

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/NE-TK/702

- Applicant** : The Lok Sin Tong Benevolent Society, Kowloon represented by Ove Arup & Partners Hong Kong Limited
- Site** : Lots 252 S.A, 252 S.A ss.1, 252 S.B, 253, 256 (Part), 257 (Part), 259 (Part), 260 (Part), 261 (Part), 274 (Part), 275 S.A (Part), 275 S.B, 275 S.C, 276 S.A ss.1, 276 S.B ss.1, 278 RP, 279 S.B, 280 S.A RP, 280 S.B RP, 280 S.B ss.1 RP and 538(Part) in D.D. 26 and Adjoining Government Land, Wong Yue Tan, Tai Po
- Site Area** : About 14,517 m² (including government land of about 730 m²)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ting Kok Outline Zoning Plan (OZP) No. S/NE-TK/19
- Zonings** : “Green Belt” (“GB”) (about 93% of the Site)
“Village Type Development”(“V”) (about 7% of the Site)
- Application** : Proposed Temporary Residential Institution (Transitional Housing) for a Period of 5 Years with Filling and Excavation of Land

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary residential institution (transitional housing) for a period of 5 years with filling and excavation of land at the application site (the Site) (**Plan A-1**). According to the Notes of the OZP, ‘Residential Institution’¹ is a Column 2 use in both “GB” and “V” zones requiring planning permission from the Town Planning Board (the Board). The Notes for the “GB” zone also specifies that filling and excavation of land within the “GB” zone require planning permission from the Board. The Site is covered by vegetation in the northern portion and the southern portion is paved and partly occupied by a plant nursery.
- 1.2 The Site is accessible from Ting Kok Road via a section of village access of Wong Yue Tan Village. The proposed development consists of 11 four-storey

¹ ‘Residential Institution’ use in “V” zone is not subject to building height restriction.

domestic blocks and two single-storey non-domestic blocks with a total plot ratio (PR) of about 1.493. A total of 1,236 units will be provided with three types of flats² (i.e. 1,182 one to two-person units, 27 three-person units and 27 four-person units) ranging from 14m² to 31m². The two non-domestic blocks would provide ancillary services such as convenience store, self-service laundry, multi-purpose community room, health corner, after school care centre, integrated social service centre and shared goods library. Major development parameters are as follows:

Site Area	about 14,517 m ² (including about 730 m ² of government land)
Total Plot Ratio (PR) Domestic PR Non-domestic PR	About 1.493 About 1.485 About 0.008
Total Gross Floor Area (GFA) Domestic GFA Non-domestic GFA ³	About 21,675 m ² About 21,551 m ² About 124 m ²
Total Site Coverage	not more than 66.6%
No. of Blocks³	11 Domestic Blocks 2 Non-domestic Blocks
No. of Storeys/ Building Height (BH)	Domestic Blocks: 4 storeys (13.5m/20mPD) Non-domestic Blocks: 1 storey (4.5m/10.6mPD)
No. of Units	About 1,236
Average Flat Size	About 17.5m ²
Estimated Population	Not more than 1,962
Open Space	Not less than 1,962 m ²
Green Coverage	Not less than 20%
No. of Loading/Unloading Bays	3

- 1.3 According to the applicant, Modular Integrated Construction (MiC) method will be adopted to expedite delivery of the transitional housing development in a sustainable manner without involving massive piling works. However, as the topsoil layer consists of weak materials, filling/excavation of land (about 1-3m in height/depth) may be needed for soil enhancement/replacement. The proposed development will also involve excavation of land at a depth of 3-7m for the provision of drainage system, underground E&M plant room and an on-site sewage treatment plant with underground tank.
- 1.4 The applicant proposes a vehicular access road and a 2m wide footpath connecting to Ting Kok Road with a cul-de-sac at the northern end of the Site, and a 32m-long layby at the cul-de-sac to cater for the provision of new GMB services. Three loading/unloading spaces would be provided within the Site, but there would be no residential car parking spaces within the Site considering the income level of the future tenants.

² Subject to change at detailed design stage.

³ Excluding two blocks of E&M plant rooms of about 481m² which are assumed to be exempted from GFA calculation.

