	No change	No change
<i>Recreation and Sports Centre</i>					
GFA for Recreation & Sports Centre (m ²)	17,500	17,500	17,500	No change	No change
No. of Blocks of Recreation & Sports Centre	7	10 ³	13	+ 6 (+86%)	+3 (+30%)
No. of Storeys of Recreation & Sports Centre	3 storeys above 2 levels of basement carpark	3 storeys above 2 levels of basement carpark	3 storeys above 2 levels of basement carpark	No change	No change
Maximum BH of the Recreation and Sports Centre (main roof)(mPD) ⁴	37	40	40	+3 (+8.11%)	No change
<i>Welfare Centre</i>					
GFA for Welfare Centre (m ²)	Not more than 5,560	Not more than 5,560	Not more than 5,560	No change	No change
GFA for Basement Public Vehicle Park (m ²)	Not more than 9,000	Not more than 9,000	Not more than 9,000	No change	No change

³ Under Application No. A/NE-SSH/120-1, the ‘number of blocks’ were counted as eight as the two golf driving ranges were originally excluded from the calculation. The current number of 10 blocks have counted these two golf driving ranges.

⁴ Under approval condition (b) imposed in Application No. A/NE-SSH/120 and 120-1, the building heights for the proposed development of all building blocks (in terms of mPD) shall not exceed the maximum building heights proposed.

Key Development Parameters of Site C	Approved Scheme (No. A/NE-SSH/120) (a)	Approved Scheme (No. A/NE-SSH/120-1) (b)	Proposed Scheme (No. A/NE-SSH/142) (c)	Changes (c) – (a) (%)	Changes (c) – (b) (%)
No. of blocks of Welfare Centre	1	1	1	No change	No change
No. of storeys of Welfare Centre	5 storeys above 1 level of basement carpark	5 storeys above 1 level of basement carpark	5 storeys above 1 level of basement carpark	No change	No change
Maximum BH of Welfare Centre (main roof)(mPD) ⁴	32	32	33	+ 1m (+3.1%)	+ 1m (+3.1%)
Reserved Primary School Sites					
Site Area of Reserved Primary School Sites (m ²)	Not more than 12,400 (two sites each of not more than 6,200m ²)	Not more than 12,400 (two sites each of not more than 6,200m ²)	Not more than 12,400 (two sites each of not more than 6,200m ²)	No change	No change

1.6 According to the applicant, the increase in number of ancillary blocks from 10³ to 13 under the proposed scheme (Item B) is for accommodating ancillary uses such as toilet, changing rooms, service counters, equipment storages and shelters. The building layout of the recreation and sports centre blocks, including building form and disposition (Item C), are also changed. Nevertheless, the total GFA and maximum BH for recreation and sports centre will remain unchanged.

1.7 The maximum BH of the proposed 5-storey welfare centre with basement public vehicle park will be increased from 32mPD to 33mPD (+1m or +3.1%) (Item D) (**Drawing A-6**). According to the applicant, such increase is due to plumbing and drainage requirements stated in the technical schedule of the lease. There is no change in the schedule of use for the welfare centre⁵ and the car parking provision at the public vehicle park.

1.8 Regarding the changes in site configuration of the two reserved school sites (each with a site area of about 6,200 m²) (Item E), the alignment of access road leading to Che Ha Village (Item F) as well as internal road and EVA of Site C (Item G), the applicant claims that such changes are to reflect a setting out of the site boundary during the processing of the land grant and for operation need. The proposed comprehensive development is anticipated to be completed in phases between 2025

⁵ According to the approved MLP, the welfare centre will accommodate a District Support Centre for Persons with Disabilities, a 100-place Residential Care Home for the Elderly (RCHE) cum 30-place Day Care Unit (DCU), a Neighbourhood Elderly Centre (NEC) and a 60-place Special Child Care Centre (SCCC). The basement public vehicle park will provide 165 private car parking spaces, 20 bus parking spaces and two light bus lay-bys, which would be privately run for public use.

and 2030.

Technical Assessments

- 1.9 Relevant technical assessments including visual appraisal, traffic impact assessment (TIA), environmental assessment (EA), ecological impact assessment (EcoIA), drainage impact assessment (DIA), sewerage impact assessment (SIA) and water supply impact assessment (WSIA) for Site C submitted by the applicant are updated to reflect the proposed amendments to approved scheme and to demonstrate that there will be no adverse impact on the surrounding areas arising from the proposed development.
- 1.10 According to the proposed scheme, the number of trees to be felled within Site C will increase from 621 to 634 trees but will be compensated by planting of about 1,700 new trees. Individual trees assessment will be revised at detailed design stage to maximize the number of trees to be preserved as far as practical.
- 1.11 In support of the application, the applicant has submitted the following documents:
 - (a) Application form and attachments received on **(Appendix I)** 14.3.2022
 - (b) Further information (FI) received on 15.9.2022 **(Appendix Ia)** providing a consolidated report enclosing supplementary planning statement, development schedule, plans, landscape design proposal, technical assessments of TIA, EA, EcoIA, DIA, SIA, WSIA, supplementary drawings in relation to Air Ventilation Assessment aspect, and response to departmental and public comments which supersedes all previous FI submissions⁶ and the original supplementary planning statement
(accepted and exempted from the publication and recounting requirements)
- 1.12 On 6.5.2022, the Committee agreed to defer a decision on the application as requested by the applicant to allow time for the applicant to prepare FI to address departmental comments. The applicant subsequently submitted FIs to address comments/concerns from departments and the application is scheduled for consideration by the Committee at this meeting.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the planning statement and FI (**Appendices I and Ia**). They can be summarized as follows:

⁶ A total of six previous FIs (received on 13.6.2022, 24.6.2022, 20.7.2022, 28.7.2022, 24.8.2022 and 7.9.2022 respectively) have been made to respond to departmental comments and to revise relevant technical assessments, among which two submissions were accepted but not exempted from publication and recounting requirements whilst four submissions were accepted and exempted from the said requirements.

- (a) the application mainly involves a technical change in the proposed uses for Site C from ‘Golf Course’ to various outdoor recreational and sports uses which are subsumed under ‘Place of Recreation, Sports or Culture’. As the changes in proposed uses are neither a Class A nor Class B amendment under TPB PG-No. 36B, a fresh planning application for amending the proposed uses at Site C is required;
- (b) the current application is consistent and in line with the development intention of Site C as a recreational hub. It can diversify the recreational and sports facilities to be provided at Site C and allows greater flexibility in the detailed design stage. The increase in number of ancillary blocks are mainly for the provision of toilet, changing room, service counter and equipment storage uses, which can enhance the experience and convenience of future users of the proposed outdoor recreational and sports facilities. There is no change in the total GFA and maximum BH of the proposed recreation and sports centre;
- (c) the increase in BH of 1m for the welfare centre is to address the technical requirements of government accommodation stated in the technical schedule of the lease and is very minor in nature;
- (d) planning and design merits including provision of public open space, recreation and sports centre, eco-trail, welfare centre and public vehicle park building and the two reserved primary school sites proposed under the approved scheme would remain unchanged; and
- (e) in view of the proposed amendments to the approved scheme, it is expected that the number of visitors for various recreational and sports facilities would be increased from 187 to 262 per session (i.e. an additional 75 visitors per session). In this regard, relevant technical assessments are updated to demonstrate no adverse impacts in traffic, drainage, sewerage, environmental, risk, visual, landscape, ecological and air ventilation aspects.

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

The applicant is one of the land owners of the private lots involved. In respect of the other current land owner(s), the applicant 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 posting site notice and giving notification. Detailed information would be deposited at the meeting for Members’ inspection. As for the Government land portion, the “owner’s consent/notification” requirements are not applicable.

4. Previous Applications

- 4.1 The Site is the subject of 11 previously approved applications (No. A/NE-SSH/5, 7, 10, 15, 16, 18, 22, 26, 28, 61 and 120) submitted by the same applicant for comprehensive development between 1997 and 2019 (**Plan A-1**). Except Applications No. A/NE-SSH/61 and 120, the planning permissions for other nine applications have lapsed and no longer valid.

- 4.2 The latest planning application (No. A/NE-SSH/120) was approved with conditions on 18.1.2019. Subsequent application for Class B amendments to the approved scheme (Application No. A/NE-SSH/120-1) was approved on 14.10.2020, which mainly involved increase in the number of flats from 9,500 to 9,700 (+200 units, +2.1%), increase in the number of non-domestic blocks (from 15 to 28 in Site A, from 19 to 25 in Site B and from 5 to 8 in Site C), changes in form and disposition of building blocks and premises, increase in maximum building height of the recreation and sports centre at Site C from 37mPD to 40mPD (+3m, +8.11%), and change in location of ancillary major utility installation within a building at Site C.
- 4.3 A comparison of major development parameters of the last approved application (including both Application No. A/NE-SSH/120 and A/NE-SSH/120-1) and the current application submitted by the applicant is at **Appendix II** and the comparisons of MLP and LMP are shown at **Drawings A-1 to A-4**. Details of the previous applications are summarized at **Appendix IV** and their locations are shown on **Plan A-1**.

5. Similar Application

There is no similar application for the proposed comprehensive development on the OZP.

6. The Site and Its Surrounding Areas (Plans A-1 and A-2 and photos on Plans A-3a to 3f)

- 6.1 The Site is:
- (a) situated in a scenic part of Shap Sz Heung overlooking Three Fathoms Cove predominantly rural in character with village settlements interspersed with fallow agricultural land;
 - (b) bisected by Sai Sha Road into two major portions. To the west is the Site A whereas to the east are the Site B and Site C;
 - (c) accessible by Sha Sha Road which links to Ma On Shan New Town in the west and Sai Kung in the southeast;
 - (d) under construction with some site formation works in progress and partly occupied by two temporary golf driving ranges in Site C;
 - (e) traversed by a natural stream (i.e. Tai Tung Wo Liu Stream) with ecological value at Sites A and C;
 - (f) largely within the Che Ha and Tai Tung Sites of Archaeological Interest (SAI); and

- (g) located within 1km consultation zone of Ma On Shan Water Treatment Works (MOSWTW).

