

**APPLICATION FOR AMENDMENT OF PLAN
UNDER SECTION 12A OF THE TOWN PLANNING ORDINANCE**

APPLICATION NO. Y/SK-HC/7

- Applicants** : Billion Vantage Investment Limited and Top Deluxe Limited represented by Arup Hong Kong Limited
- Application Site** : Various Lots in D.D. 244 and Adjoining Government Land (GL), Nam Pin Wai, Sai Kung, New Territories
- Site Area** : About 6,601 m² (including about 521 m² (about 8%) of GL)
- Lease** : (a) Lots 788 RP, 789 RP, 827 RP, 828 RP, 855 RP, 863 RP, 865 RP, 868 RP, 871, 872, 873, 874, 875 RP, 876 RP, 877 RP, 878 RP and 879 RP in D.D. 244: Old Schedule Agricultural Lots held under Block Government Lease
(b) Lots 1939 s.B ss.3, 1939 s.E, 1939 s.F and 1939 RP in D.D. 244 held under New Grant No. 2846 and Lots 1940 and 1944 in D.D. 244 held under New Grant No. 2914: Agricultural Lots
(c) Pink Hatched Black Area of Lot 2189 in D.D. 244 held under New Grant No. 22828: Designated as non-building area and restricted for the purpose of vehicular and pedestrian access road
- Plan** : Approved Ho Chung Outline Zoning Plan (OZP) No. S/SK-HC/11
- Zoning** : “Green Belt” (“GB”)
- Proposed Amendment** : To rezone the application site from “GB” to “Residential (Group C) 1” (“R(C)1”) subject to a maximum plot ratio (PR) of 0.75, a maximum site coverage (SC) of 25% and a maximum building height (BH) of 12m with 3 storeys over one storey of carport or a maximum PR of 0.75, a maximum SC of 37.5% and a maximum BH of 9m with 2 storeys over one storey of carport

1. The Proposal

- 1.1 The applicants propose to rezone the application site (the Site) (**Drawing Z-1** and **Plan Z-1**) from “GB” to “R(C)1” to facilitate a residential development, subject to two distinctive sets of development restrictions i.e. a maximum PR of 0.75, a maximum SC of 25% and a maximum BH of 12m with 3 storeys over one storey of carport or a maximum PR of 0.75, a maximum SC of 37.5% and

a maximum BH of 9m with 2 storeys over one storey of carport. The applicants also propose amendments to the Explanatory Statement (ES) of the OZP to reflect the proposed rezoning (**Appendix III**).

- 1.2 The applicants submitted an Indicative Scheme based on the first set of development restrictions to support the application. The majority part of the Site (about 5,355m² or 81%) is designated as the development site while the remaining area (about 1,246m² or 19%) covering a proposed access road leading to the adjoining residential development under construction to the west (i.e. Lot 2189 in D.D. 244) (the Access Road) is proposed as non-development site. The development site will be developed through two phases. Phase 1 (about 4,020m² or 61%), comprising Sites A, B and C, covers all private lots owned by the applicants which is expected to be completed by 2030. The Remaining Phase (about 1,335m² or 19%) covers other private lots owned by third-party and GL without implementation programme (**Drawing Z-2** and **Plans Z-2a** and **Z-2b**).
- 1.3 As shown on the Indicative Scheme based on the first set of development restrictions, the proposed residential development comprises 17 3-storey houses, 37 car parking spaces in the front of individual houses and a standalone 1-storey clubhouse. The location plan, the phasing plan, the master layout plan, the landscape master plan (LMP), sections, and photomontages are at **Drawings Z-1 to Z-12**. Major development parameters of the Indicative Scheme are as follows:

	Phase 1	Remaining Phase	Total
Site Area (about)	-	-	6,601m ²
Development Site Area (about)	4,020m ²	1,335m ²	5,355m ² Note 1
Gross Floor Area (GFA) (about)	3,015m ² Note 2	1,001m ²	4,016m ²
PR (not more than)	0.75	0.75	0.75
SC (not more than)	25%	25%	25%
BH (no. of storeys)	12m (3 storeys) (clubhouse: 1 storey)	12m (3 storeys)	12m (3 storeys)
No. of Houses	13	4	17
Anticipated Population	39	12	51
Private Open Space (not less than)	39m ²	12m ²	51m ²
No. of Parking Space	29	8	37
- Private Car	26	8	34
- Visitor	2	0	2
- Motorcycle	1	0	1

	Phase 1	Remaining Phase	Total
No. of Loading/ Unloading Spaces	1	0	1

Note 1 The development site excludes the Access Road (non-development site) of about 1,246m² which is not accountable for PR and SC calculations under the lease of Lot 2189 in D.D. 244.

