

八鄉 蓮花地

新界 元朗 八鄉 蓮花地村 218A 號

電話：(馮精能 [REDACTED]、郭振雄 [REDACTED]、郭永昌 [REDACTED])

電郵：[REDACTED]



敬啟者：

反對錦上路丈量 DD112 Lot 246 862 和毗連政府土地
(申請編號：Y/YL- SK/1)

元朗民政處檔案：(3)in HAD YL C&D/17-45/45/01/377

收到城規署來信(日期：16-5-2022)，在上述地點進行大規模改變土地用途申請，在申請範圍內興建廿多幢住宅及非住宅建築物。吾等一致反對，理由如下：

- (1) 破壞本村牌樓及破壞各姓氏宗祠風水。
- (2) 對鄉村及郊野環境衛生造成重大污染影響。
- (3) 現時錦上路交通已經不勝負荷，加重交通負擔，嚴重影響本區。
- (4) 工程進行，必會對影響本村極之憂慮水浸問題。
- (5) 工程進行期間及日後困擾附近村民長期的日常生活。

本村正在同步進行，發起向貴署一人一信，反對上述大規模之改變土地用途申請。

此致

城市規劃署署長、
元朗民政事務專員 及
元朗地政專員

郭永昌 [Signature]
八鄉事委員會副主席暨蓮花地居民村代表

[Signature] [Signature]
馮精能 郭振雄
元朗八鄉蓮花地原居民村代表 謹呈

2022 年 5 月 24 日

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Y/YL-SK/1 DD 112 Shek Kong

04/06/2022 22:57

From:

To:

File Ref:

mm1547 <mm1547@netvigator.com>
tpbpd <tpbpd@pland.gov.hk>

Y/YL-SK/1

Lots 246, 247 (Part), 251 (Part), 253 (Part), 254, 255 (Part), 256, 257, 258 (Part), 260, 263, 273 RP, 274, 275, 277, 278 S.B, 279, 280, 284, 294 RP, 295, 849, 850, 851 (Part), 853, 856 (Part), 859 (Part), 861 (Part) and 862 in D.D. 112 and Adjoining Government Land, Kam Sheung Road, Shek Kong

Site area : About 41,290sq.m Includes Government Land of about 415sq.m

Zoning : "Res (Group D)"

Proposed Amendment : Rezone to "Res (Group C)" / 850 Units / PR 0.8 / 6 floors / OS 2,280sq.m / 285 Vehicle Parking

Dear TPB Members,

The site is not cohesive, there are a number of lots belonging to others that could impact the well being of the residents and create issues going forward.

Also one has to question the sections given over to 'visitor parking'. It would be more efficient land use to add another floor to the parking and provide a vehicle free environment. Note no bicycle parking for such a rural location? Residents could cycle to the parking facilities from their homes.

With a population of over 2,000 there should be a basketball court. Shek Kong does not have many community facilities.

Note an **average unit size of about 38.9m²** so in other words just over 50% of the GFA of ONE FLOOR of a village house.

This is quite alarming as 400sq.ft. is not large enough to raise a family, particularly in rural areas where there are fewer community facilities and alternative spaces. In urban areas there is a wide variety of indoor and outdoor recreational facilities, coffee shops, etc one could escape to.

While we are being told that all this development is going to provide a better quality of life, most of the plans going through indicate that this is not the case. Going forward the scenario for many will be living in a constricted space with far fewer

community amenities and longer commutes.

Mary Mulvihill

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**Public Consultation Submission Y/YL-SK/1**

04/06/2022 23:50

From:

To: [REDACTED]
tpbpd@pland.gov.hk

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1 attachment



WY_TPB comments_4 June 2022.pdf

Comments by WY Residents in response to the Rezoning Application Y/YL-SK/1

1. Purpose

- 1.1 We are residents currently living in Wah Yuen (WY) in DD 112. Built some 40 years ago, WY sits adjacent to the Proposed Development Area (Site) under the Rezoning Application Y/YL-SK/1 (Application). In terms of proximity, WY literally shares the same boundaries with a substantial part of the Site.
- 1.2 Public is invited to submit their views to the Town Planning Board (TPB) on the Application by 4 June 2022. We would like to put forward our concerns, bringing to the attention of the TPB in particular the existence of WY being a close neighbour and potential stakeholder likely affected hugely by the proposed changes in view of our proximity with the Site.
- 1.3 Regrettably, WY was not brought to the picture at all in any of the Documents and Assessment Reports in the Application.

2. Background

- 2.1 Apart from proximity, WY was built on a land with a total area of about 7, 000 sq.m, representing more than 1/5 that of the Site excluding the Government Land. It's not an insignificant land size easily overlooked by any on-site inspection prior to planning.
- 2.2 WY falls within the same Residential (Group D) zone as that of the Site. Given the proximity and the lot size, it would be almost impossible to have ignored the physical existence of WY for any planning proposal that "would respect and integrate with the adjoining low-rise and low-density rural settlement", set out by a number of planning guidelines¹ for rural land use and development.
- 2.3 While WY residents are submitting our views either jointly or as individuals, Section 3 summarises common views and concerns WY residents share.

3. Consultation and Common Concerns among WY Residents

3.1 Major views of WY about the Proposed Development

- 3.1.1. The proposed changes in the Application would affect WY substantially.

¹ Land Use Review (LUR) for Kam Tin South and Pat Heung area by Planning Department and MTRLC and Rural Land Use Review by Planning Department

3.1.2. WY pre-existed in the land for more than 40 years, on a zoning that warrants rural environment with low-rise and low-density setting, noting any changes to the existing planning will require due consideration for integration and respect to adjoining settlements.

3.1.3. Yet WY was totally ignored in all documents and assessment reports under the Application. Residents are with an impression that WY was intentionally left out in the Application. Any mistrust thus caused would not benefit the implementation of any plans in the future should “integration” and “respect for rural settlements” be considered critical in the process.

3.2. Key Concerns and Issues in the Proposed Development affecting WY

3.2.1. Building height of 6 storeys

3.2.2. Building separation and spacing between shared boundaries of pre-existing settlements in WY

3.2.3. Drainage and Flooding Threats

3.2.4. Proposed vertical greening feature

3.2.5. Traffic and Noise pollution with the increase in residents density

3.3. Section 4 will elaborate our views and concerns in more specific details.

4. Issue 1 – Proposed Building Height

4.1 Building height is a major common concern that worries WY residents. The proposed 6 storeys are 3 times of RD zoning normally allows for new development, and 2 times of our existing buildings.

4.2 Visual Impact Assessment (VIA) - Building height was assessed by the VIA commissioned by the Applicant. We have reservation on its findings on the grounds that:

4.2.1. WY was totally left out in the assessment

4.2.2. Description of the Site being able to provide “a green buffer along the periphery of the Site to soften the building edge of building blocks and to provide visual relief with surrounding domestic structures”² is misleading.

² Visual Impact Report page 8 under 4.2.1. DM2,

- 4.2.3. No “buffer” belts highlighted in blue³ in the Landscape Master Plan were planned near the shared boundaries between WY and the Site. Instead, they were planned only in the entrance and area near Lai Uk Tsuen.
- 4.2.4. We noted that the VIA focused mainly on public Visual Sensitive Receivers (VSR). No private VSR would be taken into account such as residents of private developments⁴.
- 4.2.5. We recognised that private VSR might not be strictly required by Planning in general on practicality consideration. Considering the Application included substantial changes in terms of building height, and the need for the Proposed Development to integrate the planning with existing settlements, WY is with the view that private VSR from affected WY areas should be included in the assessment.

5. Issue 2 - Building separation and spacing between shared boundaries of pre-existing settlements in WY

- 5.1 The design and planning of the disposition of the building blocks did not take into account of WY. Three of the 6 storeys building blocks were planned in the Site in a distance as close as 4m away from WY boundaries.
- 5.2 Building separation and spacing have to be assessed in association with the building height and building footprint. We notice some of the building blocks including the 3 storeys carport and vertical green wall, both providing no specifics on height, were planned at a distance as close as 0-4m way from WY existing houses. One can easily envisage how it would be like with a 6 storey mid-rise house, footprint of around 22m overlooking WY’s low-rise houses at a distance as close as 4m, bearing in mind that this is happening in an original RD zoning site.
- 5.3 The provision of adequate buffer and space between building blocks is an important element to ensure adequate daylight and sunlight and a satisfactory level of outlook within new development in relation to existing development. Other countries in the UK, US and Australia all adopted planning guidelines requiring space buffer from 20m between residential blocks of different building heights and number of storeys.

³ The Landscape Master Plan and Tree Preservation and Removal Proposal Page 11 under 4.3

⁴ VIA pg.9 under 5.1.1.

5.4 We noted that Planning and Building Department in Hong Kong regulate residential density primarily by way of plot ratio and building height. In rural development area, we are of the view that visual impact assessment should, in particular in this Application given the close proximity between the new and the existing sites, be extended beyond current general guideline. We suggest WY should be identified as a VSR and our viewpoints be duly assessed and considered to align the guiding planning principle of rural land development.

6. Issue 3 – Drainage

6.1 Background - Existing drainage of WY

6.1.1. There is a natural watercourse flowing between the boundary of WY and Lot 260 of the Site along Lot 260. This watercourse connects to the northern channels and has pre-existed in the location for more than 40 years. Drainage of WY relies substantially on this natural watercourse as the only catchment area discharging surface runoff onto the downstream channels. Smaller scale brooks are also found along the boundary walls of WY that join in this watercourse.

6.1.2. Apart from the natural watercourse and brooks, excess surface runoff will be drained through the lawn within WY and the neighbouring rural lands.

6.1.3. Though not a major stream, this natural watercourse is present for ages and exists in the base map and survey reports. One would not have missed it on any on-site inspection.

6.1.4. WY suffered from a serious flooding on 29 August 2018. Flooding threat still stands today, though alleviated a lot for some houses with the great work done by the local district office of the Drainage Services Department over the last three years. Before any further improvement is made, this natural watercourse is our only outlet for surface runoff.

6.1.5. We noticed a new stream connected to this watercourse in the Site was excavated in last December. Since then, we observed the water level of the watercourse gets higher sooner than before. As recently as on 13 May 2022, some of the houses suffered a mild water backflow at low points. This had not happened for quite some time. WY is concerned if the excavation of a new stream connecting to the watercourse would have attributed to what happened on 13 May.

6.2 Proposed New Drainage System in the Site – the Facts

- 6.2.1 We notice that the natural watercourse along the shared boundary of WY and Lot 260 of the Site disappeared and became a hard-paved area as EVA/Access in the Site⁵.
- 6.2.2 The Drainage Impact Assessment (DIA) revealed that the Proposed Development would construct a 2.1m (W) x 2.5m (H) Box Culvert within the Site, along where the watercourse was located between the boundary of WY and Lot 260.
- 6.2.3 The DIA further revealed that the Application proposed to change the flow of the northern channel from the old position that is farther away from WY in Appendix A2 and change it to redirect the flow closer to the WY shared boundary as shown in Appendix B2 of the DIA Report.

6.3 Two critical questions on omission of the natural watercourse

- 6.3.1. Now that this natural watercourse comes to the picture, how would the Proposed Development resolve WY's drainage if the watercourse was blocked off and became a paved driveway?
- 6.3.2. How would the Applicant ensure WY's flood problems would not be worsened due to the proposed changes as described in point 4.2?

7. Issue 4 – Landscape with particular regard to “Vertical Greening”

- 7.1 The Landscape Master Plan and Tree Preservation and Removal Proposal stated that “green feature such as Vertical Green is proposed at certain hierarchy areas such as along the welcoming entrance and major recreational open space area”⁶
- 7.2 The Master Plan in Appendix 3 revealed the “Vertical green” that was planned along the boundary between WY and Lot 260 of the Site. No specifics about the height of the “vertical green” were revealed.
- 7.3 We would be of strong concern should the feature be built beyond the normal height of a boundary wall. The distance between the windows of some of the WY houses and this vertical green feature would have a distance of only 2-3m.

⁵ Landscape Master Plan, Executive Summary pg11

⁶ The Landscape Master Plan and Tree Preservation and Removal Proposal Page 11 under 4.3

8. Traffic and Noise pollution with the increase in residents density

- 8.1 The Proposed Development comes with both assessment reports on Traffic and Noise. Neither made any assessment on if and how WY being almost the only close neighbouring development would be impacted in these two areas.
- 8.2 Both the Traffic Impact Assessment (TIA) and Noise Impact Assessment (NIA) Reports again totally ignored WY. No assessment was made on if and how the internal traffic of the addition of 275 private cars travelling in the driveway, loading and unloading in the bay areas, driving to and from the two carports and the open carparks would affect WY.
- 8.3 Of the 275 private cars, a carport accommodating 148 private cars was proposed along the boundary of 3 WY houses with 0-1m⁷. Another 20 visitors carparks were proposed in the same plan were proposed only a driveway apart from another house. A total of 168 cars, representing 61% of all carpark facilities are planned close to the boundary areas of WY. Any assessment in the area not taking into account of more than 2/3 of the internal traffic in the area would be misleading.
- 8.4 Being residents of WY, we experienced growing difficulties in getting on public transportations including min-buses and buses. WY and the Site would unlikely be benefitted much from the road improvement works of lay-bys that reside more in the farther end of Kam Sheung Road. In the absence of further improvement plan to Kam Sheung Road, we were worried that the traffic of Kam Sheung Road would turn worsened with another 2,380 residents settling in.

9. Conclusion and Suggestion

- 9.1 WY has been built and pre-existed in DD112 for more than 40 years. We sit adjacent to the Site to the extent that we literally share some of the boundaries. The land size of WY is about 7, 000 sq.m, representing more than 1/5 of the Site excluding Government Land.
- 9.2 Yet, WY was left out in almost each and every document submitted under the Application.
- 9.3 Residents moved in WY with the understanding that the site is meant for low-density residential developments with a restriction of height not more than

⁷ Indicative Master Plan, Executive Summary

6m and 2 storeys for new developments, noting at the same time any proposals to change are required to respect and integrate their planning with the adjoining pre-existed settlements. We put residence density as a priority. For the same reason, we did not choose to settle in either the village or the urban zoning. And we are happily settled in this rural environment setting.

9.4 Regrettably, the design and planning of the Proposed Development showed no consideration, let alone “respect” or intent to “integrate with the adjoining low-rise and low-density rural settlements”, as further demonstrated in:

9.3.1. The only catchment area discharging all of WY’s surface runoff was not brought to the picture, and proposed to cut off, replacing it with a paved driveway.

9.3.2. Building blocks of 6 storeys height, about 22m building footprint were built at a close distance of 4m overlooking some of WY houses.

9.3.2. A three-storey carport with height specification was planned right next to the boundaries of three of WY houses with 0-1m distance on map.

9.3.3. Over 60% of carpark spaces were located close to the boundaries of WY.

9.3.4. Yet, all impact assessments reports ignored WY despite the fact that all of the above changes might have affected WY substantially particularly on drainage, traffic, noise, visual impact generated by the Proposed Development.

9.5 By submitting our views and concerns, WY would like to bridge the information gap by bringing to the attention of the TPB the existence of WY being a close adjoining development pre-existed in the Site some 40 years ago. We hope the TPB would assess and take into account potential impacts to our development and appreciate the perspectives and grounds detailed in our submissions when considering the rezoning Application.

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Comments re: YYL-SK/1

04/06/2022 21:24

From:

To:

Tpbpd@pland.gov.hk

File Ref:

1 attachment



YYL-SK1 - Wah Yuen Letter - to TPB .pdf

Dear sir/madam,

Please find attached PDF file "Wah Yuen Letter - to TPB" re: above subject.

Grateful if you could confirm you receipt of this email.

The same document was also sent to you at 13:37 4th June 2022.

Yours faithfully,

M Tam

Tel:

[Redacted] - Done 6/6

Residents of Wah Yuen

3rd June 2022

Dear Secretary of the Town Planning Board,

Re: Comments to the Town Planning Board in respect of Application Y/YL-SK/1

We are residents of the compound Wah Yuen 華苑, the Proposed Development (“PD” hereafter) of above reference envelopes our compound 270 degrees. Having reviewed the plan and the documents made available at the Planning Department, we feel that no consideration has been taken into account of Wah Yuen in the planning of the PD. We feel that our general welfare, and health will be detrimentally affected.

We object strongly to the Application.

1. Wah Yuen Introduction

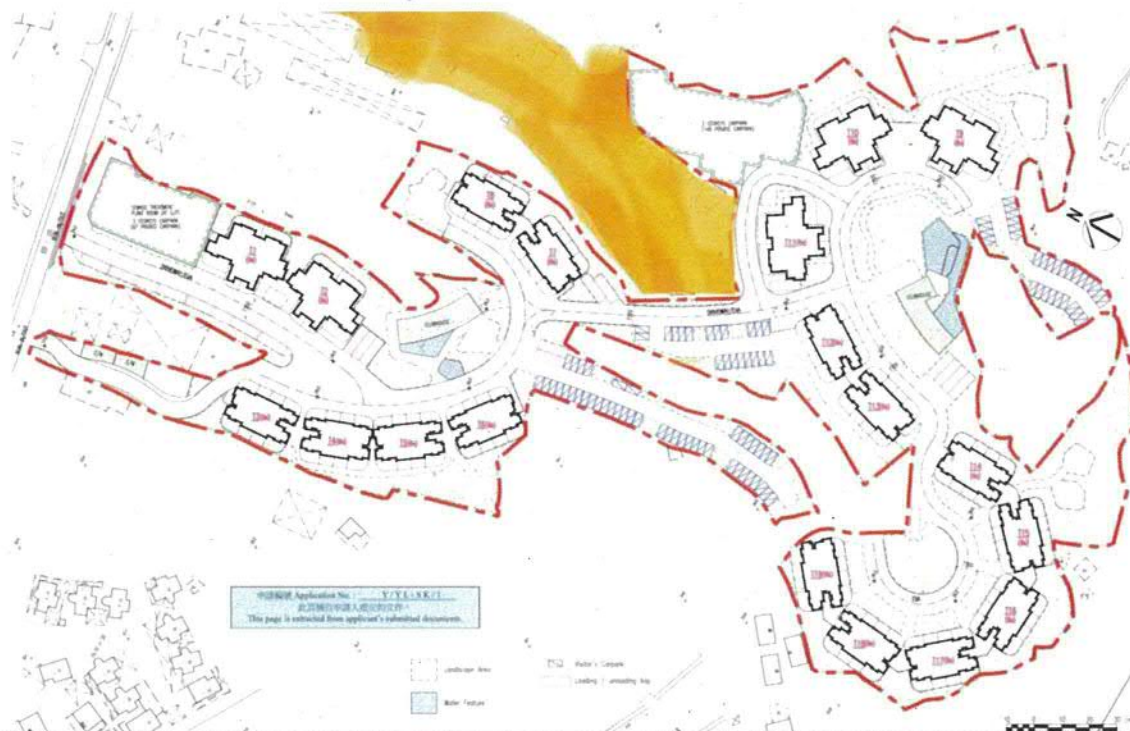


Fig.1 Wah Yuen, as shaded in yellow (Source: Gist Pg 9: Indicative Master Layout Plan)

Wah Yuen is a private compound comprising 9 detached houses each with spacious garden, founded by eminent members of the society back in the late 1970s, including Dr Chiu Hin Kwong OBE, JP [招顯洸醫生 OBE 太平紳士], whose name is widely recognised by the Chiu Hin Kwong Heart Centre of the Hong Kong Baptist Hospital, Professor Philip Shen, formerly College Head of Chung Chi College, CUHK (沈宣仁教授, 曾任崇基學院院長等職), and local successful business families. The choice of land was abundant at the time and the location of Wah Yuen was picked with optimal fung shui benefits, with view of the Tai Mo Shan mountain from all our windows. The location was chosen to ensure privacy, hence setback away from the main road by around 90m.

Change of ownership of Wah Yuen has been few and far between, currently residing within the compound, we have one original owner still, and few second-hand owners. Last transaction for the detached house was over 11 years ago. All the residents are well settled within the compound and we pay great care and expenses in upkeeping all our houses in good conditions and we enjoy the lifestyle (greenery views / wildlife including singing of birds / sunlight and natural wind) of the rural environment. Just like the potential buyers of the PD, we come from all walks of life, with the yearning of a greenery rural natural environment. Yet, is it not ironic that in order to create such environment for the potential buyers of the PD, that the PD will be destroying exactly what we have?

We are all here to stay with our family. We take good care of the compound, with good relationship with the village head and the local district councillor.

2. Proposed Development in relationship to Wah Yuen

As can be seen from fig 1 above, the Proposed Development engulfs Wah Yuen so to speak. The PD is a stone's throw away from our 3-storey houses. In particular for T7 (6 storeys), T8 (6 storeys), T11 (6 storeys), and the carport (3 storeys), these are right adjacent to our houses.

Given the drastic difference in height (3 storeys ~ 8.23 m) for Wah Yuen, and that of the PD (6 storeys 18.15m plus landfill of 1.5m), the new development will be totally towering over us, with wall effect. There will be detrimental impact on us regarding:

- Visuals;
- Sunlight;
- wind circulation;
- air pollution (planned 3-storey carpark right adjacent to three of our houses) and
- noise (proposal estimated new residents of 2,380).

Plans of building setback from Kam Sheung Road and green buffers along the edge of the development site boundary are mentioned in the Application, these are almost irrelevant as far as protection of neighbourhood is concerned except for the benefit of the PD. Where such buffers are needed along the boundary of the PD with Wah Yuen, these are totally absent.

In addition, between the edges of Wah Yuen and buildings T7 and T8 of the PD, there is a brook which splits into 2 streams flowing into the PD. Throughout all the years, water flowed smoothly through their paths, yet in recent years due to the development work of the Application site, the movement of water became stagnant. We had throughout all this time reported the situation to the local District Councillor and village head of Sheung Tsuen. We

were told that there is not much we could do due the private ownership of the Application site. Our concerns were vindicated with the heavy rainstorm of 29th August 2018, which caused flooding to all the houses in Wah Yuen. This situation still has not been improved despite our continuous reporting to the same parties above. We are in the utmost fear of the negative impact of the PD will have on this brook DURING construction, as well as AFTER completion.

On a more macro basis, with total vehicle spaces of 275, and estimated new residents of 2,380, there will certainly be a burden to Kam Sheung Road and the public transportation. The PD is 4.3 km away from Kam Sheung Road Station, not walking distance, feeder public transport is necessary. Currently in the peak hours, residents waiting for public buses/ minibuses to Kam Sheung Road Station along Kam Sheung Road have difficulty getting on the vehicles beyond the Shell station already. It takes two or more buses before one can get on.

There is no part in the Application where Wah Yuen is mentioned. And from the plan of the PD, it seems that the Applicant has not taken the welfare of Wah Yuen into consideration at all. Our environment in Wah Yuen is detrimentally affected by the PD, yet there is total absence of mentioning of Wah Yuen in ALL of the consultants' reports (Traffic / Landscape / Visual / Noise / Drainage / Sewerage / Water Supply).

3. Misrepresentation of facts in the Application

Before we move on to more details on the negative impacts of the PD due to its total neglect/lack of consideration of the existence of Wah Yuen, we feel that there are various areas within the Executive Summary that are we do not agree with. We would like to highlight these below. Below referencing and extract follows that of the Executive Summary.

- i. (f) Technical Assessments demonstrated that the Proposed Development *will not result in insurmountable visual, traffic, landscape, noise, drainage, sewerage and water supply impacts.*
- ii. 2.3.1) The site is located in areas with low-rise settlements, open storages and scattered active farmland. The immediate surroundings of the Site have the following characteristics (see (Figure 2.4):
 - a. East – Lai Uk Tsuen / Tsang Uk Tsuen / Tse Uk Tsuen as well as a declared monument – Chik Kwai Study Hall in Lai Uk Tsuen;
 - b. West – Lin Fa Tei Village, further SW Shui Tsan Tin / Ngau Keng;
 - c. North – across Kam Sheung Road, zoned 'Agriculture' with temporary structures;
 - d. South – 'Agriculture' abandoned farmland.

Wah Yuen, which is totally wrapped and engulfed by the Proposed Development, is not mentioned at all. This is telltale sign that the design of the PD, has not taken into consideration of Wah Yuen at all.

- iii. 2.4.1) Site is located only about 2.4km away from Kam Sheung Road Station.
By public transportation, only way is along Kam Sheung Road/ Tung Wui Road, the distance is 4.3km, NOT 2.4km. During morning peak hours, this will take 25 mins or more.

iv. 2.5.2) Minor relaxation of plot ratio and building height restrictions

Afraid we do not see this as a minor relaxation. The PD contains 19 buildings twice as high, at 6-storey high, and a car park of 3-storey high, right outside our windows. Not quite sure why relaxing plot ratio means 6-storey. We are totally against 6-storey buildings constructed right next to us.

v. 3.3.2) Plot ratio of the area would gradually decrease from Kam Sheung Road Station (PR of 3) to Kam Shui South Road (with a PR of 0.8) spanning about 1.5km from east to the west. The Land Use Review (LUR) concludes that the development proposals of the area would respect and integrate with the adjoining low-rise and low-density rural settlements.

The Rezoning Site is located only about 700m away from the eastern peripheries of the boundary of Kam Tin South and Pat Heung area.

Planned Kam Tin South/ Pat Heung area developments are close to the Kam Sheung Road Station if along Kam Sheung Road, or on other roads such as Kam Shui South Road, or Kam Ho Road near the MTR Pat Heung Maintenance Centre. These areas have been planned for higher plot ratios, and we understand the rationale. However, further along Kam Sheung Road towards where Wah Yuen is, this is an area with well-established villages with low-rise 3-storey houses already. By saying that the rezoning site is a mere 700m away (we do not agree it is 700m btw, we measure it as 1km from junction of Kam Sheung Road and Kam Shui South Road to the PD) is not fair as where does this exception end then ? The Kam Tin South / Pat Heung area for development has been well planned and it is not fair that vested interest players keep seeking for change of goalpost. The area attracts people coming to live, based on their views of whether they want to be closer to the MTR, hence more dense dwellings, or further away, hence low-rise with more space. It is not fair that such planning is disturbed just because such player has accumulated enough land as their justification. If this sets the precedent allowing such change of rule. Where on Kam Sheung Road with similar 'exception' will end ? The whole of the rural environment would disappear then.

vi. 3.4.1) Lin Fa Tei and its surrounding area has a general rural setting and mainly occupied by low-rise residential developments and village settlements, open storages and agricultural land. The area is gradually evolving to have more low-rise residential developments. There is potential to catalyse the transformation of the local area to improve the living quality.

The PD will in fact totally ruin our Wah Yuen compound, blocking our views, sunlight and airflow, and will have unfathomable detrimental effect on our living quality. It remains a myth as to why the presentation totally omitted the existence of Wah Yuen, which is a stone's throw away from the development, when the development is totally engulfing our whole complex.

The spiel about improvement of living quality does not apply to us, in fact as if we haven't said enough, this is ruining all our residences in Wah Yuen in all aspects.

4.1.3) It is evident that the current permissible plot ratio of 0.2 and 2 storeys in height under "R(D)" does not provide sufficient incentive for permanent residential developments with proper infrastructures.

There are three large scale residential developments in the area, two of these are over 100 houses, and one over 240 houses. These are all 2-storey, or 3-storey houses. Below such scale, there are also medium sized developments of over 30-40 houses. All these have proper infrastructures, not sure why 6-storey buildings are used to justify for the infrastructure. We are not expert in plot ratios and developers' profit calculations, but if applying the logic of this Application, so all such existing large scale 3-storey developments were loss-making, or have no infrastructure ?

- vii. 4.1.5) Site currently comprises only few numbers of temporary structures for the storage of building materials in the north, whilst majority of the Site (about 75%) comprises vacant and abandoned farmland in the south.

Whilst the above is a correct statement, but without mentioning the existence of Wah Yuen which the PD is enveloping in the document (including the Appendices), this runs into the risk of misleading the reader that there really is nothing around the site, hence no impact on its neighbourhood.

- viii. 4.1.6)

The Applicant and its subsidiary companies have spent tremendous efforts, resulting in successful private land assembly and formulation of innovation solutions to site constraints. The development restrictions of "R(D)" zone will defect the development potential of the Site with substantial landholdings of over 4ha, as well as the potential for a comprehensive upgrading of the environment.

It seems twisted logic here that as long as the Applicant has assembled enough land, then it has justification to change the planning guidelines, such as plot ratio, and restriction in height ? Our environment in Wah Yuen will be totally degraded, NOT upgraded.

- ix. 5.2.2) The relatively small building footprint would also maximise the air permeability of the development and minimise its impact on wind capturing potential of the surrounding neighbourhood.

From Wah Yuen's perspective, air permeability will be gone, we will be totally walled, and airflow will be totally jeopardized.

- x. 5.2.3), fig. 5.2

Building setback - 50m set back from kerb line of Kam Sheung Road – further enhance air ventilation and form the breeze ways along Kam Sheung Road. In addition, the proposed development also offers a Green Buffer with appropriate landscape treatment along the edge of development site boundary. By offering a green buffer, it would be able to soften the building edge of the building blocks, as well as providing a visual relief to the public and surrounding neighbourhoods.

The current PD has the 6-storey buildings T7, T8 and T11 right adjacent to our houses in Wah Yuen. There is also a 3-storey carpark right against the wall of three of our house in our compound. All our views will be gone, all our sunlight will be gone, all our

wind will be gone. And with the carpark, our health will also be gone. To sum up, we are totally ruined, and the value of our treasured home will be hugely negatively impacted too.

There are NO building setbacks, NO green buffers in place at all in the PD as far as the boundary with Wah Yuen is concerned. The described building setbacks and green buffers have only benefits to the residents of the PD, that's all.

- xi. 5.4.2) Green buffer plantings along the site boundary to maintain a high landscape visual quality to the neighbourhood.
There is no visual quality consideration for Wah Yuen at all when the PD is towering all over us. Such Green buffer area is for the benefit of the residents of the PD rather than anyone, really.
- xii. 5.5) Visual Impact – The resultant visual change due to the PD is considered acceptable. Sensitive design measures (i.e. building setback...) to mitigate and improve the condition, quality and character of the area. The resultant visual change due to the Proposed Development is considered acceptable.
Total disregard of Wah Yuen in the plan.
- xiii. 5.6 Noise impact)
This section discusses the impact of noise on the PD, but not vice versa. The noise impact on Wah Yuen from the PD will be further discussed in Part 4 below.
- xiv. 7.5.1) Each of the building blocks is designed with a relatively small building footprint with generous open space at grade level. The relatively small building footprint would also maximise its impact on wind capturing potential of the surrounding neighbourhood.
All our open space will be shadowed by the 6-storey buildings, no sun, no wind, no view, no more nature. It seems that the Applicant has this rhetoric of describing the PD as small building footprint with no impact on the surrounding neighbourhood. Compared to our existing 3-storey houses, 6-storey buildings already drowns us on all front.

4. Negative impacts of the Proposed Development on Wah Yuen – Permanent impact

- i. Visual / sunlight / air circulation / air pollution / noise

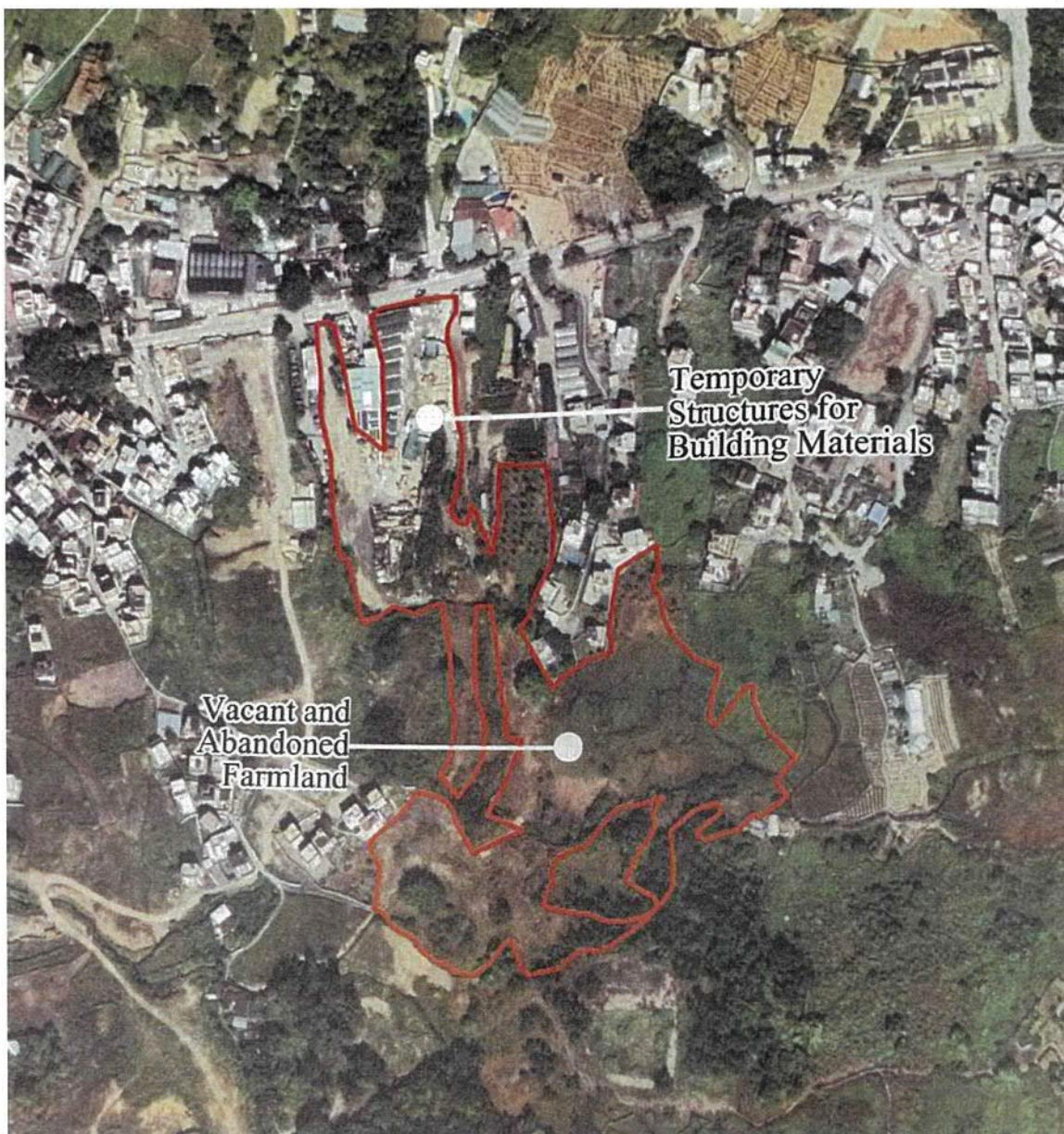


Fig. 2 Aerial Photo of the Site (Source Fig 4.2 of Executive Summary)



Fig 3. Landscape Master Plan (Source: Gist Pg 11)

Compared to our existing 3-storey houses, the PD comprises:

- 2 car parks – one of these being a 3-storey carpark holding 148 private car spaces backing on three of our houses on the eastern side of the Wah Yuen compound.
- Residentials - 19 blocks of 6-storey buildings, each with height of 18.1m (plus 1.5m landfill). Each of the 19 buildings will house 44 units on average, hence each building around 125 residents. In particular buildings T7, T8 and T11 are stone's throw away, right adjacent to our houses in Wah Yuen.

Given how Wah Yuen will be U-shaped engulfed by the PD, it is only intuitive to anyone that all our existent view / sunlight / airflow will be totally blocked.

Visual

Please see below a 3D simulation of how our compound will look like after the PD.



Fig 4 (flesh colour – Wah Yuen houses, grey colour – PD)

Due to limited budget, we can only show the visual above using one angle. However, guess it needs no imagination to visualise that our houses will be totally walled in. This has a devastating impact on our lives, as well as the monetary values of our properties.

Views, sunlight, air circulation etc, all these important features of the environment that attracted us to live here, to spend material amounts in making our homes that of a lifetime dwelling, are going to be gone with the proposed plan.

It is interesting that the Application gist includes the skyline of the PD from the angles of :

- Lin Fa Tei bus stop (westbound) along Kam Sheung Road;
- Lai Uk Tsuen Bus Stop (eastbound) along Kam Sheung Road;
- Front Entrance of the Chik Kwai Study Hall.

Has there been consideration of the complete visual blockage of all our views in Wah Yuen when the plan is 'kissing' our houses ?

As can be seen from the aerial photo above in fig, 2, there are almost no residential houses along the boundary of the plot, except for Wah Yuen.

The question of why, of all the planning of the buildings the Applicant can have, why the current plan has to have 6-storey buildings and 3-storey carpark RIGHT ADJACENT to our houses ?

Sunlight and Air Circulation

As an illustration of the huge change in sunlight before and after the PD is constructed, the Interactive Sun Path Diagram per the Hong Kong Observatory has been used. Taking approximation of our garden having a width of 18m, wall height at 2m, and the PD with height of 18.15m, here are the findings:

As at 29/5/2022:

	Before	After
When half of garden is in shade	18:00	16:02
Last sunlight (when garden is in full shade)	18:29	16:39

As at 29/11/2022:

	Before	After
When half of garden is in shade	16:34	13:39
Last sunlight (when garden is in full shade)	17:04	14:54

Looking above, we are losing at least 2-3 hours of the sun each day in the afternoon if the PD is built. Similar implication can apply for sunrise.

In addition, given the 6-storey buildings are towering over our houses, during winter time, with the sun at altitude of ~44-46 degrees maximum, we will basically have NO DIRECT sunlight at all times in the afternoon as the new buildings will be blocking the sun.

With the towering wall effect, besides the devastating impact it will have on our views and visuals, sunlight, air circulation will be hugely impacted.

Air pollution

It appears that a 3-storey carpark holding 148 private car spaces is to be built right next to three of our houses. Firstly, we see that a 3-storey carpark is significantly higher than a 3-storey height residential house.

This design has no regard to our existing residents in Wah Yuen. There is so much spiel about building setback from Kam Sheung Road and green buffers along boundary areas with agricultural land, mainly for the benefit of the residents of the PD. Yet, for the boundary with Wah Yuen, this PD has 6-storey high buildings + 3-storey carpark right outside on our boundary wall, right in front of our windows ?

There does not seem to be any consideration for residents of Wah Yuen. Living in this rural environment, we are all receptive to new houses of similar height for residential purpose. Why does the Applicant have to have a 3-storey carpark leaning on our wall ? Why does it not have this structure leaning against its 19 blocks ? Why ?

Living next to an all-purpose 3-storey carpark building surely is not anyone's choice, and this is an understatement. It is totally not acceptable that the design of the Proposed Development has such disregard to our lives. We did not come to live in the rural area to have a carpark next to our windows.

So the Proposed Development is seeking for approval of 0.8 plot ratio, for building of 6-storey blocks, and as a result, justifying itself in building such 3-storey carparks backing onto 3 of our houses servicing its residents, which is totally ruining our environment and lives ?

Besides the great concern with the 24-hours running carpark outside our bedroom windows, with devastating visual impact on our homes, the 24/7 operation of the carpark means that we will suffer from noise, fumes and increase in air pollutant levels issues from the carpark.

In the area, there are existing 3 major housing developments by a major developer, these being:

- Seasons Palace 104 units (since 2006);
- Seasons Monarch 244 3-storey units (since 2009);
- Seasons Villas 112 units (since 2004)

(Above total number of units and years of completion are taken from local estate agent websites, for general reference.)

The above are all 3-storey complexes, with well developed infrastructures. So given the argument in the Proposed Development, were these loss-making projects ?

Applicant's justification in the "need" to have 6-storey structures is unfounded and twisted. So because of commercial profiteering reason, they can turn the rules and do whatever they want in the name of support of housing needs ? From a macro point of view, housing shortages would not be brought down by this development, as long as there are systemic problems of unequal distribution of housing resources.

Noise

The Noise Impact study (Appendix 5) seems to be assessing the noise affecting the Proposed Development only, as opposed to whether the PD is affecting the neighbourhood areas. As a noise mitigating measure for the benefit of the PD, there is mentioning of Building Setback.

Turning the table around, at Wah Yuen, we are concerned about the noise levels created by the PD. Currently, we enjoy the nature environment, the only 'noise' we have being singing of birds. We question whether these will all disappear when we are towered by the PD.

Also, it is mentioned that the two clubhouses will be equipped with central air-conditioning full time, so we question if such kind of 24 hours operation will have noise impact on us. Wah Yuen is right next the PD, humming noise of ventilating system of such scale non-stop 24/7

will be very significant given our serene environment. We strongly request for acoustic silencers and acoustic enclosures for these equipments. Also we strongly request for such equipment to not be facing towards direction of Wah Yuen.

Moreover, given the stone's throw distance of the adjacent 6-storey buildings, as well as the 3-storey carpark, we are extremely concerned with the noise that will be created. From our existing 3-storey houses to this sudden neighbourhood of 125 residents on average per building, this will definitely cause disturbance to our tranquil environment which we treasure so much. There is no information on the design of the carpark, whether it is completely enclosed or not, but a 24/7 operational carpark right next to our windows in the rurals, how is it possible that such planning arose ?

Wah Yuen houses are situated between 90 to 220 m away from Kam Sheung Road, we enjoy the sound of nature, birds etc. This environment of nature will disappear once the development is built, as the 6-storey buildings will be shielding us from the existing greenery and views and nature. Moreover, we will be on the receiving end to the 24/7 ventilation system in the two clubhouses, as well as the noise arisen from activities of a potential of 125 residents per 19 buildings, and the 24/7 usage of the 3-storey carpark.

ii. Drainage

Regarding the drainage impact, this is one critical issue for Wah Yuen.

Westbound area of Wah Yuen, between the edges of Wah Yuen and buildings T7 and T8 of the PD, there is a brook which splits into 2 streams flowing into the PD. Throughout all the years, water flowed smoothly through their paths, yet in recent 5 years due to the development work of the Application site, the site has become brownfield site. Since then the water becomes almost stagnant and the previous flow movements along the stream cannot be seen anymore. Moreover water level of the stream rises high, and too quickly, even after moderate rainfall. Some Wah Yuen residents even need to install electric pumps to bump away the backflow of water from our houses. As much as we repeatedly made reports to our Local Councillor and village head, we were informed that there is not much that they could do as the land where the stream path is blocked is under private ownership.

Our concerns were vindicated with the heavy rainstorm of 29th August 2018, which caused flooding to all the houses in Wah Yuen. We had to call for support from the Police and Fire Departments to rescue us, water level was 20cm in some of our houses. From the main road Kam Sheung Road to Wah Yuen along the driveway, water level was over 30cm. Within 11 days on 9 September there was the typhoon Mangkhut, we had to procure and install electric pumps to bump away the backflow of water caused by the overflow outside the western wall of Wah Yuen. This situation has still not been improved despite our continuous reporting to the same parties above. As the proposed plan shows landfill in the area where the brook flows into, we are in the utmost fear of the negative impact of the PD will have on this brook DURING construction, as well as AFTER completion,

Given the above, in the summer rainy seasons, we can only resort to ad hoc measures such as sandbags / flooding prevention panels over main doors. And every heavy rain forecast is nerve wrecking to our residents.

Per the Application, this stream seems to have disappeared and landfilled. Not sure if the measures as mentioned in the Drainage Impact Assessment address the situation of this particular waterflow. In any case, this issue needs to be managed with utmost planning as during construction time, construction debris can immediately block the already non-flowing stream. Flooding risk will certainly increase and this will be catastrophic.

As such this drainage issue needs to be addressed before the start of construction before the landfill covering the stream, and this is not clear from the Application material.

Per the Drainage Impact Assessment, Table 4.4 tabulates the Proposed Condition with DSD planned works under scenarios 10A, 50A and 200A for 7 Control Points. We note that there are 7 occurrences where freeboard is positive per the table. This is our laymen's reading, obviously we are no expert. As with all the other Appendices, we are extremely concerned that the Applicant has not taken the welfare of Wah Yuen into its consideration in the Drainage Impact study.

iii. Traffic

Regarding the Traffic Impact Assessment, we have the following comments:

- a) The report only picked 4 main road junctions as study sample. It has not investigated the impact of the traffic and parking issues within Kam Sheung Road and Pat Heung area, such as Kam Tin town center (main local shopping area meeting our daily needs) and Sheung Tsuen bus stop area (where there are about 6-7 restaurants, one grocery shop, car repair shops and property agents). Even on weekdays, one can hardly find a parking space in these two areas. We cannot imagine the addition of another 2,380 inhabitants from the PD. The situation will be overwhelming to handle.
- b) How do we tackle the parking issue of the Park and Ride facility in Kam Sheung Road station as this PD caters for 275 additional motor vehicles to this area. The Park and Ride carpark is always full after 10 a.m. each day. We are not sure the car park will be down sized or not when the new property development in Kam Sheung Road station starts soon, surely any increase would not be just for such 275 increase in motor vehicles ?
- c) The PD is 4.3 km away from Kam Sheung Road Station, not walking distance, feeder public transport is necessary. The impact study has not mentioned mini buses No 72 and No 23 and the Sunlight Bus NR 918 that goes to Central/Wanchai area. These are always very popular and fully loaded during peak times in the morning. Also, one can hardly find taxis available in the peak hours. What would be the impact when 2,380 inhabitants are added ?

- d) Junction C (Kam Sheung Road / Kam Tin Road) will reach full capacity soon. Nothing solid mentioned on how this will be resolved in the improvement proposal.

5. Negative impacts of the Proposed Development on Wah Yuen – Impact during Construction

Regarding the impact during the construction period, the proposal has not taken Wah Yuen into its consideration at all.

- a) **Structural impact** – Wah Yuen is a compound of over 42 years. The impact of the construction work few metres away from us on our foundation is not within our laymen's grasp, but we fear for the worst.

During the construction of the Shek Kong Stabling Sidings (High Speed Rail train repair center) along Kam Sheung Road a few years back, neighbouring villages including Lai Uk Tsuen, Tsang Uk Tsuen, Tse Uk Tsuen and us in Wah Yuen have suffered different degrees of damages including cracks and subsidence.

How will our 42-years old houses be able to bear such heavy construction work ? This is rural land where small scale 3-storey buildings have been built, most times by small scale developers / contractors. We fear that the large scale 6-storey construction, built at literally stone's throw away from our houses will cause structural cracks and damages to our houses.

What protection do we have in Wah Yuen when the site is only a few meters away from Wah Yuen at closest point. Is this going to be a scenario of having to prove the damages before our voice would be heard ? **This would bring huge psychological stress to our lives throughout the 5 years of construction.**

- b) **Noise impact** - During construction period, how to minimise the noise pollution, again nothing mentioned in the impact assessment.
- c) **Drainage impact** - It is mentioned that during construction period, the north channel will be connected to a new system replacing the existing blocked portion. However it is not clear how Wah Yuen is covered for the risk of flooding during this interim construction period. As mentioned in previous section 4 above, since the Applicant's site has turned to brownfield site, the stream along the outside edge of Wah Yuen does not flow well anymore and water level rises rapidly after each bout of heavy rain. Moreover, with the construction work, construction debris can immediately block the already non-flowing stagnant stream. **As such this drainage issue needs to be addressed before start of construction, before the landfill covering the stream. This is not clear from the Application material.**
- d) **Air pollutant impact** – we will be totally exposed to construction contaminants and dust during the full period of construction, it is not seen from the Applicant's material as to how such impact would be minimized. Our dwellings are not flats where we could just close our windows, we have our outdoor garden areas which will be badly affected;

- e) **Traffic impact** - The proposal has not assessed issues of how the construction heavy trucks and cranes would have impact on the traffic along Kam Sheung Road during construction period.

The completion date of the PD is 2027, this means construction period will be 5 years roughly. 5 years of continuous suffering under above scenarios is health damaging and distressful to say the least. Needless to say, there will be financial detriments to us as well in terms of repairs and cracks which take time to prove (if at all), as well as the adverse impact on the market values of our homes.

6. Conclusions

To summarise the above sections,

Permanent Impact:	
Before	After
- Greenery Views	- All Views blocked
- Singing of birds	- 24/7 ventilation system of the club houses - 24/7 carpark operation right next to us - 125 residents per building x 19, right next to us
- Natural sunlight	- Sunlight cut by 2-3 hours during afternoon each day - No direct sunlight at all in winter as 6-storey buildings towering over us
- Natural air circulation	- Wall effect
- Rural freshness of air	- Air pollutants from carpark right next to us
- Drainage problem exacerbated in last few years since brownfield	- Unknown if situation will be worse
- Traffic	- added burden on public transport, parking facilities and the already congested Kam Sheung Road

Impact during Construction period (5 years roughly):

- High risk of structural damage to our houses in Wah Yuen due to the proximity from the development;
- Noise from construction site;
- Increase risk of flooding on western side of Wah Yuen wall due to construction debris;
- Construction contaminants and dust impact, especially on our outdoor area; and
- Traffic impact with the construction heavy trucks and cranes as the site is right next to us.

As a house compound, we are one of the earliest one along Kam Sheung Road, with detached houses and each with our gardens. We are all proud owners of our homes and we have spent

significant amount of monies in maintaining and updating our houses throughout all the years since 1979.

From the day when we had sight of the gist details made available publicly, the sentiment of all the residents in Wah Yuen had been that of sadness, anger, and confusion.

Of course we support the development of housing in vicinity areas, in response to the need of housing requirements of Hong Kong. We support this whilst trusting in the well understood planning of the area, the boundary of the Kam Tin South / Pat Heung LUR (Plan 1), which is 1km away from the Proposed Development. Zoning of land around Wah Yuen are all agricultural land and V-zoned and we are of course open to development of nearby areas with zoning plans to build 3-storey residences, similar to ours in Wah Yuen. Yet to have all we have to disappear because the PD is close to us and twice as tall as our houses, this is a very disturbing situation to say the least.

Given the vastness of the Applicant's land, and the good intention of the Applicant's building setback as well as the green buffer measures for the benefit of the development's new residents, we sincerely hope that the Proposed Development would apply such measures to the boundary in Wah Yuen, for the benefit of us, the existing residents right next to the development.

We did not move from the city to the rural area to have a 3-storey carpark right next to our bedroom windows. We did not move to live in this compound knowing that there will be buildings twice of that of our homes right adjacent (4m closest) to us. The changes to our lives, of this proposed rezoning, is brutal, and it is just too hard to stomach.

We hope that this is not a case of 850 units vs 9 houses, not a case of the big developer vs our small complex, which has been here since 1979.

We beg that members as well as the officer in charge of this proposal to consider and hear our voice.

We are vehemently against the current proposed Application as represented.

We thank you for taking our views into your consideration on this Proposed Development.

Yours faithfully,

Residents of Wah Yuen

In case of any discrepancy between the English version and the Chinese version of this letter of comments, the English version shall prevail.

The Secretary of the Town Planning Board
15th Floor, North Point Government Offices, 333 Java Road, North Point, Hong Kong

Residents of Wah Yuen strongly object to Application Y/YL-SK/1:

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就 Y/YL-SK/1 申請提出強烈反對華苑居民:

Residents Signature :

居民簽署 :



Name (Print):

名(正楷) :

SUNG SUET WA

Address:

通訊:



Telephone number:

電話:



Residents Signature :

居民簽署 :

Siu Wai ho

Name (Print):

名(正楷) :

Suu Wai ho

Address:

通訊:



Telephone number:

電話:



Residents Signature :

居民簽署 :

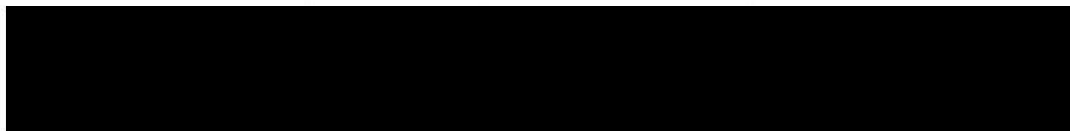


Name (Print):

名(正楷) : MAK Cho Wai

Address:

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Telephone number:

電話 :



Residents Signature :

居民簽署 :



Name (Print):

名(正楷) : MAK HOE YIN AIMEE

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Residents Signature :

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Address:

通訊:

Telephone number:

電話:

Residents Signature :

居民簽署 :

Wong Hin Mei

Name (Print):

名(正楷) :

黃小媚

Address:

通訊:

[Redacted Address]

Telephone number:

電話:

[Redacted Telephone Number]

Residents Signature :

居民簽署 :

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黃振富

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黃志強

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Residents Signature :

居民簽署 : 

Name (Print):

名(正楷) : ALICE CHAN

Address:

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電話:

Residents Signature :

居民簽署 : 

Name (Print):

名(正楷) : TANG YING TIP

Address:

通訊:

Telephone number:

電話:

Residents Signature :

居民簽署 : 

Name (Print):

名(正楷) : YIU YUET HO

Address:

通訊:

Telephone number:

電話:

Residents Signature :

居民簽署 :

Jean C Soberano

Name (Print):

名(正楷) :

GLORY JEAN C. SOBERANO

Address:

通訊:



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Residents Signature :

居民簽署 :

Name (Print):

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Residents Signature: 陳鈞豪 Jeff
居民簽署:

Name (Print): 陳鈞豪
名(正楷):

Address:
通訊:

Telephone number:
電話:

Residents Signature: (W)
居民簽署:

Name (Print): 陳詠琛
名(正楷):

Address:
通訊:

Telephone number:
電話:

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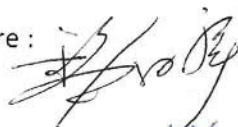
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Name (Print):

名(正楷):

黎日祥

Address:

通訊:

[Redacted address]

Telephone number:

電話:

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Residents Signature :

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Name (Print):

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Address:

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溫玉秀

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Residents Signature :
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LAI HO YAN WT

Address:
通訊:



Telephone number:
電話:



Residents Signature :
居民簽署 :



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Residents Signature :

居民簽署 :



Name (Print):

名(正楷) :

ALLEN C. MANGCO

Address:

通訊:



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電話:



Residents Signature :

居民簽署 :



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ALLEN C. MANGCO

Address:

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Residents Signature :
居民簽署 :



Name (Print): K. Ng
名(正楷) :

Address:
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Telephone number:
電話:



Residents Signature :
居民簽署 :



Name (Print): M. Tam
名(正楷) :

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通訊:



Telephone number:
電話:



Residents Signature :
居民簽署 :



Name (Print): Y.S. Yew
名(正楷) :

Address:
通訊:



Telephone number:
電話:



尊敬的城市規劃委員會秘書：

就 Y/YL-SK/1 號申請向城市規劃委員會提出意見

我們是新界元朗上村錦上路華苑的居民，上述擬建中的物業開發專案（以下簡稱“擬建物業”）將華苑以 270 度包圍。經審閱規劃署提供的計劃和檔后，我們認為擬建物業並未在其規劃中考慮到其對華苑的影響，並進一步申明華苑居民的整體福祉和健康將因本開發專案受到不利影響。

我們就 Y/YL-SK/1 申請提出強烈反對。

1. 華苑簡介

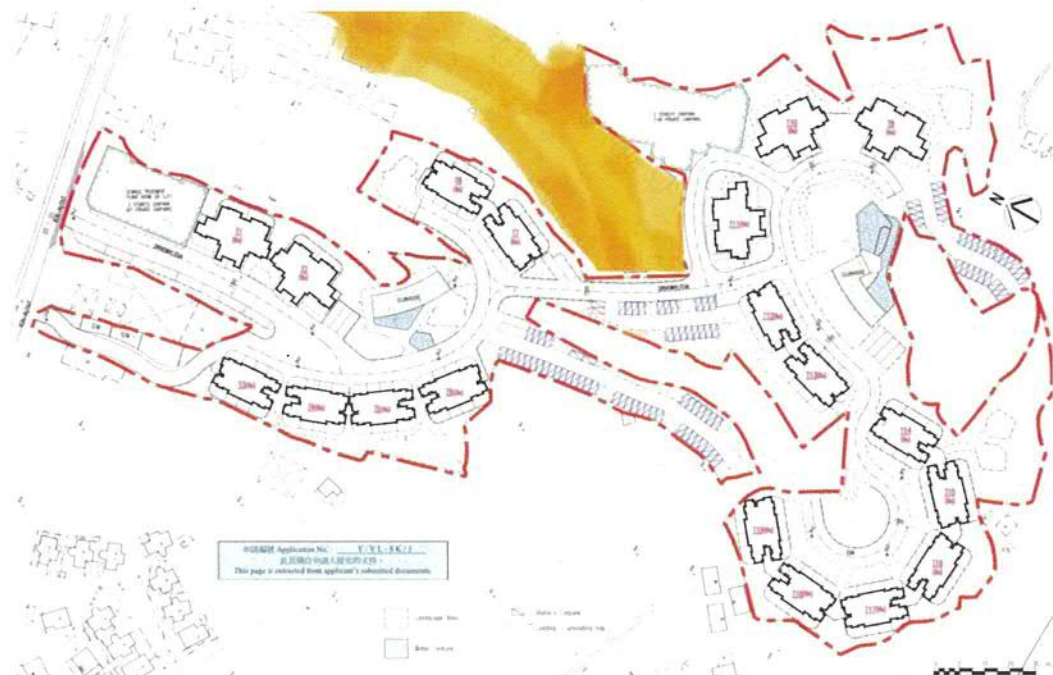


圖 1：華苑（黃色所示區域）。來源：摘要第 9 頁，指示性總體布局圖

華苑是一個由 9 間均帶有寬敞花園的獨立屋組成的私人屋苑，由社會知名人士於 1970 年代後期創立，其中包括因香港浸會大學招顯洸心臟中心而廣為人知的招顯洸醫生，OBE，太平紳士，曾任香港中文大學崇基學院院長的沉宣仁教授，以及本地成功的從商家庭。當時土地選擇豐富，華苑選址風水最佳，所有的窗戶均有大帽山景觀。選擇該位置是基於確保隱私考量，也因此距離主幹道約 90m。

華苑的業權變動少之又少，目前居住在小區內，仍有一位原初的業主及幾位二手業主。獨立屋的最後一筆交易是在 11 年前。所有的居民都安居於屋苑內，付出了

極大的心血及財務支出以維護房屋的良好狀況，同時亦享受鄉村環境所賦予的生活方式（綠色景觀/野生動物（包括鳥鳴）/陽光和自然風）。就像擬建物業的潛在買家一樣，我們來自各行各業，懷著對綠意盎然的鄉村自然環境的嚮往。然而，為了給擬建物業的潛在買家創造這樣的環境，以摧毀我們正擁有的為代價，這難道不具有諷刺意味嗎？

我們闔家居住於此，悉心維護屋苑，並與村長和區議員關係良好。

2. 擬建物業與華苑的相關性

從上面的圖1可以看出，擬建物業將吞沒華苑，並距我們的3層樓高的房子只有一箭之遙。特別是T7（6層）、T8（6層）、T11（6層）和車庫（3層），都與我們的房屋緊鄰。

鑒於華苑的高度（3層~8.23米）和擬建物業（6層18.15m加上1.5m的填埋場）的高度差異很大，新開發專案將完全聳立在我們之上，並帶有牆體效應，在以下方面對我們產生不利影響：

- 景觀及視野；
- 陽光；
- 通風；
- 空氣污染（規劃的3層停車場緊鄰我們的三所房子）和
- 噪音（提案預計新居民將達2,380人）。

申請書中提到了樓宇位置從錦上路后移並沿發展地盤邊界邊緣設立綠化緩衝區，這些對於保護鄰里而言幾乎是無關緊要的，只是對擬建物業有利，而恰恰在擬建物業與華苑的邊界需要這樣的緩衝區時，它們卻不在計劃中。

此外，在華苑邊緣與擬建物業T7、T8樓之間，有一條小溪分成兩股流入。多年來，小溪水流順暢，但近年來由於申請所在地的開發工作，水流變得停滯。我們一直在向當地的區議員和上村村長彙報這種情況。由於申請所在地屬私有，我們被告知對此情況無能為力。2018年8月29日的暴雨證實了我們的擔憂，暴雨導致華苑所有房屋均遭受水浸。儘管我們不斷向上述各方報告，但情況仍未得到改善。我們非常擔心擬建物業在施工期間和完工後會對這條小溪產生負面影響。

更宏觀地看，總車位275個及預計新增居民2,380個，一定會給錦上路和公共交通增加負擔。擬建物業距錦上路地鐵站4.3公里，無法步行到達，需依賴公共交通。現時高峰時段，沿錦上路等候前往錦上路站的公共巴士/小巴的居民已難以在蜆殼站以後上車，需要等待兩輛或更多輛公共汽車才能上車。

申請中沒有在任何部分提及華苑。從擬建物業的計劃來看，申請人似乎根本沒有考慮到華苑居民的福祉。華苑的環境受到了擬建物業開發的不利影響，但在所有的顧問報告（交通/景觀/視覺/噪音/排水/污水處理/供水）中完全沒有提到華苑。

3. 申請中對於事實的不實陳述

詳細分析請參照英文版。

4. 擬建專案對華園的負面影響 – 永久性影響

i. 視覺/陽光/通風/空氣污染/噪音

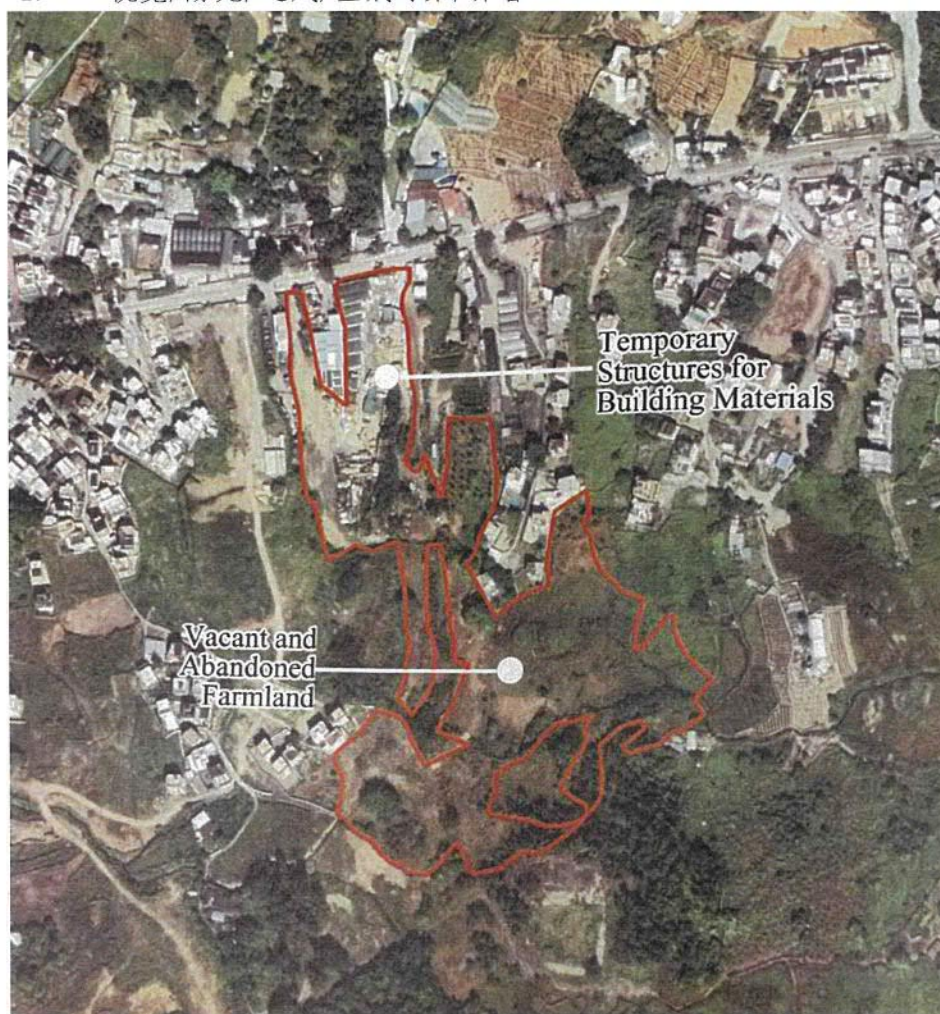


圖 2：位置航拍（來源：行證摘要圖例 4.2）



圖 3：景觀總圖（來源：摘要第 11 頁）

與華苑現有的相當於 3 層高的房屋相比，擬建物業開發專案包括：

- 2 個停車場：其中一個是 3 層停車場，可容納 148 個私家車位，毗鄰華苑東側的三間房屋。

- 住宅：19 棟 6 層高的建築物，每棟高度為 18.1m（加上 1.5m 填地）。19 座建築中的每一座都將容納平均 44 個單位，因此每座建築預計有約 125 名居民。尤其是 T7、T8 和 T11 大樓近在咫尺，緊鄰華苑原有的屋宅。

鑒於華苑將被擬建物業成 U 形吞噬，任何人都可以直觀地看到我們所有現有的視野/陽光/氣流將被完全阻擋。

視野

請參閱下面的 3D 模擬圖，了解我們屋苑在擬建物業建成后的的外觀。



圖 4：肉色為華苑原有房屋，灰色為擬建樓盤房屋

視野、陽光、空氣流通等，所有這些吸引我們來此投入大量的財力建造終生居所的重要環境特徵，都將隨著擬建物業的開發而消失。

值得注意的是，擬建物業摘要包括從以下角度的樓盤天際線：

- 沿錦上路的蓮花地巴士站（西行）；
- 沿錦上路的黎屋村巴士站（東行）；
- 植桂書室正門。

當擬建的開發計劃與我們的房子緊密接觸時，有沒有考慮到我們在華苑的所有景觀視野被完全遮擋？

上圖 2 的航拍照片顯示，除華苑外，沿擬建物業所在地塊邊界幾乎沒有住宅。

問題是，在開發商可以考慮的所有建築物規劃中，為什麼目前的規劃必須緊鄰我們的房屋建造 6 層樓的建築物和 3 層樓的停車場？

陽光,通風

為說明擬建物業建造前後太陽光的巨大變化,在此使用了香港天文臺的互動式太陽路徑圖。以我們的花園平均大概寬度 18 米,牆高 2 米,擬建樓盤的樓宇高度為 18.15m 的近似值計算,前後對比結果如下:

2022 年 5 月 29 日

	前	後
花園一半面積處於陰影中的時間	18: 00	16: 02
最後光照 (花園全部處於陰影中)	18: 29	16: 39

2022 年 11 月 29 日

	前	後
花園一半面積處於陰影中的時間	16: 34	13: 39
最後光照 (花園全部處於陰影中)	17: 04	14: 54

以上對比結果表明,如果擬建樓盤建成,我們每天下午至少會損失 2-3 個小時的日照時長,類似的結果也適用於日出。

另外,鑒於 6 層樓高聳於我們的房屋之上,在冬季,太陽的最大仰角是~44-46 度,我們在下午的任何時候基本上都會因新建築會擋住太陽而無直接光照。

高聳的牆壁效應,除了對我們的視野和觀感造成破壞性影響外,陽光和空氣流通也會受到巨大影響。其他有關噪音空氣污染以及排水問題以及交通問題的分析。

[其他有關噪音,空氣污染,排水以及交通問題的詳細分析,請參照英文版。]

5. 擬建專案對華園的負面影響 - 建設期影響

詳細分析請參照英文版。

6. 結論

永久性影響	
前	後
- 綠色景觀視野	- 所有視野被遮擋
- 鳥鳴	- 24/7 會所通風系統噪音 - 24/7 緊鄰停車庫的聲音 - 每棟 125 名居民 x 19 棟建築

- 自然陽光	- 每天下午日照時間縮短 2-3 小時 - 因 6 層樓房高聳在側，冬天將無直接日照
- 自然通風	- 牆壁效應
- 鄉村的清新空氣	- 源自緊鄰停車場的空氣污染
- 自棕色地帶以來，過去幾年排水問題加劇	- 問題是否惡化未知
- 交通	- 為公共交通，泊車設施加大壓力，加劇錦上路的擁堵

建設期影響（大致 5 年）：

- 由於靠貼開發專案，我們在華苑的房屋面臨結構性損壞的高風險；
- 來自建築工地的噪音；
- 增加華苑圍牆西側因建築工程而發生水浸的風險；
- 建築污染物和灰塵影響，尤其是戶外區域；及
- 重型建築卡車和起重設施在與華苑緊鄰的建築工地穿梭往來的影響

作為住宅社區，我們是錦上路最早的住宅屋苑之一，內有每座均帶有花園的獨立屋。自 1979 年始，我們作為自豪的屋主多年來花費了大量資金和心血來維護和更新我們的家園。

從我們看到公開的摘要那天起，華苑所有居民的情緒一直是悲傷、憤怒和困惑。

當然，我們支持發展鄰近地區的房屋，以配合香港的房屋需要。我們支援這一點，同時相信該地區的廣為人知的規劃，即錦田南 / 八鄉 LUR 的邊界（Plan 1），距離擬建開發專案 1 公里。華苑周邊的土地分區均為農用地和 V 分區，我們當然對附近地區的開發持開放及歡迎態度，分區計劃建造 3 層住宅，類似於我們在華苑的住宅。然而，由於擬建物業離我們很近而且高度是我們房子的兩倍，我們現有的一切都將消失，是一個非常令人不安的情況。

鑒於申請人土地廣闊，加上發展商建築後退的善意，以及為發展專案新居民的利益而採取的綠色緩衝措施，我們衷心希望擬建專案亦將現有居民的利益的利益作為考慮的一部分，能將這些措施應用於華苑邊界。

我們從城市搬到鄉村建設終生家園，不是為了在臥室的窗邊有一個 3 層的停車場，不是為了在我們家宅的附近存在高於我們房屋兩倍的樓宇（最近距離僅為~4m）。擬議的重新分區對我們生活的改變是殘酷而難以忍受的。

我們希望這不是 850 個單位與 9 棟房屋的對立，也不是大型開發商與自 1979 年以來一直在這裡存在的小型屋苑的對立。

我們懇請城市規劃委員會成員以及負責該提案的官員考慮並聽取我們的聲音。

我們強烈反對目前提出的申請。

感謝您將我們的意見納入您對這項擬議發展的考慮。

此致，

敬禮！

新界元朗上村錦上路華苑業主

2022 年 6 月 3 日

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Comments to the TPB re: Y/YL-SK/1

04/06/2022 00:36

From:

To:

File Ref:

Tpbpd@pland.gov.hk

1 attachment



Letter small size - all signatures.pdf

Dear sir/madam,

Please find attached file "Letter small size - all signatures.pdf" regarding above.

For safety measures, I will also be sending this file to you by fax.

Grateful if you could confirm your receipt of this email and its attachments.

Yours faithfully,

M.Tam

Tel:

Done 6/6

Residents of Wah Yuen

3rd June 2022

Dear Secretary of the Town Planning Board,

Re: Comments to the Town Planning Board in respect of Application Y/YL-SK/1

We are resident to [REDACTED] of the compound Wah Yuen 華苑, in addition to the comments relating to our compound as a whole, we would like to share with you how our house will be affected by the Application.

The Proposed Development ("PD" hereafter) of above reference envelopes our compound 270 degrees. Having reviewed the plan and the documents made available at the Planning Department, we feel that no consideration has been taken into account of Wah Yuen in the planning of the PD. We feel that our general welfare, and health will be detrimentally affected.

We object strongly to the Application.

1. Wah Yuen Introduction

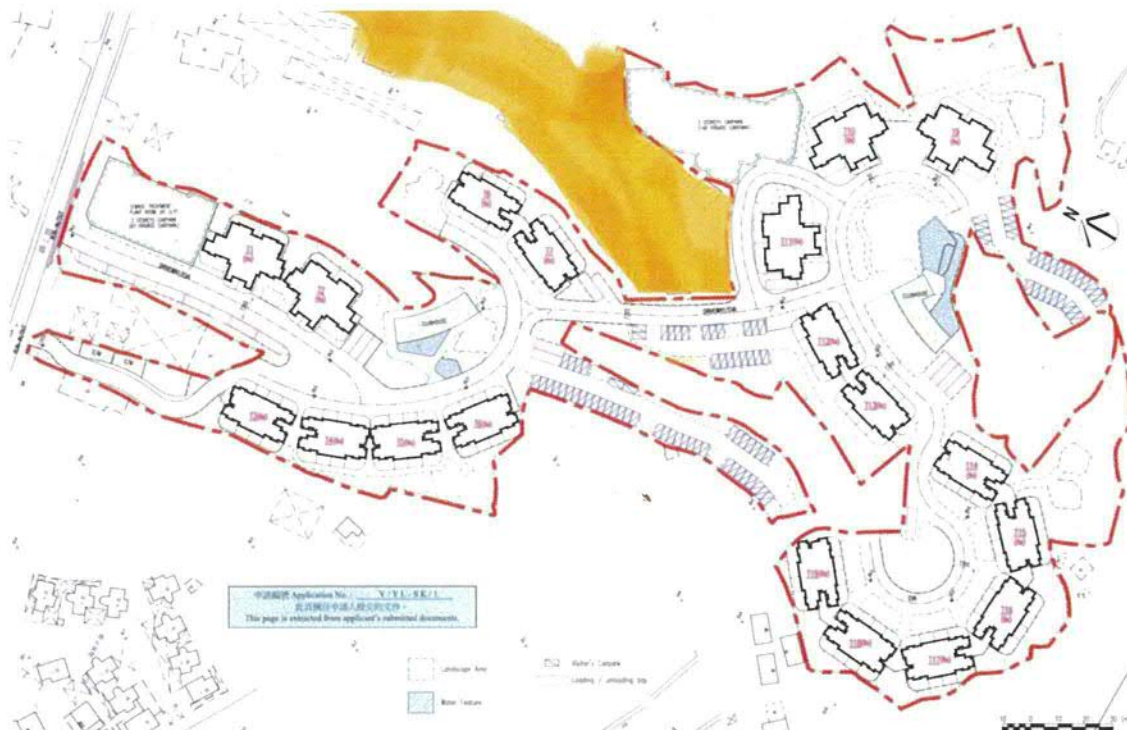


Fig.1 Wah Yuen, as shaded in yellow (Source: Gist Pg 9: Indicative Master Layout Plan)

Wah Yuen is a private compound comprising 9 detached houses each with spacious garden, founded by eminent members of the society back in the late 1970s, including Dr Chiu Hin Kwong OBE, JP [招顯洸醫生 OBE 太平紳士], whose name is widely recognised by the Chiu Hin Kwong Heart Centre of the Hong Kong Baptist Hospital, Professor Philip Shen, formerly College Head of Chung Chi College, CUHK (沈宣仁教授, 曾任崇基學院院長等職), and local successful business families. The choice of land was abundant at the time and the location of Wah Yuen was picked with optimal fung shui benefits, with view of the Tai Mo Shan mountain from all our windows. The location was chosen to ensure privacy, hence setback away from the main road by around 90m.