6.2 The surrounding areas are predominantly rural in character and has the following characteristics:

- (a) interspersed with and in the immediate vicinity of several villages including Che Ha, Tseng Tau, Ma Kwu Lam, Tai Tung, Ngau Yiu Tau, Tai Tung Wo Liu, Nai Chung and Sai O;
- (b) to the southwest is Ma On Shan Country Park, while to its north and east are the coastal areas, the woodland near Che Ha and coastal knolls; and
- (c) to the further east at the coastal area are designated as “Site of Special Scientific Interest” (“SSSI”), namely Tseng Tau Coast and Kei Ling Ha Mangal, which are of geological and ecological significance respectively.

7. Planning Intention

The “CDA” zone is intended for comprehensive development of the area for residential, commercial and recreational uses with the provision of open space and other supporting facilities. The zoning is to facilitate appropriate planning control over development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.

8. Comments from Relevant Government Departments

8.1 The following government departments have been consulted and their views on the application are summarized as follows:

Land Administration

8.1.1 Comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD):

- (a) no objection to the application;
- (b) Site C (i.e. TPTL 157 RP) is restricted to non-industrial (excluding private residential, godown, hotel, office and petrol filling station) uses with the provision of Government Accommodation (GA) (i.e. the District Support Centre for Persons with Disabilities, the Residential Care Home for the Elderly cum Day Care Unit, the Neighbourhood Elderly Centre, the Special Child Care Centre and the Shared Lay-by and related facilities) under lease. GA should be provided in accordance with the Technical Schedule annexed thereto. The Grantee shall not alter the Technical Schedule except with DLO/TP, LandsD’s prior written approval. The Grantee is

also required to lay and form two school sites with each site not less than 6,200m² in terms of site area and surrender the said area to the Government upon demand;

- (c) the total GFA permissible under lease of TPTL 157RP is not exceeding 32,060m², comprising not exceeding 17,500m² for Recreation and Sports Centre (14,000m² for recreational and sport purposes and 3,500m² for other supporting uses); 9,000m² for public vehicle park and 5,560m² for GA. There is no height restriction specified under the lease; and
- (d) should the planning application be approved, the applicant should apply for prior written consent under the approved master layout plans clause and in case of any alterations of the Technical Schedule under the Amendment of the Technical Schedule clause governing the subject lot. Such consent may be given subject to such conditions and payment of premium at LandsD's absolute discretion.

Traffic

8.1.2 Comments of the Commissioner for Transport (C for T):

- (a) no in-principle objection to the application from traffic and transport points of view subject to following approval conditions and advisory clauses at **Appendix V**:
 - (i) the design and implementation of improvement works on the vehicular access road network for the proposed development and adjoining villages, as proposed by the applicant;
 - (ii) the design and provision of parking spaces and loading/unloading facilities;
 - (iii) the implementation of TIA including the mitigation measures;
 - (iv) the implementation of the modification of the roundabout of Sai Sha Road/Nin Wah Road/Nin Fung Road, as proposed by the applicant;
 - (v) the design and provision of two public transport interchanges, as proposed by the applicant;
 - (vi) no occupation of the residential development prior to the completion of the Sai Sha Road widening project and subject

to the implementation of traffic improvement measures recommended in the TIA; and

- (vii) the provision of public car park of not less than 165 car parking spaces, 20 coach parking spaces and two light bus lay-bys in the adjoining “G/IC” zone near Tseng Tau Village.

Landscape, Visual and Air Ventilation

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

Landscape Impact

- (a) according to the planning statement, areas proposed for ‘Place of Recreation, Sports or Culture’ under the current application are mainly designated as golf driving ranges with no specific landscape treatments in the last approved LMP for Site C under Application No. A/NE-SSH/120-1. Compared with the previous approved LMP for Site C, no change is observed regarding existing woodlands and tree groups to be preserved within Site C;
- (b) it is noted that additional 13 nos. existing trees are proposed to be removed under the proposed scheme. The total number of trees to be removed is increased from 621 nos. under Application No. A/NE-SSH/120-1 to 634 nos. under the current application. About 1,700 nos. of new trees are proposed to be planted within Site C by the applicant as part of landscape mitigation measures;
- (c) in view of the above, further impact on existing landscape resources and landscape character of the Site arising from the proposed scheme in Site C is not anticipated, she has no adverse comment from landscape planning perspective on the application;
- (d) the applicant is reminded that approval of the application does not imply approval of tree works, if any, such as pruning, transplanting and felling. Tree removal applications should be submitted direct to relevant authority(ies) for approval;
- (e) should the application be approved, the following landscape conditions are recommended:
 - (i) the submission and implementation of a LMP including a tree survey and a tree preservation scheme; and
 - (ii) the submission and implementation of the eco-trail proposal; and

Visual and Air Ventilation Impacts

- (f) given that key development parameters including site area, total GFA and maximum BH at Site C remain unchanged, and the overall layout is largely the same as compared with the previous approved scheme, the proposed amendment would unlikely induce any significant adverse visual and air ventilation impact on the surrounding area.