Note 2 The floor area of clubhouse is proposed to be exempted from GFA calculation.

1.4 The ingress/egress will be at the Access Road which will connect to Wo Mei Hung Min Road. Building setbacks from New Hiram's Highway (about 20m) and Wo Mei Hung Min Road (about 5m) are proposed to avoid future residents susceptible to adverse environment impacts. Private open space is provided in accordance with the requirements in Hong Kong Planning Standards and Guidelines. According to the submitted LMP, the landscaped areas would result in a total greenery of not less than 20%. The majority of the existing trees within the Site are in fair to poor condition, health and form with low amenity value, and possess defects. Among the 99 trees being affected on the Site, 98 trees are proposed to be felled, which will be compensated by the planting of 98 new trees, thus achieving a compensation ratio of 1:1 in terms of quantity (**Drawing Z-4**). One number of rare species, *Aquilaria sinensis* (土沉香), is proposed to be transplanted within Phase 1 development.

1.5 In support of the application, the applicants have conducted various technical assessments based on the Indicative Scheme including Traffic Impact Assessment (TIA), Drainage Impact Assessment (DIA), Sewerage Impact Assessment (SIA), Environmental Assessment (EA), Water Demand Assessment, Quantitative Risk Assessment (QRA) in relation to the high pressure pipeline along New Hiram's Highway, Archaeological Baseline Review Report, Geotechnical Planning Review Report (GPRR) and Visual Impact Assessment (VIA) to support the proposed residential development. In terms of environmental aspects, various design elements have been included in the Indicative Scheme to mitigate potential noise impact from New Hiram's Highway, for example, screen planting together with hard and soft landscape, building setback, baffle-type acoustic window, while the EA also proposed a number of mitigation measures to be implemented during construction and operation stages e.g. adopting good site practices, erection of temporary noise barriers, etc. As the Site is within Ho Chung Site of Archaeological Interest (SAI), the Archaeological Baseline Review Report recommends to carry out archaeological survey-cum-excavation in areas with archaeological potential before commencement of construction works.

1.6 In support of the application, the applicants have submitted the following documents:

- (a) Application form received on 7.12.2023 (**Appendix I**)
- (b) Consolidated supplementary planning statement (**Appendix Ia**)
dated 30.5.2024¹

¹ A total of seven previous FI submissions (received on 11.1.2024*, 31.1.2024*, 6.2.2024*, 8.4.2024*, 19.4.2024*, 7.5.2024[#] and 23.5.2024[#]) were received in responding to departmental comments with relevant technical assessments, of which five submissions (marked with *) were accepted but not exempted from recounting requirement and two submissions (marked with [#]) were accepted and exempted from recounting

- 1.7 On 5.4.2024, the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) agreed to defer making a decision on the application for two months.

2. Justifications from the Applicants

The justifications put forth by the applicants in support of the application are detailed in Section 6 of the supplementary planning statement at **Appendix Ia**. They can be summarised as follows:

- (a) the proposed amendment is to respond to the overall policy direction of increasing housing supply, which will rezone the Site to “R(C)1” with a compatible development intensity;
- (b) the Site has limited tree cover and low amenity value, which is considered a wastage of land resource. The Site is warranted for a suitable land use that is compatible with its surroundings, including the adjoining house development to the west;
- (c) a 20m-wide strip of land along the eastern boundary of the Site with dense tree cover will be retained as “GB” zone, which will continue to serve as a landscape/visual buffer between the New Hiram’s Highway and the residential area of Nam Pin Wai. It will continue to link up with the wider “GB” zone along New Hiram’s Highway to the south serving similar functions;
- (d) the proposed rezoning adopts the same development restrictions as the “R(C)1” zone of the adjoining house development which is considered as a natural extension of the land use zoning to the east side (**Drawing Z-1**);
- (e) a pragmatic phasing approach has been adopted and each development phase will be self-contained in terms of development potential, local open space and internal transport facilities; and
- (f) surrounding landscape environment will be greatly enhanced with sensible landscape design and various technical assessments have been conducted to ascertain that the proposal would not generate any adverse impacts on the surroundings.