Change of ownership of Wah Yuen has been few and far between, currently residing within the compound, we have one original owner still, and few second-hand owners. Last transaction for the detached house was over 11 years ago. All the residents are well settled within the compound and we pay great care and expenses in upkeeping all our houses in good conditions and we enjoy the lifestyle (greenery views / wildlife including singing of birds / sunlight and natural wind) of the rural environment. Just like the potential buyers of the PD, we come from all walks of life, with the yearning of a greenery rural natural environment. Yet, is it not ironic that in order to create such environment for the potential buyers of the PD, that the PD will be destroying exactly what we have ?

We are all here to stay with our family. We take good care of the compound, with good relationship with the village head and the local district counsellor.

2. Proposed Development in relationship to Wah Yuen

As can be seen from fig 1 above, the Proposed Development engulfs Wah Yuen so to speak. The PD is a stone's throw away from our 3-storey houses. In particular for T7 (6 storeys), T8 (6 storeys), T11 (6 storeys), and the carport (3 storeys), these are right adjacent to our houses.

Given the drastic difference in height (3 storeys ~ 8.23 m) for Wah Yuen, and that of the PD (6 storeys 18.15m plus landfill of 1.5m), the new development will be totally towering over us, with wall effect. There will be detrimental impact on us regarding:

- Visuals;
- Sunlight;
- wind circulation;
- air pollution (planned 3-storey carpark right adjacent to three of our houses) and
- noise (proposal estimated new residents of 2,380).

Plans of building setback from Kam Sheung Road and green buffers along the edge of the development site boundary are mentioned in the Application, these are almost irrelevant as far as protection of neighbourhood is concerned except for the benefit of the PD. Where such buffers are needed along the boundary of the PD with Wah Yuen, these are totally absent.

In addition, between the edges of Wah Yuen and buildings T7 and T8 of the PD, there is a brook which splits into 2 streams flowing into the PD. Throughout all the years, water flowed smoothly through their paths, yet in recent years due to the development work of the Application site, the movement of water became stagnant. We had throughout all this time reported the situation to the local District Councillor and village head of Sheung Tsuen. We were told that there is not much we could do due the private ownership of the Application site.

Our concerns were vindicated with the heavy rainstorm of 29th August 2018, which caused flooding to all the houses in Wah Yuen. This situation still has not been improved despite our continuous reporting to the same parties above. We are in the utmost fear of the negative impact of the PD will have on this brook DURING construction, as well as AFTER completion.

On a more macro basis, with total vehicle spaces of 275, and estimated new residents of 2,380, there will certainly be a burden to Kam Sheung Road and the public transportation. The PD is 4.3 km away from Kam Sheung Road Station, not walking distance, feeder public transport is necessary. Currently in the peak hours, residents waiting for public buses/ minibuses to Kam Sheung Road Station along Kam Sheung Road have difficulty getting on the vehicles beyond the Shell station already. It takes two or more buses before one can get on.

There is no part in the Application where Wah Yuen is mentioned. And from the plan of the PD, it seems that the Applicant has not taken the welfare of Wah Yuen into consideration at all. Our environment in Wah Yuen is detrimentally affected by the PD, yet there is total absence of mentioning of Wah Yuen in ALL of the consultants' reports (Traffic / Landscape / Visual / Noise / Drainage / Sewerage / Water Supply).

3. Misrepresentation of facts in the Application

Before we move on to more details on the negative impacts of the PD due to its total neglect/lack of consideration of the existence of Wah Yuen, we feel that there are various areas within the Executive Summary that are we do not agree with. We would like to highlight these below. Below referencing and extract follows that of the Executive Summary.

- i. (f) Technical Assessments demonstrated that the Proposed Development *will not result in insurmountable visual, traffic, landscape, noise, drainage, sewerage and water supply impacts.*
- ii. 2.3.1) The site is located in areas with low-rise settlements, open storages and scattered active farmland. The immediate surroundings of the Site have the following characteristics (see (Figure 2.4):
 - a. East – Lai Uk Tsuen / Tsang Uk Tsuen / Tse Uk Tsuen as well as a declared monument – Chik Kwai Study Hall in Lai Uk Tsuen;
 - b. West – Lin Fa Tei Village, further SW Shui Tsan Tin / Ngau Keng;
 - c. North – across Kam Sheung Road, zoned 'Agriculture' with temporary structures;
 - d. South – 'Agriculture' abandoned farmland.*Wah Yuen, which is totally wrapped and engulfed by the Proposed Development, is not mentioned at all. This is telltale sign that the design of the PD, has not taken into consideration of Wah Yuen at all.*
- iii. 2.4.1) Site is located only about 2.4km away from Kam Sheung Road Station.
By public transportation, only way is along Kam Sheung Road/ Tung Wui Road, the distance is 4.3km, NOT 2.4km. During morning peak hours, this will take 25 mins or more.
- iv. 2.5.2) Minor relaxation of plot ratio and building height restrictions

Afraid we do not see this as a minor relaxation. The PD contains 19 buildings twice as high, at 6-storey high, and a car park of 3-storey high, right outside our windows. Not quite sure why relaxing plot ratio means 6-storey. We are totally against 6-storey buildings constructed right next to us.

- v. 3.3.2) Plot ratio of the area would gradually decrease from Kam Sheung Road Station (PR of 3) to Kam Shui South Road (with a PR of 0.8) spanning about 1.5km from east to the west. The Land Use Review (LUR) concludes that the development proposals of the area would respect and integrate with the adjoining low-rise and low-density rural settlements.

The Rezoning Site is located only about 700m away from the eastern peripheries of the boundary of Kam Tin South and Pat Heung area.

Planned Kam Tin South/ Pat Heung area developments are close to the Kam Sheung Road Station if along Kam Sheung Road, or on other roads such as Kam Shui South Road, or Kam Ho Road near the MTR Pat Heung Maintenance Centre. These areas have been planned for higher plot ratios, and we understand the rationale. However, further along Kam Sheung Road towards where Wah Yuen is, this is an area with well-established villages with low-rise 3-storey houses already. By saying that the rezoning site is a mere 700m away (we do not agree it is 700m btw, we measure it as 1km from junction of Kam Sheung Road and Kam Shui South Road to the PD) is not fair as where does this exception end then ? The Kam Tin South / Pat Heung area for development has been well planned and it is not fair that vested interest players keep seeking for change of goalpost. The area attracts people coming to live, based on their views of whether they want to be closer to the MTR, hence more dense dwellings, or further away, hence low-rise with more space. It is not fair that such planning is disturbed just because such player has accumulated enough land as their justification. If this sets the precedent allowing such change of rule. Where on Kam Sheung Road with similar 'exception' will end ? The whole of the rural environment would disappear then.

- vi. 3.4.1) Lin Fa Tei and its surrounding area has a general rural setting and mainly occupied by low-rise residential developments and village settlements, open storages and agricultural land. The area is gradually evolving to have more low-rise residential developments. There is potential to catalyse the transformation of the local area to improve the living quality.

The PD will in fact totally ruin our Wah Yuen compound, blocking our views, sunlight and airflow, and will have unfathomable detrimental effect on our living quality. It remains a myth as to why the presentation totally omitted the existence of Wah Yuen, which is a stone's throw away from the development, when the development is totally engulfing our whole complex.

The spiel about improvement of living quality does not apply to us, in fact as if we haven't said enough, this is ruining all our residences in Wah Yuen in all aspects.

4.1.3) It is evident that the current permissible plot ratio of 0.2 and 2 storeys in height under "R(D)" does not provide sufficient incentive for permanent residential developments with proper infrastructures.

There are three large scale residential developments in the area, two of these are over 100 houses, and one over 240 houses. These are all 2-storey, or 3-storey houses. Below such scale, there are also medium sized developments of over 30-40 houses. All these have proper infrastructures, not sure why 6-storey buildings are used to justify for the infrastructure. We are not expert in plot ratios and developers' profit calculations, but if applying the logic of this Application, so all such existing large scale 3-storey developments were loss-making, or have no infrastructure ?

- vii. 4.1.5) Site currently comprises only few numbers of temporary structures for the storage of building materials in the north, whilst majority of the Site (about 75%) comprises vacant and abandoned farmland in the south.

Whilst the above is a correct statement, but without mentioning the existence of Wah Yuen which the PD is enveloping in the document (including the Appendices), this runs into the risk of misleading the reader that there really is nothing around the site, hence no impact on its neighbourhood.

- viii. 4.1.6)
The Applicant and its subsidiary companies have spent tremendous efforts, resulting in successful private land assembly and formulation of innovation solutions to site constraints. The development restrictions of "R(D)" zone will defect the development potential of the Site with substantial landholdings of over 4ha, as well as the potential for a comprehensive upgrading of the environment.

It seems twisted logic here that as long as the Applicant has assembled enough land, then it has justification to change the planning guidelines, such as plot ratio, and restriction in height ? Our environment in Wah Yuen will be totally degraded, NOT upgraded.

- ix. 5.2.2) The relatively small building footprint would also maximise the air permeability of the development and minimise its impact on wind capturing potential of the surrounding neighbourhood.

From Wah Yuen's perspective, air permeability will be gone, we will be totally walled, and airflow will be totally jeopardized.

- x. 5.2.3), fig. 5.2
Building setback - 50m set back from kerb line of Kam Sheung Road – further enhance air ventilation and form the breeze ways along Kam Sheung Road. In addition, the proposed development also offers a Green Buffer with appropriate landscape treatment along the edge of development site boundary. By offering a green buffer, it would be able to soften the building edge of the building blocks, as well as providing a visual relief to the public and surrounding neighbourhoods.

The current PD has the 6-storey buildings T7, T8 and T11 right adjacent to our houses in Wah Yuen. There is also a 3-storey carpark right against the wall of three of our house in our compound. All our views will be gone, all our sunlight will be gone, all our wind will be gone. And with the carpark, our health will also be gone. To sum up, we are totally ruined, and the value of our treasured home will be hugely negatively impacted too.

There are NO building setbacks, NO green buffers in place at all in the PD as far as the boundary with Wah Yuen is concerned. The described building setbacks and green buffers have only benefits to the residents of the PD, that's all.

- xi. 5.4.2) Green buffer plantings along the site boundary to maintain a high landscape visual quality to the neighbourhood.
There is no visual quality consideration for Wah Yuen at all when the PD is towering all over us. Such Green buffer area is for the benefit of the residents of the PD rather than anyone, really.
- xii. 5.5) Visual Impact – The resultant visual change due to the PD is considered acceptable. Sensitive design measures (i.e. building setback...) to mitigate and improve the condition, quality and character of the area. The resultant visual change due to the Proposed Development is considered acceptable.
Total disregard of Wah Yuen in the plan.
- xiii. 5.6 Noise impact)
This section discusses the impact of noise on the PD, but not vice versa. The noise impact on Wah Yuen from the PD will be further discussed in Part 4 below.
- xiv. 7.5.1) Each of the building blocks is designed with a relatively small building footprint with generous open space at grade level. The relatively small building footprint would also maximise its impact on wind capturing potential of the surrounding neighbourhood.
All our open space will be shadowed by the 6-storey buildings, no sun, no wind, no view, no more nature. It seems that the Applicant has this rhetoric of describing the PD as small building footprint with no impact on the surrounding neighbourhood. Compared to our existing 3-storey houses, 6-storey buildings already drowns us on all front.

4. Negative impacts of the Proposed Development on Wah Yuen – Permanent impact

- i. **Visual / sunlight / air circulation / air pollution / noise**

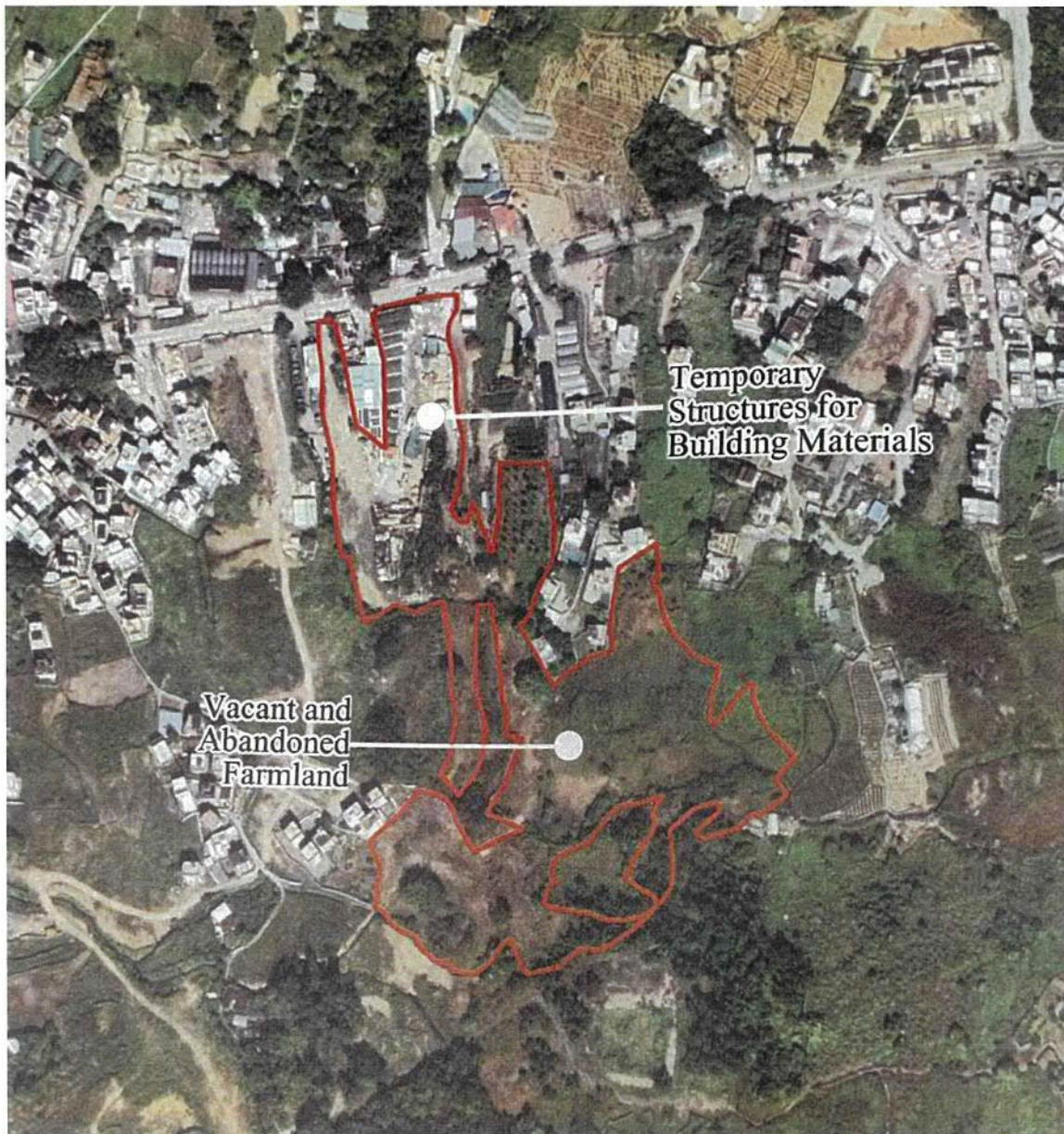


Fig. 2 Aerial Photo of the Site (Source Fig 4.2 of Executive Summary)



Fig 3. Landscape Master Plan (Source: Gist Pg 11)



Fig 4 (flesh colour – Wah Yuen houses, grey colour – PD)

Compared to our existing 3-storey houses, the PD comprises:

- 2 car parks – one of these being a 3-storey carpark holding 148 private car spaces backing on three of our houses on the eastern side of the Wah Yuen compound.
- Residentials - 19 blocks of 6-storey buildings, each with height of 18.1m (plus 1.5m landfill). Each of the 19 buildings will house 44 units on average, hence each building around 125 residents. In particular buildings T7, T8 and T11 are stone's throw away, right adjacent to our houses in Wah Yuen.

Given how Wah Yuen will be U-shaped engulfed by the PD, it is only intuitive to anyone that all our existent view / sunlight / airflow will be totally blocked.

Visuals

Please see fig.4 above a 3D simulation of how our compound will look like after the PD.

Due to limited budget, we can only show the visual above using one angle. However, guess it needs no imagination to visualise that our houses will be totally walled in. This has a devastating impact on our lives, as well as the monetary values of our properties.

Western side

Per the proposed plan, on the west side of our house it is proposed that there will be 2 6-storey buildings T7 and T8, closest being at around 4 metres away from us. All the green views that we have will be gone, instead it will be 2 x 6 storeys worth of someone's living rooms / bedrooms and domestic noise, at stone's throw distance. Privacy and our peaceful life will be totally gone. This has a devastating impact on our lives, as well as the monetary values of our properties.

Eastern side

On the east side of our house, what is view of our neighbours' houses, will become view of a 3-storey car park, backing right on the 3 neighbours' houses in the compound. A 3-storey carpark is sure to be taller than a 3-storey residential house. On top, the façade of such kind of carpark is usually dark in colour. As such, our view becomes that of a dark wall as we look out of our house. A dark wall that spans along the back of three of our houses in the compound.

Looking at the plan of the PD, the Applicant 'cleverly' planned their 3-storey car park in this protruding part of their plot, away from their 'neatly ordered' residential buildings. This is truly an negative illustration of "Do unto others as you would have them do unto you". This is totally totally unfair and unethical. Besides, we will be suffering from the fumes of the 24/7 operation carpark right in front of our house, how is it possible that such planning can be allowed ?

Southern Side

Wah Yuen has a history dating back 1979, the choice of land was abundant at the time and the location of Wah Yuen was picked with optimal fung shui benefits, with view of the Tai Mo Shan mountain from all our windows.

Our house faces right on the South side, facing the Tai Mo Shan and greenery. With the PD, our views will be totally blocked by the line-up of the 6-storey buildings.

Views, sunlight, air circulation, privacy etc, all these important features of the environment that attracted us to live here, to spend material amounts in making our homes that of a lifetime dwelling, are going to be gone with the proposed plan.

It is interesting that the Application gist includes the skyline of the PD from the angles of :

- Lin Fa Tei bus stop (westbound) along Kam Sheung Road;
- Lai Uk Tsuen Bus Stop (eastbound) along Kam Sheung Road;
- Front Entrance of the Chik Kwai Study Hall.

Has there been consideration of the complete visual blockage of all our views in Wah Yuen when the plan is 'kissing' our houses ?

As can be seen from the aerial photo above in fig, 2, there are almost no residential houses along the boundary of the plot, except for Wah Yuen.

The question of why, of all the planning of the buildings the Applicant can have, why the current plan has to have 6-storey buildings and 3-storey carpark RIGHT ADJACENT to our houses ?

Sunlight and Air Circulation

With two 6-storey buildings T7 and T8 on the west side of our house towering over us, closest distance apart at ~4m, this means afternoon sun would be severely blocked, sunlight to our pool and to our house will be detrimentally diminished.

As illustrated below, the reduction in sunlight has huge impact on the use of our swimming pool. The design and layout of the pool at the time of planning was to capture the best of sunlight. WITHOUT DIRECT SUNLIGHT AT ALL in the autumn / winter time, the pool will be too cold to use. Usage of pool will be cut by half. And in the summer, the pool will be in full shade around 16:30 or before. This will have huge impact on our lifestyle after all the investment we made to the house, notwithstanding the huge impact in the valuation of our property.

As an illustration of the huge change in sunlight before and after the PD is constructed, the Interactive Sun Path Diagram per the Hong Kong Observatory has been used. Taking approximation of our garden having a width of 18m, wall height at 2m, and the PD with height of 18.15m, here are the findings:

As at 29/5/2022:

	Before	After
When half of garden is in shade	18:00	16:02
Last sunlight (when garden is in full shade)	18:29	16:39

As at 29/11/2022:

	Before	After
When half of garden is in shade	16:34	13:39
Last sunlight (when garden is in full shade)	17:04	14:54



17:44



18:02



18:20

Above shows how the sun is setting between 17:44 to 18:20 on one sunny day in May 2022. The view would be replaced by two 6-storey buildings, and the sun will be blocked much earlier, between 2-3 hours less sun. During winter time, as altitude of sun is much lower, we will have NO DIRECT SUN AT ALL.

Looking above, we are losing at least 2-3 hours of the sun each day in the afternoon if the PD is built. Similar implication can apply for sunrise.

In addition, given the 6-storey buildings are towering over our houses, during winter time, with the sun at altitude of ~44-46 degrees maximum, we will basically have NO DIRECT sunlight at all times in the afternoon as the new buildings will be blocking the sun.

Given the proposed plan, where we are towered by 6-storey buildings T7 and T8 on our west side, and a 3-storey car park on the east side, we will be totally walled in and wind circulation will be severely impacted.

Air pollution

It appears that a 3-storey carpark holding 148 private car spaces is to be built right next to three of our houses. Firstly, we see that a 3-storey carpark is significantly higher than a 3-storey height residential house.

This design has no regard to our existing residents in Wah Yuen. There is so much spiel about building setback from Kam Sheung Road and green buffers along boundary areas with agricultural land, mainly for the benefit of the residents of the PD. Yet, for the boundary with Wah Yuen, this PD has 6-storey high buildings + 3-storey carpark right outside on our boundary wall, right in front of our windows ?

There does not seem to be any consideration for residents of Wah Yuen. Living in this rural environment, we are all receptive to new houses of similar height for residential purpose. Why does the Applicant have to have a 3-storey carpark leaning on our wall ? Why does it not have this structure leaning against its 19 blocks ? Why ?

Living next to an all-purpose 3-storey carpark building surely is not anyone's choice, and this is an understatement. It is totally not acceptable that the design of the Proposed Development has such disregard to our lives. We did not come to live in the rural area to have a carpark next to our windows.

So the Proposed Development is seeking for approval of 0.8 plot ratio, for building of 6-storey blocks, and as a result, justifying itself in building such 3-storey carparks backing onto 3 of our houses servicing its residents, which is totally ruining our environment and lives ?

Besides the great concern with the 24-hours running carpark outside our bedroom windows, with devastating visual impact on our homes, the 24/7 operation of the carpark means that we will suffer from noise, fumes and increase in air pollutant levels issues from the carpark.

In the area, there are existing 3 major housing developments by a major developer, these being:

- Seasons Palace 104 units (since 2006);
- Seasons Monarch 244 3-storey units (since 2009);
- Seasons Villas 112 units (since 2004)

(Above total number of units and years of completion are taken from local estate agent websites, for general reference.)

The above are all 3-storey complexes, with well developed infrastructures. So given the argument in the Proposed Development, were these loss-making projects ?

Applicant's justification in the "need" to have 6-storey structures is unfounded and twisted. So because of commercial profiteering reason, they can turn the rules and do whatever they want in the name of support of housing needs ? From a macro point of view, housing shortages would not be brought down by this development, as long as there are systemic problems of unequal distribution of housing resources.

Noise

The Noise Impact study (Appendix 5) seems to be assessing the noise affecting the Proposed Development only, as opposed to whether the PD is affecting the neighbourhood areas. As a noise mitigating measure for the benefit of the PD, there is mentioning of Building Setback.

Turning the table around, at Wah Yuen, we are concerned about the noise levels created by the PD. Currently, we enjoy the nature environment, the only 'noise' we have being singing of birds. We question whether these will all disappear when we are towered by the PD.

Also, it is mentioned that the two clubhouses will be equipped with central air-conditioning full time, so we question if such kind of 24 hours operation will have noise impact on us. Wah Yuen is right next the PD, humming noise of ventilating system of such scale non-stop 24/7 will be very significant given our serene environment. We strongly request for acoustic silencers and acoustic enclosures for these equipments. Also we strongly request for such equipment to not be facing towards direction of Wah Yuen.

Moreover, given the stone's throw distance of the adjacent 6-storey buildings, as well as the 3-storey carpark, we are extremely concerned with the noise that will be created. From our existing 3-storey houses to this sudden neighbourhood of 125 residents on average per building, this will definitely cause disturbance to our tranquil environment which we treasure so much. There is no information on the design of the carpark, whether it is completely enclosed or not, but a 24/7 operational carpark right next to our windows in the rurals, how is it possible that such planning arose ?

Wah Yuen houses are situated between 90 to 220 m away from Kam Sheung Road, we enjoy the sound of nature, birds etc. This environment of nature will disappear once the development is built, as the 6-storey buildings will be shielding us from the existing greenery and views and nature. Moreover, we will be on the receiving end to the 24/7 ventilation system in the two clubhouses, as well as the noise arisen from activities of a potential of 125 residents per 19 buildings, and the 24/7 usage of the 3-storey carpark.

ii. Flooding Risk

Regarding the drainage impact, this is one critical issue for Wah Yuen, and for our house, absolutely critical as we were mostly affected in the heavy rainstorm of 29th August 2018.

Our house is along the westbound wall of Wah Yuen. Just outside this wall, and between the proposed buildings T7 and T8 of the PD, there is a brook which splits into 2 streams flowing into the PD. Throughout all the years, water flowed smoothly through their paths, yet in recent 5 years due to the development work of the Application site, the site has become brownfield site. Since then the water becomes almost stagnant and the previous flow movements along the stream cannot be seen anymore. Moreover water level of the stream rises high, and too quickly, even after moderate rainfall. Some Wah Yuen residents even need to install electric pumps to bump away the backflow of water from our houses. As much as we repeatedly made reports to our Local Councillor and village head, we were informed that there is not much that they could do as the land where the stream path is blocked is under private ownership.

Our concerns were vindicated with the heavy rainstorm of 29th August 2018, which caused flooding to all the houses in Wah Yuen. We had to call for support from the Police and Fire Departments to rescue us, water level was 20cm in some of our houses. From the main road Kam Sheung Road to Wah Yuen along the driveway, water level was over 30cm. Within 11

days on 9 September there was the typhoon Mangkhut, we had to procure and install electric pumps to bump away the backflow of water caused by the overflow outside the western wall of Wah Yuen. This situation has still not been improved despite our continuous reporting to the same parties above. As the proposed plan shows landfill in the area where the brook flows into, we are in the utmost fear of the negative impact of the PD will have on this brook DURING construction, as well as AFTER completion.

Given the above, in the summer rainy seasons, we can only resort to ad hoc measures such as sandbags / flooding prevention panels over main doors. And every heavy rain forecast is nerve wrecking to our residents.

Per the Application, this stream seems to have disappeared and landfilled. Not sure if the measures as mentioned in the Drainage Impact Assessment address the situation of this particular waterflow. In any case, this issue needs to be managed with utmost planning as during construction time, construction debris can immediately block the already non-flowing stream. Flooding risk will certainly increase and this will be catastrophic.

As such this drainage issue needs to be addressed before the start of construction before the landfill covering the stream, and this is not clear from the Application material.

Per the Drainage Impact Assessment, Table 4.4 tabulates the Proposed Condition with DSD planned works under scenarios 10A, 50A and 200A for 7 Control Points. We note that there are 7 occurrences where freeboard is positive per the table. This is our laymen's reading, obviously we are no expert. As with all the other Appendices, we are extremely concerned that the Applicant has not taken the welfare of Wah Yuen into its consideration in the Drainage Impact study.

iii. Traffic

Regarding the Traffic Impact Assessment, we have the following comments:

- a) The report only picked 4 main road junctions as study sample. It has not investigated the impact of the traffic and parking issues within Kam Sheung Road and Pat Heung area, such as Kam Tin town center (main local shopping area meeting our daily needs) and Sheung Tsuen bus stop area (where there are about 6-7 restaurants, one grocery shop, car repair shops and property agents). Even on weekdays, one can hardly find a parking space in these two areas. We cannot imagine the addition of another 2,380 inhabitants from the PD. The situation will be overwhelming to handle.
- b) How do we tackle the parking issue of the Park and Ride facility in Kam Sheung Road station as this PD caters for 275 additional motor vehicles to this area. The Park and Ride carpark is always full after 10 a.m. each day. We are not sure the car park will be down sized or not when the new property development in Kam Sheung Road station starts soon, surely any increase would not be just for such 275 increase in motor vehicles ?

- c) The PD is 4.3 km away from Kam Sheung Road Station, not walking distance, feeder public transport is necessary. The impact study has not mentioned mini buses No 72 and No 23 and the Sunlight Bus NR 918 that goes to Central/Wanchai area. These are always very popular and fully loaded during peak times in the morning. Also, one can hardly find taxis available in the peak hours. What would be the impact when 2,380 inhabitants are added ?
- d) Junction C (Kam Sheung Road / Kam Tin Road) will reach full capacity soon. Nothing solid mentioned on how this will be resolved in the improvement proposal.

5. Negative impacts of the Proposed Development on Wah Yuen – Impact during Construction

Regarding the impact during the construction period, the proposal has not taken Wah Yuen into its consideration at all.

- a) **Structural impact** – Wah Yuen is a compound of over 42 years. The impact of the construction work few metres away from us on our foundation is not within our laymen's grasp, but we fear for the worst.

During the construction of the Shek Kong Stabling Sidings (High Speed Rail train repair center) along Kam Sheung Road a few years back, neighbouring villages including Lai Uk Tsuen, Tsang Uk Tsuen, Tse Uk Tsuen and us in Wah Yuen have suffered different degrees of damages including cracks and subsidence.

How will our 42-years old houses be able to bear such heavy construction work ? This is rural land where small scale 3-storey buildings have been built, most times by small scale developers / contractors. We fear that the large scale 6-storey construction, built at literally stone's throw away from our houses will cause structural cracks and damages to our houses.

What protection do we have in Wah Yuen when the site is only a few meters away from Wah Yuen at closest point. Is this going to be a scenario of having to prove the damages before our voice would be heard ? **This would bring huge psychological stress to our lives throughout the 5 years of construction.**

For our case, we have a swimming pool in our premise. We are extremely concerned about damages / cracks that the heavy construction work, at such close distance to us, could cause to our pool.

Again, no preventive measures had been mentioned in the Applicant's material as to how to mitigate and monitor structural impact/damages, especially, with the close proximity, on our houses in Wah Yuen.

- b) **Noise impact** - During construction period, how to minimise the noise pollution, again nothing mentioned in the impact assessment.

Especially during initial piling phase, with T7, T8 and the 3-storey car park so close to us, we see no mention of minimizing such impact on us at all.

c) **Drainage impact** - It is mentioned that during construction period, the north channel will be connected to a new system replacing the existing blocked portion. However it is not clear how Wah Yuen is covered for the risk of flooding during this interim construction period. As mentioned in previous section 4 above, since the Applicant's site has turned to brownfield site, the stream along the outside edge of Wah Yuen does not flow well anymore and water level rises rapidly after each bout of heavy rain. Moreover, with the construction work, construction debris can immediately block the already non-flowing stagnant stream. **As such this drainage issue needs to be addressed before start of construction, before the landfill covering the stream. This is not clear from the Application material.**

d) **Air pollutant and construction debris impact** – we will be totally exposed to construction contaminants and dust during the full period of construction, it is not seen from the Applicant's material as to how such impact would be minimized. Our dwellings are not flats where we could just close our windows, we have our outdoor garden areas which will be badly affected.

From our past experience, during renovation period of our neighbouring house which was even more of a distance away from our house than the planned T7, T8, the construction debris that got into our swimming pool caused blockage in our pool filter pump. We ended up having to pump away all water in order to perform thorough cleaning by external maintenance vendor. This caused great hassle and financial costs to us. We were warned by the maintenance team that had the construction debris been bigger in size, there will be risk of the debris trapped in the pump causing overheating and could easily damage the system with replacement being the only option.

Besides, given such heavy construction work at such close distance to us, the regular cleaning and maintenance work for our pool would definitely need to be intensified, as such increased financial burden.

Obviously the inconvenience and stress in handling such situations of our pool are not quantifiable.

Nothing again mentioned in the planning application as to how to deal with construction contaminants / debris / dust during time of construction.

e) **Traffic impact** - The proposal has not assessed issues of how the construction heavy trucks and cranes would have impact on the traffic along Kam Sheung Road during construction period.

The completion date of the PD is 2027, this means construction period will be 5 years roughly. 5 years of continuous suffering under above scenarios is health damaging and distressful to say the least. Needless to say, there will be financial detriments to us as well in terms of repairs and cracks which take time to prove (if at all), as well as the adverse impact on the market values of our homes.

6. Conclusions

To summarise the above sections,

Permanent Impact:	
Before	After
- Greenery Views	- All Views blocked. No Privacy
- Singing of birds	- 24/7 ventilation system of the club houses - 24/7 carpark operation right next to us - 125 residents per building x 19, right next to us
- Natural sunlight	- Sunlight cut by 2-3 hours during afternoon each day - No direct sunlight at all in winter as 6-storey buildings towering over us - Without direct sunlight, our swimming pool will not be suitable for swimming for half of the year
- Natural air circulation	- Wall effect
- Rural freshness of air	- Air pollutants from carpark right next to us
- Drainage problem exacerbated in last few years since brownfield	- Unknown if situation will be worse
- Traffic	- added burden on public transport, parking facilities and the already congested Kam Sheung Road

Impact during Construction period (5 years roughly):

- High risk of structural damage to our houses in Wah Yuen due to the proximity from the development. For our house, we are right in the middle of the T7, T8 and the 3-storey car park. We have a swimming in our premise and we are extremely worried about the heavy impact of construction work on our pool and house;
- Noise from construction site, again we are right in the middle of the T7, T8 and the 3-storey car park;
- Increased risk of flooding on western side of Wah Yuen wall due to construction debris, our house is right next to a stagnant stream of which its level rises too quickly with heavy rain;
- Construction contaminants and dust impact, especially on our outdoor area. For our case, construction debris going to our pool could run the risk of damaging our pump system rendering replacement, which would be very costly. Besides, given such heavy construction work at such close distance to us, the regular cleaning and maintenance work for our pool would definitely need to be intensified, as such increased financial burden. Obviously the inconvenience and stress in handling such situations are not quantifiable; and
- Traffic impact with the construction heavy trucks and cranes as the site is right next to us.

As a house compound, we are one of the earliest one along Kam Sheung Road, with detached houses and each with our gardens. We are all proud owners of our homes and we have spent

significant amount of monies in maintaining and updating our houses throughout all the years since 1979.

From the day when we had sight of the gist details made available publicly, the sentiment of all the residents in Wah Yuen had been that of sadness, anger, and confusion.

Of course we support the development of housing in vicinity areas, in response to the need of housing requirements of Hong Kong. We support this whilst trusting in the well understood planning of the area, the boundary of the Kam Tin South / Pat Heung LUR (Plan 1), which is 1km away from the Proposed Development. Zoning of land around Wah Yuen are all agricultural land and V-zoned and we are of course open to development of nearby areas with zoning plans to build 3-storey residences, similar to ours in Wah Yuen. Yet to have all we have to disappear because the PD is close to us and twice as tall as our houses, this is a very disturbing situation to say the least.

Given the vastness of the Applicant's land, and the good intention of the Applicant's building setback as well as the green buffer measures for the benefit of the development's new residents, we sincerely hope that the Proposed Development would apply such measures to the boundary in Wah Yuen, for the benefit of us, the existing residents right next to the development.

We did not move from the city to the rural area to have a 3-storey carpark right next to our bedroom windows. We did not move to live in this compound knowing that there will be buildings twice of that of our homes right adjacent (4m closest) to us. The changes to our lives, of this proposed rezoning, is brutal, and it is just too hard to stomach.

We hope that this is not a case of 850 units vs 9 houses, not a case of the big developer vs our small complex, which has been here since 1979.

We beg that members as well as the officer in charge of this proposal to consider and hear our voice.

We are vehemently against the current proposed Application as represented.

We thank you for taking our views into your consideration on this Proposed Development.

Yours faithfully,

Residents of Wah Yuen, I [REDACTED]

Residents Signature :

居民簽署 :



Name (Print):

K. Ng

名(正楷) :

Address:

通訊:



Telephone number:

電話:



Residents Signature :

居民簽署 :



Name (Print):

M. Tam

名(正楷) :

Address:

通訊:



Telephone number:

電話:



Residents Signature :

居民簽署 :



Name (Print):

Y.S. Yew

名(正楷) :

Address:

通訊:



Telephone number:

電話:



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就規劃申請/覆核提出意見 Making Comment on Planning Application / Review

參考編號

Reference Number:

220718-120232-09041

提交限期

Deadline for submission:

05/08/2022

提交日期及時間

Date and time of submission:

18/07/2022 12:02:32

有關的規劃申請編號

The application no. to which the comment relates:

Y/YL-SK/1

「提意見人」姓名/名稱

Name of person making this comment:

女士 Ms. Leung

意見詳情

Details of the Comment :

We are the owners of Lot Nos. 852, 854 S.A, 854 S.B, 855 and 858 in D.D.112.

Our land is surrounded by the captioned application site. According to the application, all of our vehicle path will be blocked after the construction. This will restrict our future development.

Therefore, we object to the captioned application (Y/YL-SK/1). Kindly take consideration of the above factors and disapprove this application.

295

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

To : Secretary, Town Planning Board

By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax : 2877 0245 or 2522 8426

By e-mail : tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates

Y/YL-SK/1 Received on 04/07/2022

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

問題：有沒有需要三層停車場那麼大，還要這樣近民居？
污水處理
交通處理
停車場在家後面那麼近噪音點處理，沒有噪音處理
本人家住華苑5號屋

「提意見人」姓名/名稱 Name of person/company making this comment

簽署 Signature

陳錦達

日期 Date

21-7-2022

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Y/YL-SK/1申請提出強烈反對
05/08/2022 00:24

From:

To: [REDACTED] tpbpd@pland.gov.hk

File Ref:

2 attachments

城規會抗議信8月4日_220805_000836_1 (1).jpg

城規會抗議信8月4日_220805_000836_2 (1).jpg

城規會抗議信8月4日_220805_000836_1 (1).jpg城規會抗議信8月4日_220805_000836_2 (1).jpg

執事先生/女士：

自我的 Galaxy 發送

執事先生/女士：

就Y/YL-SK/1申請提出強烈反對：

本人sung suet wa siu.wai ho是

居民。

1.就上標的申請作出強烈對。

正於申請地點由「住宅(丁類)」地帶改劃為

「住宅(丙類)」地帶及修訂適用於申請地點土

地用途地帶的此發展地段相連的屋苑（華苑）

屋苑，鑑於極之對本屋苑遮擋視野以及以屏障式六層高樓宇極為遮蓋流通空氣。

特別是3層停車場正正是貼住本座而起，那將會做成車輛廢氣及造成噪音，直接對我座居民影響嚴重。

2 此外，蓮花村以至黎屋村一帶（包括申請地段），經常出嚴重水浸。就以8月2至4日這幾天的雨量已做成唯一兩線來回的馬路兩傍邊的積水已令路過車輛駛出中線避開積水或令水花四濺到行路過的人相關項目須進行大規模填土工程，本屋苑居民極度憂慮申請項目將加劇極度困擾村民在過去近十年的水浸情況 八鄉

是没有中央排污系統，村民的家居污水都流經村內人工修建或天然渠道排放。大量人口排放的污水，對周邊地區的環境衛生造成破壞，同時亦增加渠道的負擔，減弱排洪的能力，增加水浸的風險。

以及就上標的申請作出強烈反對。有關申請地段位於八鄉蓮花地村與上村黎屋村的交界。申請項目將興建19幢樓高6層的住宅及4幢非住用途的建築物，樓面面積超過41,290平方米，住宅單位850個，停車位達275個。項目規模與面積十分龐大，申請地段接連兩條村落部分的村屋，六層高的大型建築，阻礙村民及村屋的視野，對村民及鄉郊環境造成無可挽救的破壞！

八鄉華苑業主簽署：



姓名(正楷)：sung suet wa . Siu wai ho

2022年8月2 日

通訊電話：



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**Comments to the TPB re: Y/YL-SK/1**

05/08/2022 15:05

From:

To:

Tpbpd@pland.gov.hk

File Ref:

1 attachment



YYL-SK1 - 5th Aug 2022 deadline - Wah Yuen Lot259A comments.pdf

Dear sir/madam,

Please find attached file "Y/YL-SK/1 - 5th Aug 2022 deadline - Wah Yuen Lot259A comments.pdf" regarding above.

Grateful if you could confirm your receipt of this email and its attachments TODAY 5th August.

Yours faithfully.

M Tam

Tel:

Residents of



5th August 2022

Dear Secretary of the Town Planning Board,

Re: Comments to the Town Planning Board in respect of Application Y/YL-SK/1

We are residents to LOT 259A of the compound Wah Yuen 華苑, following our comments we sent you on 3rd June 2022 during first round of public comments. With the newly added information in the second round of submission, we would like to share with you our further views.

Our comments sent on 3rd June 2022 during first round of public comments seeking remains.

The Proposed Development ("PD" hereafter) of above reference envelopes our compound 270 degrees. Having reviewed the plan and the documents made available at the Planning Department, we feel that no consideration has been taken into account of Wah Yuen in the planning of the PD. We feel that our general welfare, and health will be detrimentally affected.

We object strongly to the Application.

Per Figures A2-1 to A2-5 of Appendix A of the Land Contamination Assessment (Appendix 9), photos are taken near the border between Wah Yuen and the PD. Scattered throughout all the reports, including the ones in the second submission, they create an impression that the site currently comprises temporary structures for the storage of building materials as well as vacant and abandoned farmland, and that the development will provide the neighbourhood a 'comprehensive upgrading of the environment'.

We have disputed spiel in our first round letter, the PD is definitely not an upgrade to say the least, but devastating our lives, quality wise and financial wise.

We would like to share with you as residents in Wah Yuen, the environment and views we have currently. Obviously as we said before, we are not of the view that our views will remain totally unobstructed forever, but we are living here with the understanding that any neighbourhood developments would be of the same height as us, NOT 200%.

Current Views from Wah Yuen - to be replaced by 6-storeys buildings, 3-storey carpark, clubhouse restaurant RIGHT ADJACENT to our houses ?!



4



1



3



2

In the re-submission material, where comments from various Government Departments and responses from the applicant is included, it is noted that the Chief Architect raised the following comments:

- It is noted that the proposed residential development mainly consists of 19 towers with building height of 6 storeys (about 44.16mPD), which are about 200% higher than adjacent "R(D)" developments with BHR of 2 storeys permitted in OZP. It is undesirable from visual impact point of view and may not be compatible to adjacent developments.
- The building length of some of the residential towers (e.g. T3 to T6, T14 to T19) appear to exceed 60m which may have adverse impact on the air ventilation and visual permeability. The applicant is advised to comply with the building separation requirements of the design guidelines promulgated in the PNAP APP-152.

As residents of Wah Yuen, we totally concur with the above comment. This is the GRAVEST CONCERN to us, this is the issue we have been pounding on in our comments (as LOT259A and one of the owners of the Wah Yuen compound) dated 3rd and 4th of June 2022.

Yet, looking at the response of the applicant, it seems that they are parroting again the spiel of :

- PD not incompatible with the surrounding height profile
- Does not obstruct the mountain ridgeline and open skyview in the background
- Visual impact can be mitigated design measures such as building setback.
- Ridges still visible

Is such blatant misrepresentation allowed in this kind of submission ? Not incompatible with surrounding height ? Ridges still visible ? We are talking about ridgeline of Tai Mo Shan, the highest peak in HK, of 957 m height. Ridges of Tai Mo Shan still visible being the standard / benchmark in justifying the 200% height of the development ? Building setback – per plan of PD, there are **NO building setbacks, NO green buffers in place at all in the PD as far as the boundary with Wah Yuen is concerned.** The described building setbacks (from Kam Sheung Road) and green buffers (along boundary areas with agricultural land) have only benefits for the residents of the PD, that's all.

Such response above IS TOTALLY UNTRUE for residents of Wah Yuen. Such blatant disregard of our existence is no difference to blatant deceit. As mentioned in our comments dated 3rd June 2022, we have repeatedly expressed our strong protest on the 6-storey high buildings, as well as the close proximity of buildings T7, T8, T11, T12 and T13 and carpark right adjacent to us.

So on completion of the PD, as residents of eleven 3-storey houses in Wah Yuen, we are expected to be sandwiched between a 3-storey carpark, a full-time restaurant (per resubmitted info Appendix 8 – Air Quality Impact Assessment), 2,380 residents, all 6-storey buildings, some of which forming wind screen of 60m with great devastation to the air ventilation and visual permeability. This is deplorable. What have we done to deserve this ? This is an area where all houses are only of 3-storey high. Masking this truth using plot ratio, and have nineteen 6-storey buildings, labelled as "low rise" gives a totally false picture.

Please envisage us, being wrapped by 6-storey buildings. And amongst these, car parks, restaurant, windscreen effect from the wide span of the buildings. We are screaming for help and justice here, we are hopeful that there will be sensible and righteous minds in the audience.

Boundary between Wah Yuen and PD has a narrow strip of water course, this is no man's land. From the plan of the PD, as it will be landfilled blocking further flow of such water course, there is huge risk of where the water, at times of heavy rain can flow to. Water is not moving already.

Below are our comments to some of the reports in the applicant's latest 15th July submission:

Appendix 3 – Landscape

It is not clear from the diagrams where the vertical green will be, also not clear what its height and width will be. Will this form a large wall blocking air circulation to Wah Yuen ?

Also, such kind of structure is susceptible to pests. This should be far and away from us in Wah Yuen. Again, the same motto, please do not "do unto others as you would have them do unto you".

Appendix 4 – Ecological Impact

Para 1.3 Proposed Development is described as providing 'visual amenity to neighbourhoods'. Is the author of the report aware that the PD is towering and enveloping us in Wah Yuen ?

The conclusion of this report is that recorded habitats are considered to have low ecological value. And that with implementation of mitigation measures during construction and operation phase, the impact will be minimised and thus no significant impact on local ecology would be anticipated for the PD.

What are the control measures to gauge that the developer will follow the mitigation measures ? Are there any legal requirements ? If no, perhaps the suggestions in this report are just paying lip service ?

In the study, comprehensive field surveys of vegetation and habitat, terrestrial mammal, herpetofauna, avifauna, insects, aquatic fauna were conducted. Yet for residents in Wah Wah, right adjacent to the PD, where our lives will be hugely negatively impacted as we are enveloped by the PD at stone's throw distance, (details as per our comment submitted to TPB on the 3rd June 2022), has the developer and any of the 10 different consultant reports taken our situation into consideration, with the same detail and thoroughness they have done for the vegetation and habitat, terrestrial mammal, herpetofauna, avifauna, insects, and aquatic fauna ?!

Appendix 5 - Drainage

Appendix J is missing in the North Point Office. This does not affect our comments below nevertheless.

- Wah Yuen watercourse - as recognised in the re-submitted info

We note that the amendments have included Wah Yuen in its consideration, where it is mentioned that there is a watercourse near Wah Yuen, severing both the catchments of nearby area of Wah Yuen and part of the Development Site under the existing condition. The downstream section passes through nearby private lots.

Photos (per fig 3.3) and revised maps are included to show the existing watercourse near to Wah Yuen (Appendix B1, B3).

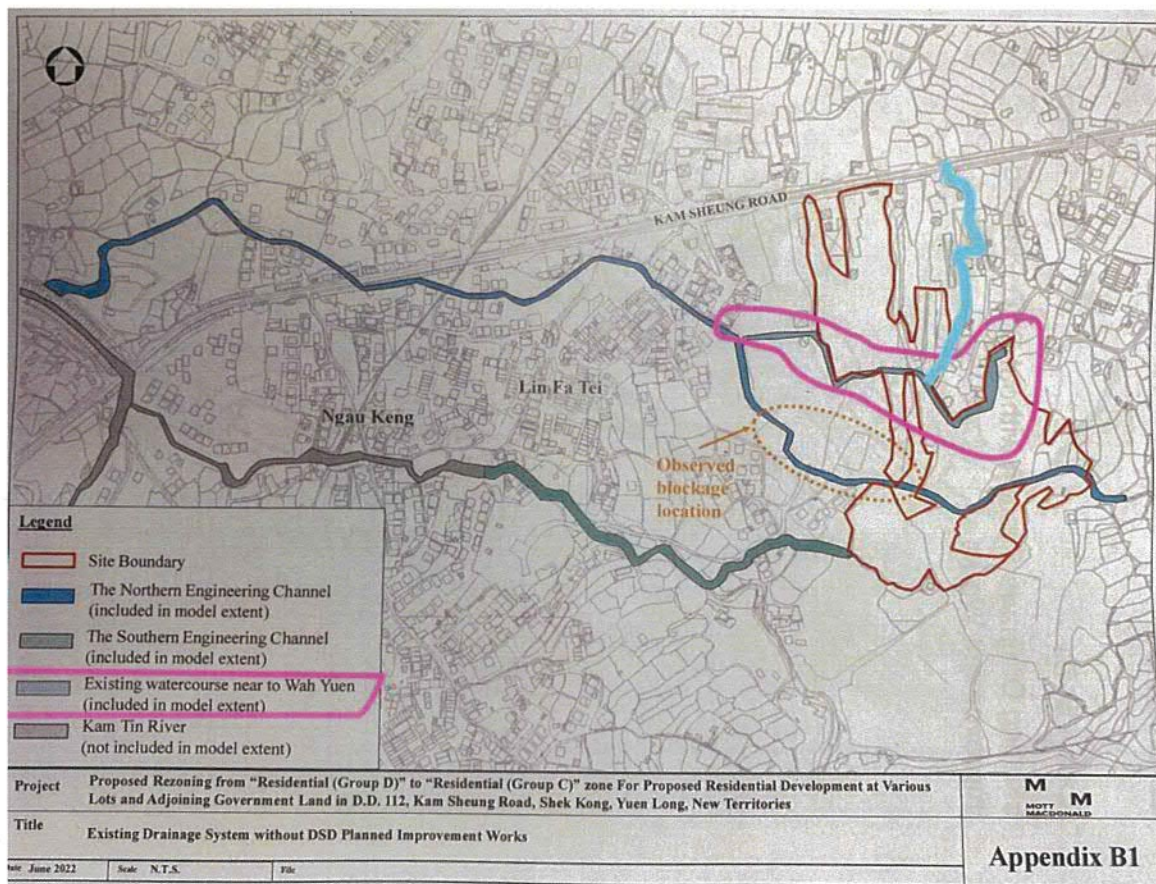
We are not expert in drainage issues, but at least for now, this part of the watercourse near Wah Yuen has been taken into consideration. Whether the findings and conclusions will hold against rainstorms is a question we trust we shall leave in the good hands of the various governmental departments.

- Another Wah Yuen watercourse along its western wall – no mentioning of

However, besides the watercourse mentioned above, there is no mention of another watercourse that flows from Kam Sheung Road, along western wall of Wah Yuen.

Boundary between western wall of Wah Yuen and PD is a narrow strip of water course (see BLUE line in Appendix B1 below), this is no man's land. From the plan of the PD, as it will be landfilled blocking further flow of such water course, there is huge risk of where the water, at times of heavy rain can flow to. Water is not moving already due to the development work in the PD'site since last few years.

This is the watercourse that caused flooding in our houses in Wah Yuen in 29th August 2018 as it its path was very blocked and overflowed. The situation of the watercourse remains the same or has become worse since, any rain causes level of the watercourse to rise.



BLUE line above depicts the watercourse flowing from Kam Sheung Road alongside western wall of Wah Yuen.

As the watercourse above (depicted by BLUE line) in Appendix B1 will be not be flowing further as PD will be landfilled, we are concerned whether water flowing into this direction has been taken into consideration.

From Kam Sheung Road, the watercourse flows between western boundary wall of Wah Yuen and a nursery 頌英園 (rented property from the local Lai clan to our understanding). Further in, it flows between the western boundary wall of Wah Yuen and the PD. As this is a narrow strip of land, and with the development demarcating its border in the last few years, the neighbourhood nursery does not get access to the watercourse area anymore and this has become a no-man's land. Waterflow along this watercourse is more or less stagnant as explained in our comments back on 3rd June already.

It is our great concern as to where this watercourse will flow into if the PD is landfilling the downstream part of the waterflow.

Please see below status of the stagnant water. Photos taken on 1st August 2022.



As mentioned in our comments dated 3rd June,

Our house is along the westbound wall of Wah Yuen. Just outside this wall, and between the proposed buildings T7 and T8 of the PD, there is a brook which splits into 2 streams flowing into the PD. Throughout all the years, water flowed smoothly through their paths, yet in recent 5 years due to the development work of the Application site, the site has become brownfield site. Since then the water becomes almost stagnant and the previous flow movements along the stream cannot be seen anymore. Moreover water level of the stream rises high, and too quickly, even after moderate rainfall. Some Wah Yuen residents even need to install electric pumps to bump away the backflow of water from our houses. As much as we repeatedly made reports to our Local Councillor and village head, we were informed that there is not much that they could do as the land where the stream path is blocked is under private ownership.

Our concerns were vindicated with the heavy rainstorm of 29th August 2018, which caused flooding to all the houses in Wah Yuen. We had to call for support from the Police and Fire Departments to rescue us, water level was 20cm in some of our houses. From the main road Kam Sheung Road to Wah Yuen along the driveway, water level was over 30cm. Within 11 days on 9 September there was the typhoon Mangkhut, we had to procure and install electric pumps to bump away the backflow of water caused by the overflow outside the western wall of Wah Yuen. This situation has still not been improved despite our continuous reporting to the same parties above. As the proposed plan shows landfill in the area where the brook flows into, we are in the utmost fear of the negative impact of the PD will have on this brook DURING construction, as well as AFTER completion.

Given the above, in the summer rainy seasons, we can only resort to ad hoc measures such as sandbags / flooding prevention panels over main doors. And every heavy rain forecast is nerve wrecking to our residents.

Per the Application, this stream seems to have disappeared and landfilled. Not sure if the measures as mentioned in the Drainage Impact Assessment address the situation of this particular waterflow. In any case, this issue needs to be managed with utmost planning as during construction time, construction debris can immediately block the already non-flowing stream. Flooding risk will certainly increase and this will be catastrophic.

As such this drainage issue needs to be addressed before the start of construction before the landfill covering the stream, and this is not clear from the Application material.

Uncontrolled dumping and construction runoff, such as dumping construction waste and pollutions running into the water courses would cause blockage to the already very stagnant drains. Giving the current stagnant status of the watercourses near Wah Yuen, it will not take any moment to block up all the watercourses.

Appendix 8 – Air Quality

Para 2.1 In description of Site Location, again, as in reports submitted in first phase, Wah Yuen is totally ignored, when it is right adjacent to the Site, ZERO m.

“The project site is located south of Kam Sheung Road. The residential developments Lotus Hill (500m) and Hoi Tong Garden (450m) are located to the west, and Jazz Garden (400m) is located to the east. ”

Such information is grossly misleading.

How can it be possible that a 3-storey carpark right next adjacent to three of our houses in Wah Yuen be of no impact ?

Aim of report is to assess the surrounding industrial and vehicular emissions ON THE proposed development. What about study of the impact of the PD, especially that of the 3-storey carpart to its surrounding neighbourhoods, especially Wah Yuen ? This is not in the report at all.

Whilst Dust Control for Construction work is mentioned, as Wah Yuen is enveloped by the PD, we are very concerned about the air quality caused by the construction, as well as the blockage of the watercourses outside wall of Wah Yuen, where water is already stagnant due to development work in the site in the past few years.

Conclusion mentions Table 3.1 of the Hong Kong Planning Standards and Guidelines (re: Table 3.1 Chapter 9). Not sure the relevance of this as we are talking about a 3-storey carpark right next to our houses.

Table 3.1 : Guidelines on Usage of Open Space Site

Pollution Source	Parameter	Buffer Distance	Permitted Uses
Road and Highways	Type of Road		
	Trunk Road and Primary Distributor	>20m	Active and passive recreation uses
		3 - 20m	Passive recreational uses
		< 3m	Amenity areas
	District Distributor	>10m	Active and passive recreational uses
		< 10m	Passive recreational uses
Industrial Areas	Local Distributor	>5m	Active and passive recreational uses
		< 5m	Passive recreational uses
	Under Flyovers		Passive recreational uses
	Difference in Height between Industrial Chimney Exit and the Site		
	< 20m	>200m	Active and passive recreational uses
		5 - 200m	Passive recreational uses
Construction and earth moving Activities	20 - 30m (*)	>100m	Active and passive recreational uses
		5 - 100m	Passive recreational uses
	30m - 40m	>50m	Active and passive recreational uses
		5 - 50m	Passive recreational uses
	>40m	>10m	Active and passive recreational uses
			Passive recreational uses

Also, now with new information that there will be the operation of a full-time restaurant in the clubhouse with a GFA of 180m² and staff of 10, such operation would release oily fumes and cooking odour. So on top of being close to a 3-storey carpark with 24/7 exhaust fumes, we are to suffer from the cooking fumes of a full-time restaurant? And the design of these, just like all the other designs of the PD, are to push all the undesirable parts away from the development's precious customers i.e. residents/purchasers, and facing towards us? Is this going to be the case?

And looking at the plan of the PD, the building length of some of the residential towers (e.g. T3 to T6, T14 to T19) appear to exceed 60m which may have adverse impact on the air ventilation and visual permeability. Should there not be guidelines or legal restrictions on this?

So engulfed by nineteen 6-storey buildings, residents of Wah Yuen will be sandwiched between a 24/7 3 storey carpark and a full-time restaurant with the completion of the PD? Are we expected to accept this? Hasn't this passed the point of basic respect to closeby neighbourhood, especially those who are RIGHT ADJACENT to the PD? Is this allowed in a civilised 'world-class' city? Surely there are laws protecting residents in such kind of scenario in any civilised cities in the world.

Appendix 9 – Land Contamination

Conclusion of this report is that potential contamination is not anticipated and associated impact is not expected in the project site.

Current surroundings of Wah Yuen is vegetation and greenery landscape, not industrial site. The frontal part of the PD site close to Kam Sheung Road has been rented out for temporary construction material storage, that's all.

Not sure if it is a legal requirement to cover such topic of land contamination. But if this gives the audience the impression that the vicinity area 'appears' to be contaminated, then afraid we would like to clarify the fact that the area is mainly farmland. And if abandoned, this is purely because of the uncertainty of tenureship such lands could be farmed, hence no one with the right mind would invest their time and money on something which could be taken back from them uncontrollably.

On the other hand, other reports mentioned how the PD will improve the environment. How? In what way? From our perspective, our environment will be hugely negatively impacted due to the height of the 6 storeys compared to our existing 3 storeys.

Appendix 10 – Waste Management

During construction phase, with work of foundation and superstructure, construction and demolition waste, chemical waste, and general refuse will be generated. Whilst the report mentions how such waste will be sorted / collected / stored on site, there is no mention of

where such will take place in the site, albeit a mentioning of "will be provided at location away from public areas (para 3.9)".

As existence of Wah Yuen has been totally ignored by the development in the submission all along, does Wah Yuen constitute public area ? With the vastness of the site, we strongly ask the developer NOT to operate its waste management facilities at any distance close to us.

Again, waste from construction is a huge concern for us as the watercourses outside walls of Wah Yuen can easily be filled by such. This is a serious flooding risk.

Yours faithfully,

Residents of Wah Yuen, DD 112 Lot 259A

Residents Signature :

居民簽署 :



Name (Print):

K. Ng

名(正楷) :

Address:

通訊:



Telephone number:

電話:



Residents Signature :

居民簽署 :



Name (Print):

M. Tam

名(正楷) :

Address:

通訊:



Telephone number:

電話:



Residents Signature :

居民簽署 :



Name (Print):

Y.S. Yew

名(正楷) :

Address:

通訊:



Telephone number:

電話:



Residents Signature :

居民簽署 :



Name (Print):

Glory Jean C. Soberano

名(正楷) :

Address:

通訊:



Telephone number:

電話:



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**Y/TL-SK/1 - Public Consultation Submission 5 August 2022**

05/08/2022 18:59

From:

To: [REDACTED]
tpbpd@pland.gov.hk, tpbpd@pland.gov.hk

File Ref:

1 attachment



WY_TPB comments_080522.pdf

**Comments by WY Residents in response to the Rezoning Application
Y/YL-SK/1 – Drainage Impact Assessment (Rev.B)**

1. Background

1.1 We are residents currently living in Wah Yuen (WY) in DD 112. Built some 40 years ago, WY sits adjacent to the Proposed Development Area (Site) under the Rezoning Application Y/YL-SK/1 (Application). In terms of proximity, WY literally shares the same boundaries with a substantial part of the Site. In terms of land size, WY occupies a total area of about 7,000 sq.m representing more than 1/5 of the proposed Site in the same R(D) zoning.

1.2 I Yet WY was not brought to the picture at all in any of the Documents and Assessment Reports in the Application.

2. Purpose

2.1 We have submitted our views to the Town Planning Board (the Board) on the Application on 4 June 2022, in the hope of putting forward our concerns, as well as bringing to the attention of the Board in particular the existence of WY being a close neighbour and potential stakeholder likely affected hugely by the proposed changes in view of our proximity with the Site.

2.2 Following that, the Board advised that the Applicant submitted further information in support of the Application. This document is prepared in response to the invitation of the Board to the public for comments in the second round of Consultation upon receipt of additional information from the Applicant.

2.3 This document incorporates our feedback, comments and questions targeted only to the Revised Proposal of the Drainage Impact Assessment (DIA) in relation to WY.

3. Background of Existing Drainage in WY

3.1 There is a natural watercourse flowing between the boundary of WY and Lot 260. This watercourse connects to the northern channels and has pre-existed in the location for more than 40 years. Drainage of WY relies substantially on this natural watercourse as the only catchment area discharging surface runoff onto the downstream channels. Brooks of smaller scale are also found along the boundary walls of WY that join in this watercourse.

- 3.2 Apart from the natural watercourse and brooks, excess surface runoff will be drained through the lawn within WY and the neighbouring rural lands.
- 3.3 Though not a major stream, this natural watercourse is present for ages and exists in the base map and survey reports. The width of the natural course is measured between 1.3m and 2m. One would not have missed it on any on-site inspection.
- 3.4 WY suffered from a serious flooding on 29 August 2018. Flooding threat still stands today, though alleviated a lot for some houses with the great work done by the local district office of the Drainage Services Department over the last three years. Before any further improvement is made, this natural watercourse is our only outlet for surface runoff.
- 3.5 We noticed a new stream connected to this watercourse in the Site was excavated in last December. Since then, we observed that the water level of the watercourse gets higher sooner than before. As recently as on 13 May 2022, some of the houses suffered a mild water backflow at low points. This had not happened for quite some time. WY is concerned if the excavation of a new stream connecting to the watercourse would have attributed to what happened on 13 May.

4. Proposed Changes for the Development - DIA (Rev. A) in March 2022

- 4.1 We notice that the natural watercourse along the shared boundary of WY and Lot 260 of the Site disappeared and became a hard-paved area as EVA/Access in the Proposed Development.
- 4.2 The Drainage Impact Assessment (DIA) revealed that the Proposed Development would construct a 2.1m (W) x 2.5m (H) Box Culvert within the Site, along where the watercourse was located between the boundary of WY and Lot 260.
- 4.3 The DIA further revealed that the Application proposed to change the flow of the northern channel from the old position that is farther away from WY in Appendix A2 and change it to redirect the flow closer to the WY shared boundary as shown in Appendix B2 of the DIA Report.

5. Proposed New Changes related to WY - Revised DIA (Rev. B) in June 2022

5.1 The revised DIA for the first time mentioned the existence of the natural watercourse and WY as into the picture¹, noting “The existing watercourse passing through the Site is mainly collecting runoff from Wah Yuen and it finally connects to the northern channel.”²

5.2 In the Proposal, there are a number of changes to the existing Drainage Network related to WY.

5.2.1. A section of the Northern Channel would be redirected within the Development site closer to the WY boundary line than the current position.

5.2.2. The natural watercourse along the boundary of WY would be paved.

5.2.3. The runoff discharge route for WY will be changed due to the Proposed Development. Three Catchment properties are mentioned: Cat_004B; Cat_004C and Cat_003C. For WY, the natural watercourse labelled Cat_004B area is our major discharge points. The other two catchment areas are further away from WY.

5.2.4. Existing watercourse would be replaced by surface channels and pipes. For Cat_004B area which is the main discharge outlet for WY, a major section of the existing watercourse would be replaced by a surface channel (width from 0.6-0.8m and height from 0.6-1.5m) with associated pipes to Boundary of Cat_004B.

5.2.5. For the farther end of WY in Cat_004C and Cat_003C, it's proposed a new set of surface channel and pipes will be laid along the site boundary to convey the runoffs to the downstream of the existing watercourse near to WY.

5.2.6. The proposed channels will intercept the flow from Cat_004B and discharge their runoffs to the existing watercourse near to Wah Yuen under existing condition.

¹ DIA (Rev B) 3.2.1 & Appendix B1

² DIA (Rev B) 3.2:1

6. Queries and Concerns

- 6.1 The existing watercourse along the boundary of WY has an average width of more than 1.5m, with some points over 2m. The proposed surface channel of with a width of 0.6-0.8m along the Cat_004B boundary is less than half of the width of the existing watercourse. We have strong concern on this fearing that this surface channel will impose higher risks of flooding threat than otherwise estimated by the DIA.
- 6.2 In general, we need a clearer picture as to how WY's surface runoffs would be built to enable proper discharge to these surface channels replacing the existing natural watercourse as proposed by the Applicant.
- 6.3 The existing natural watercourse sits right on the boundary. From the latest Landscape Master Plan, we notice a new 3m (plus elevation) Boundary Reinforced Concrete Fence Wall was added. Would the Applicant clarify if the proposed Surface Channels would be built within or outside this new Concrete Wall?
- 6.4 Under the Proposed Condition, a section of the existing watercourse within the Development Site will be replaced by surface channels and associated pipes near to boundary of Cat_004B.³ Would the Applicant clarify if the surface channel collects also water from catchment areas beyond the Development Site, and how would that imply to the capacity issue with a much narrower replacement surface channel?
- 6.5 Will the Concrete Boundary Wall be built with water discharge outlets onto WY's area considering we are sharing the same boundary line?
- 6.6 Now that the Northern Channel is redirected to closer and along the boundary of WY, would WY flooding threat turn worse should the box culvert channel blocked and create backflow?
- 6.7 Surface channels would be more prone to blockage if not properly maintained. Would the Applicant clarify how these Surface Channels would be managed and maintained?

³ DIA Rev. 4.2.3

7. Conclusion

7.1 The Rezoning Application proposed to house 2,380 residents, representing more than 10% of the total population of Pat Heung South 22,814 as of 2021.⁴ Given the project scale and the increase in population, we anticipate the demand for utility and social infrastructure support would be increased substantially.

7.2 Drainage has all along been an issue in the area. Due consideration should be given to any Proposed Development that might increase the risks of flooding threats in the surrounding rural environment. We urge that the Proposal should not be approved if there was a slightest doubt on the possibility of its creating adverse impact on the drainage in the area.

7.3 There are still a number of missing gaps in the latest Proposal, particularly on the practical aspects as to how the surface channels would be built and maintained, and how the network of the new Development could best be connected to the pre-existed drainage network.

7.4 In brief, we are not settled with the Proposal as is. We hope the questions we put forward in Section 6 could be clarified by the Applicant. Until then, the simple question we asked in our last submission "How would the Applicant ensure WY's flood problems would not be worsened due to the proposed changes?" would still remain as a question unanswered.

⁴ Census 2016 Pat Heung South

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk

To : Secretary, Town Planning Board

By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax : 2877 0245 or 2522 8426

By e-mail : tpbpd@pland.gov.hk

有關的規劃申請編號 The application no. to which the comment relates

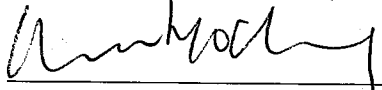
Y/YL-SK/1 Received on 04/07/2022

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

Please see attachment.

「提意見人」姓名/名稱 Name of person/company making this comment CHAN MO CHING

簽署 Signature  日期 Date 31 July 2022

To: Secretary ,Town Planning Board
15 Fl North Point Government Offices, 333 Java Road
North Point , Hong Kong.

Dear Sir / Madame,

Refer to the letter dated 15 July, 2022 reference Y/YL-SK/1.

The following are our comments to the proposed project:

1) TRAFFIC. In recent years Kam Sheung Road has had a lot of new private three story home construction and recently there have also been a number of transit apartments. The result has been a large increase in population which puts undue pressure on public transportation. Riders have long queues for buses or minibuses. Kam Sheung Road is overloaded with traffic both private and commercial due to many warehouses along the road serviced by large trucks. There does not appear to be a place to widen Kam Sheung Road to accommodate increased traffic,

2) FLOODING. Whenever there is heavy rain, the front of my house like an ocean and the side just like a river, the water was coming from the nearby mountainside. as well as the proposed site .So far my house has not flooded. If the project is approved and my house gets flooded due to improper drainage of the propose project, will the developer take full responsibility for any loss?

3) GARBAGE. All the garbage collections points along Kam Sheung Road are already overloaded with unsightly and unhealthy trash. Increased population will make the situation worse unless properly addressed.

4) SEWAGE In our area ,Kam Sheung road does not have a sewage system and relies on sump tanks. Without addressing this issue, environment could be damaged and unhealthy to the public.

The developer should fulfill the above requirements before the project is approved.

Name of person making this comment : Chan Mo Ching


Signature

Date: 31 July 2022

ATTACHMENT

☐ Urgent ☐ Return Receipt Requested ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&publi

**Comments to the TPB re: Y/YL-SK/1 (deadline 7th Oct 2022)**

07/10/2022 00:46

From:

To:

File Ref:

[REDACTED]

tpbpd@pland.gov.hk

1 attachment



259A comments.pdf

Dear sir/madam,

Please find attached file regarding above.

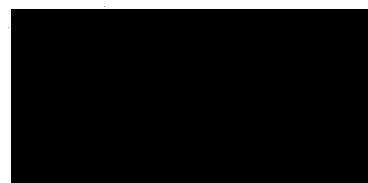
Grateful if you could confirm your receipt of this email and its attachments by end of business today 7th Oct 2022.

Yours faithfully,

M.Tam

[REDACTED]

Residents of



7th October 2022

Dear Secretary of the Town Planning Board,

Re: Comments to the Town Planning Board in respect of Application Y/YL-SK/1

We are residents to LOT 259A of the compound Wah Yuen 華苑, following our comments we sent you on 3rd June and 5th August 2022 during the first and second rounds of submission respectively made by the applicant, with the newly added information in the current third round of submission, we would like to share with you our further views.

Our comments sent on 3rd June and 5th August 2022 during the first and second round of public comments seeking remain.

The Proposed Development ("PD" hereafter) of above reference envelopes our compound 270 degrees. Having reviewed the plan and the documents made available at the Planning Department, we feel that no consideration has been taken into account of Wah Yuen in the planning of the PD.

We object strongly to the Application.

As much as we are now in the third round of submission phase by the applicant, and as much as there has been comments made by various government departments regarding the proximity of the PD to Wah Yuen, the applicant continues to parrot the irrelevant points in the application material, not addressing the issue that the proposed 19 residential blocks of 6 storeys building height will TOTALLY ruin the visuals from Wah Yuen. At certain points, T7 and T8 of the PD are estimated to be less than 4m apart from our houses.

The applicant keeps mentioning the use of building setback and green buffers, which is totally irrelevant to the issue. These ARE NOT ALONG the border with Wah Yuen.

Why does the PD have to have 6 storeys buildings so close to us in Wah Yuen ? A simple realignment of the buildings away from Wah Yuen will give us more distance away from each other, why cannot the applicant look into this ? Negative impacts such as light, air quality all come up due to the close proximity of the PD from us in Wah Yuen. These have been covered in our comments in the previous last two rounds already.

Building ratio of 0.8 is repetitively mentioned by the applicant. There are many ways to achieve this, not just 6 storey buildings, twice the height as that of the neighbours.

In response to the Chief Town Planner's query on 17 August 2022, the applicant in this 3rd submission states:

....the Proposed Development is not incompatible with the surrounding height profile, which overall does not obstruct the mountain ridgeline and open skyview in the background. The visual impact can be mitigated through appropriate and well through-out design measures (ie. Building setback, providing green buffer along the periphery of the Site, building facade materials). Therefore, the resultant visual change due to the Proposed Development is not significant and is considered acceptable in visual point of view.

The above does NOT apply to us at all. NONE of the above points address our concern as residents whose dwellings will be enveloped by the PD, with closest distance few metres apart from the proposed 6-storey buildings.

This is the truth:



Grey buildings denote the PD (6 storeys, < 4m away). Wah Yuen existing houses (3 storeys) are in beige.

Further, in response to the Chief Architect's comments made on 17th August 2022, the applicant answered as below:

...the PD is about 700 m away from the eastern peripheries of the boundary of Kam Tin South and Pat Heung area, which has been identified by the government to develop the area into the suburban township with PR ranging between 0.8 to 3.0. The proposed building height for the Proposed Development is intended to align with the Land Use Review and to contribute to the suburban township of Kam Tin South and Pat Heung area.

....it is indicated that the Proposed low-rise Development with 6 storeys is not incompatible with the surrounding height profile, especially the adjacent developments, which overall does not obstruct the mountain ridgeline and open skyview in the background. Therefore, the resultant visual change is considered acceptable. The visual impact can be mitigated through

appropriate and well through-out design measures (i.e. building setback, providing green buffer along the periphery of the Site, building facades materials).

- The applicant should find their own piece of land WITHIN the Land Use Review area, NOT 700m away and asking for exception. What is the use of town planning if developers keep asking for exceptions to the plan/rule ? This is UNFAIR to residents who put their life savings on areas based on the plans/rules, to be found that exceptions can afterall be granted.
- The above response is total lie. The PD is EXTREMELY INCOMPATIBLE with the surrounding height profile. All buildings in the surroundings are 3 storeys high.
- The resultant visual change is considered acceptable ?????? Acceptable by who ? I am telling you, NOT ACCEPTABLE TO US !!!!!
- Visual impact mitigated by building setback and green buffer ???? NONE of these are relevant to us in Wah Yuen. None of these measures BORDERS with Wah Yuen.

Either the response was written by a part time worker at the applicant's office, hence just plain copying / extracting from the submitted proposal without realising that this is comparing apples to oranges ? Or that such response are intentionally given to mislead ones who are easily impressed by terms of building setback and green buffers without the initiative of seeing where these are, hence of total irrelevance to us, the CLOSEST 'neighbour' of the PD ?

After the 2 rounds of submission with comments made by the public, and 2 rounds of comments from government departments, the applicant is still repeating the misleading and irrelevant points. Why is the applicant doing this ? Why doesn't the applicant review its own plan and make amendments so that we can all live in harmony with each other ? Why does the applicant make such offensive misleading meaningless comments hoping that the truth will go away ?

Afraid the situation is beyond the point where we can keep our poise and write with more politeness, apologies in advance.