- 1.5 A total of 165 trees of common species within and around the Site would be affected by the proposed development and are proposed to be felled. To compensate for the loss of existing trees, the applicant proposes to plant 165 new trees at the periphery of the Site, which will also form part of the buffer area (2.5m in width) to screen off the proposed development and minimize human disturbance to the adjoining “Conservation Area” (“CA”) zone. Moreover, a drainage system with desilting facilities would be provided and green roof design would be adopted to reduce the impact of surface runoff from the proposed development to the surrounding areas. An on-site sewage treatment plant is also proposed to treat the sewage generated within the Site before discharging to public drain. Besides, a minimum of 20% of greenery coverage and local open space not less than 1,962m² would be provided. Various uses at the outdoor open space including bazaar/multi-purpose community area, multi-purpose exercise area, fitness area, pocket garden, leisure sitting-out area would facilitate the fostering of social interaction within the local community.
- 1.6 The applicant, who is a non-profit making organization, will be responsible for the construction and management of the proposed development including the operation of ancillary facilities in the non-domestic blocks. The proposed development is anticipated to complete by end of 2022.
- 1.7 The applicant has conducted various technical assessments, including Traffic Impact Assessment (TIA), Ecological Assessment (EcoIA), Environmental Assessment (EA) and Water Supply Impact Assessment (WSIA), to demonstrate that, with the implementation of proposed mitigation measures, the proposed transitional housing development would not cause adverse impacts on surrounding areas. The Master Layout Plan (MLP), Landscape Master Plan (LMP), section plan, typical floor plan, photomontages, indicative land filling and excavation plan, tree felling proposal, proposed mini-bus layby and proposed drainage system submitted by the applicant are at **Drawings A-1 to A-9**.
- 1.8 In support of the application, the applicant has submitted the following documents:
- (a) Application form and supplementary information received on 4.2.2021 **(Appendix I)**
 - (b) Supplementary Planning Statement **(Appendix Ia)**
 - (c) Supplementary information received on 5.2.2021 **(Appendix Ib)**
 - (d) Further Information (FI) received on 19.3.2021 in response to departmental comments **(Appendix Ic)**
[accepted and exempted from publication requirements]

- (e) FI received on 22.3.2021 providing additional (**Appendix Id**) justifications in support of the application
[*accepted and exempted from publication requirements*]

2. **Justifications from the Applicant**

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

In line with the Government's Policy

- (a) the proposed development is fully in line with the Government's policy in providing transitional housing units in the short-term to alleviate the pressing housing demand for those people living in substandard conditions. The applicant indicates that the proposed transitional housing would serve those peoples having queued for public rental housing for more than 3 years and currently living in inadequate housing condition or with urgent need of community support, and priority would be given to households receiving Comprehensive Social Security Assistance or monthly income not exceeding 55% of Median Monthly Domestic Household Income;

Meeting Housing Demand of Tai Po District

- (b) the applicant has operated several transitional housing projects since 2017. The current proposal is intended to serve deprived families, youths or elderlies living in Tai Po area. According to the applicant's research, many deprived families or elderlies are living in subdivided units at Kwong Fuk Road, Wai Yan Street, Tai Kwong Lane, On Fu Road and Nam Shing Street in Tai Po District, and most of them are couples, single parents or single elderly persons who have been waiting for public rental housing for more than 3 years. There are about 3,400 such families/households amounting to a population of about 7,790 persons. Thus, the proposed development is designed to mainly provide one to two-person units to meet such demand in the community. The applicant has submitted details of the research on households living in subdivided flats in Tai Po District and a supporting letter from The Hong Kong Council of Social Service (**Appendix Ic**) as well as a case on how transitional housing project could help a deprived household to improve their living standards (**Appendix Id**);

Not Affecting Long-term Planning Intentions

- (c) the proposed transitional housing development is temporary in nature and will not jeopardise the long-term planning intentions of the "GB" and "V" zones. Upon expiry of the temporary approval, the applicant undertakes to reinstate the Site to an amenity area and to retain 165 proposed new trees planted within the Site. Approval of the application would also represent effective use of scarce land resources;

- (d) while the applicant intends to operate the proposed transitional housing for a period of 8 years, the current application seeks a temporary planning approval period of 5 years. This is to allow a review of the operational efficiency and mode of operation of the proposed transitional housing development taking into account the changing circumstances and needs of the society. The applicant will submit a renewal application at appropriate time should the current planning application be approved;

Compatible with Surrounding Developments

- (e) the proposed transitional housing with a PR of about 1.493 and maximum BH of four storeys is compatible with the surrounding low-rise residential developments with maximum PR ranging from 0.8 to 1.8 and maximum BH from 3 to 5 storeys as well as the 3-storey village type developments in the vicinity. Buffer area would also be provided between the Site and the adjacent “CA” zone serving as physical and visual separation to screen off human disturbance to the “CA” zone;

Self-sustaining Community

- (f) the proposed non-domestic blocks would provide ancillary services such as convenience store, self-service laundry, multi-purpose community room, health corner, after school care centre, integrated social service centre and shared goods library to serve the daily needs of future residents. Moreover, a number of social enterprises established under the Lok Sin Tong Benevolent Society, i.e. the applicant, are operating online shops for food, daily necessity goods, health and care and other products, which could provide an online platform and shopping tool for future residents. Besides, shared facilities including community area, multi-purpose exercise area, fitness area, pocket garden, and leisure sitting-out areas are proposed to enhance the quality of life of future residents, and to encourage social interactions and community bonding;

No Adverse Impacts on Surrounding Areas

- (g) the applicant has conducted various technical assessments, including TIA, EcoIA, EA and WSIA, to demonstrate that the proposed transitional housing would not cause adverse impacts on surrounding areas with the implementation of proposed mitigation measures. The submitted TIA proposes to enhance the public transport services by providing a new GMB service between the Site and Tai Po Market MTR Station and additional trips for some existing bus routes to cater for the additional traffic demand generated by the proposed development. Some road improvement works including extension of the existing bus layby at Ting Kok Road westbound to accommodate more buses and layout change of the junction at Ting Kok Road/Fung Yuen Road are also proposed. With the implementation of the above mitigation measures, the submitted TIA concludes that all the road links and critical junctions would be operated within capacity and the traffic impact generated by the proposed development would not be significant;
- (h) to minimise the ecological disturbance during the construction phase, MiC method and good site practice would be adopted. During operation phase, a