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

The applicants are two of the “current land owners”. In respect of other “current land owners”, the applicants have 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. 31B) by publishing notices in local newspapers and posting notice in a prominent

requirement. The consolidated supplementary planning statement in **Appendix Ia** supersedes the original supplementary planning statement and all FIs and hence not attached to this paper.

position on or near the Site. Detailed information would be deposited at the meeting for Members' inspection. For the GL portion, the above requirements are not applicable.

4. **Background**

- 4.1 On the first Ho Chung OZP No. S/SK-HC/1 gazetted on 20.5.1994, the Site was zoned "GB" to form a strip of buffer along the 'Road' area reserved for the planned improvement of Hiram's Highway (**Plan Z-3c**). The "GB" zoning of the Site remains unchanged since then. Under the Hiram's Highway Improvement project, New Hiram's Highway was opened to traffic on 10.7.2002. On the draft Ho Chung OZP No. S/SK-HC/6 gazetted on 2.7.2004, the "GB" zone was extended to cover the unused road reserve along the newly completed New Hiram's Highway (**Plan Z-3d**). The "GB" zones along New Hiram's Highway and Hiram's Highway are now mainly occupied by the cut-slopes adjoining the highways maintained by Highways Department (HyD) with roadside amenity, trees and vegetation, forming a continuation of "GB" zones extending uphill towards the interchange of Hiram's Highway and Clear Water Bay Road (**Plan Z-3e**).
- 4.2 The Site is not subject to any current planning enforcement action. With reference to the aerial photo taken on the date of gazettal of Ho Chung Interim Development Permission Area (IDPA) Plan on 17.8.1990 (**Plan Z-3b**), about half of the Site was formed land without vegetation or covered by roofed structures. As seen from aerial photos taken in different years, such situation persisted over the years (**Plans Z-3a to Z-3e**).

5. **Previous Applications**

- 5.1 The Site was not the subject of any previous s.12A application but was the subject of four section 16 applications involving various uses².

Application for Ancillary Road for Residential Development

- 5.2 Application No. A/SK-HC/223 for proposed house (ancillary road) was related to the proposed access road in the middle of the Site leading to the residential development under construction to the west mentioned in paragraph 1.2 above (**Plans Z-1, Z-2a and Z-3a**). Having considered that the proposed house development was completely landlocked and inaccessible since there was no implementation programme of the reserved road to the west periphery of the "R(C)1" zone, the Committee approved with conditions the application on 8.2.2013.

Applications for Other Uses (**Plans Z-1 and Z-2a**)

- 5.3 Applications No. A/SK-HC/252 and No. A/SK-HC/279 were for temporary place of recreation/ temporary place of recreation, sports or culture for periods

² In addition, the Site was the subject of a withdrawn application No. A/SK-HC/338 for proposed recreational use with associated filling and excavation of land ancillary to the residential use in the adjoining "R(C)1" site submitted by the one of the current applicants. The application was received on 15.2.2022 and later withdrawn by the applicant on 17.2.2023.

of 5 years and 3 years respectively to regularise an event venue at the southern part of the Site. Both applications were approved with conditions by the Committee on 13.5.2016 and 3.8.2018 respectively having considered that the temporary event venue was not entirely in conflict with the planning intention of the “GB” zone, the low-rise development was not incompatible with the surrounding environment, and the application was generally in line with the relevant Town Planning Board Guidelines. Both planning permissions were revoked on 13.11.2016 and 3.7.2020 respectively due to non-compliance with time-limited approval conditions. The event venue has been ceased operation.

- 5.4 Application No. A/SK-HC/104 for regularising a temporary open storage of civil engineering machinery and materials in the middle of the Site for a period of three years was rejected by the Committee on 7.3.2003 mainly on the grounds of not in line with the planning intentions, not compatible with the surrounding land uses and other technical concerns.

6. Similar Application

There is no similar application involving rezoning of a site from “GB” to other residential zoning on the OZP.

7. The Site and its Surrounding Areas (Plans Z-1, Z-2a and Z-2b, aerial photos on Plans Z-3a to Z-3e and site photos on Z-4a and Z-4b)

7.1 The Site is:

- (a) currently partly forming part of a construction works site and partly used as a storage area of construction materials and construction site office. Tree groups are found at the northern and southern fringes;
- (b) directly accessible from Wo Mei Hung Min Road; and
- (c) partly located within the Ho Chung SAI.