Yours faithfully,

[REDACTED]

Residents Signature :

居民簽署 :



Name (Print):

K. Ng

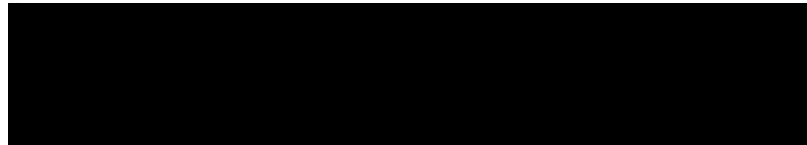
名(正楷) :

Address:

通訊:

Telephone number:

電話:



Residents Signature :

居民簽署 :



Name (Print):

M. Tam

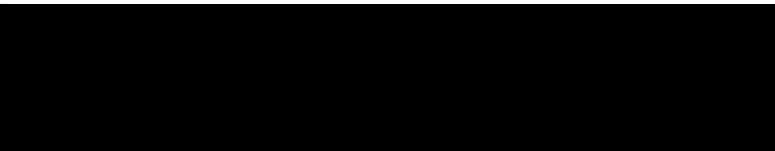
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通訊:

Telephone number:

電話:



Residents Signature :

居民簽署 :



Name (Print):

Y.S. Yew

名(正楷) :

Address:

通訊:

Telephone number:

電話:



Residents Signature :

居民簽署 :



Name (Print):

名(正楷) :

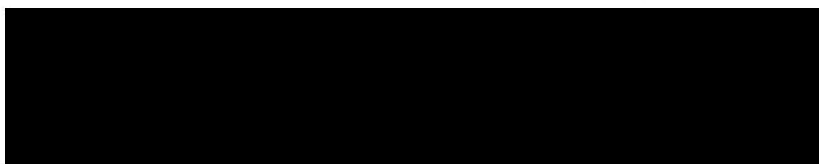
Glory Jean C. Soberano

Address:

通訊:

Telephone number:

電話:



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Re: Y/YL-SK/1 DD 112 Shek Kong

09/12/2022 02:01

From:

To:

File Ref:

tpbpd <tpbpd@pland.gov.hk>

Dear TPB Members,

In addition there are no community facilities included. Going forward this provision is essential, particularly in NT districts that are in deficit of most services.

Mary Mulvihill

From:

To: tpbpd <tpbpd@pland.gov.hk>

Date: Saturday, 4 June 2022 10:57 PM CST

Subject: Y/YL-SK/1 DD 112 Shek Kong

Y/YL-SK/1

Lots 246, 247 (Part), 251 (Part), 253 (Part), 254, 255 (Part), 256, 257, 258 (Part), 260, 263, 273 RP, 274, 275, 277, 278 S.B, 279, 280, 284, 294 RP, 295, 849, 850, 851 (Part), 853, 856 (Part), 859 (Part), 861 (Part) and 862 in D.D. 112 and Adjoining Government Land, Kam Sheung Road, Shek Kong

Site area : About 41,290sq.m Includes Government Land of about 415sq.m

Zoning : "Res (Group D)"

Proposed Amendment : Rezone to "Res (Group C)" / 850 Units / PR 0.8 / 6 floors / OS 2,280sq.m / 285 Vehicle Parking

Dear TPB Members,

The site is not cohesive, there are a number of lots belonging to others that could impact the well being of the residents and create issues going forward.

Also one has to question the sections given over to 'visitor parking'. It would be more efficient land use to add another floor to the parking and provide a vehicle free environment. Note no bicycle parking for such a rural location? Residents could cycle to the parking facilities from their homes.

With a population of over 2,000 there should be a basketball court. Shek Kong

does not have many community facilities.

Note an **average unit size of about 38.9m²** so in other words just over 50% of the GFA of ONE FLOOR of a village house.

This is quite alarming as 400sq.ft. is not large enough to raise a family, particularly in rural areas where there are fewer community facilities and alternative spaces. In urban areas there is a wide variety of indoor and outdoor recreational facilities, coffee shops, etc one could escape to.

While we are being told that all this development is going to provide a better quality of life, most of the plans going through indicate that this is not the case. Going forward the scenario for many will be living in a constricted space with far fewer community amenities and longer commutes.

Mary Mulvihill

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Y/YL-SK/1 - public comments due 9th Dec 2022

09/12/2022 19:37

From:

To: [REDACTED]
tpbpd@pland.gov.hk

File Ref:

1 attachment



259A comments .pdf

Dear Sir/madam,

Please find attached comment for the above.

Grateful if you could confirm your receipt by return email.

Yours faithfully

Residents of



9th December 2022

Dear Secretary of the Town Planning Board,

Re: Comments to the Town Planning Board in respect of Application Y/YL-SK/1

We are residents to LOT 259A of the compound Wah Yuen 華苑, following our comments we sent you on 3rd June, 5th August and 7th October 2022 during the first, second and third rounds of submission respectively made by the applicant, with the newly added information in the current fourth round of submission, we would like to share with you our further views.

Our comments sent in the three previous rounds of public comments seeking remain.

The Proposed Development ("PD" hereafter) of above reference envelopes our compound 270 degrees. Having reviewed the plan and the documents made available at the Planning Department, we feel that no consideration has been taken into account of Wah Yuen in the planning of the PD.

We object strongly to the Application.

1) Why is the PD allowed to build such small sized units in the middle of a single lane country road ?

The fundamentals behind the planning of this PD is beyond our grasp.

Village houses of 700 sq ft per storey with 3 storeys height maximum are built in the whole area along Kam Sheung Road. General town planning common sense is to have the more densely populated residential built on/adjacent to transportation terminals / MTR stations.

Why is the applicant allowed to build a development of average size of a mere 38m², with projected population size of 2,380 and 216 cars in the middle of Kam Sheung Road ?

This heavily compromises the car traffic / public transportation / air and light /visuals /drainage in the vicinity.

Densely populated developments should be built near transportation terminals / MTR stations, where residents can get access to public transportation on foot, without causing burden on single lane country roads like Kam Sheung Road. There is no alternative from the

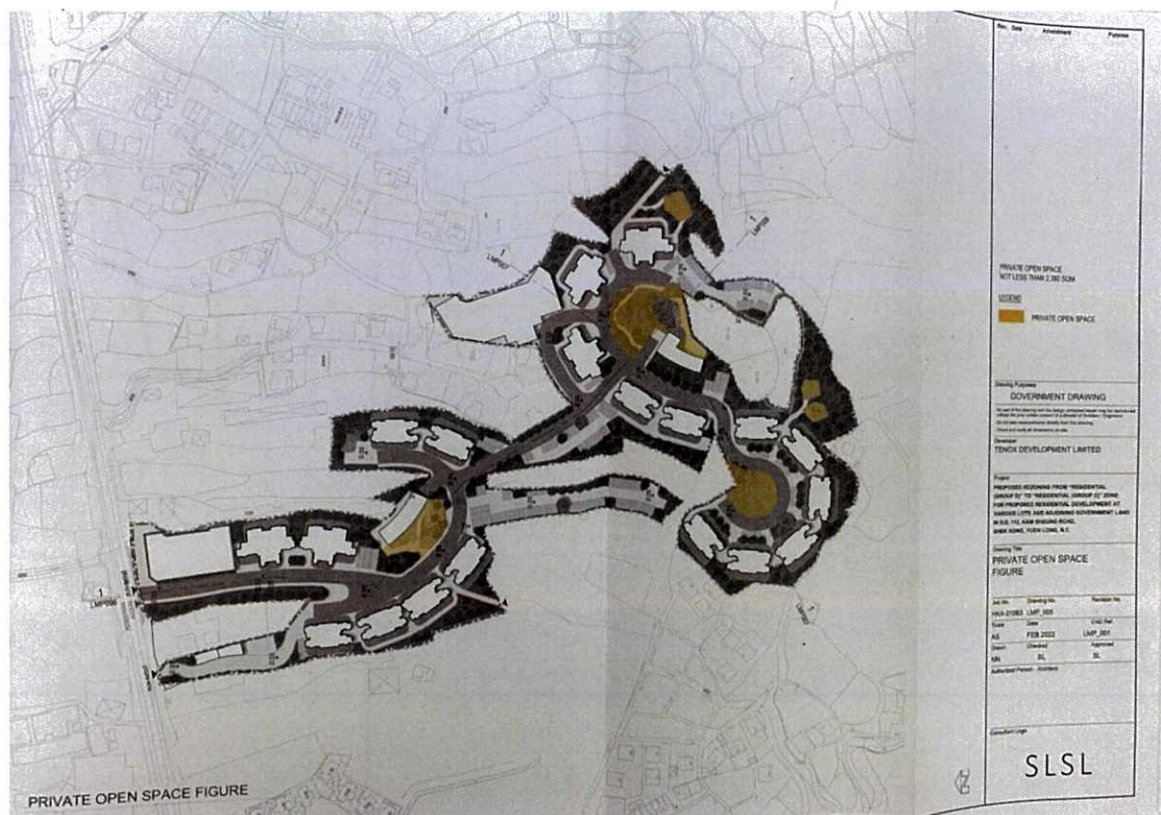
PD site to Kam Sheung Road MTR station except along Kam Sheung Road. If Kam Sheung Road is congested, there is no way out.

Per Table 4.4 of Annex III (Revised Traffic Impact Assessment), scheduled developments under LUR are listed. Average flat size of these developments varies between 50 to 70 m², yet the LUR is closer to the Kam Sheung Road MTR station.

WHY ? Why is the PD allowed to build such small sized units in the middle of a single lane country road ?

This whole PD is a purely based on profiteering (small sized flats being latest trend) with no regards to the impact it will have on the surroundings.

2) Why are the 6-storey buildings / 3 storey- car park literally right adjacent to our houses in Wah Yuen ?



The PD is EXTREMELY INCOMPATIBLE with the surrounding height profile. All buildings in the surroundings are 3 storeys high.

This is what the PD (6 storeys) will do to Wah Yuen (3 storeys):



Grey buildings denote the PD (6 storeys, < 4m away). Wah Yuen existing houses (3 storeys) are in beige.

Yours faithfully,

Residents of [REDACTED]

Residents Signature :

居民簽署 :

Name (Print):

K. Ng

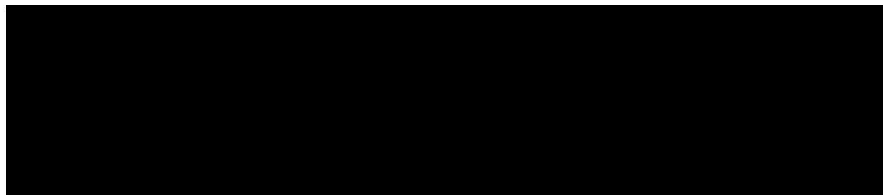
名(正楷) :

Address:

通訊:

Telephone number:

電話:



Residents Signature :

居民簽署 :



Name (Print):

M. Tam

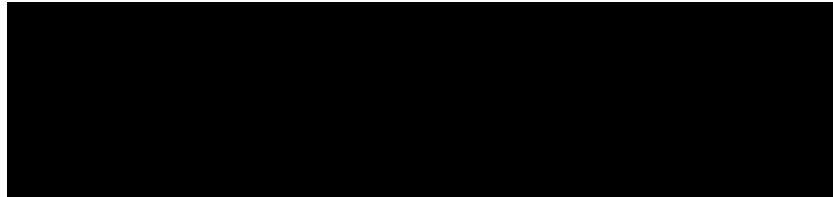
名(正楷) :

Address:

通訊:

Telephone number:

電話:



Residents Signature :

居民簽署 :



Name (Print):

Y.S. Yew

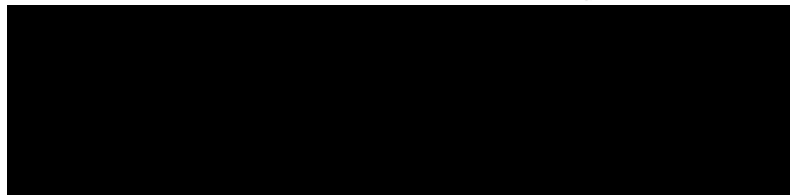
名(正楷) :

Address:

通訊:

Telephone number:

電話:



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Public Consultation Submission - Y/YL-SK/1

09/12/2022 21:06

From:

To: [REDACTED]
tpbpd@pland.gov.hk, tpbpd@pland.gov.hk

File Ref:

1 attachment



TPB comments from Wah Yuen Residents_120922pdf.pdf

致：城市規劃委員會

日期：2022 年 12 月 9 日

有關：反對 Y/YL-SK/1 申請更改規劃用地

我們是華苑居民，現就上述申請更改規劃用地，藉公眾諮詢期內提出強烈反對，希祈有關政府部門及城規會委員聆聽地區聲音，否決是項申請。

(A) 背景及前言：

1. 華苑位處錦上路 DD112 地段，規劃為「住宅（丁類）」地帶。華苑已建成逾 40 年，有 9 間獨立屋，因應低地積比率要求，連同屋苑道路及設施，華苑佔地約 75,000 平方呎。是唯一在這個地段及規劃地帶，已發展的獨立屋屋苑。
2. 華苑所在的土地規劃清晰標示用作「低層，低密度的住宅發展」。華苑居民在選擇居所時，是基於及相信上述土地規劃目的，得出一個合理期望，華苑所處的地帶規劃，是有別於其他市區高地積比率的高樓層屋苑，或建築在地積比率 3.0 的「鄉村式發展用地」低層但未必能提供屋距及空間的《新界豁免管制屋宇》類別，基於 0.2 的低地積比率要求，無論屋距，空間及樓層，這個規劃地帶能帶給住戶一個寧靜的低密度，低層的鄉郊生活。
3. TENOX（下稱發展商）本年 4 月提出申請項目（Y/YL-SK/1），將其現為「住宅（丁類）」地帶改劃為「住宅（丙類）」地帶，同時修訂適用於該申請地帶土地用途地帶的《註釋》，包括地積比率由現時的 0.2 大幅增加 4 倍至 0.8，樓層增逾倍由 2-3 層至不高於 6 層，整體高度由現時低點約 24.1mPD 提高約 83% 至 44.15mPD，致整體發展總高度超過 20m，相當於 7.3 樓層高度。
4. 華苑位置毗鄰申請項目土地，同樣位於「住宅（丁類）」地帶，兩者的接近程度是逾半數華苑獨立屋與部份申請土地共享地界。華苑是已建成逾 40 年的屋苑，整體佔地相當於是項申請的私人土地總面積的 17%。無論在所處地段，位置，或佔地比例上，華苑作為最鄰近申請項目的社區聲音不容忽視，因為項目就地區的基建及民生設施，如渠務，樓層高度，建築物的樓距，至交通負荷等，對華苑及鄰近社區都有直接，重大及可能不可逆轉的影響。
5. 是項申請項目與華苑均位處八鄉南，根據 2016 年統計資料人口有 22,814¹，適用的規劃用地圖則是石崗分區計劃大綱編號 S/YL-SK/9（下稱《圖則》）。根據《圖則》，規劃為「住宅（丁類）」的土地只有 2 幅，地積比率為 0.2 及

¹ 2021 年人口普查 - 區議會選區 M39

新發展屋宇不超過 2 層，高度限制為 6m²。是項申請發展土地及華苑所處土地為其中一幅。《圖則》甚至沒有規劃容許較高地積比和高度的「住宅(丙類)」地帶，即發展商申請的目標地帶。我們相信這《圖則》的規劃意向除了考慮保留低層，低密度的鄉郊地帶以外，與八鄉附近配套設施的限制有一定關連。

事實上，地區的渠務排水問題仍讓居民面對水浸威脅，居民必須駕車或倚靠接駁交通始能到達集體運輸工具如港鐵站往市區及元朗市，但錦上路作為其主要單一道路，仍受制於 2 條來回雙線單行的車道，且無論車路或行人路均嚴重偏窄。只要這些配套限制一日未見大規模改善，我們實在看不到倉卒更改土地規劃的理據。依據下述申請，這單一項目預計入住人口偏保守估計，已達 2,380³，超過八鄉南總人口的 10%。

從另一角度看，我們觀察到這地段雖然一直沒有勉強進行大規模的房地產發展，以避免負荷失衡，影響民生。但我們留意到這地區近年仍有循序漸進地推進不少發展項目，附近地區除保留了農耕，更看到多個另類及頗具鄉郊特式的教育及消閒設施，在「鄉村式發展用地」地段也看到不少新興建的大型低層及低密度村屋屋苑。這些不同類別的發展，百花齊放，在我們來看來，除有特式，也能融入鄉郊的社區規劃，市民只要喜歡閒適的鄉郊生活，還是有選擇的。我們相信這也是香港需要有不同地帶規劃背後的理念。

(B) 華苑的立場 -反對發展申請

1. 華苑強烈反對是項申請 (i)更改規劃至「住宅(丙類)」地帶，及 (ii)修訂適用於申請地帶土地用途的《註釋》，包括大幅提高地積比率至 0.8 及樓層限制至 6 層，高度限制至 44.15mPD。
2. 就發展鄉郊用地，我們支持「最佳土地運用」(Land Use Optimisation) 原則，但前徹必須合理平衡鄉郊規劃目的及社會的土地發展需求，能吸納及配合鄰近地區日常民生基建的限制，尊重鄰近已存在久遠的社區，達到真正的鄉郊新舊社區共融的目標。透過是項申請的設計圖及相關文件，我們看不到尊重和共融的原素。
3. 華苑並就下列 3 個申請文件內提出的發展重點及變更，提出強烈反對。

² 石崗分區計劃大綱核准圖 S/YL-SK/9 備註 (b)

³ 申請文件概覽撮要 Executive Summary P.10, Table 5.1

(C) 反對的主要項目及理據

1. 更改及填平天然河道，增加華苑及鄰近大範圍地區的水浸風險

現狀

- (i) 華苑及鄰近地區一直面對水浸威脅，2018 年 8 月更因暴雨及整個蓮花地範圍水位上漲，引致屋苑水浸入屋逾 30-40cm 深度。
- (ii) 圍繞華苑外牆有一條天然河道，闊度約 1.4m-1.8m，深度 1.03m，存在起碼數十年。除了華苑，也收集近黎屋村的農耕及住宅地段，及暴雨時大帽山衝下的雨水，是社區重要的排水渠道。河道是否暢通及其水位高度，更即時及直接影響華苑，一直是屋苑監察水浸危機的指標。
- (iii) 除了透過天然河道，華苑的雨水也經由草地及地下泥土滲納。由於現時申請地段是草地，能吸納大量雨水，令現時水浸情況不會太嚴重。
- (iv) 現時華苑和接連申請發展土地的高度相若，沒有明顯高低地的差別，雨水根據自然流向，會分散流向整個地帶的地面。若有暴雨，整個地帶的水位升高，至超越華苑獨立屋的室內地面水平，雨水會經地下排水位倒灌入屋，這也是 2018 年發生水浸的實際情況。
- (iv) 此外，鄰近華苑有另一條較大型的北面天然河道(Northern Channel)。該河道相對上述的天然河道較大，能收集較多雨水，但距離華苑也較遠。如果河道淤塞出現倒溢，未必如上述天然河道般即時或直接影響屋苑。

發展商建議的改變

- (v) 首先，整個地盤申請發展地面會大幅加高至 26.0mPD，由於天然河道位處華苑及項目土地的地界位置，以往天然河道兩邊河面地平相若，以文件標示的 B2 點計⁴，華苑一邊地平是 24.1mPD，另一邊則為 24.2mPD。改變後兩邊河面地平相差 1.9m。

無論發展商提交的渠務評估報告如何亮麗，只要稍微考慮邏輯和民間智慧，雨水永遠向下及往低處流，申請項目大幅填平及加高地面至差不多等於一個人的身高，整個鄰近社區大範圍自然成為相對的低窪地區，水浸風險自然劇增。

⁴ 顧問公司渠務評估報告 6 月修訂版 (Rev.B) Annex B, P.5, Section B-2,

- (vi) 第二，申請項目建議填平圍繞華苑存在了逾 40 年的天然河道，改由發展商興建的明渠（Surface Channels⁵）取代（下稱《替代明渠》）

建議的《替代明渠》卻被大幅縮減至闊 0.6m 及深 0.6m⁶，只及現時天然河闊度的 1/3；深度的 58%。邏輯上來看，除非項目有讓人非常信服的其他補助方案，集水和排水的功能現在倚靠天然河道也只能勉強應付，縮減逾倍的話，無論在容量及流通量自然會受影響，更容易引致水浸。

發展商聲稱《替代明渠》為華苑而設，但從未交代就工程上如何接駁兩者的排水管，沒有說明如何處理連接天然河道至華苑段的上游河澗，更從未諮詢華苑。

- (vii) 第三，估計項目約 70%會因為建屋及設施而填平，只留 30%綠化地帶。在鄉郊地方的天然疏水功能會大大減低。雖然顧問報告聲稱評估報告已考慮這個因素，但大幅填高地面，報告有沒有低估影響也是我們的疑慮。

- (viii) 第四，申請文件顯示，項目計劃在已填高的地平再加建 3m 的石屎牆⁷（未計地基），估計圍牆高度會超過 5m，接近規劃《圖則》准許的整幢新建兩層屋宇高度。圍牆圍封整個地盤，包括建議中的天然河道的河床位置。但文件沒有交代建議的《替代明渠》最終會設在圍牆內或外，也沒有交代除了新建屋苑的地下排水渠，圍牆是否預設向外疏水的設施？問題多於答案，但這些關注點均顯示多方面的疑慮和不肯定原素。水利是一個重大議題，我們不認為只靠大堆亮麗數字，就能釋除居民的合理疑慮。

- (ix) 第五，發展商建議移動部份北面河道，我們估計是有部份北面河道的業權不屬發展商，為能掌控水利及減低新建屋苑的水浸風險，將河道的上游移近華苑地界。我們對更改大型的天然河道的走道有疑慮。有鑑以上種種對華苑及鄰近地區的不利疏水的改變，我們擔憂將部份走道移近華苑會進一步增加華苑的水浸威脅。

- (x) 第六，項目建議建設一個儲水箱以解決水浸問題，儲存暴雨時未及排放的雨水，但該儲水箱設在下游，如果有淤塞，儲水幫不了忙。再加

⁵ 申請文件-6 月提交的渠務評估報告修訂版（Rev.B）Annex B, P4, 5 & 6

⁶ 顧問公司渠務評估報告 6 月修訂版（Rev.B）Annex B, P.5, Section B-2,

⁷ 顧問公司景觀評估報告 5 月 LD_002

上《替代明渠》經過的走道是鄉郊地段，可能有山泥樹枝，淤塞機率比地下渠高，明渠又比原本的天然河道窄和淺，流量相對低，再加上因發展商填高地面華苑及鄰近地區全變成低窪地，連接新建屋苑的地下渠又只有 2 匯聚點⁸，分別為直徑 1.05m 及 1.2m，兩者都比原本的天然河道容量小。我們可以想象在淤塞情況下，因為是明渠，雨水會分流往旁邊華苑的低窪地帶，雨水不能流往地下渠，遑論至儲水箱。

- (xi) 此外，發展商提交的渠務評估報告，包括有大堆數字的水力模型研究。我們對這些研究及結論有很大保留。首先，從負責的顧問公司本年 3 月撰寫的渠務評估⁹看，顧問公司似不大熟識或未能的掌握地區資料。華苑雖然貼近地盤，且佔地比例達 17%，顧問報告完全忽略華苑屋苑的存在，甚至否定圍繞華苑闊度達 1.4m-2m 天然河道的存在。

雖然顧問公司 6 月撰寫的修訂版已包括華苑及該天然河道，但顧問評估的結論似乎大程度倚賴水力模型的測試，認為渠務沒有問題。但測試建基於假設，如果用作運算假設的數據基礎，收集或估算時沒能掌握實地地區資料，結論可能是差之毫，謬之千里。參考以往大型發展，屢聞大型發展後社區發生以往沒有發生的水浸，如元朗大旗嶺村。我相信當時發展商必有提交渠務評估，報告也大多包括水力模型測試研究。若最終地區仍有以往未曾出現嚴重水浸情況，表示數據歸數據，掌握地區的實地情況可能更為重要。水利問題事關重大，建成後發現誤差也於事無補救，最終要無辜的社區居民承擔結果。故此，我們認為若有丁點疑慮或不肯定，也不應批核。不會準確。事實上，報告甚至完全沒有提及項目地面填高 1.4m-1.8m 對鄰近社區在排水方面的影響

2. 反對項目大幅提高地積比率、地面水平及住宅樓層高度

- (i) 是項申請 (i)更改規劃至「住宅（丙類）」地帶，及 (ii)修訂適用於申請地帶土地用途的《註釋》，包括大幅提高地積比率至 0.8 及樓層限制至 6 層，高度限制至 44.15mPD。
- (ii) 我們反對項目大幅提高地積比率 4 倍由現時 0.2 至 0.8。現時石崗分區計劃大綱編號圖則是 S/YL-SK/9，規劃目的作低層、低密度的住宅發展，地積比是 0.2，除獲豁免小型屋宇，新發展樓宇樓層限制為 2 層，高度不超過 6m。華苑居民是相信及基於現時規劃，期望所處地帶，盡管有

⁸ 顧問公司渠務評估報告 10 月替代頁 Appendix B5

⁹ 顧問公司渠務評估報告 3 月修訂版 (Rev.A)

新發展，能切合低層、低密度的住宅的規劃框架。我們認為是項申請有違適用於申請地帶的規劃原意及目的，故此提出反對。

- (iii) 地積比率對社區的人口及房屋密度有間接但重要關連，也是市民在選擇適合自己居所時，相對容易理解的有用指標。根據規劃署發出的《香港規劃標準與準則》有關住宅發展的密度，應容納不同等級的房屋密度，以切合市場對不同房屋類別的需要¹⁰。住宅密度應在現存及計劃的基建及環境可配應的能力範圍內¹¹發展。

我們認為是項申請更改規劃至「住宅（丙類）」地帶，大幅提高地積比4倍，但規劃圖則在整個地帶沒有規劃同一地帶，估計和現存環境，民生包括渠務和交通配套限制有關。如果沒有大規模配套改善，我們看不到更改的理據。同時，我們認同就上述房屋密度的指引，就環境及基建現況，社會應容納不同密度等級的房屋類別供市民選擇，故期望地積比率得以保持，讓市民保留一個寧靜，低層及低密度，又符合規劃意向的選擇。

就規劃署發出的地積比率指引，我們不理解發展商申請更改地積比及樓層的理據。發展商提交的文件曾提及LUR建議在錦田南及八鄉地區，由錦上路鐵站開始，伸延至金水南方路，建立一個《鄉郊市鎮》(suburban township)，距離錦上路站最遠的地積率建議為0.8。¹²同時，文件指出申請發展土地距離這個鄉郊市鎮的邊沿地帶700m，認為可以作為申請更改規劃理據的參考指標。

我們對此理據有很大保留。首先，如果距離《鄉郊市鎮》範圍700m是一個理據，另一個申請地點距離690m城規會是否更應該通過？這個《鄉郊市鎮》建議如果開始沒能收納申請地帶，估計一定有原先考慮的理據。事實上，上述都有提及，地區的渠務、道路及交通負荷都未足以支援大規模發展，大幅提高地積比，連帶增加相應的人口及房屋密度，容易令社區負荷失衡，為居民帶來困擾。

如果撇開LUR的參考指標，只參考規劃署發出有關鄉郊地積比接近申請項目要求的地積比及樓層的指引文件¹³，申請地段不屬《鄉郊市鎮》商業中心範圍內，《鄉郊住宅發展土密度第2區RR2》包括准許6樓層的指引應該不適用。參考《鄉郊住宅發展土密度第3區RR3》包括準

¹⁰ Hong Kong Planning Standard and Guidelines, Chapter 2, Residential Densities, p.3, 1.2.2 (a)

¹¹ Hong Kong Planning Standard and Guidelines, Chapter 2, Residential Densities, p.3, 1.2.2 (b)

¹² Executives Summary, p14, 3.3.3

¹³ Hong Kong Planning Standard and Guidelines, Chapter 2, Residential Densities, p.18, Table 3

許 0.75 地積比率，開敞式停車間上加 3 層樓房，雖然申請地段為鄉郊市鎮外圍，但 RR3 其中一個準則是「遠離現有居民但設有足夠設施」，申請地帶貼近華苑，距離黎屋村的法定古蹟不足 60m，基於配套設施包括渠務、景觀及交通不足，有大量社區居民反對，我們實在看不到這個指引，即提高地積比至 0.8 及樓層至不超過 6 層適用於這個申請。

- (iv) 此外，我們也強烈反對項目申請大幅提高至 26.0mPD，這個地面高度比鄰近低點地區高出 1.9m，相等普通一層樓宇的 2/3 高度及超過一個人的身高，水往低地流，高低地的差異會嚴重增加鄰近地區的水浸風險。事實上，如果鄰近已經有發展了的社區，我們實在看不到要填高地面至這一個高度的理據。除了嚴重增加水浸風險，也影響到居民的景觀。
- (v) 我們了解發展商有聘請顧問公司提交視覺評估報告，先撇開我們是否對這評估報告有保留，我們希望城規會就景觀評估的評核不單建基於報告。事實上，顧問公司的視角評估報告只考慮了 4 個評估地點，全部遠離項目地盤，其中 2 個為錦上路巴士站，因距離遠，且中間不是開揚空間，自然不影響指引要求的公眾景觀準則。此外，現行指引不細分市區及鄉郊地帶，且側重市區實際用地考慮，故只重點考慮公眾視角點。華苑雖然屬於私人屋苑，但佔地不小，一定程度上，已成為「公眾」的一部份。如果其中一個視角評估點能加入華苑，在評估的角度會較為合理、全面及令人信服。

3. 項目引致的車輛及交通問題

- i) 項目申請興建 322 停車位，其中包括一整幢 3 層停車場，興建在貼近華苑獨立屋不足 2m 距離。超過 60% 停車位設置在鄰近華苑位置。我們對一個寧靜，低密度的規劃地帶，有 300 多部車輛在貼近隔鄰屋苑內走動，是完全不切合周圍的鄉郊生活環境。
- ii) 根據規劃指引¹⁴，高密度發展項目應該盡量選址接近集體運輸工具如火車站，主要交通交匯點等，以避免增加需要使用道路的交通要求。是項申請在鄉郊地帶密度相對高的發展，雖然評估報告聲稱距離錦上路站直徑距離 500m，但以行車道路計，距離逾 3.5km，且必須倚賴接駁車輛。以指引看，我們認為現行道路設施不足以支持申請的人口密度及車輛比率。

¹⁴ Hong Kong Planning Standard and Guidelines, Chapter 2, Residential Densities, p.3, 1.2.2 (c)

- iii) 我們留意到發展商有提交經修訂的顧問交通評估報告，但我們對有關公共車輛需求的調查的方法和結論同樣有很大保留。首先，有關行走申請地點錦上路的公共交通車輛資料不確，當中忽略了只在早上及放工時間行駛的村巴，該幾輪村巴的需求遠遠大於供應。第二，調查沒根據當地居民的生活模式進行調查，如這地區日間有需要接駁車往返元朗市場的家庭主婦，流量及需求不小，該評估報告完全沒有提及；調查選取的地點也不足以反映真正的公共交通需求，例如真正的放工繁忙時間的需求是錦上路站的接駁巴士站，現在客量低的站頭及時段不對，根本反映不了的實況等等。如果要真正就現時地區對公共交通的需求評估報告，我相信 10 月提供的資料完全不能達到目標。

(D) 結論

1. 我們是華苑居民，是申請地帶最貼近項目申請土地，同處「住宅（丁類）」地帶，是唯一在同一地帶，並已發展逾 40 年的獨立屋屋苑。我們希望透過諮詢，帶出地區聲音，及反映地區的實際情況。
2. 我們的立場是反對是次更改規劃申請，包括地積比率大幅提高 4 倍至 0.8，樓層增至 6 層，地面高度至 44.15mPD。
3. 我們提出 3 個反對申請文件內提出的重要項目，包括第一，也是最重要的水利問題；第二是房屋密度，樓層及地面高度，因以上會影響地區的人口密度，景觀及配套設施，亦有違這地帶的規劃意向；第三是項目車輛數目及規劃，至地區的交通負荷問題。
4. 此外，從項目的整體設計文件，我們發現發展商發展鄉郊建設，但沒能顯示對鄰近社區的尊重，遑論共融。例子如：在項目周圍填高地面 2m 加石屎圍牆 3m，再加地基。華苑屋苑的設計是獨立屋其中一面貼近圍牆至 0.5m 而建，由於屋苑已興建逾 40 年，現在也不可能更改，大家不難想象如果項目興建了高達 2 層樓的石屎牆，將會嚴重阻擋 1-2 樓窗戶的景觀、陽光和空氣，更重要的是保安問題。我們不禁問，這個超越一般正常高度的近 5m 圍牆是否有實際的需要呢？

其他例子還包括渠務的建議，給鄰近社區的居民的感覺是，發展商只考慮避免新建屋苑水浸，將屋苑建成堡壘，如升高地面，興建逾 5m 圍牆，但同時為方便發展，妄顧鄰近社區，建議填高地面之餘，更填平地區重要的排水天然河道及移動北面河道等。在此，我們希望渠務署及城規會能尊重保護天然

河道的政策，不會為便利發展用地，有合理疑慮的情況下仍同意方案。
我們支持鄉郊發展的，但認為必須尊重新舊社區共融的發展原則，新建設居民的需要不能凌駕舊有社區居民，只有配合地區可以吸納的民生基礎設施，互相尊重，始為達到真正的理想智慧用地的發展目標。

5. 基於上述原因，我們提出反對上述更改規劃的申請。

華苑居民

2022 年 12 月 9 日

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**Comments to the TPB re: Y/YL-SK/1 (deadline 24th February 2023)**

24/02/2023 14:35

From:

To: [REDACTED]
tpbpd@pland.gov.hk

File Ref:

1 attachment



5th submission 24.2.2023 deadline - Lot 259A comments.pdf

Dear sir/madam,

Please find attached file "5th submission 24.2.2023 deadline - Lot 259A comments.pdf"
regarding above.

**Grateful if you could confirm your receipt of this email and its attachments TODAY
24th February if possible.**

Yours faithfully,

M.Tam
[REDACTED]

Residents of



24th February 2023

Dear Secretary of the Town Planning Board,

Re: Comments to the Town Planning Board in respect of Application Y/YL-SK/1

We are residents to LOT 259A of the compound Wah Yuen 華苑, following our comments we sent you on 3rd June, 5th August, 7th October and 9th December 2022 during the first, second, third and fourth rounds of submission respectively made by the applicant, with the newly added information in the current fourth round of submission, we would like to share with you our further views.

Our comments sent in the four previous rounds of public comments seeking remain. For your ease of reference, I will be attaching them in this document herewith.

There is no duplication of writing in each of my 4 rounds of comments and we hope the committee members and Planning Department could take note of all of our comments sent. In our previous submission of comments, materials include:

- Analysis of the Applicant submitted materials, including where we feel there are misrepresentations (throughout the documents);
- Wah Yuen in relation to the PD, 270 degrees wrapped by the PD basically (throughout the documents);
- Detrimental impact on Wah Yuen, in great details (throughout the documents);
- 3-D simulation of Wah Yuen with the 6-storey PD engulfing us 270 degrees (pg 18, 44);
- Loss of sunlight, e.g. from 13:39 in winter time, calculation using Interactive Sun Path Diagram per HK Observatory (pg 20-22);
- photos of views from Wah Yuen (pg 32); and
- Watercourse along western wall of Wah Yuen that is omitted in all the information throughout (pg 3, 4, 35-38); and
- Photos showing status of stagnant water in watercourse outside and along western wall of Wah Yuen, which would be sandwiched by the high wall of the PD once built (pg 37).

The Proposed Development ("PD" hereafter) of above reference envelopes our compound 270 degrees. Having reviewed the plan and the documents made available at the Planning Department, we feel that no consideration has been taken into account of Wah Yuen in the planning of the PD.

We object strongly to the Application.

Taking reference to the Hong Kong Planning Standards and Guidelines, Chapter 2 Residential Densities, published by the Planning Department for Rural Areas:

- Density Zone RR2 (typical total no. of storeys: 6): areas within Rural Townships lying outside the commercial centre, and in other significant rural development areas served by medium capacity public transport, such as light rail systems.
 - o the location of the PD does **NOT** have this kind of infrastructure
- Density Zone RR3 (typical total no. of storeys: 3 over car port): Peripheral parts of Rural Townships or other rural development areas, or in locations away from existing settlements but with adequate infrastructure and no major landscape or environmental constraints.
 - o The PD is 0m from Wah Yuen and other village houses nearby.

The PD does not meet any of the above Guideline.

It is misleading that the Applicant underplays the increase of the domestic plot ratio. Given the Applicant has a large piece of land, such plot ratio is possible as it has enough land to water down the density of the 6 storeys buildings. Yet, 4 of these 6 storeys towers as well as one 3-storey carpark are WRAPPING AROUND Wah Yuen, how can this be promoted as LOW PLOT RATIO ? At the expense of us residents in Wah Yuen ?

The proposal of forcefully imposing 19 x 6 storeys buildings in the middle of Kam Sheung Road with no proper infrastructure in the name of "housing shortages" is totally misleading. Factual data all point to such shortage being in the public sector only. In the private sector, oversupply is at a two decades all-time high.

Based on materials submitted by the Applicant to Town Planning Board on 19th January 2023 in the 4th round of re-submission, here are our comments:

1. Annex 1 - Replacement page of Air Quality Impact Assessment

Table 10.1 Representative ASRs: Wah Yuen is 0m distance from the PD, village houses in Lin Fa Tei also 0 m distance, Hoi Tong Garden at 60m, and village houses in Lai Uk Tsuen at 20m.

It is concluded in 11.7 that the potential dust and exhaust emission impact from the construction works to the ASRs in the vicinity would be limited.

How can it be concluded that the impact is limited ? Just because that this is rural area, hence housing more scattered, hence impact is limited due to the small number of residences ? Impact to our lives during the construction phase (years ...) are the same no matter how many other people are suffering from the impact. I wish that the applicant would not take this attitude that as suffering numbers are limited, it is of no/limited concern. If this is the case, then logically, it would beg the question of whether it is appropriate to build such high density development in such rural area where this kind of construction does not fit at all, and does not adhere to the Planning Guideline.

2. Annex 2 - Revised Water Quality Impact Assessment

1.4.1 upgrade the present environment ??? improved living environment for the future residents as well as visual amenity to neighbourhoods ???

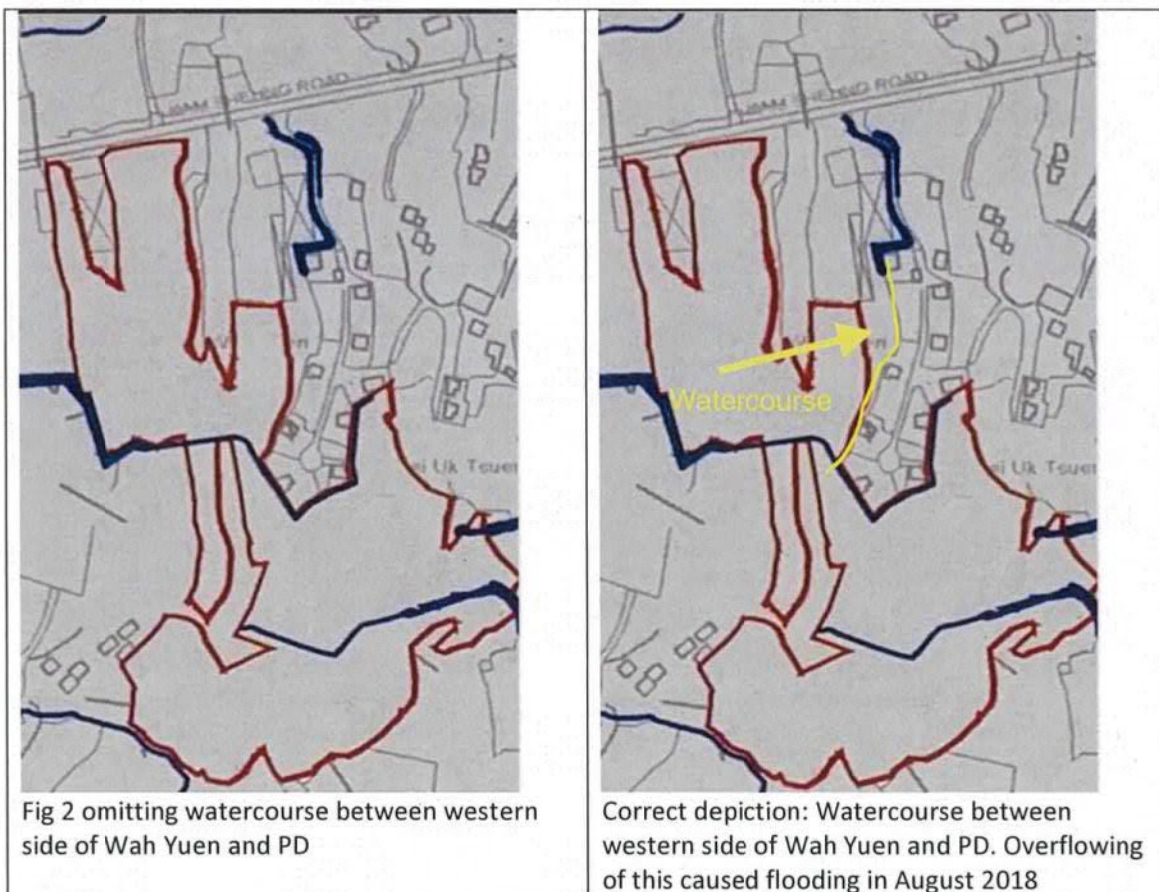
Increased risk of flooding / 19 blocks of 6 storeys building in an area of 3-storey village houses improvements ???

2.7.6 Surface channels and pipes along the site boundary will be provided to convey the runoffs to the downstream of the existing natural watercourse near to Wah Yuen.

Why diverting to the watercourse near Wah Yuen ??? Given that these watercourses are so easily flooded already, as demonstrated by the flooding in August 2018, with i) the ground surface of the PD site turned to hard concrete surface from agricultural land; ii) the raised level to 26.0mPD; and iii) the solid high wall of the PD, this would mean additional water runoffs that are no longer absorbed by the former agricultural land will be going to the watercourse near Wah Yuen. This is not acceptable. More analysis on this in section 4 (Annex 5) below.

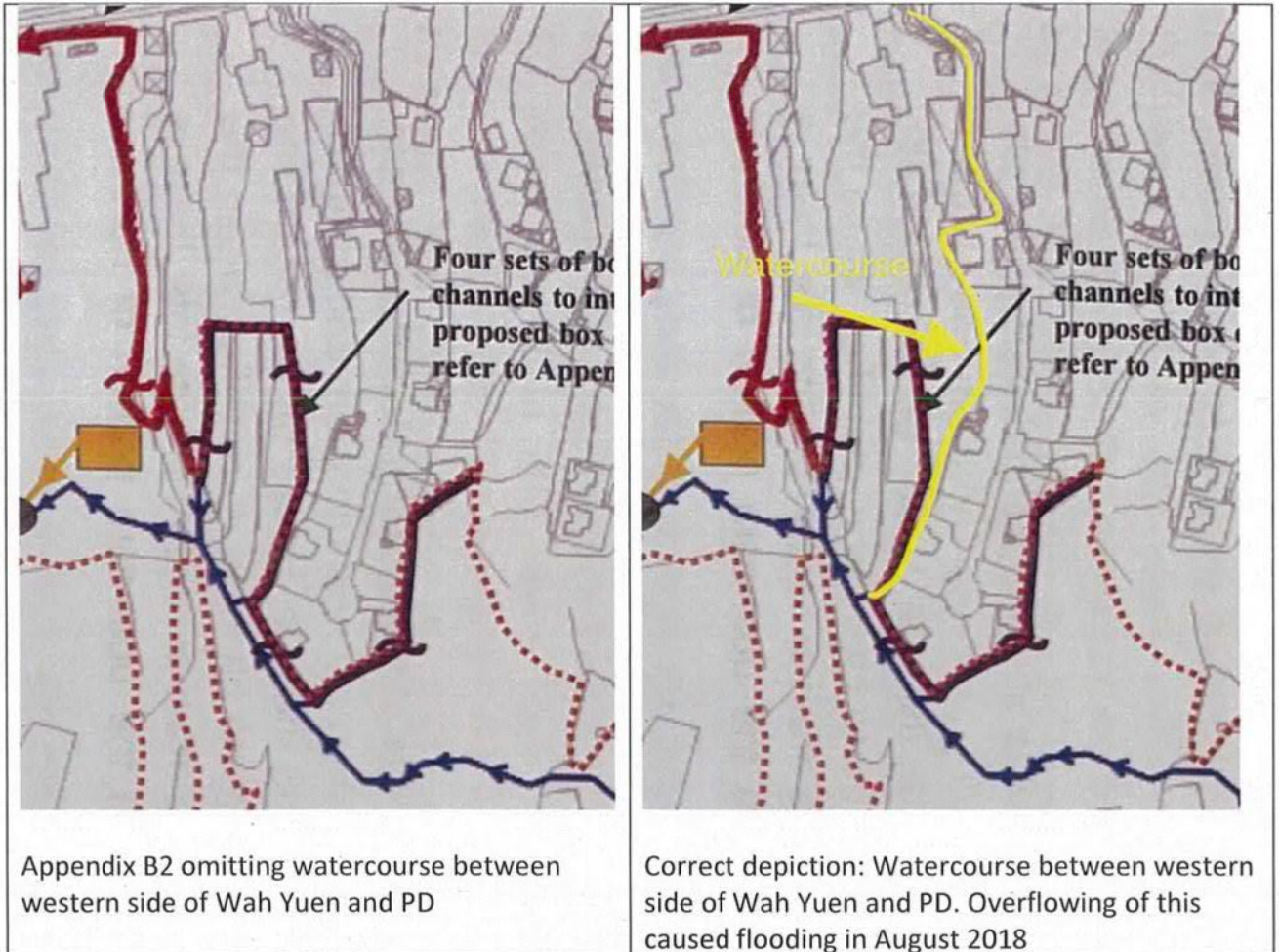
Fig 2.1 Watercourse as depicted in plan is not comprehensive representation of all watercourses. For a start, there is a watercourse between the western side of Wah Yuen and that of the PD border, yet the plan only shows the northern part from Kam Sheung Road, rather than the continuation of this flowing through southwards to the border between some of the houses within Wah Yuen and that of the PD. It is exactly the overflowing of this watercourse that caused the flooding of our house during the heavy rainstorm back in August 2018.

Fig 2.1:



3. Annex 4 - Revised page of Drainage Impact Assessment

Appendix B2 – Again watercourse between western wall of Wah Yuen and that of the PD not shown.



Given that the watercourse (depicted in yellow above) has been omitted all along, we are very concerned as to whether all has been considered in ensuring that the PD will not cause extra risk of flooding to us.

4. Annex 5 - Information on the Proposed Boundary Channels

In the case studies in the Assessment, 200A case is considered the upper limit of the testing, whilst we are not technical expert on this front, we would like to know how does this 200A case compares to the floodstorm on 29th August 2018, which caused the whole of Wah Yuen / Lin Fa Tei area to be flooded, with water going into most of our homes. On this date, more than 70mm of rainfall in one hour to 4pm, and 300 to 400mm by 6:45pm in Shek Kong/Kam Tin/Pat Heung area. With the change in weather due to global warming, we are getting heavier rain, and typhoon seasons are getting longer each year, shouldn't there be a significantly bigger margin of safety built into the sizes of the channels ?

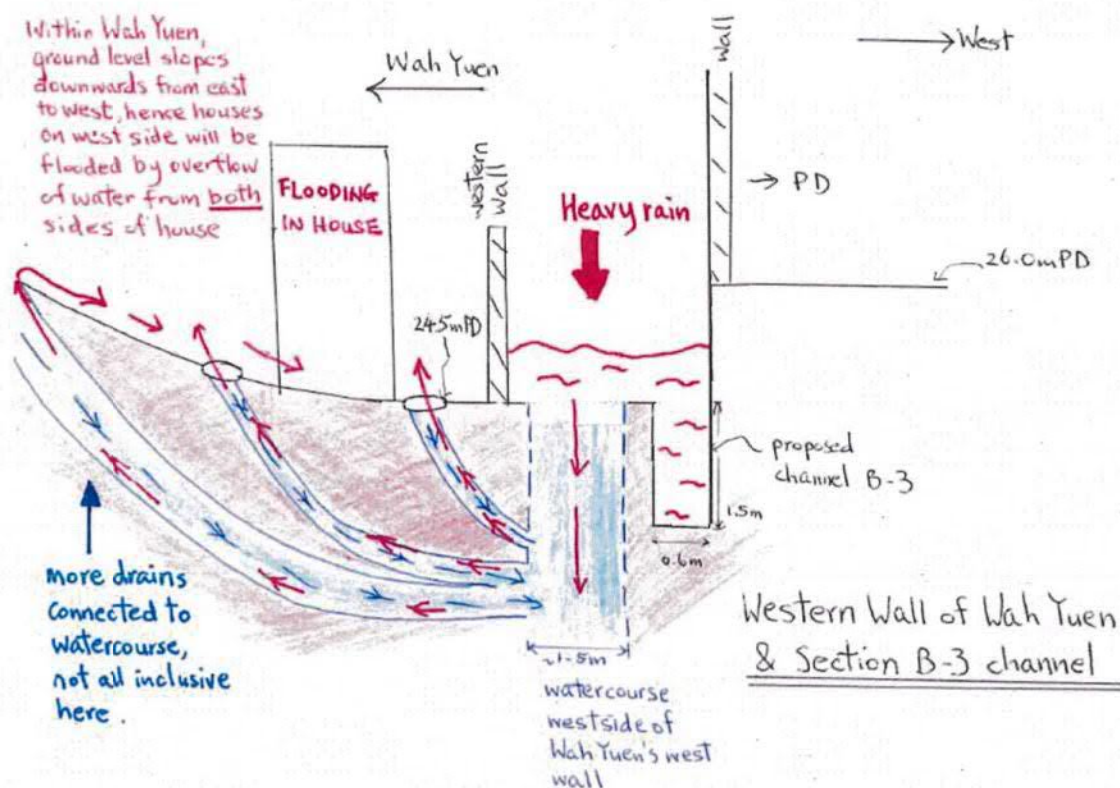
Why are the channels not built deeper and wider ? Annex A shows cross-sections of the Proposed Boundary Channels, in all the 200A cases for each of the proposed channels, water level is only 0.1 to 0.2 mPD below that of Wah Yuen or adjacent private lots, this margin is just too narrow. If water level exceeds that of the hypothetical case 200 A, the mere 0.1-0.2m cushion is totally insufficient. Afterall, given the raised level of the PD to 26.0mPD, and with their solid Proposed Boundary wall, if water level increases above the projections, they will only flow towards Wah Yuen and the adjacent private lots as the PD will be totally walled off from any waterflow. This is a much worse situation than if the PD had not been built. Without the PD, overflowing water would be able to be absorbed by agricultural land and soil and gets runoff in all directions. However with the PD, any waterflow will be trapped between the PD Proposed Boundary Wall and the wall of Wah Yuen. Given that units in Wah Yuen drains out to the waterways outside the wall, overflowing water between the 2 walls will flow into our houses in Wah Yuen and our risk of flooding will be CATASTROPHICALLY increased. This is not a matter of negotiation, but should just not be allowed to take place.

Showing the comparison between Existing Conditions vs Proposed Condition for Section B-1, B-2 for Wah Yuen is totally misleading. As soon as the water level rises above that of the ground level of Wah Yuen or Adjacent Private Lots, water will have nowhere to go except for overflowing into Wah Yuen/ Adjacent Private Lots at much higher speed and capacity as it has nowhere else to be channelled off as PD's wall stops all water from going their way.

Moreover, for section B-3, Existing Condition is not shown. Only Proposed Condition is shown. Why ? Section B-3 is a stone's throw from western boundary wall of Wah Yuen, and along this western boundary wall of Wah Yuen, there is a waterway that we keep mentioning which is so far NOT INCLUDED in any of the reports. The Cross-section plan in Annex A for Section B-3 omits the boundary wall of Wah Yuen which is right next to the PD, as well as the waterway alongside the wall. With the small margin of 0.1mPD between the 200A case and the existing ground level, in extreme weather, water will flow into that of Wah Yuen as the existing drainage of Wah Yuen flows out into this waterway MUCH MORE READILY AND AT MUCH HIGHER SPEED as the water is now trapped between the two walls of Wah Yuen and that of the PD. THIS IS A MUCH MUCH WORSE SITUATION.

Besides, we have mentioned, together with photos showing, that quality of water along this watercourse (pg 35-38) drastically deteriorated due to work due in the PD site in the last few years, water is almost stagnant and water level of this watercourse easily rises whenever there is rain each time.

To add to the severity, within Wah Yuen, the eastern side houses slopes down towards the western side houses. If the water level exceeds that of the projected worse case 200A, there will be overflow on all the channels B-1, B-2 and B-3, and the overflowing water will all flows down westwards. And houses on western side of Wah Yuen will swarmed by overflowing water from watercourse / channel outside wall as well as water rushing down from east side. This is CATASTROPHE. We suffered from this with the heavy rainstorm in 2018, now with the water having nowhere to go between our wall and that of the PD's, risk of this happening will greatly increase. I question how this can be allowed in a world class city like Hong Kong. We pay our taxes and this is what we get ?



The depth of the Proposed Boundary Channels needs to be much deeper and much wider in order to compensate for the risk of water trapped between the high wall of the PD and the porous wall (due to drainage within Wah Yuen flowing out to waterways outside the compound wall) of Wah Yuen. The existing 0.1-0.2 mPD cushions between ground level and highest anticipated level in 200A case is totally misleading. The assessment is misleading and ignores the scenario if water level exceeds that of the ground level. In this scenario, the situation will be much much worse off as water will rush into Wah Yuen at great speed and capacity as it as nowhere else to go with the PD wall built.

Looking at the Cross-sections of the Proposed Boundary Channels, the PD is raising its ground level compared to ALL its surrounding boundaries, to a difference of 1-1.9m. So with the high wall, raised level, all the surrounding households / lots will get all the water flooding to our homes.

	Boundary Channels	PD (mPD)	Adjacent lots / Wah Yuen (mPD)	Difference (mPD)
Adjacent lots	A1	26	24.5	1.5
	A2	25	24	1
	A3	24.5	23.5	1
	A4	24.3	23.2	1.1
Wah Yuen	B1	26	24.6	1.4
	B2	26	24.1	1.9
	B3	26	24.2	1.8

Yours faithfully,

Residents of Wah Yuen, DD 112 Lot 259A

Residents Signature :
居民簽署 :



Name (Print): K. Ng
名(正楷) :

Address:
通訊:



Telephone number:
電話:

Residents Signature :
居民簽署 :



Name (Print): M. Tam
名(正楷) :

Address:
通訊:



Telephone number:
電話:

Residents Signature :

居民簽署 :

姚
影
松

Name (Print):

Y.S. Yew

名(正楷) :

Address:

通訊:

Telephone number:

電話:

Submission of #1 round Comments: 4th June 2022

Residents of Wah Yuen



3rd June 2022

Dear Secretary of the Town Planning Board,

Re: Comments to the Town Planning Board in respect of Application Y/YL-SK/1

We are resident to 259A of the compound Wah Yuen 華苑, in addition to the comments relating to our compound as a whole, we would like to share with you how our house will be affected by the Application.

The Proposed Development ("PD" hereafter) of above reference envelopes our compound 270 degrees. Having reviewed the plan and the documents made available at the Planning Department, we feel that no consideration has been taken into account of Wah Yuen in the planning of the PD. We feel that our general welfare, and health will be detrimentally affected.

We object strongly to the Application.

1. Wah Yuen Introduction

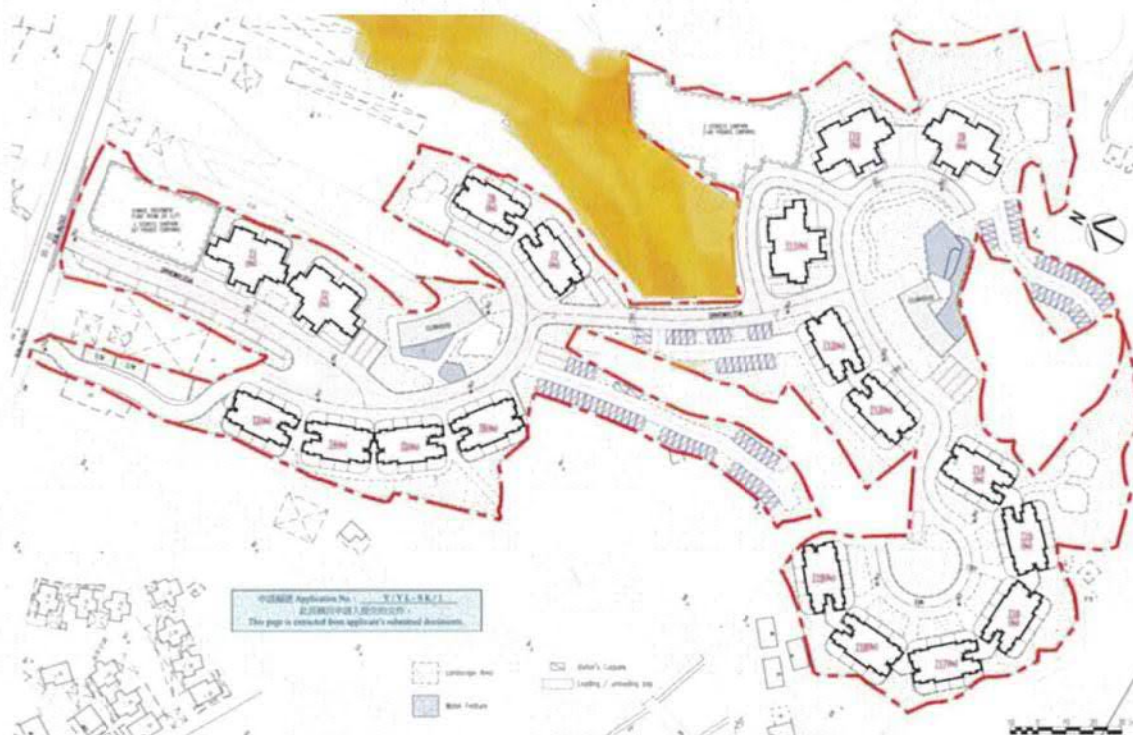


Fig.1 Wah Yuen, as shaded in yellow (Source: Gist Pg 9: Indicative Master Layout Plan)

Wah Yuen is a private compound comprising 9 detached houses each with spacious garden, founded by eminent members of the society back in the late 1970s, including Dr Chiu Hin Kwong OBE, JP [招顯洸醫生 OBE 太平紳士], whose name is widely recognised by the Chiu Hin Kwong Heart Centre of the Hong Kong Baptist Hospital, Professor Philip Shen, formerly College Head of Chung Chi College, CUHK (沈宣仁教授, 曾任崇基學院院長等職), and local successful business families. The choice of land was abundant at the time and the location of Wah Yuen was picked with optimal feng shui benefits, with view of the Tai Mo Shan mountain from all our windows. The location was chosen to ensure privacy, hence setback away from the main road by around 90m.

Change of ownership of Wah Yuen has been few and far between, currently residing within the compound, we have one original owner still, and few second-hand owners. Last transaction for the detached house was over 11 years ago. All the residents are well settled within the compound and we pay great care and expenses in upkeeping all our houses in good conditions and we enjoy the lifestyle (greenery views / wildlife including singing of birds / sunlight and natural wind) of the rural environment. Just like the potential buyers of the PD, we come from all walks of life, with the yearning of a greenery rural natural environment. Yet, is it not ironic that in order to create such environment for the potential buyers of the PD, that the PD will be destroying exactly what we have ?

We are all here to stay with our family. We take good care of the compound, with good relationship with the village head and the local district counsellor.

2. Proposed Development in relationship to Wah Yuen

As can be seen from fig 1 above, the Proposed Development engulfs Wah Yuen so to speak. The PD is a stone's throw away from our 3-storey houses. In particular for T7 (6 storeys), T8 (6 storeys), T11 (6 storeys), and the carport (3 storeys), these are right adjacent to our houses.

Given the drastic difference in height (3 storeys ~ 8.23 m) for Wah Yuen, and that of the PD (6 storeys 18.15m plus landfill of 1.5m), the new development will be totally towering over us, with wall effect. There will be detrimental impact on us regarding:

- Visuals;
- Sunlight;
- wind circulation;
- air pollution (planned 3-storey carpark right adjacent to three of our houses) and
- noise (proposal estimated new residents of 2,380).

Plans of building setback from Kam Sheung Road and green buffers along the edge of the development site boundary are mentioned in the Application, these are almost irrelevant as far as protection of neighbourhood is concerned except for the benefit of the PD. Where such buffers are needed along the boundary of the PD with Wah Yuen, these are totally absent.

In addition, between the edges of Wah Yuen and buildings T7 and T8 of the PD, there is a brook which splits into 2 streams flowing into the PD. Throughout all the years, water flowed smoothly through their paths, yet in recent years due to the development work of the Application site, the movement of water became stagnant. We had throughout all this time reported the situation to the local District Councillor and village head of Sheung Tsuen. We were told that there is not much we could do due the private ownership of the Application site. Our concerns were vindicated with the heavy rainstorm of 29th August 2018, which caused flooding to all the houses in Wah Yuen. This situation still has not been improved despite our continuous reporting to the same parties above. We are in the utmost fear of the negative impact of the PD will have on this brook DURING construction, as well as AFTER completion.

On a more macro basis, with total vehicle spaces of 275, and estimated new residents of 2,380, there will certainly be a burden to Kam Sheung Road and the public transportation. The PD is 4.3 km away from Kam Sheung Road Station, not walking distance, feeder public transport is necessary. Currently in the peak hours, residents waiting for public buses/ minibuses to Kam Sheung Road Station along Kam Sheung Road have difficulty getting on the vehicles beyond the Shell station already. It takes two or more buses before one can get on.

There is no part in the Application where Wah Yuen is mentioned. And from the plan of the PD, it seems that the Applicant has not taken the welfare of Wah Yuen into consideration at all. Our environment in Wah Yuen is detrimentally affected by the PD, yet there is total absence of mentioning of Wah Yuen in ALL of the consultants' reports (Traffic / Landscape / Visual / Noise / Drainage / Sewerage / Water Supply).

3. Misrepresentation of facts in the Application

Before we move on to more details on the negative impacts of the PD due to its total neglect/lack of consideration of the existence of Wah Yuen, we feel that there are various areas within the Executive Summary that are we do not agree with. We would like to highlight these below. Below referencing and extract follows that of the Executive Summary.

- i. (f) Technical Assessments demonstrated that the Proposed Development *will not result in insurmountable visual, traffic, landscape, noise, drainage, sewerage and water supply impacts.*
- ii. 2.3.1) The site is located in areas with low-rise settlements, open storages and scattered active farmland. The immediate surroundings of the Site have the following characteristics (see (Figure 2.4):
 - a. East – Lai Uk Tsuen / Tsang Uk Tsuen / Tse Uk Tsuen as well as a declared monument – Chik Kwai Study Hall in Lai Uk Tsuen;
 - b. West – Lin Fa Tei Village, further SW Shui Tsan Tin / Ngau Keng;
 - c. North – across Kam Sheung Road, zoned 'Agriculture' with temporary structures;
 - d. South – 'Agriculture' abandoned farmland.

Wah Yuen, which is totally wrapped and engulfed by the Proposed Development, is not mentioned at all. This is telltale sign that the design of the PD, has not taken into consideration of Wah Yuen at all.

- iii. 2.4.1) Site is located only about 2.4km away from Kam Sheung Road Station.
By public transportation, only way is along Kam Sheung Road/ Tung Wui Road, the distance is 4.3km, NOT 2.4km. During morning peak hours, this will take 25 mins or more.
- iv. 2.5.2) Minor relaxation of plot ratio and building height restrictions
Afraid we do not see this as a minor relaxation. The PD contains 19 buildings twice as high, at 6-storey high, and a car park of 3-storey high, right outside our windows. Not quite sure why relaxing plot ratio means 6-storey. We are totally against 6-storey buildings constructed right next to us.
- v. 3.3.2) Plot ratio of the area would gradually decrease from Kam Sheung Road Station (PR of 3) to Kam Shui South Road (with a PR of 0.8) spanning about 1.5km from east to the west. The Land Use Review (LUR) concludes that the development proposals of the area would respect and integrate with the adjoining low-rise and low-density rural settlements.

The Rezoning Site is located only about 700m away from the eastern peripheries of the boundary of Kam Tin South and Pat Heung area.

Planned Kam Tin South/ Pat Heung area developments are close to the Kam Sheung Road Station if along Kam Sheung Road, or on other roads such as Kam Shui South Road, or Kam Ho Road near the MTR Pat Heung Maintenance Centre. These areas have been planned for higher plot ratios, and we understand the rationale. However, further along Kam Sheung Road towards where Wah Yuen is, this is an area with well-established villages with low-rise 3-storey houses already. By saying that the rezoning site is a mere 700m away (we do not agree it is 700m btw, we measure it as 1km from junction of Kam Sheung Road and Kam Shui South Road to the PD) is not fair as where does this exception end then ? The Kam Tin South / Pat Heung area for development has been well planned and it is not fair that vested interest players keep seeking for change of goalpost. The area attracts people coming to live, based on their views of whether they want to be closer to the MTR, hence more dense dwellings, or further away, hence low-rise with more space. It is not fair that such planning is disturbed just because such player has accumulated enough land as their justification. If this sets the precedent allowing such change of rule. Where on Kam Sheung Road with similar 'exception' will end ? The whole of the rural environment would disappear then.

- vi. 3.4.1) Lin Fa Tei and its surrounding area has a general rural setting and mainly occupied by low-rise residential developments and village settlements, open storages and agricultural land. The area is gradually evolving to have more low-rise residential developments. There is potential to catalyse the transformation of the local area to improve the living quality.

The PD will in fact totally ruin our Wah Yuen compound, blocking our views, sunlight and airflow, and will have unfathomable detrimental effect on our living quality. It remains a myth as to why the presentation totally omitted the existence of Wah Yuen,

which is a stone's throw away from the development, when the development is totally engulfing our whole complex.

The spiel about improvement of living quality does not apply to us, in fact as if we haven't said enough, this is ruining all our residences in Wah Yuen in all aspects.

4.1.3) It is evident that the current permissible plot ratio of 0.2 and 2 storeys in height under "R(D)" does not provide sufficient incentive for permanent residential developments with proper infrastructures.

There are three large scale residential developments in the area, two of these are over 100 houses, and one over 240 houses. These are all 2-storey, or 3-storey houses. Below such scale, there are also medium sized developments of over 30-40 houses. All these have proper infrastructures, not sure why 6-storey buildings are used to justify for the infrastructure. We are not expert in plot ratios and developers' profit calculations, but if applying the logic of this Application, so all such existing large scale 3-storey developments were loss-making, or have no infrastructure ?

- vii. 4.1.5) Site currently comprises only few numbers of temporary structures for the storage of building materials in the north, whilst majority of the Site (about 75%) comprises vacant and abandoned farmland in the south.

Whilst the above is a correct statement, but without mentioning the existence of Wah Yuen which the PD is enveloping in the document (including the Appendices), this runs into the risk of misleading the reader that there really is nothing around the site, hence no impact on its neighbourhood.

- viii. 4.1.6) The Applicant and its subsidiary companies have spent tremendous efforts, resulting in successful private land assembly and formulation of innovation solutions to site constraints. The development restrictions of "R(D)" zone will defect the development potential of the Site with substantial landholdings of over 4ha, as well as the potential for a comprehensive upgrading of the environment.

It seems twisted logic here that as long as the Applicant has assembled enough land, then it has justification to change the planning guidelines, such as plot ratio, and restriction in height ? Our environment in Wah Yuen will be totally degraded, NOT upgraded.

- ix. 5.2.2) The relatively small building footprint would also maximise the air permeability of the development and minimise its impact on wind capturing potential of the surrounding neighbourhood.

From Wah Yuen's perspective, air permeability will be gone, we will be totally walled, and airflow will be totally jeopardized.

- x. 5.2.3), fig. 5.2

Building setback - 50m set back from kerb line of Kam Sheung Road – further enhance air ventilation and form the breeze ways along Kam Sheung Road. In addition, the proposed development also offers a Green Buffer with appropriate landscape treatment along the edge of development site boundary. By offering a green buffer, it would be able to soften the building edge of the building blocks, as well as providing a visual relief to the public and surrounding neighbourhoods.

The current PD has the 6-storey buildings T7, T8 and T11 right adjacent to our houses in Wah Yuen. There is also a 3-storey carpark right against the wall of three of our house in our compound. All our views will be gone, all our sunlight will be gone, all our wind will be gone. And with the carpark, our health will also be gone. To sum up, we are totally ruined, and the value of our treasured home will be hugely negatively impacted too.

There are NO building setbacks, NO green buffers in place at all in the PD as far as the boundary with Wah Yuen is concerned. The described building setbacks and green buffers have only benefits to the residents of the PD, that's all.

- xi. 5.4.2) Green buffer plantings along the site boundary to maintain a high landscape visual quality to the neighbourhood.
There is no visual quality consideration for Wah Yuen at all when the PD is towering all over us. Such Green buffer area is for the benefit of the residents of the PD rather than anyone, really.
- xii. 5.5) Visual Impact – The resultant visual change due to the PD is considered acceptable. Sensitive design measures (i.e. building setback...) to mitigate and improve the condition, quality and character of the area. The resultant visual change due to the Proposed Development is considered acceptable.
Total disregard of Wah Yuen in the plan.
- xiii. 5.6 Noise impact)
This section discusses the impact of noise on the PD, but not vice versa. The noise impact on Wah Yuen from the PD will be further discussed in Part 4 below.
- xiv. 7.5.1) Each of the building blocks is designed with a relatively small building footprint with generous open space at grade level. The relatively small building footprint would also maximise its impact on wind capturing potential of the surrounding neighbourhood.
All our open space will be shadowed by the 6-storey buildings, no sun, no wind, no view, no more nature. It seems that the Applicant has this rhetoric of describing the PD as small building footprint with no impact on the surrounding neighbourhood. Compared to our existing 3-storey houses, 6-storey buildings already drowns us on all front.

4. Negative impacts of the Proposed Development on Wah Yuen – Permanent impact

- i. Visual / sunlight / air circulation / air pollution / noise**

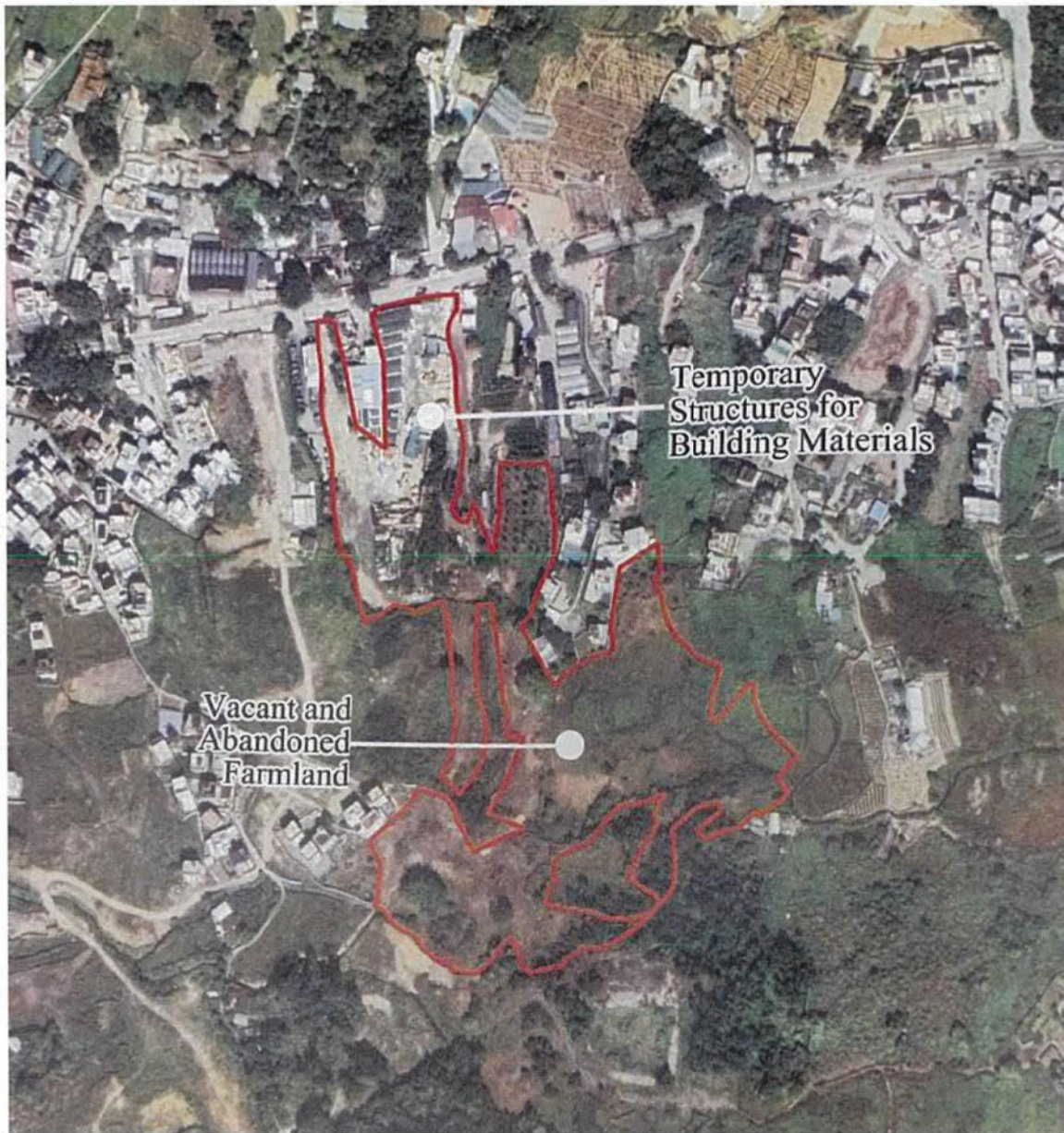


Fig. 2 Aerial Photo of the Site (Source Fig 4.2 of Executive Summary)



Fig 3. Landscape Master Plan (Source: Gist Pg 11)



Fig 4 (flesh colour – Wah Yuen houses, grey colour – PD)

Compared to our existing 3-storey houses, the PD comprises:

- 2 car parks – one of these being a 3-storey carpark holding 148 private car spaces backing on three of our houses on the eastern side of the Wah Yuen compound.
- Residentials - 19 blocks of 6-storey buildings, each with height of 18.1m (plus 1.5m landfill). Each of the 19 buildings will house 44 units on average, hence each building around 125 residents. In particular buildings T7, T8 and T11 are stone's throw away, right adjacent to our houses in Wah Yuen.