2.5m wide buffer with the planting of trees would be provided between the Site and the “CA” zone to its north, and a drainage system with desilting facilities would be installed to intercept surface runoff from the proposed development. The proposed 2.5m buffer area is sufficient to accommodate wired fence wall, landscape planting and the drainage pipes. With the implementation of these mitigation measures, the EcoIA concludes that no significant direct impact on ecology within the Site is anticipated, and no residue indirect ecological impact on surrounding terrestrial habitats and species is expected;

- (i) the submitted EA has assessed noise, air quality and water quality impacts associated with the proposed development. Potential noise and air quality (including odour) impacts of the proposed on-site sewage treatment plant and E&M plant rooms (e.g. pump rooms, emergency generator rooms, fire service plant and control rooms and telecommunication and broadcasting rooms etc.) have been assessed and insurmountable impacts are not expected with proper design measures for these facilities. To mitigate the traffic noise impact from Ting Kok Road, 1m high vertical fin is proposed at Block 10 to ensure future residents would not be susceptible to adverse traffic noise impact;
- (j) an on-site underground sewage treatment plant with membrane bioreactor for secondary treatment level or above is proposed to handle sewage generated by the proposed transitional housing before discharge to existing public drain. On-site drainage system with desilting facilities and green roof would also be provided to collect and minimise surface runoff from the proposed development. The submitted WSIA also concludes that the existing water supplies network has adequate capacity to cater for the increase in population. In addition, refuse collection, storage and disposal facilities would be available within the Site. As such, no adverse water quality, drainage, sewerage and water supplies impacts are anticipated;
- (k) according to the preliminary tree survey, no Old and Valuable Trees (OVTs) nor rare or endangered species of trees are observed within the Site. A total of 165 existing trees (147 trees within and 18 trees around the Site) of common species (e.g. *Macaranga tanarius* var. *tomentosa* (血桐) and *Archontophoenix alexandrae* (假檳榔)) in poor condition would be affected by the proposed development and are proposed to be felled (**Drawing A-7**). To compensate the loss of existing trees, the applicant proposes to plant 165 new trees (at a compensation ratio of 1:1) such as *Bischofia javanica* (秋楓), *Cinnamomum burmannii* (陰香) and *Liquidambar formosana* (楓香) of heavy standard within the Site. In addition, suitable planting mix with native species would be integrated with the strip of buffer tree planting;
- (l) the applicant has submitted photomontages of the proposed development (**Drawing A-5**) to demonstrate that the proposed development is generally compatible with the adjacent village type developments; and
- (m) through the installation of energy-saving and water-saving features and the adoption of green roof design, consumption of energy and natural resources would be minimised and reduced. Moreover, the use of MiC method with off-site pre-fabrication techniques can shorten the construction period and reduce

potential disturbance to wildlife and habitats during construction phase. It will also allow the housing modules to be easily dismantled and relocated to other sites for reuse upon expiry of the planning approval.

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

The applicant is not the “current land owner” of the private land portion of the Site 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 obtaining consent from the current land owners. Detailed information would be deposited at the meeting for Members’ inspection. For the government land portion, the “Owner’s consent/Notification” Requirements are not applicable.

4. Town Planning Board Guidelines

The Site falls within an area largely zoned “GB”. The Town Planning Board Guidelines for Application for Development within Green Belt Zone under Section 16 of the Town Planning Ordinance (TPB PG-No. 10) are relevant to this application. The relevant assessment criteria are summarized as follows:

- (a) there is a general presumption against development (other than redevelopment) in a “GB” zone;
- (b) an application for new development in a “GB” zone will only be considered in exceptional circumstances and must be justified with very strong planning grounds. The scale and intensity of the proposed development including the PR, site coverage and BH should be compatible with the character of surrounding areas. With the exception of New Territories Exempted Houses, a PR up to 0.4 for residential development may be permitted;
- (c) the design and layout of any proposed development should be compatible with the surrounding areas. The development should not involve extensive clearance of existing natural vegetation, affect the existing natural landscape or cause any adverse visual impact on the surrounding environment;
- (d) the vehicular access road and parking provision should be appropriate to the scale of the development and comply with relevant standards. Access and parking should not adversely affect existing trees or other natural landscape features. Tree preservation and landscaping proposal should be provided;
- (e) the proposed development should not overstrain the capacity of existing and planned infrastructure such as sewerage, roads and water supply. It should not adversely affect drainage or aggravate flooding in the area;
- (f) the proposed development should not overstrain the overall provision of G/IC facilities in the general area; and

- (g) the proposed development should not be susceptible to adverse environmental effects from pollution sources nearby such as traffic noise, unless adequate mitigation measures are provided, and it should not itself be the source of pollution.

5. Previous Application

There is no previous application at the Site.

6. Similar Application

There is no similar application for temporary residential institution development within the same “GB” and “V” zones on the Ting Kok OZP.