7.2 The surrounding areas have the following characteristics:

- (a) rural residential character comprising low-rise and low-density residential and village type developments in Nam Pin Wai, Wo Mei, Nam Wai and Heung Chung which are zoned “R(C)” and “Village Type Development” (“V”);
- (b) to the immediate northwest is Villa Royale, a low-rise residential development with a PR of 0.75 and a BH of 3 storeys within the “R(C)1” zone. To the immediate west within the same “R(C)1” zone is a residential development under construction. To the further northwest are village houses in Nam Pin Wai and Ho Chung New Village as well as a “Comprehensive Development Area” (“CDA”) zone subject to a maximum PR of 0.75, a maximum SC of 25% and a maximum BH of 12m with 3 storeys over one storey of carport. To the further east across New Hiram’s Highway is another residential development under construction

in a “R(C)4” zone subject to a maximum PR and BH of 1.5 and 25mPD respectively;

- (c) to the immediate east periphery within the same “GB” zone is vegetated cut-slopes maintained by HyD. To the further north and northeast are a vegetated knoll, Hiram’s Highway, New Hiram’s Highway and the roundabout at Nam Pin Wai respectively. A proposed sewage treatment plant and underground sewers is being constructed by Drainage Services Department (DSD) under the Port Shelter Sewerage Stage 2 project;
- (d) to the south and southwest are village houses of Wo Mei. To the further southeast is an elongated strip of well-vegetated slopes zoned “GB” which extends to the interchange of Clear Water Bay Road and Hiram’s Highway. Such area serves as a green buffer between the major road and the adjacent residential neighbourhoods. The majority of this “GB” strip are the cut-slopes maintained by HyD (**Plan Z-3e**); and
- (e) to the further west is Nam Pin Wai, dense woodlands zoned “GB” and “Conservation Area” on the OZP.

8. **Planning Intention**

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.

9. **Comments from Relevant Government Bureaux/Departments**

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

Land Administration

- 9.1.1 Comments of the District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD):
- (a) no objection to the application;
 - (b) the Site comprises unleased and **un**allocated GL and 24 private lots, details of the private lots are at **Appendix II**;
 - (c) the Site falls outside the village ‘environs’ of Ho Chung;
 - (d) he cannot verify the area of the Site at this stage. The applicants should ensure all the areas stated in the submission are correct;
 - (e) the Site falls within the Ho Chung SAI. Comments from the Antiquities and Monuments Office (AMO) for the development proposal should be obtained;

- (f) several pieces of GL are proposed to be included in the Site. The feasibility of such proposal would be considered by LandsD upon processing of the land exchange application for the proposed development; and
- (g) if the subject application is approved by the Board, the lot owners should apply for a land exchange to effect the proposal. The land owners should be reminded that every application submitted to LandsD will be considered on its own merits by LandsD at its absolute discretion acting in its capacity as a landlord and there is no guarantee that the land exchange application will eventually be approved by LandsD. If the application for land exchange is approved by LandsD, it will be subject to such terms and conditions as may be imposed by LandsD at its absolute discretion, including payment of premium and administrative fee.

Traffic

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

no objection to the application.

9.1.3 Comments of the Chief Highway Engineer/New Territories East, HyD (CHE/NTE, HyD);

it is noted that the proposed development does not involve any public roads or highways features under the maintenance of his Office. His Office has no comment on the application from highway maintenance point of view.

Environment

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

Air Quality

- (a) the air quality impact assessment has confirmed that sufficient buffer distance would be provided to New Hiram's Highway and Wo Mei Hung Min Road. Besides, no adverse odour impact is anticipated from the nearby Wo Mei Sewage Treatment Works and the proposed local sewage treatment plant with the odour mitigation measures including full enclosure of odorous facilities and provision of deodourisation unit in place. In addition, no active chimney was identified within 200m from the boundary of the Site. Overall, no adverse air quality impact is anticipated;

Noise

- (b) according to noise impact assessment, no fixed noise impact is identified from the nearby food factory, Ho Chung Welfare facilities block and Wo Mei Sewage Treatment Works. On the

other hand, the noise impact assessment has demonstrated that with the implementation of mitigation measures including proper building orientation and provision of baffle-type acoustic window, no adverse traffic noise impact from the adjacent New Hiram's Highway is anticipated;

