

RNTPC Paper No. A/YL-NTM/432
For Consideration by
the Rural and New Town
Planning Committee
on 14.1.2022

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-NTM/432

- Applicant** : New Territories Association of Societies (Community Services) Foundation represented by AECOM Asia Company Limited
- Site** : Various Lots in D.D. 104 and the adjoining Government Land (GL), Ngau Tam Mei, Yuen Long
- Site Area** : About 23,953 m² (including GL of about 3,482 m² (14.5%))
- Land Status** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Ngau Tam Mei Outline Zoning Plan (OZP) No. A/YL-NTM/12
- Zoning** : “Residential (Group D)” (“R(D)”)
- [restricted to a maximum plot ratio (PR) of 0.2 and a maximum building height (BH) of 2 storeys (6m); filling of pond or excavation of land requires permission from the Town Planning Board]
- Application** : Proposed Temporary Transitional Housing with Ancillary Facilities for a Period of 3 Years with Filling of Pond and Excavation of Land

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed temporary transitional housing with ancillary facilities for a period of 3 years with filling of pond and excavation of land at the application site (the Site) (**Plan A-1**). According to the Notes of the OZP, while ‘Residential Institution’ is a Column 2 use in the “R(D)” zone, the PR and BH of the proposed development exceed the development restrictions of the “R(D)” zone. Nevertheless, according to the covering Notes of the OZP, temporary use or development not exceeding a period of three years requires planning permission from the Town Planning Board (the Board), notwithstanding that the use or development is not provided for in terms of the OZP. Thus, temporary approval of three years for the proposed transitional housing development is applied. Filling of pond and excavation of land in the “R(D)” zone also requires planning permission from the Board. The Site is currently vegetated and occupied by some ponds.
- 1.2 According to the applicant, the proposed development aims to provide transitional

housing to meet the short-term needs of people waiting for public housing. The applicant tentatively intends to operate the proposed transitional housing development until 2030. Renewal application will be submitted in future if the current application is approved by the Committee.

- 1.3 The proposed development involves six 4-storey residential blocks (**Drawing A-1**) providing 1,208 units with self-contained open kitchen and toilet facilities for households. Three types of housing units with unit size of 16.64m² (for 1-2 persons) (about 864 units), 24.33m² (for 3 persons) (about 320 units) and 33.28m² (for 4 persons/disabled) (about 24 units) will be provided (**Drawing A-3**). Also, four non-domestic blocks including two 2-storey amenity blocks, a 2-storey sewage treatment plant (STP)/E&M building and a 2-storey refuse collection point (RCP)/E&M building will be provided (**Drawing A-1**). The ancillary amenity provision includes convenience store, self-service laundry, community centre, multi-purpose community room, health service centre and child care facility to serve the future residents and neighbourhood. There are also some multi-purpose communal outdoor spaces open to local public (**Drawing A-4**). The proposed development parameters are as follows:

Site Area	about 23,953 m ² (including about 3,482 m ² of GL)
Total Plot Ratio (PR)	about 1.5
Total Gross Floor Area (GFA) Domestic GFA Non-domestic GFA ¹	about 34,000 m ² - about 28,840 m ² - about 5,160 m ²
Total Site Coverage	about 41%
No. of Blocks	10 - Residential: 6 - Ancillary Uses: 4 (2 amenity blocks, 1 STP/E&M building and 1 RCP/E&M building)
No. of Storeys/ Building Height (BH)	- Residential Blocks: 4 storeys (not more than 15m (21mPD)) - Amenity Blocks: 2 storeys (not more than 8m (14mPD)) - STP/RCP/E&M Buildings: 2 storeys (not more than 11m (17mPD))
No. of Units	about 1,208
Estimated Population	about 2,772
Open Space	not less than 2,772 m ²
Loading/Unloading (L/UL) Bay	5 Light Goods Vehicles (LGV)
Bicycle Parking	41

- 1.4 The proposed development will involve filling of pond (about 5,200m²) and excavation of land (about 18,753 m² of about 1m to 3m in depth) mainly for site formation, construction of building footing and provision of sewerage (including underground tank), drainage and other utility works (**Drawing A-11, Plans A-2**

¹ Non-domestic GFA includes the proposed facilities at the two amenity blocks, STP, RCP and E&M facilities.

and **A-3**). The Master Layout Plan (MLP), sections, unit layout plans, landscape master plan (LMP) and the viewpoints with estimated development massing and height are at **Drawings A-1 to A-9**. In support of the application, the applicant has submitted Traffic Impact Assessment (TIA), Environmental Assessment (EA), Drainage Impact Assessment (DIA), Sewerage Impact Assessment (SIA), Water Supply Impact Assessment (WSIA), Visual Appraisal and Landscape Proposal.