7. The Site and Its Surrounding Area (Plans A-1 to A-4b)

7.1 The Site is:

- (a) currently fenced off and partly covered by vegetation in the northern portion. Its southern portion is paved and partly occupied by a plant nursery;
- (b) accessible from Ting Kok Road via a local track; and
- (c) the southwestern and southeastern portions of the Site falls within the village ‘environs’ (‘VE’) of Wong Yue Tan and Shuen Wan Sha Lan respectively.

7.2 The surrounding areas are rural in character mainly occupied by low-density residential developments, village clusters, vacant/unused land and parking of vehicles:

- (a) to its immediate south and east are the village houses of Wong Yue Tan and Shuen Wan Chim Uk respectively. To the further south and east across Ting Kok Road are a low-rise residential development, namely the Beverly Hills and village houses of Shuen Wan Chim Uk, Shuen Wan Lei Uk, Shuen Wan Chan Uk and Sha Lan;
- (b) to the north are ponds and marsh area zoned “CA” and “GB”; and
- (c) to the west comprises a piece of marsh and the village cluster of Wong Yue Tan falling within the “V” zone on the Tai Po OZP. To the further west across the hillslope are the low-rise residential clusters, namely Tycoon Place, Richwood Park, Forest Hill and Casa Marina.

8. Planning Intentions

8.1 The planning intention of the “GB” zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. As filling of land/pond and

excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities in the "GB" zone.

- 8.2 The planning intention of the "V" zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small House by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services.

9. Comments from Relevant Government Departments

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

Policy Aspect

- 9.1.1 Comments of the Secretary for Transport and Housing (STH):

- (a) the transitional housing proposal is considered in line with the government policy. The Transport and Housing Bureau (THB) has given in-principle policy support to the applicant for the transitional housing project;
- (b) it is noted that the applicant intends to operate the proposed transitional housing for 8 years and currently seeks a planning permission for a period of 5 years. The allowed period or any renewal for the proposed transitional housing development will be subject to the policy support given by the THB; and
- (c) THB will co-ordinate with the Transport Department (TD) and the Highways Department (HyD) on the implementation of proposed traffic improvement works and enhancement in public transport services identified in the TIA.

Land Administration

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

- (a) the Site comprises mainly private lots held under Block Government Lease and government land. No structures should be erected on the Site without approval under lease;
- (b) the southeastern and southwestern portions of the Site fall within the 'VE' of Shuen Wan Sha Lan and Wong Yue Tan respectively;
- (c) no Small House applications within the Site have been received

by his office; and

- (d) should the application be approved, the lot owners should submit and obtain a short term waiver under lease before using the Site for the proposed use and a short term tenancy from LandsD before occupying/using the government land for the proposed use. If the above applications are approved by LandsD in the capacity as landlord at its absolute discretion, they will be subject to such terms and conditions, including but not limited to payment of fees as may be imposed. However, there is no guarantee that approval to such applications will be given.

Traffic

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

- (a) no in-principle objection to the application;
- (b) the applicant has proposed to enhance the public transport services to cater for the additional traffic demand generated by the proposed development. It is noted that the submitted TIA has adopted a conservative approach (i.e. based on a population of 3,585⁴ instead of the anticipated population of 1,962) for estimating the public transport demand, hence it would be sufficient to cope with the additional public transport demand from future residents. Moreover, the TIA has taken into account the passenger boarding behaviour observed at the bus stop at Ting Kok Road westbound in estimating the passenger proportion of taking different franchised bus and GMB routes;
- (c) the applicant has also proposed traffic improvement works including extension of the existing bus layby at Ting Kok Road westbound to accommodate more buses and layout change of the junction at Ting Kok Road/Fung Yuen Road. With the proposed junction improvement scheme, all the critical junctions and road links in the vicinity of the proposed development would operate within capacity during both AM and PM peak periods in design year 2025 which is considered acceptable from traffic engineering point of view;
- (d) the applicant has made reference to TD's "Travel Characteristics Survey 2011 Final Report" in assuming the trip rates and deriving the public transport demand, which is considered appropriate and conservative. Moreover, taking consideration of the abnormal traffic pattern and lower traffic flows in 2020/2021 mainly due to COVID-19, the use of in-house survey data in May 2019 of

⁴ According to the "Population and Household Statistics Analysed by District Council District" 2019 Edition published by the Census and Statistics Department, the average household size for Tai Po District Council is 2.9. Thus, for assessment purpose, a population of 3,585 (i.e. 1,236 units x 2.9 average household size) was adopted for calculating the PT demand in the TIA report as a conservative approach.

which the traffic situation was normal is considered appropriate to be used for traffic forecast; and

- (e) in view of the above, he has no adverse comment on the TIA submitted by the applicant. Other advisory comments are set out in **Appendix III**.

9.1.4 Comments of the Chief Highway Engineer/NT East, Highways Department (CHE/NTE, HyD):

- (a) no comment on the application; and
- (b) HyD will implement the proposed traffic improvement works identified in the TIA with relevant works request issued by TD.