Water Quality

- (c) the SIA has demonstrated that an on-site local sewage treatment plant would be provided and maintained for the collection, treatment and disposal of the sewage arisen from the proposed development. No adverse water quality is anticipated;

Land Contamination

- (d) according to the historic land use information, no potential land contaminating activities are observed within the Site. Therefore, no potential land contamination impact is therefore anticipated; and
- (e) on the above basis, there is no objection to the application from environmental planning point of view provided that there is feasible mechanism under land title document to require the submission of noise impact assessment and the implementation of the mitigation measures identified therein prior to the development of the Site.

Archaeological and Heritage Aspects

9.1.5 Comments of the Chief Heritage Executive (Antiquities and Monuments), AMO, Development Bureau (CHE(AM), AMO):

- (a) no comment on the Archaeological Baseline Review including the assessments and recommended mitigation measures proposed therein;
- (b) no objection in principle to the application from heritage preservation perspective; and
- (c) in carrying out the recommended mitigation measures regarding archaeological survey and archaeological survey-cum-excavation prior to construction stage for any future development at the Site, the project proponent should liaise with and seek agreement from AMO in advance.

Urban Design and Landscape

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

Urban Design and Visual

- (f) the Site is located in Ho Chung, which is a rural area characterised by low-rise and low-density settlements. Surrounded by village

settlements, existing and planned low-rise residential development as well as New Hiram's Highway, the Site is largely paved with some vegetation at its fringe. As noted from the photomontages submitted by the applicants (**Drawings Z-9 to Z-12**), the proposed development would form an extension to the existing and planned low-rise development in the area. The proposed rezoning from "GB" to "R(C)1" would inevitably increase the extent of built-up area in the settled valley landscape of Ho Chung area. However, in view of the proposed BH, PR and SC, the proposed development is considered not incompatible with the surrounding development from urban design and visual perspectives;

Landscape

- (g) the Site is situated in an area of settled valley landscape character predominated by low-density houses, village settlement and tree groups. The proposed rezoning/Indicative Scheme of 17 3-storey houses is considered not incompatible with the surrounding landscape character;
- (h) with reference to the applicants' submission, a total of 98 existing trees are proposed to be felled and one *Aquilaria sinensis* (土沉香, a rare species) is proposed to be transplanted. 98 new standard/heavy standard trees and shrub planting will be provided in the proposed development, and most of the proposed trees and shrubs species are native. The proposed mitigation measures/ landscape treatments with native species are considered to alleviate the impact arising from the proposed residential development/ rezoning with 1:1 replanting ratio achieved; and
- (i) other detailed comments are at **Appendix II**.

Nature Conservation

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

- (a) no comment on the application; and
- (b) no comment on the proposed transplanting of one *Aquilaria sinensis* (土沉香).

Drainage and Sewerage

9.1.8 Comments of the Chief Engineer/Mainland South, DSD (CE/MS, DSD):

no comment on the SIA and DIA reports for the subject application.

Water Supplies

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

- (a) no comment the application; and
- (b) other detailed comments are at **Appendix II**.

Building Matters

9.1.10 Comments of the Chief Building Surveyor/New Territories East 2 and Rail, Buildings Department (CBS/NTE2 & Rail, BD):

- (a) no in-principle objection to the application;
- (b) the Site has been subdivided into two separate sites by an access road within the adjacent lot, i.e. Lot 2189 in D.D. 244. In this regard, the development parameters (i.e. PR and SC) and supporting facilities (i.e. residents' recreational facilities) of the two site shall be considered separately under the Buildings Ordinance; and
- (c) other detailed comments are at **Appendix II**.

Geotechnical Aspect

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

- (a) no comment on the application; and
- (b) other detailed comments are at **Appendix II**.

Fire Safety

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

- (a) no comment on the application;
- (b) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans; and
- (c) the emergency vehicular access provision shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011, which is administered by the BD.

Electricity and Risk Aspects

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

- (a) no comment from electricity supply safety and town gas safety points of view; and
- (b) detailed comments are at **Appendix II**.

District Officer's Comments

9.1.14 Comments of the District Officer (Sai Kung), Home Affairs Department (DO(SK), HAD):

- (a) no comment on the application;
- (b) no works and project managed or maintained by her office near the Site will be affected; and
- (c) relevant safety standards should be met and guidelines stipulated by the relevant government department(s) should be conformed with.