Traffic

- 1.5 The Site is accessible from Chun Shin Road branching off from San Tam Road. 41 bicycle parking spaces and 5 L/UL spaces for LGV will be provided (**Drawing A-1**), with no car parking spaces proposed. The Site is served by public transport services in walking distance with a number of existing bus and green mini bus (GMB) routes along San Tam Road and Castle Peak Road – Tam Mei, providing connections to Sheung Shui, Yuen Long Town Centre and other Yuen Long areas. The applicant proposes to enhance the public transport services by strengthening the frequency of some of the existing bus and GMB services or providing shuttle services to/from Kam Sheung Road MTR Station to cater for the additional public transport demand from the proposed development. A new on-street bus stop (Sheung Shui bound) is proposed at Castle Peak Road – Tam Mei (**Drawing A-10**), providing a shorter walking distance for future residents. A shuttle bus layby is proposed in the development in case shuttle service is provided (**Drawing A-10**). The detailed arrangement of public transport enhancement is subject to further review with relevant operators and government departments.
- 1.6 A run-in/out of 7.3m in width is proposed at Chun Shin Road to serve the proposed development (**Drawing A-1**). As the proposed run-in/out will make use of an existing passing bay of about 12m in length, the passing bay is proposed to be shifted eastward in order to maintain the existing length.

Environment and Ecology

- 1.7 The EA has assessed the potential noise, air and water quality and waste management aspects of the proposed development. Adequate separation distances from road network are proposed with residential blocks at least 80m away from Sam Tam Road and Chuk Yau Road and 17m from Chun Shin Road. The applicant proposed containment and control measures to minimise the potential odour impact from the on-site STP and noise impact from the STP, RCP and E&M.
- 1.8 Terrestrial ecology was assessed in the EA in that the Site is 230m away from Wetland Buffer Area (WBA). Abandoned ponds in stagnant water, marsh, grassland and wasteland were identified within the Site with low ecological value, and no sites of conservation importance were recorded in the assessment area. The Modular Integrated Construction (MiC) and prefabrication method could minimise the disturbance from construction activities. No night time construction activities will be involved.

Sewerage, Drainage and Water Supply

- 1.9 An on-site STP with tertiary treatment level is proposed that meets EPD's effluent discharge standard. The runoff of the Site will be collected through the proposed internal drainage system. The treated effluent and the runoff of the Site will be conveyed to the Ngau Tam Mei Drainage Channel. The demand for fresh water and flushing water from the proposed development will be catered by the Au Tau Fresh Water Service Reservoir and Ngau Tam Mei Fresh Water Primary Service Reservoir.

Landscape and Visual

- 1.10 For the 54 existing trees at the Site, 17 trees are proposed to be retained, and 37 trees which are of common species in poor condition/low amenity value and in direct conflict with the development layout are recommended to be felled. 22 new trees are proposed to be planted and buffer planting with bamboo and shrub along the site boundary is proposed to provide visual screening for the Site (**Drawing A-4**).
- 1.11 According to the VIA, the proposed development could largely be screened off by the existing village houses and the existing vegetation as well as the proposed buffer planting along the site boundary (**Drawings A-5 to A-9**). The proposed development, which is low-rise in nature, is visually compatible with the adjacent site context.
- 1.12 In support of the application, the applicant has submitted the following documents:
- (a) Application form and supplementary information received on 19.11.2021 (**Appendix I**)
 - (b) Supplementary Planning Statement (**Appendix Ia**)
 - (c) Further Information (FI) received on 11.1.2022 in response to departmental comments (**Appendix Ib**)

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in **Appendices I to Ia**. They can be summarized as follows:

- (a) The proposed development is in line with the Government's objectives in increasing transitional housing provision and alleviates the hardship faced by the inadequately housed households/ individuals. The anticipated completion date of the proposed development and population intake is by the end of 2023. MiC and prefabrication method will be adopted to ensure that these temporary housing units could be delivered in a timely manner and ensure effective site reinstatement works upon end of operation.
- (b) The applicant, who is a NGO, will be responsible for the construction, operation and management of the proposed transitional housing as well as the social services,

retail and amenity facilities. These amenity facilities will serve both the future residents and the neighbourhood.