Given how Wah Yuen will be U-shaped engulfed by the PD, it is only intuitive to anyone that all our existent view / sunlight / airflow will be totally blocked.

Visuals

Please see fig.4 above a 3D simulation of how our compound will look like after the PD.

Due to limited budget, we can only show the visual above using one angle. However, guess it needs no imagination to visualise that our houses will be totally walled in. This has a devastating impact on our lives, as well as the monetary values of our properties.

Western side

Per the proposed plan, on the west side of our house it is proposed that there will be 2 6-storey buildings T7 and T8, closest being at around 4 metres away from us. All the green views that we have will be gone, instead it will be 2 x 6 storeys worth of someone's living rooms / bedrooms and domestic noise, at stone's throw distance. Privacy and our peaceful life will be totally gone. This has a devastating impact on our lives, as well as the monetary values of our properties.

Eastern side

On the east side of our house, what is view of our neighbours' houses, will become view of a 3-storey car park, backing right on the 3 neighbours' houses in the compound. A 3-storey carpark is sure to be taller than a 3-storey residential house. On top, the façade of such kind of carpark is usually dark in colour. As such, our view becomes that of a dark wall as we look out of our house. A dark wall that spans along the back of three of our houses in the compound.

Looking at the plan of the PD, the Applicant 'cleverly' planned their 3-storey car park in this protruding part of their plot, away from their 'neatly ordered' residential buildings. This is truly an negative illustration of "Do unto others as you would have them do unto you". This is totally totally unfair and unethical. Besides, we will be suffering from the fumes of the 24/7 operation carpark right in front of our house, how is it possible that such planning can be allowed ?

Southern Side

Wah Yuen has a history dating back 1979, the choice of land was abundant at the time and the location of Wah Yuen was picked with optimal fung shui benefits, with view of the Tai Mo Shan mountain from all our windows.

Our house faces right on the South side, facing the Tai Mo Shan and greenery. With the PD, our views will be totally blocked by the line-up of the 6-storey buildings.

Views, sunlight, air circulation, privacy etc, all these important features of the environment that attracted us to live here, to spend material amounts in making our homes that of a lifetime dwelling, are going to be gone with the proposed plan.

It is interesting that the Application gist includes the skyline of the PD from the angles of :

- Lin Fa Tei bus stop (westbound) along Kam Sheung Road;
- Lai Uk Tsuen Bus Stop (eastbound) along Kam Sheung Road;
- Front Entrance of the Chik Kwai Study Hall.

Has there been consideration of the complete visual blockage of all our views in Wah Yuen when the plan is 'kissing' our houses ?

As can be seen from the aerial photo above in fig, 2, there are almost no residential houses along the boundary of the plot, except for Wah Yuen.

The question of why, of all the planning of the buildings the Applicant can have, why the current plan has to have 6-storey buildings and 3-storey carpark RIGHT ADJACENT to our houses ?

Sunlight and Air Circulation

With two 6-storey buildings T7 and T8 on the west side of our house towering over us, closest distance apart at ~4m, this means afternoon sun would be severely blocked, sunlight to our pool and to our house will be detrimentally diminished.

As illustrated below, the reduction in sunlight has huge impact on the use of our swimming pool. The design and layout of the pool at the time of planning was to capture the best of sunlight. WITHOUT DIRECT SUNLIGHT AT ALL in the autumn / winter time, the pool will be too cold to use. Usage of pool will be cut by half. And in the summer, the pool will be in full shade around 16:30 or before. This will have huge impact on our lifestyle after all the investment we made to the house, notwithstanding the huge impact in the valuation of our property.

As an illustration of the huge change in sunlight before and after the PD is constructed, the Interactive Sun Path Diagram per the Hong Kong Observatory has been used. Taking approximation of our garden having a width of 18m, wall height at 2m, and the PD with height of 18.15m, here are the findings:

As at 29/5/2022:

	Before	After
When half of garden is in shade	18:00	16:02
Last sunlight (when garden is in full shade)	18:29	16:39

As at 29/11/2022:

When half of garden is in shade

Last sunlight (when garden is in full shade)

Before

16:34

17:04

After

13:39

14:54



17:44



18:02



18:20

Above shows how the sun is setting between 17:44 to 18:20 on one sunny day in May 2022. The view would be replaced by two 6-storey buildings, and the sun will be blocked much earlier, between 2-3 hours less sun. During winter time, as altitude of sun is much lower, we will have NO DIRECT SUN AT ALL.

Looking above, we are losing at least 2-3 hours of the sun each day in the afternoon if the PD is built. Similar implication can apply for sunrise.

In addition, given the 6-storey buildings are towering over our houses, during winter time, with the sun at altitude of ~44-46 degrees maximum, we will basically have NO DIRECT sunlight at all times in the afternoon as the new buildings will be blocking the sun.

Given the proposed plan, where we are towered by 6-storey buildings T7 and T8 on our west side, and a 3-storey car park on the east side, we will be totally walled in and wind circulation will be severely impacted.

Air pollution

It appears that a 3-storey carpark holding 148 private car spaces is to be built right next to three of our houses. Firstly, we see that a 3-storey carpark is significantly higher than a 3-storey height residential house.

This design has no regard to our existing residents in Wah Yuen. There is so much spiel about building setback from Kam Sheung Road and green buffers along boundary areas with agricultural land, mainly for the benefit of the residents of the PD. Yet, for the boundary with Wah Yuen, this PD has 6-storey high buildings + 3-storey carpark right outside on our boundary wall, right in front of our windows ?

There does not seem to be any consideration for residents of Wah Yuen. Living in this rural environment, we are all receptive to new houses of similar height for residential purpose. Why does the Applicant have to have a 3-storey carpark leaning on our wall ? Why does it not have this structure leaning against its 19 blocks ? Why ?

Living next to an all-purpose 3-storey carpark building surely is not anyone's choice, and this is an understatement. It is totally not acceptable that the design of the Proposed Development has such disregard to our lives. We did not come to live in the rural area to have a carpark next to our windows.

So the Proposed Development is seeking for approval of 0.8 plot ratio, for building of 6-storey blocks, and as a result, justifying itself in building such 3-storey carparks backing onto 3 of our houses servicing its residents, which is totally ruining our environment and lives ?

Besides the great concern with the 24-hours running carpark outside our bedroom windows, with devastating visual impact on our homes, the 24/7 operation of the carpark means that we will suffer from noise, fumes and increase in air pollutant levels issues from the carpark.

In the area, there are existing 3 major housing developments by a major developer, these being:

- Seasons Palace 104 units (since 2006);
- Seasons Monarch 244 3-storey units (since 2009);
- Seasons Villas 112 units (since 2004)

(Above total number of units and years of completion are taken from local estate agent websites, for general reference.)

The above are all 3-storey complexes, with well developed infrastructures. So given the argument in the Proposed Development, were these loss-making projects ?

Applicant's justification in the "need" to have 6-storey structures is unfounded and twisted. So because of commercial profiteering reason, they can turn the rules and do whatever they want in the name of support of housing needs ? From a macro point of view, housing shortages would not be brought down by this development, as long as there are systemic problems of unequal distribution of housing resources.

Noise

The Noise Impact study (Appendix 5) seems to be assessing the noise affecting the Proposed Development only, as opposed to whether the PD is affecting the neighbourhood areas. As a noise mitigating measure for the benefit of the PD, there is mentioning of Building Setback.

Turning the table around, at Wah Yuen, we are concerned about the noise levels created by the PD. Currently, we enjoy the nature environment, the only 'noise' we have being singing of birds. We question whether these will all disappear when we are towered by the PD.

Also, it is mentioned that the two clubhouses will be equipped with central air-conditioning full time, so we question if such kind of 24 hours operation will have noise impact on us. Wah Yuen is right next the PD, humming noise of ventilating system of such scale non-stop 24/7 will be very significant given our serene environment. We strongly request for acoustic silencers and acoustic enclosures for these equipments. Also we strongly request for such equipment to not be facing towards direction of Wah Yuen.

Moreover, given the stone's throw distance of the adjacent 6-storey buildings, as well as the 3-storey carpark, we are extremely concerned with the noise that will be created. From our existing 3-storey houses to this sudden neighbourhood of 125 residents on average per building, this will definitely cause disturbance to our tranquil environment which we treasure so much. There is no information on the design of the carpark, whether it is completely enclosed or not, but a 24/7 operational carpark right next to our windows in the rurals, how is it possible that such planning arose ?

Wah Yuen houses are situated between 90 to 220 m away from Kam Sheung Road, we enjoy the sound of nature, birds etc. This environment of nature will disappear once the development is built, as the 6-storey buildings will be shielding us from the existing greenery and views and nature. Moreover, we will be on the receiving end to the 24/7 ventilation system in the two clubhouses, as well as the noise arisen from activities of a potential of 125 residents per 19 buildings, and the 24/7 usage of the 3-storey carpark.

ii. Flooding Risk

Regarding the drainage impact, this is one critical issue for Wah Yuen, and for our house, absolutely critical as we were mostly affected in the heavy rainstorm of 29th August 2018.

Our house is along the westbound wall of Wah Yuen. Just outside this wall, and between the proposed buildings T7 and T8 of the PD, there is a brook which splits into 2 streams flowing into the PD. Throughout all the years, water flowed smoothly through their paths, yet in recent 5 years due to the development work of the Application site, the site has become

brownfield site. Since then the water becomes almost stagnant and the previous flow movements along the stream cannot be seen anymore. Moreover water level of the stream rises high, and too quickly, even after moderate rainfall. Some Wah Yuen residents even need to install electric pumps to bump away the backflow of water from our houses. As much as we repeatedly made reports to our Local Councillor and village head, we were informed that there is not much that they could do as the land where the stream path is blocked is under private ownership.

Our concerns were vindicated with the heavy rainstorm of 29th August 2018, which caused flooding to all the houses in Wah Yuen. We had to call for support from the Police and Fire Departments to rescue us, water level was 20cm in some of our houses. From the main road Kam Sheung Road to Wah Yuen along the driveway, water level was over 30cm. Within 11 days on 9 September there was the typhoon Mangkhut, we had to procure and install electric pumps to bump away the backflow of water caused by the overflow outside the western wall of Wah Yuen. This situation has still not been improved despite our continuous reporting to the same parties above. As the proposed plan shows landfill in the area where the brook flows into, we are in the utmost fear of the negative impact of the PD will have on this brook DURING construction, as well as AFTER completion.

Given the above, in the summer rainy seasons, we can only resort to ad hoc measures such as sandbags / flooding prevention panels over main doors. And every heavy rain forecast is nerve wrecking to our residents.

Per the Application, this stream seems to have disappeared and landfilled. Not sure if the measures as mentioned in the Drainage Impact Assessment address the situation of this particular waterflow. In any case, this issue needs to be managed with utmost planning as during construction time, construction debris can immediately block the already non-flowing stream. Flooding risk will certainly increase and this will be catastrophic.

As such this drainage issue needs to be addressed before the start of construction before the landfill covering the stream, and this is not clear from the Application material.

Per the Drainage Impact Assessment, Table 4.4 tabulates the Proposed Condition with DSD planned works under scenarios 10A, 50A and 200A for 7 Control Points. We note that there are 7 occurrences where freeboard is positive per the table. This is our laymen's reading, obviously we are no expert. As with all the other Appendices, we are extremely concerned that the Applicant has not taken the welfare of Wah Yuen into its consideration in the Drainage Impact study.

iii. Traffic

Regarding the Traffic Impact Assessment, we have the following comments:

- a) The report only picked 4 main road junctions as study sample. It has not investigated the impact of the traffic and parking issues within Kam Sheung Road and Pat Heung

area, such as Kam Tin town center (main local shopping area meeting our daily needs) and Sheung Tsuen bus stop area (where there are about 6-7 restaurants, one grocery shop, car repair shops and property agents). Even on weekdays, one can hardly find a parking space in these two areas. We cannot imagine the addition of another 2,380 inhabitants from the PD. The situation will be overwhelming to handle.

- b) How do we tackle the parking issue of the Park and Ride facility in Kam Sheung Road station as this PD caters for 275 additional motor vehicles to this area. The Park and Ride carpark is always full after 10 a.m. each day. We are not sure the car park will be down sized or not when the new property development in Kam Sheung Road station starts soon, surely any increase would not be just for such 275 increase in motor vehicles ?
- c) The PD is 4.3 km away from Kam Sheung Road Station, not walking distance, feeder public transport is necessary. The impact study has not mentioned mini buses No 72 and No 23 and the Sunlight Bus NR 918 that goes to Central/Wanchai area. These are always very popular and fully loaded during peak times in the morning. Also, one can hardly find taxis available in the peak hours. What would be the impact when 2,380 inhabitants are added ?
- d) Junction C (Kam Sheung Road / Kam Tin Road) will reach full capacity soon. Nothing solid mentioned on how this will be resolved in the improvement proposal.

5. Negative impacts of the Proposed Development on Wah Yuen – Impact during Construction

Regarding the impact during the construction period, the proposal has not taken Wah Yuen into its consideration at all.

- a) **Structural impact** – Wah Yuen is a compound of over 42 years. The impact of the construction work few metres away from us on our foundation is not within our laymen's grasp, but we fear for the worst.

During the construction of the Shek Kong Stabling Sidings (High Speed Rail train repair center) along Kam Sheung Road a few years back, neighbouring villages including Lai Uk Tsuen, Tsang Uk Tsuen, Tse Uk Tsuen and us in Wah Yuen have suffered different degrees of damages including cracks and subsidence.

How will our 42-years old houses be able to bear such heavy construction work ? This is rural land where small scale 3-storey buildings have been built, most times by small scale developers / contractors. We fear that the large scale 6-storey construction, built at literally stone's throw away from our houses will cause structural cracks and damages to our houses.

What protection do we have in Wah Yuen when the site is only a few meters away from Wah Yuen at closest point. Is this going to be a scenario of having to prove the damages before our voice would be heard ? **This would bring huge psychological stress to our lives throughout the 5 years of construction.**

For our case, we have a swimming pool in our premise. We are extremely concerned about damages / cracks that the heavy construction work, at such close distance to us, could cause to our pool.

Again, no preventive measures had been mentioned in the Applicant's material as to how to mitigate and monitor structural impact/damages, especially, with the close proximity, on our houses in Wah Yuen.

- b) **Noise impact** - During construction period, how to minimise the noise pollution, again nothing mentioned in the impact assessment.

Especially during initial piling phase, with T7, T8 and the 3-storey car park so close to us, we see no mention of minimizing such impact on us at all.

- c) **Drainage impact** - It is mentioned that during construction period, the north channel will be connected to a new system replacing the existing blocked portion. However it is not clear how Wah Yuen is covered for the risk of flooding during this interim construction period. As mentioned in previous section 4 above, since the Applicant's site has turned to brownfield site, the stream along the outside edge of Wah Yuen does not flow well anymore and water level rises rapidly after each bout of heavy rain. Moreover, with the construction work, construction debris can immediately block the already non-flowing stagnant stream. **As such this drainage issue needs to be addressed before start of construction, before the landfill covering the stream. This is not clear from the Application material.**
- d) **Air pollutant and construction debris impact** – we will be totally exposed to construction contaminants and dust during the full period of construction, it is not seen from the Applicant's material as to how such impact would be minimized. Our dwellings are not flats where we could just close our windows, we have our outdoor garden areas which will be badly affected.

From our past experience, during renovation period of our neighbouring house which was even more of a distance away from our house than the planned T7, T8, the construction debris that got into our swimming pool caused blockage in our pool filter pump. We ended up having to pump away all water in order to perform thorough cleaning by external maintenance vendor. This caused great hassle and financial costs to us. We were warned by the maintenance team that had the construction debris been bigger in size, there will be risk of the debris trapped in the pump causing overheating and could easily damage the system with replacement being the only option.

Besides, given such heavy construction work at such close distance to us, the regular cleaning and maintenance work for our pool would definitely need to be intensified, as such increased financial burden.

Obviously the inconvenience and stress in handling such situations of our pool are not quantifiable.

Nothing again mentioned in the planning application as to how to deal with construction contaminants / debris / dust during time of construction.

- e) **Traffic impact** - The proposal has not assessed issues of how the construction heavy trucks and cranes would have impact on the traffic along Kam Sheung Road during construction period.

The completion date of the PD is 2027, this means construction period will be 5 years roughly. 5 years of continuous suffering under above scenarios is health damaging and distressful to say the least. Needless to say, there will be financial detriments to us as well in terms of repairs and cracks which take time to prove (if at all), as well as the adverse impact on the market values of our homes.

6. Conclusions

To summarise the above sections,

Permanent Impact:	
Before	After
- Greenery Views	- All Views blocked. No Privacy
- Singing of birds	- 24/7 ventilation system of the club houses - 24/7 carpark operation right next to us - 125 residents per building x 19, right next to us
- Natural sunlight	- Sunlight cut by 2-3 hours during afternoon each day - No direct sunlight at all in winter as 6-storey buildings towering over us - Without direct sunlight, our swimming pool will not be suitable for swimming for half of the year
- Natural air circulation	- Wall effect
- Rural freshness of air	- Air pollutants from carpark right next to us
- Drainage problem exacerbated in last few years since brownfield	- Unknown if situation will be worse
- Traffic	- added burden on public transport, parking facilities and the already congested Kam Sheung Road

Impact during Construction period (5 years roughly):

- High risk of structural damage to our houses in Wah Yuen due to the proximity from the development. For our house, we are right in the middle of the T7, T8 and the 3-storey car park. We have a swimming in our premise and we are extremely worried about the heavy impact of construction work on our pool and house;
- Noise from construction site, again we are right in the middle of the T7, T8 and the 3-storey car park;

- Increased risk of flooding on western side of Wah Yuen wall due to construction debris, our house is right next to a stagnant stream of which its level rises too quickly with heavy rain;
- Construction contaminants and dust impact, especially on our outdoor area. For our case, construction debris going to our pool could run the risk of damaging our pump system rendering replacement, which would be very costly. Besides, given such heavy construction work at such close distance to us, the regular cleaning and maintenance work for our pool would definitely need to be intensified, as such increased financial burden. Obviously the inconvenience and stress in handling such situations are not quantifiable; and
- Traffic impact with the construction heavy trucks and cranes as the site is right next to us.

As a house compound, we are one of the earliest one along Kam Sheung Road, with detached houses and each with our gardens. We are all proud owners of our homes and we have spent significant amount of monies in maintaining and updating our houses throughout all the years since 1979.

From the day when we had sight of the gist details made available publicly, the sentiment of all the residents in Wah Yuen had been that of sadness, anger, and confusion.

Of course we support the development of housing in vicinity areas, in response to the need of housing requirements of Hong Kong. We support this whilst trusting in the well understood planning of the area, the boundary of the Kam Tin South / Pat Heung LUR (Plan 1), which is 1km away from the Proposed Development. Zoning of land around Wah Yuen are all agricultural land and V-zoned and we are of course open to development of nearby areas with zoning plans to build 3-storey residences, similar to ours in Wah Yuen. Yet to have all we have to disappear because the PD is close to us and twice as tall as our houses, this is a very disturbing situation to say the least.

Given the vastness of the Applicant's land, and the good intention of the Applicant's building setback as well as the green buffer measures for the benefit of the development's new residents, we sincerely hope that the Proposed Development would apply such measures to the boundary in Wah Yuen, for the benefit of us, the existing residents right next to the development.

We did not move from the city to the rural area to have a 3-storey carpark right next to our bedroom windows. We did not move to live in this compound knowing that there will be buildings twice of that of our homes right adjacent (4m closest) to us. The changes to our lives, of this proposed rezoning, is brutal, and it is just too hard to stomach.


We hope that this is not a case of 850 units vs 9 houses, not a case of the big developer vs our small complex, which has been here since 1979.

We beg that members as well as the officer in charge of this proposal to consider and hear our voice.

We are vehemently against the current proposed Application as represented.

We thank you for taking our views into your consideration on this Proposed Development.

Yours faithfully,

Residents of Wah Yuen, 

Residents of



5th August 2022

Dear Secretary of the Town Planning Board,

Re: Comments to the Town Planning Board in respect of Application Y/YL-SK/1

We are residents to LOT 259A of the compound Wah Yuen 華苑, following our comments we sent you on 3rd June 2022 during first round of public comments. With the newly added information in the second round of submission, we would like to share with you our further views.

Our comments sent on 3rd June 2022 during first round of public comments seeking remains.

The Proposed Development ("PD" hereafter) of above reference envelopes our compound 270 degrees. Having reviewed the plan and the documents made available at the Planning Department, we feel that no consideration has been taken into account of Wah Yuen in the planning of the PD. We feel that our general welfare, and health will be detrimentally affected.

We object strongly to the Application.

Per Figures A2-1 to A2-5 of Appendix A of the Land Contamination Assessment (Appendix 9), photos are taken near the border between Wah Yuen and the PD. Scattered throughout all the reports, including the ones in the second submission, they create an impression that the site currently comprises temporary structures for the storage of building materials as well as vacant and abandoned farmland, and that the development will provide the neighbourhood a 'comprehensive upgrading of the environment'.

We have disputed spiel in our first round letter, the PD is definitely not an upgrade to say the least, but devastating our lives, quality wise and financial wise.

We would like to share with you as residents in Wah Yuen, the environment and views we have currently. Obviously as we said before, we are not of the view that our views will remain totally unobstructed forever, but we are living here with the understanding that any neighbourhood developments would be of the same height as us, NOT 200%.

Current Views from Wah Yuen - to be replaced by 6-storeys buildings, 3-storey carpark, clubhouse restaurant RIGHT ADJACENT to our houses ?!



4



1



3



2

In the re-submission material, where comments from various Government Departments and responses from the applicant is included, it is noted that the Chief Architect raised the following comments:

- It is noted that the proposed residential development mainly consists of 19 towers with building height of 6 storeys (about 44.16mPD), which are about 200% higher than adjacent "R(D)" developments with BHR of 2 storeys permitted in OZP. It is undesirable from visual impact point of view and may not be compatible to adjacent developments.
- The building length of some of the residential towers (e.g. T3 to T6, T14 to T19) appear to exceed 60m which may have adverse impact on the air ventilation and visual permeability. The applicant is advised to comply with the building separation requirements of the design guidelines promulgated in the PNAP APP-152.

As residents of Wah Yuen, we totally concur with the above comment. This is the GRAVEST CONCERN to us, this is the issue we have been pounding on in our comments (as LOT259A and one of the owners of the Wah Yuen compound) dated 3rd and 4th of June 2022.

Yet, looking at the response of the applicant, it seems that they are parroting again the spiel of :

- PD not incompatible with the surrounding height profile
- Does not obstruct the mountain ridgeline and open skyview in the background
- Visual impact can be mitigated design measures such as building setback.
- Ridges still visible

Is such blatant misrepresentation allowed in this kind of submission ? Not incompatible with surrounding height ? Ridges still visible ? We are talking about ridgeline of Tai Mo Shan, the highest peak in HK, of 957 m height. Ridges of Tai Mo Shan still visible being the standard / benchmark in justifying the 200% height of the development ? Building setback – per plan of PD, there are **NO building setbacks, NO green buffers in place at all in the PD as far as the boundary with Wah Yuen is concerned**. The described building setbacks (from Kam Sheung Road) and green buffers (along boundary areas with agricultural land) have only benefits for the residents of the PD, that's all.

Such response above IS TOTALLY UNTRUE for residents of Wah Yuen. Such blatant disregard of our existence is no difference to blatant deceit. As mentioned in our comments dated 3rd June 2022, we have repeatedly expressed our strong protest on the 6-storey high buildings, as well as the close proximity of buildings T7, T8. T11. T12 and T13 and carpark right adjacent to us.

So on completion of the PD, as residents of eleven 3-storey houses in Wah Yuen, we are expected to be sandwiched between a 3-storey carpark, a full-time restaurant (per resubmitted info Appendix 8 – Air Quality Impact Assessment), 2,380 residents, all 6-storey buildings, some of which forming wind screen of 60m with great devastation to the air ventilation and visual permeability. This is deplorable. What have we done to deserve this ? This is an area where all houses are only of 3-storey high. Masking this truth using plot ratio, and have nineteen 6-storey buildings, labelled as "low rise" gives a totally false picture.

Please envisage us, being wrapped by 6-storey buildings. And amongst these, car parks, restaurant, windscreen effect from the wide span of the buildings. We are screaming for help and justice here, we are hopeful that there will be sensible and righteous minds in the audience.

Boundary between Wah Yuen and PD has a narrow strip of water course, this is no man's land. From the plan of the PD, as it will be landfilled blocking further flow of such water course, there is huge risk of where the water, at times of heavy rain can flow to. Water is not moving already.

Below are our comments to some of the reports in the applicant's latest 15th July submission:

Appendix 3 – Landscape

It is not clear from the diagrams where the vertical green will be, also not clear what its height and width will be. Will this form a large wall blocking air circulation to Wah Yuen ?

Also, such kind of structure is susceptible to pests. This should be far and away from us in Wah Yuen. Again, the same motto, please do not "do unto others as you would have them do unto you".

Appendix 4 – Ecological Impact

Para 1.3 Proposed Development is described as providing 'visual amenity to neighbourhoods'. Is the author of the report aware that the PD is towering and enveloping us in Wah Yuen ?

The conclusion of this report is that recorded habitats are considered to have low ecological value. And that with implementation of mitigation measures during construction and operation phase, the impact will be minimised and thus no significant impact on local ecology would be anticipated for the PD.

What are the control measures to gauge that the developer will follow the mitigation measures ? Are there any legal requirements ? If no, perhaps the suggestions in this report are just paying lip service ?

In the study, comprehensive field surveys of vegetation and habitat, terrestrial mammal, herpetofauna, avifauna, insects, aquatic fauna were conducted. Yet for residents in Wah Wah, right adjacent to the PD, where our lives will be hugely negatively impacted as we are enveloped by the PD at stone's throw distance, (details as per our comment submitted to TPB on the 3rd June 2022), has the developer and any of the 10 different consultant reports taken our situation into consideration, with the same detail and thoroughness they have done for the vegetation and habitat, terrestrial mammal, herpetofauna, avifauna, insects, and aquatic fauna ?!

Appendix 5 - Drainage

Appendix J is missing in the North Point Office. This does not affect our comments below nevertheless.

- Wah Yuen watercourse - as recognised in the re-submitted info

We note that the amendments have included Wah Yuen in its consideration, where it is mentioned that there is a watercourse near Wah Yuen, severing both the catchments of nearby area of Wah Yuen and part of the Development Site under the existing condition. The downstream section passes through nearby private lots.

Photos (per fig 3.3) and revised maps are included to show the existing watercourse near to Wah Yuen (Appendix B1, B3).

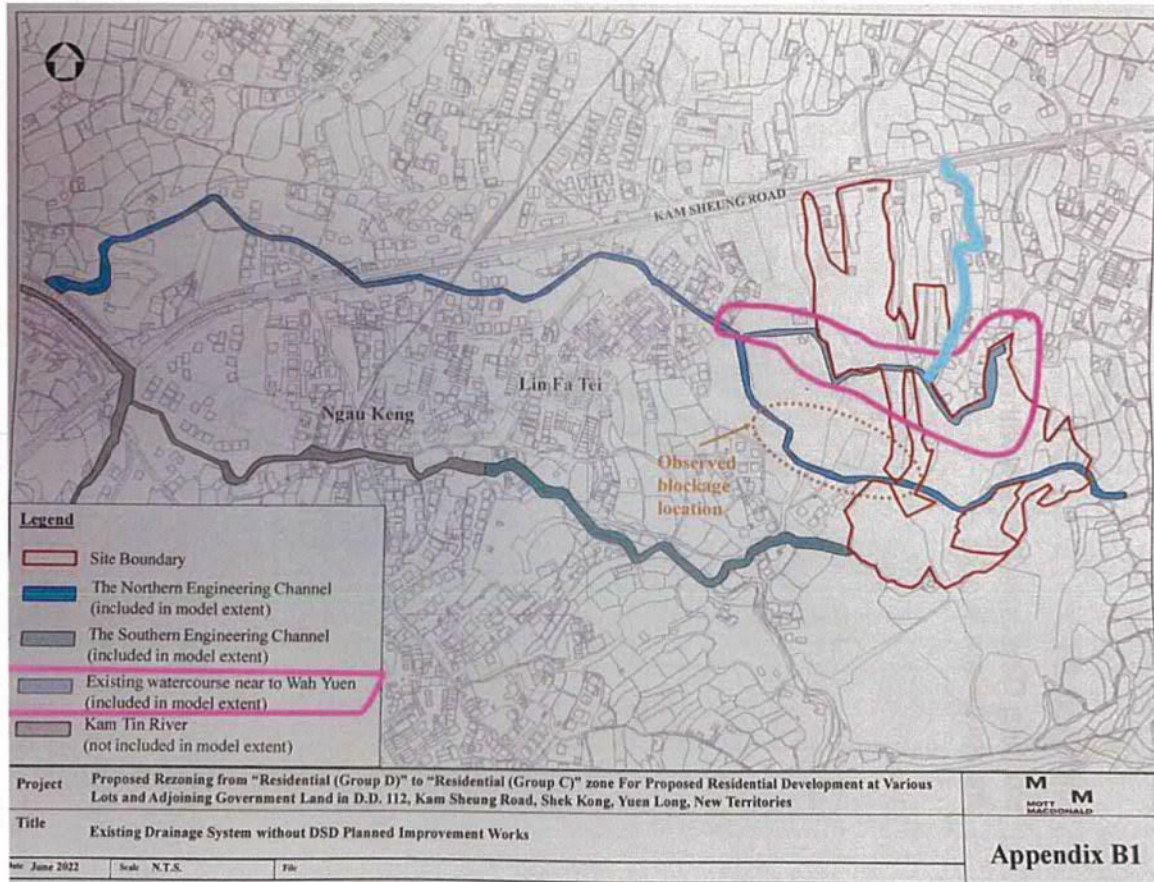
We are not expert in drainage issues, but at least for now, this part of the watercourse near Wah Yuen has been taken into consideration. Whether the findings and conclusions will hold against rainstorms is a question we trust we shall leave in the good hands of the various governmental departments.

- Another Wah Yuen watercourse along its western wall – no mentioning of

However, besides the watercourse mentioned above, there is no mention of another watercourse that flows from Kam Sheung Road, along western wall of Wah Yuen.

Boundary between western wall of Wah Yuen and PD is a narrow strip of water course (see BLUE line in Appendix B1 below), this is no man's land. From the plan of the PD, as it will be landfilled blocking further flow of such water course, there is huge risk of where the water, at times of heavy rain can flow to. Water is not moving already due to the development work in the PD'site since last few years.

This is the watercourse that caused flooding in our houses in Wah Yuen in 29th August 2018 as its path was very blocked and overflowed. The situation of the watercourse remains the same or has become worse since, any rain causes level of the watercourse to rise.



BLUE line above depicts the watercourse flowing from Kam Sheung Road alongside western wall of Wah Yuen.

As the watercourse above (depicted by BLUE line) in Appendix B1 will be not be flowing further as PD will be landfilled, we are concerned whether water flowing into this direction has been taken into consideration.

From Kam Sheung Road, the watercourse flows between western boundary wall of Wah Yuen and a nursery 頌英園 (rented property from the local Lai clan to our understanding). Further in, it flows between the western boundary wall of Wah Yuen and the PD. As this is a narrow strip of land, and with the development demarcating its border in the last few years, the neighbourhood nursery does not get access to the watercourse area anymore and this has become a no-man's land. Waterflow along this watercourse is more or less stagnant as explained in our comments back on 3rd June already.

It is our great concern as to where this watercourse will flow into if the PD is landfilling the downstream part of the waterflow.

Please see below status of the stagnant water. Photos taken on 1st August 2022.



As mentioned in our comments dated 3rd June,

Our house is along the westbound wall of Wah Yuen. Just outside this wall, and between the proposed buildings T7 and T8 of the PD, there is a brook which splits into 2 streams flowing into the PD. Throughout all the years, water flowed smoothly through their paths, yet in recent 5 years due to the development work of the Application site, the site has become brownfield site. Since then the water becomes almost stagnant and the previous flow movements along the stream cannot be seen anymore. Moreover water level of the stream rises high, and too quickly, even after moderate rainfall. Some Wah Yuen residents even need to install electric pumps to bump away the backflow of water from our houses. As much as we repeatedly made reports to our Local Councillor and village head, we were informed that there is not much that they could do as the land where the stream path is blocked is under private ownership.

Our concerns were vindicated with the heavy rainstorm of 29th August 2018, which caused flooding to all the houses in Wah Yuen. We had to call for support from the Police and Fire Departments to rescue us, water level was 20cm in some of our houses. From the main road Kam Sheung Road to Wah Yuen along the driveway, water level was over 30cm. Within 11 days on 9 September there was the typhoon Mangkhut, we had to procure and install electric pumps to bump away the backflow of water caused by the overflow outside the western wall of Wah Yuen. This situation has still not been improved despite our continuous reporting to the same parties above. As the proposed plan shows landfill in the area where the brook flows into, we are in the utmost fear of the negative impact of the PD will have on this brook DURING construction, as well as AFTER completion.

Given the above, in the summer rainy seasons, we can only resort to ad hoc measures such as sandbags / flooding prevention panels over main doors. And every heavy rain forecast is nerve wrecking to our residents.

Per the Application, this stream seems to have disappeared and landfilled. Not sure if the measures as mentioned in the Drainage Impact Assessment address the situation of this particular waterflow. In any case, this issue needs to be managed with utmost planning as during construction time, construction debris can immediately block the already non-flowing stream. Flooding risk will certainly increase and this will be catastrophic.

As such this drainage issue needs to be addressed before the start of construction before the landfill covering the stream, and this is not clear from the Application material.

Uncontrolled dumping and construction runoff, such as dumping construction waste and pollutions running into the water courses would cause blockage to the already very stagnant drains. Giving the current stagnant status of the watercourses near Wah Yuen, it will not take any moment to block up all the watercourses.

Appendix 8 – Air Quality

Para 2.1 In description of Site Location, again, as in reports submitted in first phase, Wah Yuen is totally ignored, when it is right adjacent to the Site, ZERO m.

“The project site is located south of Kam Sheung Road. The residential developments Lotus Hill (500m) and Hoi Tong Garden (450m) are located to the west, and Jazz Garden (400m) is located to the east. “

Such information is grossly misleading.

How can it be possible that a 3-storey carpark right next adjacent to three of our houses in Wah Yuen be of no impact ?

Aim of report is to assess the surrounding industrial and vehicular emissions ON THE proposed development. What about study of the impact of the PD, especially that of the 3-storey carpark to its surrounding neighbourhoods, especially Wah Yuen ? This is not in the report at all.

Whilst Dust Control for Construction work is mentioned, as Wah Yuen is enveloped by the PD, we are very concerned about the air quality caused by the construction, as well as the blockage of the watercourses outside wall of Wah Yuen, where water is already stagnant due to development work in the site in the past few years.

Conclusion mentions Table 3.1 of the Hong Kong Planning Standards and Guidelines (re: Table 3.1 Chapter 9). Not sure the relevance of this as we are talking about a 3-storey carpark right next to our houses.

Table 3.1 : Guidelines on Usage of Open Space Site

Pollution Source	Parameter	Buffer Distance	Permitted Uses
Road and Highways	Type of Road		
	Trunk Road and Primary Distributor	>20m	Active and passive recreational uses
		3 - 20m	Passive recreational uses
		<3m	Amenity areas
	District Distributor	>10m	Active and passive recreational uses
Local Distributor		<10m	Passive recreational uses
		>5m	Active and passive recreational uses
	Under Flyovers	<5m	Passive recreational uses Passive recreational uses
Industrial Areas	Difference in Height between Industrial Chimney Exit and the Site		
	< 20m	> 200m	Active and passive recreational uses
		5 - 200m	Passive recreational uses
	20 - 30m (*)	> 100m	Active and passive recreational uses
		5 - 100m	Passive recreational uses
30m - 40m		> 50m	Active and passive recreational uses
		5 - 50m	Passive recreational uses
> 40m		> 10m	Active and passive recreational uses
Construction and earth moving Activities		<50m	Passive recreational uses
		>50m	Active and passive recreational uses

Also, now with new information that there will be the operation of a full-time restaurant in the clubhouse with a GFA of 180m² and staff of 10, such operation would release oily fumes and cooking odour. So on top of being close to a 3-storey carpark with 24/7 exhaust fumes, we are to suffer from the cooking fumes of a full-time restaurant ? And the design of these, just like all the other designs of the PD, are to push all the undesirable parts away from the development's precious customers i.e. residents/purchasers, and facing towards us ? Is this going to be the case ?

And looking at the plan of the PD, the building length of some of the residential towers (e.g. T3 to T6, T14 to T19) appear to exceed 60m which may have adverse impact on the air ventilation and visual permeability. Should there not be guidelines or legal restrictions on this ?

So engulfed by nineteen 6-storey buildings, residents of Wah Yuen will be sandwiched between a 24/7 3 storey carpark and a full-time restaurant with the completion of the PD ? Are we expected to accept this ? Hasn't this passed the point of basic respect to closeby neighbourhood, especially those who are RIGHT ADJACENT to the PD ? Is this allowed in a civilised 'world-class' city ? Surely there are laws protecting residents in such kind of scenario in any civilised cities in the world.

Appendix 9 – Land Contamination

Conclusion of this report is that potential contamination is not anticipated and associated impact is not expected in the project site.

Current surroundings of Wah Yuen is vegetation and greenery landscape, not industrial site. The frontal part of the PD site close to Kam Sheung Road has been rented out for temporary construction material storage, that's all.

Not sure if it is a legal requirement to cover such topic of land contamination. But if this gives the audience the impression that the vicinity area 'appears' to be contaminated, then afraid we would like to clarify the fact that the area is mainly farmland. And if abandoned, this is purely because of the uncertainty of tenureship such lands could be farmed, hence no one with the right mind would invest their time and money on something which could be taken back from them uncontrollably.

On the other hand, other reports mentioned how the PD will improve the environment. How ? In what way ? From our perspective, our environment will be hugely negatively impacted due to the height of the 6 storeys compared to our existing 3 storeys.

Appendix 10 – Waste Management


During construction phase, with work of foundation and superstructure, construction and demolition waste, chemical waste, and general refuse will be generated. Whilst the report mentions how such waste will be sorted / collected / stored on site, there is no mention of

where such will take place in the site, albeit a mentioning of “will be provided at location away from public areas (para 3.9)”.

As existence of Wah Yuen has been totally ignored by the development in the submission all along, does Wah Yuen constitute public area ? With the vastness of the site, we strongly ask the developer NOT to operate its waste management facilities at any distance close to us.

Again, waste from construction is a huge concern for us as the watercourses outside walls of Wah Yuen can easily be filled by such. This is a serious flooding risk.

Yours faithfully,

Residents of Wah Yuen, 

Residents of



7th October 2022

Dear Secretary of the Town Planning Board,

Re: Comments to the Town Planning Board in respect of Application Y/YL-SK/1

We are residents to LOT 259A of the compound Wah Yuen 華苑, following our comments we sent you on 3rd June and 5th August 2022 during the first and second rounds of submission respectively made by the applicant, with the newly added information in the current third round of submission, we would like to share with you our further views.

Our comments sent on 3rd June and 5th August 2022 during the first and second round of public comments seeking remain.

The Proposed Development ("PD" hereafter) of above reference envelopes our compound 270 degrees. Having reviewed the plan and the documents made available at the Planning Department, we feel that no consideration has been taken into account of Wah Yuen in the planning of the PD.

We object strongly to the Application.

As much as we are now in the third round of submission phase by the applicant, and as much as there has been comments made by various government departments regarding the proximity of the PD to Wah Yuen, the applicant continues to parrot the irrelevant points in the application material, not addressing the issue that the proposed 19 residential blocks of 6 storeys building height will TOTALLY ruin the visuals from Wah Yuen. At certain points, T7 and T8 of the PD are estimated to be less than 4m apart from our houses.

The applicant keeps mentioning the use of building setback and green buffers, which is totally irrelevant to the issue. These ARE NOT ALONG the border with Wah Yuen.

Why does the PD have to have 6 storeys buildings so close to us in Wah Yuen ? A simple realignment of the buildings away from Wah Yuen will give us more distance away from each other, why cannot the applicant look into this ? Negative impacts such as light, air quality all come up due to the close proximity of the PD from us in Wah Yuen. These have been covered in our comments in the previous last two rounds already.

Building ratio of 0.8 is repetitively mentioned by the applicant. There are many ways to achieve this, not just 6 storey buildings, twice the height as that of the neighbours.

In response to the Chief Town Planner's query on 17 August 2022, the applicant in this 3rd submission states:

....the Proposed Development is not incompatible with the surrounding height profile, which overall does not obstruct the mountain ridgeline and open skyview in the background. The visual impact can be mitigated through appropriate and well through-out design measures (ie. Building setback, providing green buffer along the periphery of the Site, building facade materials). Therefore, the resultant visual change due to the Proposed Development is not significant and is considered acceptable in visual point of view.

The above does NOT apply to us at all. NONE of the above points address our concern as residents whose dwellings will be enveloped by the PD, with closest distance few metres apart from the proposed 6-storey buildings.

This is the truth:



Grey buildings denote the PD (6 storeys, < 4m away). Wah Yuen existing houses (3 storeys) are in beige.

Further, in response to the Chief Architect's comments made on 17th August 2022, the applicant answered as below:

...the PD is about 700 m away from the eastern peripheries of the boundary of Kam Tin South and Pat Heung area, which has been identified by the government to develop the area into the suburban township with PR ranging between 0.8 to 3.0. The proposed building height for the Proposed Development is intended to align with the Land Use Review and to contribute to the suburban township of Kam Tin South and Pat Heung area.

....it is indicated that the Proposed low-rise Development with 6 storeys is not incompatible with the surrounding height profile, especially the adjacent developments, which overall does not obstruct the mountain ridgeline and open skyview in the background. Therefore, the resultant visual change is considered acceptable. The visual impact can be mitigated through appropriate and well through-out design measures (i.e. building setback, providing green buffer along the periphery of the Site, building facades materials).

- The applicant should find their own piece of land WITHIN the Land Use Review area, NOT 700m away and asking for exception. What is the use of town planning if developers keep asking for exceptions to the plan/rule ? This is UNFAIR to residents who put their life savings on areas based on the plans/rules, to be found that exceptions can afterall be granted.
- The above response is total lie. The PD is EXTREMELY INCOMPATIBLE with the surrounding height profile. All buildings in the surroundings are 3 storeys high.
- The resultant visual change is considered acceptable ?????? Acceptable by who ? I am telling you, NOT ACCEPTABLE TO US !!!!!
- Visual impact mitigated by building setback and green buffer ???? NONE of these are relevant to us in Wah Yuen. None of these measures BORDERS with Wah Yuen.

Either the response was written by a part time worker at the applicant's office, hence just plain copying / extracting from the submitted proposal without realising that this is comparing apples to oranges ? Or that such response are intentionally given to mislead ones who are easily impressed by terms of building setback and green buffers without the initiative of seeing where these are, hence of total irrelevance to us, the CLOSEST 'neighbour' of the PD ?

After the 2 rounds of submission with comments made by the public, and 2 rounds of comments from government departments, the applicant is still repeating the misleading and irrelevant points. Why is the applicant doing this ? Why doesn't the applicant review its own plan and make amendments so that we can all live in harmony with each other ? Why does the applicant make such offensive misleading meaningless comments hoping that the truth will go away ?

Afraid the situation is beyond the point where we can keep our poise and write with more politeness, apologies in advance.

Yours faithfully,

Residents of Wah Yuen, [REDACTED]

Residents of



9th December 2022

Dear Secretary of the Town Planning Board,

Re: Comments to the Town Planning Board in respect of Application Y/YL-SK/1

We are residents to LOT 259A of the compound Wah Yuen 華苑, following our comments we sent you on 3rd June, 5th August and 7th October 2022 during the first, second and third rounds of submission respectively made by the applicant, with the newly added information in the current fourth round of submission, we would like to share with you our further views.

Our comments sent in the three previous rounds of public comments seeking remain.

The Proposed Development ("PD" hereafter) of above reference envelopes our compound 270 degrees. Having reviewed the plan and the documents made available at the Planning Department, we feel that no consideration has been taken into account of Wah Yuen in the planning of the PD.

We object strongly to the Application.

1) Why is the PD allowed to build such small sized units in the middle of a single lane country road ?

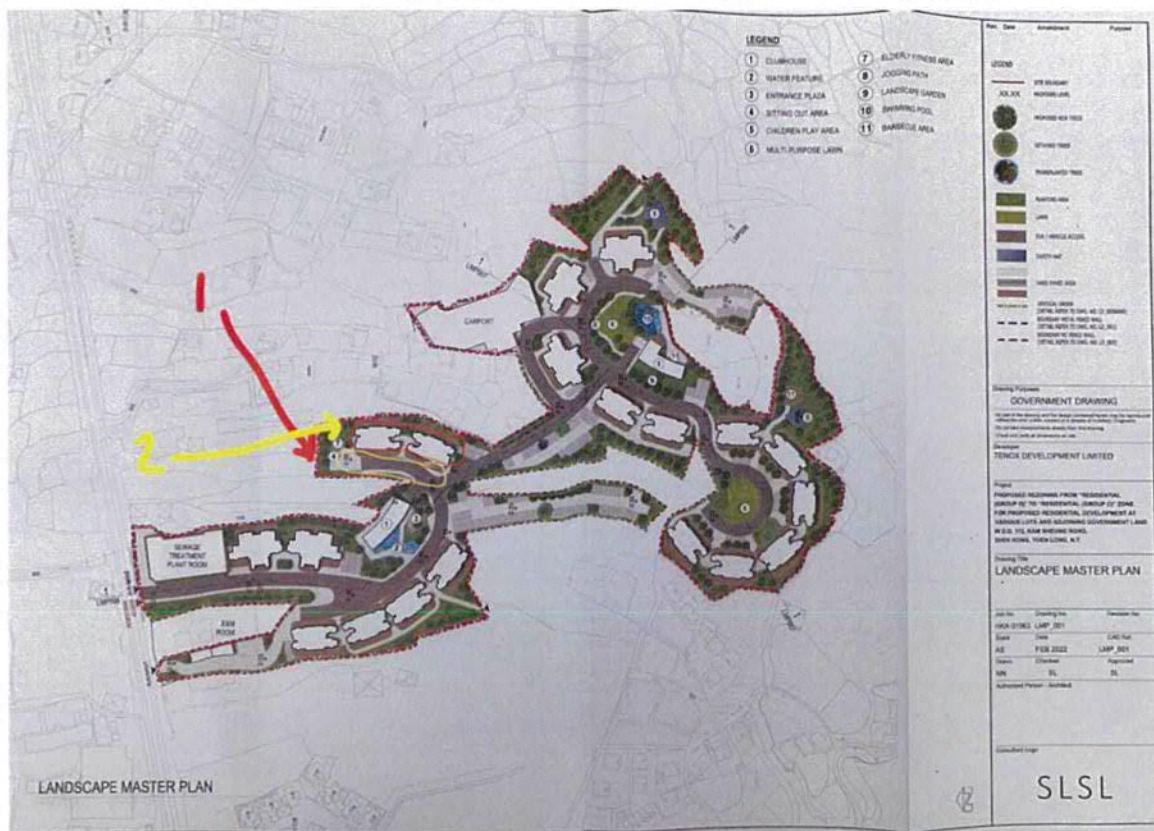
The fundamentals behind the planning of this PD is beyond our grasp.

Village houses of 700 sq ft per storey with 3 storeys height maximum are built in the whole area along Kam Sheung Road. General town planning common sense is to have the more densely populated residentials built on/adjacent to transportation terminals / MTR stations.

Why is the applicant allowed to build a development of average size of a mere 38m², with projected population size of 2,380 and 216 cars in the middle of Kam Sheung Road ?

This heavily compromises the car traffic / public transportation / air and light /visuals /drainage in the vicinity.

Densely populated developments should be built near transportation terminals / MTR stations, where residents can get access to public transportation on foot, without causing burden on single lane country roads like Kam Sheung Road. There is no alternative from the



Instead of having the two 6 storey buildings T7 and T8 right adjacent to our house, we suggest the minimal amendment to be swapping between ① T7 and T8 and ② driveway above. WE ARE STRONGLY PROTESTING THE CLOSENESS OF THE 6-STOREY BUILDINGS RIGHT ADJACENT TO OUR HOUSE.

There are no residential buildings bordering the PD plot, yet, the applicant has to build 6-storey buildings/ 3 storey car park right adjacent to us in Wah Yuen ?????

Why ??

3) Points we have kept highlighting in our previous 3 rounds of comments as submitted

At certain points, T7 and T8 of the PD are estimated to be less than 4m apart from our houses.

The applicant keeps mentioning the use of building setback and green buffers, which is totally irrelevant to the issue. These ARE NOT ALONG the border with Wah Yuen.

A simple realignment of the buildings away from Wah Yuen will give us more distance away from each other, why cannot the applicant look into this ? Negative impacts such as light, air quality all come up due to the close proximity of the PD from us in Wah Yuen.

Building ratio of 0.8 is repetitively mentioned by the applicant. There are many ways to achieve this, not just 6 storey buildings, twice the height as that of the neighbours.

The PD is EXTREMELY INCOMPATIBLE with the surrounding height profile. All buildings in the surroundings are 3 storeys high.

This is what the PD (6 storeys) will do to Wah Yuen (3 storeys):



Grey buildings denote the PD (6 storeys, < 4m away). Wah Yuen existing houses (3 storeys) are in beige.

Yours faithfully,

Residents of Wah Yuen, [REDACTED]

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**Public Consultation Submission - Y/YL-SK/1**

24/02/2023 23:44

From:

To: [REDACTED]
tpbpd@pland.gov.hk, tpbpd@pland.gov.hk

File Ref:

2 attachments



TPB comments from Wah Yuen Residents_022423pdf.pdf



Appedix - TPB comments from Wah Yuen Residents_120922pdf polished version.pdf

致：城市規劃委員會

日期：2023 年 2 月 24 日

有關：反對 Y/YL-SK/1 申請更改規劃用地

我們是華苑居民，現就上述申請更改規劃用地，提出強烈反對，希祈有關政府部門及城規會委員聆聽地區聲音，否決是項更改規劃申請。

是項發展地盤與華苑同處 R(D)規劃地帶，華苑更是在這規劃地帶內唯一，且已興建逾 40 多年的周邊屋苑，位置接近程度至共享部份地界。2022 年 4 月發展商提交首份更改規劃申請，因應其發展規模龐大，所處地段毗鄰華苑，且其申請意向屬大幅更改規劃用途及註釋，影響華苑及鄰近地區，故提出嚴正反對。

華苑居民在過去多輪公眾諮詢，已多次表達我們作為一個重要的鄰近社區的聲音，並在意見書上理性地一一詳述我們的觀點及疑問。奈何發展商經過近一年時間，至今次最新一輪諮詢，觀其最新提交的資料，仍然是問題多於答案，看不到發展商有聽取及回應地區的聲音，從而優化規劃申請，達至共融的發展目標。

為免浪費資源，是次提交的意見書主要是補充資料，並附上前一輪諮詢，即 2022 年 12 月 9 日提交的意見書¹作附件，希望政府有關部門及委員會從中參考及理解有關華苑的背景，反對立場及詳細理據。是次諮詢的補充意見書主要分為 3 部份，第一部份會撮要有關發展商申請更改規劃，大幅度更改事項的事實陳述，第二部份簡要申述華苑居民就更改規劃部份的反對理據。第三部份為結語。

(I) 規劃申請提出的重要更改事項 - 資料陳述

填高地台及建築物高度

1. 放寬整體發展高度至 44.15mPD，以發展地盤現時的地平低點 24.2mPD²計算，發展商申請放寬可興建樓層包括地台的整體高度至 19.95m，是現時 R(D)規劃可容許，包括現有、新發展或重建項目的整體高度即 8.23m³的 2.4 倍。
2. 填高整個發展地盤地台至 26.0mPD⁴，比現時的低點水平 24.2m 填高逾 74%，比鄰近地區，地台低點由以往相若⁵，至發展後高出 19 倍⁶。

¹ 修訂版

² 發展商沒有在申請文件上列明，資料基於顧問公司渠務評估報告 6 月修訂版 (Rev.B) Annex B, P.5, Section B-2 顯示地盤現時及將來的地平高度。

³ 石崗分區計劃大綱核准圖編號 S/YL-SK/9 有關住宅 (丁類) 規劃意向備註(a) p.9

⁴ 城規能網頁規劃申請申請摘要 Indicative schematic Section，顯示發展後的地平為 26.0mPD

⁵ 參考備註 2 的 Section B-2 圖，華苑和發展土地分別位處天然河道的河床兩邊，高度分別為

3. 在升高近 2m 的地台再加建 3m 石屎圍牆，致整體圍牆加地平高度逾 5m，幾近 2 層樓的高度。這個高度的圍牆在鄉郊發展地帶不常見。須知道發展地盤的周邊是私人地段，不是公共地方，也不存在主要車道。毗鄰更貼近民居的建築物，部份距離且不足 2m，嚴重影響居民的景觀及保安。我們看不到興建 3m 高圍牆的實際需要。

填平及改變天然河道

4. 填平鄰近華苑的天然河道。
5. 更改主要北面河道(Northern Channel)的部份走道。

增加地積比，更改人口及房屋密度

6. 大幅提高地積比 4 倍由 0.2 至 0.8。
7. 樓層樓目由現行規劃的 2-3 層大幅增加至不少於 6 層，相當於現時規劃容許的 2-3 倍，周邊規劃地帶從未出現同等或接近樓層數目的發展項目。
8. 預計入住人數不少於 2,380，單一項目已超過居於規劃圖則地帶的人口總數的 10%。

交通及停車設施

9. 申請興建 322 個住客及訪客停車位。
10. 規劃三層高停車場，貼近民居建築物。

(II) 華苑居民的反對意見及理據

1. 反對發展商填平天然河道反更改北區河道的走道，增添不穩定因素，讓本來已經備受水浸威脅的華苑及鄰近鄉村地帶增加水浸入鄉屋的風險

水利是一個非常重要的民生問題，尤其在鄉郊地帶。排水不可能只關乎發展地盤，任何大幅有關排水系統的更改，均有機會影響鄰近地區，這是我們反對的重點。除了想盡用周邊土地以外，我們看不到發展商填平天然河道背後的原因。政府有責任保護天然河道，大規模填平及更改走道，項目由持利益立場的私人發展商主導，影響範圍遍及鄰近地帶，居民感到不安也合理。居民就水浸問題的憂慮和提問詳列於附件(1) C1 點 (p.3-5)。

24.1mPD 及 24.2mPD，地平相若，只相差 0.1mPD。

⁶ 參考備註 4 同一文件，現發展商申請填平天然河道，再填高地平至 26.0mPD，華苑已存在逾 40 年，不能相應加高地台，兩者的高度由以往的 0.1m，至相差 1.9m，增加 19 倍。華苑及整個未能填高的大圍鄉村地區即變成低窪地帶。

2. 華苑反對發展商填高地台最多達 1.8m 至 26.0mPD，令鄰近的華苑及鄉村地帶頓成低窪地帶，大大增加水浸入屋的風險

填高地台有 2 個主要影響。第一，會增加未能填高地平的地區的水浸風險；第二，相對未發展前的地平，令整體發展高度變成相當於 7 層樓的實際高度。有關這 2 方面，同樣請參考附件(1) C1 點 (p.3-5)

3. 反對未及改善地區民生設施前，大幅提高地積比率 4 倍，致房屋備及人口密度驟增，配套失衡，令居住在原有規劃地區的居民生活質素降低

是項規劃申請預計入住居民為 2,380，超過整個規劃地區的人口的 10%。整個規劃圖則沒有規劃發展商擬申請的 R(C) 規劃用地，背後原因估計和現時地區的民生配套設施的限制有關。在設施未及改善的情況下，我們實在看不到強行更改規劃，大幅提高地積比的理據。如果要強行發展，只會令居住在當區的居民付出代價。有關地積比率的意見請參考附件 C2ii & iii (p.5&6)。

4. 反對擬興建 6 層建築物，嚴重影響周邊已存在的社區建築物的協調和景觀

根據申請文件，整體高度上限為 44.15mPD，和現時地平比較，以低點計，發展商的可發展高度為 19.95m，相當於 7 層樓高度。雖然發展商有根據指引提交視覺評估(VIA)，但我們對結論有保留。現時 VIA 的指引沒有細分市區及鄉郊地帶，是項發展建築物高度增加 2-3 倍，現時的指引能否實則反映新屋苑在地區是否協調也成疑。華苑居民就議題的相關意見請參閱附件 C2v (p.7)。

5. 反對規劃申請興建逾 300 個停車位，數目在類似鄉郊發展項目中高，會影響鄉郊寧靜生活，並做成錦上路的交通做成負擔

車輛在寧靜的社區的數目及流量也是鄰近地區居民的關注點。我們明白發展商車位面積可以豁免計算入發展面積，發展商可售賣車位之餘，設施也令單位增值。事實上，現行有關車位設施的指引同樣沒有細分鄉郊地方，但運輸署檢視申請時，是否要考量政府的整體交通運輸目標，是盡量減低地面交通流量，鼓勵市民乘坐公共集體運輸工具，但發展地盤又必須倚靠接駁車輛往運輸要點，再加上錦上路無論車路和行人路都非常狹窄，會做成居民的負擔等等因素。其他有關意見請參閱附件 C3 (p.7&8)

6. 發展商未能提供足夠及透明資料，讓受鄰近社區居民了解更改規劃可能帶來的影響

資料不足之餘，發展商也未能聽取及正面回應社區居民的提問。

7. 設計沒有尊重和融合鄰近已存在的鄉郊社區

無論在規劃水利系統設計、高度、樓距、車輛交通規劃等，居民看不到發展商有意向或行動，尊重及融合已存的社區。詳情附件 C2v(P.7)。

8. 大幅申請更改規劃理據薄弱，不能推動鄰近社區信服，接受至行動配合建議的發展申請

華苑居民認為發展商提出大幅更改規劃的理據薄弱。我們理解在商言商，發展商因應市場需求，希望獲取最大經濟效益是無可厚非。我們深信回應社會對房屋的需求要理性，審批大規模發展前必須有適切的民生配套。商業效益的考量絕不能凌駕於社區居民的基本生活質素要求。發展商提出的理據薄弱，故此居民提出反對。以下為 2 個要點：

發展商提及圖則修訂理據⁷提及「完全配合政府現時推行的房屋政策，能在較短時間內提供房屋供應及釋放未被充份利用的土地發展潛力⁸」及「較早實現住宅發展並滿足急切的房屋需求⁹」，我們理解發展商其實如果要「較早」及「較短時間」實現，發展商可以選擇以現有規劃 - 發展商其實有其他選擇，可以申請在現有的規劃條件下提交申請，相信阻力會較小，會更能更快利用土地發展潛力。

發展商提及地積比率「參照元朗錦田南及八鄉發展」，因為地積比是我們反對項目之一，我們都很關注，除了 LUR 的報告外，我們實在看不到地積比 0.8 的參照，而針對 LUR 的反對理據，已詳列附件 C2ii 及 iii (p.5&6)。

(III) 結語

1. 華苑居民的立場及反對意見已詳列在意見書內，由於發展商沒有提交新的資料，意見書同時附上去年 12 月 9 日提交的意見書作為附件，當中有詳述華苑的背景及每項反對意見背後的理據。
2. 華苑居民認為是項更改規劃申請，規模龐大，對華苑及整個鄉村地帶在民生議題上影響深遠，我們期望有關政府部門，特別在渠務、規劃高度、地積比，至樓距交通等為市民把關，檢視其配套設施是否足夠是項更改用地規劃申請。如果有丁點疑慮，應該聽取地區聲音，予以否決。

⁷ 申請文件行政摘要

⁸ 申請文件行政摘要 (a)

⁹ 申請文件行政摘要 (c)

3. 在規劃上，我們看不到發展商的更改規劃理據。似乎發展商要求委員會在多方面，包括現行申請指引作出例外批准¹⁰，如地積比、高度等。理據重點是能盡快提供房屋，滿足需求。但綜觀現時房屋短缺現象大部份是資助房屋，不是私人樓宇。根據差餉物業估價署的 2022 年物業報告，元朗的私人樓宇空置率是 2.5%，我們實在看不到在未有足夠地區民生配套時，強行推行這個更改規劃申請。再者，發展商若要釋放土地，還有其他選擇。只要根據地帶准許的用途發展，設計能尊重和融合鄰近已存在的社區發展，我們相信大家都會樂意支持。
4. 最後，我們留意到透過幾輪公眾諮詢，收集的公眾的意見書已超過 1,000 份。盡管當中不乏由不同居民簽署的樣板意見書，但我們希望有關政府部門及委員會能重視這千多份意見，因意見的「質」和「量」同樣重要，代表的是地區聲音。是項申請發展商提交多份評估報告，沒有提供網上版本，且全部用英文撰寫，內容不乏技術資料。發展商甚至沒有突顯一些影響居民的重要細節，如文件只有未來地台高度，卻隱藏現時地平數字，居民不容易掌握發展前後的地平差距；又例如在增高了的地平上，在發展商後加 3m 石屎圍牆，資料也在環境評估圖示標明出現。公眾，甚至環保署以外的部門如渠務未必在審視時掌握到這些重要資訊。在公眾人士與發展商的資源並不對等的情况下，仍然有千多名意見書，我們認為政府部門及委員會必須正視。

華苑居民

2023 年 2 月 24 日

¹⁰ 附件 C2ii 及 iii (p.5&6)

附件 -華苑居民意見 (2023 年 2 月 24 日)

致：城市規劃委員會

日期：2022 年 12 月 9 日

有關：反對 Y/YL-SK/1 申請更改規劃用地

我們是華苑居民，現就上述申請更改規劃用地，藉公眾諮詢期內提出強烈反對，希祈有關政府部門及城規會委員聆聽地區聲音，否決是項申請。

(A) 背景及前言：

1. 華苑位處錦上路 DD112 地段，規劃為「住宅（丁類）」地帶。華苑已建成逾 40 年，有 9 間獨立屋，因應低地積比率要求，連同屋苑道路及設施，華苑佔地約 75,000 平方呎。是唯一在這個地段及規劃地帶，已發展的獨立屋屋苑。
2. 華苑所在的土地規劃清晰標示用作「低層，低密度的住宅發展」。華苑居民在選擇居所時，是基於及相信上述土地規劃目的，得出一個合理期望，華苑所處的地帶規劃，是有別於其他市區高地積比率的高樓層屋苑，或建築在地積比率 3.0 的「鄉村式發展用地」低層但未必能提供屋距及空間的《新界豁免管制屋宇》類別，基於 0.2 的低地積比率要求，無論屋距，空間及樓層，這個規劃地帶能帶給住戶一個寧靜的低密度，低層的鄉郊生活。
3. TENOX（下稱發展商）本年 4 月提出申請項目（Y/YL-SK/1），將其現為「住宅（丁類）」地帶改劃為「住宅（丙類）」地帶，同時修訂適用於該申請地帶土地用途地帶的《註釋》，包括地積比率由現時的 0.2 大幅增加 4 倍至 0.8，樓層增逾倍由 2-3 層至不高於 6 層，整體高度由現時低點約 24.1mPD 提高約 83% 至 44.15mPD，致整體發展總高度超過 20m，相當於 7.3 樓層高度。
4. 華苑位置毗鄰申請項目土地，同樣位於「住宅（丁類）」地帶，兩者的接近程度是逾半數華苑獨立屋與部份申請土地共享地界。華苑是已建成逾 40 年的屋苑，整體佔地相當於是項申請的私人土地總面積的 17%。無論在所處地段，位置，或佔地比例上，華苑作為最鄰近申請項目的社區聲音不容忽視，因為項目就地區的基建及民生設施，如渠務，樓層高度，建築物的樓距，至交通負荷等，對華苑及鄰近社區都有直接，重大及可能不可逆轉的影響。
5. 是項申請項目與華苑均位處八鄉南，根據 2021 年統計資料人口有 22,814¹，

¹ 2021 年人口普查 - 區議會選區 M39

適用的規劃用地圖則是石崗分區計劃大綱編號 S/YL-SK/9（下稱《圖則》）。根據《圖則》，規劃為「住宅（丁類）」的土地只有 2 幅，地積比率為 0.2 及新發展屋宇不超過 2 層，高度限制為 6m²。是項申請發展土地及華苑所處土地為其中一幅。《圖則》甚至沒有規劃容許較高地積比和高度的「住宅（丙類）」地帶，即發展商申請的目標地帶。我們相信這《圖則》的規劃意向除了考慮保留低層，低密度的鄉郊地帶以外，與八鄉附近配套設施的限制有一定關連。

事實上，地區的渠務排水問題仍讓居民面對水浸威脅，居民必須駕車或倚靠接駁交通始能到達集體運輸工具如港鐵站往市區及元朗市，但錦上路作為其主要單一道路，仍受制於 2 條來回雙線單行的車道，且無論車路或行人路均嚴重偏窄。只要這些配套限制一日未見大規模改善，我們實在看不到倉卒更改土地規劃的理據。依據下述申請，這單一項目預計入住人口偏保守估計，已達 2,380³，超過八鄉南總人口的 10%。

從另一角度看，我們觀察到這地段雖然一直沒有勉強進行大規模的房地產發展，以避免負荷失衡，影響民生。但我們留意到這地區近年仍有循序漸進地推進不少發展項目，附近地區除保留了農耕，更看到多個另類及頗具鄉郊特式的教育及消閒設施，在「鄉村式發展用地」地段也看到不少新興建的大型低層及低密度村屋屋苑。這些不同類別的發展，百花齊放，在我們來看來，除有特式，也能融入鄉郊的社區規劃，市民只要喜歡閒適的鄉郊生活，還是有選擇的。我們相信這也是香港需要有不同地帶規劃背後的理念。

(B) 華苑的立場 -反對發展申請

1. 華苑強烈反對是項申請 (i)更改規劃至「住宅（丙類）」地帶，及 (ii)修訂適用於申請地帶土地用途的《註釋》，包括大幅提高地積比率至 0.8 及樓層限制至 6 層，高度限制至 44.15mPD。
2. 就發展鄉郊用地，我們支持「最佳土地運用」(Land Use Optimisation) 原則，但前徹必須合理平衡鄉郊規劃目的及社會的土地發展需求，能吸納及配合鄰近地區日常民生基建的限制，尊重鄰近已存在久遠的社區，達到真正的鄉郊新舊社區共融的目標。透過是項申請的設計圖及相關文件，我們看不到尊重和共融的原素。
3. 華苑並就下列 3 個申請文件內提出的發展重點及變更，提出強烈反對。

² 石崗分區計劃大綱核准圖 S/YL-SK/9 備註 (b)

³ 申請文件概覽撮要 Executive Summary P.10, Table 5.1

(C) 反對的主要項目及理據

1. 更改及填平天然河道，增加華苑及鄰近大範圍地區的水浸風險

現狀

- (i) 華苑及鄰近地區一直面對水浸威脅，2018 年 8 月更因暴雨及整個蓮花地範圍水位上漲，引致屋苑水浸入屋逾 30-40cm 深度。
- (ii) 圍繞華苑外牆有一條天然河道，闊度約 1.4m-1.8m，深度 1.03m，存在起碼數十年。除了華苑，也收集近黎屋村的農耕及住宅地段，及暴雨時大帽山衝下的雨水，是社區重要的排水渠道。河道是否暢通及其水位高度，更即時及直接影響華苑，一直是屋苑監察水浸危機的指標。
- (iii) 除了透過天然河道，華苑的雨水也經由草地及地下泥土滲納。由於現時申請地段是草地，能吸納大量雨水，令現時水浸情況不會太嚴重。
- (iv) 現時華苑和接連申請發展土地的高度相若，沒有明顯高低地的差別，雨水根據自然流向，會分散流向整個地帶的地面。若有暴雨，整個地帶的水位升高，至超越華苑獨立屋的室內地面水平，雨水會經地下排水位倒灌入屋，這也是 2018 年發生水浸的實際情況。
- (v) 此外，鄰近華苑有另一條較大型的北面天然河道(Northern Channel)。該河道相對上述的天然河道較大，能收集較多雨水，但距離華苑也較遠。如果河道淤塞出現倒溢，未必如上述天然河道般即時或直接影響屋苑。

發展商建議的改變

- (v) 首先，整個地盤申請發展地面會大幅加高至 26.0mPD，由於天然河道位處華苑及項目土地的地界位置，以往天然河道兩邊河面地平相若，以文件標示的 B2 點計⁴，華苑一邊地平是 24.1mPD，另一邊則為 24.2mPD。改變後兩邊河面地平相差 1.9m。

無論發展商提交的渠務評估報告如何亮麗，只要稍微考慮邏輯和民間智慧，雨水永遠向下及往低處流，申請項目大幅填平及加高地面至差不多等於一個人的身高，整個鄰近社區大範圍自然成為相對的低窪地

⁴ 顧問公司渠務評估報告 6 月修訂版 (Rev.B) Annex B, P.5, Section B-2,

區，水浸風險自然劇增。

- (vi) 第二，申請項目建議填平圍繞華苑存在了逾 40 年的天然河道，改由發展商興建的明渠（Surface Channels⁵）取代（下稱《替代明渠》）

建議的《替代明渠》卻被大幅縮減至闊 0.6m 及深 0.6m⁶，只及現時天然河闊度的 1/3；深度的 58%。邏輯上來看，除非項目有讓人非常信服的其他補助方案，集水和排水的功能現在倚靠天然河道也只能勉強應付，縮減逾倍的話，無論在容量及流通量自然會受影響，更容易引致水浸。

發展商聲稱《替代明渠》為華苑而設，但從未交代就工程上如何接駁兩者的排水管，沒有說明如何處理連接天然河道至華苑段的上游河澗，更從未諮詢華苑。

- (vii) 第三，估計項目約 70%會因為建屋及設施而填平，只留 30%綠化地帶。在鄉郊地方的天然疏水功能會大大減低。雖然顧問報告聲稱評估報告已考慮這個因素，但大幅填高地面，報告有沒有低估影響也是我們的疑慮。

- (viii) 第四，申請文件顯示，項目計劃在已填高的地平再加建 3m 的石屎牆⁷（未計地基），估計圍牆高度會超過 5m，接近規劃《圖則》准許的整幢新建兩層屋宇高度。圍牆圍封整個地盤，包括建議中的天然河道的河床位置。但文件沒有交代建議的《替代明渠》最終會設在圍牆內或外，也沒有交代除了新建屋苑的地下排水渠，圍牆是否預設向外疏水的設施？問題多於答案，但這些關注點均顯示多方面的疑慮和不肯定元素。水利是一個重大議題，我們不認為只靠大堆亮麗數字，就能釋除居民的合理疑慮。

- (ix) 第五，發展商建議移動部份北面河道，我們估計是有部份北面河道的業權不屬發展商，為能掌控水利及減低新建屋苑的水浸風險，將河道的上游移近華苑地界。我們對更改大型的天然河道的走道有疑慮。有鑑以上種種對華苑及鄰近地區的不利疏水的改變，我們擔憂將部份走道移近華苑會進一步增加華苑的水浸威脅。

⁵ 申請文件-6 月提交的渠務評估報告修訂版（Rev.B）Annex B, P4, 5 & 6

⁶ 顧問公司渠務評估報告 6 月修訂版（Rev.B）Annex B, P.5, Section B-2,

⁷ 顧問公司景觀評估報告 5 月 LD_002

- (x) 第六，項目建議建設一個儲水箱以解決水浸問題，儲存暴雨時未及排放的雨水，但該儲水箱設在下游，如果有淤塞，儲水幫不了忙。再加上《替代明渠》經過的走道是鄉郊地段，可能有山泥樹枝，淤塞機率比地下渠高，明渠又比原本的天然河道窄和淺，流量相對低，再加上因發展商填高地面華苑及鄰近地區全變成低窪地，連接新建屋苑的地下渠又只有 2 匯聚點⁸，分別為直徑 1.05m 及 1.2m，兩者都比原本的天然河道容量小。我們可以想象在淤塞情況下，因為是明渠，雨水會分流往旁邊華苑的低窪地帶，雨水不能流往地下渠，遑論至儲水箱。
- (xi) 此外，發展商提交的渠務評估報告，包括有大堆數字的水力模型研究。我們對這些研究及結論有很大保留。首先，從負責的顧問公司本年 3 月撰寫的渠務評估⁹看，顧問公司似不大熟識或未能掌握地區資料。華苑雖然貼近地盤，且佔地比例達 17%，顧問報告完全忽略華苑屋苑的存在，甚至否定圍繞華苑闊度達 1.4m-2m 天然河道的存在。

雖然顧問公司 6 月撰寫的修訂版已包括華苑及該天然河道，但顧問評估的結論似乎大程度倚賴水力模型的測試，認為渠務沒有問題。但測試建基於假設，如果用作運算假設的數據基礎，收集或估算時沒能掌握實地地區資料，結論可能是差之毫厘，謬之千里。參考以往大型發展，屢聞大型發展後社區發生以往沒有發生的水浸，如元朗大旗嶺村。我相信當時發展商必有提交渠務評估，報告也大多包括水力模型測試研究。若最終地區仍有以往未曾出現嚴重水浸情況，表示數據歸數據，掌握地區的實地情況可能更為重要。水利問題事關重大，建成後發現誤差也於事無補救，最終要無辜的社區居民承擔結果。故此，我們認為若有丁點疑慮或不肯定，也不應批核。

2. 反對項目大幅提高地積比率、地面水平及住宅樓層高度

- (i) 是項申請 (i)更改規劃至「住宅（丙類）」地帶，及 (ii)修訂適用於申請地帶土地用途的《註釋》，包括大幅提高地積比率至 0.8 及樓層限制至 6 層，高度限制至 44.15mPD。
- (ii) 我們反對項目大幅提高地積比率 4 倍由現時 0.2 至 0.8。現時石崗分區計劃大綱編號圖則是 S/YL-SK/9，規劃目的作低層、低密度的住宅發展，地積比是 0.2，除獲豁免小型屋宇，新發展樓宇樓層限制為 2 層，高度不超過 6m。華苑居民是相信及基於現時規劃，期望所處地帶，盡管有

⁸ 顧問公司渠務評估報告 10 月替代頁 Appendix B5

⁹ 顧問公司渠務評估報告 3 月修訂版（Rev.A）

新發展，能切合低層、低密度的住宅的規劃框架。我們認為是項申請有違適用於申請地帶的規劃原意及目的，故此提出反對。

- (iii) 地積比率對社區的人口及房屋密度有間接但重要關連，也是市民在選擇適合自己居所時，相對容易理解的有用指標。根據規劃署發出的《香港規劃標準與準則》有關住宅發展的密度，應容納不同等級的房屋密度，以切合市場對不同房屋類別的需要¹⁰。住宅密度應在現存及計劃的基建及環境可配應的能力範圍內¹¹發展。

我們認為是項申請更改規劃至「住宅（丙類）」地帶，大幅提高地積比4倍，但規劃圖則在整個地帶沒有規劃同一地帶，估計和現存環境，民生包括渠務和交通配套限制有關。如果沒有大規模配套改善，我們看不到更改的理據。同時，我們認同就上述房屋密度的指引，就環境及基建現況，社會應容納不同密度等級的房屋類別供市民選擇，故期望地積比率得以保持，讓市民保留一個寧靜，低層及低密度，又符合規劃意向的選擇。

就規劃署發出的地積比率指引，我們不理解發展商申請更改地積比及樓層的理據。發展商提交的文件曾提及LUR建議在錦田南及八鄉地區，由錦上路鐵站開始，伸延至金水南方路，建立一個《鄉郊市鎮》(suburban township)，距離錦上路站最遠的地積率建議為0.8。¹²同時，文件指出申請發展土地距離這個鄉郊市鎮的邊沿地帶700m，認為可以作為申請更改規劃理據的參考指標。

我們對此理據有很大保留。首先，如果距離《鄉郊市鎮》範圍700m是一個理據，另一個申請地點距離690m城規會是否更應該通過？這個《鄉郊市鎮》建議如果開始沒能收納申請地帶，估計一定有原先考慮的理據。事實上，上述都有提及，地區的渠務、道路及交通負荷都未足以支援大規模發展，大幅提高地積比，連帶增加相應的人口及房屋密度，容易令社區負荷失衡，為居民帶來困擾。

如果撇開LUR的參考指標，只參考規劃署發出有關鄉郊地積比接近申請項目要求的地積比及樓層的指引文件¹³，申請地段不屬《鄉郊市鎮》商業中心範圍內，《鄉郊住宅發展土密度第2區RR2》包括准許6樓層的指引應該不適用。參考《鄉郊住宅發展土密度第3區RR3》包括准許0.75地積比率，開敞式停車間上加3層樓房，雖然申請地段為鄉郊

¹⁰ Hong Kong Planning Standard and Guidelines, Chapter 2, Residential Densities, p.3, 1.2.2 (a)

¹¹ Hong Kong Planning Standard and Guidelines, Chapter 2, Residential Densities, p.3, 1.2.2 (b)

¹² Executives Summary, p14, 3.3.3

¹³ Hong Kong Planning Standard and Guidelines, Chapter 2, Residential Densities, p.18, Table 3

市鎮外圍，但 RR3 其中一個準則是「遠離現有居民但設有足夠設施」，申請地帶貼近華苑，距離黎屋村的法定古蹟不足 60m，基於配套設施包括渠務、景觀及交通不足，有大量社區居民反對，我們實在看不到這個指引，即提高地積比至 0.8 及樓層至不超過 6 層適用於這個申請。

- (iv) 此外，我們也強烈反對項目申請大幅提高至 26.0mPD，這個地面高度比鄰近低點地區高出 1.9m，相等普通一層樓宇的 2/3 高度及超過一個人的身高，水往低地流，高低地的差異會嚴重增加鄰近地區的水浸風險。事實上，如果鄰近已經有發展了的社區，我們實在看不到要填高地面至這一個高度的理據。除了嚴重增加水浸風險，也影響到居民的景觀。
- (v) 我們了解發展商有聘請顧問公司提交視覺評估報告，先撇開我們是否對這評估報告有保留，我們希望城規會就景觀評估的評核不單建基於報告。事實上，顧問公司的視角評估報告只考慮了 4 個評估地點，全部遠離項目地盤，其中 2 個為錦上路巴士站，因距離遠，且中間不是開揚空間，自然不影響指引要求的公眾景觀準則。此外，現行指引不細分市區及鄉郊地帶，且側重市區實際用地考慮，故只重點考慮公眾視角點。華苑雖然屬於私人屋苑，但佔地不小，一定程度上，已成為「公眾」的一部份。如果其中一個視角評估點能加入華苑，在評估的角度會較為合理、全面及令人信服。

3. 項目引致的車輛及交通問題

- i) 項目申請興建 322 停車位，其中包括一整幢 3 層停車場，興建在貼近華苑獨立屋不足 2m 距離。超過 60% 停車位設置在鄰近華苑位置。我們對一個寧靜，低密度的規劃地帶，有 300 多部車輛在貼近隔鄰屋苑內走動，是完全不切合周圍的鄉郊生活環境。
- ii) 根據規劃指引¹⁴，高密度發展項目應該盡量選址接近集體運輸工具如火車站，主要交通交匯點等，以避免增加需要使用道路的交通要求。是項申請在鄉郊地帶密度相對高的發展，雖然評估報告聲稱距離錦上路站直徑距離 500m，但以行車道路計，距離逾 3.5km，且必須倚賴接駁車輛。以指引看，我們認為現行道路設施不足以支持申請的人口密度及車輛比率。

¹⁴ Hong Kong Planning Standard and Guidelines, Chapter 2, Residential Densities, p.3, 1.2.2 (c)

- iii) 我們留意到發展商有提交經修訂的顧問交通評估報告，但我們對有關公共車輛需求的調查的方法和結論同樣有很大保留。首先，有關行走申請地點錦上路的公共交通車輛資料不確，當中忽略了只在早上及放工時間行駛的村巴，該幾輪村巴的需求遠遠大於供應。第二，調查沒根據當地居民的生活模式進行調查，如這地區日間有需要接駁車往返元朗市場的家庭主婦，流量及需求不小，該評估報告完全沒有提及；調查選取的地點也不足以反映真正的公共交通需求，例如真正的放工繁忙時間的需求是錦上路站的接駁巴士站，現在客量低的站頭及時段不對，根本反映不了的實況等等。如果要真正就現時地區對公共交通的需求評估報告，我相信 10 月提供的資料完全不能達到目標。

(D) 結論

1. 我們是華苑居民，是申請地帶最貼近項目申請土地，同處「住宅（丁類）」地帶，是唯一在同一地帶，並已發展逾 40 年的獨立屋屋苑。我們希望透過諮詢，帶出地區聲音，及反映地區的實際情況。
2. 我們的立場是反對是次更改規劃申請，包括地積比率大幅提高 4 倍至 0.8，樓層增至 6 層，地面高度至 44.15mPD。
3. 我們提出 3 個反對申請文件內提出的重要項目，包括第一，也是最重要的水利問題；第二是房屋密度，樓層及地面高度，因以上會影響地區的人口密度，景觀及配套設施，亦有違這地帶的規劃意向；第三是項目車輛數目及規劃，至地區的交通負荷問題。
4. 此外，從項目的整體設計文件，我們發現發展商發展鄉郊建設，但沒能顯示對鄰近社區的尊重，遑論共融。例子如：在項目周圍填高地面 2m 加石屎圍牆 3m，再加地基。華苑屋苑的設計是獨立屋其中一面貼近圍牆至 0.5m 而建，由於屋苑已興建逾 40 年，現在也不可能更改，大家不難想象如果項目興建了高達 2 層樓的石屎牆，將會嚴重阻擋 1-2 樓窗戶的景觀、陽光和空氣，更重要的是保安問題。我們不禁問，這個超越一般正常高度的近 5m 圍牆是否有實際的需要呢？

其他例子還包括渠務的建議，給鄰近社區的居民的感覺是，發展商只考慮避免新建屋苑水浸，將屋苑建成堡壘，如升高地面，興建逾 5m 圍牆，但同時為方便發展，妄顧鄰近社區，建議填高地面之餘，更填平地區重要的排水天然河道及移動北面河道等。在此，我們希望渠務署及城規會能尊重保護天然

河道的政策，不會為便利發展用地，有合理疑慮的情況下仍同意方案。
我們支持鄉郊發展的，但認為必須尊重新舊社區共融的發展原則，新建設居民的需要不能凌駕舊有社區居民，只有配合地區可以吸納的民生基礎設施，互相尊重，始為達到真正的理想智慧用地的發展目標。

5. 基於上述原因，我們提出反對上述更改規劃的申請。

華苑居民

2022 年 12 月 9 日

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YYL-SK/1 - 6th submission 14.4.2023 deadline - comments

14/04/2023 23:48

From:

To:

[REDACTED]
tpbpd@pland.gov.hk

File Ref:

1 attachment



259A comments.pdf

Dear sir/madam,

Please find attached Comments for the above subject.