Nature Conservation

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

- (a) no in-principle objection to the application;
- (b) the Site consists mostly disturbed and paved areas as well as wooded areas dominated by common trees;
- (c) the Site is next to a “CA” zone which is a freshwater marsh worthy of conservation. According to the applicant’s submissions, the proposed development would not encroach directly upon marsh habitats or the adjacent “CA” zone. During the construction phase, standard good site practice would be implemented to avoid construction run-off and MiC method would be adopted to minimize construction disturbance to the surrounding habitats and associated wildlife. During the operation phase, the proposed buffer area with proposed screen planting between the proposed development and the “CA” zone is considered acceptable as it could provide screening to human disturbance. While surface run-off to the marsh would increase due to the increase in paved surfaces, run-off from the proposed development would pass through desilting facilities of the drainage system before discharge;
- (d) regarding the concerns on the duration and seasonality of the ecological survey, the ecological survey conducted in the wet season between July and October 2020 for the current application serves to update and verify the findings of a 12-month comprehensive ecological survey (including night survey) conducted in 2008 to 2009 for the area concerned. It is noted that no major changes in habitat distribution and floral composition are reported, and the findings of both surveys have been taken into consideration in the submitted EcoIA;

- (e) for the concerns of light pollution to the “CA” zone, the Site is in the vicinity of existing village houses with existing ambient light. The proposed screen tree planting would reduce the potential impact; and
- (f) based on the above, he has no comment on the EcoIA submitted by the applicant.

Environment and Sewerage

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

- (a) no objection to the application;
- (b) he has no comment on the submitted EA which has concluded no significant odour impact from the proposed on-site sewage treatment plant, no significant fixed noise impact generated by the on-site sewage treatment plant and plant rooms, and no significant water quality impact due to the effluent discharge and surface runoff from the proposed transitional housing; and
- (c) should the application be approved, it is recommended to impose approval conditions requiring the submission and implementation of updated noise impact assessment and sewerage impact assessment.

Drainage

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

- (a) according to the DIA submitted by the applicant, the proposed transitional housing incorporated with associated drainage mitigation measures, including green roof design and proposed drainage system, would cause insignificant drainage impact to the surrounding areas. In this regard, he has no adverse comment on the application; and
- (b) should the application be approved, it is recommended to impose approval conditions requiring the submission of detailed DIA and the implementation of mitigation measures identified therein.

Urban Design and Landscape

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

Urban Design and Visual

- (a) the Site is bounded by vegetated land to the north and west with groups of village houses located to the further west, whilst cluster

of village developments are situated to the east and south;

- (b) according to the applicant's submissions, some design measures are proposed for enhancement of the proposed scheme, including a minimum of 2.5m buffer between the housing blocks and the boundary of the "CA" zone at the north with integration of planting. Green roofs and a minimum of 20% greenery coverage are also introduced. These measures are helpful to soften the perception of massive structures;
- (c) some key focal points are provided to enhance the neighbourhood of the residents such as community area, leisure sitting-out area and pocket garden, etc. so as to increase vibrancy and social relationship of a site-based community;
- (d) whilst the proposed development would bring forth some visual changes to the existing openness/ green backdrop of the rural setting and mountainous scene, it is temporary in nature with a maximum BH of 4 storeys. Moreover, the design measures proposed by the applicant could mitigate the likely visual impact to the surroundings;

Landscape

- (e) no objection to the application from the landscape planning perspective;
- (f) based on aerial photo of 2019, the Site is located in an area of rural coastal plains landscape character surrounded by village houses and cluster of trees. According to the proposed layout, about 165 existing trees of common species directly affected by the proposed development are proposed to be removed. It is noted that no OVT/potential OVT nor rare/protected species is observed within the Site;
- (g) landscape mitigation measures have been proposed to mitigate potential landscape impact arising from the development including the provision of 165 new trees and landscaping (such as shrubs/groundcover), green roofs on the proposed transitional housing blocks and buffer planting along the periphery between the "CA" zone and the Site;
- (h) a number of planning applications for Small House development within the same "GB" zone in close proximity to the Site were approved by the Board in 2008 to 2011. The proposed development of transitional housing is considered not entirely incompatible with the surrounding environment comprised existing Small Houses;
- (i) should the application be approved by the Board, an approval condition requiring the submission and implementation of a

revised landscape proposal is recommended; and

- (j) the applicant is reminded that approval of the application does not imply approval of tree works such as pruning, transplanting and felling under lease. The applicant should seek approval for any proposed tree works from relevant departments prior to commencement of the tree works.

9.1.9 Comments of the Chief Architect/CMD(2), Architectural Services Department (CA/CMD(2), ArchSD):

- the proposed temporary transitional housing development mainly consists of 13 domestic/non-domestic blocks with a maximum BH of four storeys, which is marginally higher than adjacent 3-storey village type developments. The proposal is not incompatible with the adjacent developments. Other advisory comments are set out in **Appendix III**.

Building Matters

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

- formal submission under the Buildings Ordinance (BO) is required for any proposed new works, including any site formation works. Detailed comments under the BO will be provided at the building plan submission stage. Other advisory comments are set out in **Appendix III**.

Fire Safety

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

- (a) no in-principle objection to the application subject to water supplies for firefighting and fire service installations being provided to his satisfaction;
- (b) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans; and
- (c) EVA provision at the Site shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 under the Building (Planning) Regulations 41D which is administered by the BD.

Food and Environmental Hygiene

9.1.12 Comments of the Director of Food and Environmental Hygiene (DFEH):

- (a) no comment on the application and;

- (b) it is noted that refuse collection facility would be provided within the Site. Other advisory comments are set out in **Appendix III**.