- (c) The proposed transitional housing is in line with the planning intention of “R(D)” zone for low-rise and low-density residential developments, and is compatible with the surrounding low-rise housing developments.
- (d) The proposed transitional housing is designed to allow social interactions among residents with provision of social services and amenity facilities. 20% at-grade greenery with landscape features, including boundary landscape and open space with courtyards/gardens, is proposed to provide a nice living environment. Architectural elements will be applied to soften the bulkiness of the building and enhance visual quality.
- (e) Technical assessments were conducted in support of the proposed development. The TIA demonstrates that the proposed development has no adverse traffic impact to the adjacent road network and public transport services. The EA demonstrates that no adverse environmental impacts are anticipated. Drainage, sewerage, water supply, visual and landscape impact are also not anticipated. Although the Site could previously be covered by ponds, most of these ponds had been dried out overtime and covered by vegetation. The terrestrial ecological assessment demonstrates that about 0.52 ha of abandoned ponds have to be filled for the transitional housing development and no adverse ecological impact is anticipated.
- (f) The applicant noted the development programme of the Ngau Tam Mei Area (NTMA) currently under Land Use Review Study and considers that the transitional housing development could still be pursued to utilise land resources in the interim period before implementation of the NTMA land use proposals.

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

The applicant is not a “current land owner” but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by obtaining consent of the current land owner. Detailed information would be deposited at the meeting for Members’ inspection. The remaining part of the Site is GL, and the “owner’s consent/notification” requirements are not applicable.

4. Background

The Site is not subject to active planning enforcement action.

5. Previous Application

The Site is not the subject of any previous application.

6. Similar Application

Another application (no. A/YL-NTM/431) for proposed temporary transitional housing with ancillary facilities for a period of 3 years at the “Residential (Group C)” zone submitted by a different applicant will be considered at the same meeting.

7. The Site and its Surrounding Areas (Plans A-1 to A-4b)

7.1 The Site is:

- (a) currently vegetated and occupied by some ponds; and
- (b) accessible via Chun Shin Road connecting to San Tam Road.

7.2 The surrounding areas are intermixed with residential dwellings, ponds, fallow/ cultivated agricultural land, grassland, woodland, orchards, storages, warehouses, open storage yards, vehicle repair workshops and vehicle parks. Some of these uses are suspected Unauthorized Developments (UDs) subject to enforcement action by Planning Authority:

- (a) to the north across Chun Shin Road are a nullah, swamp, village houses of Elegant Park, residential dwellings, shop and services and a storage;
- (b) to its east are residential dwellings, grassland, orchards, fallow/ cultivated agricultural land, woodland, ponds, a storage and a Tsz Tong;
- (c) to its south are residential dwellings, grassland, vacant land, vehicle parks and a storage; and
- (d) to its west are ponds, grassland, residential dwellings, a plant nursery, an open storage yard and a warehouse.

8. Planning Intention

The planning intention of the “R(D)” zone is intended primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board.

9. Comments from Relevant Government Departments

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

Policy Aspect

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

- (a) The transitional housing proposal of New Territories Association of Societies (Community Services) Foundation (NTAS) is considered to be in line with the government policy generally and the Transport and Housing Bureau (THB) confirmed that in-principle policy support has been given to NTAS for the proposed transitional housing project and hence support this planning application.
- (b) For the transport service enhancement as mentioned in the TIA, THB will proactively assist the NGO in coordinating with the Transport Department (TD) for timely provision of the planned services enhancement to tie in with the population intake.

Land Administration

9.1.2 Comments of the District Lands Officer/Yuen Long, LandsD (DLO/YL, LandsD):

- (a) The Site comprises 26 private lots all in D.D. 104 and adjoining GL, of which actual site area and boundary of the lots and GL involved will be subject to verification upon processing of Short Term Waiver (STW) and Short Term Tenancy (STT) applications.
- (b) The 26 private lots are Old Schedule Agricultural lot held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government.
- (c) In the event that planning permission is granted by the Board, subject to the availability of the GL involved, necessary policy support from STH for STW and STT applications of the Site would be required to implement the proposal. Upon receipt of the STW and STT applications with policy support being given by STH, LandsD will consider the applications in accordance with applicable policy and practice and there is no guarantee that the applications will be approved. The said applications if approved would be subject to such terms and conditions, to be imposed by LandsD in the landlord capacity at its sole discretion.