Environment

8.1.4 Comments of the Director of Environmental Protection (DEP):

- (a) while the EA for the current planning application mainly demonstrates the environmental acceptability of proposed amendments to Site C, the planning application covers also the development at Sites A & B and Sai Sha Road Widening Works, which are identical to the approved scheme under Application No. A/NE-SSH/120-1;
- (b) the proposed scheme provided adequate buffer distance from the nearby road in accordance with the requirement stipulated in the Hong Kong Planning Standards and Guidelines (HKPSG), hence no unacceptable impact from vehicular emissions is anticipated;
- (c) with the incorporation of noise mitigation measures into the design of the current scheme, no adverse road traffic noise impact is anticipated;
- (d) proper drainage pipeline and sewerage system will be provided for the proposed scheme. No fertilizer and pesticides/herbicides would be required for the proposed driving range and recreational facilities. With the incorporation of mitigation measures, such as screening/ degritting facilities, grease trap and petrol interceptors, etc., into the design of the drainage system, there would be no uncontrolled discharge of stormwater runoff into the nearby stream and sensitive area. As such, no adverse water quality impact is anticipated;
- (e) the SIA concluded that there is no adverse sewerage impact on the sewerage system, including the Sai O Trunk Sewer Sewerage Pumping Station (TSSPS) and the associated sewerage network, arising from the proposed scheme;
- (f) the proposed development is located within the consultation zone of the MOSWTW Potentially Hazardous Installation (PHI). Nevertheless, as the installation of on-site chlorine generation (OSCG) plant in the MOSWTW will be completed in around Q3 2022 and the MOSWTW will be de-listed from the PHI Register by 2022, no associated chlorine risk upon the proposed development is anticipated with the population intake year in 2025;

- (g) considering the above, he is of the view that no insurmountable environmental impacts are anticipated from the subject development with the proposed amendments and have no objection to the subject application with the following approval conditions:
 - (i) the submission of an environmental assessment for the proposed development and the implementation of the mitigation measures identified therein;
 - (ii) the submission of a sewerage impact assessment and the implementation of the mitigation measures identified therein;
- (h) as stated in the SIA for the approved planning application No. A/NE-SSH/120-1, the Ma On Shan Sewage Pumping Station (MOSSPS) will require capacity upgrading if it is to cater for all the projected sewage flow from the subject development and other future developments in the area. The applicant should closely liaise with DSD regarding the implementation programme of the proposed upgrading of MOSSPS to ensure that the MOSSPS has adequate capacity to cater for the proposed developments. If there is any further change in the development parameters, alignment of the associated sewers or rising mains, the applicant should resubmit the SIA report for approval; and
- (i) if the first population intake at the Site happens before sewerage provisions, the project would be a designated project under the Environmental Impact Assessment Ordinance (EIAO) as it would be “A residential development of not less than 2,000 flats and not served by public sewerage networks by the time a flat is occupied”. In that case, the applicant has to follow and undergo the necessary EIAO procedure for the subject development;

Drainage

8.1.5 Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

- (a) no in-principle objection to the application from public drainage and sewerage viewpoint;
- (b) the DIA and SIA submitted by the applicant demonstrated that the existing public drainage and sewerage systems, with appropriate upgrading works to be implemented, would adequately cater for the increasing flow induced by the Site and other presently known future developments in the catchment;
- (c) whilst the ultimate scope and details of upgrading work for MOSSPS pertaining to the relocation of Sha Tin Sewage Treatment Works to Caverns and other public/private development projects in the catchment including the proposed development will take time

for coordination and reach agreement amongst various project teams of interfacing projects and DSD, the applicant is required to keep on closely liaising with the concerned interfacing parties including the relocated Shatin Caverns Sewage Treatment System, MOS housing sites development, etc., to refine the ultimate flow scenario of the MOSSPS and to ensure that the necessary upgrading work required for implementation at MOSSPS would adequately cater for the ultimate population intake in the catchment. Further comments on the SIA will be offered when more detailed sewerage information for the above-mentioned projects are available in future; and

- (d) should the application be approved, approval conditions on the submission of drainage and sewerage impact assessments together with the provision of drainage and sewerage facilities, and the implementation of mitigation measures identified therein should be imposed.

8.1.6 Comments of the Principal Project Coordinator/Special Duty Division, DSD (PPC/SDD, DSD):

the planned village sewerage system under project “Tolo Harbour Sewerage of Unsewered Areas Stage 2” is in vicinity of the Site. The project is currently in design stage and the programme for commencement of construction works is still under review. The applicant should coordinate with his office for interface issues.