9.2 The following government departments have no objection to/no comment on the application:

- (a) Chief Engineer (Works), HAD;
- (b) Project Manager (East), East Development Office, Civil Engineering and Development Department (CEDD); and
- (c) Head of Geotechnical Engineering Office, CEDD.

10. Planning Considerations and Assessments

10.1 The application proposes to rezone the Site from “GB” to “R(C)1” subject to a maximum PR of 0.75, a maximum SC of 25% and a maximum BH of 12m with 3 storeys over one storey of carport or a maximum PR of 0.75, a maximum SC of 37.5% and a maximum BH of 9m with 2 storeys over one storey of carport (**Appendix III**) to facilitate a residential development. According to the Indicative Scheme based on the first set of development restrictions, the development will have 17 3-storey houses (at 12m), 37 car parking spaces in the front of individual houses, and a standalone 1-storey clubhouse.

Planning Intention of the “GB” Zone

10.2 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. When the Site was zoned “GB” on the first Ho Chung OZP in 1994, it formed a strip of buffer along the ‘Road’ area reserved for the improvement of Hiram’s Highway (**Plan Z-3c**). Upon completion of New Hiram’s Highway in 2004, the “GB” zone was extended to cover the unused road reserve (**Plan Z-3d**). The “GB” zones along New Hiram’s Highway and Hiram’s Highway are now mainly occupied by cut-slopes adjoining the highways maintained by HyD with roadside amenity, trees and vegetation, forming a continuation of “GB” zones extending uphill towards the interchange of Hiram’s Highway and Clear Water Bay Road (**Plan Z-3e**).

10.3 As shown on the aerial photo taken on the gazettal date of IDPA Plan in 1990 (**Plan Z-3b**), about half of the Site was formed land without vegetation or covered by roofed structures, and such situation persisted over the years. The

middle of the Site (i.e. non-development site) will be used as the Access Road of adjoining residential development under construction to the west as approved by the Committee in 2013. While the Site is currently zoned “GB”, the trees currently found on-site are generally in fair to poor conditions with no rare species except one *Aquilaria sinensis* (土沉香) to be transplanted within Site according to the applicants’ submission. Given that the Site is located within a rural residential cluster totally surrounded by low-rise and low-density residential and highways, and the vegetated cut-slopes in the remaining “GB” zone will continue to serve as a landscape buffer between the highways and the surrounding rural developments, the Site can be considered for rezoning to a more appropriate land use zoning to facilitate better utilisation of the land and increase housing supply.

Land Use Compatibility

- 10.4 According to the ES of the OZP, the general planning intention of Ho Chung is to consolidate existing village type development and to provide adequate land for low-rise and low-density residential development in orderly pattern. The areas surrounding the Site has a rural residential character comprising low-rise residential and village type developments in Nam Pin Wai, Wo Mei, Nam Wai and Heung Chung zoned “R(C)” and “V”. The proposed “R(C)” zone at the Site is primarily for low-rise, low-density residential developments. It will blend in well with the surrounding natural environment and rural character and will form an extension to the existing and planned low-rise residential development in the area. CTP/UD&L, PlanD advises that the proposed development is considered not incompatible with the surrounding developments and the surrounding landscape character.

Development Intensity, Urban Design and Landscape Aspects

- 10.5 The proposed “R(C)” zone will facilitate a low-density residential developments at the Site. According to the Indicative Scheme, the proposed residential development will have 17 houses and associated facilities with a PR of 0.75 and a BH of 3 storeys and 12m which is largely in line with the existing and planned low-density and low-rise residential developments (with PR ranging from 0.75 to 1.5 and BH ranging from 2 to 6 storeys) in the vicinity.
- 10.6 According to the submitted LMP (**Drawing Z-4**), the greenery coverage and open space provision under the Indicative Scheme comply with the relevant guidelines and requirements. From landscape planning perspective, CTP/UD&L, PlanD notes that the proposed felling of existing 98 trees with no rare species will be compensated by planting of new standard/heavy standard trees mainly of native species, achieving a 1:1 compensation ratio, which is considered to alleviate the impact arising from the proposed development.