Grateful if you could confirm your receipt of this email and its attachments in your earliest convenience.

Yours faithfully

Residents of



14th April 2023

Dear Secretary of the Town Planning Board,

Re: Comments to the Town Planning Board in respect of Application Y/YL-SK/1

We are residents to [REDACTED] of the compound Wah Yuen 華苑, following our comments we sent you on 3rd June, 5th August, 7th October 2022, 9th December in 2022 and 24th February 2023 during the first, second, third, fourth and fifth rounds of submission respectively made by the applicant, with the newly added information in the current fourth round of submission, we would like to share with you our further views.

Our comments sent in the five previous rounds of public comments seeking remain.

The Proposed Development ("PD" hereafter) of above reference **envelopes our compound 270 degrees**. Having reviewed the plan and the documents made available at the Planning Department, we feel that no consideration has been taken into account of Wah Yuen in the planning of the PD.

We object strongly to the Application.

Below being our comments on the latest round of information submitted 13th March 2023:

Please see below our comments (in *blue italics*) on the Traffic Impact Assessment Revised Final Report ("Report"):

- 3.2.1 The Application Site is located out of a 500m radius of the station
As raised in our comments in the previous rounds, the above statement is misleading. Giving a distance based on actual radius without information on actual accessible road journey time is misleading. From the PD to Kam Sheung Road MTR station, actual road distance is 4.3km away, along Kam Sheung Road. There is NO alternative shorter way.

Table 3.1 Bus 251A – running between Sheung Tsuen – Kam Sheung Road Station

This is a circular bus route, near the PD from Bus Stop B (Lai Uk Tsuen) it goes westwards towards the Tai Lam Tunnel Bus Stop Interchange, then to Kam Sheung Road MTR, and back to Tai Lam Tunnel Bus Interchange before it loops back to Kam Sheung Road eastwards reaching Sheung Tsuen Playground before it turns back. This bus serves the commuters heading to Tai Lam Tunnel Bus Interchange, NOT Kam Sheung Road MTR. No one would take 251A along Kam Sheung Road to go to Kam Sheung Road MTR as it takes a longer route going to Tai Lam Tunnel Bus Interchange first.

Table 4.3, 4.4 *All the Proposed Residential Developments are large scale and come within boundary of the LUR (Land Use Review) for Kam Tin South and Pat Heung. Extensive studies had been conducted, including a 40-page Air Ventilation Assessment – Expert Evaluation conducted by the Planning Department.*

With 19 towers 6-storeys built RIGHT NEXT to us in Wah Yuen, blocking all our sunlight and wind, we question how can such proposal be approved. If the applicant wants to enjoy the plot ratio similar to that of the LUR, the applicant should look for land within the LUR boundary, instead of trying to break the plan and totally ruin our low rise neighbourhood.

Table 5.5 Additional Improvement proposal for Junction C (Kam Sheung Road / Kam Tin Road) improves the AM Peak by 19% and PM Peak by 28%.

Not quite sure what such improvements mean in reality. At the moment at Junction C, during AM Peak, it takes around 9 minutes, before cars from Kam Sheung Road could turn right onto Kam Tin Road. Cars usually start queuing around 260m before the junction. Such congestion is not just confined to the what-so-called peak hours, but in the afternoon as well.

The Report conducted 2 surveys:

- i) Traffic Count Surveys on 18 November 2021, a normal school weekday, at 8 critical Junction points, between the hours of 7:30am to 9:30am and 5:00pm to 7:00pm. Vehicles per hour were observed.
- ii) Public Transport Surveys on 10 October 2022 at Stops A and B, basically Lai Uk Tsuen bus stop, between the hours of 7:30am to 8:30am and 6:00pm to 7:00pm. Average Occupancy is noted during the survey.

Whilst we are not traffic experts, and neither do we have the full information on how the Public Transport Surveys as mentioned in 6.1.2 were performed, we can, as residents close to the PD, strongly opine that the survey does NOT match with that of our daily experience as far as public transport is concerned during peak hours.

In Session 6 - Public Transport Demand, a survey was conducted on 10 October 2022 at Bus Stops A and B, and it was concluded that there is surplus in public transportation capacity during these times. Such surplus is used as a basis for the calculation of an Expected Surplus in 2030. Such 'surplus' is then compared to the assumed increase in Peak Hour trips from the PD, reaching the conclusion that the Expected Surplus in 2030 covers more than enough of the increased traffic from PD.

6.1.2 The survey was carried out on 10 October 2022 during the morning / evening peak periods. The findings are presented in the Tables 6.1 to 6.4 below.

Table 6.1 Public Transport Survey at Stop A – East Bound

East Bound					
	Route	Stop No.	Percentage Occupancy	Surplus	
Bus	64K	3	50%	90	402
	251A	4	10%	312	
Minibus	GMB 72	6	25%	72	172
	GMB 72M	4	31%	44	
	RMB 23	4	12%	56	
Bus	64K	7	52%	193	371
	251A	4	38%	178	
Minibus	GMB 72	7	38%	69	159
	GMB 72M	4	45%	35	
	RMB 23	5	31%	55	

Remarks: (1) Full capacity of 120 passengers with max. 75% for double-decked Franchised Bus is assumed.
 (2) Part of the observed GMBs are 19-seater. For conservative, full capacity of 16 passengers for minibus is assumed.

Table 6.2 Summary of Public Transport Survey – East Bound

Summary of Public Transport Survey – East Bound			
Time Period	Mode	Surplus	Expected Surplus
AM Peak (07:30-08:30)	Bus	402	322
	Minibus	172	133
PM Peak (18:00-19:00)	Bus	371	297
	Minibus	159	127

Table 6.3 Public Transport Survey at Stop B – West Bound

	Vehicle Type	No. of Vehicles	Observed		Total
			Capacity	Observed	
Bus	64K	9	73%	66	544
	251A	3	20%	19	
Minibus	GMB 72	5	88%	44	184
	GMB 72M	4	62%	25	
	RMB 23	9	13%	12	
Bus	64K	9	38%	40	515
	251A	3	43%	11	
Minibus	GMB 72	6	44%	54	153
	GMB 72M	4	54%	29	
	RMB 23	5	13%	70	

Remarks: (1) Full capacity of 120 passengers with max. 75% for double-decked Franchised Bus is assumed.
 (2) Part of the observed GMBs are 19-seater. For conservative, full capacity of 16 passengers for minibus is assumed.

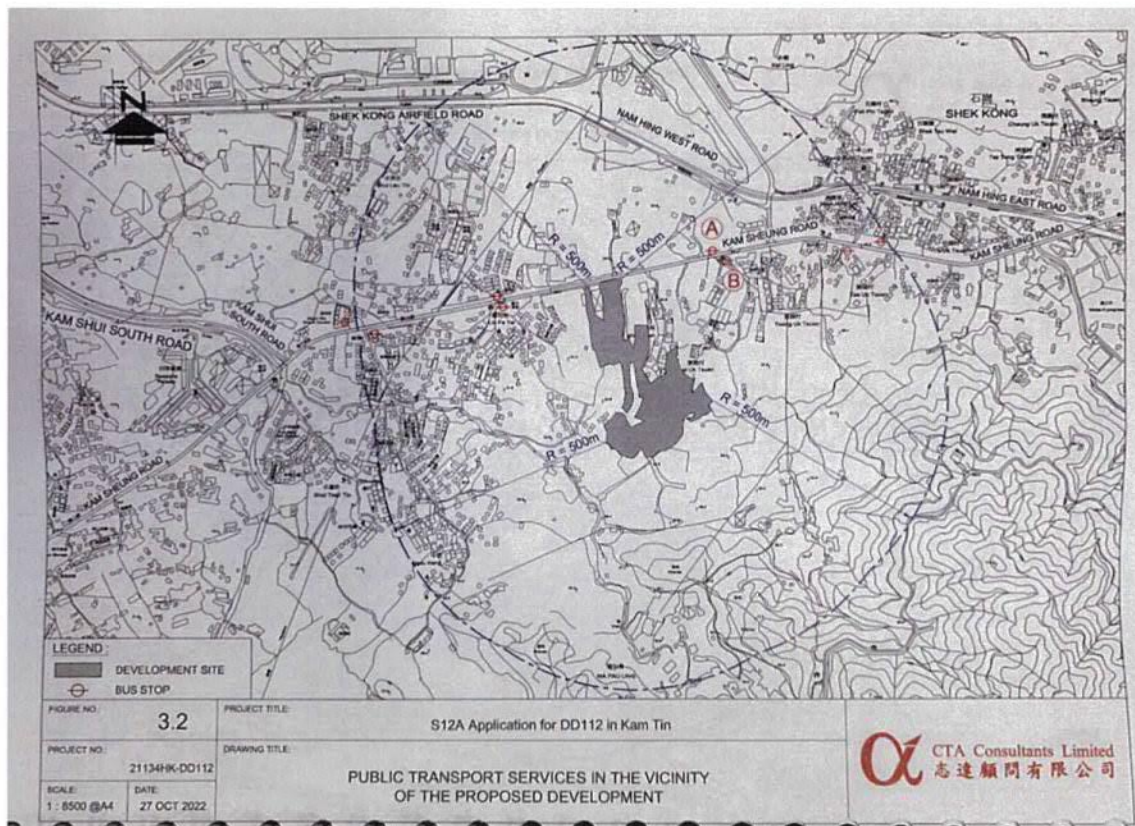
Table 6.4 Summary of Public Transport Survey – West Bound

Public Transport Survey at Stop B – West Bound			
Public Transport Survey at Stop B – West Bound			
Public Transport Survey at Stop B – West Bound			
Time Period	Vehicle Type	Observed	Expected
AM Peak (08:30-09:30)	Bus	544	636
	Minibus	184	147
PM Peak (17:00-18:00)	Bus	515	413
	Minibus	153	123

We question the methodology of the survey: location of the test points, Bus Stops A and B, which leads to incorrect calculation of Expected Surplus 2030

Since the last few years, during the peak hours of morning and evening, Buses 251A, 64K and minibuses are always full, and it is not uncommon that passengers need to wait for the next vehicle before they can get aboard. In fact, in the past few years, there has already been strong complaints from commuters who use these public transportations in the morning as the buses / minibuses are all full by the time these arrive at their bus stops. From Lin Fa Tei going westwards towards Kam Sheung Road MTR station, it is not uncommon for commuters to have to wait for few minibuses / buses before they could get aboard.

The location where the surveys were conducted i.e. during AM Peak (7:30 – 8:30) at Stop B westwards and PM Peak (18:00 – 19:00) at Stop A eastwards totally misses the issue.



Take for example bus 64K, during peak hours, say AM, with most public transportation demand being westwards towards Kam Sheung Road MTR. Once the bus reaches Kam Sheung Road (from Tai Po), there are a total of 18 bus stops from Kam Sheung Road (Sheung Tsuen Playground) westwards to Kam Sheung Road MTR. Bus Stop Lai Uk Tsuen (named Bus stop B in the Traffic Impact Assessment Report) is only the 4th bus stop along Kam Sheung Road from the Sheung Tsuen Playground bus stop. The bus still has capacity, hence 'meeting the demand of the residents of the PD', satisfying the Applicant's needs. Yet, very soon, as the bus passes Lin Fa Tei and westwards beyond, number of passengers boarding drastically increases as these are the more densely populated villages. It is not unusual that the bus reaches full capacity, with all passengers standing up to the driver's seat in the later bus stops along Kam Sheung Road.

Same applies to the minibuses GMB and RMB, it is not uncommon that all these minibuses are already full by the time it passes Lin Fa Tei area towards Kam Sheung Road MTR, and one has to wait for few more minibuses before there are vacancies.

The survey becomes even more 'meaningless' for the PM study, when public transportation demand being eastwards from Kam Sheung Road MTR along Kam Sheung Road. Taking the survey at Bus Stop A is almost meaningless to be frank. Commuters need public transportation taking them from Kam Sheung Road MTR to Lin Fa Tei area which is more populated. By the time the bus / minibus passes the PD, at Bus Stop A (Lai Uk Tsuen), most of the passengers would have alighted. As such during the survey at Stop A would have shown that these public transportations have ample surplus. Yet such kind of statistics/survey results illustrate

nothing useful perhaps useful in the sense that it illustrates the lack of thought in how the survey was conducted.

For PM, the real test comes from observing the long queues of commuters at the bus stop terminal at Kam Sheung Road MTR. This is the only stop where almost 100% of passengers aboard the buses/minibuses. This is the location where one can see that at peak times, passengers need to wait for few minibuses before they can go aboard. The same applies for the 64K, which is also full, with passengers standing right next to the driver, as much as its capacity is much more compared to the minibuses.

Besides, treating buses 64K and 251A to serve the same purpose is not correct. Hence capacity of these buses should not be simply added.

Bus 251A takes a circular route and goes from Bus Stop B (Lai Uk Tsuen) westwards towards to Tai Lam Tunnel Bus Stop Interchange, then to Kam Sheung Road MTR, and back to Tai Lam Tunnel Bus Interchange before it loops back to Kam Sheung Road heading eastwards. Similar to Bus 64K, Lai Uk Tsuen is the 4th bus stop along Kam Sheung Road from Sheung Tsuen Playground (first stop on Kam Sheung Road westwards), and there are 15 more bus stops, diverting to Tai Lam Tunnel Bus Interchange before it reaches Kam Sheung Road MTR. No one would take 251A from Kam Sheung Road to go to Kam Sheung Road MTR as it takes a longer route going to Tai Lam Tunnel Bus Interchange first. Again, from Kam Sheung Road MTR, 251A is NOT the option to go to Kam Sheung Road as the bus goes to Tai Lam Tunnel first.

As such, in the study where it includes bus 251A as part of the connection to Kam Sheung Road MTR station (Tables 6.1 and 6.3), it **overcounts the capacity significantly.**

For bus 251A, during AM peak, strong demand comes from residents from the Lin Fa Tei area onwards towards Tai Lam Tunnel Bus Interchange. Hence the survey probably missed out the strong demand as Bus Stop B is only the 4th stop along Kam Sheung Road.

For PM, the real test comes from observing the demand of the 251A bus at Tai Lam Tunnel Bus Stop Interchange, NOT Stop A. Tai Lam Tunnel Bus Stop Interchange is the stop where almost 100% of passengers board the buses/minibuses. This is the location where one can see that at peak times, standing passengers right next to the driver's seat, with other passengers waiting for the next bus.

Summarising the above, basically during peak hours AM and PM, there is NO surplus capacity as of now already. Public Transportation reaches full capacity when they reach Lin Fa Tei area westwards AM, and for PM, queues for buses are long during peak times.

Based on the inaccurate surveys at Stops A and B, and the projected 2030 Surplus thereon, the survey concludes that public transportation is sufficient for the added demand from the residents of the PD. It does not take into consideration as to how the added PD demand means to the rest of the commuters along Kam Sheung Road. During AM peak hours, this means in addition to the already long wait before commuters can get aboard the

minibuses/buses, the 'projected' increase from the PD, 343 passenger trips (Table 6.9) means commuters along Kam Sheung Road will have to wait for 3 more buses (roughly speaking) in addition to the current wait before they could get aboard. Same applies for PM peak hours. Commuters have to wait for 3 more buses before they could get aboard.

Can Kam Sheung Road support this ?

Moreover, the choice to take minibus or bus is subject to the actual walking distance to nearby bus stops. The PD is located between 2 bus stops Lai Uk Tsuen and Lin Fa Tei, this means that its residents are less inclined to walk to the bus stop if they see minibuses right outside their complex. This means demand for minibuses will probably be more from PD residents, which exasperates the existing problem of minibuses reaching full capacity along the western part of Kam Sheung Road. In general, green minibus is the preferred choice for commuters along Kam Sheung Road as it gives flexibility of boarding and alighting points. Yet green minibuses are already reaching their full capacity in the morning, with commuters along western side of Kam Sheung Road having to wait for a few minibuses before they could go aboard, or that they have no choice but to take the very crowded bus instead. Not quite sure how the spiel of neighbourhood harmony per Applicant's material actually will work out

This is only one part of the study to which where we can see the flaws. Given that there are so many other assumptions used throughout, we question whether the what-so-called surveys and projections are to be really relied on.

This fully illustrates that consideration in how the PD will impact on existing local residents has not been taken. Just like the other reports and studies submitted by the applicant so far, such studies were purely from the perspective of the PD. As long as existing surroundings support the needs of the PD, it is concluded that "there is no impact on the area".

Such studies rely on assumptions and desktop data, with no real understanding and observation of actual site and its vicinity, we cannot help not feeling sceptical of such reports.

On a different note, queue for taxis are long during PM time at Kam Sheung Road MTR station. Waiting time is over 15-20 mins during peak hours.

In addition, both surveys above were done during the defined peak hours AM and PM. In fact, given the diversity of the population in the area, demand for public transport is always strong in the evening, after dinner time when commuters are returning home, with the green minibuses no longer in operation, queue for taxi becomes extremely long, with people lining right towards the end of the rank.

Yours faithfully,



Residents Signature :

居民簽署 :

Name (Print):

K. Ng

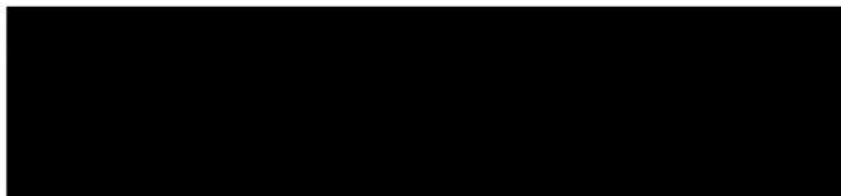
名(正楷) :

Address:

通訊:

Telephone number:

電話:



Residents Signature :

居民簽署 :

Name (Print):

M. Tam

名(正楷) :

Address:

通訊:

Telephone number:

電話:



Residents Signature :

居民簽署 :

姚
景
松

Name (Print):

Y.S. Yew

名(正楷) :

Address:

通訊:

Telephone number:

電話:

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**Public Consultation Submissions for Y/YL-SK/1**

14/04/2023 23:52

From:

To: [REDACTED]
tpbpd@pland.gov.hk, tpbpd@pland.gov.hk

File Ref:

3 attachments



TPB Comments from Wah Yuen Residents_041423.pdf



TPB comments from Wah Yuen Residents_022423pdf.pdf



TPB comments from Wah Yuen Residents_120922pdf polished version.pdf

致：城市規劃委員會

日期：2023 年 4 月 14 日

有關：反對 Y/YL-SK/1 申請更改規劃用地

1. 前言

1.1 上述申請於 2022 年 4 月 28 日首次提交城規會，因應發展商提供修訂本，至今為第 6 輪公眾諮詢，共累積了 2,168 份公眾意見¹。

1.2 公眾意見很大程度代表當地居民的意見，在資源不對等的情况下，公眾仍選擇就申請提出意見，內容涵蓋重要民生事項，如水浸、交通配套、更改及填平天然河道、大幅填高地面及建屋高度等等，無論意見的質和量皆不容忽視。相反，發展商在資源充足的情况下，過去提交的 5 次修正本，只是「擠牙膏」式的回應操生剝權的政府部門意見，鮮有回應公眾疑慮，居民對此深表遺憾。

1.3 發展商是次在 2023 年 3 月 29 日提交的資料只有交通評估一項，其他有關上述 1.2 點的多項居民關注的民生事項仍欠奉。居民期待發展商進一步回應的同時，也期待各部門在批核上述申請時認真了解及聆聽居民的地區聲音。

1.4 是次意見書主要就發展商的修正交通評估提出意見，重點為公共交通工具乘客流量的調查結果。就有關其他重要民生議題，因發展商沒有提交進一步資料，居民無從回應。為節省資源，我們在今次的意見書內除交通評估，會簡撮其他反對事項，並列 2023 年 2 月 24 日及 2022 年 12 月 9 日提交城規會的意見書為附件 1 及附件 2 作為背景及反對理據的參考資料。

2. 有關修訂交通評估的意見

2.1 公共交通乘客量調查報告出現嚴重誤差並存在誤導成份 - 就現時發展地段的公共交通工具乘客量調查數字結果，我們留意到 2023 年 3 月的最新修訂報告，大幅調整之前 2022 年 11 月提交的數據，對比下顯示後者嚴重低算了公共交通的實則乘客數字，從而得出誤導性的載客量剩餘數字的結論。

對比兩份報告，在 16 項公共交通工具的調查數據項目中，13 項須作出調整，佔全部項目的 81%。調整的差幅由 19%至最多 7.8 倍，其中差幅達 3-5 倍的更佔了 5 項²。顧問公司沒有說明同一個專業調查為何會出現如此嚴重的誤差。

¹ 城規會規劃申請 Y/YL-SK/1 網頁資料

² Traffic Impact Assessment (March 2023) Table 6.1 & 6.3; p.16 & 17; Traffic Impact Assessment (Nov 2022) Table 6.1 & 6.3, p.16 & 17.

2.2 居民分享親身經驗，證明數據經調整後仍與實際情況不符 - 盡管調查數字經大幅調整，但根據當地居民的親身經驗，這些數字仍存在嚴重謬差。以 2023 年 3 月 24 日為例，居民下午約 2 時非高峰時段，於調查報告顯示的 Stop B 乘坐 72M 小巴，因為 Stop B 位處錦上路較後段，西行線屬頭站，載客量自然相對小，但沿路陸續接載乘客已客滿，未及錦上路中段已客滿，眼見之後仍有不少居民揮手想上車，可見需求相當大。

此外，居民在 2023 年 3 月 27 日，同樣非調查設計的高峰時段，約下午 4 點於元朗 72M 總站欲返回錦上路 Stop A 位置，當日開車時只有 3-4 名乘客，但當駛至錦上路期間，陸續接載了多名乘客，沿途的乘客上落流量總數約 12 名，佔可乘載量約 75%。事實上，這時段為路段其中一個靜態時段，因家庭主婦群組往市場購物回程會選擇乘坐較接近市場的 23 號紅色小巴，而 4 點時段時間又未到放工時間，故客源多為學生或有短程需要的乘客。觀乎這個靜態時段也有約 75% 的載客量，居民怎可能相信經修訂後的 72M 的高峰載客量只有 44% - 56%，而未經修訂的版本更低至 5% - 8% 的載客量？

2.3 調查設計及方法不專業 - 華苑在 2022 年 12 月 9 日提交的意見書，已清楚提出我們認為調查方法不專業，發展商及顧問公司有機會在提交修訂本時重新檢視數據，但顧問公司明顯沒有理會，除了修訂乘客量，完全沒有審視下列有關設計的意見：

2.3.1. 站頭位置的不能反映真正乘載量，以行車線計，除 251A 為循環線外，對居於地盤附近的居民交通需求而言，Stop A 屬尾站，Stop B 屬頭站。早上繁忙時間 Stop B 乘客當然未算多，如上述 2.2 段的居民親身經歷，但當車輛行駛至中段時乘客量已經完全不一樣。同樣道理，Stop A 屬回程尾站，中段的乘客已經下車，流量自然相對小。但真正的乘客需求，是以乘客的整體乘車需求計，需求量也必須以整條道路計算。我們看不到調查報告計算的所謂平均載客量，是否有考量整體需求，如果所謂平均數只包括在同一時段的的不同車次流量數據的平均數，調查數據怎可能準確？

2.3.2. 站頭的高峰時段設計是本末倒置 - 理論上，高峰時段是針對早上上班居民，這群組通常的路線會前往大欖轉車處或錦上路港鐵站到工商區上班，需要交通接駁的居民會在 Stop B 候車，但調查卻設 0830-0930 為高峰時段，請留意接駁交通是前往集體運輸地帶，試問在這個時段，居民如果 0830-0930 仍在這個站頭乘車，他們怎可能趕及大部份 0900 的上班時間到達終點的工商地區？調查得出的乘客量，怎可能準確？我們相信這些例子只是冰山一角，整個調查報告，在最新的修訂本仍有很多其他設計方面的誤差，遺憾地發展商並沒有理會。

2.3.3. 調查設計的流量需求沒考慮居民的生活模式 - 居民之前已經提及錦上路沒有民生配套，前往最曾鄰近的錦田市購物也須要車輛接駁，且選擇不多，故居民須前往元朗購買日常用品，但調查沒有涵蓋這重要需求。事實上，沿錦上真正的交通接駁需求遠遠不止於顧問公司調查提及的高峰時段。

2.3.4. 調查沒有包括居民常用的公共交通工具 - 調查只包括部份的接駁交通工具，沒有包括居民在早上及晚間上班繁忙時間，需求遠超可提供的座位數目，可來回直達商業區的中環的 NR917 & NR918 村巴，及現時往返工商業區最常用的港鐵及巴士的乘客量。

2.4 此外，除了公共交通工具需求，由於錦上路是單線運行，道路偏窄，且缺乏避車處，我們發現現時錦上路尤其在傍晚時份，已開始積聚車龍，若大幅增加居住人流，在交通配套未及改善的情況下，車龍擠塞情況只會更差。

2.5 在車位數目方面，居民對發展商建議興建 322 車位提出反對，並於之前提交的居民意見書內列出我們的理據，是次的修訂本發展商並沒有提及。

3. 其他有關民生的幾點重要反對事項 -由於發展商沒有回應公眾下列因其發展影響周邊社區的重要民生議題，我們在此重覆我們反對的重要事項，背景及理據請參考之前提交的意見書附件。

3.1. 反對更改及填平天然河道，大幅填高地平，增加華苑及鄰近大範圍地區的水浸風險。

3.2. 反對項目大幅提高地積比率、地面水平及住宅樓層高度，增加人口及房屋密度，在地區的配套設施未及改善的情況下，影響現有社區居民的環境。

3.3. 反對申請項目就有關車輛及交通影響評估，地區的交通情況會因項目大幅增加增加人流及車流，增加錦上路的交通負荷。華苑也反對項目興建多達 322 個車位，增加錦上路的車輛流量。

4. 結語

4.1. 排水及水浸威脅是居民一個非常關注的問題，綜觀發展商的申請規劃，現階段仍然是問題遠多於答案。水浸問題影響居民的生活，嚴重的可構成居民的人命及財物損失。排水與大自然環境息息相關，任何亮麗的科研數據只能作參考，且必須經嚴肅印證居實際地區資料，相對數據，居於當地居

民的觀察，親身經歷也至為重要。如有丁點疑慮，政府把關的部門不應容許有私人利益的發展商主導會影響鄰近地區的更改河道的計劃。

4.2 是項申請為更改地區規劃，顯示會大幅增加地積比、人口及房屋密度。我們懇請城規會在缺乏周邊地區的民生配套設施的情況下，予以否決。此外，是項申請似乎也不符合現時有關地積比及樓層規劃的規劃審批指引。

4.3 我們認為任何鄉郊發展，必須考慮周邊社區居民的建設，達到新舊社區互相尊重及共融的目標。綜觀是項申請的設計，發展商似乎銳意在鄉郊地區，興建一個獨善其身的堡壘，如大幅填高地台至 1.8m，興建高逾 5m 的石屎圍牆，且衝無視鄰近地區的需要，申請填平及更改天然河道等等。如果發展商沒有考慮水浸問題，又何需填高地台？如果不是擔憂鄰近社區會影響新建屋的外觀，又何需及興建逾 5m 的圍牆？所謂己所不欲，勿施於人，再加上鄰近地區已落成逾 40 年，作相應改動會相當困難，發展商整個設計是完全看不到尊重社區或共融的意圖。

4.4 我們認同鄉郊地區應該適量地釋出土地，但發展商其實是有選擇的。如果不銳意更改土地規劃，發展商其實可以在現有規劃條件下申請發展，為增加香港房屋供應作出貢獻。當然如果發展商純以商業考量，而無視更改規劃會令致鄰近社區的影響，這已經不單是釋出土地的問題。就此，我們的立場是私人發展商的商業考量，不應凌駕已存在的社區居民的基本民生需要，只有配套設施得到改善的情況下，才可考慮大規模更改私人用地規劃，故希望城規會及各有關政府部門能聆聽地區聲音，予以否決是項申請。

致：城市規劃委員會

日期：2023 年 2 月 24 日

有關：反對 Y/YL-SK/1 申請更改規劃用地

我們是華苑居民，現就上述申請更改規劃用地，提出強烈反對，希祈有關政府部門及城規會委員聆聽地區聲音，否決是項更改規劃申請。

是項發展地盤與華苑同處 R(D)規劃地帶，華苑更是在這規劃地帶內唯一，且已興建逾 40 多年的周邊屋苑，位置接近程度至共享部份地界。2022 年 4 月發展商提交首份更改規劃申請，因應其發展規模龐大，所處地段毗鄰華苑，且其申請意向屬大幅更改規劃用途及註釋，影響華苑及鄰近地區，故提出嚴正反對。

華苑居民在過去多輪公眾諮詢，已多次表達我們作為一個重要的鄰近社區的聲音，並在意見書上理性地一一詳述我們的觀點及疑問。奈何發展商經過近一年時間，至今次最新一輪諮詢，觀其最新提交的資料，仍然是問題多於答案，看不到發展商有聽取及回應地區的聲音，從而優化規劃申請，達至共融的發展目標。

為免浪費資源，是次提交的意見書主要是補充資料，並附上前一輪諮詢，即 2022 年 12 月 9 日提交的意見書¹作附件，希望政府有關部門及委員會從中參考及理解有關華苑的背景，反對立場及詳細理據。是次諮詢的補充意見書主要分為 3 部份，第一部份會撮要有關發展商申請更改規劃，大幅度更改事項的事實陳述，第二部份簡要申述華苑居民就更改規劃部份的反對理據。第三部份為結語。

(i) 規劃申請提出的重要更改事項 - 資料陳述

填高地台及建築物高度

1. 放寬整體發展高度至 44.15mPD¹，以發展地盤現時的地平低點 24.2mPD²計算，發展商申請放寬可興建樓層包括地台的整體高度至 19.95m，是現時 R(D)規劃可容許，包括現有、新發展或重建項目的整體高度即 8.23m³的 2.4 倍。
2. 填高整個發展地盤地台至 26.0mPD⁴，比現時的低點水平 24.2m 填高逾 74%，比鄰近地區，地台低點由以往相若⁵，至發展後高出 19 倍⁶。

¹ 修訂版

² 發展商沒有在申請文件上列明，資料基於顧問公司渠務評估報告 6 月修訂版 (Rev.B) Annex B, P.5, Section B-2 顯示地盤現時及將來的地平高度。

³ 石崗分區計劃大綱核准圖編號 S/YL-SK/9 有關住宅 (丁類) 規劃意向備註(a) p.9

⁴ 城規能網頁規劃申請申請摘要 Indicative schematic Section，顯示發展後的地平為 26.0mPD

⁵ 參考備註 2 的 Section B-2 圖，華苑和發展土地分別位處天然河道的河床兩邊，高度分別為

3. 在升高近 2m 的地台再加建 3m 石屎圍牆，致整體圍牆加地平高度逾 5m，幾近 2 層樓的高度。這個高度的圍牆在鄉郊發展地帶不常見。須知道發展地盤的周邊是私人地段，不是公共地方，也不存在主要車道。毗鄰更貼近民居的建築物，部份距離且不足 2m，嚴重影響居民的景觀及保安。我們看不到興建 3m 高圍牆的實際需要。

填平及改變天然河道

4. 填平鄰近華苑的天然河道。
5. 更改主要北面河道(Northern Channel)的部份走道。

增加地積比，更改人口及房屋密度

6. 大幅提高地積比 4 倍由 0.2 至 0.8。
7. 樓層樓目由現行規劃的 2-3 層大幅增加至不少於 6 層，相當於現時規劃容許的 2-3 倍，周邊規劃地帶從未出現同等或接近樓層數目的發展項目。
8. 預計入住人數不少於 2,380，單一項目已超過居於規劃圖則地帶的人口總數的 10%。

交通及停車設施

9. 申請興建 322 個住客及訪客停車位。
10. 規劃三層高停車場，貼近民居建築物。

(III) 華苑居民的反對意見及理據

1. 反對發展商填平天然河道反更改北區河道的走道，增添不穩定因素，讓本來已經備受水浸威脅的華苑及鄰近鄉村地帶增加水浸入鄉屋的風險

水利是一個非常重要的民生問題，尤其在鄉郊地帶。排水不可能只關乎發展地盤，任何大幅有關排水系統的更改，均有機會影響鄰近地區，這是我們反對的重點。除了想盡用周邊土地以外，我們看不到發展商填平天然河道背後的原因。政府有責任保護天然河道，大規模填平及更改走道，項目由持利益立場的私人發展商主導，影響範圍遍及鄰近地帶，居民感到不安也合理。居民就水浸問題的憂慮和提問詳列於附件(1) C1 點 (p.3-5)。

24.1mPD 及 24.2mPD，地平相若，只相差 0.1mPD。

⁶ 參考備註 4 同一文件，現發展商申請填平天然河道，再填高地平至 26.0mPD，華苑已存在逾 40 年，不能相應加高地台，兩者的高度由以往的 0.1m，至相差 1.9m，增加 19 倍。華苑及整個未能填高的大圍鄉村地區即變成低窪地帶。

2. 華苑反對發展商填高地台最多達 1.8m 至 26.0mPD，令鄰近的華苑及鄉村地帶頓成低窪地帶，大大增加水浸入屋的風險

填高地台有 2 個主要影響。第一，會增加未能填高地平的地區的水浸風險；第二，相對未發展前的地平，令整體發展高度變成相當於 7 層樓的實際高度。有關這 2 方面，同樣請參考附件(1) C1 點 (p.3-5)

3. 反對未及改善地區民生設施前，大幅提高地積比率 4 倍，致房屋備及人口密度驟增，配套失衡，令居住在原有規劃地區的居民生活質素降低

是項規劃申請預計入住居民為 2,380，超過整個規劃地區的人口的 10%。整個規劃圖則沒有規劃發展商擬申請的 R(C) 規劃用地，背後原因估計和現時地區的民生配套設施的限制有關。在設施未及改善的情況下，我們實在看不到強行更改規劃，大幅提高地積比的理據。如果要強行發展，只會令居住在當區的居民付出代價。有關地積比率的意見請參考附件 C2ii & iii (p.5&6)。

4. 反對擬興建 6 層建築物，嚴重影響周邊已存在的社區建築物的協調和景觀

根據申請文件，整體高度上限為 44.15mPD，和現時地平比較，以低點計，發展商的可發展高度為 19.95m，相當於 7 層樓高度。雖然發展商有根據指引提交視覺評估(VIA)，但我們對結論有保留。現時 VIA 的指引沒有細分市區及鄉郊地帶，是項發展建築物高度增加 2-3 倍，現時的指引能否實則反映新屋苑在地區是否協調也成疑。華苑居民就議題的相關意見請參閱附件 C2v (p.7)。

5. 反對規劃申請興建逾 300 個停車位，數目在類似鄉郊發展項目中高，會影響鄉郊寧靜生活，並做成錦上路的交通做成負擔

車輛在寧靜的社區的數目及流量也是鄰近地區居民的關注點。我們明白發展商車位面積可以豁免計算入發展面積，發展商可售賣車位之餘，設施也令單位增值。事實上，現行有關車位設施的指引同樣沒有細分鄉郊地方，但運輸署檢視申請時，是否要考量政府的整體交通運輸目標，是盡量減低地面交通流量，鼓勵市民乘坐公共集體運輸工具，但發展地盤又必須倚靠接駁車輛往運輸要點，再加上錦上路無論車路和行人路都非常狹窄，會做成居民的負擔等等因素。其他有關意見請參閱附件 C3 (p.7&8)

6. 發展商未能提供足夠及透明資料，讓受鄰近社區居民了解更改規劃可能帶來的影響

資料不足之餘，發展商也未能聽取及正面回應社區居民的提問。

7. 設計沒有尊重和融合鄰近已存在的鄉郊社區

無論在規劃水利系統設計、高度、樓距、車輛交通規劃等，居民看不到發展商有意向或行動，尊重及融合已存的社區。詳情附件 C2v(P.7)。

8. 大幅申請更改規劃理據薄弱，不能推動鄰近社區信服，接受至行動配合建議的發展申請

華苑居民認為發展商提出大幅更改規劃的理據薄弱。我們理解在商言商，發展商因應市場需求，希望獲取最大經濟效益是無可厚非。我們深信回應社會對房屋的需求要理性，審批大規模發展前必須有適切的民生配套。商業效益的考量絕不能凌駕於社區居民的基本生活質素要求。發展商提出的理據薄弱，故此居民提出反對。以下為 2 個要點：

發展商提及圖則修訂理據⁷提及「完全配合政府現時推行的房屋政策，能在較短時間內提供房屋供應及釋放未被充份利用的土地發展潛力⁸」及「較早實現住宅發展並滿足急切的房屋需求⁹」，我們理解發展商其實如果要「較早」及「較短時間」實現，發展商可以選擇以現有規劃 - 發展商其實有其他選擇，可以申請在現有的規劃條件下提交申請，相信阻力會較小，會更能更快利用土地發展潛力。

發展商提及地積比率「參照元朗錦田南及八鄉發展」，因為地積比是我們反對項目之一，我們都很關注，除了 LUR 的報告外，我們實在看不到地積比 0.8 的參照，而針對 LUR 的反對理據，已詳列附件 C2ii 及 iii (p.5&6)。

(III) 結語

1. 華苑居民的立場及反對意見已詳列在意見書內，由於發展商沒有提交新的資料，意見書同時附上去年 12 月 9 日提交的意見書作為附件，當中有詳述華苑的背景及每項反對意見背後的理據。
2. 華苑居民認為是項更改規劃申請，規模龐大，對華苑及整個鄉村地帶在民生議題上影響深遠，我們期望有關政府部門，特別在渠務、規劃高度、地積比，至樓距交通等為市民把關，檢視其配套設施是否足夠是項更改用地規劃申請。如果有丁點疑慮，應該聽取地區聲音，予以否決。

⁷ 申請文件行政摘要

⁸ 申請文件行政摘要 (a)

⁹ 申請文件行政摘要 (c)

3. 在規劃上，我們看不到發展商的更改規劃理據。似乎發展商要求委員會在多方面，包括現行申請指引作出例外批准¹⁰，如地積比、高度等。理據重點是能盡快提供房屋，滿足需求。但綜觀現時房屋短缺現象大部份是資助房屋，不是私人樓宇。根據差餉物業估價署的 2022 年物業報告，元朗的私人樓宇空置率是 2.5%，我們實在看不到在未有足夠地區民生配套時，強行推行這個更改規劃申請。再者，發展商若要釋放土地，還有其他選擇。只要根據地帶准許的用途發展，設計能尊重和融合鄰近已存在的社區發展，我們相信大家都會樂意支持。
4. 最後，我們留意到透過幾輪公眾諮詢，收集的公眾的意見書已超過 1,000 份。盡管當中不乏由不同居民簽署的樣板意見書，但我們希望有關政府部門及委員會能重視這千多份意見，因意見的「質」和「量」同樣重要，代表的是地區聲音。是項申請發展商提交多份評估報告，沒有提供網上版本，且全部用英文撰寫，內容不乏技術資料。發展商甚至沒有突顯一些影響居民的重要細節，如文件只有未來地台高度，卻隱藏現時地平數字，居民不容易掌握發展前後的地平差距；又例如在增高的地平上，在發展商後加 3m 石屎圍牆，資料也在環境評估圖示標明出現。公眾，甚至環保署以外的部門如渠務未必在審視時掌握到這些重要資訊。在公眾人士與發展商的資源並不對等的情况下，仍然有千多名意見書，我們認為政府部門及委員會必須正視。

華苑居民

2023 年 2 月 24 日

¹⁰ 附件 C2ii 及 iii (p.5&6)

附件 -華苑居民意見 (2023 年 2 月 24 日)

致：城市規劃委員會

日期：2022 年 12 月 9 日

有關：反對 Y/YL-SK/1 申請更改規劃用地

我們是華苑居民，現就上述申請更改規劃用地，藉公眾諮詢期內提出強烈反對，希祈有關政府部門及城規會委員聆聽地區聲音，否決是項申請。

(A) 背景及前言：

1. 華苑位處錦上路 DD112 地段，規劃為「住宅（丁類）」地帶。華苑已建成逾 40 年，有 9 間獨立屋，因應低地積比率要求，連同屋苑道路及設施，華苑佔地約 75,000 平方呎。是唯一在這個地段及規劃地帶，已發展的獨立屋屋苑。
2. 華苑所在的土地規劃清晰標示用作「低層，低密度的住宅發展」。華苑居民在選擇居所時，是基於及相信上述土地規劃目的，得出一個合理期望，華苑所處的地帶規劃，是有別於其他市區高地積比率的高樓層屋苑，或建築在地積比率 3.0 的「鄉村式發展用地」低層但未必能提供屋距及空間的《新界豁免管制屋宇》類別，基於 0.2 的低地積比率要求，無論屋距，空間及樓層，這個規劃地帶能帶給住戶一個寧靜的低密度，低層的鄉郊生活。
3. TENOX（下稱發展商）本年 4 月提出申請項目（Y/YL-SK/1），將其現為「住宅（丁類）」地帶改劃為「住宅（丙類）」地帶，同時修訂適用於該申請地帶土地用途地帶的《註釋》，包括地積比率由現時的 0.2 大幅增加 4 倍至 0.8，樓層增逾倍由 2-3 層至不高於 6 層，整體高度由現時低點約 24.1mPD 提高約 83% 至 44.15mPD，致整體發展總高度超過 20m，相當於 7.3 樓層高度。
4. 華苑位置毗鄰申請項目土地，同樣位於「住宅（丁類）」地帶，兩者的接近程度是逾半數華苑獨立屋與部份申請土地共享地界。華苑是已建成逾 40 年的屋苑，整體佔地相當於是項申請的私人土地總面積的 17%。無論在所處地段，位置，或佔地比例上，華苑作為最鄰近申請項目的社區聲音不容忽視，因為項目就地區的基建及民生設施，如渠務，樓層高度，建築物的樓距，至交通負荷等，對華苑及鄰近社區都有直接，重大及可能不可逆轉的影響。
5. 是項申請項目與華苑均位處八鄉南，根據 2021 年統計資料人口有 22,814¹，

¹ 2021 年人口普查 - 區議會選區 M39

適用的規劃用地圖則是石崗分區計劃大綱編號 S/YL-SK/9（下稱《圖則》）。根據《圖則》，規劃為「住宅（丁類）」的土地只有 2 幅，地積比率為 0.2 及新發展屋宇不超過 2 層，高度限制為 6m²。是項申請發展土地及華苑所處土地為其中一幅。《圖則》甚至沒有規劃容許較高地積比和高度的「住宅（丙類）」地帶，即發展商申請的目標地帶。我們相信這《圖則》的規劃意向除了考慮保留低層，低密度的鄉郊地帶以外，與八鄉附近配套設施的限制有一定關連。

事實上，地區的渠務排水問題仍讓居民面對水浸威脅，居民必須駕車或倚靠接駁交通始能到達集體運輸工具如港鐵站往市區及元朗市，但錦上路作為其主要單一道路，仍受制於 2 條來回雙線單行的車道，且無論車路或行人路均嚴重偏窄。只要這些配套限制一日未見大規模改善，我們實在看不到倉卒更改土地規劃的理據。依據下述申請，這單一項目預計入住人口偏保守估計，已達 2,380³，超過八鄉南總人口的 10%。

從另一角度看，我們觀察到這地段雖然一直沒有勉強進行大規模的房地產發展，以避免負荷失衡，影響民生。但我們留意到這地區近年仍有循序漸進地推進不少發展項目，附近地區除保留了農耕，更看到多個另類及頗具鄉郊特式的教育及消閒設施，在「鄉村式發展用地」地段也看到不少新興建的大型低層及低密度村屋屋苑。這些不同類別的發展，百花齊放，在我們來看來，除有特式，也能融入鄉郊的社區規劃，市民只要喜歡閒適的鄉郊生活，還是有選擇的。我們相信這也是香港需要有不同地帶規劃背後的理念。

（B）華苑的立場 -反對發展申請

1. 華苑強烈反對是項申請 (i)更改規劃至「住宅（丙類）」地帶，及 (ii)修訂適用於申請地帶土地用途的《註釋》，包括大幅提高地積比率至 0.8 及樓層限制至 6 層，高度限制至 44.15mPD。
2. 就發展鄉郊用地，我們支持「最佳土地運用」(Land Use Optimisation) 原則，但前徹必須合理平衡鄉郊規劃目的及社會的土地發展需求，能吸納及配合鄰近地區日常民生基建的限制，尊重鄰近已存在久遠的社區，達到真正的鄉郊新舊社區共融的目標。透過是項申請的設計圖及相關文件，我們看不到尊重和共融的原素。
3. 華苑並就下列 3 個申請文件內提出的發展重點及變更，提出強烈反對。

² 石崗分區計劃大綱核准圖 S/YL-SK/9 備註 (b)

³ 申請文件概覽撮要 Executive Summary P.10, Table 5.1

(C) 反對的主要項目及理據

1. 更改及填平天然河道，增加華苑及鄰近大範圍地區的水浸風險

現狀

- (i) 華苑及鄰近地區一直面對水浸威脅，2018 年 8 月更因暴雨及整個蓮花地範圍水位上漲，引致屋苑水浸入屋逾 30-40cm 深度。
- (ii) 圍繞華苑外牆有一條天然河道，闊度約 1.4m-1.8m，深度 1.03m，存在起碼數十年。除了華苑，也收集近黎屋村的農耕及住宅地段，及暴雨時大帽山衝下的雨水，是社區重要的排水渠道。河道是否暢通及其水位高度，更即時及直接影響華苑，一直是屋苑監察水浸危機的指標。
- (iii) 除了透過天然河道，華苑的雨水也經由草地及地下泥土滲納。由於現時申請地段是草地，能吸納大量雨水，令現時水浸情況不會太嚴重。
- (iv) 現時華苑和接連申請發展土地的高度相若，沒有明顯高低地的差別，雨水根據自然流向，會分散流向整個地帶的地面。若有暴雨，整個地帶的水位升高，至超越華苑獨立屋的室內地面水平，雨水會經地下排水位倒灌入屋，這也是 2018 年發生水浸的實際情況。
- (v) 此外，鄰近華苑有另一條較大型的北面天然河道(Northern Channel)。該河道相對上述的天然河道較大，能收集較多雨水，但距離華苑也較遠。如果河道淤塞出現倒溢，未必如上述天然河道般即時或直接影響屋苑。

發展商建議的改變

- (v) 首先，整個地盤申請發展地面會大幅加高至 26.0mPD，由於天然河道位處華苑及項目土地的地界位置，以往天然河道兩邊河面地平相若，以文件標示的 B2 點計⁴，華苑一邊地平是 24.1mPD，另一邊則為 24.2mPD。改變後兩邊河面地平相差 1.9m。

無論發展商提交的渠務評估報告如何亮麗，只要稍微考慮邏輯和民間智慧，雨水永遠向下及往低處流，申請項目大幅填平及加高地面至差不多等於一個人的身高，整個鄰近社區大範圍自然成為相對的低窪地

⁴ 顧問公司渠務評估報告 6 月修訂版 (Rev.B) Annex B, P.5, Section B-2,

區，水浸風險自然劇增。

- (vi) 第二，申請項目建議填平圍繞華苑存在了逾 40 年的天然河道，改由發展商興建的明渠（Surface Channels⁵）取代（下稱《替代明渠》）

建議的《替代明渠》卻被大幅縮減至闊 0.6m 及深 0.6m⁶，只及現時天然河闊度的 1/3；深度的 58%。邏輯上來看，除非項目有讓人非常信服的其他補助方案，集水和排水的功能現在倚靠天然河道也只能勉強應付，縮減逾倍的話，無論在容量及流通量自然會受影響，更容易引致水浸。

發展商聲稱《替代明渠》為華苑而設，但從未交代就工程上如何接駁兩者的排水管，沒有說明如何處理連接天然河道至華苑段的上游河澗，更從未諮詢華苑。

- (vii) 第三，估計項目約 70%會因為建屋及設施而填平，只留 30%綠化地帶。在鄉郊地方的天然疏水功能會大大減低。雖然顧問報告聲稱評估報告已考慮這個因素，但大幅填高地面，報告有沒有低估影響也是我們的疑慮。

- (viii) 第四，申請文件顯示，項目計劃在已填高的地平再加建 3m 的石屎牆⁷（未計地基），估計圍牆高度會超過 5m，接近規劃《圖則》准許的整幢新建兩層屋宇高度。圍牆圍封整個地盤，包括建議中的天然河道的河床位置。但文件沒有交代建議的《替代明渠》最終會設在圍牆內或外，也沒有交代除了新建屋苑的地下排水渠，圍牆是否預設向外疏水的設施？問題多於答案，但這些關注點均顯示多方面的疑慮和不肯定元素。水利是一個重大議題，我們不認為只靠大堆亮麗數字，就能釋除居民的合理疑慮。

- (ix) 第五，發展商建議移動部份北面河道，我們估計是有部份北面河道的業權不屬發展商，為能掌控水利及減低新建屋苑的水浸風險，將河道的上游移近華苑地界。我們對更改大型的天然河道的走道有疑慮。有鑑以上種種對華苑及鄰近地區的不利疏水的改變，我們擔憂將部份走道移近華苑會進一步增加華苑的水浸威脅。

⁵ 申請文件-6 月提交的渠務評估報告修訂版（Rev.B）Annex B, P4, 5 & 6

⁶ 顧問公司渠務評估報告 6 月修訂版（Rev.B）Annex B, P.5, Section B-2,

⁷ 顧問公司景觀評估報告 5 月 LD_002

- (x) 第六，項目建議建設一個儲水箱以解決水浸問題，儲存暴雨時未及排放的雨水，但該儲水箱設在下游，如果有淤塞，儲水幫不了忙。再加上《替代明渠》經過的走道是鄉郊地段，可能有山泥樹枝，淤塞機率比地下渠高，明渠又比原本的天然河道窄和淺，流量相對低，再加上因發展商填高地面華苑及鄰近地區全變成低窪地，連接新建屋苑的地下渠又只有 2 匯聚點⁸，分別為直徑 1.05m 及 1.2m，兩者都比原本的天然河道容量小。我們可以想象在淤塞情況下，因為是明渠，雨水會分流往旁邊華苑的低窪地帶，雨水不能流往地下渠，遑論至儲水箱。
- (xi) 此外，發展商提交的渠務評估報告，包括有大堆數字的水力模型研究。我們對這些研究及結論有很大保留。首先，從負責的顧問公司本年 3 月撰寫的渠務評估⁹看，顧問公司似不大熟識或未能掌握地區資料。華苑雖然貼近地盤，且佔地比例達 17%，顧問報告完全忽略華苑屋苑的存在，甚至否定圍繞華苑闊度達 1.4m-2m 天然河道的存在。

雖然顧問公司 6 月撰寫的修訂版已包括華苑及該天然河道，但顧問評估的結論似乎大程度倚賴水力模型的測試，認為渠務沒有問題。但測試建基於假設，如果用作運算假設的數據基礎，收集或估算時沒能掌握實地地區資料，結論可能是差之毫厘，謬之千里。參考以往大型發展，屢聞大型發展後社區發生以往沒有發生的水浸，如元朗大旗嶺村。我相信當時發展商必有提交渠務評估，報告也大多包括水力模型測試研究。若最終地區仍有以往未曾出現嚴重水浸情況，表示數據歸數據，掌握地區的實地情況可能更為重要。水利問題事關重大，建成後發現誤差也於事無補救，最終要無辜的社區居民承擔結果。故此，我們認為若有丁點疑慮或不肯定，也不應批核。

2. 反對項目大幅提高地積比率、地面水平及住宅樓層高度

- (i) 是項申請 (i)更改規劃至「住宅（丙類）」地帶，及 (ii)修訂適用於申請地帶土地用途的《註釋》，包括大幅提高地積比率至 0.8 及樓層限制至 6 層，高度限制至 44.15mPD。
- (ii) 我們反對項目大幅提高地積比率 4 倍由現時 0.2 至 0.8。現時石崗分區計劃大綱編號圖則是 S/YL-SK/9，規劃目的作低層、低密度的住宅發展，地積比是 0.2，除獲豁免小型屋宇，新發展樓宇樓層限制為 2 層，高度不超過 6m。華苑居民是相信及基於現時規劃，期望所處地帶，盡管有

⁸ 顧問公司渠務評估報告 10 月替代頁 Appendix B5

⁹ 顧問公司渠務評估報告 3 月修訂版 (Rev.A)

新發展，能切合低層、低密度的住宅的規劃框架。我們認為是項申請有違適用於申請地帶的規劃原意及目的，故此提出反對。

- (iii) 地積比率對社區的人口及房屋密度有間接但重要關連，也是市民在選擇適合自己居所時，相對容易理解的有用指標。根據規劃署發出的《香港規劃標準與準則》有關住宅發展的密度，應容納不同等級的房屋密度，以切合市場對不同房屋類別的需要¹⁰。住宅密度應在現存及計劃的基建及環境可配應的能力範圍內¹¹發展。

我們認為是項申請更改規劃至「住宅（丙類）」地帶，大幅提高地積比4倍，但規劃圖則在整個地帶沒有規劃同一地帶，估計和現存環境，民生包括渠務和交通配套限制有關。如果沒有大規模配套改善，我們看不到更改的理據。同時，我們認同就上述房屋密度的指引，就環境及基建現況，社會應容納不同密度等級的房屋類別供市民選擇，故期望地積比率得以保持，讓市民保留一個寧靜，低層及低密度，又符合規劃意向的選擇。

就規劃署發出的地積比率指引，我們不理解發展商申請更改地積比及樓層的理據。發展商提交的文件曾提及LUR建議在錦田南及八鄉地區，由錦上路鐵站開始，伸延至金水南方路，建立一個《鄉郊市鎮》(suburban township)，距離錦上路站最遠的地積率建議為0.8。¹²同時，文件指出申請發展土地距離這個鄉郊市鎮的邊沿地帶700m，認為可以作為申請更改規劃理據的參考指標。

我們對此理據有很大保留。首先，如果距離《鄉郊市鎮》範圍700m是一個理據，另一個申請地點距離690m城規會是否更應該通過？這個《鄉郊市鎮》建議如果開始沒能收納申請地帶，估計一定有原先考慮的理據。事實上，上述都有提及，地區的渠務、道路及交通負荷都未足以支援大規模發展，大幅提高地積比，連帶增加相應的人口及房屋密度，容易令社區負荷失衡，為居民帶來困擾。

如果撇開LUR的參考指標，只參考規劃署發出有關鄉郊地積比接近申請項目要求的地積比及樓層的指引文件¹³，申請地段不屬《鄉郊市鎮》商業中心範圍內，《鄉郊住宅發展土密度第2區RR2》包括准許6樓層的指引應該不適用。參考《鄉郊住宅發展土密度第3區RR3》包括准許0.75地積比率，開敞式停車間上加3層樓房，雖然申請地段為鄉郊

¹⁰ Hong Kong Planning Standard and Guidelines, Chapter 2, Residential Densities, p.3, 1.2.2 (a)

¹¹ Hong Kong Planning Standard and Guidelines, Chapter 2, Residential Densities, p.3, 1.2.2 (b)

¹² Executives Summary, p14, 3.3.3

¹³ Hong Kong Planning Standard and Guidelines, Chapter 2, Residential Densities, p.18, Table 3

市鎮外圍，但 RR3 其中一個準則是「遠離現有居民但設有足夠設施」，申請地帶貼近華苑，距離黎屋村的法定古蹟不足 60m，基於配套設施包括渠務、景觀及交通不足，有大量社區居民反對，我們實在看不到這個指引，即提高地積比至 0.8 及樓層至不超過 6 層適用於這個申請。

- (iv) 此外，我們也強烈反對項目申請大幅提高至 26.0mPD，這個地面高度比鄰近低點地區高出 1.9m，相等普通一層樓宇的 2/3 高度及超過一個人的身高，水往低地流，高低地的差異會嚴重增加鄰近地區的水浸風險。事實上，如果鄰近已經有發展了的社區，我們實在看不到要填高地面至這一個高度的理據。除了嚴重增加水浸風險，也影響到居民的景觀。
- (v) 我們了解發展商有聘請顧問公司提交視覺評估報告，先撇開我們是否對這評估報告有保留，我們希望城規會就景觀評估的評核不單建基於報告。事實上，顧問公司的視角評估報告只考慮了 4 個評估地點，全部遠離項目地盤，其中 2 個為錦上路巴士站，因距離遠，且中間不是開揚空間，自然不影響指引要求的公眾景觀準則。此外，現行指引不細分市區及鄉郊地帶，且側重市區實際用地考慮，故只重點考慮公眾視角點。華苑雖然屬於私人屋苑，但佔地不小，一定程度上，已成為「公眾」的一部份。如果其中一個視角評估點能加入華苑，在評估的角度會較為合理、全面及令人信服。

3. 項目引致的車輛及交通問題

- i) 項目申請興建 322 停車位，其中包括一整幢 3 層停車場，興建在貼近華苑獨立屋不足 2m 距離。超過 60% 停車位設置在鄰近華苑位置。我們對一個寧靜，低密度的規劃地帶，有 300 多部車輛在貼近隔鄰屋苑內走動，是完全不切合周圍的鄉郊生活環境。
- ii) 根據規劃指引¹⁴，高密度發展項目應該盡量選址接近集體運輸工具如火車站，主要交通交匯點等，以避免增加需要使用道路的交通要求。是項申請在鄉郊地帶密度相對高的發展，雖然評估報告聲稱距離錦上路站直徑距離 500m，但以行車道路計，距離逾 3.5km，且必須倚賴接駁車輛。以指引看，我們認為現行道路設施不足以支持申請的人口密度及車輛比率。

¹⁴ Hong Kong Planning Standard and Guidelines, Chapter 2, Residential Densities, p.3, 1.2.2 (c)

- iii) 我們留意到發展商有提交經修訂的顧問交通評估報告，但我們對有關公共車輛需求的調查的方法和結論同樣有很大保留。首先，有關行走申請地點錦上路的公共交通車輛資料不確，當中忽略了只在早上及放工時間行駛的村巴，該幾輪村巴的需求遠遠大於供應。第二，調查沒根據當地居民的生活模式進行調查，如這地區日間有需要接駁車往返元朗市場的家庭主婦，流量及需求不小，該評估報告完全沒有提及；調查選取的地點也不足以反映真正的公共交通需求，例如真正的放工繁忙時間的需求是錦上路站的接駁巴士站，現在客量低的站頭及時段不對，根本反映不了的實況等等。如果要真正就現時地區對公共交通的需求評估報告，我相信 10 月提供的資料完全不能達到目標。

(D) 結論

1. 我們是華苑居民，是申請地帶最貼近項目申請土地，同處「住宅（丁類）」地帶，是唯一在同一地帶，並已發展逾 40 年的獨立屋屋苑。我們希望透過諮詢，帶出地區聲音，及反映地區的實際情況。
2. 我們的立場是反對是次更改規劃申請，包括地積比率大幅提高 4 倍至 0.8，樓層增至 6 層，地面高度至 44.15mPD。
3. 我們提出 3 個反對申請文件內提出的重要項目，包括第一，也是最重要的水利問題；第二是房屋密度，樓層及地面高度，因以上會影響地區的人口密度，景觀及配套設施，亦有違這地帶的規劃意向；第三是項目車輛數目及規劃，至地區的交通負荷問題。
4. 此外，從項目的整體設計文件，我們發現發展商發展鄉郊建設，但沒能顯示對鄰近社區的尊重，遑論共融。例子如：在項目周圍填高地面 2m 加石屎圍牆 3m，再加地基。華苑屋苑的設計是獨立屋其中一面貼近圍牆至 0.5m 而建，由於屋苑已興建逾 40 年，現在也不可能更改，大家不難想象如果項目興建了高達 2 層樓的石屎牆，將會嚴重阻擋 1-2 樓窗戶的景觀、陽光和空氣，更重要的是保安問題。我們不禁問，這個超越一般正常高度的近 5m 圍牆是否有實際的需要呢？

其他例子還包括渠務的建議，給鄰近社區的居民的感覺是，發展商只考慮避免新建屋苑水浸，將屋苑建成堡壘，如升高地面，興建逾 5m 圍牆，但同時為方便發展，妄顧鄰近社區，建議填高地面之餘，更填平地區重要的排水天然河道及移動北面河道等。在此，我們希望渠務署及城規會能尊重保護天然

河道的政策，不會為便利發展用地，有合理疑慮的情況下仍同意方案。
我們支持鄉郊發展的，但認為必須尊重新舊社區共融的發展原則，新建設居民的需要不能凌駕舊有社區居民，只有配合地區可以吸納的民生基礎設施，互相尊重，始為達到真正的理想智慧用地的發展目標。

5. 基於上述原因，我們提出反對上述更改規劃的申請。

華苑居民

2022 年 12 月 9 日

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Y/YL-SK/1 - 7th submission 30.6.2023 deadline - comments
30/06/2023 13:39

From:

To:

Tpbpd@pland.gov.hk

File Ref:

1 attachment



259A comments 30.6.2023.pdf

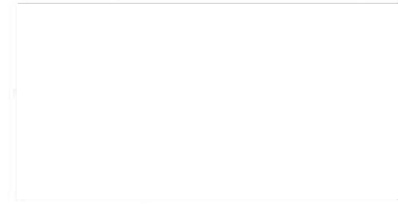
Dear sir/madam,

Please find attached Comments for the above subject.

Grateful if you could confirm your receipt of this email and its attachments in your earliest convenience.

Yours faithfully

Residents of



30th June 2023

Dear Secretary of the Town Planning Board,

Re: Comments to the Town Planning Board in respect of Application Y/YL-SK/1

We are residents to _____ following our comments we sent you on 3rd June, 5th August, 7th October 2022, 9th December in 2022, 24th February and 14th April 2023 during the first, second, third, fourth, fifth and sixth rounds of submission respectively made by the applicant, with the newly added information in the current seventh round of submission, we would like to share with you our further views.

Our comments sent in the six previous rounds of public comments seeking remain.

The Proposed Development ("PD" hereafter) of above reference **envelopes our compound 270 degrees**. Having reviewed the plan and the documents made available at the Planning Department, we feel that no consideration has been taken into account of Wah Yuen in the planning of the PD.

It has been over one year since the applicant made the submission to Town Planning Board. Numerous consultant reports, with pre-determined self-serving conclusions have been filed and updated. Yet we have all this time raised our doubts on the credibility of these reports. These reports keep being re-amended and re-submitted, yet they do not take into consideration of comments made by the governmental departments as well as the public, including that of residents of Wah Yuen, who is the biggest group of victim. Same information is repeated and repeated ignoring voices in the public and the government departments. Basic vicinity factual information, such as waterstream-between Wah Yuen and the PD have been conveniently/deliberately (?) omitted.

Stepping out from these self-serving reports, the big picture is:

- Level of PD is raised, hence all future excess water caused by heavy rain will all go in our direction, this is our most feared scenario;
- All our visuals/airflow will be gone as the PD is 6 storeys high, few metres away from ALL THE NEIGHBOURHOOD, including us in Wah Yuen which is a stone's throw away. ALL neighbourhood is 3-storey building. Why such 6 storeys planning is allowed is beyond belief in any developed world. What is the point of Town Planning if such audacity is allowed ?????? Such negative drastic impact on the environment, especially to us in Wah Yuen has already been mentioned by the various government departments. Will the TPB take these into consideration ?
- Frankly speaking, all such consultants reports are self-serving rigmaroles, just assisting the applicant in fulfilling the administrative requirements. What should be asked is, why should such eighteen 6-storey buildings be approved when it has been agreed

that dense development is to be built near the Kam Sheung Road MTR area, **rather than along a single file country road ?????**

- Throughout this one year, we have been in constant fear / worry about the building of the PD, 6-storey buildings, 18 of these in all, TOTALLY enveloping Wah Yuen. Besides the macro / wider concern from all residents in the area, with objection letters of almost 3,000 so far, as residents of Wah Yuen, the PD will simply ruin our environment. No consultant report is necessary to understand this catastrophic impact. This should just not be allowed. The developer should stay within the zoning limit and respect our environment. It is as simple as this.

Vicinity area is all 3-storey houses, maximum family units per house is 3. With Wah Yuen, we are mostly single family occupiers for each of the 3-storey houses. In total there are 11 family units for Wah Yuen. Similar demographic pattern applies for houses in the vicinity.

As far as city planning is concerned, how can one justify building a 850 units complex next / stone's throw to such existing environment ??????????

Approving such ridiculous density in the area means total destroy of the rural environment. The developer should swallow its greed and respect the rural environment and build somewhere where denser living is the norm. By forcefully building eighteen 6-storey towers in our tranquil area, this will create hostility between new residents of the PD and the existing neighbourhood as we will all be suffering so badly because of this disrespectful plan. If the developer wants to build in the area, they have to follow the existing plan and build up to 3 storeys. This application from the developer is ridiculous and we are just shocked to say the least, how such application can be dreamt of. This application with the TPB has taken almost a year now, and the voices of concern and rejection of the PD has been strong. Why is the PD still shuffling endless amended self-serving consultant reports for application, wasting everyone's time and effort, and causing us tremendous angst ? Why cannot the applicant just swallow its greed and stay within the existing building frameworks and plan for 3-storeys development instead ?

We object strongly to the Application.

Below being our comments on the latest round of information submitted 30th May 2023:

Annex I: Air Quality Impact Assessment

Para 11.4

- hoarding of not less than 2.4m high should be provided as far as practicable along the Site boundary with provision for public crossing.
Does this include the boundary with that of Wah Yuen ? With Wah Yuen wall at similar height, should this 2.4m be increased ? The not less than 2.4m does not give us assurance at all, especially as we are talking 18 6-storey buildings.
- erect higher hoarding at the locations with ASRs in immediate proximity to the project site boundary.

How much higher ? Wah Yuen is few metres away from the PD, we need more committal promises as to how to overcome the air pollution from the construction, not vague non-committal lip service.

- Locate all the dusty activities away from any nearby ASRs as far as practicable
*How ? When the buildings are at stone distance from Wah Yuen, how does the applicant carry out this in practice ? For our unit in Wah Yuen in particular, we have a swimming pool, few metres away from Tower 7 and Tower 8. How does the applicant guarantee us that our pool will not be polluted by the construction work with dust / debris flying in the air to say the least ? What is our recourse if water quality of our pool renders our pool unusable during the 5-6 years of construction ? Where and how do we seek recourse ? **We need to have agreement from Applicant that there is clear avenue of recourse and make good if we are affected during the construction period, and thereafter.***

There is no solid solution to any potential problem arisen regarding air quality during the construction as well as the completion stage. Lip service of “will try” is repeated and repeated with no substance. No solution, no path of recourse, no defined dedicated communication path for us to seek recourse How convincing is this to us, as residents of Wah Yuen, the closest and most affected group to the PD ?