Traffic

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

- (a) He has no strong view on the proposed development from public transport operation and traffic engineering point of view.
- (b) With the limitation that vehicle over 7m cannot access the Site, and site improvement works could not tie in with the population intake of the development, and the demand for public transport services may vary subject to various factors, he has no strong view on the proposed arrangement on public transport services to cater for the new demand from the proposed development.

- (c) The applicant shall submit timely application for introducing the residential shuttle service and to keep TD informed of the latest population intake programme for planning of public transport services.
- (d) Noting that RCP was proposed in the Site and prohibition of vehicles longer than 7m entering Chun Shin Road from San Tam Road is currently implemented, the applicant shall ensure refuse collection vehicles would not encroach the opposite lane when turning to/from San Tam Road from/to Chun Sin Road and sufficient space for manoeuvring at ingress/egress point and within Site shall be provided.
- (e) The applicant is advised that no vehicle is allowed to queue back to or reverse onto/from public road at any time during the planning approval period.

9.1.4 Comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):

- (a) The proposed access arrangement of the application site from Chun Shin Road should be commented and approved by TD.
- (b) If the proposed run-in/out is agreed by TD, the applicant should provide the run-in/out at Chun Shin Road in accordance with the latest version of Highways Standard Drawing No. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavement.
- (c) The applicant shall be responsible for any modification of the existing street furniture and street lighting for the proposed run-in/out. The proposed modification works should be submitted to TD/HyD for comments before commencement of the modification works.
- (d) Adequate drainage measures should be provided to prevent surface water running from the Site to the nearby public roads and drains. An interception channel should be provided at the entrance to prevent surface water flowing from the lot onto the public road/footpath via the run-in/out.
- (e) The relocation of passing place to the east of the access and associated road marking works at Chun Shin Road due to the proposed run-in/out shall be designed and implemented by the applicant to the satisfaction of TD and HyD.
- (f) It is understood from the TIA that junction improvement at San Tam Road/Chun Shin Road, road widening at Chun Shin Road and construction of a new bus lay-by at San Tam Road would not be

proposed to be the required road improvement works for the captioned development.

- (g) For any improvement works on public roads maintained by HyD that are required by TD due to the subject development, they shall be designed and implemented to the satisfaction of TD and HyD.

Environment

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

- (a) He has no objection to the application.
- (b) The submitted EA and SIA demonstrated that with implementation of mitigation measures, the proposed development will not cause/ be subject to adverse environmental impacts exceeding the HKPSG criteria. The key measures proposed in the EA and SIA are highlighted below:
 - i. appropriate building layout design / noise mitigation measures (such as locating the ventilation openings of noise sensitive rooms away from San Tin Highway) would be implemented for the development; and
 - ii. on-site tertiary STP (adopting Membrane Bioreactor (MBR) technology) with design capacity of about 556m³/day will be provided for sewage treatment.
- (c) The following planning approval conditions on environmental issues are suggested:

submission of a Noise Impact Assessment (NIA) and the implementation of mitigation measures identified therein to the satisfaction of DEP.
- (d) All the necessary mitigation measures under the Air Pollution Control (Construction Dust) Regulation shall be implemented to minimise any dust impacts on the nearby air sensitive receives during the construction stage.
- (e) His advisory comments on the NIA submission is detailed at **Appendix III**.
- (f) According to record, one substantiated complaint relating to the Site on waste was received in the past 3 years. Offenders were convicted and fined for contravening the Waste Disposal Ordinance.

Nature Conservation

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

- (a) He has no strong view from nature conservation point of view.
- (b) According to the EA, the proposed development falls within habitats (e.g. grassland, marsh and abandoned ponds, etc.) assessed to be of low ecological values. It is noted that appropriate mitigation measures will be implemented, e.g. scheduling the construction activities to avoid the disturbance to overwintering ardeids, buffering with landscape planting, etc. It is expected that the proposed development will not cause unacceptable ecological impact with the implementation of proposed mitigation measures.