Geotechnical

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

- (a) no comment on the application; and
- (b) as the proposed development does not meet the criteria in the GEO Advice Note for Planning Application under Town Planning Ordinance, a Geotechnical Planning Review Report is generally not required for the application.

Others

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

- given the temporary nature of the development, he has no proposed welfare facilities for this development yet he stands ready to review in case there are welfare facilities to be proposed by the applicant.

District Officer's Comments

9.1.15 Comments of the District Officer (Tai Po), Home Affairs Department (DO(TP), HAD):

- (a) the applicant had meetings with the Tai Po Rural Committee (TPRC) and concerned village representatives (VRs) in September 2020 and January 2021 respectively. The VRs raised negative comments on the application in view of adverse traffic, drainage, environmental and social/village integration impacts to the vicinity; and
- (b) HAD will take up the construction and maintenance of the proposed access road leading to the Site if necessary.

9.2 The following Government departments have no comment on the application:

- (a) Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD);
- (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD); and
- (c) Director of Electrical and Mechanical Services (DEMS).

10. Public Comments Received During Statutory Publication Period

10.1 The application was published for public inspection. During the statutory publication period, a total of 1,999 public comments were received, with 104 comments supporting and 1,895 objecting to the application. Samples of the public comments including those in standard format are attached at **Appendix II-1 to II-20**. All the public comments received are deposited at the Secretariat for Members' inspection.

Supporting Comments

10.2 There are 104 supporting comments received from individuals and their major views are summarised as follows:

- (a) the proposed development could help alleviating the hardship faced by families waiting for public housing or living in substandard condition through providing housing units at affordable rent;
- (b) the Site is suitable for transitional housing as it is well served with public transport and compatible with the surrounding village environment; and
- (c) the applicant is an experienced non-government organisation in running transitional housing projects, hence can ensure a smooth delivery and operation of the proposal. The proposed use of MiC method and green landscape features also demonstrate the applicant's effort to minimize impact to the surrounding area.

Objecting Comments

10.3 A total of 1,895 objecting comments are received from TPRC, a Tai Po District Council (TPDC) member, 黃魚灘村事務管理委員會, the Conservancy Association, World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited, Kadoorie Farm and Botanic Garden Corporation, Hong Kong Bird Watching Society, The Beverly Hills Owners' Committee, 汀角路民生關注組, residents and villagers of Wong Yue Tan Village and individuals. Among which, 1,835 comments are submitted in four types of standard format. The major views are summarized as follows:

- (a) the proposed development is not in line with the general planning intention of Ting Kok area as well as the planning intentions of "GB" and "V" zones. It would irreversibly damage the functions of "GB" zone. The public benefits brought by the proposed development cannot outweigh the loss of important habitats;
- (b) the scale of proposed development is excessive and congested and not compatible with surrounding rural characters. The proposed development intensity is higher than those of nearby low-density and low-rise residential developments, such as The Beverly Hills, Tycoon Place and Casa Marina;

- (c) the proposal should not be regarded as a temporary development as it would cause permanent changes to the local character of the area and could become perpetual through repeated renewal applications. Neither reinstatement proposal nor exit plan has been submitted by the applicant;
- (d) the application is not in line with the TPB PG-No. 10 as the proposed development exceeds the maximum PR of 0.4 as specified for residential development, involves extensive tree felling and site formation, and cause adverse impacts on surrounding areas;
- (e) the landlord intends to take advantage of transitional housing policy to convert the Site into developable land for future development. The Site has been involved in some enforcement cases in the past, and the current application is a suspected 'destroy first, build later' case;

Adverse Traffic Impact

- (f) Ting Kok Road is already very congested during weekends. Public transport serving developments along Ting Kok Road are insufficient, and traffic demand from the proposed development would further aggravate the problems;
- (g) assumptions adopted in the TIA, such as planned population, household size and daily trip rate etc., are in doubt and do not represent the characters of Shuen Wan area. It has underestimated the traffic demand generated by the proposed development;
- (h) the proposed enhancement in public transport services, such as additional GMB route and increased headway of existing bus routes, could not cope with the new traffic demand and would further aggravate traffic congestion problem of Ting Kok Road. Also, the proposed junction improvement works could not resolve the traffic problem along Ting Kok Road;

Adverse Environmental and Ecological Impacts

- (i) the proposed development would cause irreversible environmental and ecological impacts to the marsh habitats in the adjoining "CA" zone. Also, there is no information to demonstrate the slope adjoining the "CA" zone would not be affected;
- (j) the proposed 2.5m wide buffer area is too narrow to screen off human disturbance on the "CA" zone effectively, which should be at least 15m in width;
- (k) the duration of ecological survey is too short to cover dry and wet seasons and do not meet the requirements of EIAO (i.e. 6 to 9 months). Some common amphibians, birds and bats species found within the Site are not recorded in the EcoIA. The ecological value of wooded area within the Site is underestimated and light pollution from the proposed

development has not been taken into account;

- (l) the proposed plant rooms are just a few metres away from some village houses in Wong Yue Tan to the south. The residents therein may be subject to air, noise and odour pollutions;