Before construction starts, must treat all drainage issues, otherwise with heavy rain and typhoon, there would be catastrophic impact to Wah Yuen due to opened earth / dust flooding / blockage of the already problematic drainage issues we have due to the PD.

Annex II: Water Quality Impact Assessment

Fig 2.1 Water Sensitive Receivers— W9 is listed as the only WSR (Water Sensitive Receivers) in Wah Yuen. This is incorrect. We have mentioned this in ALL our past comments that the Applicant has omitted the watercourse which continues from W9, running along western side



of Wah Yuen. This watercourse flows southwards between the PD and western side of Wah Yuen. We have raised this point many many times. This watercourse which has been omitted in all the materials of the consultants reports is easily overflowed due to the blockage since the developer started to ‘develop’ the area in the last few years. Overflowing of this watercourse caused flooding of our house back in year 2018.

With the PD being raised significantly higher than existing residentials, including Wah Yuen, all excess water from heavy rain and typhoon will flow to our side as we are totally enveloped by the PD. This will be catastrophic to us. This should not be allowed.

Risk of constant flooding due to the PD will basically wipe off our network, our hard earned life as our home is all we have. We are tax payers and have earned our life through hard

work, now everything is wiped off because of some greedy developer wanting to break the rule and build right next to us ?! How can this be allowed ?

There is no solid solution to any potential problem arisen regarding water quality during the construction as well as the completion stage. Lip service of “will try” is repeated and repeated with no substance. No solution, no path of recourse, no defined dedicated communication path for us to seek recourse How convincing is this to us, as residents of Wah Yuen, the closest and most affected group to the PD ?

ANNEX III: Traffic Impact Assessment

Para 3.2.1 – we have repeatedly stated that “The Application Site is located out of a 500m radius of the rail station” IS INCORRECT !!!

As much as such consultant reports are done as a desktop exercise with not much attention paid/understanding on the actual area, to say that the Application Site is 500m is just erroneous.

There is only one road to the MTR station, the distance is 4.3km. Not sure if the deskbound consultants of CTA Consultants are mistaking the ‘rail station’ as the nearby Ko Sheung Road Shek Kong Stabling Sidings, entrance at Kam Sheung Road which is 550m away, but actually 1.5km further along Ko Sheung Road turning at Kam Sheung Road.

Such fundamental error from CTA Consultants is stark negligence. This misguidance of information can mislead the uninitiated reader that the PD is close/walking distance to the near Kam Sheung Road MTR. **IT IS NOT**. The location of the PD is in the middle of a single file country road, where all residential houses alongside are 3-storey buildings. Public transportation takes 15-20 minutes to the near MTR station.

As much as what was mentioned in our comments in the last round of public opinion (6th round response deadline 14th April 2023), as well as raised by the Transportation Department on 8th February 2023, both pointing out that the public transport survey as done by CTA cannot form basis for public transport demand assessment due to the misunderstanding of how the commuters will travel in the area, the revised Traffic Impact Assessment makes no amend. The same survey and same results are included. There are no changes to the survey on public transport, results of which are basically meaningless, as highlighted in our comments in the last round of comment.

In any case, what is the point of using the survey conducted in November 2021, almost two years ago, and applying an out-of-the-air COVID adjustment factor, which is all desktop theoretical ? This is all desktop consultancy spiel. Why not just make the effort and go to the area again and see the difference ????? All talks with no actual connection to reality is meaningless to say the least.

Using this week Monday (26th June 2023) as an example, we waited outside Wah Yuen at 8:15am for the mini bus to Yuen Long, we waited for one hour, all green minibuses to Yuen Long were full. Not one single red minibus came by. It was after one hour (at 9:15am) that we

finally got on to the green minibus no. 72 going to Yuen Long, just for a single seat. This is reality.

Given the applicant has included the same erroneous public transport survey in the **Traffic Impact Assessment**, we shall hence include our same comments on such survey as follows:

(in *blue italics*) on the Traffic Impact Assessment Revised Final Report ("Report"):

- 3.2.1 The Application Site is located out of a 500m radius of the station
As raised in our comments in the previous rounds, the above statement is misleading. Giving a distance based on actual radius without information on actual accessible road journey time is misleading. From the PD to Kam Sheung Road MTR station, actual road distance is 4.3km away, along Kam Sheung Road. There is NO alternative shorter way.

Table 3.1 Bus 251A – running between Sheung Tsuen – Kam Sheung Road Station

This is a circular bus route, near the PD from Bus Stop B (Lai Uk Tsuen) it goes westwards towards the Tai Lam Tunnel Bus Stop Interchange, then to Kam Sheung Road MTR, and back to Tai Lam Tunnel Bus Interchange before it loops back to Kam Sheung Road eastwards reaching Sheung Tsuen Playground before it turns back. This bus serves the commuters heading to Tai Lam Tunnel Bus Interchange, NOT Kam Sheung Road MTR. No one would take 251A along Kam Sheung Road to go to Kam Sheung Road MTR as it takes a longer route going to Tai Lam Tunnel Bus Interchange first.

Table 4.3, 4.4 *All the Proposed Residential Developments are large scale and come within boundary of the LUR (Land Use Review) for Kam Tin South and Pat Heung. Extensive studies had been conducted, including a 40-page Air Ventilation Assessment – Expert Evaluation conducted by the Planning Department.*

With 19 towers 6-storeys built RIGHT NEXT to us in Wah Yuen, blocking all our sunlight and wind, we question how can such proposal be approved. If the applicant wants to enjoy the plot ratio similar to that of the LUR, the applicant should look for land within the LUR boundary, instead of trying to break the plan and totally ruin our low rise neighbourhood.

Table 5.5 Additional Improvement proposal for Junction C (Kam Sheung Road / Kam Tin Road) improves the AM Peak by 19% and PM Peak by 28%.

Not quite sure what such improvements mean in reality. At the moment at Junction C, during AM Peak, it takes around 9 minutes, before cars from Kam Sheung Road could turn right onto Kam Tin Road. Cars usually start queuing around 260m before the junction. Such congestion is not just confined to the what-so-called peak hours, but in the afternoon as well.

The Report conducted 2 surveys:

i) Traffic Count Surveys on 18 November 2021, a normal school weekday, at 8 critical Junction points, between the hours of 7:30am to 9:30am and 5:00pm to 7:00pm. Vehicles per hour were observed.

ii) Public Transport Surveys on 10 October 2022 at Stops A and B, basically Lai Uk Tsuen bus stop, between the hours of 7:30am to 8:30am and 6:00pm to 7:00pm. Average Occupancy is noted during the survey.

Whilst we are not traffic experts, and neither do we have the full information on how the Public Transport Surveys as mentioned in 6.1.2 were performed, we can, as residents close to the PD, strongly opine that the survey does NOT match with that of our daily experience as far as public transport is concerned during peak hours.

In Session 6 - Public Transport Demand, a survey was conducted on 10 October 2022 at Bus Stops A and B, and it was concluded that there is surplus in public transportation capacity during these times. Such surplus is used as a basis for the calculation of an Expected Surplus in 2030. Such 'surplus' is then compared to the assumed increase in Peak Hour trips from the PD, reaching the conclusion that the Expected Surplus in 2030 covers more than enough of the increased traffic from PD.

6.1.2 The survey was carried out on 10 October 2022 during the morning / evening peak periods. The findings are presented in the Tables 6.1 to 6.4 below.

Table 6.1 Public Transport Survey at Stop A – East Bound

East Bound						
Stop A						
		Routes	Observed Trips	Average Occupancy	Surplus (passenger)	
AM Peak (07:30-08:30)	Bus	64K	3	50%	90	402
		251A	4	10%	312	
	Minibus	GMB 72	6	25%	72	172
		GMB 72M	4	31%	44	
		RMB 23	4	12%	56	
PM Peak (18:00-19:00)	Bus	64K	7	52%	193	371
		251A	4	38%	178	
	Minibus	GMB 72	7	38%	69	159
		GMB 72M	4	45%	35	
		RMB 23	5	31%	55	

Remarks: (1) Full capacity of 120 passengers with max. 75% for double-decked Franchised Bus is assumed.
(2) Part of the observed GMBs are 19-seater. For conservative, full capacity of 16 passengers for minibus is assumed.

Table 6.2 Summary of Public Transport Survey – East Bound

East Bound			
		Total Surplus (passenger)	Expected Surplus in 2030
AM Peak (07:30-08:30)	Bus	402	322
	Minibus	172	138
PM Peak (18:00-19:00)	Bus	371	297
	Minibus	159	127

Table 6.3 Public Transport Survey at Stop B – West Bound

West Bound						
Stop B						
		Routes	Observed Trips	Average Occupancy	Surplus (passenger)	
AM Peak (08:30-09:30)	Bus	64K	9	43%	346	544
		251A	3	20%	198	
	Minibus	GMB 72	5	56%	35	184
		GMB 72M	4	62%	24	
		RMB 23	9	13%	125	
PM Peak (17:00-18:00)	Bus	64K	9	38%	400	515
		251A	3	43%	115	
	Minibus	GMB 72	6	44%	54	153
		GMB 72M	4	54%	29	
		RMB 23	5	13%	70	

Remarks: (1) Full capacity of 120 passengers with max. 75% for double-decked Franchised Bus is assumed.
 (2) Part of the observed GMBs are 19-seater. For conservative, full capacity of 16 passengers for minibus is assumed.

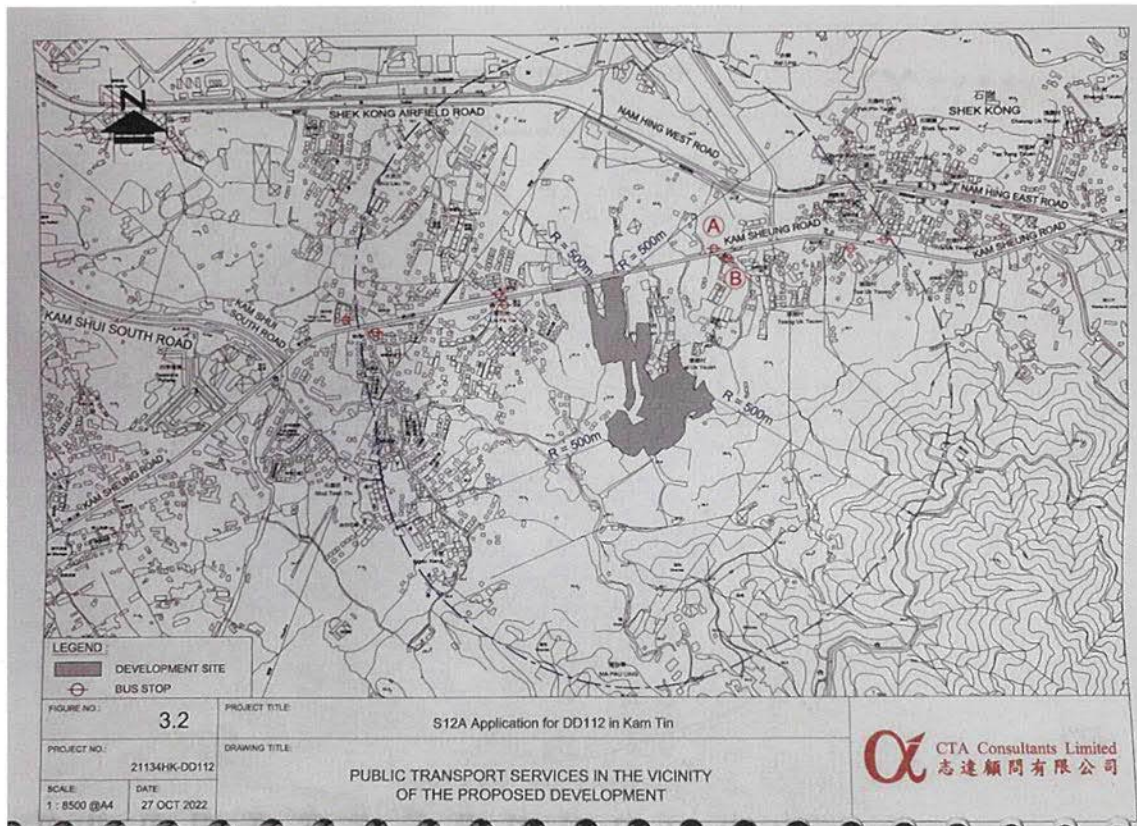
Table 6.4 Summary of Public Transport Survey – West Bound

East Bound			
		Total Surplus (passenger)	Expected Surplus in 2030
AM Peak (08:30-09:30)	Bus	544	436
	Minibus	184	147
PM Peak (17:00-18:00)	Bus	515	413
	Minibus	153	123

We question the methodology of the survey: location of the test points, Bus Stops A and B, which leads to incorrect calculation of Expected Surplus 2030

Since the last few years, during the peak hours of morning and evening, Buses 251A, 64K and minibuses are always full, and it is not uncommon that passengers need to wait for the next vehicle before they can get aboard. In fact, in the past few years, there has already been strong complaints from commuters who use these public transportations in the morning as the buses / minibuses are all full by the time these arrive at their bus stops. From Lin Fa Tei going westwards towards Kam Sheung Road MTR station, it is not uncommon for commuters to have to wait for few minibuses / buses before they could get aboard.

The location where the surveys were conducted i.e. during AM Peak (7:30 – 8:30) at Stop B westwards and PM Peak (18:00 – 19:00) at Stop A eastwards totally misses the issue.



Take for example bus 64K, during peak hours, say AM, with most public transportation demand being westwards towards Kam Sheung Road MTR. Once the bus reaches Kam Sheung Road (from Tai Po), there are a total of 18 bus stops from Kam Sheung Road (Sheung Tsuen Playground) westwards to Kam Sheung Road MTR. Bus Stop Lai Uk Tsuen (named Bus stop B in the Traffic Impact Assessment Report) is only the 4th bus stop along Kam Sheung Road from the Sheung Tsuen Playground bus stop. The bus still has capacity, hence 'meeting the demand of the residents of the PD', satisfying the Applicant's needs. Yet, very soon, as the bus passes Lin Fa Tei and westwards beyond, number of passengers boarding drastically increases as these are the more densely populated villages. It is not unusual that the bus reaches full capacity, with all passengers standing up to the driver's seat in the later bus stops along Kam Sheung Road.

Same applies to the minibuses GMB and RMB, it is not uncommon that all these minibuses are already full by the time it passes Lin Fa Tei area towards Kam Sheung Road MTR, and one has to wait for few more minibuses before there are vacancies.

The survey becomes even more 'meaningless' for the PM study, when public transportation demand being eastwards from Kam Sheung Road MTR along Kam Sheung Road. Taking the survey at Bus Stop A is almost meaningless to be frank. Commuters need public transportation taking them from Kam Sheung Road MTR to Lin Fa Tei area which is more populated. By the time the bus / minibus passes the PD, at Bus Stop A (Lai Uk Tsuen), most of the passengers would have alighted. As such during the survey at Stop A would have shown that these public transportations have ample surplus. Yet such kind of statistics/survey results illustrate nothing useful perhaps useful in the sense that it illustrates the lack of thought in how the survey was conducted.

For PM, the real test comes from observing the long queues of commuters at the bus stop terminal at Kam Sheung Road MTR. This is the only stop where almost 100% of passengers aboard the buses/minibuses. This is the location where one can see that at peak times, passengers need to wait for few minibuses before they can go aboard. The same applies for the 64K, which is also full, with passengers standing right next to the driver, as much as its capacity is much more compared to the minibuses.

Besides, treating buses 64K and 251A to serve the same purpose is not correct. Hence capacity of these buses should not be simply added.

Bus 251A takes a circular route and goes from Bus Stop B (Lai Uk Tsuen) westwards towards to Tai Lam Tunnel Bus Stop Interchange, then to Kam Sheung Road MTR, and back to Tai Lam Tunnel Bus Interchange before it loops back to Kam Sheung Road heading eastwards. Similar to Bus 64K, Lai Uk Tsuen is the 4th bus stop along Kam Sheung Road from Sheung Tsuen Playground (first stop on Kam Sheung Road westwards), and there are 15 more bus stops, diverting to Tai Lam Tunnel Bus Interchange before it reaches Kam Sheung Road MTR. No one would take 251A from Kam Sheung Road to go to Kam Sheung Road MTR as it takes a longer route going to Tai Lam Tunnel Bus Interchange first. Again, from Kam Sheung Road MTR, 251A is NOT the option to go to Kam Sheung Road as the bus goes to Tai Lam Tunnel first.

As such, in the study where it includes bus 251A as part of the connection to Kam Sheung Road MTR station (Tables 6.1 and 6.3), it **overcounts the capacity significantly**.

For bus 251A, during AM peak, strong demand comes from residents from the Lin Fa Tei area onwards towards Tai Lam Tunnel Bus Interchange. Hence the survey probably missed out the strong demand as Bus Stop B is only the 4th stop along Kam Sheung Road.

For PM, the real test comes from observing the demand of the 251A bus at Tai Lam Tunnel Bus Stop Interchange, NOT Stop A. Tai Lam Tunnel Bus Stop Interchange is the stop where almost 100% of passengers board the buses/minibuses. This is the location where one can see that at peak times, standing passengers right next to the driver's seat, with other passengers waiting for the next bus.

Summarising the above, basically during peak hours AM and PM, there is NO surplus capacity as of now already. Public Transportation reaches full capacity when they reach Lin Fa Tei area westwards AM, and for PM, queues for buses are long during peak times.

Based on the inaccurate surveys at Stops A and B, and the projected 2030 Surplus thereon, the survey concludes that public transportation is sufficient for the added demand from the residents of the PD. It does not take into consideration as to how the added PD demand means to the rest of the commuters along Kam Sheung Road. During AM peak hours, this means in addition to the already long wait before commuters can get aboard the minibuses/buses, the 'projected' increase from the PD, 343 passenger trips (Table 6.9) means commuters along Kam Sheung Road will have to wait for 3 more buses (roughly speaking) in addition to the current wait before they could get aboard. Same applies for PM peak hours. Commuters have to wait for 3 more buses before they could get aboard.

Can Kam Sheung Road support this ?

Moreover, the choice to take minibus or bus is subject to the actual walking distance to nearby bus stops. The PD is located between 2 bus stops Lai Uk Tsuen and Lin Fa Tei, this means that its residents are less inclined to walk to the bus stop if they see minibuses right outside their complex. This means demand for minibuses will probably be more from PD residents, which exasperates the existing problem of minibuses reaching full capacity along the western part of Kam Sheung Road. In general, green minibus is the preferred choice for commuters along Kam Sheung Road as it gives flexibility of boarding and alighting points. Yet green minibuses are already reaching their full capacity in the morning, with commuters along western side of Kam Sheung Road having to wait for a few minibuses before they could go aboard, or that they have no choice but to take the very crowded bus instead. Not quite sure how the spiel of neighbourhood harmony per Applicant's material actually will work out

This is only one part of the study to which where we can see the flaws. Given that there are so many other assumptions used throughout, we question whether the what-so-called surveys and projections are to be really relied on.

This fully illustrates that consideration in how the PD will impact on existing local residents has not been taken. Just like the other reports and studies submitted by the applicant so far, such studies were purely from the perspective of the PD. As long as existing surroundings support the needs of the PD, it is concluded that "there is no impact on the area".

Such studies rely on assumptions and desktop data, with no real understanding and observation of actual site and its vicinity, we cannot help not feeling sceptical of such reports.

On a different note, queue for taxis are long during PM time at Kam Sheung Road MTR station. Waiting time is over 15-20 mins during peak hours.

In addition, both surveys above were done during the defined peak hours AM and PM. In fact, given the diversity of the population in the area, demand for public transport is always strong in the evening, after dinner time when commuters are returning home, with the green minibuses no longer in operation, queue for taxi becomes extremely long, with people lining right towards the end of the rank.

Yours faithfully,

Residents Signature :

居民簽署 :

Name (Print):

K. Ng

名(正楷) :



Address:

通訊:

Telephone number:

電話:

Residents Signature :

居民簽署 :

Name (Print):

M. Tam

名(正楷) :



Address:

通訊:

Telephone number

電話:

Residents Signature :

居民簽署 :

Name (Print):

Y.S. Yew

名(正楷) :



Address:

通訊:

Telephone number

電話:

八鄉鄉事委員會



PAT HEUNG RURAL COMMITTEE

2906

本會檔號 : 014PHRC20232702

致 : 城市規劃委員會秘書

傳真 : 2877 0245 / 2522 8426

電郵 : tpbpd@pland.gov.hk

強烈反對元朗八鄉蓮花地村與上村黎屋村的交界興建大型低密度住宅

申請編號：Y/YL-SK/1 - 申請人提交進一步資料

執事先生/女士：

本會接獲眾多八鄉村代表和鄉民的投訴，就上標「第七度」申請作出強烈和堅決的反對。相關申請始於 2022 年 4 月 28 日，因為本區人士的強烈反對，發展者「六度」使用「申請人提交進一步資料」的程序和機制，目的是明顯不過的！本區人士的反對聲音一次比一次「強大」，對發展者用這種「行政手段」極度不滿，十分憤怒。本會重申：本會堅持在沒有任何地區諮詢，更沒有基建和配套的前提下，反對這項大型發展，懇請城市規劃委員會必須要正視！

有關申請地段位於八鄉蓮花地村與上村黎屋村的交界。申請項目將興建 19 幢樓高 6 層的住宅及 4 幢非住用途的建築物，地盤面積超過 4 萬平方米，住宅單位 850 個，停車位達 322 個。項目規模與面積十分龐大，申請地段接連兩條村落部分的村屋，與黎屋村的法定古蹟植桂書室及二級法定建築黎氏大宅距離不足 60 米，六層高的大型建築，阻礙村民及村屋的視野，對村民及鄉郊環境造成無可挽救的破壞！

八鄉鄉事委員會



PAT HEUNG RURAL COMMITTEE

此外，蓮花地村以至黎屋村一帶（包括申請地段），經常出現嚴重水浸。相關項目須進行大規模填土工程(mPD 達 44.15 米(主水平基準上))，周邊地方頓時變成低窪地帶，兩村村民極度憂慮申請項目將加劇村民在過去十數年飽受困擾的水浸情況，對村民生命財產構成嚴重威脅！以每戶人口 4 人推算，相關項目將帶來超過 3 千人入住，大量人口定必帶來交通及排污的問題。八鄉南主要幹線近年已嚴重擠塞，而政府亦致力發展八鄉及錦田南一帶，政府的交通基建和配套完全未能回應八鄉居民的訴求，居民怨聲載道！申請項目帶來的人流及車輛勢必加劇八鄉交通擠塞的情況，令八鄉居民生活在水深火熱之中！

另一方面，八鄉是沒有中央排污系統，村民的家居污水都流經村內人工修建或天然渠道排放。大量人口排放的污水，對周邊地區的環境衛生造成破壞，同時亦增加渠道的負擔，減弱排洪的能力，增加水浸的風險！

本會懇請城市規劃委員會考慮上述申請對蓮花地村、牛徑村及上村居民造成的滋擾、不安和損害，聆聽和接納他們的訴求，否決上標大型發展項目，避免他們在水深火熱的環境下生活，造福八鄉蓮花地村、牛徑村、上村及錦上路一帶的居民！

八鄉鄉事委員會主席： 郭永昌

副主席： 鄧志光

黎永添



2023 年 6 月 29 日

八鄉鄉事委員會



PAT HEUNG RURAL COMMITTEE

4237

本會檔號：018PHRC20232702

致：城市規劃委員會秘書

傳真：2877 0245 / 2522 8426

電郵：tpbpd@pland.gov.hk

強烈反對元朗八鄉蓮花地村與上村黎屋村的交界興建大型低密度住宅

申請編號：Y/YL-SK/1 - 申請人提交進一步資料

執事先生/女士：

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八鄉鄉事委員會



PAT HEUNG RURAL COMMITTEE

另一方面，八鄉是沒有中央排污系統，村民的家居污水都流經村內人工修建或天然渠道排放。大量人口排放的污水，對周邊地區的環境衛生造成破壞，同時亦增加渠道的負擔，減弱排洪的能力，增加水浸的風險！

本會懇請城市規劃委員會考慮上述申請對蓮花地村、牛徑村及上村居民造成的滋擾、不安和損害，聆聽和接納他們的訴求，否決上標大型發展項目，避免

他們在水深火熱的環境下生活，造福八鄉蓮花地村、牛徑村、上村及錦上路一帶的居民！

八鄉鄉事委員會主席：郭永昌

副主席：鄧志光

黎永添

2023年7月21日



4239

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Y/YL-SK/1 - 8th submission 21.7.2023 deadline - comments
21/07/2023 23:55

From:

To: tpbpd@pland.gov.hk

File Ref:

1 attachment



259A comments 21.7.2023.pdf

Dear sir/madam,

Please find attached Comments for the above subject.

Grateful if you could confirm your receipt of this email and its attachments in your earliest convenience.

Yours faithfully

Residents of

21st July 2023

Dear Secretary of the Town Planning Board,

Re: Comments to the Town Planning Board in respect of Application Y/YL-SK/1

We are residents to following our comments we sent you on 3rd June, 5th August, 7th October 2022, 9th December in 2022, 24th February, 14th April and 30th June 2023 during the first, second, third, fourth, fifth, sixth and seventh rounds of submission respectively made by the applicant, with the newly added information in the current seventh round of submission, we would like to share with you our further views.

Our comments sent in the six previous rounds of public comments seeking remain.

The Proposed Development ("PD" hereafter) of above reference envelopes our compound 270 degrees. Having reviewed the plan and the documents made available at the Planning Department, we feel that no consideration has been taken into account of Wah Yuen in the planning of the PD.

It has been over one year since the applicant made the submission to Town Planning Board. Numerous consultant reports, with pre-determined self-serving conclusions have been filed and updated. Yet we have all this time raised our doubts on the credibility of these reports. These reports keep being re-amended and re-submitted, yet they do not take into consideration of comments made by the governmental departments as well as the public, including that of residents of Wah Yuen, who is the biggest group of victim. Same information is repeated and repeated ignoring voices in the public and the government departments. Basic vicinity factual information, such as waterstream between Wah Yuen and the PD have been conveniently/deliberately (?) omitted.

Stepping out from these self-serving reports, the big picture is:

- Level of PD is raised, hence all future excess water caused by heavy rain will all go in our direction, this is our most feared scenario;
- All our visuals/airflow will be gone as the PD is 6 storeys high, few metres away from ALL THE NEIGHBOURHOOD, including us in Wah Yuen which is a stone's throw away. ALL neighbourhood is 3-storey building. Why such 6 storeys planning is allowed is beyond belief in any developed world. What is the point of Town Planning if such audacity is allowed ?????? Such negative drastic impact on the environment, especially to us in Wah Yuen has already been mentioned by the various government departments. Will the TPB take these into consideration ?

- Frankly speaking, all such consultants reports are self-serving rigmaroles, just assisting the applicant in fulfilling the administrative requirements. What should be asked is, why should such eighteen 6-storey buildings be approved when it has been agreed that dense development is to be built near the Kam Sheung Road MTR area, **rather than along a single file country road ?????**
- Throughout this one year, we have been in constant fear / worry about the building of the PD, 6-storey buildings, 18 of these in all, TOTALLY enveloping Wah Yuen. Besides the macro / wider concern from all residents in the area, with objection letters of almost 3,000 so far, as residents of Wah Yuen, the PD will simply ruin our environment. No consultant report is necessary to understand this catastrophic impact. This should just not be allowed. The developer should stay within the zoning limit and respect our environment. It is as simple as this.

Vicinity area is all 3-storey houses, maximum family units per house is 3. With Wah Yuen, we are mostly single family occupiers for each of the 3-storey houses. In total there are 11 family units for Wah Yuen. Similar demographic pattern applies for houses in the vicinity.

As far as city planning is concerned, how can one justify building a 850 units complex next / stone's throw to such existing environment ??????????

Approving such ridiculous density in the area means total destroy of the rural environment. The developer should swallow its greed and respect the rural environment and build somewhere where denser living is the norm. By forcefully building eighteen 6-storey towers in our tranquil area, this will create hostility between new residents of the PD and the existing neighbourhood as we will all be suffering so badly because of this disrespectful plan. If the developer wants to build in the area, they have to follow the existing plan and build up to 3 storeys. This application from the developer is ridiculous and we are just shocked to say the least, how such application can be dreamt of. This application with the TPB has taken almost a year now, and the voices of concern and rejection of the PD has been strong. Why is the PD still shuffling endless amended self-serving consultant reports for application, wasting everyone's time and effort, and causing us tremendous angst ? Why cannot the applicant just swallow its greed and stay within the existing building frameworks and plan for 3-storeys development instead ?

We object strongly to the Application.

Below being our comments on the latest round of information submitted 16th June 2023:

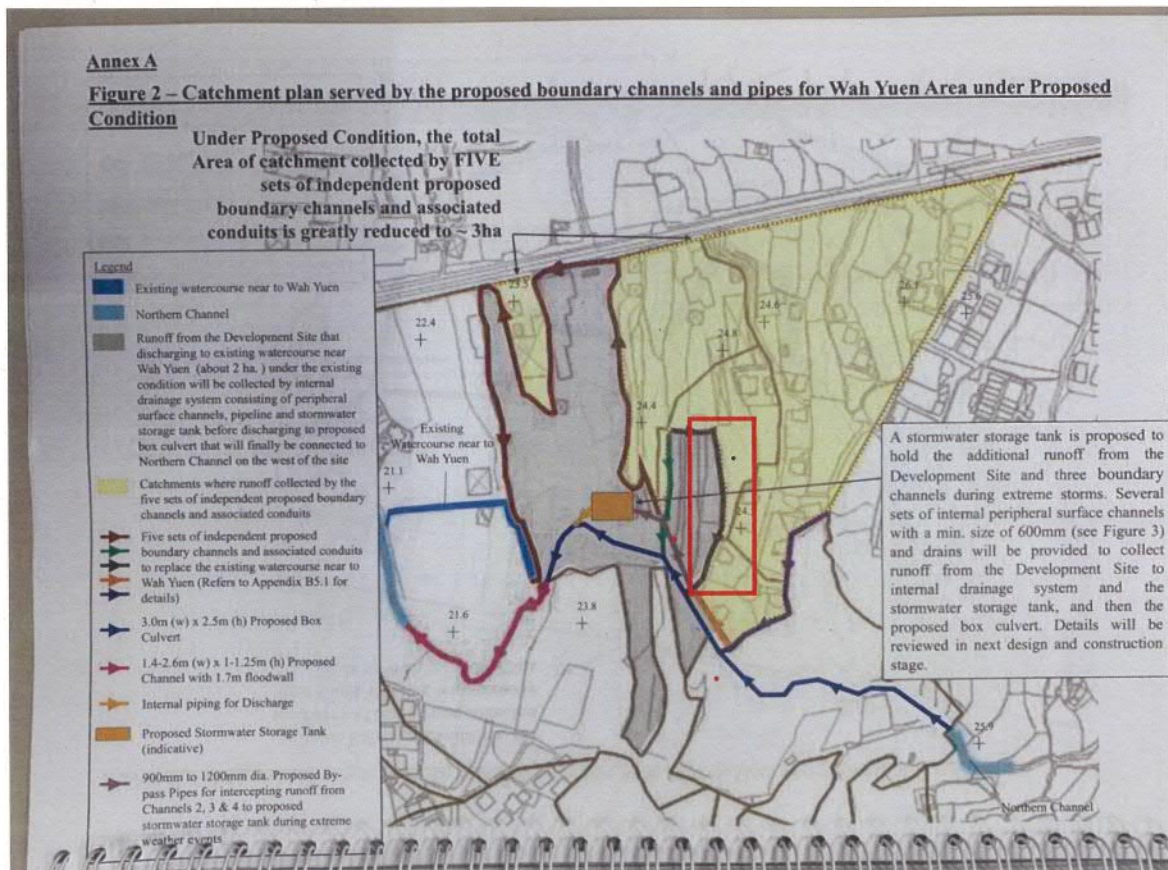
Drainage Impact / Flooding issue

Despite repeatedly expressing our concerns, there is nothing mentioned on how to deal with possible flooding threat to the area on the western side of Wah Yuen (area highlighted in red below).

Annex A

Figure 2 – Catchment plan served by the proposed boundary channels and pipes for Wah Yuen Area under Proposed Condition

Under Proposed Condition, the total Area of catchment collected by FIVE sets of independent proposed boundary channels and associated conduits is greatly reduced to ~ 3ha



As mentioned all this time in our previous rounds of comments, there is a small stream along the western boundary wall of Wah Yuen. During heavy rain before, the water level of this stream occasionally goes up 1.5m + from the trough of the stream within 1 or 2 hours. In fact this is the original point where previous floodings in Wah Yuen began. It has never been taken into consideration in any of the original proposed development plan nor additional information before.

The proposed development area in grey are all natural soil which can retain water during heavy rain. The ability to retain water would have largely reduced after construction. We as residents of Wah Yuen are very anxious, the threat of flooding will become higher within the Red line highlighted area.

As much as the Applicant, through the consultant reports, portrayed that it has made consideration on the water drainage issue, it has ALL THIS TIME IGNORED THE FACT THAT THERE IS A WATERSTREAM ALONG THE WESTERN SIDE OF WAH YUEN. This has been ignored probably as this does not form part of boundary of the PD. However, with the construction of the PD along the border of Wah Yuen, it is affecting the flow of this waterstream along Wah Yuen. **Is this applicant ignoring the impact the PD by simply arguing that this is NOT ALONG its border ?**

As much as the consultant report mentions the use of model for the analysis, what is the use of this, to us, public, if the report deliberately omits all factual information, that there is this waterstream along the western side of Wah Yuen ? This is a blind spot.

This is totally worrying. Per the appendices, it is clear that this waterstream along western side of Wah Yuen is totally omitted:

Appendix B1, B2 B3, B4 – Existing watercourse near to Wah Yuen (included in model extent
Still not recognizing waterstream on western side of Wah Yuen, as such we question how accurate is the what so called model ?

Appendix B3 – not recognizing waterstream on western side of Wah Yuen. Given the PD, where land is filling the area between the PD and western side of Wah Yuen, this water stream will be cut, as such how will the water go, overflowing into our homes ?????

Appendix B5.1 – Channel 3, which is on western side of Wah Yuen, does not address the flow of waterstream along western wall of Wah Yuen. It only addresses boundary of the PD. Yet, with the PD building along border of Wah Yuen, it is affecting the flow of waterstream along Wah Yuen. **Is this applicant ignoring the impact the PD by simply arguing that this is NOT ALONG its border ?**

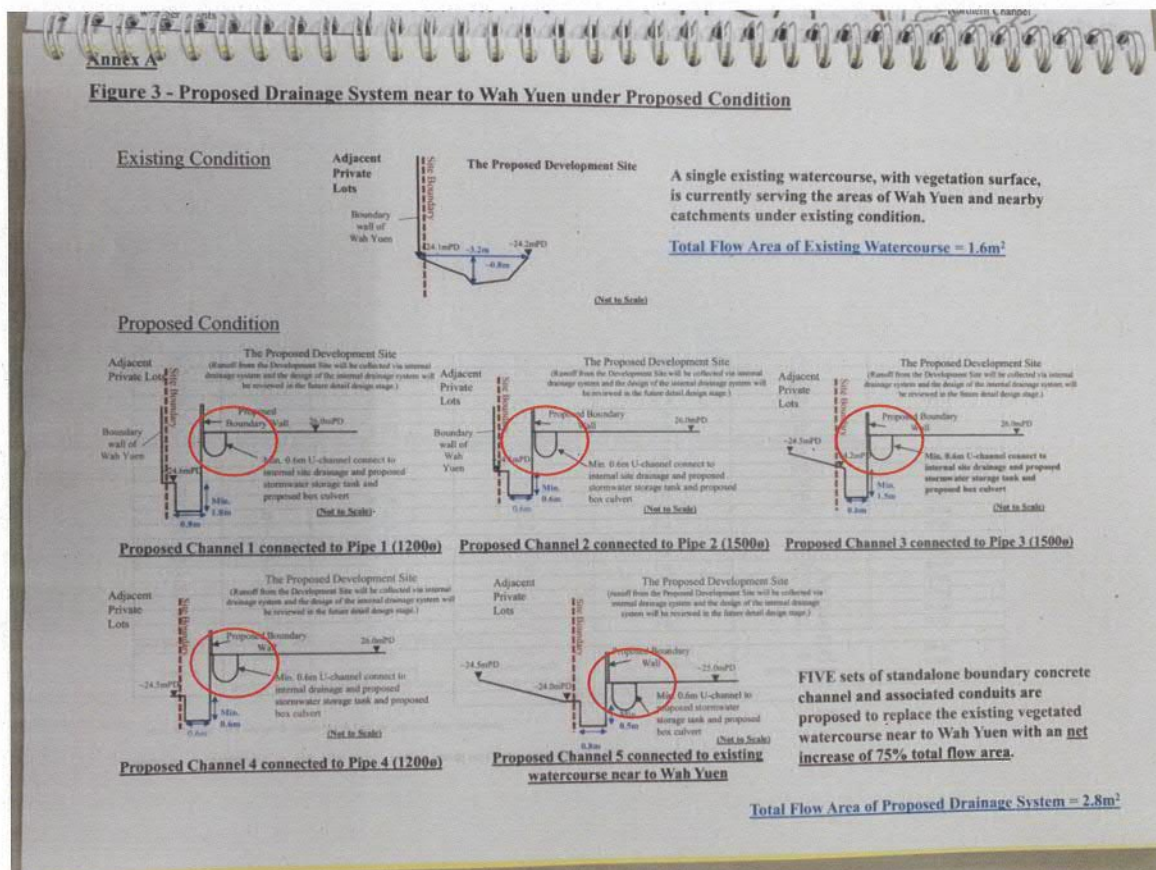


Appendix C1/C2/ – “Existing Channel and Modelled” does NOT include waterstream.

Appendix D2 – “Existing Channels” does NOT include waterstream.

This shows clearly the existence of the watercourse we have been mentioning in all our comments so far. Why is this not taken into consideration ? This is the waterstream that caused flooding in Wah Yuen in 2018, to all the houses on the western side of Wah Yuen. Is the applicant of the thinking that flooding of just Wah Yuen is insignificant ??????? As much as the waterstream on the western side of Wah Yuen is not as significant as that of the stream nearby, overflowing of this stream means water going into our houses, which has happened in 2018. With the PD, where will this waterstream flow to ?????? If the flow is blocked due to the construction of the PD, this means water will backflow to our houses ?????

For the new Proposed 5 new U-shape surface channel, it is built within the boundary wall of newly proposed development. These does not help the evasion of flooding water into the nearby stream of Wah Yuen, again have not solved the issue of possible high threat of flooding in the west boundary of Wah Yuen.



Given the uncertainty of so many assumptions, and the omission of factual existence of the waterstream on western side of Wah Yuen, we are extremely concerned about how reliable the consultant report is. The model needs to be amended to include this western side waterstream for a start.

Air Pollution Impact issues

Under Items 2.2 Can you elaborate how the phasing of dusty works work? There is no details nor methodology adopted. Back in a few years, we realized there were tiny dust / particles that flew to our Wah Yuen swimming pool during village house construction nearby. This caused extra cleaning.

Yours faithfully,

Residents of

Residents Signature :

居民簽署 :



Name (Print):

K. Ng

名(正楷) :

Address:

通訊:

Telephone number:

電話:

Residents Signature :

居民簽署 :



Name (Print):

M. Tam

名(正楷) :

Address:

通訊:

Telephone number:

電話:

Residents Signature :

居民簽署 :

姚
景
松

Name (Print):

Y.S. Yew

名(正楷):

Address:

通訊:

Telephone number:

電話:

4240

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Public Consultation Submission for Y/YL-SK/1 - 21 July 2023

21/07/2023 23:49

From:

To: tpbpd@pland.gov.hk, tpbpd@pland.gov.hk

File Ref:

1 attachment



TPB Comments from Wah Yuen Residents_072123.pdf

致：城市規劃委員會

日期：2023 年 7 月 21 日

有關：反對 Y/YL-SK/1 申請更改規劃用地 -有關渠務評估報告的反對意見

1. 前言

1.1 上述申請於 2022 年 4 月 28 日首次提交申請文件，發展商期後再分 8 次提供進一步資料。不計 2023 年 3 月 29 日提交經修訂的渠務影響評估，獲城規會豁免公布，城規會就是項申請已開展了多達 8 次的公眾諮詢。過去 7 次公眾諮詢共接獲多達 3,696 份意見書。

1.2 公眾意見很大程度代表當地居民的意見，在資源不對等的情况下，公眾仍選擇就申請提出意見，內容涵蓋重要民生事項，如水浸、交通配套、更改及填平天然河道、大幅填高地面及建屋高度等等，無論意見的質和量皆不容忽視。相反，發展商在資源充足的情况下，過去提交多次修正本，每次只是「擠牙膏」式的回應操生剝權的政府部門意見，完全沒有回應公眾疑慮，居民對此深表遺憾。

1.3 發展商更在 2023 年 3 月在第 6 次諮詢截止日期（2023 年 3 月 31 日）仍未結束時，於 2023 年 3 月 29 日提交渠務修訂評估，當時城規會接受豁免公布。發展商今次重施故技，在第 7 次諮詢（2023 年 7 月 21 日）仍未完結，在 2023 年 6 月 16 日又再次提交新一輪資料。除非城規會再次豁免公布，否則公眾諮詢必須會緊接展開。我們對發展商的做法，感到遺憾，也期望城規會認真檢視現行的申請程序，是否對申請人過份寬鬆，間接做成程序的不公義。

2. 公眾如何解讀渠務評估報告

2.1 渠務評估報告傾向技術性是可以理解。但一個專業的顧問評估報告的元素，除了專業知識，顧問的專業取向、客觀性和能否充份掌握地區資料等同樣重要。

遺憾地，是次的渠務評估報告，居民無論對其專業持平性，或掌握地區資料的能力有很大存疑。事實上，信任必須賺取，不能只靠其專業資格就能輕易獲取公眾信任。而賺取信任的過程必須透過往績和客觀事實基礎。是次顧問公司在 2022 年 4 月提交的第一份報告，竟然完全否定華苑及圍繞其屋苑範圍的天然河道的存在。如果這不代表顧問公司的偏頗立場，也只能歸咎於其未能掌握地區資料。兩者均令居民對所謂的評估報告的專業及準確性存疑。

- 2.2 顧問公司採用水力模型測試及大量數據作主調，聲稱所有預測及數據均支持其計劃改變不會令現存的水浸威脅惡化之餘，更有正面的改善結果。

但我們的觀點是，理據的水力模型測試，其實只是一個因應用者預設的假設，收集數據，以科學方程式計算，得出一個模擬現實情況而作出有關排水及水浸的風險預測及評估。

水力模型測試不是魔術，也不是不是萬用匙，測試程式屬科學推算，我們不是想推倒其真確性。但科學程式雖然客觀，但仍存在主觀的元素，包括測試者的假設，其收集及放入程式的數據的方法及準確性。不同的數據，放入相同的程式，得出的結果也可以差之毫厘，謬之千里，故數據必須再三實地核實，而不是在數字上的無限推算。如之前提及，我們對顧問公司能否掌握地區數據有疑慮，也不完全相信他們在收集數據時能否客觀持平。

- 2.3 當然，渠務署理論上會檢視評估報告，但實際上，如果計劃不是由政府主導，政府部門的工程師手上有眾多計劃及工作，他們可以檢視模型的假設，根據指引檢視程式的元素，但要求他們細微檢視原數據(raw data)的真確性有困難。最終有問題發生，也沒有官員問責（如元朗大企嶺村在周邊屋苑建成後深受水浸影響，相信當時過城規也有經歷相同的評估程序），建設既已完成，發展計劃由於是新建設自然可以獨善其身，最終只有鄰近存在多年的社區受害。
- 2.4 相比水力模型測試，我們認為水利和排水問題，影響嚴重。排水建設大多不能逆轉，且對居民的性命財產可能做成損傷。我們認為，地區的觀察及聲音，尤其在鄉郊範圍，比諸科學估計同樣重要。

3. 有關排水問題的民間智慧

- 3.1 居民基於生活在地區多年，透過親身經歷及觀察，加上最基本的民間智慧，不能認同顧問公司的評估，其中包括：
- 3.1.1 渠務排水不可能獨善其身，必會影響鄰近範圍，分別只是範圍及程度。
- 3.1.2 水永遠向下流，高地的水永遠流向低處尋找水平位，如果土地房屋處於低窪地帶，雨水積聚至高於其水平位，地下水自然會倒灌入屋，釀成水浸。
- 3.1.3 泥土及草地有大量的吸水能力，盡管旁邊有河道，除非地台高度有很大差別，又或者泥土吸納達飽和，否則雨水會首先由泥土及草地吸納，不會流向河道。所以泥土地在鄉郊是高效的疏水途徑。

- 3.1.4 天然河道無論大小，總有自己的脈絡。如果只局部截斷或轉變河道的走道，會對排水有影響。
- 3.1.5 分析任何排水設施更改是否有正面成效，必須考慮此消彼長的天然定律。如地平提升的影響？大範圍泥土地至石屎地失卻高效疏水功能的影響？變淺窄的替代河道功能？如果石屎物料可加速流量，是多少？無論河道或明渠在鄉郊地方必容易堵塞，如果有堵塞的情況的影響？儲水箱位處下游，有堵塞情況儲水箱在賣起不了作用等等。

4. 華苑就渠務評估報告有關華苑部份的意見

4.1 大幅度升高發展地盤的地平

發展商申請的改動龐大。華苑現時地平的最低點是 24.1mPD，鄰近發展地盤的地平是 24.2mPD¹，兩者共享地界，並由一條天然河道分隔。

現發展商擬大幅升高地平至 26mPD，和華苑之前最低點的地平由以往的 0.1m 大幅增至至 1.9m，什至高於一個人的高度。華苑其餘地平約 24.5mPD，與發展地盤仍相差民約 1.5m。觀乎其餘鄰近鄉村地帶，更只有 21.1mPD 至 22.4mPD 之間。如果發展商成功升高地平，華苑及鄰近大範圍鄉郊地帶，定必即時成為低漥地帶。水永遠向下流，居民怎可能在這情況下，相信存在利益立場衝突的水力模型測試結果沒有帶來水浸影響？

4.2 移發除存在逾 40 年的天然河道

除升高地平，令鄰近地區成為低漥地帶另一方面，發展商移除圍繞華苑存在超過 40 年的天然河道，由原來闊約 1.3-2 米，深超過 1 米的河道，改用一條闊和深只 0.6 米的替代明渠²。

4.3 繼升高地平至 26mPD 盾後，再興建逾 3m 地界圍牆，整體高度逾 5 米

天然河道主要圍繞華苑地界，兩邊圍牆連替代明渠的距離幾不足 1.5 米。在暴雨的情況下，替代明渠的高度其實會變得沒有意義。一高一低的地平，再加上窄距離，水流大的話會形成漏斗情況，一旦有雨水滿溢的情況，水若不能如以往般流向地底及兩邊土地，自然會局部升高。若水位在窄道被困，更容易超過 24.1mPD，華苑就會有水浸入屋的情況。

¹ Channel 2 位置 – Appendix B5.1 & B5.2, DIA (Rev. E) June 2023

² Channel 2 位置 – Appendix B5.1 & B5.2, DIA (Rev. E) June 2023

4.4 聲稱為華苑而設改設施誤導，成效成疑

- 4.4.1 根據我們的實際體驗，純粹從華苑排出的水不多，重點是鄰近地方的排水出問題，致我們的雨水不能排出。所以有水浸威脅的情況不是華苑的問題，是河道堵塞及大範圍地平水位的問題。
- 4.4.2 華苑嚴重關注發展的原因，是發展計劃移除了接收華苑排水的天然河道，替代的明渠卻未必有能力吸納外圍的雨水。而新發展屋苑猶如堡壘，他們當然可獨善其身，但改變會令整個地方的地平失衡，水平只要超過 24.1mPD，華苑就有機會水浸入屋。
- 4.4.3 其實我們不大明白，如何加設所謂 5 條渠道就可解決上述問題。嚴格來說，5 條渠道中，只有 3 條 channel 1-3 和華苑有關連，但在技術上完全看不到兩者如何接軌。

以現時情況，Channel 2 的位置匯接部份 Channel 1 & Channel 3 的排水，因不理解源頭，現時情況，Channel 2 位置也似乎有接受由其他鄉村地方，包括但不限於發展地盤位及由大帽山衝下的水。

所以，該位置在暴雨時水位可以急速上漲，但由於天然河道有足夠深及闊度，且有兩旁大範圍的泥土及草地疏水，除非河道有堵塞，否則水位可維持在 24.1mPD 安全水平以下。我們評估水浸風險，是看天然河道的水位，如果水位升高至隔離發展土地地平，始須要留意。這證明水平位的重要。

但最重要的 Channel 2 位置，估計發展商規劃設計成為通道及停車位，盡量縮減闊度，所謂的替代明渠 Channel 2 只有 0.6m x 0.6m 的闊及深度，比之前超過 1.3m 及 1m 的闊及深度有大幅度削減。這是我們一直嚴重關注，但沒有答案的其中一個要點。

- 4.4.4 根據發展商的圖示³有關現時河床深度的數字資料存在謬誤，這正好證明上述 2.2 點提及，有關收集地區原數據資料的謬誤，如果根據居民在定點實際量度的闊度數字(3.2m)，闊度不可能大範圍只有 0.8m，這不符合我們所見到的實地資料。
- 4.4.5 就評估報告提出該 5 條渠道能減少 75%華苑附近須要吸納的雨水，從實地實際體驗，我們感到疑慮。這也是上述 3.1.5 提出必須考慮此消彼長的定律。該 2 公頃的雨水確實沒有排出，但這 2 公頃土地以往也同時有作為高

³ Appendix B5.2 – Existing Condition, DIA (Rev.E)

效疏水的功能。以外，如上述 3.1.3 提及，發展地盤的普遍地平雖然比華苑範圍高，但相差不遠，暴雨時，雨水不會如平地般流向天然河道，反而是先由土地吸納，水平到河床高位時始開始流向河道。河道的水目測是由大帽山方向湧現致急速上漲。

5. 結語

5.1 公眾是否信服一個專業評估評估，必須建基於發展或顧問報告的往績及事實基礎。信任且必須要賺取，不能期望只因為顧問是專業人士，公眾就會欣然相信。遺憾地，負責是次評估報告的顧問公司，沒能普遍獲得居民的信任。觀乎其第一份 2022 年 4 月的第一份評估報告，內容沒有提及華苑，什至否定附近天然河道的存在，我們極度懷疑評估報告的專業性。

5.2 排水及水浸威脅是居民一個非常關注的問題，綜觀發展商的申請規劃，現階段仍然是問題遠多於答案。水浸問題影響居民的生活，嚴重的可構成居民的人命及財物損失。排水與大自然環境息息相關，任何亮麗的科研數據只能作參考，且必須經嚴肅印證居實際地區資料，相對數據，居於當地居民的觀察，親身經歷也至為重要。如有丁點疑慮，政府把關的部門不應容許有私人利益的發展商主導會影響鄰近地區的更改河道的計劃。

4.2 發展商及顧問公司似乎將所有公眾疑問，全部圖以水力模型測試得出的推算證明計劃沒有對周邊環境做成負面影響。我們對顧問公司是否掌握實地實際地區原數據資料有很大保留。事實上，水力模型測試確實是以科學程式推算，但是否準確很大程度取決於放入程式的原數據，推算如最終影響重大及不可逆轉的建設更改，相信不能只靠在辦公室作數字檢測，反而必須在實地收集地區，經科學程式更推算之餘，也必須將數據及推論再在實地反覆印證，始能令公眾及受直接影響居民信服。

事實上，居民在實地，尤其在暴雨前後或期間，鮮有遇見任何人士在發展地盤範圍實地觀察，或設立工具收集數據。顧問公司如是，市民對作為把關的渠務工程人員更難期望能在視察地盤以外，能實地印證數據的準確性。最終，如果整個評估大程度倚賴由水力模型測試結論，居民很大機會面對比現時情況更差的水浸威脅。相信這不應是政府期望見到的規劃用地意向。

4.3 我們認同鄉郊地區應該適量地釋出土地，我們願意支持任何不會影響到鄰近存在多年社區的發展。但就是項有關渠務的更改，我們只簡單問一個問題：

反正依照評估結論也是沒有負面影響 - 如果發展商或顧問公司，真正全面

100%認同自己提出的水力模型測試的推算預測，你們願意在推行所有排水改善設施的同時，放棄升高地盤地平至異乎尋常的高度，也放棄興建異乎尋常如堡壘般的圍牆，和鄰近社區共同正面面對水浸風險嗎？

華苑居民

2023 年 7 月 21 日



八鄉鄉事委員會

PAT HEUNG RURAL COMMITTEE

4255

本會檔號：032/PHRC/2023/27/02

致：城市規劃委員會秘書

傳真：2877 0245 / 2522 8426

電郵：tpbpd@pland.gov.hk

強烈反對元朗八鄉蓮花地村與上村黎屋村的交界興建大型低密度住宅

申請編號：Y/YL-SK/1 - 申請人提交進一步資料

執事先生/女士：

本會接獲八鄉村代表和眾多村民的投訴，就上標申請作出強烈和堅決的反對。相關申請始於 2022 年 4 月 28 日，因為本區人士的強烈反對，發展者「濫用」「申請人提交進一步資料」的程序和機制，目的是明顯不過的！我們對這種「行政手段」極度不滿，十分憤怒。我們八鄉居民重申：八鄉居民堅持在沒有任何地區諮詢，更沒有基建和配套的前提下，反對這項大型發展，懇請城市規劃委員會正視！

有關申請地段位於八鄉蓮花地村與上村黎屋村的交界。申請項目將興建 19 幢樓高 6 層的住宅及 4 幢非住用途的建築物，地盤面積超過 4 萬平方米，住宅單位 850 個，停車位逾 322 個。項目規模與面積十分龐大，申請地段接連兩條村落部分的村屋，與黎屋村的法定古蹟植桂書室及二級法定建築黎氏大宅距離不足 60 米，六層高的大型建築，阻礙村民及村屋的視野，對村民及鄉郊環境造成無可挽救的破壞！

此外，蓮花地村以至黎屋村一帶（包括申請地段），經常出現嚴重水浸。相關項目須進行大規模填土工程（mPD 達 44.15 米（主水平基準上）），週邊地方頓時變成低窪地帶，兩村村民極度憂慮申請項目將加劇村民在過去十數年飽受困擾的水浸情況，對村民生命財產構成嚴重威脅！以每戶人口 4 人推算，相關項目將帶來超過 3 千人入住，大量人口定必帶來交通及排污的問題。八鄉南主要幹線近年已嚴重擠塞，而政府亦致力發展八鄉及錦田南一帶，政府的交通基建和配套完全未能滿足八鄉居民的訴求，居民怨聲載道！申請項目帶來的人流及車輛勢必加劇八鄉交通擠塞的情況，令八鄉居民生活在水深火熱之中！

八鄉鄉事委員會



PAT HEUNG RURAL COMMITTEE

另一方面，八鄉是沒有中央排污系統，村民的家居污水都流經村內人工修建或天然渠道排放。大量人口排放的污水，對周邊地區的環境衛生造成破壞，同時亦增加渠道的負擔，減弱排洪的能力，增加水浸的風險！

本會懇請城市規劃委員會重視八鄉居民的意見，聆聽和接納居民的訴求，否決上標大型發展項目，避免居民在水深火熱的環境下生活，造福八鄉一帶居民！



八鄉鄉事委員會主席：郭永昌

副主席：鄧志光

黎永添

2023 年 9 月 15 日

城市規劃委員會秘書

香港北角渣華道333號北角政府合署15樓

(傳真：2877 0245 及 郵遞)

4257

強烈反對元朗八鄉蓮花地村與上村黎屋村的交界興建大型低密度住宅申請編號：Y/YL-SK/1 - 申請人提交進一步資料

執事先生/女士：

本人是元朗八鄉鄉事委員會第二十七屆執行委員，就上標申請作出強烈和堅決的反對。相關申請始於2022年4月28日，因為本區人士的強烈反對，發展者「濫用」「申請人提交進一步資料」的程序和機制，目的是明顯不過的！我們對這種「行政手段」極度不滿，十分憤怒。我們八鄉居民重申：八鄉居民堅持在沒有任何地區諮詢，更沒有基建和配套的前提下，反對這項大型發展，懇請城市規劃委員會正視！

有關申請地段位於八鄉蓮花地村與上村黎屋村的交界。申請項目將興建19幢樓高6層的住宅及4幢非住用途的建築物，地盤面積超過4萬平方米，住宅單位850個，停車位達322個。項目規模與面積十分龐大，申請地段接連兩條村落部分的村屋，與黎屋村的法定古蹟植桂書室及二級法定建築黎氏大宅距離不足60米，六層高的大型建築，阻礙村民及村屋的視野，對村民及鄉郊環境造成無可挽救的破壞！

此外，蓮花地村以至黎屋村一帶（包括申請地段），經常出現嚴重水浸。相關項目須進行大規模填土工程(mPD達44.15米(主水平基準上))，週邊地方頓時變成低窪地帶，兩村村民極度憂慮申請項目將加劇村民在過去十數年飽受困擾的水浸情況，對村民生命財產構成嚴重威脅！以每戶人口4人推算，相關項目將帶來超過3千人入住，大量人口定必帶來交通及排污的問題。八鄉南主要幹線近年已嚴重擠塞，而政府亦致力發展八鄉及錦田南一帶，政府的交通基建和配套完全未能滿足八鄉居民的訴求，居民怨聲載道！申請項目帶來的人流及車輛勢必加劇八鄉交通擠塞的情況，令八鄉居民生活在水深火熱之中！

另一方面，八鄉是沒有中央排污系統，村民的家居污水都流經村內人工修建或天然渠道排放。大量人口排放的污水，對周邊地區的環境衛生造成破壞，同時亦增加渠道的負擔，減弱排洪的能力，增加水浸的風險！

本人懇請城市規劃委員會重視八鄉居民的意見，聆聽和接納我們的訴求，否決上標大型發展項目，避免我們在水深火熱的環境下生活，造福八鄉一帶居民！

八鄉鄉事委員會執行委員簽署：

姓名： 羅顯宗

2023年9月15日

通訊地址：

聯絡電話：

4733

**Land View Development Limited
Double Gold Developments Limited**

Our Ref.: LVDL_402005-02

Your Ref: Y/YL-SK/1

Town Planning Board Secretariat
15/F, North Point Government Offices
333 Java Road, North Point
Hong Kong

By Fax (2877 0245)

21 September 2023

Dear Sir / Madam,

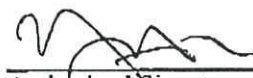
Objection to S.12A Application No. Y/YL-SK/1

We are the owners of [REDACTED] Yuen Long, New Territories. We **strongly object** to the captioned S.12A application to rezone the application site from "Residential (Group D)" to "Residential (Group C)" in Shek Kong, Yuen Long, N.T. and amend the Notes of the zone applicable to the site.

Since the subject planning application, the applicant has erected hoarding around its own land completely, and thus denied access to the land surrounding it. The Master Layout Plan submitted in the rezoning application also failed to address this issue.

We request the Town Planning Board to reject the application unless the Applicant revise the MLP to maintain a free and undisturbed access to the adjoining land surrounding the subject site.

Yours faithfully,
For and on behalf of
Land View Development Limited and
Double Gold Developments Limited



Authorized Signatory
CY/kl/jk

☐ Urgent ☐ Return Receipt Requested ☐ Sign ☐ Encrypt ☐ Mark Subject Restricted ☐ Expand personal&publi



Re: Y/YL-SK/1 DD 112 Shek Kong

21/09/2023 01:57

From:

To: [REDACTED] <tpbpd@pland.gov.hk>

File Ref:

Dear TPB Members,

No soft copy so Joe Public cannot determine if any community facilities have been included.

According to the PR the recent amendments made to the Town Planning ordinance are to speed up the process.

However it is quite clear that this statement is misleading. While the rights of residents to participate in the process have been drastically reduced, developers face no constraints on their practices that prolong the application on some developments for years by submitting endless 'additional information'.

Once plans have been exhibited for a stipulated period they should be withdrawn and subject to current guidelines such as the submission of soft copies, etc..

Mary Mulvihill

From: [REDACTED]

To: tpbpd <tpbpd@pland.gov.hk>

Date: Friday, 9 December 2022 2:00 AM CST

Subject: Re: Y/YL-SK/1 DD 112 Shek Kong

Dear TPB Members,

In addition there are no community facilities included. Going forward this provision is essential, particularly in NT districts that are in deficit of most services.

Mary Mulvihill

From: [REDACTED]

To: tpbpd <tpbpd@pland.gov.hk>

Date: Saturday, 4 June 2022 10:57 PM CST

Subject: Y/YL-SK/1 DD 112 Shek Kong

Y/YL-SK/1

Lots 246, 247 (Part), 251 (Part), 253 (Part), 254, 255 (Part), 256, 257, 258 (Part),

260, 263, 273 RP, 274, 275, 277, 278 S.B, 279, 280, 284, 294 RP, 295, 849, 850, 851 (Part), 853, 856 (Part), 859 (Part), 861 (Part) and 862 in D.D. 112 and Adjoining Government Land, Kam Sheung Road, Shek Kong

Site area : About 41,290sq.m Includes Government Land of about 415sq.m

Zoning : "Res (Group D)"

Proposed Amendment : Rezone to "Res (Group C)" / 850 Units / PR 0.8 / 6 floors / OS 2,280sq.m / 285 Vehicle Parking

Dear TPB Members,

The site is not cohesive, there are a number of lots belonging to others that could impact the well being of the residents and create issues going forward.

Also one has to question the sections given over to 'visitor parking'. It would be more efficient land use to add another floor to the parking and provide a vehicle free environment. Note no bicycle parking for such a rural location? Residents could cycle to the parking facilities from their homes.

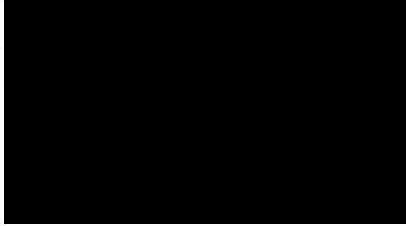
With a population of over 2,000 there should be a basketball court. Shek Kong does not have many community facilities.

Note an **average unit size of about 38.9m²** so in other words just over 50% of the GFA of ONE FLOOR of a village house.

This is quite alarming as 400sq.ft. is not large enough to raise a family, particularly in rural areas where there are fewer community facilities and alternative spaces. In urban areas there is a wide variety of indoor and outdoor recreational facilities, coffee shops, etc one could escape to.


While we are being told that all this development is going to provide a better quality of life, most of the plans going through indicate that this is not the case. Going forward the scenario for many will be living in a constricted space with far fewer community amenities and longer commutes.

Mary Mulvihill


22nd September 2023

Dear Secretary of the Town Planning Board,

Re: Comments to the Town Planning Board in respect of Application Y/YL-SK/1

We are residents to  following our comments we sent you on 3rd June, 5th August, 7th October 2022, 9th December in 2022, 24th February, 14th April, 30th June and 21st July 2023 during the first, second, third, fourth, fifth, sixth, seventh and eighth rounds of submission respectively made by the applicant, with the newly added information in the current ninth round of submission, we would like to share with you our further views.

Our comments sent in the eight previous rounds of public comments seeking remain.

The Proposed Development ("PD" hereafter) of above reference **envelopes our compound 270 degrees**. Having reviewed the plan and the documents made available at the Planning Department, we feel that no consideration has been taken into account of Wah Yuen in the planning of the PD.

It has been over one year since the applicant made the submission to Town Planning Board. Numerous consultant reports, with pre-determined self-serving conclusions have been filed and updated. Yet we have all this time raised our doubts on the credibility of these reports. These reports keep being re-amended and re-submitted, yet they do not take into consideration of comments made by the governmental departments as well as the public, including that of residents of Wah Yuen, who is the biggest group of victim. Same information is repeated and repeated ignoring voices in the public and the government departments. Basic vicinity factual information, such as waterstream between Wah Yuen and the PD have been conveniently/deliberately (?) omitted.

Stepping out from these self-serving reports, the big picture is:

- Level of PD is raised, hence all future excess water caused by heavy rain will all go in our direction, this is our most feared scenario;
- All our visuals/airflow will be gone as the PD is 6 storeys high, few metres away from ALL THE NEIGHBOURHOOD, including us in Wah Yuen which is a stone's throw away. ALL neighbourhood is 3-storey building. Why such 6 storeys planning is allowed is beyond belief in any developed world. What is the point of Town Planning if such audacity is allowed ?????? Such negative drastic impact on the environment, especially to us in Wah Yuen has already been mentioned by the various government departments. Will the TPB take these into consideration ?
- Frankly speaking, all such consultants reports are self-serving rigmaroles, just assisting the applicant in fulfilling the administrative requirements. What should be asked is, why should such eighteen 6-storey buildings be approved when it has been agreed

that dense development is to be built near the Kam Sheung Road MTR area, **rather than along a single file country road ?????**

- Throughout this one year, we have been in constant fear / worry about the building of the PD, 6-storey buildings, 18 of these in all, TOTALLY enveloping Wah Yuen. Besides the macro / wider concern from all residents in the area, with objection letters of reaching 4,254 so far, as residents of Wah Yuen, the PD will simply ruin our environment. No consultant report is necessary to understand this catastrophic impact. This should just not be allowed. The developer should stay within the zoning limit and respect our environment. It is as simple as this.

Vicinity area is all 3-storey houses, maximum family units per house is 3. With Wah Yuen, we are mostly single family occupiers for each of the 3-storey houses. In total there are 11 family units for Wah Yuen. Similar demographic pattern applies for houses in the vicinity.

As far as city planning is concerned, how can one justify building a 850 units complex next / stone's throw to such existing environment ??????????

Approving such ridiculous density in the area means total destroy of the rural environment. The developer should swallow its greed and respect the rural environment and build somewhere where denser living is the norm. By forcefully building eighteen 6-storey towers in our tranquil area, this will create hostility between new residents of the PD and the existing neighbourhood as we will all be suffering so badly because of this disrespectful plan. If the developer wants to build in the area, they have to follow the existing plan and build up to 3 storeys. This application from the developer is ridiculous and we are just shocked to say the least, how such application can be dreamt of. This application with the TPB has taken almost a year now, and the voices of concern and rejection of the PD has been strong. Why is the PD still shuffling endless amended self-serving consultant reports for application, wasting everyone's time and effort, and causing us tremendous angst ? Why cannot the applicant just swallow its greed and stay within the existing building frameworks and plan for 3-storeys development instead ?

Given the recent black rain on 8th September 2023, Wah Yuen was flooded. Please see photos below, these are self-explanatory. During the day, officers from Drainage Services Department also came for site visit. They are fully aware of how water rushes into Wah Yuen in all directions, through gravity as there is a gently slope within the compound, as well as through overflow of water from waterstream along the boundaries of the complex.

There is NO FORESIGHT in the consultants' reports at all, as they are self-serving. How can anyone deny that global warming is not making huge impact on climate, increasing the frequency of typhoons, increased duration of typhoon season, intensity, as well as heavy rain. Labelling these phenomenon as occurring one in last 200 years, one in 400 years, are just blindfolded statistics serving no purpose as far as prevention of the destruction of these natural disasters are concerned.

With global warming, the world is changing. We might face the end of the world, whilst still quoting such meaningless statistics, as one in 1 million years, before the demise of mankind ??????????

We vehemently dispute the reliability of these self-serving consultancy reports, where they justify their what-so-called channels in scenarios of 1 in 10 years, 1 in 50 years, 1 in 200 years. Haven't we just had just a heavy rain of o1 in 400 years ??

We urge members of the TPB to be receptive on what we are facing from a macro perspective. The way how the applicant justifies its over-the-top development is just groundless. Raising the whole PD above existing ground level, with walls enclosing the entire compound, means all the surroundings will be flooded with the PD not being affected at all, the proposed channels are purely for the benefit of the PD itself. Water that is currently absorbed by the earth / soil in the surrounding, will flow into the surroundings, into Wah Yuen as all surface will be converted to concrete/tarmac. How can such design be allowed ? Is this criminal ?

Quoting a recent article from the South China Morning Post dated 22nd September 2023, by Johnny Chan, emeritus professor, City University of Hong Kong, and science director, Asia-Pacific Typhoon Collaborative Research Centre (in excerpts):

*With global warming, the amount of moisture in the atmosphere will continue to increase. Also, the Pearl River Delta, and in fact the Greater Bay Area, will further develop and become even more urbanised. **These two factors are therefore likely to lead to not only more frequent heavy rain events, but also higher rainfall intensity or the amount of rain per hour.***

Given this very likely scenario, Hong Kong has no choice but to adapt to the possible consequences of heavy rain, namely flooding and landslides.

*A main cause of the flooding this time was that the drainage system was designed based on historical heavy rain events, and **these assumptions are no longer valid because global warming will very likely cause a further increase in rainfall intensity.** A review of the adequacy of the current drainage system should therefore be made.*

*For too long, society has not been willing to address the impacts of climate change and has now paid the price. It is hoped that this extreme rainfall event can serve as a **wake-up call** for everyone on the need to take action to adapt to these impacts and make our city more resilient.*

It does not take an expert like Professor Chan to see the points above. This is happening right in front of our eyes. And we are still allowing such self-serving consultant reports to justify such over-the-top development ?

We object strongly to the Application.

Below being our comments on the latest round of information submitted 25th August 2023:

Drainage Impact / Flooding issue

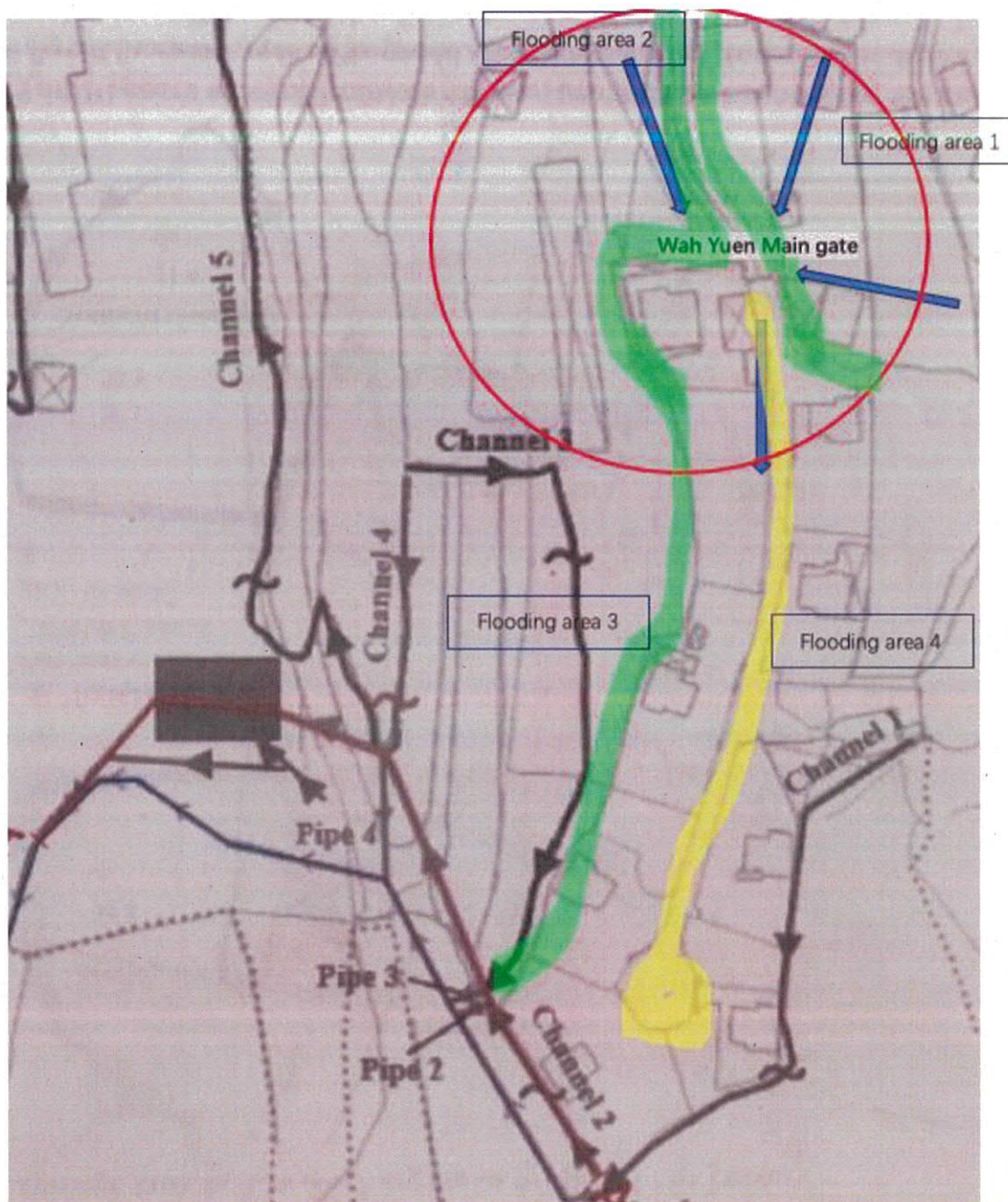
1) North/northeast side of Wah Yuen main Gate – topography ignored by any study

The revised Drainage Impact Assessment has not addressed the origin of the water flooding on the North / Northeast side of the Wah Yuen main gate. All five proposed water channels are only close to the proposed development (on the West and Southwest of Wah Yuen), nothing really beneficial for Wah Yuen.

See the water catchment area below map in red circle. This is where all the water starts to flow into Wah Yuen, as driveway from Kam Sheung Road to Wah Yuen is bordered by waterstreams. When water level rises and overflows, the driveway will be flooded and water will go through the main gate area (Blue arrows). The water flows along the driveway (highlighted in yellow) into our houses.

We use the recent pictures of the late 8 Sept 2023 Black rain day as example to illustrate where the floodings are:

The flooding stream is highlighted in green in the picture. The water level of the streams have drastically increased after rain to **above road level of over 20 cm**. This measurement however is not to be taken as maximum as we were only able to venture outside of our house when the situation in our house subsided. As such water level above road was definitely higher.