Water Supply

8.1.7 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):

- (a) no in-principle objection to the application;
- (b) apart from bearing the cost of the upgrading of the fresh water supply system and salt water supply system, the applicant should also undertake to implement the upgrading works;
- (c) it is recommended that the following approval conditions stated in the previous application be continued to impose in the current application and his advisory comments are at **Appendix V**:
 - (i) the diversion of water mains to be affected by the proposed development, as proposed by the applicant; and
 - (ii) the submission of a water supply impact assessment and the implementation of upgrading works identified therein, as proposed by the applicant; and
- (d) majority of the Site is within the 1km consultation zone of MOSWTW. Chlorine generation facility will be installed in

MOSWTW which can greatly reduce the use and storage of chlorine on site. Upon completion of the above proposed works, MOSWTW will probably be removed from the list of PHI.

Geotechnical

8.1.8 Comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):

- (a) no in-principle objection to the application; and
- (b) should the application be approved, an approval condition on the submission of a natural terrain hazard study and implementation of the mitigation measures identified therein is required.

Nature Conservation

8.1.9 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- (a) it is noted from the revised EcoIA for Site C that the ecological impact arising from the current scheme is largely the same as that from the approved scheme under the previous application A/NE-SSH/120-1. He has no comment on the revised EcoIA;
- (b) he has no in-principle objection to the application from nature conservation point of view subject to the following approval conditions:
 - (i) the design (including the submission of detailed tree preservation and planting proposal) and provision of a 20m ecological stream buffer zone along each side of Tai Tung Wo Liu Stream; and
 - (ii) the submission of a revised ecological impact assessment including woodland compensation taking into account the revised MLP and the implementation of the mitigation measures identified therein.

Building Matters

8.1.10 Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- (a) no comment on the application under the Buildings Ordinance (BO);
- (b) formal submission under the BO is required for any proposed new works; and

- (c) detailed comments will be given at the building plan submission stage.

Fire Safety Aspect

8.1.11 Comments of the Director of Fire Services (D of FS):

- (a) no in-principle objection to the application subject to fire fighting access, fire service installations and water supplies for firefighting being provided to the satisfaction to the D of FS;
- (b) the Emergency Vehicular Access (EVA) arrangement shall comply with the standard as stipulated in Code of Practice for Fire Safety in Buildings 2011 under the Building (Planning) Regulation 41D which is administered by BD. Detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans. Also, the EVA provision of the nearby buildings shall not be affected by the proposed works; and
- (c) shall the proposed work affect any licensed premises in the area, such as petrol filling station or dangerous goods store, the applicant should make separate enquiry to his department to ensure work feasibility.

Education

8.1.12 Comments of the Secretary for Education (S for Education):

- (a) no comment on the application with revised site boundary of the reserved school sites; and
- (b) her comments on the technical issues related to the further development in the detailed design stage is at **Appendix V**.

Social Welfare Facilities

8.1.13 Comments of the Director of Social Welfare (DSW):

- (a) the premises for the agreed welfare facilities should be provided as an integral part of the development and will be assigned back as a GA upon construction completion. The construction cost of this premises would be borne by SWD and the service operator would be selected by SWD;
- (b) no further comment on the indicative layout for proposed welfare centre and public vehicle park at this stage. The applicant shall provide detailed design layout for DSW's further comments separately at a later stage;

- (c) upon satisfactory completion of works by the applicant, the Government will reimburse the developer the actual cost of construction or the consideration sum as stipulated in the land lease, whichever is the lesser, according to the established practice;
- (d) the applicant should take into account the parking and lay-by requirements of the welfare facilities. The relevant requirements are provided at **Appendix V**;
- (e) should the application be approved, an approval condition on provision of a District Support Centre for Persons with Disabilities, a 60-place Special Child Care Centre, a Neighbourhood Elderly Centre and a 100-place Residential Care Home for the Elderly cum 30-place Day Care unit is recommended; and
- (f) her other advisory comments is at **Appendix V**.

Archaeological

8.1.14 Comments of the Executive Secretary (Antiquities and Monuments), Antiquities and Monuments Office (ES(AM), AMO):

- (a) part of the proposed development may affect the Che Ha and Tai Tung Site of Archaeological Interests and archaeological resources revealed in previous archaeological surveys. He has no objection to the application from the archaeological and built heritage conservation perspective;
- (b) if there are any buildings/structures both at grade level and underground which were built in or before 1969, which would likely be affected by the proposed development, his office should be alerted in an early stage or once identified; and
- (c) should the application be approved by the Board, an approval condition on the undertaking of Further Archaeological Impact Assessment based on the findings of the revised Preliminary Archaeological Impact Assessment and implementation of mitigation measures identified therein is recommended.