Visual and Landscape

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

Urban Design and Visual

- (a) The Site is predominantly rural in character, surrounded by ponds and vegetated land to the west, some storage use of 1 to 2 storeys to the east and south, and low-rise residential developments and village settlements of 1 to 3 storeys to the north across a nullah and to the further south.
- (b) It is noted that buffer planting along the periphery of the development is proposed to enrich the visual amenity. Judging from the photomontages in the Visual Appraisal, the proposed temporary development with a maximum BH of 21mPD is considered not incompatible with the surrounding context and would not significantly alter the visual character of the area.

Landscape

- (c) She has no objection from landscape planning perspective in view that significant adverse landscape impact caused by the development is not anticipated and adequate landscape provisions are proposed to mitigate the landscape impact and improve the landscape quality of the development.
- (d) According to the aerial photo of 2021, the Site is situated in an area of miscellaneous rural fringe landscape character comprising of ponds, village houses, temporary structures, low-rise residential developments and scatter tree groups. With reference to Planning Statement (PS), the proposed development consists of 6 residential blocks of four-storeys and 4 amenity blocks of two-storeys. The proposed development is considered not incompatible with the surrounding landscape setting.
- (e) According to the PS, the open space provision would not be less than 2,772m² for the target population of 2,772 residents.

According to the Landscape Proposal, no rare or endangered trees species and registered OVT is found within the Site. 54 nos. of invasive weed trees and common trees species in poor to fair conditions was surveyed within the Site, of which 17 nos. are proposed to be retained, 37 nos. (including 5 undesirable species and 1 dead tree) are proposed to be felled and about 22 new trees are proposed. Landscape provisions (e.g. buffer planting with bamboo, pocket garden, multi-purpose fitness area, multi-purpose play area, and community gathering area, and etc.) are proposed. About 20% at grade site coverage of greenery would be proposed.

- (f) Since significant adverse landscape impact arising from the proposed development is not envisaged and the Site is not abutting major public frontage, it is considered not necessary to impose any landscape-related condition should the application be approved by the Board.
- (g) The approval of the planning application does not imply approval of tree preservation/removal scheme under the Lease. The applicant should seek comments and approval from the relevant authority on the proposed tree works and compensatory planting proposal, where appropriate.

9.1.8 Comments of the Chief Architect/CMD2, Architectural Services Department:

- (a) He has no comment from architectural and visual impact point of view. It is noted that the proposed transitional housing development mainly consists of 6 residential blocks with BH of 4 storeys which is marginally higher than adjacent village type developments of 2 to 3 storeys.
- (b) Barrier free access shall be provided to comply with “Design Manual” Barrier Free Access 2008”.

Drainage

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

- (a) He has no objection in principle to the application from public drainage point of view.
- (b) Should the Board approve the application, approval conditions requiring (i) the submission of a drainage impact assessment and (ii) implementation and maintenance of the drainage proposal to the satisfaction of the Director of Drainage Services should be included.

Buildings Matters

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

- (a) Before any new building works (including containers/open sheds as temporary buildings, demolition and land fullings etc.) are to be carried out on application site, prior approval and consent of the BA should be obtained, otherwise they are unauthorized building works (UBW). An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the Buildings Ordinance (BO).
- (b) Detailed checking under the BO will be carried out at building plan submission stage.
- (c) His detailed comments are at **Appendix III**.

Fire Safety

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

- (a) He has no objection in principle to the proposed transitional housing development subject to fire service installations (FSI) and water supplies for fire fighting being provided to his satisfaction.
- (b) Detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans.
- (c) The applicant is advised to observe the requirements of EVA provision as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011, which is administered by the Buildings Department. If the aforementioned requirements cannot be complied with, enhanced fire safety provisions shall be required.
- (d) The applicant is advised to observe the FSD Circular Letter No. 3/2019 on “Guidance Notes on Submission, Approval and Acceptance Inspection of FSI in Modular Integrated Construction Building Projects”.

Others

9.1.12 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.

9.1.13 Comments of the Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD):

- (a) The Site falls within the boundary of the “Land Use Review Study for Ngau Tam Mei Area (NTMA)” which commenced in November 2021.

- (b) The applicant/project proponent of the transitional housing proposal should coordinate with the project proponent of “Land Use Review Study for NTMA” and take the development programme of NTMA into account when pursuing the transitional housing project and consult relevant bureaux/departments including but not limited to CEDD and PlanD on the implications of potential interfacing issues.