Adverse Drainage and Sewerage Impacts

- (m) Wong Yue Tan has long been a flooding black spot. The large paved area would pose additional risk of flooding to surrounding areas. While on-site drainage system and green roof design are proposed, there is still no practical means to prevent flooding due to backflow from the marshland;
- (n) although an on-site sewage treatment plan is proposed to handle sewage from the proposed development, there is no information to demonstrate that the water quality of treated effluent would fulfil relevant requirements. Discharging treated effluent to public drain may cause water pollution and odour problems;

Adverse Landscape Impacts

- (o) the extensive tree felling would cause permanent change on landscape character, and the location of some proposed new trees may be in conflict with the proposed drainage system; and

Others

- (p) there is insufficient retail and community facilities (e.g. markets, open space, school and clinic etc.) to support the large number of new population.

11. Planning Considerations and Assessments

11.1 The application is for a proposed temporary residential institution (transitional housing) for a period of five years with filling and excavation of land at the Site largely zoned “GB” (about 93%) with a small portion zoned “V” (about 7%) on the OZP. The proposed temporary transitional housing development with 1,236 units is beneficial to the society by providing affordable housing to the low-income community. The proposed development is in line with the Government’s policy to increase the supply of transitional housing to relieve the pressure of families living in unpleasant condition and waiting for public housing for a long time. STH supports the application and confirms that in-principle policy support has been given to the applicant for the proposed transitional housing project.

11.2 While the proposed transitional housing development is not entirely in line

with the planning intentions of the “GB” and “V” zones⁵, the Site, being partly paved and partly covered by trees of common species, does not involve any areas of significant ecological value nor any outstanding Small House applications. According to the applicant, upon expiry of the temporary approval, the Site will be reinstated to an amenity area and all new trees planted within the Site will be retained. In view of the above and with the policy support given by STH, the application could warrant an exceptional consideration as it could help addressing acute housing demand in short-term without compromising the functions of the “GB” and “V” zones permanently. Approval of the application on a temporary basis would not frustrate the long-term planning intentions of the “GB” and “V” zones.

Compatibility with Surrounding Areas

- 11.3 The Site is surrounded by the “V” zone on three sides and the “CA” zone to the north. The proposed temporary transitional housing development consists of 11 four-storey domestic blocks and two single-storey non-domestic blocks providing ancillary community services serving future residents. The proposed development is considered not incompatible with the surrounding areas which are rural in character predominated by village houses, active/fallow agricultural land and vacant/unused land. Moreover, the design measures proposed by the applicant, such as a buffer area with tree planting between the housing blocks and the “CA” zone, green roofs and a minimum of 20% greenery coverage, could mitigate the likely visual impact to the surroundings. CA/CMD(2) of ArchSD and CTP/UD&L of PlanD have no adverse comment on the application from urban design and visual perspectives.

Technical Assessments

- 11.4 The southern portion of the Site is mostly paved and partly occupied by a plant nursery, whereas its northern portion is mainly covered by trees of common species. According to the applicant, a total of 165 trees within and around the Site would be affected by the proposed development and are proposed to be felled. To compensate for the loss of existing trees, the applicant proposes to plant new trees in heavy standard within the Site at a ratio of 1:1 (**Drawing A-2**). In this regard, CTP/UD&L of PlanD has no objection to the application from landscape planning perspective as the proposed compensatory trees and buffer planting along the periphery between the “CA” zone and the Site could mitigate the potential landscape impact arising from the development.
- 11.5 According to the applicant, the proposed development would not encroach directly upon marsh habitats or the adjacent “CA” zone. During the construction phase, standard good site practice and MiC method would be adopted to minimize construction disturbance to the surrounding habitats and associated wildlife. Moreover, the proposed buffer area with trees between the proposed development and the “CA” zone could provide screening to

⁵ The planning intention of “GB” zone is primarily for defining the limits of urban and sub-urban development area by natural features and to contain urban sprawl as well as to provide passive recreational outlets, whereas the “V” zone is primarily intended for the development of Small House by indigenous villagers.

human disturbance during the operation phase. Furthermore, run-off from the proposed development would pass through proposed desilting facilities of the drainage system before discharge. In view of the above, DAFC has no in-principle objection to the application. In addition, DAFC advises that the ecological survey conducted in the wet season between July and October 2020 for the current application serves to update and verify the findings of a 12-month comprehensive ecological survey (including night survey) conducted in 2008 to 2009 for the area concerned. As no major changes in habitat distribution and floral composition are reported, and the findings of both surveys have been taken into consideration, DAFC has no comment on the EcoIA submitted.