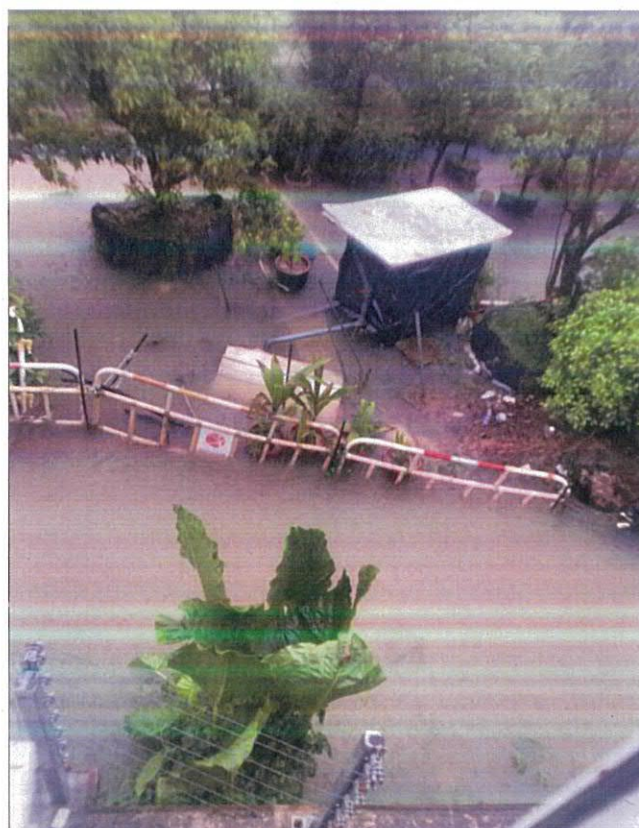
Wah Yuen main gate area (flooding due to overflow of small streams surrounding Wah Yuen)



Flooding area 1 East side of Wah Yuen main gate (stream overflowed)



Flooding area 2 West side of Wah Yuen main gate, water level of stream has gone up by 1 to 1.5m within 2 hours.



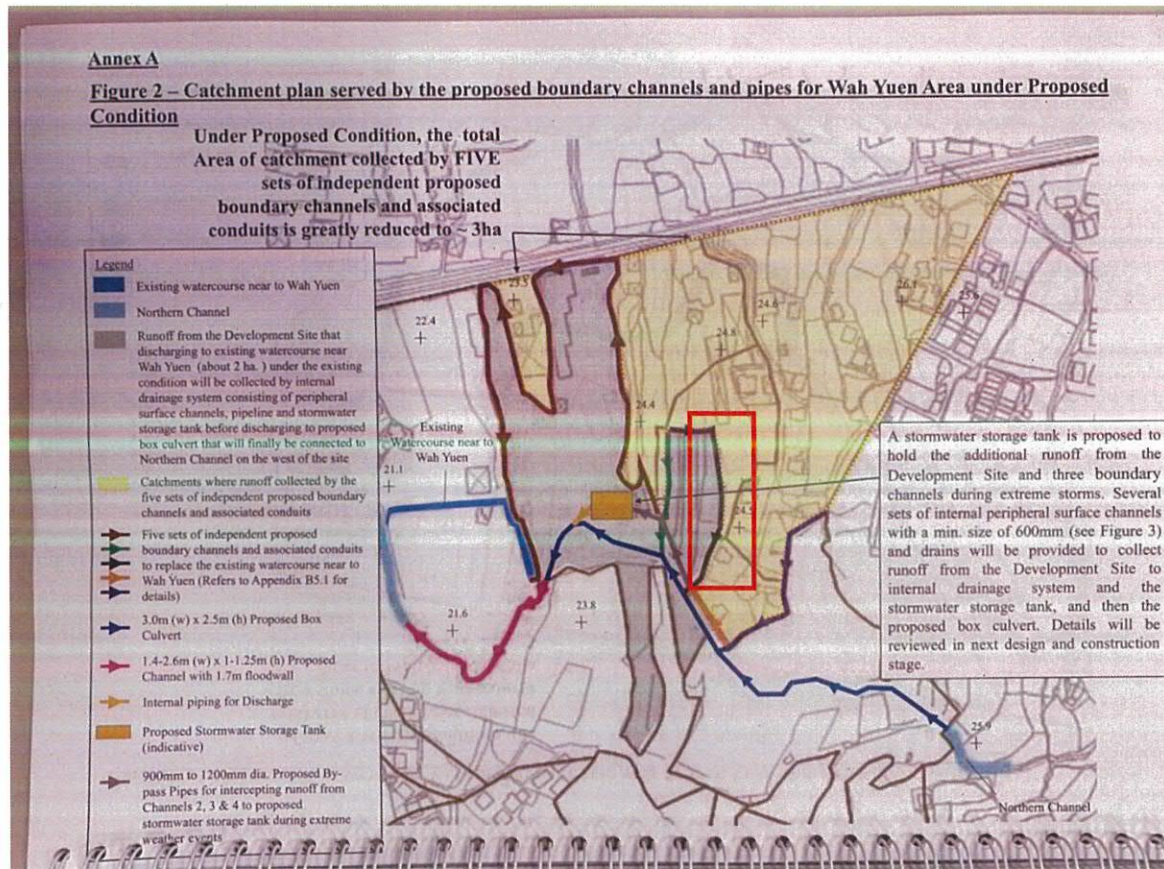
Flooding area 3 West boundary outside compound wall (you cannot distinguish the stream with the nursery ground level)



Flooding area 4 internal driveway of Wah Yuen (highlighted in yellow on map)

2) Waterstream outside western wall of Wah Yuen IGNORED and IGNORED and IGNORED

Despite repeatedly expressing our concerns, there is nothing mentioned on how to deal with possible flooding threat to the area on the western side of Wah Yuen (area highlighted in red below).



As mentioned all this time in our previous rounds of comments, there is a small stream along the western boundary wall of Wah Yuen. During heavy rain before, the water level of this stream occasionally goes up 1.5m + from the trough of the stream within 1 or 2 hours. In fact this is the original point where previous floodings in Wah Yuen began. It has never been taken into consideration in any of the original proposed development plan nor additional information before. **On the day of the Black Rain dated 8th September, houses along this western boundary were flooded, as witnessed by the officers from the Drainage Services Department.**

The proposed development area in grey are all natural soil which can retain water during heavy rain. The ability to retain water would have largely reduced after construction. We as residents of Wah Yuen are very anxious, the threat of flooding will become higher within the Red line highlighted area.

As much as the Applicant, through the consultant reports, portrayed that it has made consideration on the water drainage issue, it has ALL THIS TIME IGNORED THE FACT THAT THERE IS A WATERSTREAM ALONG THE WESTERN SIDE OF WAH YUEN. This has been ignored probably as this does not form part of boundary of the PD. However, with the construction of the PD along the border of Wah Yuen, it is affecting the flow of this waterstream along Wah Yuen. **Is this applicant ignoring the impact the PD by simply arguing that this is NOT ALONG its**

border ? This seems to be a no-man's land with no parties wanting to take responsibility on. Yet the waterstream lies within this strip of land. And with the construction of the PD, water will have no where to go along this waterstream, high risk of backflow to Wah Yuen. How can the PD say that it is not responsible for this ?

The Applicant seems to have been blatantly ignoring this existing waterstream along western side of Wah Yuen by saying that this is not part of its land, and that it CANNOT GET ACCESS to this part as it is 'private land', hence play ignorance. Yet, the flow of this waterstream will be devastatingly affected by the concrete construction of the PD.

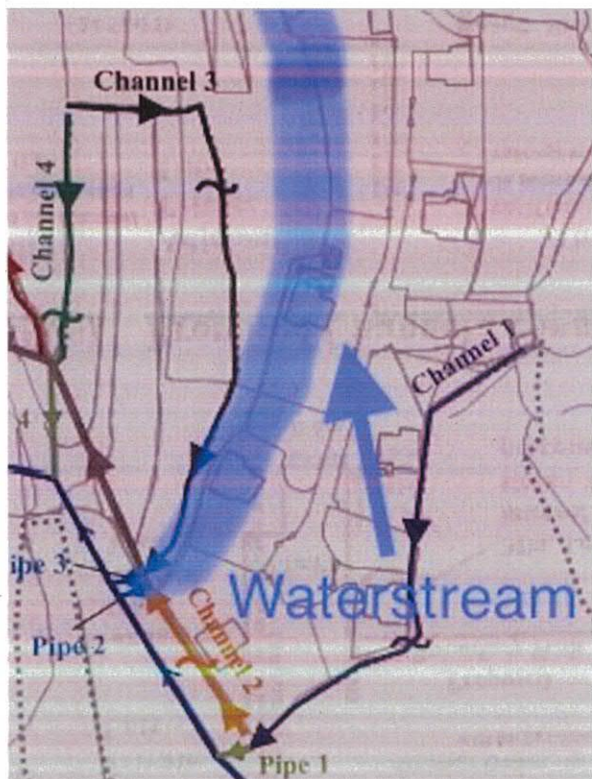
As much as the consultant report mentions the use of model for the analysis, what is the use of this, to us, public, if the report deliberately omits all factual information, that there is this waterstream along the western side of Wah Yuen ? This is a blind spot.

This is totally worrying. Per the appendices, it is clear that this waterstream along western side of Wah Yuen is totally omitted:

Appendix B1, B2 B3, B4 – Existing watercourse near to Wah Yuen (included in model extent
Still not recognizing waterstream on western side of Wah Yuen, as such we question how accurate is the what so called model ?

Appendix B3 – not recognizing waterstream on western side of Wah Yuen. Given the PD, where land is filling the area between the PD and western side of Wah Yuen, this water stream will be cut, as such how will the water go, overflowing into our homes ?????

Appendix B5.1 – Channel 3, which is on western side of Wah Yuen, does not address the flow of waterstream along western wall of Wah Yuen. It only addresses boundary of the PD. Yet, with the PD building along border of Wah Yuen, it is affecting the flow of waterstream along Wah Yuen. Is this applicant ignoring the impact the PD by simply arguing that this is NOT ALONG its border ?



Appendix C1/C2– “Existing Channel and Modelled” does NOT include waterstream.

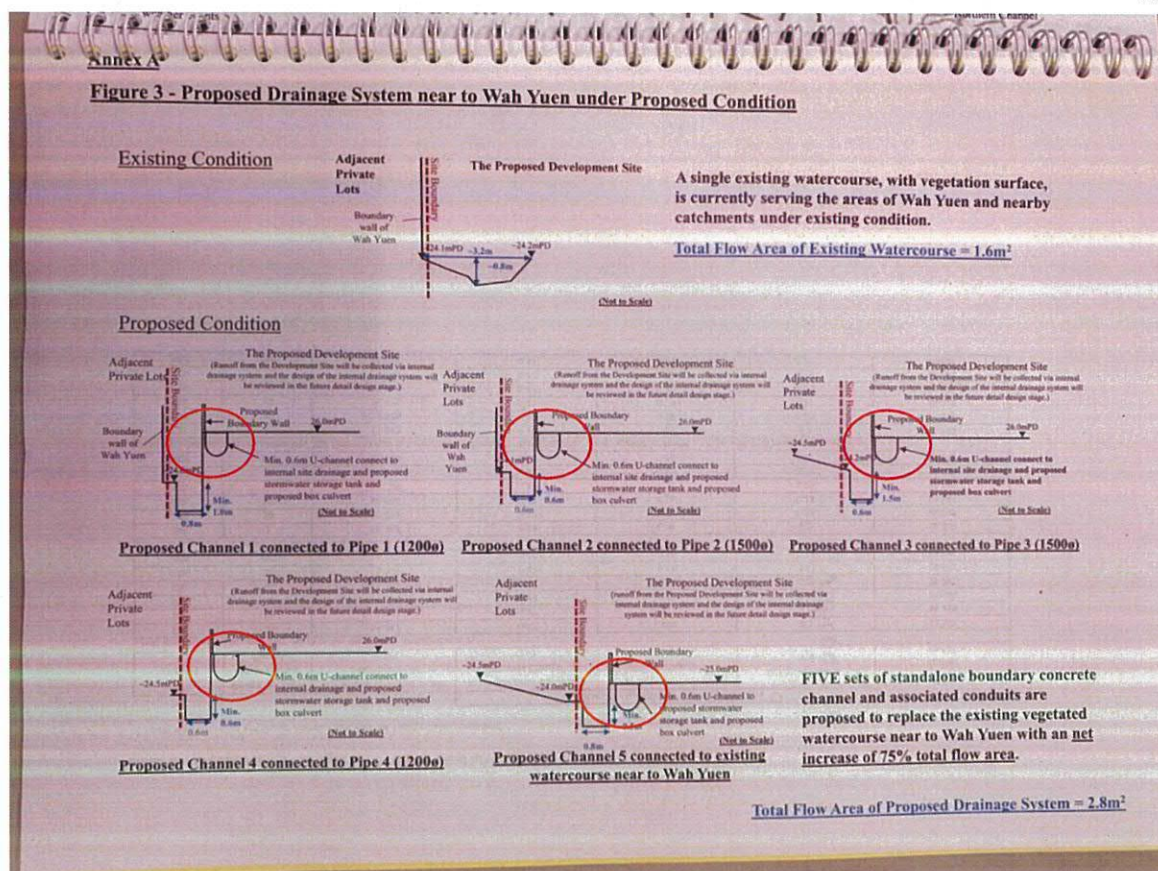
Appendix D1 – “Existing Channels” does NOT include waterstream.

Appendix D2 – “Existing Channels” does NOT include waterstream.

Appendix J – Additional Survey for the Existing Natural Watercourse near to Wah Yuen:

This shows clearly the existence of the watercourse we have been mentioning in all our comments so far. Why is this not taken into consideration ? This is the waterstream that caused flooding in Wah Yuen in 2018, to all the houses on the western side of Wah Yuen. Is the applicant of the thinking that flooding of just Wah Yuen is insignificant ??????? As much as the waterstream on the western side of Wah Yuen is not as significant as that of the stream nearby, overflowing of this stream means water going into our houses, which has happened in 2018, as well as during the black rain on 8th September 2023. With the PD, where will this waterstream flow to ?????? If the flow is blocked due to the construction of the PD, this means water will backflow to our houses ?????

For the new Proposed 5 new U-shape surface channel, it is built within the boundary wall of newly proposed development. These does not help the evasion of flooding water into the nearby stream of Wah Yuen, again have not solved the issue of possible high threat of flooding in the west boundary of Wah Yuen.



Given the uncertainty of so many assumptions, and the omission of factual existence of the waterstream on western side of Wah Yuen, we are extremely concerned about how reliable the consultant report is. The model needs to be amended to include this western side waterstream for a start.

On the day of the Black Rain 8th September 2023, officers from Drainage Services Department paid a visit to Wah Yuen. The situation in Wah Yuen, with water overflowing from north/northeast side of Wah Yuen to the common driveway, water flowing down (due to slight slope within the compound) from east to west side, and backflow of water from waterstream on west side of boundary wall ...leading to the houses on the western side of Wah Yuen all flooded, were all witnessed by the officers.

Yours faithfully,

Residents of [REDACTED]

Residents Signature :

居民簽署 :



Name (Print):

名(正楷) :

K. Ng

Type text here

Address:

通訊:



Telephone number:

電話:



Residents Signature :

居民簽署 :



Name (Print):

名(正楷) :

M. Tam

Address:

通訊:



Telephone number:

電話:



Residents Signature :

居民簽署 :



Name (Print):

名(正楷) :

Y.S. Yew

Address:

通訊:



Telephone number:

電話:



RECEIVED

22 SEP 2023

Town Planning
Board

致：城市規劃委員會

日期：2023 年 9 月 22 日

有關：反對 Y/YL-SK/1 申請更改規劃用地 -有關渠務評估報告的反對意見

1. 前言

1.1 我們是華苑居民，屋苑建成逾 40 年，毗鄰發展地盤，同處 RD 規劃用地，總面積約相等發展地盤私人擁有部份的 17%，是唯一在同一規劃圖則 RD 地段已發展的社區屋苑。

1.2 發展商於 2022 年 4 月 28 日首次提交申請文件，至今分 9 次提供進一步資料。不計 2023 年 3 月 29 日提交經修訂的渠務影響評估，獲城規會豁免公布，城規會就是項申請已開展了多達 9 次的公眾諮詢。過去 8 次公眾諮詢共接獲多達 4,254 份意見書。發展商從未正式回應公眾及社區意見。

1.3 我們希望城市規劃委員會（委員會）及各有關政府部門，能正視至目前收集的 4,254 份意見書。希望委員會理解是項申請文件及顧問報告只提供英文版本，且偏重技術性。申請批核的過程雖然有公眾諮詢，但在缺乏及資源極度不對等的情况下，不論意見的表達模式，能獲 4,254 份意見書表達地區意見，已殊不容易。希望委員會和各政府部門，能認真理解居民的實際合理疑慮。

2. 華苑居民的反對立場

2.1 華苑不是反對土地發展，只是反對未有配套設施的情况下，強行提出申請更改土地規劃，違反現時規劃意向的同時，更嚴重影響鄰近社區居民的生活。

2.2 我們反對的立場沒有改變。但有鑒於 2023 年 9 月 8 日黑雨當日，雖然元朗的降雨量未及其他地區，在懸掛 16 小時 35 分黑雨時段，元朗錄取到的每小時降雨量是 83 毫米，雖達黑雨程度，也只維持了 1 小時。但整個華苑屋苑範圍已經有嚴重水浸，有部份位處低地的房屋什至水浸入屋。是次事件正好顯示華苑及鄰近地區一直因水浸問題強烈反對申請的憂慮有實則的事實理據。就此，我們特別就排水及水浸問題，不得不表示強烈關注，並對是項更改規劃有關渠務部份，提出更強烈的反對意見。

2.3 由於排水及水浸問題是我們感到憂慮的重點，今次提交的意見書主然聚焦在排水及水浸問題。由於上一輪的意見書同樣有關渠務，我們的立場沒有變，期間發展商新提交的資料也沒有解除我們的疑慮。為免重複，將上一輪 7 月 21 提供的意見書為附件，讓委員會及政府部門理解我們不能信服發展商提交的水力模型測試，模糊過去成為所有重大問題的答案的理據。

3. 華苑反對項目撮要：

- 3.1 相比現時規劃，申請大幅增加地積比率 4 倍；提高建築物高度及樓層 2-3 倍，影響原來規劃意向下的人口及房屋密度，致令周邊配套設施包括水利及交通難以負荷。
- 3.2 修改存在經年的北面河道(Northern Channel) 的天然走道，建議填平圍繞華苑及鄰近鄉郊地區唯一排水的天然河道，由闊度及深度不及一半的在石屎明渠替代。
- 3.3 大幅加高 1.9m 地台，聲稱的 6 層高度，實際高度逾 7 層，且與鄰近樓房距離不足 4m。如委員會批准發展有關填高地台的建議，華苑及鄰近大範圍地區頓成低窪地帶，大大提高水浸風險。
- 3.4 申建項目申請車輛泊位 322 個，無論對屋苑內外均對鄰近社區做成負擔。錦上路路面偏窄，單線行車，且因居民必須依賴接駁車輛始能到達元朗市集或集體運輸車站，交通的需求及負荷現時已見日益嚴重。
- 3.5 預計新搬入居民 2,380。根據 2021 年的人口普查，發展地盤所處的規劃圖則人口只有 22,814 人，表示一個單一項目的居民已佔逾 10%。假設配套設施未來仍未獲改善，餘下的地段如果要發展是否要行人止步？
- 3.6 整體設計沒能尊重及融合周邊現存的社區。

4. 有關水力模型測試

- 4.1 華苑已多次在公眾諮詢期提交文件提出問題，遺憾發展商從未回應。
- 4.2 發展商聲稱申請建議不會增加周邊地區的水浸情況，理據大程度依賴水力模型測試結果。我們有不同意見，詳情請參考 2023 年 7 月 21 日就有關議題提交的意見。簡單而言，我們認為測試的科學程式固然重要，但值入程式的數據可能同樣或更加重要。測試不是由政府主導，理論上渠務雖然會檢視程式背後的假設、有機會影響結果的數據因素估算是否合理、程式運算是否正確等。但要實地抽樣檢測數據可能在運作上有困難。在這個情況下，我們認為測試結果只能視作參考，不能視之為「萬能匙」，所有問題的答案都搬出測試結果，尤其一些有違基本邏輯或當地居民親身的觀察體驗，以至一些基本的民間智慧得出的結果等資料，都應該考慮在內。

5. 有關華苑替代明渠的方案

5.1 首先，發展商從未就聲稱為華苑建做的替代方案聯絡華苑，早期的顧問報告承認他們未能勘察一些位於下游的私人地段，顧問報告也曾提及資料包括電腦資料 (desktop information)。事實上，華苑從來沒有接獲發展商實地視察的要求。邏輯上理解，發展商現時提出的方案有可能在未獲取全面實地資料的情況下提出。既然資料不全，如何能合理地被視之為一個可行方案？

5.2 發展商聲稱華苑一直依賴收集雨水的天然河道，能由 5 套替代明渠取代。我們認為發展商意指的「一比五」完全是誤導的說法。我們觀察到該 5 套明渠，其實只有 Channel 2 收集的水流最多，影響最大，收集的水流源頭絕對不只在華苑。而 Channel 2 位處華苑的最低點 (24.1mPD)，圖表沒有列明。經 Channel 1 收集的水匯聚往 Channel 2，此外 Channel 2 還收集其他鄉郊地段，包括不屬發展地盤的雨水，現時河道如果在雨天，天然河道闊度幾近 2m，深度逾 1m，雨天實地觀察會發現水流急促，且水位會短時間上漲。

在這個重點的匯聚位置，發展商卻建議由一條無論闊度及深度(0.6mx0.6m)均減半的石屎明渠替代。在剛過去的黑雨期間，華苑嚴重水浸的原因是該天然河道以現時的闊度，雨水仍去不了，水位上漲，致雨流倒灌。原因可能是河道的疏水能力，更大可能是河道有砂石樹葉做成淤塞。在這個情況下，再加上新發展屋苑的地台正正在這個位置，填高 1.9m，大家不難想象位處該位置的房屋在暴雨期間會不受影響。對華苑而言，我們不能同意這 5 條渠道能取代現時的天然河道，反會添加更多有關水浸的不穩定因素。

5.3 發展商不時強調儲水池的作用，但儲水池位於較下游，我們不懷儲水池對新發展屋苑的作用，但對華苑而言，如果明渠的闊度和深度不足以疏水，再加上經過的地段有很大機會積聚砂石，雨水根本去不了儲水池位置。

5.4 發展商沒有明確交待替代明渠的管理是否由發展商負責。但常識論，如果明渠是否淤塞，不大能影響到高地高圍牆如堡壘的新發展屋苑，清理淤塞的意欲未必會大，尤其在暴雨期間。盡管在地契上可添加有關條款，但水浸可能只是一瞬間，地契的條款不能提供保障。

6. 結語

在渠務署的網頁，我們理解香港的政策是盡量保障天然河道。在一個現時已備受水浸威脅，過去的 9 月 8 日黑雨，雖然元朗的降雨量大大不如其他地區，什至只有一個鐘錄得最高的每小時降雨量 83 毫米達到黑雨程度，但華苑範圍已嚴重水浸，原因更因為屋苑範圍外的排水設施引致倒灌。

發展商為賺取最大利益，竟然建議移除存在多年的天然河道，由闊度和深度俱減半的石屎明渠替代。同時填高發展地盤的地台，令鄰近地區頓成低窪地帶。鄰近地區因應發展，不再能利用地盤的草地疏水，還要承受多方面不利排水的新設施，現實是只有新發展因可重新規劃，填高地台，獨善其身之餘，還讓鄰近地區承受更高的風險，完全顯示不了鄉郊發展的個共融元素。

除建議移除天然河道，發展商甚至建議修改北面河道(Northern Channel) 的走道，理據是發現在其他私人地段有淤塞現象。因應渠務處的提問，我們留意到發展商的解釋，但要大幅修改河道，渠務署作為把關部門，有實地檢視發展商的解釋嗎？

發展商聲稱經水力模型測試，因他們的發展會令地區的水浸情況得到改善，理據基礎完全依賴模型測試結果，儼如「萬用匙」。我們對顧問公司能否準確掌握地區資料有懷疑，他們的第一份報告甚至完全否定圍繞華苑天然河道的存在，也估計由渠務署檢測其實地資料(data) 也有一定困難，故我們認為模型測試結果只可作為重要參考資料，其他地區的實地觀察及資料也同樣重要。發展商如果要居民信服移除及修改河道不會對他們做成影響，必須提出更明確的理據，不能下下搬出模型測試結果了事。

排水是一個重要民生議題，工程一旦完成，不能逆轉，如果出現問題，除了令鄰近社區居民精神備受困擾外，嚴重的甚至能影響市民的財產及生命。此外，發展商為改變規劃，一方面申請填平鄰近社區唯一收集雨水的天然河道，另一方面又大幅升高新屋苑的地台至一個不合理水平，猶如堡壘。「行動最誠實」，鄰近居民怎可能合理地相信發展商就水浸問題的解說。希望委員會和渠務署能認真檢視申請建議，尤其經歷過去的黑雨情況，有丁點疑慮，也不應通過方案。

華苑居民

2023 年 9 月 22 日

附件：華苑居民提交 2023 年 7 月 21 日就渠務方案提交的意見書

致：城市規劃委員會

日期：2023 年 7 月 21 日

有關：反對 Y/YL-SK/1 申請更改規劃用地 -有關渠務評估報告的反對意見

1. 前言

1.1 上述申請於 2022 年 4 月 28 日首次提交申請文件，發展商期後再分 8 次提供進一步資料。不計 2023 年 3 月 29 日提交經修訂的渠務影響評估，獲城規會豁免公布，城規會就是項申請已開展了多達 8 次的公眾諮詢。過去 7 次公眾諮詢共接獲多達 3,696 份意見書。

1.2 公眾意見很大程度代表當地居民的意見，在資源不對等的情况下，公眾仍選擇就申請提出意見，內容涵蓋重要民生事項，如水浸、交通配套、更改及填平天然河道、大幅填高地面及建屋高度等等，無論意見的質和量皆不容忽視。相反，發展商在資源充足的情况下，過去提交多次修正本，每次只是「擠牙膏」式的回應操生剝權的政府部門意見，完全沒有回應公眾疑慮，居民對此深表遺憾。

1.3 發展商更在 2023 年 3 月在第 6 次諮詢截止日期（2023 年 3 月 31 日）仍未結束時，於 2023 年 3 月 29 日提交渠務修訂評估，當時城規會接受豁免公布。發展商今次重施故技，在第 7 次諮詢（2023 年 7 月 21 日）仍未完結，在 2023 年 6 月 16 日又再次提交新一輪資料。除非城規會再次豁免公布，否則公眾諮詢必須會緊接展開。我們對發展商的做法，感到遺憾，也期望城規會認真檢視現行的申請程序，是否對申請人過份寬鬆，間接做成程序的不公義。

2. 公眾如何解讀渠務評估報告

2.1 渠務評估報告傾向技術性是可以理解。但一個專業的顧問評估報告的元素，除了專業知識，顧問的專業取向、客觀性和能否充份掌握地區資料等同樣重要。

遺憾地，是次的渠務評估報告，居民無論對其專業持平性，或掌握地區資料的能力有很大存疑。事實上，信任必須賺取，不能只靠其專業資格就能輕易獲取公眾信任。而賺取信任的過程必須透過往績和客觀事實基礎。是次顧問公司在 2022 年 4 月提交的第一份報告，竟然完全否定華苑及圍繞其屋苑範圍的天然河道的存在。如果這不代表顧問公司的偏頗立場，也只能歸咎於其未能掌握地區資料。兩者均令居民對所謂的評估報告的專業及準確性存疑。

2.2 顧問公司採用水力模型測試及大量數據作主調，聲稱所有預測及數據均支持其計劃改變不會令現存的水浸威脅惡化之餘，更有正面的改善結果。

但我們的觀點是，理據的水力模型測試，其實只是一個因應用者預設的假設，收集數據，以科學方程式計算，得出一個模擬現實情況而作出有關排水及水浸的風險預測及評估。

水力模型測試不是魔術，也不是萬用匙，測試程式屬科學推算，我們不是想推倒其真確性。但科學程式雖然客觀，仍存在主觀元素，包括測試者的假設，其收集及放入程式的數據的方法及準確性。不同數據，放入相同程式，得出的結果也可以差之毫厘，謬之千里，故數據必須再三實地核實，而不是在數字上的無限推算。如之前提及的原因，我們對顧問公司能否掌握地區數據有疑慮，也不完全相信他們在收集數據時能否客觀持平。

2.3 當然，渠務署理論上會檢視評估報告，但實際上，如果計劃不是由政府主導，政府部門的工程師手上有眾多計劃及工作，他們可以檢視模型的假設，根據指引檢視程式的元素，但要求他們細微檢視原數據(raw data)的真確性有困難。最終有問題發生，也沒有官員問責（如元朗大企嶺村在周邊屋苑建成後深受水浸影響，相信當時過城規也有經歷相同的評估程序），建設既已完成，發展計劃由於是新建設自然可以獨善其身，最終只有鄰近存在多年的社區受害。

2.4 相比水力模型測試，我們認為水利和排水問題，影響嚴重。排水建設大多不能逆轉，且對居民的性命財產可能做成損傷。我們認為，地區的觀察及聲音，尤其在鄉郊範圍，比諸科學估計同樣重要。

3. 有關排水問題的民間智慧

3.1 居民基於生活在地區多年，透過親身經歷及觀察，加上最基本的民間智慧，不能認同顧問公司的評估，其中包括：

3.1.1 渠務排水不可能獨善其身，必會影響鄰近範圍，分別只是範圍及程度。

3.1.2 水永遠向下流，高地的水永遠流向低處尋找水平位，如果土地房屋處於低窪地帶，雨水積聚至高於其水平位，地下水自然會倒灌入屋，釀成水浸。

3.1.3 泥土及草地有大量的吸水能力，盡管旁邊有河道，除非地台高度有很大差別，又或者泥土吸納達飽和，否則雨水會首先由泥土及草地吸納，不會流向河道。所以泥土地在鄉郊是高效的疏水途徑。

- 3.1.4 天然河道無論大小，總有自己的脈絡。如果只局部截斷或轉變河道的走道，會對排水有影響。
- 3.1.5 分析任何排水設施更改是否有正面成效，必須考慮此消彼長的天然定律。如地平被大幅提升的影響？大範圍泥土地成石屎地致失卻高效疏水功能的影響？變淺窄的替代河道的功能？如果石屎物料可加速流量，是多少？無論河道或明渠在鄉郊地方必容易堵塞，如果有堵塞的情況的影響？儲水箱位處下游，有堵塞情況儲水箱是否起不了作用等等。

4. 華苑就渠務評估報告有關華苑部份的意見

4.1 大幅度升高發展地盤的地平

發展商申請的改動龐大。華苑現時地平的最低點是 24.1mPD，鄰近發展地盤的地平是 24.2mPD¹，兩者共享地界，並由一條天然河道分隔。

現發展商擬大幅升高地平至 26mPD，和華苑之前最低點的地平由以往的 0.1m 大幅增至至 1.9m，什至高於一個人的高度。華苑其餘地平約 24.5mPD，與發展地盤仍相差民約 1.5m。觀乎其餘鄰近鄉村地帶，更只有 21.1mPD 至 22.4mPD 之間。如果發展商成功升高地平，華苑及鄰近大範圍鄉郊地帶，定必即時成為低窪地帶。水永遠向下流，居民怎可能在這情況下，相信存在利益立場衝突的水力模型測試結果沒有帶來水浸影響？

4.2 移除存在逾 40 年的天然河道

除升高地平，令鄰近地區成為低窪地帶另一方面，發展商移除圍繞華苑存在超過 40 年的天然河道，由原來闊約 1.3-2 米，深超過 1 米的河道，改用一條闊和深只 0.6 米的替代明渠²。

4.3 繼升高地平至 26mPD 盾後，再興建逾 3m 地界圍牆，整體高度逾 5 米

天然河道主要圍繞華苑地界，兩邊圍牆連替代明渠的距離幾不足 1.5 米。在暴雨的情況下，替代明渠的高度其實會變得沒有意義。一高一低的地平，再加上窄距離，水流大的話會形成漏斗情況，一旦有雨水滿溢的情況，水若不能如以往般流向地底及兩邊土地，自然會局部升高。若水位在窄道被困，更容易超過 24.1mPD，華苑就會有水浸入屋的情況。

¹ Channel 2 位置 – Appendix B5.1 & B5.2, DIA (Rev. E) June 2023

² Channel 2 位置 – Appendix B5.1 & B5.2, DIA (Rev. E) June 2023

4.4 聲稱為華苑而設改設施誤導，成效成疑

4.4.1 根據我們的實際體驗，純粹從華苑排出的水不多，重點是鄰近地方的排水出問題，致我們的雨水不能排出。所以有水浸威脅的情況不是華苑的問題，是河道堵塞及大範圍地平水位的問題。

4.4.2 華苑嚴重關注發展的原因，是發展計劃移除了接收華苑排水的天然河道，替代的明渠卻未必有能力吸納外圍的雨水。而新發展屋苑猶如堡壘，他們當然可獨善其身，但改變會令整個地方的地平失衡，水平只要超過 24.1mPD，華苑就有機會水浸入屋。

4.4.3 其實我們不大明白，如何加設所謂 5 條渠道就可解決上述問題。嚴格來說，5 條渠道中，只有 3 條 channel 1-3 和華苑有關連，但在技術上完全看不到兩者如何接軌。

以現時情況，Channel 2 的位置匯接部份 Channel 1 & Channel 3 的排水，因不理解源頭，現時情況，Channel 2 位置也似乎有接受由其他鄉村地方，包括但不限於發展地盤位及由大帽山衝下的水。

所以，該位置在暴雨時水位可以急速上漲，但由於天然河道有足夠深及闊度，且有兩旁大範圍的泥土及草地疏水，除非河道有堵塞，否則水位可維持在 24.1mPD 安全水平以下。我們評估水浸風險，是看天然河道的水位，如果水位升高至隔離發展土地地平，始須要留意。這證明水平位的重要。

但最重要的 Channel 2 位置，估計發展商規劃設計成為通道及停車位，盡量縮減闊度，所謂的替代明渠 Channel 2 只有 0.6m x 0.6m 的闊及深度，比之前超過 1.3m 及 1m 的闊及深度有大幅度削減。這是我們一直嚴重關注，但沒有答案的其中一個要點。

4.4.4 根據發展商的圖示³有關現時河床深度的數字資料存在謬誤，這正好證明上述 2.2 點提及，有關收集地區原數據資料的謬誤，如果根據居民在定點實際量度的闊度數字(3.2m)，闊度不可能大範圍只有 0.8m，這不符合我們所見到的實地資料。

4.4.5 就評估報告提出該 5 條渠道能減少 75%華苑附近須要吸納的雨水，從實地實際體驗，我們感到疑慮。這也是上述 3.1.5 提出必須考慮此消彼長的定律。該 2 公頃的雨水確實沒有排出，但這 2 公頃土地以往也同時有作為高

³ Appendix B5.2 – Existing Condition, DIA (Rev.E)

效疏水的功能。以外，如上述 3.1.3 提及，發展地盤的普遍地平雖然比華苑範圍高，但相差不遠，暴雨時，雨水不會如平地般流向天然河道，反而是先由土地吸納，水平到河床高位時始開始流向河道。河道的水目測是由大帽山方向湧現致急速上漲。

5. 結語

5.1 公眾是否信服一個專業評估評估，必須建基於發展或顧問報告的往績及事實基礎。信任且必須要賺取，不能期望只因為顧問是專業人士，公眾就會欣然相信。遺憾地，負責是次評估報告的顧問公司，沒能普遍獲得居民的信任。觀乎其第一份 2022 年 4 月的第一份評估報告，內容沒有提及華苑，什至否定附近天然河道的存在，我們極度懷疑評估報告的專業性。

5.2 排水及水浸威脅是居民一個非常關注的問題，綜觀發展商的申請規劃，現階段仍然是問題遠多於答案。水浸問題影響居民的生活，嚴重的可構成居民的人命及財物損失。排水與大自然環境息息相關，任何亮麗的科研數據只能作參考，且必須經嚴肅印證居實際地區資料，相對數據，居於當地居民的觀察，親身經歷也至為重要。如有丁點疑慮，政府把關的部門不應容許有私人利益的發展商主導會影響鄰近地區的更改河道的計劃。

4.2 發展商及顧問公司似乎將所有公眾疑問，全部圖以水力模型測試得出的推算證明計劃沒有對周邊環境做成負面影響。我們對顧問公司是否掌握實地實際地區原數據資料有很大保留。事實上，水力模型測試確實是以科學程式推算，但是否準確很大程度取決於放入程式的原數據，推算如最終影響重大及不可逆轉的建設更改，相信不能只靠在辦公室作數字檢測，反而必須在實地收集地區，經科學程式更推算之餘，也必須將數據及推論再在實地反覆印證，始能令公眾及受直接影響居民信服。

事實上，居民在實地，尤其在暴雨前後或期間，鮮有遇見任何人士在發展地盤範圍實地觀察，或設立工具收集數據。顧問公司如是，市民對作為把關的渠務工程人員更難期望能在視察地盤以外，能實地印證數據的準確性。最終，如果整個評估大程度倚賴由水力模型測試結論，居民很大機會面對比現時情況更差的水浸威脅。相信這不應是政府期望見到的規劃用地意向。

4.3 我們認同鄉郊地區應該適量地釋出土地，我們願意支持任何不會影響到鄰近存在多年社區的發展。但就是項有關渠務的更改，我們只簡單問一個問題：

反正依照評估結論也是沒有負面影響 - 如果發展商或顧問公司，真正全面

100%認同自己提出的水力模型測試的推算預測，你們願意在推行所有排水改善設施的同時，放棄升高地盤地平至異乎尋常的高度，也放棄興建異乎尋常如堡壘般的圍牆，和鄰近社區共同正面面對水浸風險嗎？

華苑居民

2023 年 7 月 21 日

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Re: Y/YL-SK/1 DD 112 Shek Kong

07/12/2023 02:30

From:

To: tpbpd <tpbpd@pland.gov.hk>

File Ref:

Dear TPB Members,

Another plan that has been dragging feet for far too long.

Parking increased to 343 but NO BICYCLE PARKING included. Still no indication that there will be any community facilities, unacceptable for such a large site that would burden the already inadequate district community services with an additional 2,500 residents.

Members should reject the application. The footprint of the site is problematic.

Previous objections upheld.

Mary Mulvihill

From:

To: tpbpd <tpbpd@pland.gov.hk>

Date: Thursday, 21 September 2023 1:57 AM HKT

Subject: Re: Y/YL-SK/1 DD 112 Shek Kong

Dear TPB Members,

No soft copy so Joe Public cannot determine if any community facilities have been included.

According to the PR the recent amendments made to the Town Planning ordinance are to speed up the process.

However it is quite clear that this statement is misleading. While the rights of residents to participate in the process have been drastically reduced, developers face no constraints on their practices that prolong the application on some developments for years by submitting endless 'additional information'.

Once plans have been exhibited for a stipulated period they should be withdrawn and subject to current guidelines such as the submission of soft copies, etc..

Mary Mulvihill

From:

To: tpbpd <tpbpd@pland.gov.hk>
Date: Friday, 9 December 2022 2:00 AM CST
Subject: Re: Y/YL-SK/1 DD 112 Shek Kong

Dear TPB Members,

In addition there are no community facilities included. Going forward this provision is essential, particularly in NT districts that are in deficit of most services.

Mary Mulvihill

From:

To: tpbpd <tpbpd@pland.gov.hk>
Date: Saturday, 4 June 2022 10:57 PM CST
Subject: Y/YL-SK/1 DD 112 Shek Kong

Y/YL-SK/1

Lots 246, 247 (Part), 251 (Part), 253 (Part), 254, 255 (Part), 256, 257, 258 (Part), 260, 263, 273 RP, 274, 275, 277, 278 S.B, 279, 280, 284, 294 RP, 295, 849, 850, 851 (Part), 853, 856 (Part), 859 (Part), 861 (Part) and 862 in D.D. 112 and Adjoining Government Land, Kam Sheung Road, Shek Kong

Site area : About 41,290sq.m Includes Government Land of about 415sq.m

Zoning : "Res (Group D)"

Proposed Amendment : Rezone to "Res (Group C)" / 850 Units / PR 0.8 / 6 floors / OS 2,280sq.m / 285 Vehicle Parking

Dear TPB Members,

The site is not cohesive, there are a number of lots belonging to others that could impact the well being of the residents and create issues going forward.

Also one has to question the sections given over to 'visitor parking'. It would be more efficient land use to add another floor to the parking and provide a vehicle free environment. Note no bicycle parking for such a rural location? Residents could cycle to the parking facilities from their homes.

With a population of over 2,000 there should be a basketball court. Shek Kong does not have many community facilities.

Note an **average unit size of about 38.9m²** so in other words just over 50% of the GFA of ONE FLOOR of a village house.

This is quite alarming as 400sq.ft. is not large enough to raise a family, particularly in rural areas where there are fewer community facilities and alternative spaces. In urban areas there is a wide variety of indoor and outdoor recreational facilities, coffee shops, etc one could escape to.

While we are being told that all this development is going to provide a better quality of life, most of the plans going through indicate that this is not the case. Going forward the scenario for many will be living in a constricted space with far fewer community amenities and longer commutes.

Mary Mulvihill

5614

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Fw: Letter for application No. Y/YL-SK/ 1

08/12/2023 22:31

From:

To: "tpbpd@pland.gov.hk" <tpbpd@pland.gov.hk>

Sent by: tpbpd@pland.gov.hk

File Ref:

1 attachment



Letter toTPBPD.pdf

Dear Madam/Sir,

Attached herewith is a letter about the Application No. Y/YL-SK/1

Thanks with regards

Chan Mo Ching

城市規劃委員會秘書
香港北角渣華道333號北角政府合署15樓

關於元朗八鄉蓮花地村和鰲居村的交界
興建大型住宅的意見書

申請編號：Y/YL-SK/1 - 申請人提交進一步資料

致各位官員和委員

你們好！關於以上申請編號 Y/YL-SK/1
的項目，我們有以下的意見：

- 1) 錦上路是一條不合標準的道路，行人路非常狹窄，特別是申請興建大型屋苑的地段，如果在此地段不慎跌倒或因天雨路滑而跌倒，便可能會掉落一邊的小溪或另一邊的車道被車撞倒而有生命危險，其實我們每天都在惶恐中，心驚膽跳地步行此行人路。
 - 2) 錦上路多處地方都有水患，每當大雨時，由於周邊的排水渠設施不足，我們的屋宇旁邊是河流而門前似大海，我們隔鄰的幾戶人家都遇過嚴重的水浸情況。
 - 3) 錦上路一帶並沒有中央污水系統設施，如這項目所產生的污水處理不當，便會嚴重影響公共衛生。
 - 4) 如這項目填過高^理其他地段，其他地段便是低窪地帶而水患便會更加嚴重。
- 基於上述幾點原因，謹希望各官員和委員權己及人，體恤我們一帶居民的苦況，否決這項目申請直至所有配套設施建設完善。謝謝。

陳慕貞上

2023年12月7日

5615

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Y/YL-SK/1 - 10th submission 8.12.2023 deadline - comments

08/12/2023 20:56

From:

To:

tpbpd@pland.gov.hk

Sent by:

tpbpd@pland.gov.hk

File Ref:

1 attachment



259A comments 8.12.2023.pdf

Dear sir/madam,

Please find attached Comments for the above subject.

Grateful if you could confirm your receipt of this email and its attachments in your earliest convenience.

Yours faithfully

8th December 2023

Dear Secretary of the Town Planning Board,

Re: Comments to the Town Planning Board in respect of Application Y/YL-SK/1

We are residents to following our comments we sent you on 3rd June, 5th August, 7th October 2022, 9th December in 2022, 24th February, 14th April, 30th June, 21st July 2023 and 22nd September during the first, second, third, fourth, fifth, sixth, seventh, eighth and ninth rounds of submission respectively made by the applicant, with the newly added information in the current ninth round of submission, we would like to share with you our further views.

Our comments sent in the nine previous rounds of public comments seeking remain.

The Proposed Development ("PD" hereafter) of above reference **envelopes our compound 270 degrees**. Having reviewed the plan and the documents made available at the Planning Department, we feel that no consideration has been taken into account of Wah Yuen in the planning of the PD.

It has been over one and a half year since the applicant made the submission to Town Planning Board. Numerous consultant reports, with pre-determined self-serving conclusions have been filed and updated. Yet we have all this time raised our doubts on the credibility of these reports. These reports keep being re-amended and re-submitted, yet they do not take into consideration of comments made by the governmental departments as well as the public, including that of **residents of Wah Yuen, who is the biggest group of victim**. Same information is repeated and repeated ignoring voices in the public and the government departments. Basic vicinity factual information, such as waterstream between Wah Yuen and the PD have been conveniently/deliberately (?) omitted.

Stepping out from these self-serving reports, the big picture is:

- Level of PD is raised, hence all future excess water caused by heavy rain will all go in our direction, this is our most feared scenario;
- All our visuals/airflow will be gone as the PD is 6 storeys high, few metres away from ALL THE NEIGHBOURHOOD, including us in Wah Yuen which is a **stone's throw away**. ALL neighbourhood is 3-storey building. Why such 6 storeys planning is allowed is beyond belief in any developed world. What is the point of Town Planning if such audacity is allowed ?????? Such negative drastic impact on the environment, especially to us in Wah Yuen has already been mentioned by the various government departments. Will the TPB take these into consideration ?

- Frankly speaking, all such consultants reports are self-serving rigmaroles, just assisting the applicant in fulfilling the administrative requirements. What should be asked is, why should such eighteen 6-storey buildings be approved when it has been agreed that dense development is to be built near the Kam Sheung Road MTR area, **rather than along a single file country road ?????**
- **The never-ending rounds of amended reports seem to tunnel the audience into the thinking that if all infrastructure is well supported** (heavy doubts on this anyway especially regarding the use of antiquated statistics in assessing the risk of heavy rainfall), **then all will be fine and should be approved. Is this true ?**

All the reports concentrate on proving that situation to the neighbouring areas will NOT BE WORSE OFF. If this is the basis of the PD's justification, then I would like to draw the attention of the members of the TPB that **our situation WILL BE WORSE OFF**. Our 3-storey houses will be blocked by the 6-storey buildings of the PD, few feet away. ALL views gone, natural airflow gone. MUCH MUCH WORSE OFF. And there is great uncertainty with the **flooding risks** due to the desktop/antiquated database justification of the paid consultants.

What about the planning / outlook of the countryside area? Have we forgotten all of this ???? So the argument is twisted to the fact that any storey/kind of buildings can be built provided the developer can build all infrastructure required ?! Consideration of nearby neighbourhood, how the building is FULLY SHADOWING all our houses in Wah Yuen, as we are only 3-storey buildings, as opposed to the 6-storey blocks built FEW feet away from us, all goes down the drain ?

We came to live in this area, and investment our hard earned money, with the understanding that the area is only zoned for 3-storey buildings. What justifications does the developer have in violating this plan ? Densely populated developments should be built near the MTR at station, 5.1 km away, where the area is planned for high tall buildings.

If so, then what is the point of urban and town planning ?

We question the fairness of this continuous bombardment of amendment reports in the process. We are the MOST ADVERSELY IMPACTED GROUP OF RESIDENTS adjacent to the PD. Yet, every few months, the same reports come back with the same outlook, paying lip service to the queries made by the government departments, yet NEVER ADDRESSING ANY OF OUR CONCERNS.

- Throughout this 1.5 year, we have been in constant fear / worry about the building of the PD, 6-storey buildings, 18 of these in all, TOTALLY enveloping Wah Yuen. Besides the macro / wider concern from all residents in the area, with objection letters of reaching 5,111 so far, as residents of Wah Yuen, the PD will simply ruin our environment. No consultant report is necessary to understand this catastrophic impact. This should just not be allowed. The developer should stay within the zoning limit and respect our environment. It is as simple as this.

Vicinity area is all 3-storey houses, maximum family units per house is 3. With Wah Yuen, we are mostly single family occupiers for each of the 3-storey houses. In total there are 11 family units for Wah Yuen. Similar demographic pattern applies for houses in the vicinity.

As far as city planning is concerned, how can one justify building a 850 units complex next / stone's throw, FEW FEET AWAY (of all the possible plans the developer could have using its landspace, but they have to be just RIGHT NEXT to our windows, blocking all the views/airflow we have) to such existing environment ??????????

Approving such ridiculous density in the area means total destroy of the rural environment. The developer should swallow its greed and respect the rural environment and build somewhere where denser living is the norm. By forcefully building eighteen 6-storey towers in our tranquil area, this will create hostility between new residents of the PD and the existing neighbourhood as we will all be suffering so badly because of this disrespectful plan. If the developer wants to build in the area, they have to follow the existing plan and build up to 3 storeys. This application from the developer is ridiculous and we are just shocked to say the least, how such application can be dreamt of. This application with the TPB has taken over a year and a half now, and the voices of concern and rejection of the PD has been strong. Why is the PD still shuffling endless amended self-serving consultant reports for application, wasting everyone's time and effort, and causing us tremendous angst ? Why cannot the applicant just swallow its greed and stay within the existing building frameworks and plan for 3-storeys development instead ?

Given the recent black rain on 8th September 2023, Wah Yuen was flooded. Please see photos below, these are self-explanatory. During the day, officers from Drainage Services Department also came for site visit. They are fully aware of how water rushes into Wah Yuen in all directions, through gravity as there is a gently slope within the compound, as well as through overflow of water from waterstream along the boundaries of the complex.

There is NO FORESIGHT in the consultants' reports at all, as they are self-servicing. How can anyone deny that global warming is not making huge impact on climate, increasing the frequency of typhoons, increased duration of typhoon season, intensity, as well as heavy rain. Labelling these phenomenon as occurring one in last 200 years, one in 400 years, are just blindfolded statistics serving no purpose as far as prevention of the destruction of these natural disasters are concerned.

With global warming, the world is changing. We might face the end of the world, whilst still quoting such meaningless statistics, as one in 1 million years, before the demise of mankind ??????????

We vehemently dispute the reliability of these self-servicing consultancy reports, where they justify their what-so-called channels in scenarios of 1 in 10 years, 1 in 50 years, 1 in 200 years. Haven't we just had just a heavy rain of 1 in 400 years ??

We urge members of the TPB to be receptive on what we are facing from a macro perspective. The way how the applicant justifies its over-the-top development is just groundless. Raising the whole PD above existing ground level, with walls enclosing the entire compound, means all the surroundings will be flooded with the PD not being affected at all, the proposed channels are purely for the benefit of the PD itself. Water that is currently absorbed by the earth / soil in the surrounding, will flow into the surroundings, into Wah Yuen as all surface will be converted to concrete/tarmac. How can such design be allowed ? Is this criminal ?

Quoting a recent article from the South China Morning Post dated 22nd September 2023, by Johnny Chan, emeritus professor, City University of Hong Kong, and science director, Asia-Pacific Typhoon Collaborative Research Centre (in excerpts):

*With global warming, the amount of moisture in the atmosphere will continue to increase. Also, the Pearl River Delta, and in fact the Greater Bay Area, will further develop and become even more urbanised. **These two factors are therefore likely to lead to not only more frequent heavy rain events, but also higher rainfall intensity or the amount of rain per hour.***

Given this very likely scenario, Hong Kong has no choice but to adapt to the possible consequences of heavy rain, namely flooding and landslides.

*A main cause of the flooding this time was that the drainage system was designed based on historical heavy rain events, and **these assumptions are no longer valid because global warming will very likely cause a further increase in rainfall intensity.** A review of the adequacy of the current drainage system should therefore be made.*

*For too long, society has not been willing to address the impacts of climate change and has now paid the price. It is hoped that this extreme rainfall event can serve as a **wake-up call** for everyone on the need to take action to adapt to these impacts and make our city more resilient.*

It does not take an expert like Professor Chan to see the points above. This is happening right in front of our eyes. And we are still allowing such self-serving consultant reports to justify such over-the-top development ?

Moreover, the continuous prolonged application since April 2022 means a continuous mental stress on all residents of Wah Yuen. Isn't such never ending re-submission subject to stipulated period by the government ? Shouldn't such application be withdrawn by now ?

We object strongly to the Application.

Below being our comments on the latest round of information submitted 10th November 2023:

Overall, in our layman eyes, nothing significant has changed except for amendment of technical data here and there. The developer/its hired consultants are just ignoring our concerns / Government department concerns, such as the Chief Architect, and underdressing the impact of the PD on residents of Wah Yuen.

Per Appendix 2 – Water Quality Impact Assessment, para 1.3:

"The surrounding context is in general in rural setting with low-rise village settlements, open storage sites and scattered active farmland. The areas to the East and West of the Rezoning Site are mainly surrounded by different villages zoned "village Type Development" ("V"). The area zoned "Agriculture" with temporary structures is situation to the North of Site across Kam Sheung Road. The area to the immediate south is mainly zoned "Agriculture", which is in general abandoned farmland. "

The reality is, 3 of the 6 storey towers, namely T7, T8, T11 and multi-level carpark are **leaning right over our windows, few feet away. Our view, air quality, TOTALLY DESTROYED.**



Per Appendix 4 – Drainage Impact Assessment

No matter how many times the reports are re-submitted, if it does not recognize the water course on the west side of Wah Yuen (where we have repeatedly mentioned again and again in all our comments to TPB in all the previous rounds of comments), where water flow is stagnated and cannot flow free due to the recent years of excavation of the proposed site, and situation surely will be worsened if this area is built up and laid by concrete.

As we have questioned repeatedly, with global warming right in front of us, these paid consultants of the applicant are still using antiquated database ??? These what so called 1 in 100 years events etc etc.... Wah Yuen has been flooded twice since 2018, the latest being this September during the Black Rain.

Throughout the report, it is mentioned that there are certain areas that are under private ownership hence assess was not taken. This is a black hole in the report as misunderstanding of the topography of the nearby areas means that the flooding risks of nearby areas are missed out. Take for example, this watercourse on west side of Wah Yuen has ben ignored again and again.

Para 4.1.6 mentions no need for the additional inception pipe for Channel 5. We are not drainage expert, however, Channel 1 goes along the east side of Wah Yuen. If water does not drain out fast enough, it will also flow westward within Wah Yuen to the western side houses of Wah Yuen, this will definitely have devastating impact on us.

Appendix B5.2 fidgets between small differences under 1 metre. Is this really going to be material in the big scheme of things when global warming brings severe weather to us ?

On a more fundamental front, the applicant's site has a total area of 41,290m², this means 41,290m² of natural soil will be turned into concrete, phenomenally reducing the capacity of water retention/absorption in neighbouring areas. Has this been taken into consideration ?

Besides the DEVASTATING towering impact of the PD on us, block all our views, natural air and sun, flooding risk is our greatest fear. We have mentioned that Wah Yuen was flooded during the Black Rain in September this year 2023. Last time Wah Yuen was flooded, it was in 2018. Before then, **in the last 50 years, it was NEVER FLOODED !!!!!**

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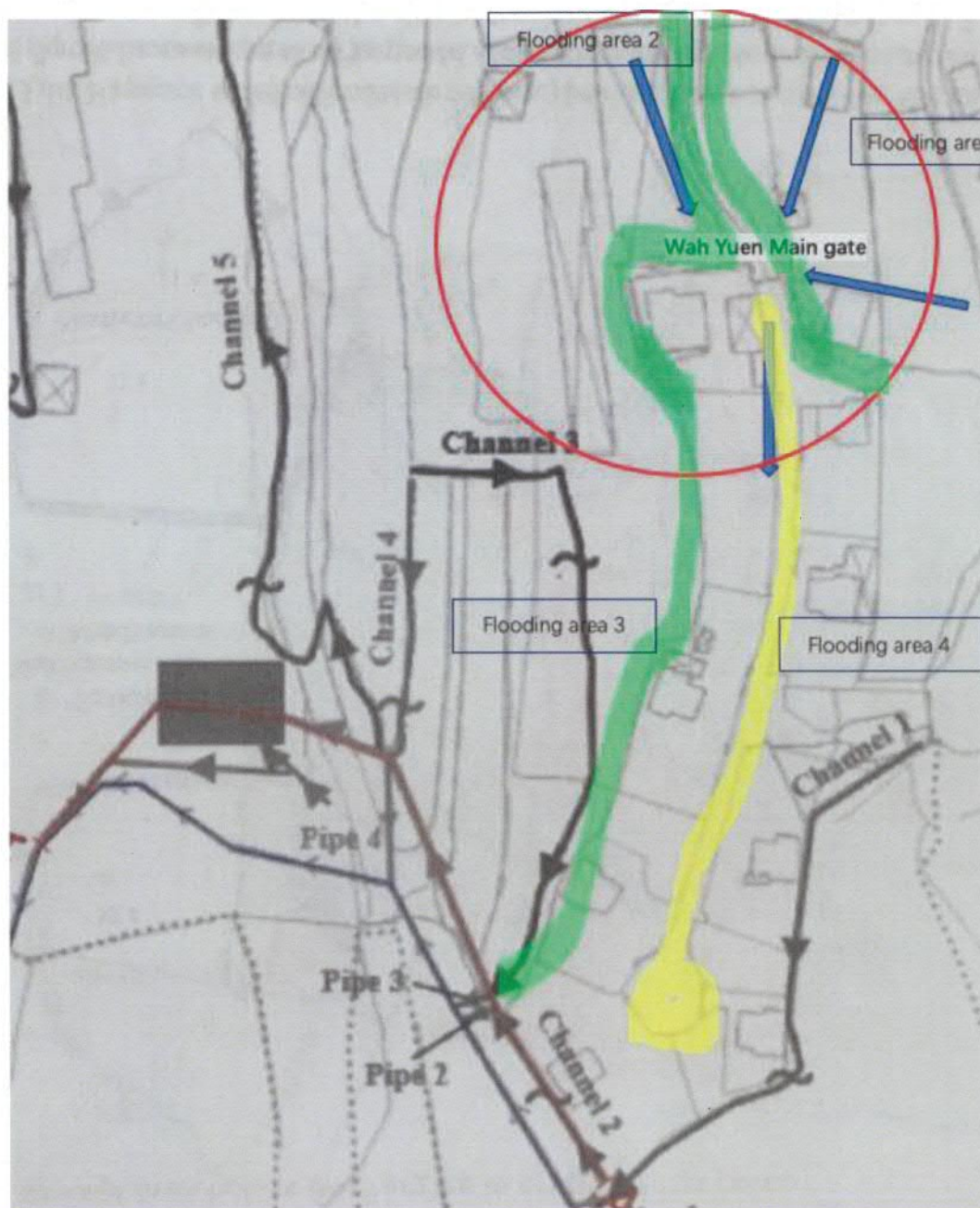
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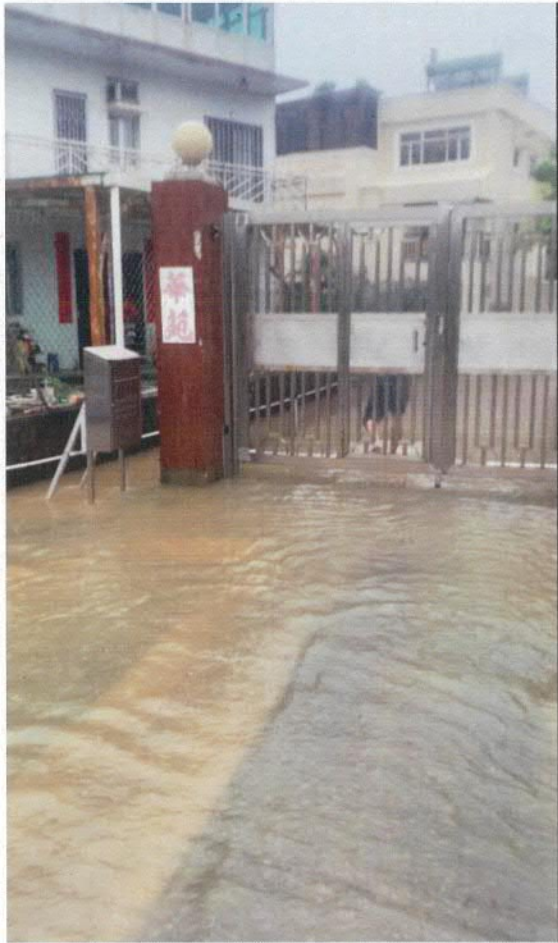
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We use the recent pictures of the late 8 Sept 2023 Black rain day as example to illustrate where the floodings are:

The flooding stream is highlighted in green in the picture. The water level of the streams have drastically increased after rain to **above road level of over 20 cm**. This measurement however is not to be taken as maximum as we were only able to venture outside of our house when the situation in our house subsided. As such water level above road was definitely higher.





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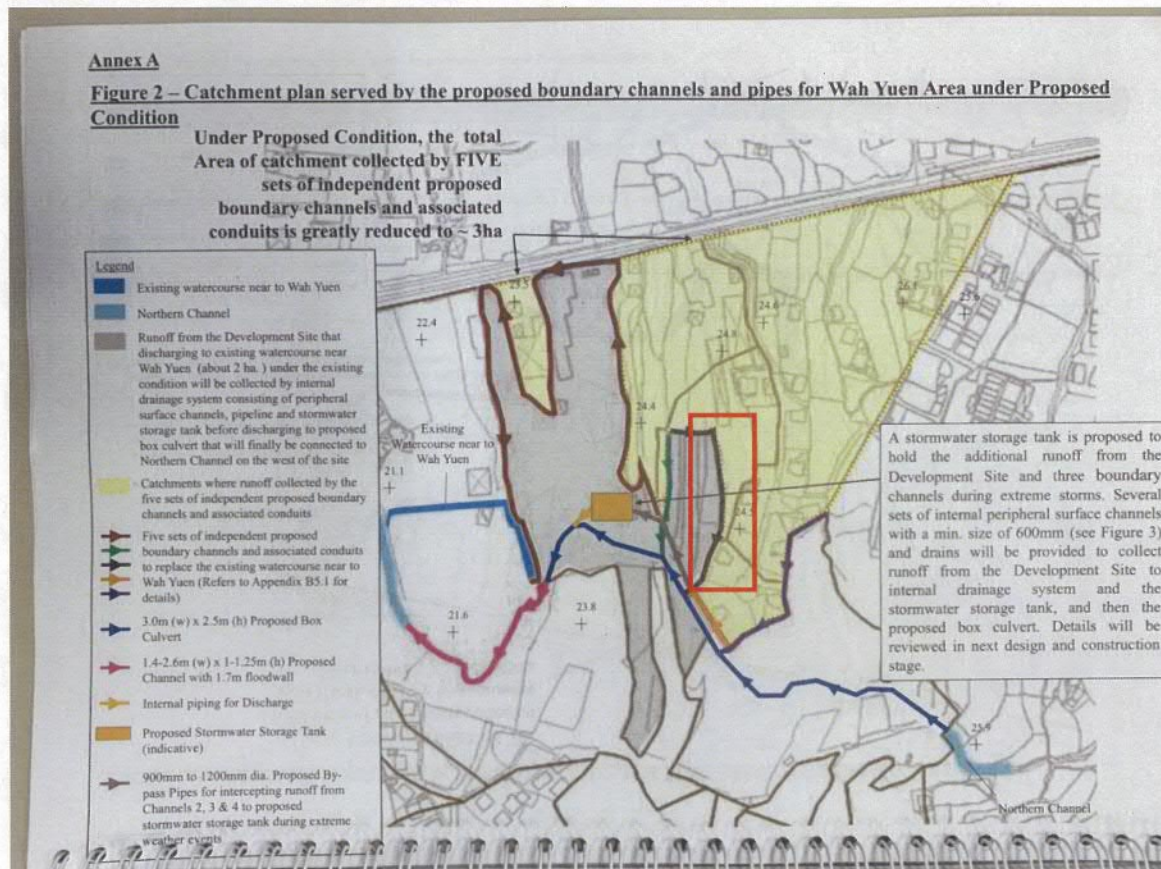
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The proposed development area in grey are all natural soil which can retain water during heavy rain. The ability to retain water would have largely reduced after construction. We as residents of Wah Yuen are very anxious, the threat of flooding will become higher within the Red line highlighted area.

As much as the Applicant, through the consultant reports, portrayed that it has made consideration on the water drainage issue, it has ALL THIS TIME IGNORED THE FACT THAT THERE IS A WATERSTREAM ALONG THE WESTERN SIDE OF WAH YUEN. This has been ignored probably as this does not form part of boundary of the PD. However, with the construction of the PD along the border of Wah Yuen, it is affecting the flow of this waterstream along Wah Yuen. Is this applicant ignoring the impact the PD by simply arguing that this is NOT ALONG its

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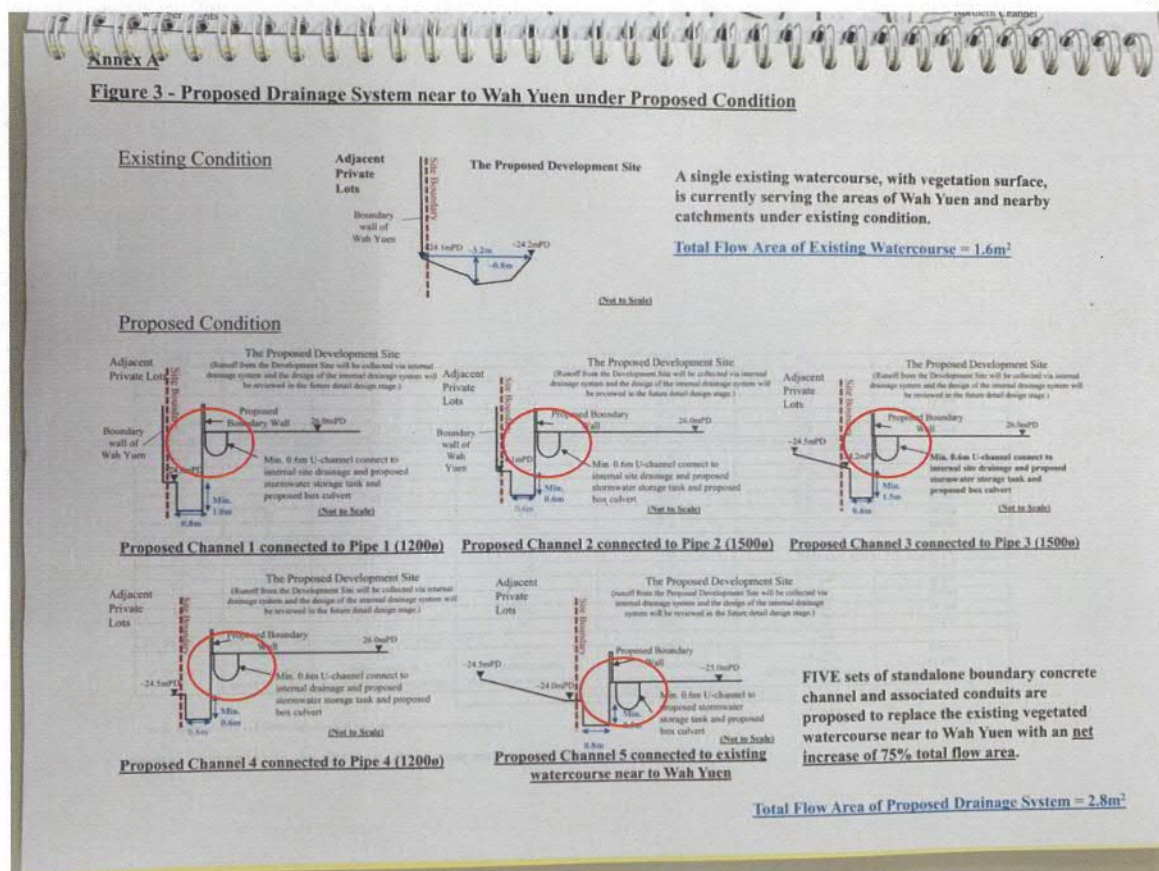
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For the new Proposed 5 new U-shape surface channel, it is built within the boundary wall of newly proposed development. These does not help the evasion of flooding water into the nearby stream of Wah Yuen, again have not solved the issue of possible high threat of flooding in the west boundary of Wah Yuen.



Given the uncertainty of so many assumptions, and the omission of factual existence of the waterstream on western side of Wah Yuen, we are extremely concerned about how reliable the consultant report is. The model needs to be amended to include this western side waterstream for a start.

On the day of the Black Rain 8th September 2023, officers from Drainage Services Department paid a visit to Wah Yuen. The situation in Wah Yuen, with water overflowing from north/northeast side of Wah Yuen to the common driveway, water flowing down (due to slight slope within the compound) from east to west side, and backflow of water from waterstream on west side of boundary wall ...leading to the houses on the western side of Wah Yuen all flooded, were all witnessed by the officers.

Yours faithfully,

Residents of

Residents Signature :

居民簽署 :



Name (Print):

K. Ng

名(正楷) :

Address:

通訊:

Telephone number:

電話:

Residents Signature :

居民簽署 :



Name (Print):

M. Tam

名(正楷) :

Address:

通訊:

Telephone number:

電話:

Residents Signature :

居民簽署 :



Name (Print):

Y.S. Yew

名(正楷) :

Address:

通訊:

Telephone number:

電話:

3rd May 2024

Dear Secretary of the Town Planning Board,

Re: Comments to the Town Planning Board in respect of Application Y/YL-SK/1

We are residents to [REDACTED] following our comments we sent you on 3rd June, 5th August, 7th October 2022, 9th December in 2022, 24th February, 14th April, 30th June, 21st July, 22nd September and 8th December 2023 during the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth rounds of submission respectively made by the applicant, with the newly added information in the current eleventh round of submission, we would like to share with you our further views.

Our comments sent in the ten previous rounds of public comments seeking remain.

The Proposed Development ("PD" hereafter) of above reference **envelopes our compound 270 degrees**. Having reviewed the plan and the documents made available at the Planning Department, we feel that no consideration has been taken into account of Wah Yuen in the planning of the PD.

It has been over one and a half year since the applicant made the submission to Town Planning Board. Numerous consultant reports, with pre-determined self-serving conclusions have been filed and updated. Yet we have all this time raised our doubts on the credibility of these reports. These reports keep being re-amended and re-submitted, yet they do not take into consideration of comments made by the governmental departments as well as the public, including that of **residents of Wah Yuen, who is the biggest group of victim**. Same information is repeated and repeated ignoring voices in the public and the government departments. Basic vicinity factual information, such as waterstream between Wah Yuen and the PD have been conveniently/deliberately (?) omitted.

Stepping out from these self-serving reports, the big picture is:

- Level of PD is raised, hence all future excess water caused by heavy rain will all go in our direction, this is our most feared scenario;
- All our visuals/airflow will be gone as the PD is 6 storeys high, few metres away from ALL THE NEIGHBOURHOOD, including us in Wah Yuen which is a **stone's throw away**. ALL neighbourhood is 3-storey building. Why such 6 storeys planning is allowed is beyond belief in any developed world. What is the point of Town Planning if such audacity is allowed ?????? Such negative drastic impact on the environment, especially to us in Wah Yuen has already been mentioned by the various government departments. Will the TPB take these into consideration ?

- Frankly speaking, all such consultants reports are self-serving rigmaroles, just assisting the applicant in fulfilling the administrative requirements. What should be asked is, why should such eighteen 6-storey buildings be approved when it has been agreed that dense development is to be built near the Kam Sheung Road MTR area, **rather than along a single file country road ?????**
- **The never-ending rounds of amended reports seem to tunnel the audience into the thinking that if all infrastructure is well supported** (heavy doubts on this anyway especially regarding the use of antiquated statistics in assessing the risk of heavy rainfall), **then all will be fine and should be approved. Is this true ?**

All the reports concentrate on proving that situation to the neighbouring areas will NOT BE WORSE OFF. If this is the basis of the PD's justification, then I would like to draw the attention of the members of the TPB that **our situation WILL BE WORSE OFF**. Our 3-storey houses will be blocked by the 6-storey buildings of the PD, few feet away. ALL views gone, natural airflow gone. MUCH MUCH WORSE OFF. And there is great uncertainty with the **floodings risks** due to the desktop/antiquated database justification of the paid consultants.

What about the planning / outlook of the countryside area? Have we forgotten all of this ???? So the argument is twisted to the fact that any storey/kind of buildings can be built provided the developer can build all infrastructure required ?! Consideration of nearby neighbourhood, how the building is FULLY SHADOWING all our houses in Wah Yuen, as we are only 3-storey buildings, as opposed to the 6-storey blocks built FEW feet away from us, all goes down the drain ?

We came to live in this area, and investment our hard earned money, with the understanding that the area is only zoned for 3-storey buildings. What justifications does the developer have in violating this plan ? Densely populated developments should be built near the MTR at station, 5.1 km away, where the area is planned for high tall buildings.

If so, then what is the point of urban and town planning ?

We question the fairness of this continuous bombardment of amendment reports in the process. We are the MOST ADVERSELY IMPACTED GROUP OF RESIDENTS adjacent to the PD. Yet, every few months, the same reports come back with the same outlook, paying lip service to the queries made by the government departments, yet NEVER ADDRESSING ANY OF OUR CONCERNS.

- Throughout this 1.5 year, we have been in constant fear / worry about the building of the PD, 6-storey buildings, 18 of these in all, TOTALLY enveloping Wah Yuen. Besides the macro / wider concern from all residents in the area, with objection letters of reaching 5,111 so far, as residents of Wah Yuen, the PD will simply ruin our environment. No consultant report is necessary to understand this catastrophic impact. This should just not be allowed. The developer should stay within the zoning limit and respect our environment. It is as simple as this.

Vicinity area is all 3-storey houses, maximum family units per house is 3. With Wah Yuen, we are mostly single family occupiers for each of the 3-storey houses. In total there are 11 family units for Wah Yuen. Similar demographic pattern applies for houses in the vicinity.

As far as city planning is concerned, how can one justify building a 850 units complex next / stone's throw, FEW FEET AWAY (of all the possible plans the developer could have using its landscape, but they have to be just RIGHT NEXT to our windows, blocking all the views/airflow we have) to such existing environment ??????????

Approving such ridiculous density in the area means total destroy of the rural environment. The developer should swallow its greed and respect the rural environment and build somewhere where denser living is the norm. By forcefully building eighteen 6-storey towers in our tranquil area, this will create hostility between new residents of the PD and the existing neighbourhood as we will all be suffering so badly because of this disrespectful plan. If the developer wants to build in the area, they have to follow the existing plan and build up to 3 storeys. This application from the developer is ridiculous and we are just shocked to say the least, how such application can be dreamt of. This application with the TPB has taken over a year and a half now, and the voices of concern and rejection of the PD has been strong. Why is the PD still shuffling endless amended self-serving consultant reports for application, wasting everyone's time and effort, and causing us tremendous angst ? Why cannot the applicant just swallow its greed and stay within the existing building frameworks and plan for 3-storeys development instead ?

Given the recent black rain on 8th September 2023, Wah Yuen was flooded. Please see photos below, these are self-explanatory. During the day, officers from Drainage Services Department also came for site visit. They are fully aware of how water rushes into Wah Yuen in all directions, through gravity as there is a gently slope within the compound, as well as through overflow of water from waterstream along the boundaries of the complex.

There is NO FORESIGHT in the consultants' reports at all, as they are self-servicing. How can anyone deny that global warming is not making huge impact on climate, increasing the frequency of typhoons, increased duration of typhoon season, intensity, as well as heavy rain. Labelling these phenomenon as occurring one in last 200 years, one in 400 years, are just blindfolded statistics serving no purpose as far as prevention of the destruction of these natural disasters are concerned.