Technical Aspects

- 10.7 The Site is partly located within Ho Chung SAI. According to the Archaeological Baseline Review Report submitted by the applicants, archaeological survey-cum-excavation in areas with archaeological potential is recommended before commencement of construction works. CHE(AM), AMO has no comment on the Archaeological Baseline Review and no objection in

principle to the application. Details of the archaeological survey-cum-excavation can be dealt with in land exchange stage. The ES of the extant OZP already stated that AMO should be consulted well in advance on any development or redevelopment proposals in “R(C)” zone affecting the SAI as well as their immediate environs.

- 10.8 With reference to the EA submitted by the applicants, as sufficient buffer distance would be provided to New Hiram’s Highway and Wo Mei Hung Min Road, no adverse air quality impact on the proposed residential development is anticipated. With the implementation of mitigation measures e.g. proper building orientation, provision of baffle-type acoustic window, etc., no adverse traffic noise impact from the adjacent Hiram’s Highway is anticipated. DEP has no adverse comment on the rezoning application from environmental planning point of view.
- 10.9 Based on the indicative scheme, the applicants have submitted other technical assessments including TIA, DIA, SIA, Water Demand Assessment, QRA and GPRR in support of the application. Relevant departments including C for T, CE/MS, DSD, CE/C, WSD, DEMS and H(GEO), CEDD have no in-principle objection to/adverse comment on the application.

Development Restrictions to be Stipulated on the OZP

- 10.10 According to the streamlined measures under Joint Practice Note (JPN) No. 7 issued in August 2021, a SC restriction which is more stringent than that stipulated in the Building (Planning) Regulations would only be imposed in the OZP for specific planning purposes³ in selected sites. CTP/UD&L, PlanD has no comment on not imposing SC restriction as according to the streamlined arrangement. Also, according to JPN No. 5, the BH restriction is usually adopted in terms of metres and/or number of storeys where other forms of BH restriction is less appropriate taking into account the local character and natural topography. Having considered the streamlined measures under the aforementioned JPNs, a maximum PR of 0.75 and a maximum BH of 12m with 3 storeys over one storey of carport may be adopted for statutory planning control purpose. In addition, appropriate development restriction could be formulated to reflect the non-development site occupied by the Access Road under the Indicative Scheme. Should the application be agreed by the Committee, PlanD will work out the details of development restrictions to be set out in the Notes for the Committee’s consideration prior to gazetting of the proposed amendments to the OZP under Section 5 of the Town Planning Ordinance.

11. Planning Department’s Views

- 11.1 Based on the assessments made in paragraph 10, PlanD has no in-principle objection to the application.
- 11.2 Should the Committee decide to agree/partially agree to the application, PlanD would work out the appropriate amendments to the OZP, including development

³ Examples include preserving local character, enhancing air ventilation, visual quality as well as permeability.

restrictions to be set out in the Notes and the revised ES, for the consideration of Committee prior to gazetting under Section 5 of the Town Planning Ordinance.

- 11.3 Alternatively, should the Committee decide not to agree to the application, the following reason is suggested for Members' reference:

the application site is an integral part of the "Green Belt" ("GB") 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, and forms a continuation of "GB" zones along New Hiram's Highway and Hiram's Highway with roadside amenity, trees and vegetation. There is no strong justification for rezoning the application site to "Residential (Group C) 1". The current "GB" zoning for the application site is considered appropriate and should be retained.

12. Decision Sought

- 12.1 The Committee is invited to consider the application and decide whether to agree, partially agree, or not to agree to the application.
- 12.2 Should the Committee decide not to agree to the application, Members are invited to advise what reason(s) for the decision should be given to the applicants.

13. Attachments

Appendix I	Application Form received on 7.12.2023
Appendix Ia	Consolidated Supplementary Planning Statement
Appendix II	Detailed Comments from Government Departments
Appendix III	Revised Explanatory Statement Proposed by the Applicants
Drawing Z-1	Location Plan
Drawing Z-2	Phasing Plan
Drawing Z-3	Master Layout Plan
Drawing Z-4	Landscape Master Plan
Drawings Z-5 to Z-8	Sections
Drawings Z-9 to Z-12	Photomontages showing the Indicative Scheme at Selected Viewpoints
Plan Z-1	Location Plan
Plan Z-2a	Site Plan
Plan Z-2b	Land Status Plan
Plan Z-3a to Z-3e	Aerial Photos
Plans Z-4a and Z-4b	Site Photos