- 11.6 C for T has no in-principle objection to the application from traffic engineering point of view. The applicant has proposed to enhance the public transport services (such as introducing a new GMB service between the Site and Tai Po Market MTR Station) to cater for the additional traffic demand generated by the proposed development. The applicant has also proposed road improvement works including layout change of the junction at Ting Kok Road/Fung Yuen Road. As advised by STH, they will co-ordinate with TD and HyD on the implementation of the road improvement works. C for T advises that, with the implementation of the proposed junction improvement scheme, all the critical junctions and road links in the vicinity of the proposed development would operate within capacity during both AM and PM peak periods in design year 2025.
- 11.7 The applicant has proposed an on-site sewage treatment plant to handle sewage generated by the proposed transitional housing before discharge to existing public drain. According to the EA, the sewage treatment plant and other E&M plant rooms, with proper design measures, will not cause insurmountable noise and air quality (including odour) impacts. Also, on-site drainage system with desilting facilities and green roof would be provided to collect and minimise surface runoff from the proposed development. Regarding the concerns on additional risk of flooding due to the proposed development, CE/MN of DSD advises that the potential drainage impact arising from the proposed development would be insignificant. Moreover, 1m high vertical fin is proposed at Block 10 to ensure future residents would not be susceptible to adverse traffic noise impact from Ting Kok Road. The applicant has also submitted WSIA which concludes that the existing water supplies network has adequate capacity to cater for the increase in population. In view of the above, no adverse noise, air quality, water quality, drainage, sewerage and water supplies impacts are anticipated. Relevant government departments consulted, including DEP, CE/MN of DSD and CE/C of WSD, have no objection to or no adverse comment on the application.

TPB PG-No. 10

- 11.8 Taking into account that the current application warrants an exceptional consideration, the proposed development is not incompatible with the surrounding areas and would not induce adverse impacts on traffic, ecological and environmental aspects as well as infrastructure provision, the application is considered generally in line with the TPB PG-No. 10. While the TPB

guidelines has specified a maximum PR of 0.4 for residential development in “GB” zone, such requirement is not applicable to the current application as the proposed transitional housing development is temporary in nature.

Local Concerns and Public Comments

11.9 For the concerns raised by the concerned VRs and those public comments objecting to the application on the grounds as detailed in paragraphs 9.1.15 and 10.3 respectively, government departments’ comments and the planning assessments above are relevant. Regarding the claims that the Site would be used for transitional housing for a long period of time and it would pave way for future development in “GB” zone as well as the concerns on insufficient retail and community facilities, it should be noted that the proposed transitional housing is not for long-term purpose and any development within the “GB” zone requires planning permission from the Board which will be assessed in accordance with the TPG PG-No. 10. Besides, according to the applicant, ancillary services such as convenience store, self-service laundry, multi-purpose community room, health corner, after school care centre, integrated social service centre and shared goods library as well as local open spaces will be provided within the Site to meet the needs of future residents.

12. Planning Department’s Views

12.1 Based on the assessments made in paragraph 11 and having taken into account the local views conveyed by DO(TP) of HAD and public comments mentioned in paragraphs 9.1.15 and 10 respectively, the Planning Department has no objection to the application.

12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid on a temporary basis for a period of 5 years until **26.3.2026**. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval Conditions

- (a) the submission of a revised landscape proposal within **6** months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by 26.9.2021;
- (b) in relation to (a) above, the implementation of the revised landscape proposal within **9** months from the date of planning approval to the satisfaction of the Director of Planning or of the Town Planning Board by 26.12.2021;
- (c) the submission of a detailed drainage proposal within **6** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 26.9.2021;
- (d) in relation to (c) above, the implementation of the detailed drainage proposal within **9** months from the date of planning approval to the

satisfaction of the Director of Drainage Services or of the Town Planning Board by 26.12.2021;

- (e) the submission of a updated sewerage impact assessment within **6** months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the Town Planning Board by 26.9.2021;
- (f) in relation to (e) above, the implementation of the sewerage mitigation measures identified therein within **9** months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the Town Planning Board by 26.12.2021;
- (g) the submission of a updated noise impact assessment within **6** months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the Town Planning Board by 26.9.2021;
- (h) in relation to (g) above, the implementation of the noise mitigation measures identified therein within **9** months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the Town Planning Board by 26.12.2021;
- (i) the submission of a water supplies for firefighting and fire service installations proposal within **6** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 26.9.2021;
- (j) in relation to (i) above, the implementation of the water supplies for firefighting and fire service installations proposal within **9** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 26.12.2021;
- (k) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g), (h), (i) or (j) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice; and
- (l) upon expiry of the planning permission, the reinstatement of the application site to an amenity area to the satisfaction of the Director of Planning or of the Town Planning Board.

Advisory Clauses

The recommended advisory clauses are attached at **Appendix III**.

12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

- the proposed development is not in line with the planning intention of the "Green Belt" zone which is primarily for defining the limits of urban and

sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant 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 period of which the permission should be valid on a temporary basis.
- 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 and supplementary information received on 4.2.2021
Appendix Ia	Supplementary Planning Statement
Appendix Ib	Supplementary Information received on 5.2.2021
Appendix Ic	FI received on 19.3.2021
Appendix Id	FI received on 22.3.2021
Appendix II-1 to II-20	Public Comments
Appendix III	Recommended Advisory Clauses
Drawing A-1	Master Layout Plan
Drawing A-2	Landscape Master Plan
Drawing A-3	Section Plan
Drawing A-4	Typical Floor Plan
Drawing A-5	Photomontages
Drawing A-6	Indicative Land Filling and Excavation Plan
Drawing A-7	Tree Felling Proposal
Drawing A-8	Proposed Mini-bus Layby
Drawing A-9	Proposed Drainage System
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plans A-4a and A-4b	Site photos