9.1.14 Comments of the Chief Town Planner/Study and Research Section 1, Planning Department (CTP/SR1, PlanD):

- (a) The Site falls within the boundary of the NTMA which was commenced in November 2021. It is noted from the submission that the applicant intends to operate the project until 2030 with population intake in 2023.
- (b) It is expected the development programme for NTMA will tie in with the target completion of the Northern Link (NOL) Phase 2 in 2034. Although the subject planning application is temporary in nature and subject to renewal for 3 years, the applicant/project proponent may wish to take the development programme of NTMA into account when pursuing the transitional housing project and consult relevant bureaux/departments on the implications of potential interface issues.
- (c) The Site is about 150m away from the proposed NOL Ngau Tam Mei Station. The applicant/project proponent shall consult RDO of HyD and MTRCL to avoid any potential interface issue.

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

- (a) Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) Chief Engineer/Railway Development 2-2, Railway Development Office, Highways Department (CE/RD 2-2, RDO, HyD);
- (c) Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);
- (d) Director of Food and Environmental Hygiene (DFEH);
- (e) Director of Electrical and Mechanical Services (DEMS);
- (f) Commissioner of Police (C of P);
- (g) Director of Leisure and Cultural Services (DLCS); and
- (h) District Officer (Yuen Long) (DO(YL)).

10. Public Comments Received During Statutory Publication Period

On 3.12.2021, the application was published for public inspection. During the first three weeks of the statutory public inspection period which ended on 24.12.2021, 198 public comments were received from the Conservancy Association, Palm Springs Owners' Committee, representative of Yau Tam Mei Village, Hong Kong and China Gas Company, local villagers/residents and individuals. Among the comments received, 191

comments object to (including 169 in standard format (**Appendix IIb**)) and 7 comments raise concerns on the application mainly on the grounds of adverse traffic, environment, flood risk and ecological impacts; there are inadequate technical assessments submitted; rehabilitation of agricultural land would be impossible due to the irreversible impacts from the proposed pond filling and excavation of land; there is a lack of transparency/full disclosure of the land owner; and some individuals expressed that some areas within the Site are occupied by them and compensation shall be made. A full set of public comments received is deposited at the Board's Secretariat for Members' inspection and reference. Samples of the comments are at **Appendix IIa**.

11. Planning Considerations and Assessments

- 11.1 The application is for proposed temporary transitional housing development with a PR of 1.5 and BH of 2 to 4 storeys, providing 1,208 units for a period of 3 years in "R(C)" zone with filling of pond and excavation of land. The planning intention of the "R(D)" zone is primarily for improving and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings, and for low-rise, low density residential developments subject to planning permission from the Board. The proposed transitional housing development is generally in line with the planning intention of the "R(D)" zone for low-rise and low density residential developments. Besides, the proposed filling of pond and excavation of land are to facilitate the site engineering and utility works in support of the proposed transitional housing. The proposed development is also in line with the Government policy to increase the supply of transitional housing for meeting the short-term needs of people waiting for public housing. STH supports the application and confirms that in-principle policy support has been given to the applicant for the proposed development.
- 11.2 The temporary nature and low-rise built form (2 to 4 storeys) of the proposed development, together with the provision of amenity facilities and open space, is considered not incompatible with the surrounding area which comprises predominantly residential dwellings, fallow/cultivated agricultural land, ponds and grassland. Also, the social welfare and amenity facilities within the proposed development will serve the future residents and neighbourhood.
- 11.3 Technical assessments submitted by the applicant including TIA, EA (with terrestrial ecological assessment), SIA, DIA, WSIA, visual appraisal and landscape proposal concluded that there will not be significant adverse traffic, environment, ecological, sewerage, drainage, water supply, visual and landscape impact caused by the proposed development. CTP/UD&L of PlanD considered that the proposed development is not incompatible with the surrounding context and would not significantly alter the visual character of the area. The peripheral planting along the site boundary could serve as landscape and visual screening against the surrounding brownfield uses. In relation to transport provision, a 24-seater shuttle bus service is proposed to run between the Site and Kam Sheung Road MTR Station during AM peak hour, subject to review at detailed design stage. Besides, the public transport services will be strengthened to support the proposed development. TD has no strong view on the proposed development from public transport operation and traffic engineering point of view. On