Electricity Supply and Town Gas Safety

8.1.15 Comments of the Director of Electrical and Mechanical Services (DEMS):

- (a) there is a high pressure underground town gas transmission pipeline (running along Sai Sha Road) in the vicinity of the Sites A and C. With reference to the previous submission of quantitative risk assessment (QRA) study for the high pressure town gas pipeline dated 27.11.2018, the applicant shall revisit and advise if the QRA

study is still valid, having considered that the estimated number of visitors may be increased arising from the proposed development. As there is change in the population, structures and facilities of the development, the applicant shall revise the QRA accordingly. Should the application be approved, an approval condition on the submission of a revised QRA to reflect the latest risk level imposed by the high pressure underground town gas transmission pipeline running along Sai Sha Road on the proposed development should be imposed; and

- (b) other advisory comments on electricity supply and town gas safety aspects are provided in **Appendix V**.

Public Open Space and Safety Management

8.1.16 Comments of the Director of Leisure and Cultural Services (DLCS):

- (a) no in-principle objection to the application;
- (b) as the open space will mainly serve residents of the proposed development, it will be desirable that the applicant shall consider taking over the future management of the open space;
- (c) according to the land lease of TPTL 157 RP, the grantee is required to develop the public open space at his own expense and carry out works up to satisfaction of the DLCS. The public open space may be re-delivered to the Government on demand for management/maintenance in the long term. The applicant is required to provide a detailed landscape proposal with design and layout plan to LCSD for prior comment;
- (d) should the application be approved, an approval condition on provision of public open space facilities and the management of this open space which should be kept open daily for public use, as proposed by the applicant, is recommended; and
- (e) for the applicant's management of the golf driving ranges, advice on safe management practices are set out in **Appendix V** for the applicant to follow.

8.2 The following Government departments have no objection to/ no adverse comment on the application:

- (a) Commissioner of Police (C of P);
- (b) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
- (c) Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD);
- (d) Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD);

- (e) District Officer/Shia Tin, Home Affairs Department (DO/ST, HAD);
- (f) District Officer/Tai Po, Home Affairs Department (DO/TP, HAD); and
- (g) Secretary for Culture, Sports and Tourism.

9. **Public Comments Received During Statutory Publication Periods (Appendix IV)**

- 9.1 During the statutory public inspection periods, a total of 111 public comments were received. Among which 100 of them support the application, four of them object to the application and seven of them provided views/suggestions. A full set of public comments will be deposited at the meeting for the Members' inspection.

Supporting Comments

- 9.2 100 supporting comments were received from Kwun Hang Tsuen villagers, Sai Sha residents and members of public (largely similar in content with samples extracted at **Appendices IV-1 to IV-9**) mainly on grounds that the proposed amendments are minor in nature with no change in the maximum GFA, provide more diverse recreational and sports facilities which can popularize the use of the facilities and benefit wider public, could better address the recreational and sports needs of the existing and future population, align with the development intention of Site C being a recreational and sports hub, better utilize land resources, provide more job opportunities, promote healthy lifestyle and promote long-term sports development in the community.

Objecting Comments

- 9.3 Four objecting comments were received from Che Ha Village Committee and an individual (**Appendices IV-10 to IV-13**) mainly for reasons of causing adverse noise, air quality, traffic and Fung Shui impacts, affecting daily life of villagers as well as existing graves in surrounding areas, and inadequate community health facilities. The individual also raised concern on the lack of information on the increased number of flat units under the current application, changes in parking provision and the inclusion of 'Country Park' in the development (**Appendices IV-12 and IV-13**).

Other Views

- 9.4 The remaining seven comments submitted by individuals (**Appendices IV-14 to IV-20**) mainly provide suggestions including to provide more large-scale recreational and sports facilities across districts in Hong Kong and to further relax GFA and BH in future developments for additional provision of open space as well as recreational and sports facilities.

10. **Planning Considerations and Assessments**

- 10.1 The application is to seek planning permission for proposed amendments to the approved scheme under application No. A/NE-SSH/120-1 for a proposed comprehensive residential and commercial development with GIC facilities. Same

as the approved scheme, the Site under the proposed scheme comprises 3 parts (i.e. Sites A, B and C). Sites A and B are for proposed comprehensive residential and commercial development while Site C is for proposed recreational and sports development with provision of GIC and open space facilities. Compared with the last approved scheme (Application No. A/NE-SSH/120-1), the current application involves only changes at Site C with no changes in major development parameters at Sites A and B.

- 10.2 The major amendments to the approved scheme involve changes in types of outdoor recreational and sports facilities from ‘Golf Driving Range’ to ‘Place of Recreation, Sports or Culture’ so as to allow for greater flexibility in the providing a diversified range of recreational and sports facilities at the Site C. According to TPB PG-No. 36B, such changes are neither a Class A nor Class B amendment. In this regard, a fresh planning application for proposed amendments to the approved scheme is required. Other amendments to the approved scheme as detailed in paragraphs 1.5 to 1.8 above can be classified as Class A or Class B amendments according TPB PG-No. 36B. Relevant technical assessments have been updated by the applicant to support the changes as proposed under the current application.