environmental aspect, DEP has no objection to the application and considers that the submitted EA demonstrated that with implementation of mitigation measures, the proposed development will not cause/subject to adverse environmental impacts exceeding the HKPSG criteria. Regarding the proposed pond filling and land excavation at the Site, the DIA and EA (including Terrestrial Ecological Assessment therein) have demonstrated that there will be no drainage or ecological impacts associated with the pond filling and land excavation, and DSD and AFCD have accepted the study findings. Relevant government departments consulted including CE/C of WSD, DEMS, D of FS, BD, ArchSD and DSW have no adverse comment on the application, and concerns of the relevant departments could be addressed by approval conditions in paragraph 12.2 below.

- 11.4 As the Site falls within the proposed boundary of the “Land Use Review Study for NTMA” which will tie in with the NOL Phase 2 in 2034, PM(W) of CEDD and CTP/SR1 of PlanD advise that the applicant/project proponent shall take the development programme of NTMA into account when pursuing the transitional housing project and consult relevant bureaux/departments on the implications of potential interface issues. While noting the development programme of the NTMA, the applicant considers that the transitional housing development could be pursued to utilise the land resources in the interim period before implementation of the NTMA land use proposals.
- 11.5 Regarding the 198 public comments objecting to/raising concerns on the application as detailed in paragraph 10, the departmental comments and planning assessments above are of relevance. With respect of claims from some local villagers that some areas within the Site is occupied by them, the land issues shall be separately dealt with by the land owners at the subsequent land administrative procedures.
- 11.6 Taking into account the scale and implementation timeframe (completion by 2023) of the proposed development, a longer compliance period (i.e. 9 months for submissions and 12 months for implementations) as compared with the common temporary uses is suggested to allow more time to fulfil the approval conditions, should the Committee decide to approve the application.

12. Planning Department’s Views

- 12.1 Based on the assessment made in paragraph 11, and having taken into account the public comment mentioned in paragraph 10 above, 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 3 years up to 14.1.2025. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

Approval Conditions

- (a) the submission of a noise impact assessment (NIA) 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 14.10.2022

- (b) in relation to (a) above, the implementation of the mitigation measures identified in the NIA within **12** months from the date of planning approval to the satisfaction of the Director of Environmental Protection or of the Town Planning Board by 14.1.2023;
- (c) the submission of a run-in/out proposal at Chun Shin Road within **9** months from the date of planning approval to the satisfaction of the Director of Highways and the Commissioner for Transport or of the Town Planning Board by 14.10.2022;
- (d) in relation to (c) above, the implementation of the run-in/out proposal at Chun Shin Road within **12** months from the date of planning approval to the satisfaction of the Director of Highways and the Commissioner for Transport or of the Town Planning Board by 14.1.2023;
- (e) the submission of 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 14.10.2022;
- (f) in relation to (e) above, the implementation of the fire service installations proposal within **12** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 14.1.2023;
- (g) the submission of a drainage impact assessment 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 14.10.2022;
- (h) in relation to (g) above, the implementation of the drainage proposal within **12** months from the date of planning approval to the satisfaction of the Director of Drainage Services or of the Town Planning Board by 14.1.2023;
- (i) in relation to (h) above, the implemented drainage facilities on the Site shall be maintained at all times during the planning approval period;
- (j) if the above planning condition (i) is not complied with during the planning approval period, the approval hereby given shall cease to have effect and shall be revoked immediately without further notice; and
- (k) if any of the above planning conditions (a), (b), (c), (d), (e), (f), (g) or (h) 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.

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 scale of the proposed development is excessive and is not compatible with the rural character of the area.

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 24.11.2021
Appendix Ia	Supplementary Planning Statement
Appendix Ib	FI dated 11.1.2022 from Applicant
Appendices IIa and IIb	Public comments received
Appendix III	Recommended Advisory Clauses
Drawing A-1	Indicative Master Layout Plan
Drawing A-2	Section Plans
Drawing A-3	Typical Floor Plans
Drawing A-4	Landscape Master Plan
Drawings A-5 to 9	Viewpoints with Estimated Development Massing and Height
Drawing A-10	Proposed New Bus Stop at Castle Peak Road – Tam Mei
Drawing A-11	Potential Pond Filling and Land Excavation Plan
Plans A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to b	Site Photos

**PLANNING DEPARTMENT
JANUARY 2022**