Planning Intention

- 10.3 The Site falls largely within the “CDA” zone (about 85%). The “CDA” zone is intended for comprehensive development of the area for residential, commercial and recreational uses with the provision of open space and other supporting facilities. This zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints. Based on individual merits of a development or redevelopment proposal, minor relaxation of the GFA/BH restrictions may be considered by the Board on application.
- 10.4 The proposed amendments to the approved scheme is generally in line with the planning intention of the “CDA” zone as the major amendments involve changes in the types of outdoor recreational and sports facilities from ‘Golf Driving Range’ to ‘Place of Recreation, Sports and Cultural’ which are of similar nature. Additional outdoor recreational and sports facilities include sports field/ ball court/pool/driving range/training path for cycling will be provided at Site C to diversify the provision and without affecting the total GFA and maximum BH of Site C.
- 10.5 Some amendments to the approved scheme, including increasing in number of ancillary blocks from 10 to 13 and change in building form of recreation and sports centre, are mainly to facilitate the provision of ancillary facilities (e.g. toilet, changing room, equipment storage etc.) and to support the operation of recreation and sports centre. Other amendments items, such as increase in BH by 1m of welfare centre, changes in site configuration of school sites, change in alignment of access road to Che Ha Village as well as internal road and EVA within Site C, are considered minor in nature and for operation needs.

Compatibility

- 10.6 The Site is situated in a coastal area of Shap Sz Heung overlooking the view of Three Fathoms Cove (Kei Ling Ha Hoi) (**Plans A-1 and A-2**). Distant from the Ma On Shan New Town at its further west, the Site is predominantly rural in

character with village settlements interspersed with fallow agricultural land and natural landscape with Ma On Shan Country Park towards its west. The Site zoned “CDA” is identified to be suitable for recreation and residential developments taking the advantage of the landscape backdrop of Ma On Shan Country Park and the proximity to the scenic coastal area (**Plans A-3a and A-3b**). It is intended that the Site should be developed in a comprehensive manner by integrating recreational development with residential elements. Given that the change in types of outdoor recreational and sports facilities are of similar nature and development intensity of Site C remain unchanged, the proposed scheme is considered not incompatible with the surrounding areas in terms of land use and development scale.

Technical Aspects

- 10.7 The applicant has submitted updated technical assessments including visual appraisal, TIA, EA, EcoIA, DIA, SIA and WSIA to demonstrate that there will be no adverse impact arising from the proposed scheme. In view of the small increase in estimated number of visitors per session from 187 to 262, no adverse impacts are anticipated. Mitigation measures proposed in the updated technical assessments, such as upgrading of road and infrastructure works, are largely the same as the previous ones submitted under approved application No. A/NE-SSH/120-1. Relevant Government departments consulted including DAFC, C for T, ES(AM) of DEVB, CHE/NTE of HyD, CE/MN and CE/CM of DSD, DEP, CE/C of WSD, D of FS, PM/N and H(GEO) of CEDD and DEMS have no adverse comments on the application. Relevant approval conditions on nature conservation, traffic and transport, environment, sewerage, drainage, water supply, slope safety, fire safety and heritage aspects are recommended in paragraph 11.2 below.

Provision of Public Facilities

- 10.8 According to the last approved scheme, the applicant has proposed the provision of ecological trails, public open space, welfare centre, public vehicle park and two reserved primary school sites within Site C which are remained unchanged under the proposed scheme. Relevant departments including S for Education, C for T and DLCS have no adverse comments on the application and suggest to continue to impose relevant approval conditions. DSW has agreed with the provision of welfare centre subject to detailed design layout of the concerned social welfare facilities to be submitted to his consideration at a later stage.

Public Comments

- 10.9 Regarding the public comments received, the planning assessments and departmental comments above are generally relevant. For the concerns on lacking information on the increased number of flat units and changes in provision of parking under the current application, it should be noted that relevant changes were approved under Application No. A/NE-SSH/120-1 for minor amendments to the approved scheme on 14.10.2020. Regarding the concern on encroaching onto ‘Country Park’, only a very small portion (about 220 m²) (**Plan A-1**) of the Site located nearby Nai Chung Barbecue Site for widening of Sai Sha Road encroaches onto the “Country Park” zoning but does not affect the country park.

11. Planning Department's Views

- 11.1 Based on the assessments made in paragraph 10 and having taken into account the public comments mentioned in paragraph 9 above, the Planning Department has no objection to the application.
- 11.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until **23.9.2026**, 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 following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) the submission and implementation of a revised Master Layout Plan (MLP), taking into account approval conditions (b) to (g) and (i) to (z) below, to the satisfaction of the Director of Planning or of the Town Planning Board;
- (b) the building heights for the proposed development (in terms of mPD) shall not exceed the maximum building heights as proposed by the applicant;
- (c) the submission and implementation of a Landscape Master Plan including a tree survey, a tree preservation scheme and site boundary treatment to the satisfaction of the Director of Planning or of the Town Planning Board;
- (d) the submission and implementation of the eco-trail proposal to the satisfaction of the Director of Planning or of the Town Planning Board;
- (e) the design and implementation of improvement works on the vehicular access road network for the proposed development and the adjoining villages, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (f) the design and provision of parking spaces and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (g) the implementation of mitigation measures identified in revised Traffic Impact Assessment (TIA) to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (h) the implementation of the modification of the roundabout of Sai Sha Road/Nin Wah Road/Nin Fung Road, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (i) the design and provision of two public transport interchanges, as proposed by the applicant, to the satisfaction of the Commissioner for Transport or of the Town Planning Board;

- (j) in relation to (e), (f), (g), (h) and (i) above, no occupation of the residential development prior to the completion of the Sai Sha Road widening project and subject to the implementation of traffic improvement measures recommended in the TIA to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (k) the submission of an environmental assessment for the proposed development and the implementation of the mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (l) the submission of a sewerage impact assessment and the implementation of the mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (m) the design (including the submission of detailed tree preservation and planting proposal) and provision of a 20m ecological stream buffer zone along each side of Tai Tung Wo Liu Stream to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the Town Planning Board;
- (n) the submission of a revised ecological impact assessment including woodland compensation taking into account the revised MLP and the implementation of the mitigation measures identified therein, to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the Town Planning Board;
- (o) the diversion of water mains to be affected by the proposed development, as proposed by the applicant, to the satisfaction of the Director of Water Supplies or of the Town Planning Board;
- (p) the submission of a water supply impact assessment and the implementation of upgrading works identified therein, as proposed by the applicant, to the satisfaction of the Director of Water Supplies or of the Town Planning Board;
- (q) the submission of a natural terrain hazard study and the implementation of the mitigation measures identified therein, as proposed by the applicant, to the satisfaction of the Director of Civil Engineering and Development or of the Town Planning Board;
- (r) the submission of a drainage impact assessment and the implementation of mitigation measures identified therein to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (s) the provision of fire fighting access, water supplies for fire fighting and fire services installations to the satisfaction of the Director of Fire Services or of the Town Planning Board;
- (t) the submission of the Further Archaeological Impact Assessment and the implementation of mitigation measures identified therein to the satisfaction of the Executive Secretary (Antiquities and Monuments), Antiquities and Monuments Office or of the Town Planning Board;

- (u) the provision of public car park of not less than 165 car parking spaces, 20 coach parking spaces and two light bus lay-bys in the adjoining “Government, Institution or Community” zone near Tseng Tau Village to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (v) the provision of no less than 8,000m² of public open space facilities in the “Open Space” and “Comprehensive Development Area” zones near Tseng Tau Village, and the management of this open space which should be kept open daily for public use, as proposed by the applicant, to the satisfaction of the Director of Leisure and Cultural Services or of the Town Planning Board;
- (w) the formation and surrender of two sites adjacent to Che Ha Village, each of about 6,200m² with a minimum width of 65m for building two primary schools, upon the demand of the Government, to the satisfaction of the Secretary for Education or of the Town Planning Board;
- (x) the design and provision of social welfare facilities in the “Government, Institution or Community” zone near Tseng Tau Village to the satisfaction of the Director of Social Welfare or the Town Planning Board;
- (y) the submission of an implementation programme, with phasing proposals to tie in with the completion of both major infrastructural facilities serving the proposed development and the traffic improvement measures, to the satisfaction of the Director of Planning or of the Town Planning Board; and
- (z) the submission of a revised Quantitative Risk Assessment report to reflect the latest risk level imposed by the high pressure underground town gas transmission pipeline running along Sai Sha Road on the proposed development to the satisfaction of the Director of Electrical and Mechanical Services or of the Town Planning Board.

Advisory clauses

The recommended advisory clauses are at **Appendix V**.

- 11.3 There is no strong reason to recommend rejection of the application.

12. Decision Sought

- 12.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 12.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clauses, if any, to be attached to the permission, and the date when the validity of the permission should expire.
- 12.3 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.

13. Attachments

Appendix I	Application form and attachments received on 14.3.2022
Appendix Ia	Further information received on 15.9.2022
Appendix II	Comparison of Development Parameters submitted by the Applicant
Appendix III	Previous Applications
Appendix IV	Extracts of Public Comments
Appendix V	Recommended Advisory Clauses
Drawings A-1 and A-2	Comparison of master layout plans
Drawings A-3 and A-4	Comparison of landscape master plans
Drawings A-5 to A-8	Comparison plans showing amendment items submitted by the applicant
Drawing A-9	Plan showing outdoor and indoor recreational and sports facilities submitted by the applicant
Drawing A-10	Comparison plan of hard and soft landscape ratio
Drawing A-11	Section plan of golf driving range at Site C
Drawing A-12	Visual illustration of the proposed recreational and sports facilities at Site C submitted by the applicant
Drawing A-13	Section plan of recreation and sports centre at Site C submitted by the applicant
Drawing A-14	Urban design concept plan of Site C
Drawings A-15 and A-16	Section and elevation plans
Drawings A-17 and A-18	Comparison of photomontages
Plan A-1	Location Plan
Plan A-2	Aerial Photo
Plans A-3a to 3fe	Site Photos

**PLANNING DEPARTMENT
SEPTEMBER 2022**