With global warming, the world is changing. We might face the end of the world, whilst still quoting such meaningless statistics, as one in 1 million years, before the demise of mankind ??????????

We vehemently dispute the reliability of these self-servicing consultancy reports, where they justify their what-so-called channels in scenarios of 1 in 10 years, 1 in 50 years, 1 in 200 years. Haven't we just had just a heavy rain of 1 in 400 years ??

We urge members of the TPB to be receptive on what we are facing from a macro perspective. The way how the applicant justifies its over-the-top development is just groundless. Raising the whole PD above existing ground level, with walls enclosing the entire compound, means all the surroundings will be flooded with the PD not being affected at all, the proposed channels are purely for the benefit of the PD itself. Water that is currently absorbed by the

earth / soil in the surrounding, will flow into the surroundings, into Wah Yuen as all surface will be converted to concrete/tarmac. How can such design be allowed ? Is this criminal ?

Quoting a recent article from the South China Morning Post dated 22nd September 2023, by Johnny Chan, emeritus professor, City University of Hong Kong, and science director, Asia-Pacific Typhoon Collaborative Research Centre (in excerpts):

*With global warming, the amount of moisture in the atmosphere will continue to increase. Also, the Pearl River Delta, and in fact the Greater Bay Area, will further develop and become even more urbanised. **These two factors are therefore likely to lead to not only more frequent heavy rain events, but also higher rainfall intensity or the amount of rain per hour.***

Given this very likely scenario, Hong Kong has no choice but to adapt to the possible consequences of heavy rain, namely flooding and landslides.

*A main cause of the flooding this time was that the drainage system was designed based on historical heavy rain events, and **these assumptions are no longer valid because global warming will very likely cause a further increase in rainfall intensity.** A review of the adequacy of the current drainage system should therefore be made.*

*For too long, society has not been willing to address the impacts of climate change and has now paid the price. It is hoped that this extreme rainfall event can serve as a **wake-up call** for everyone on the need to take action to adapt to these impacts and make our city more resilient.*

It does not take an expert like Professor Chan to see the points above. This is happening right in front of our eyes. And we are still allowing such self-serving consultant reports to justify such over-the-top development ?

Moreover, the continuous prolonged application since April 2022 means a continuous mental stress on all residents of Wah Yuen. Isn't such never ending re-submission subject to stipulated period by the government ? Shouldn't such application be withdrawn by now ?

We object strongly to the Application.

Below being our comments on the latest round of information submitted 26th March 2024:

Overall, in our layman eyes, nothing significant has changed except for amendment of technical data here and there. The developer/its hired consultants are just ignoring our concerns / Government department concerns, such as the Chief Architect, and underdressing the impact of the PD on residents of Wah Yuen.

TABLE of QUESTIONS AND RESPONSES / Public comments

3.1 VIA is totally ignoring residents of Wah Yuen when PD, 6-storeys tall is towering over us in Wah Yuen, 3-storeys houses, like all other houses in the WHOLE of Kam Sheung Road.

5.1 Green buffer purely for benefit of residents of PD, serves no purpose to us in Wah Yuen if one makes the effort to locate where there are, just bordering PD and nearby farmland.

ANNEX I – Traffic Impact Assessment

Calculation of surplus capacity of public transport flawed.

Conduct of survey at Stops A and B is meaningless. This ignores the fact that going westwards from Stop B, the minibuses will be full very soon as soon as it reaches Shell station, 2.1km from PD enroute to Kam Sheung Road MTR.

Eastwards, from Kam Sheung Road MTR, at peak hour PM, there are queues for all public transport eastwards along Kam Sheung Road. By the time these transport reach Stop A, most of the passengers would have alighted as westward part of PD is much more populous.

Does the desktop analyst of CTA understand how transport links for actual users ? Conducting the surveys at the middle of the Kam Sheung Road does not represent the picture of how popular and easily filled up the public transport are in peak hours.

This is important as the surplus capacity for 2034 is based on such FLAWED OUTDATE SURVEY conducted during COVID times in 2021. COVID adjustment factor, another theoretical approximation !!

Why cannot the consultant take a journey to Kam Sheung road at Peak PM time to see the queues of people waiting for public transportation ?

Per Appendix 4 – Drainage Impact Assessment

No matter how many times the reports are re-submitted, if it does not recognize the water course on the west side of Wah Yuen (where we have repeatedly mentioned again and again in all our comments to TPB in all the previous rounds of comments), where water flow is stagnated and cannot flow free due to the recent years of excavation of the proposed site, and situation surely will be worsened if this area is built up and laid by concrete.

As we have questioned repeatedly, with global warming right in front of us, these paid consultants of the applicant are still using antiquated database ???? These what so called 1 in 100 years events etc etc.... Wah Yuen has been flooded twice since 2018, the latest being this September during the Black Rain.

Throughout the report, it is mentioned that there are certain areas that are under private ownership hence assess was not taken. This is a black hole in the report as misunderstanding of the topography of the nearby areas means that the flooding risks of nearby areas are missed out. Take for example, this watercourse on west side of Wah Yuen has ben ignored again and again.

Para 4.1.5 only 300mm ? Freeboard very shallow.

Appendix B5.2 - addition of proposed boundary wall will protect the proposed development only but simply make the flooding even worse in outside catchment.

The freeboard 300mm from the top of the boundary wall really protect the proposed development. Whereas the ground level of Wah Yuen is way below the 300mm from the top. Also the **boundary wall of Wah Yuen is not water sealed** as there are many rain water outlets on the wall. Wah Yuen is still subject to flooding risk.

Para 4.1.6 mentions no need for the additional inception pipe for Channel 5. We are not drainage expert, however, Channel 1 goes along the east side of Wah Yuen. If water does not drain out fast enough, it will also flow westward within Wah Yuen to the western side houses of Wah Yuen, this will definitely have devastating impact on us.

Appendix B5.2 fidgets between small differences under 1 metre. Is this really going to be material in the big scheme of things when global warming brings severe weather to us ?

On a more fundamental front, the applicant's site has a total area of 41,290m², this means 41,290m² of natural soil will be turned into concrete, phenomenally reducing the capacity of water retention/absorption in neighbouring areas. Has this been taken into consideration ?

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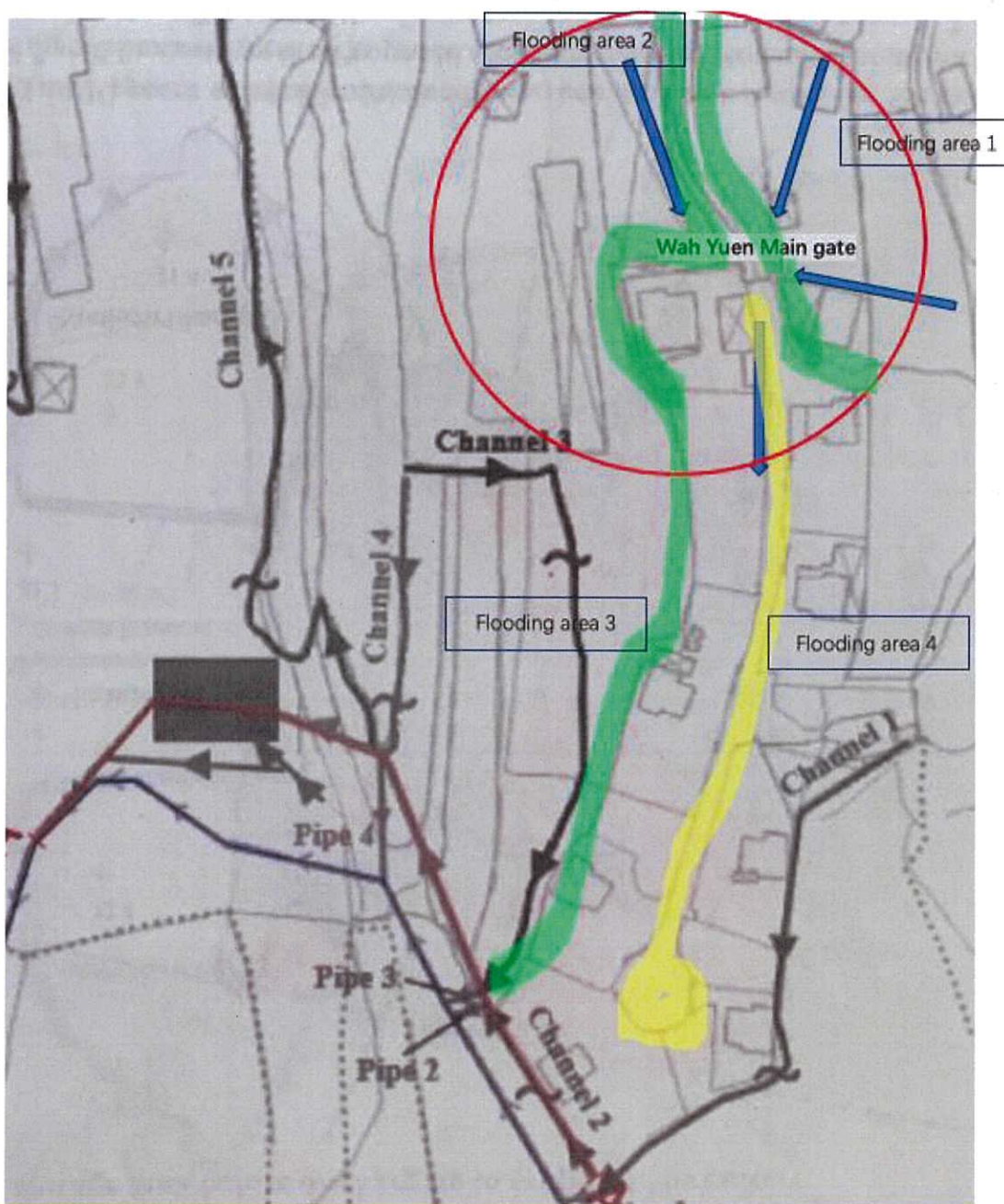
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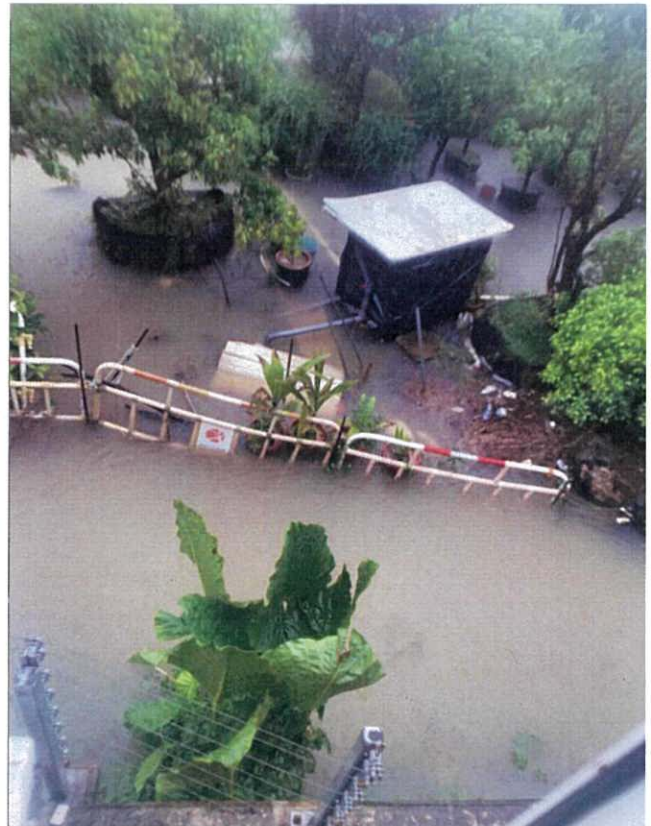
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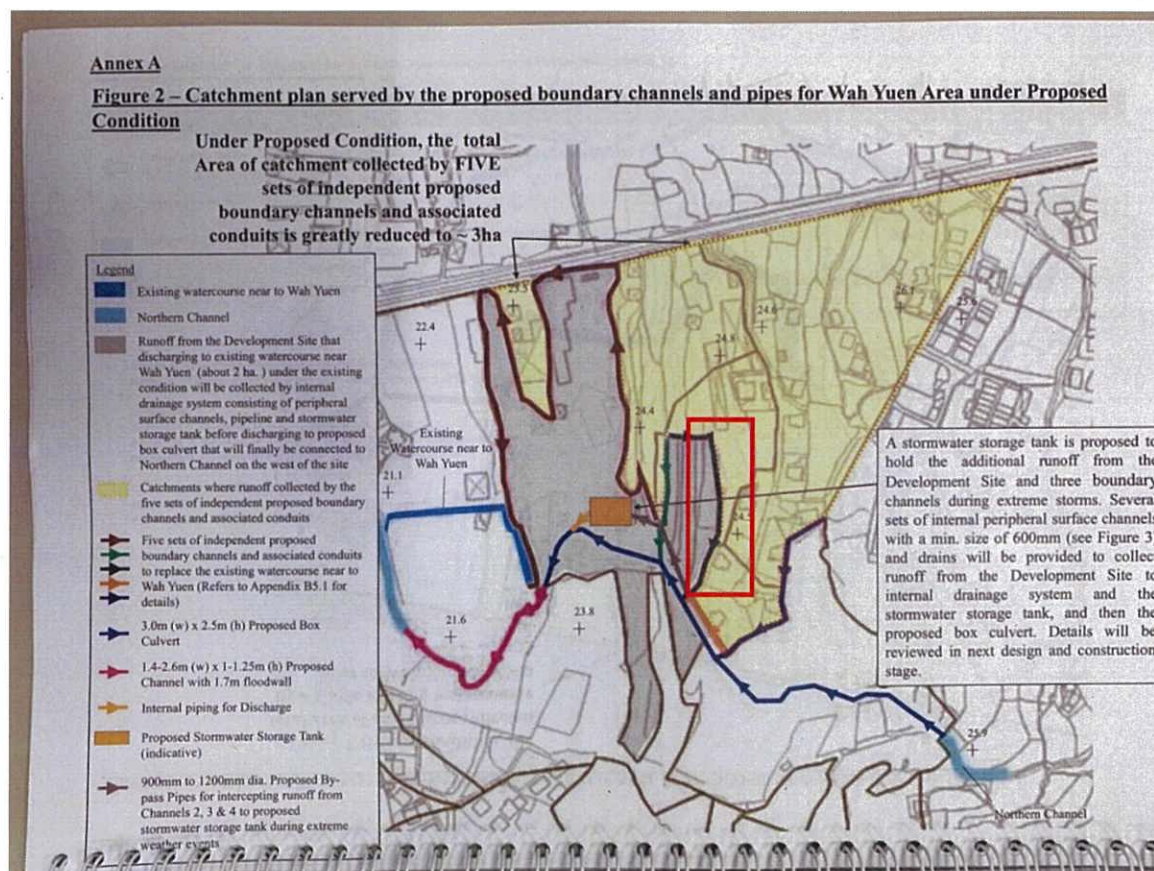
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This shows clearly the existence of the watercourse we have been mentioning in all our comments so far. Why is this not taken into consideration ? This is the waterstream that caused flooding in Wah Yuen in 2018, to all the houses on the western side of Wah Yuen. Is the applicant of the thinking that flooding of just Wah Yuen is insignificant ?????? As much as the waterstream on the western side of Wah Yuen is not as significant as that of the stream nearby, overflowing of this stream means water going into our houses, which has happened in 2018, as well as during the black rain on 8th September 2023. With the PD, where will this waterstream flow to ?????? If the flow is blocked due to the construction of the PD, this means water will backflow to our houses ?????

For the new Proposed 5 new U-shape surface channel, it is built within the boundary wall of newly proposed development. These does not help the evasion of flooding water into the nearby stream of Wah Yuen, again have not solved the issue of possible high threat of flooding in the west boundary of Wah Yuen. **The boundary wall of Wah Yuen is porous** as it was designed to allow for water outflow from drains of the units of Wah Yuen. This drain system has been in existent all the time since Wah Yuen was built. Yet, against this porous wall of Wah Yuen, now there is this PD, with FULLY SOLID BOUNDARY wall, and any water overflow will go to Wah Yuen side and we suffer from this ??

Given the uncertainty of so many assumptions, and the omission of factual existence of the waterstream on western side of Wah Yuen, we are extremely concerned about how reliable the consultant report is. The model needs to be amended to include this western side waterstream for a start.

On the day of the Black Rain 8th September 2023, officers from Drainage Services Department paid a visit to Wah Yuen. The situation in Wah Yuen, with water overflowing from north/northeast side of Wah Yuen to the common driveway, water flowing down (due to slight slope within the compound) from east to west side, and backflow of water from waterstream on west side of boundary wall ...leading to the houses on the western side of Wah Yuen all flooded, were all witnessed by the officers.

Yours faithfully,

Residents of [REDACTED]

Residents Signature :

居民簽署 :



Name (Print):

K. Ng

名(正楷) :

Address:

通訊:

[REDACTED]

Telephone number:

電話:

[REDACTED]

Residents Signature :

居民簽署 :



Name (Print):

M. Tam

名(正楷) :

Address:

通訊:

[REDACTED]

Telephone number:

電話:

[REDACTED]

Residents Signature :

居民簽署 :



Name (Print):

Y.S. Yew

名(正楷) :

Address:

通訊:

Telephone number:

電話:

☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy

From: [REDACTED]
Sent: 2024-05-03 星期五 23:48:53
To: tpbpd/PLAND <tpbpd@pland.gov.hk>; tpbpd/PLAND <tpbpd@pland.gov.hk>
Subject: TPB Public Consultation - Y/YL-SK/1 - 3 May 2024
Attachment: TPB comments from Wah Yuen Residents_050324.pdf

致：城市規劃委員會

日期：2024 年 5 月 3 日

有關：反對 Y/YL-SK/1 申請的公眾意見

我們是華苑居民。華苑是唯一一位處上述更改申請的同一規劃地段，也是最鄰近，且落成逾 40 年的屋苑。現就 Tenox（下稱發展商）於 2024 年 3 月提交申請的進一步資料提出意見，主要意見內容聚焦在發展商回應公眾意見(R to C) 的文件項目。

有關渠務及水浸風險

<p>1 公眾意見：</p> <p>主要環繞發展會增加華苑的水浸風險，並質疑發展擬建的：</p> <ul style="list-style-type: none">- 儲水箱及渠道效用存疑- 替代明渠比天然河道窄及淺；及- 水位上漲風險 <p>發展商回應：</p> <p>發展商聲稱「已盡最大努力，『盡責』地減低鄰近地區，尤其華苑的水浸風險」¹。其擬興建項目包括：</p>	<p>我們不認同發展商就公眾意見的回應。我們認為發展商申建的改動關乎河道及土地，規模大，影響也大，且一旦建成不能逆轉。我們極度擔憂發展商提出的根本性改動會增加水浸風險。如果沒有這些改動，居民根本不期望，發展商也沒有需要「盡責」減低華苑及及鄰近大範圍鄉郊地段的水浸風險。</p> <p>以下列舉發展商提出的大規模更改建設項目包括：</p> <p>1.1 更改存在逾數十年的北面河道 (northern channel) 的走道。</p> <p>1.2 撤走存在逾數十年，為鄰近大範圍鄉郊地區包括華苑排水的天然河道（下簡稱為《河道》），以石屎明渠替代。該明渠²的深闊³比現存的河道窄約 30%和淺約 15%。</p>
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¹ R to C March 2024, p.9, 4.1 "The Applicant has spent its maximum effort and shouldered his responsibility to minimise the flood risk to surrounding areas, especially Wah Yuen"

² 天然河道近發展商建議的 Channel 2 地段作例子

³ 天然河道的闊度在 1.4 米至 2 米之間，替代明渠現建議 1.2 米明渠闊度，平均減少約近 30%。明渠深度雖增至 1.09 米，但仍只及以往約 1.3 米河道的約 84%。

<ul style="list-style-type: none"> - 地下排水管及高 1.7 米防雨渠 - 興建 5 條明渠替代近華苑的天然河道 - 興建儲水箱及截流管展商 <p>發展商認為以上設施能緩解在極端水浸情況下的高水位狀況，並聲稱渠務署確認措施不會做成負面影響。</p>	<p>1.3 發展商升高地盤地平至起碼逾 1.8 米至 26.0mPD。由於 Channel 2 位置地平為 24.1mPD 是華苑的最低點⁴。現時天然河道兩岸地平距離不大。若通過規劃，Channel 2 位置會由一條 1.2 米的明渠替代，兩岸地平的高低差距由原本 0.1 米大幅上升 19 倍至 1.9 米，高過一個人的高度。致令華苑及鄰近大範圍地區頓成低窪地區。</p> <p>1.4 大範圍填平發展地盤約 70%的草地為石屎地台，雖然建屋不能避免平整地台，但因而進一步減弱整個地段的地下天然疏水層，增加水浸風險也是不爭的事實。對於發展商評估加入的補足因數 (factor)，我們認為有低估的疑慮。</p>
<p>2 新建 3 項渠務設施⁵有助減低鄰近地區尤其華苑的水浸風險 (4.1)</p>	<p>2.1 第一項設施：擬建地下排水管 (box culvert) 及一條 1.7 米高的防水牆石屎渠⁶連接堵塞了的北面河道的上下游，我們擔憂：</p> <p>北面河道較環繞華苑的天然河道大規模，走道脈絡更複雜，影響的範圍更廣。我們理解及支持保障天然河道是渠務的大方向。如非必要，或工程不是由政府主導，理論上不應隨便更改。</p> <p>但是項更改由私人發展商主導，不算小規模，且全建基於發展商聲稱北面河道中間斷連，提供的資料是航拍照片和電腦數據。我們曾諮詢過渠務署，但似乎除了發展商提供的資料，署方也沒有實則的證明支持或反證這個說法。</p>

⁴ DIA (Rev H), Appendix B5.1

⁵ R to C March 2024, p.9, 4.1, "the Applicant has proposed the following measures"

⁶ R to C March 2024, p.9, 4.1 (1) "To construct a box culvert and a concrete channel of 1.7m high flood wall within the government lands, in order to re-connect the upstream of channel to downstream of the northern channel at Lin Fa Tei

		<p>我們理解北面河道除了跨越發展地盤，同時橫跨其他私人土地。我們不希望發展商提出這個重大改動，只是便利自己完全掌控屋苑內部的排水系統。</p> <p>事實上，華苑居民比較關注的是，改道了的北面河道其中一段變得更接近華苑，尤其較低點位置，雖然發展屋苑設地下排水管，不肯定的因素仍存在。我們會問：北面河道游走大範圍，有必要由私人發展商主導更改嗎？理據政府部門核實了嗎？</p>
		<p>2.2 第二項設施：擬新建 5 條石屎明渠 Channel 1-5（下簡稱《明渠》）及接駁管，替代現存環繞華苑的天然河道⁷</p> <p>首先，該 5 條明渠實際只有 3 條(Channel 1-3) 直接影響華苑，其餘 2 條位處下游或距離較遠位置，對華苑的影比較間接。</p> <p>該 3 條明渠 (Channel 1-3) 中，Channel 2 河道位置環繞華苑最低點地段，且匯聚經 Channel 1 河道位置流轉的雨水，及更大範圍包括大帽山及鄉村範圍的雨水，我們認為 Channel 2 地段較容易出現水位上漲的問題。但看不到項目設計有考慮實地實際排水需要，如未加闊前闊深度最窄只有 0.6 米，增闊後仍只及天然河道的 30%</p> <p>我們最擔憂的是發展地盤升高地平起碼 1.8 米至 26.0mPD，另在加高的地台沿地界再加建一幅逾 3 米高的石屎圍牆。明渠設在 2 間屋苑的圍牆之間，華苑一邊的圍</p>

⁷ R to C March 2024, p.9, 4.1 (2) "To provide five sets of surface channel and associated pipes near Wah Yuen to replace the existing watercourse to convey run offs from the catchments back to the downstream of the existing natural watercourse near to Wah Yuen"

	<p>牆外設約不足 1 米緩衝位置平常用作維修。另一方面，華苑在 Channel 2 位置為屋苑最低點，只有 24.1mPD。由於明渠變窄變淺，以往能有效疏水的地下泥土層也消失，如果明渠淤塞，水位更容易上升。</p>
	<p>2.3 第三項設施：發展商聲稱會興建排水旁通管截流雨水，在極端惡劣天氣下，截流及收集明渠雨水暫存屋苑儲水箱，但儲水箱設在下游，如果明渠有堵塞，雨水根本去不了地下排水管，遑論下游的儲水箱。</p>
3	<p>有關水力模型測試 - 顧問公司採用水力模型測試及得出的大量數據作主調，聲稱所有預測及數據均支持其計劃改變不會令現存的水浸威脅惡化之餘，更有正面的改善結果。</p> <p>我們尊重科學，也同意水力模型測試是被普遍採用的研究程式，如果運用得宜，可以預計水浸風險。同時，我們認為水力模型測試不是魔術，也不是萬用匙，測試程式如其他科學程式一樣，縱使客觀，但仍存在主觀元素，包括測試者的假設，其收集及放入程式的數據的方法及準確性。不同數據，放入相同程式，得出的結果也可以差之毫厘，謬之千里，故數據必須再三實地核實，而不是在數字上的無限推算。</p> <p>當然，我們估計渠務署會檢視程式的推算程式，各有關數據是否合理等等，但計劃不是由政府主導，也因為資源問題，估計未必細微檢視原數據(raw data)的真實性。最終有問題發生，也沒有官員問責（如元朗大企嶺村在周邊屋苑建成後深受水浸影響，相信當時過城規也有經歷相同的評估程序），建設既已完成，發展計劃由於是新建設自始可以獨善其身，最終只有鄰近存在多年的社區受害。整體而言，我們深信科學程式必須輔以當地地區數據，民間的觀察及體驗。事實上，發展商如完全相信水力模型研究結果，沒有水浸風險，不需要將項目地台大幅提升，興建逾 5 米圍牆，儼如堡壘。</p>

有關交通問題的意見

<p>4 公眾意見：</p> <p>由於錦上路沒有道路改善計劃、公眾認為項目會增加地區對公共交通的需求，交通評估不應撇取小巴 72 和 23 號小巴。公眾對發展項目引入大量居民也感到擔憂。</p> <p>發展商回應：</p> <p>發展商引述公共交通調查報告，認為現時公共交通評估正面，評估有包括 72 及 23 號小巴路線，在平日繁忙時間(0730-0830)只分別錄得 12%-31%載客量⁸。</p>	<p>我們對發展商的公共交通工具載客量的調查設計存疑，認為有誤導成份，並在 2023 年 4 月 14 日提交的公眾諮詢文件簡述理據，現集結如下：</p> <p>4.1 調查的站頭位置不能反映真正乘載量，以行車線計，除 251A 為循環線外，對居於地盤附近的居民交通需求而言，Stop A 屬尾站，Stop B 屬頭站。早上繁忙時間 Stop B 乘客當然未算多，但當車輛行駛至中段時乘客量已經完全不一樣。同樣道理，Stop A 屬回程尾站，中段的乘客已經下車，流量自然相對小。但真正的乘客需求，是以乘客的整體乘車需求計，需求量也必須以整條道路計算。我們看不到調查報告計算的所謂平均載客量，是否有考量整體需求，如果所謂平均數只包括在同一時段的不同車次流量數據的平均數，調查數據怎么可能準確？如果是無謬誤的平均乘客量計算，結果和居民的親身體驗又不盡相同。</p> <p>4.2 站頭的高峰時段設計是本末倒置 – 理論上，高峰時段是針對早上上班居民，這群組通常乘接駁車前往大欖轉車處或錦上路港鐵站到工商區上班，需要交通接駁的居民會在 Stop B 候車，但調查卻設 0830-0930 為高峰時段，請留意接駁交通是前往集體運輸地帶，試問在這個時段，居民如果 0830-0930 仍在這個站頭乘車，他們怎可能趕及大部份 0900 的上班時間到達終點的工商地區？調查得出的乘客量，怎么可能準確？我們相信這些例子只是冰山一角，整個調查報告，在最新的修訂本仍有很多其他設計方面的誤差，遺憾地發展商並沒有理會。如果公眾有誤解，發展商有責任解說。</p>
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⁸ R TO c March 2024, Pg 8, pt 1.1

	<p>4.3 調查設計沒考慮居民的生活模式 - 居民之前已經提及錦上路沒有民生配套，如在發展項目位置前往最鄰近的錦田市購物也須要車輛接駁，且選擇不多，故居民大多須前往元朗購買日常用品，但調查沒有涵蓋這重要需求。事實上，沿錦上路往各處的交通接駁需求遠遠不止於顧問公司調查提及的小段高峰時段。</p> <p>4.4 調查沒有包括居民常用的公共交通工具 - 調查只包括部份的接駁交通工具，沒有包括居民在早上及晚間上班繁忙時間，需求遠超可提供的座位數目，可來回直達商業區的中環的 NR917 & NR918 村巴，及現時往返工商業區最常用的港鐵及巴士的乘客量。</p> <p>4.5 調查與居民的親身經驗不符 - 以 2023 年 3 月 24 日為例，居民下午約 2 時非高峰時段，於調查報告顯示的 Stop B 乘坐 72M 小巴，因為 Stop B 位處錦上路較後段，西行線屬頭站，載客量相對小，但沿路陸續接載乘客已客滿，未及錦上路中段已客滿，眼見之後仍有不少居民揮手想上車，可見需求相當大。</p> <p>在 2023 年 3 月 27 日，同樣非調查設計的高峰時段，約下午 4 點於元朗 72M 總站欲返回錦上路 Stop A 位置，當日開車時只有 3-4 名乘客，但當駛至錦上路期間，已陸續接載了多名乘客，沿途的乘客上落流量總數約 12 名，佔可乘載量約 75%。事實上，這時段為靜態時段，因家庭主婦群組往市場購物回程會選擇乘坐較接近市場的 23 號紅色小巴，而 4 點時段時間又未到放工時間，故客源多為學生或有短程需要的乘客。觀乎這個靜態時段也有約 75% 的載客量，居民怎可能相信經修訂後的 72M 的高峰載客量只有 44% - 56%，而未經修訂的版本更低至 5% - 8% 的載客量？</p>
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5	<p>公眾意見： 發展屋苑範圍內沒有進行交通評估，相信在屋苑內行駛的車輛、卸貨區，停車場及露天停車位均會影響華苑居民</p> <p>發展商回應： 屋苑沿地界會興建設計融和的圍牆，阻隔直望露天停車場及卸貨區的視野。詳情設計會在更改規劃申請審批後才提交。</p>	<p>5.1 項目申請興建 275 停車位，另加 19 個卸貨車位，總數是 294，其中包括一整幢 3 層停車場，興建在貼近華苑單棟屋不足 2 米距離。此外，加上露天停車位，項目超過 60% 停車設施設置在鄰近華苑位置。對一個寧靜，低密度的規劃地帶，有近 300 部車輛在貼近隔鄰屋苑內全天走動，對只有一牆之隔的華苑必定做成困擾。</p> <p>雖然發展商聲稱依循 HKSPG 制訂車位設施，但我們認為除了依循指引，更重要的是必須平衡鄉郊的環境特性。事實上，根據規劃指引⁹，高密度發展項目應該盡量選址接近集體運輸工具如火車站，主要交通交匯點等，以避免增加需要使用道路的交通要求。是項申請密度比鄰近發展高，雖然評估報告聲稱距離錦上路站直徑距離 500m，但以行車道路計，實則距離逾 3.5km，必須倚賴接駁車輛，但現行道路設施不足以支持申請的人口密度及車輛比率，強行引入更多居民會令比例失衡。</p> <p>5.2 發展商提及的圍牆沿地界興建。圍牆高度連升高地台逾 5 米，近 2 層樓高度，超過華苑屋苑圍牆正常高度逾 2 倍，距離¹⁰不足 2 米。大家不難想象華苑所有受影響的單棟屋，面向圍牆一面至一樓的窗戶視野將被圍牆被阻擋，完全不切合 R(D) 規劃用地的規劃原意。</p> <p>5.3 我們認為有關屋苑內部交通評估，至公共交通負荷評估均需認真考慮。這是關乎規劃用地其中一個重要的考量點，有異於審批建築物料等相對簡單的議題，在未有詳細資料並釋除鄰近居民的疑慮，不應通過這個更改規劃申請。</p>
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⁹ Hong Kong Planning Standard and Guidelines, Chapter 2, Residential Densities, p.3, 1.2.2 (c)

¹⁰ 華苑建成逾 40 年，可能是舊式建築，全部房屋興建位置貼近屋苑圍牆不足 2 米。

有關項目樓層高度	
6	<p>公眾意見¹¹： 有公眾意見認為建議的 6 層高樓宇阻擋八鄉上村居視野，認為樓宇高度直接影響華苑及居於 DD112 地段的居民。</p> <p>發展商回應： 沒有回應樓宇高度，只重複視覺評估報告正面。</p>
<p>6.1 發展項目擬興建的 6 層高樓宇，若加上升高了的地平位 (26.0mPD)，樓宇高度在距離只有一牆之隔的華苑視角來看，實則是接近 7 層高。華苑位處同一 RD 規劃地段，樓高只有 2-3 層，周邊是農耕地，構建物也只是 1-2 層。由於現時規劃的地積比是 0.2，建築物之間有一定距離。大家不難想象該實際高度相等於 7 層高的 19 棟樓宇，視覺上不可能協調。</p> <p>6.2 建築署在 2022 年 6 月 1 日提出意見，認為樓宇高度（約 44.15mPD）比較鄰近同處 RD 規劃用地容許興建的 2 層高建築物高出 200%，認為在視覺角度看不大理想 (It is undesirable from visual impact point of view)¹²，並可能難以和鄰近發展相協調 (and may not be compatible to adjacent developments)。建築署並於 2022 年 8 月 17 日再次確認上述意見。(Regarding the building height, our previous comments (via PlanD's email dated 1.6.2022) are still valid.)</p>	
有關項目屋距	
7	<p>公眾意見： 發展項目和華苑之間沒有緩衝，尤其和華苑其中 3 間單棟屋只有約 4 米距離。部份樓宇如 3 層停車場均沒提供資料</p>
<p>7.1 只看現有圖則，我們實在看不到發展商聲稱會興建的視覺舒緩建設。反而，我們看到的發展商會是在距離華苑樓房不足 2 米，高度等於華苑 2 樓層的圍牆，興建後會完全覆蓋華苑地下至一樓疏窗戶。並擬興建一棟鄰近地區鮮見的 3 層停車場，距離華苑樓層只有 2-3 米，比市區停車場與民居距離更近。大量露天停車位距離華苑房屋也只是幾米之遙等等。</p>	

¹¹ R to C March 2024, p.9, pt. 3.1

¹² R to C June 2022, p.5, pt.5.1,

	<p>發展商回應：</p> <p>發展商回應明白項目接近華苑，會在周邊地帶種植綠色圍欄及組件作視覺舒緩。</p>	<p>7.2 建築署在 2022 年 6 月就項目部份住宅樓層的長度超過 60 米提出意見，認為設計對通風和視野穿透有負面影響，建議依循 PNAP APP-152 設計指引分拆樓宇長度。</p> <p>7.3 發展商仍沒提供停車場資料。</p>
	<p>有關視角評估</p> <p>8 公眾意見：</p> <p>樓宇高度直接影響華苑及居於 DD112 地段的居民，唯在視角評估中華苑卻被排除其外。</p> <p>發展商回應¹³：</p> <p>視覺評估依據城規規劃指引(TPB Planning Guidelines No.41) 就建設從公眾視角& VP3) 評估，其中 2 個視角(VP2 & VP3) 分別在黎屋村東行巴士站及植桂書室入口位置。</p>	<p>我們認為發展商提交的視覺評估報告(VIA) 避重就輕地只選擇性地考慮了 4 個評估地點，全部遠離項目地盤，其中 2 個為錦上路巴士站，因距離遠，且中間不是開揚空間，自然不影響指引要求的公眾景觀準則。植桂書室(VP3) 也距離宇密集點遠。</p> <p>現行就 VIA 的指引沒有細分市區及鄉郊地帶，且側重市區實際用地考慮，故只重點考慮公眾視角點。華苑雖然屬於私人屋苑及周邊土地，但佔地不小（佔整個發展商私人土地約 20%），一定程度上，已成為「公眾」的一部份。如果其中一個視角評估點能在華苑範圍內，在評估的角度會較為合理、全面及令人信服。</p>

¹³ R to C March 2024, p.9, pt. 3.1

有關 S12A 規劃申請

<p>9 公眾意見¹⁴：</p> <p>如果是項申請獲批，會成為將來更多類似申請的先例，破壞地段的鄉郊特色</p> <p>發展商回應¹⁵：</p> <p>發展商聲稱政府計劃發展錦田南及八鄉地段成為「鄉郊市鎮」(Township)，容許 0.8 至 3.0 的地積。發展地盤距離上述擬發展地段的東面地界 700 米，這建議樓宇高度是想配合土地用途檢視文件(Land Use Review)，參與建造當區的「鄉郊市鎮」</p> <p>發展商認為項目能配合政府土地政策，且能釋放石崗地段的土地。</p>	<p>作為華苑居民，我們強烈反對是項計劃申請。</p> <p>9.1 我們認為發展商的《鄉郊市鎮》Urban Township 理據牽強。如果一開始發展地區未被收納在這個《鄉郊市鎮》發展計劃之內，總有其原因和理據。如果距離《鄉郊市鎮》範圍 700m 是一個理據更改規劃，另一個申請地點距離 690m 城規會是否更應該通過？事實上，大家不難明，我們身處地區的渠務、道路及交通負荷都未足以支援大規模發展，大幅提高地積比，連帶增加相應的人口及房屋密度，容易令社區負荷失衡，為居民帶來困擾。相信這是規劃發展地段背後的理據。</p> <p>9.2 此外，地積比率對社區的人口及房屋密度有間接但重要關連，也是市民在選擇適合自己居所時，相對容易理解的有用指標。根據規劃署發出的《香港規劃標準與準則》有關住宅發展的密度，應容納不同等級的房屋密度，以切合市場對不同房屋類別的需要¹⁶。住宅密度應在現存及計劃的基建及環境可配應的能力範圍內¹⁷發展。我們認為社會應容納不同密度等級的房屋類別供市民選擇，故期望地積比率得以保持，讓市民保留一個寧靜，低層及低密度，又符合規劃意向的選擇。</p> <p>9.3 我們多方面參考是否有適用的相關指引，能容許放寬類似的地積比及樓層高度。但發現申請地段既不屬《鄉郊市鎮》商業中心範圍內，《鄉郊住宅發展士密度第 2</p>
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¹⁴ R to C March 2024, p.10, pt. 6.1

¹⁵ R to C March 2024, p.10, pt. 6.1

¹⁶ Hong Kong Planning Standard and Guidelines, Chapter 2, Residential Densities, p.3, 1.2.2 (a)

¹⁷ Hong Kong Planning Standard and Guidelines, Chapter 2, Residential Densities, p.3, 1.2.2 (b)

	<p>區 RR2》包括准許 6 樓層的指引 應該不適用。</p> <p>另參考《鄉郊住宅發展土密度第 3 區 RR3》包括準許 0.75 地積比率，開敞式停車間上加 3 層樓房，雖然申請地段為鄉郊市鎮外圍，但 RR3 其中一個準則是「遠離現有居民但設有足夠設施」，申請地帶貼近華苑，距離黎屋村的法定古蹟不足 60m，基於配套設施包括渠務、景觀及交通不足，有大量社區居民反對，我們也看不到提高地積比至 0.8 及樓層至不超過 6 層適用於這個申請。</p>
	<p>9.4 至於發展商提出的釋放土地理據，我們認為發展商在現時規劃框架下已可以充份發展項目。除了要「盡賺」的經濟考量，我們看不到其他有力的外來元素能阻擋發展商釋放土地，也看不到為何在社區居住多年的居民，要為私人發展商「盡賺」的發展目的而承擔不必要的風險。</p>
10	<p>是項規劃申請自 2022 年 4 月提交文件已經歷多達 11 次的公眾諮詢，過去 10 次公眾諮詢結果 5,622 份意見書。我們不排除大部份可能是樣本信，但希望城規會委員、規劃及各有關部門明白當區居民和發展商之間資源能力的差距。項目包括海量的紙張文件，不能網上下載，全以英文撰寫，並偏技術性。在這個資源不對等的情況下，仍有 5,622 份意見書表達意見，委員必須正視。</p> <p>發展商提供多份顧問評估報告，但我們對部份內容的專業和客觀性存疑，也不肯定顧問能否掌握地區資料數據作分析。事實上，我們認為地區發展除了科學分析研究，同時必須充份聆聽考量當地地區的聲音。我們認為在鄉郊地區發展，民生配套及新舊社區能互相尊重和融合最為重要。</p>

華苑居民/ 2024 年 5 月 3 日

From: [REDACTED]
Sent: 2024-07-10 星期三 02:21:45
To: tpbpd/PLAND <tpbpd@pland.gov.hk>
Subject: Re: Y/YL-SK/1 DD 112 Shek Kong

Dear TPB Members,

Another turkey that it now overdue a binning.

No data provided so not possible to determine if any community facilities have materialized. Still no bicycle parking.

In addition the odd shape of the site would place constraints on development on the adjoining lots.

There is no demand for additional units, developers are offering large discounts to monetize their already substantial unsold stocks.

We have already wasted enough time on this application. There should be a cap on the number of deferrals allowed.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Thursday, 7 December 2023 2:29 AM HKT
Subject: Re: Y/YL-SK/1 DD 112 Shek Kong

Dear TPB Members,

Another plan that has been dragging feet for far too long.

Parking increased to 343 but NO BICYCLE PARKING included. Still no indication that there will be any community facilities, unacceptable for such a large site that would burden the already inadequate district community services with an additional 2,500 residents.

Members should reject the application. The footprint of the site is problematic.

Previous objections upheld.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Thursday, 21 September 2023 1:57 AM HKT
Subject: Re: Y/YL-SK/1 DD 112 Shek Kong

Dear TPB Members,

No soft copy so Joe Public cannot determine if any community facilities have been included.

According to the PR the recent amendments made to the Town Planning ordinance are to speed up the process.

However it is quite clear that this statement is misleading. While the rights of residents to participate in the process have been drastically reduced, developers face no constraints on their practices that prolong the application on some developments for years by submitting endless 'additional information'.

Once plans have been exhibited for a stipulated period they should be withdrawn and subject to current guidelines such as the submission of soft copies, etc..

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Friday, 9 December 2022 2:00 AM CST
Subject: Re: Y/YL-SK/1 DD 112 Shek Kong

Dear TPB Members,

In addition there are no community facilities included. Going forward this provision is essential, particularly in NT districts that are in deficit of most services.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Saturday, 4 June 2022 10:57 PM CST
Subject: Y/YL-SK/1 DD 112 Shek Kong

Y/YL-SK/1

Lots 246, 247 (Part), 251 (Part), 253 (Part), 254, 255 (Part), 256, 257, 258 (Part), 260, 263, 273 RP, 274, 275, 277, 278 S.B, 279, 280, 284, 294 RP, 295, 849, 850, 851 (Part), 853, 856 (Part), 859 (Part), 861 (Part) and 862 in D.D. 112 and Adjoining Government Land, Kam Sheung Road, Shek Kong

Site area : About 41,290sq.m Includes Government Land of about 415sq.m

Zoning : "Res (Group D)"

Proposed Amendment : Rezone to "Res (Group C)" / 850 Units / PR 0.8 / 6 floors / OS 2,280sq.m / 285 Vehicle Parking

Dear TPB Members,

The site is not cohesive, there are a number of lots belonging to others that could impact the well being of the residents and create issues going forward.

Also one has to question the sections given over to 'visitor parking'. It would be more efficient land use to add another floor to the parking and provide a vehicle free environment. Note no bicycle parking for such a rural location? Residents could cycle to the parking facilities from their homes.

With a population of over 2,000 there should be a basketball court. Shek Kong does not have many community facilities.

Note an **average unit size of about 38.9m²** so in other words just over 50% of the GFA of ONE FLOOR of a village house.

This is quite alarming as 400sq.ft. is not large enough to raise a family, particularly in rural areas where there are fewer community facilities and alternative spaces. In urban areas there is a wide variety of indoor and outdoor recreational facilities, coffee shops, etc one could escape to.

While we are being told that all this development is going to provide a better quality of life, most of the plans going through indicate that this is not the case. Going forward the scenario for many will be living in a constricted space with far fewer community amenities and longer commutes.

Mary Mulvihill



6223

敬啟者:

有關Y/YL-SK/1發展項目事宜

本處收到八鄉上村居民對於Y/YL-SK/1發展專案的反對意見，並已詳細審閱附件中的具體內容。在此，本處懇請 貴署針對居民所提之反對理由進行正式回復，以便我們進一步瞭解 貴署的立場與規劃考量。

居民們主要擔憂的是，八鄉地區現有的道路交通條件難以承載該發展項目可能帶來的人口增長壓力。村民們強調，在缺乏新建道路或交通規劃改善措施的前提下，不應倉促推進大型住宅項目的建設。我們對此表示高度理解，並認為這一關切值得 貴署再深入考慮。

同時，本處亦促請 貴署在發展規劃過程中，充分尊重並接納附近居民及持份者的意見。通過廣泛的公眾參與和充分的溝通協商，確保規劃方案的科學性、合理性和可行性，從而贏得更廣泛的社會支持。

如有任何查詢，請致電 [REDACTED] 與本人梁業鵬聯絡，勞煩之處，謹此言謝。
如

此致
規劃署



梁業鵬
梁業鵬議員 謹啟

2024年7月10日

連附件

副本抄送：城市發展委員會

城市規劃委員會秘書

香港北角渣華道 333 號北角政府合署 15 樓

(傳真：2877 0245 及 郵遞)

強烈反對元朗八鄉蓮花地村與上村黎屋村的交界興建大型低密度住宅申請編號：Y/YL-SK/1 - 申請人提交進一步資料

執事先生/女士：

本人是元朗八鄉上村居民，就上標申請作出強烈和堅決的反對。相關申請始於 2022 年 4 月 28 日，因為本區人士的強烈反對，發展者「濫用」「申請人提交進一步資料」的程序和機制，目的是明顯不過的！我們對這種「行政手段」極度不滿，十分憤怒。我們八鄉居民重申：八鄉居民堅持在沒有任何地區諮詢，更沒有基建和配套的前提下，反對這項大型發展，懇請城市規劃委員會正視！

有關申請地段位於八鄉蓮花地村與上村黎屋村的交界。申請項目將興建 19 幢樓高 6 層的住宅及 4 幢非住用途的建築物，地盤面積超過 4 萬平方米，住宅單位 850 個，停車位達 322 個。項目規模與面積十分龐大，申請地段接連兩條村落部分的村屋，與黎屋村的法定古蹟植桂書室及二級法定建築黎氏大宅距離不足 60 米，六層高的大型建築，阻礙村民及村屋的視野，對村民及鄉郊環境造成無可挽救的破壞！

此外，蓮花地村以至黎屋村一帶（包括申請地段），經常出現嚴重水浸。相關項目須進行大規模填土工程（mPD 達 44.15 米（主水平基準上）），週邊地方頓時變成低窪地帶，兩村村民極度憂慮申請項目將加劇村民在過去十數年飽受困擾的水浸情況，對村民生命財產構成嚴重威脅！以每戶人口 4 人推算，相關項目將帶來超過 3 千人入住，大量人口定必帶來交通及排污的問題。八鄉南主要幹線近年已嚴重擠塞，而政府亦致力發展八鄉及錦田南一帶，政府的交通基建和配套完全未能滿足八鄉居民的訴求，居民怨聲載道！申請項目帶來的人流及車輛勢必加劇八鄉交通擠塞的情況，令八鄉居民生活在水深火熱之中！

另一方面，八鄉是沒有中央排污系統，村民的家居污水都流經村內人工修建或天然渠道排放。大量人口排放的污水，對周邊地區的環境衛生造成破壞，同時亦增加渠道的負擔，減弱排洪的能力，增加水浸的風險！

本人懇請城市規劃委員會重視八鄉上村居民的意見，聆聽和接納我們的訴求，否決上標大型發展項目，避免我們在水深火熱的環境下生活，造福八鄉上村及錦上路一帶居民！

八鄉上村居民簽署：_____

姓名(正楷)：_____

2024 年____月____日

通訊地址：新界元朗八鄉上村_____

聯絡電話：_____

元朗區議會

YUEN LONG DISTRICT COUNCIL



6229

徐君紹議員

Mr Chui Kwan Siu

敬啟者:

有關 Y/YL-SK/1 發展項目事宜

本處收到八鄉上村居民反映指元朗八鄉上村附近有大面積地段申請興建住宅，申請編號 Y/YL-SK/1，而居民對該發展已表示反對(見附件)，就附件內居民提及的反對理由，本處希望 貴署就居民反對理由作出回覆！

就有關事件，本人同樣關注現時八鄉一帶道路難以應付有關發展計劃帶來的人口增長，因此，本人認為在未有任何新建道路或交通規劃改善下，不應該興建大型住宅項目。另促請 貴署在發展規劃過程中充分諮詢及尊重附近居民及持份者等意見。

如有任何查詢，請致電 [REDACTED] 與本人徐君紹聯絡，勞煩之處，謹此言謝。如

此致

規劃署

徐君紹議員 謹啟

連附件

副本送:城市規劃發展委員會

2024 年 7 月 9 日

6229

附件

城市規劃委員會秘書

香港北角渣華道 333 號北角政府合署 15 樓

(傳真：2877 0245 及 郵遞)

強烈反對元朗八鄉蓮花地村與上村黎屋村的交界興建大型低密度住宅申請編號：Y/YL-SK/1 - 申請人提交進一步資料

執事先生/女士：

本人是元朗八鄉上村居民，就上標申請作出強烈和堅決的反對。相關申請始於 2022 年 4 月 28 日，因為本區人士的強烈反對，發展者「濫用」「申請人提交進一步資料」的程序和機制，目的是明顯不過的！我們對這種「行政手段」極度不滿，十分憤怒。我們八鄉居民重申：八鄉居民堅持在沒有任何地區諮詢，更沒有基建和配套的前提下，反對這項大型發展，懇請城市規劃委員會正視！

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本人懇請城市規劃委員會重視八鄉上村居民的意見，聆聽和接納我們的訴求，否決上標大型發展項目，避免我們在水深火熱的環境下生活，造福八鄉上村及錦上路一帶居民！

八鄉上村居民簽署：_____

姓名(正楷)：_____

2024 年____月____日

通訊地址：新界元朗八鄉上村_____

聯絡電話：_____

致：城市規劃委員會

日期：2024 年 7 月 12 日

有關：反對 Y/YL-SK/1 申請更改規劃用地



我們是華苑居民，現對上述申請提出強烈反對。

1. 就發展商於 2024 年 6 月 4 日回應渠務署而提交的進一步資料，我們認為其解說及回應未能釋除居民對發展可能做成的水浸風險的疑慮。撇除技術性考量，**我們就其最新提交的資料有下列意見：**

- 1.1. 最新資料仍沒就公眾以往對其改動方案提出的疑問作回應
- 1.2. 華苑居民對取代方案成效仍存疑，詳情請參考居民以往的意見
- 1.3. 發展商聲稱負責日後排水設施的維修承諾，居民表示高度懷疑，詳細請參考下列第 4 點
- 1.4. 發展商申請更改排水設施，卻未能諮詢受影響的本地居民，且地段涉及政府業權地段及可能影響居民通道，我們認為城規會必須待發展商釐清有相關問題及各持份者的意見，才作最終審批
- 1.5. 發展商多番推搪多項部門及公眾的不同提問，聲稱待申請獲通過後，始於下階段交代細節。我們認為這並不理想。更改規劃的及用地條件嚴重影響社區居民，如果發展商每每將重要事項扭曲為細節，容易誤導城規會，對受影響的社區居民不公平。

以外，由於是次提交的最新資料，仍未回應下列重點，現簡撮我們的反對的重要議題及理據。

2. **公眾反對數目及焦點充份反映申請不獲本地居民認同** - 發展商自 2022 年 4 月提出申請，過去 2 年多已啟動 12 次公眾申請，截至目前共接獲 5,919 份公眾意見，大部份為反對意見，多數來自本地居民，反對的焦點集中於「貼地」的民生議題如排水、交通配套、鄉郊共融等。嚴格來說，是項發展未算大型，規劃地段的人口也只有 2 萬多人，惟仍引來本地居民的嚴重關注及反對，自有其一定合理理據。我們希望城規會能認真聆聽本地居民聲音，理解居民憂慮，拒絕是項更改規劃申請。
3. **增加水浸風險，居民不認同發展商提出的地區排水改善方案** - 申請更改規劃用地的同時，發展商提出大幅度更改地段河道走道、更改居民賴以排水逾 40 年的天然河道、填高地段地平 1.8 米，讓發展地盤以外的鄰近地區成為低窪地帶，增添不穩定因素及水浸風險。發展商聲稱其提出的取代方案，能改善區內的水浸情況，卻一貫引用其顧問公司的水力模型測試結果為「萬用匙」。

但居民普遍認為，測試是否準確的要訣不只在於科學運算程式，必須同時建基於正確的地區數據(raw data)，就此，我們對顧問公司能否正確掌握地區數據有疑慮。

4. **居民對發展商聲稱會負責更改後的河道的恆常維修的承諾有重大疑慮** - 基於傳統智慧，天然河道容易被砂石枝葉堵塞，淤塞又最容易引起水浸，故恆常清理河道的工作非常重要。過去數十年，鄰近居民看不到發展商負上地段業主的基本責任，也不認為待發展後增加地契使用條款是有效的制衡方法。第一，根據現時發展商的建議方案，屋苑設計如同「堡壘」，沒大水浸風險，看不到誘因他們會積極進行維修在「堡壘」外的渠道；第二，天然河道部份走道覆蓋超出其發展業權範圍，發展商未必有能力或權力維修；第三，水浸一旦發生，引致人命財產損失也只發生在一瞬間，所謂地契條款或罰則實際幫不了忙，只適宜作最後防線。
5. **道路交通配套未能配合，也未見有足夠未來道路及交發展計劃** - 發展地盤必須接駁車輛才到達集體運輸要點，居民必須依賴公共交通或駕車，但錦上路車路行人路均偏窄，擴闊有一定難度。事實上，政府沒有計劃擴闊路面。勉強發展只會做成更多民生問題。此外，發展商申請興建多達 275 個停車位，在一個不算大的寧靜鄉郊範圍，這數目的車輛往返屋苑內外道路定必對鄰近居民做成困擾。就公共交通的需求方面，居民曾多次質疑顧問公司進行的公共交通工具調查報告，發展商沒有正面回應之餘，且持續引用報告，似有誤導之嫌。
6. **發展設計藍圖不能與鄰近鄉郊社區共融** - 反之，居民看到的只是發展商為賺盡，沒能尊重低密度鄉郊規劃之餘，也妄顧鄰近地區基本居住條件。這個取態反映於其一系列的設計，當中包括：
 - 6.1. 更改主要河道，取代社區居民沿用逾 40 年排水的天然河道
 - 6.2. 興建 275 停車位，包括一座貼近鄰近房屋的 3 層停車場
 - 6.3. 填高地平逾 1.8 米，讓鄰近屋苑頓成低窪地段，地平高度不是正常合理的需要高度
 - 6.4. 興建逾 5 米高度圍牆，貼近鄰近屋苑，遮蓋樓房至二樓高度。屋苑不座落公眾地方，正常不需 5 米高牆分隔，高度不屬正常合理範圍
 - 6.5. 興建 6 層高樓宇，貼近鄰近屋苑，實際連升高地平高度等於 7 層樓，中間沒有合理足夠緩衝設計
 - 6.6. 房屋橫向闊度超過 60 米，鄰近屋苑大多 2-3 層，闊度只有約 6-7 米。闊度超過現有房屋逾 10 倍，無論在景觀視角、空氣日照各方面，新發展樓房對居民必做成很大的困擾。

7. 發展商申請改動大，影響大，但卻理據薄弱：

- 7.1 聲稱申請能盡快釋放可發展屋地，紓緩住屋需求 - 事實上，發展商可以隨時依據現有規劃申請建屋。發展囤積用地不一定須要更改規劃，更改規劃只是要賺取最高利潤。我們認為發展商不應為賺取最大利潤，而妄顧鄰近鄉郊社區，增添民居風險及影響居民的生活質素。
- 7.2 聲稱可成為支援政府擬發展錦田南及八鄉地段的「鄉郊市鎮」urban township 計劃，理據只謂發展地盤距離鄉郊市鎮邊陲地段 700 米。想當初政府研究鄉郊市鎮的藍圖沒有包括申請地段，必有一定考量，相信是區內缺乏發展條件包括民生的配套設施等。如果距離 700 米可以成為發展理據，那距離 1-699 米是否更應獲批核發展？事實上，發展商主要基於上述理據作基礎，要求大幅放寬相關的地積比、高度、樓層等，我們認為在最基本的原則上這理據已不應被接納。
- 7.3 此外，申請若獲通過，成為先例，將產生連漪效應，引致大量類似缺乏穩實理據的私人發展申請，令鄉郊地區規劃發展失衡。

最後，我們期望各政府部門及城規會能認真考慮本土居民意見。發展商和本土居民之間存在巨大的資源差距，但居民經歷 2 年多仍持續發聲，且認真審視計劃對社區的影響提出理性的反對意見，皆因發展項目一經通過，影響多項重要民生議題，且不能逆轉。此外，我們認為若要發展用地，發展商仍可隨時根據現時規劃指引，不存在拒絕更改規劃，即等於阻礙發展用地的說法。反之，我們認為發展商應該尊重現行鄉郊用地規劃，發展一個社區能接受的鄉郊發展共融方案，支持政府智慧發展用地的大原則。

華苑居民

2024 年 7 月 12 日

☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy

6279

From: [REDACTED]
Sent: 2024-07-12 星期五 23:51:19
To: tpbpd/PLAND <tpbpd@pland.gov.hk>
Subject: Y/YL-SK/1 - 11th submission 12.7.2024 deadline - comments
Attachment: Lot 259A Letter - for submission 12.7.2024.pdf

Dear sir/madam,

Please find attached Comments for the above subject.

Grateful if you could confirm your receipt of this email and its attachments in your earliest convenience.

Yours faithfully

Residents of Wah Yuen



12th July 2024

Dear Secretary of the Town Planning Board,

Re: Comments to the Town Planning Board in respect of Application Y/YL-SK/1

We are residents to [REDACTED] Wah Yuen 華苑, following our comments we sent you on 3rd June, 5th August, 7th October 2022, 9th December in 2022, 24th February, 14th April, 30th June, 21st July, 22nd September, 8th December 2023 and 3rd May 2024 during the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth and eleventh rounds of submission respectively made by the applicant, with the newly added information in the current ninth round of submission, we would like to share with you our further views.

The Proposed Development ("PD" hereafter) of above reference **envelopes our compound 270 degrees**. Having reviewed the plan and the documents made available at the Planning Department, we feel that no consideration has been taken into account of Wah Yuen in the planning of the PD. We feel that our general welfare, and health will be detrimentally affected.

We object strongly to the Application.

Looking at the amendments made to the Drainage report in the latest submission, the benefits of these amended items are entirely for the PD only. Reduction in height of associated flood walls with land filled up by 1m, runoff to watercourse outside Wah Yuen.....These are all beneficial to the PD in flood prevention, AT THE COST OF NEIGHBOURING areas, by and large Wah Yuen, which the PD is designed to be at a stone's throw away.

1) In Annex 1b, from the recent LIDAR data from CEDD, we observe that the land has been filled up by 1m. Based on this, the Drainage Report concludes that the height of the associated flood walls can be reduced to about 0.4m to 1m above ground.

It seems all focus is on the Proposed Development (PD) only, the increase of ground level within the PD means that increase in water flow to the lower area, to the waterway outside of the PD, to the west side of the Wah Yuen compound. The report did not mention the additional flooding impact of such increase of ground level within the PD to the neighbouring areas. This is ridiculous.

2) Per Appendix N2 For Channel 5, under extreme weather condition, it will convey the runoff to existing watercourse near to Wah Yuen. Does that mean there will be more water flow into

the already blocked shallow water course near to Wah Yuen (which gets flooded all the time already during typhoon seasons)

What is the purpose of all these paid consultant reports ? To prove to the TPB that the PD is safe and sound ? At the cost of neighbouring vicinity ? Without taking into consideration of its impact to us in Wah Yuen ?

Just claiming that Wah Yuen is a private residential compound and hence did not get access into, DOES NOT MEAN that ALL these paid consultants can avoid and airbrush all the ADVERSE impacts the PD has on us.

In the global financial / commercial world, where projects over US\$500 million seek for approval from governments, or seeking for finance, consultant reports from the development consortium are conducted, justifying the building of such projects. As a counter check, consultant reports are also commissioned from the counterparties, mainly financiers to which the developer is seeking finance from. It is the balance of these two sets of consultant reports/projections, conducted for the two parties on the opposing ends, that is taken for the final agreed parameters.

For this PD, developer's paid consultant reports have been submitted and re-submitted to TPB, each time with insignificant amendments, yet, ignoring what we have been saying throughout these past 11 times of public opinion submissions.

It has been a ONE-WAY flow of information. Whilst our comments have gone to deaf ears. The same mistakes appear in these consultants every time. The same misleading information every time.

This process of seeking public opinion since 2022 June is taking a toll on all of us.

Writing the same points 12 times, whilst PD's consultants keep drumming the same lies.

1. Wah Yuen Introduction

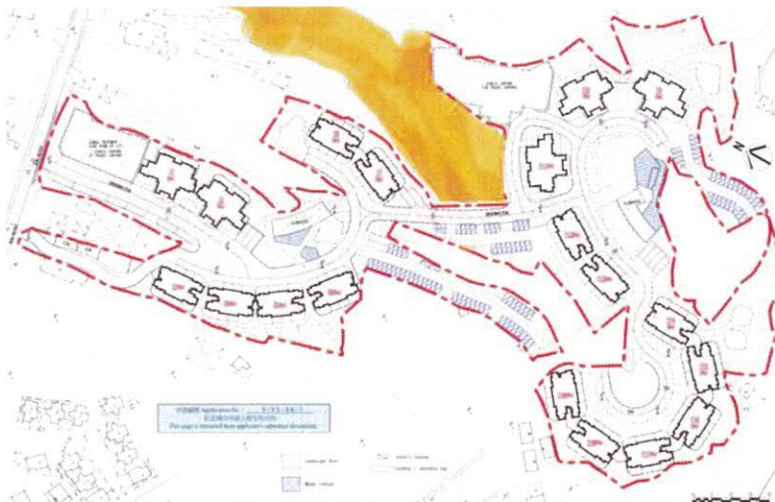


Fig.1 Wah Yuen, as shaded in yellow (Source: Gist Pg 9: Indicative Master Layout Plan)

Wah Yuen is a private compound comprising 9 detached houses each with spacious garden, founded by eminent members of the society back in the late 1970s, including Dr Chiu Hin Kwong OBE, JP [招顯洸醫生 OBE 太平紳士], whose name is widely recognised by the Chiu Hin Kwong Heart Centre of the Hong Kong Baptist Hospital, Professor Philip Shen, formerly College Head of Chung Chi College, CUHK (沈宣仁教授, 曾任崇基學院院長等職), and local successful business families. The choice of land was abundant at the time and the location of Wah Yuen was picked with optimal feng shui benefits, with view of the Tai Mo Shan mountain from all our windows. The location was chosen to ensure privacy, hence setback away from the main road by around 90m.

Change of ownership of Wah Yuen has been few and far between, currently residing within the compound, we have one original owner still, and few second-hand owners. Last transaction for the detached house was over 11 years ago. All the residents are well settled within the compound and we pay great care and expenses in upkeeping all our houses in good conditions and we enjoy the lifestyle (greenery views / wildlife including singing of birds / sunlight and natural wind) of the rural environment. Just like the potential buyers of the PD, we come from all walks of life, with the yearning of a greenery rural natural environment. Yet, is it not ironic that in order to create such environment for the potential buyers of the PD, that the PD will be destroying exactly what we have ?

We are all here to stay with our family. We take good care of the compound, with good relationship with the village head and the local district counsellor.

2. Proposed Development in relationship to Wah Yuen

As can be seen from fig 1 above, the Proposed Development engulfs Wah Yuen so to speak. The PD is a stone's throw away from [REDACTED] In particular for T7 (6 storeys), T8 (6 storeys), T11 (6 storeys), and the carport (3 storeys), these are right adjacent to our houses.

Given the drastic difference in height (3 storeys ~ 8.23 m) for Wah Yuen, and that of the PD (6 storeys 18.15m plus landfill of 1.5m), the new development will be totally towering over us, with wall effect. There will be detrimental impact on us regarding:

- Visuals;
- Sunlight;
- wind circulation;
- air pollution (planned 3-storey carpark right adjacent to three of our houses) and
- noise (proposal estimated new residents of 2,380).

Plans of building setback from Kam Sheung Road and green buffers along the edge of the development site boundary are mentioned in the Application, these are almost irrelevant as far as protection of neighbourhood is concerned except for the benefit of the PD. Where such buffers are needed along the boundary of the PD with Wah Yuen, these are totally absent.

In addition, between the edges of Wah Yuen and buildings T7 and T8 of the PD, there is a brook which splits into 2 streams flowing into the PD. Throughout all the years, water flowed smoothly through their paths, yet in recent years due to the development work of the Application site, the movement of water became stagnant. We had throughout all this time reported the situation to the local District Councillor and village head of Sheung Tsuen. We were told that there is not much we could do due the private ownership of the Application site. Our concerns were vindicated with the heavy rainstorm of 29th August 2018, which caused flooding to all the houses in Wah Yuen. This situation still has not been improved despite our continuous reporting to the same parties above. We are in the utmost fear of the negative impact of the PD will have on this brook DURING construction, as well as AFTER completion.

On a more macro basis, with total vehicle spaces of 275, and estimated new residents of 2,380, there will certainly be a burden to Kam Sheung Road and the public transportation. The PD is 4.3 km away from Kam Sheung Road Station, not walking distance, feeder public transport is necessary. Currently in the peak hours, residents waiting for public buses/ minibuses to Kam Sheung Road Station along Kam Sheung Road have difficulty getting on the vehicles beyond the Shell station already. It takes two or more buses before one can get on.

There is no part in the Application where Wah Yuen is mentioned. And from the plan of the PD, it seems that the Applicant has not taken the welfare of Wah Yuen into consideration at all. Our environment in Wah Yuen is detrimentally affected by the PD, yet there is total absence of mentioning of Wah Yuen in ALL of the consultants' reports (Traffic / Landscape / Visual / Noise / Drainage / Sewerage / Water Supply).

3. Misrepresentation of facts in the Application

Before we move on to more details on the negative impacts of the PD due to its total neglect/lack of consideration of the existence of Wah Yuen, we feel that there are various areas within the Executive Summary that are we do not agree with. We would like to highlight these below. Below referencing and extract follows that of the Executive Summary.

- i. (f) Technical Assessments demonstrated that the Proposed Development *will not result in insurmountable visual, traffic, landscape, noise, drainage, sewerage and water supply impacts.*
- ii. 2.3.1) The site is located in areas with low-rise settlements, open storages and scattered active farmland. The immediate surroundings of the Site have the following characteristics (see (Figure 2.4):
 - a. East – Lai Uk Tsuen / Tsang Uk Tsuen / Tse Uk Tsuen as well as a declared monument – Chik Kwai Study Hall in Lai Uk Tsuen;
 - b. West – Lin Fa Tei Village, further SW Shui Tsan Tin / Ngau Keng;
 - c. North – across Kam Sheung Road, zoned 'Agriculture' with temporary structures;
 - d. South – 'Agriculture' abandoned farmland.

Wah Yuen, which is totally wrapped and engulfed by the Proposed Development, is not mentioned at all. This is telltale sign that the design of the PD, has not taken into consideration of Wah Yuen at all.

- iii. 2.4.1) Site is located only about 2.4km away from Kam Sheung Road Station.
By public transportation, only way is along Kam Sheung Road/ Tung Wui Road, the distance is 4.3km, NOT 2.4km. During morning peak hours, this will take 25 mins or more.
- iv. 2.5.2) Minor relaxation of plot ratio and building height restrictions
Afraid we do not see this as a minor relaxation. The PD contains 19 buildings twice as high, at 6-storey high, and a car park of 3-storey high, right outside our windows. Not quite sure why relaxing plot ratio means 6-storey. We are totally against 6-storey buildings constructed right next to us.
- v. 3.3.2) Plot ratio of the area would gradually decrease from Kam Sheung Road Station (PR of 3) to Kam Shui South Road (with a PR of 0.8) spanning about 1.5km from east to the west. The Land Use Review (LUR) concludes that the development proposals of the area would respect and integrate with the adjoining low-rise and low-density rural settlements.

The Rezoning Site is located only about 700m away from the eastern peripheries of the boundary of Kam Tin South and Pat Heung area.

Planned Kam Tin South/ Pat Heung area developments are close to the Kam Sheung Road Station if along Kam Sheung Road, or on other roads such as Kam Shui South Road, or Kam Ho Road near the MTR Pat Heung Maintenance Centre. These areas have been planned for higher plot ratios, and we understand the rationale. However, further along Kam Sheung Road towards where Wah Yuen is, this is an area with well-established villages with low-rise 3-storey houses already. By saying that the rezoning site is a mere 700m away (we do not agree it is 700m btw, we measure it as 1km from junction of Kam Sheung Road and Kam Shui South Road to the PD) is not fair as where does this exception end then ? The Kam Tin South / Pat Heung area for development has been well planned and it is not fair that vested interest players keep seeking for change of goalpost. The area attracts people coming to live, based on their views of whether they want to be closer to the MTR, hence more dense dwellings, or further away, hence low-rise with more space. It is not fair that such planning is disturbed just because such player has accumulated enough land as their justification. If this sets the precedent allowing such change of rule. Where on Kam Sheung Road with similar 'exception' will end ? The whole of the rural environment would disappear then.

- vi. 3.4.1) Lin Fa Tei and its surrounding area has a general rural setting and mainly occupied by low-rise residential developments and village settlements, open storages and agricultural land. The area is gradually evolving to have more low-rise residential developments. There is potential to catalyse the transformation of the local area to improve the living quality.

The PD will in fact totally ruin our Wah Yuen compound, blocking our views, sunlight and airflow, and will have unfathomable detrimental effect on our living quality. It remains a myth as to why the presentation totally omitted the existence of Wah Yuen,

which is a stone's throw away from the development, when the development is totally engulfing our whole complex.

The spiel about improvement of living quality does not apply to us, in fact as if we haven't said enough, this is ruining all our residences in Wah Yuen in all aspects.

4.1.3) It is evident that the current permissible plot ratio of 0.2 and 2 storeys in height under "R(D)" does not provide sufficient incentive for permanent residential developments with proper infrastructures.

There are three large scale residential developments in the area, two of these are over 100 houses, and one over 240 houses. These are all 2-storey, or 3-storey houses. Below such scale, there are also medium sized developments of over 30-40 houses. All these have proper infrastructures, not sure why 6-storey buildings are used to justify for the infrastructure. We are not expert in plot ratios and developers' profit calculations, but if applying the logic of this Application, so all such existing large scale 3-storey developments were loss-making, or have no infrastructure ?

- vii. 4.1.5) Site currently comprises only few numbers of temporary structures for the storage of building materials in the north, whilst majority of the Site (about 75%) comprises vacant and abandoned farmland in the south.

Whilst the above is a correct statement, but without mentioning the existence of Wah Yuen which the PD is enveloping in the document (including the Appendices), this runs into the risk of misleading the reader that there really is nothing around the site, hence no impact on its neighbourhood.

- viii. 4.1.6)

The Applicant and its subsidiary companies have spent tremendous efforts, resulting in successful private land assembly and formulation of innovation solutions to site constraints. The development restrictions of "R(D)" zone will defect the development potential of the Site with substantial landholdings of over 4ha, as well as the potential for a comprehensive upgrading of the environment.

It seems twisted logic here that as long as the Applicant has assembled enough land, then it has justification to change the planning guidelines, such as plot ratio, and restriction in height ? Our environment in Wah Yuen will be totally degraded, NOT upgraded.

- ix. 5.2.2) The relatively small building footprint would also maximise the air permeability of the development and minimise its impact on wind capturing potential of the surrounding neighbourhood.

From Wah Yuen's perspective, air permeability will be gone, we will be totally walled, and airflow will be totally jeopardized.

- x. 5.2.3), fig. 5.2

Building setback - 50m set back from kerb line of Kam Sheung Road – further enhance air ventilation and form the breeze ways along Kam Sheung Road. In addition, the proposed development also offers a Green Buffer with appropriate landscape treatment along the edge of development site boundary. By offering a green buffer, it would be able to soften the building edge of the building blocks, as well as providing a visual relief to the public and surrounding neighbourhoods.

The current PD has the 6-storey buildings T7, T8 and T11 right adjacent to our houses in Wah Yuen. There is also a 3-storey carpark right against the wall of three of our house in our compound. All our views will be gone, all our sunlight will be gone, all our wind will be gone. And with the carpark, our health will also be gone. To sum up, we are totally ruined, and the value of our treasured home will be hugely negatively impacted too.

There are NO building setbacks, NO green buffers in place at all in the PD as far as the boundary with Wah Yuen is concerned. The described building setbacks and green buffers have only benefits to the residents of the PD, that's all.

- xi. 5.4.2) Green buffer plantings along the site boundary to maintain a high landscape visual quality to the neighbourhood.
There is no visual quality consideration for Wah Yuen at all when the PD is towering all over us. Such Green buffer area is for the benefit of the residents of the PD rather than anyone, really.
- xii. 5.5) Visual Impact – The resultant visual change due to the PD is considered acceptable. Sensitive design measures (i.e. building setback...) to mitigate and improve the condition, quality and character of the area. The resultant visual change due to the Proposed Development is considered acceptable.
Total disregard of Wah Yuen in the plan.
- xiii. 5.6 Noise impact)
This section discusses the impact of noise on the PD, but not vice versa. The noise impact on Wah Yuen from the PD will be further discussed in Part 4 below.
- xiv. 7.5.1) Each of the building blocks is designed with a relatively small building footprint with generous open space at grade level. The relatively small building footprint would also maximise its impact on wind capturing potential of the surrounding neighbourhood.
All our open space will be shadowed by the 6-storey buildings, no sun, no wind, no view, no more nature. It seems that the Applicant has this rhetoric of describing the PD as small building footprint with no impact on the surrounding neighbourhood. Compared to our existing 3-storey houses, 6-storey buildings already drowns us on all front.

4. Negative impacts of the Proposed Development on Wah Yuen – Permanent impact

i. Visual / sunlight / air circulation / air pollution / noise

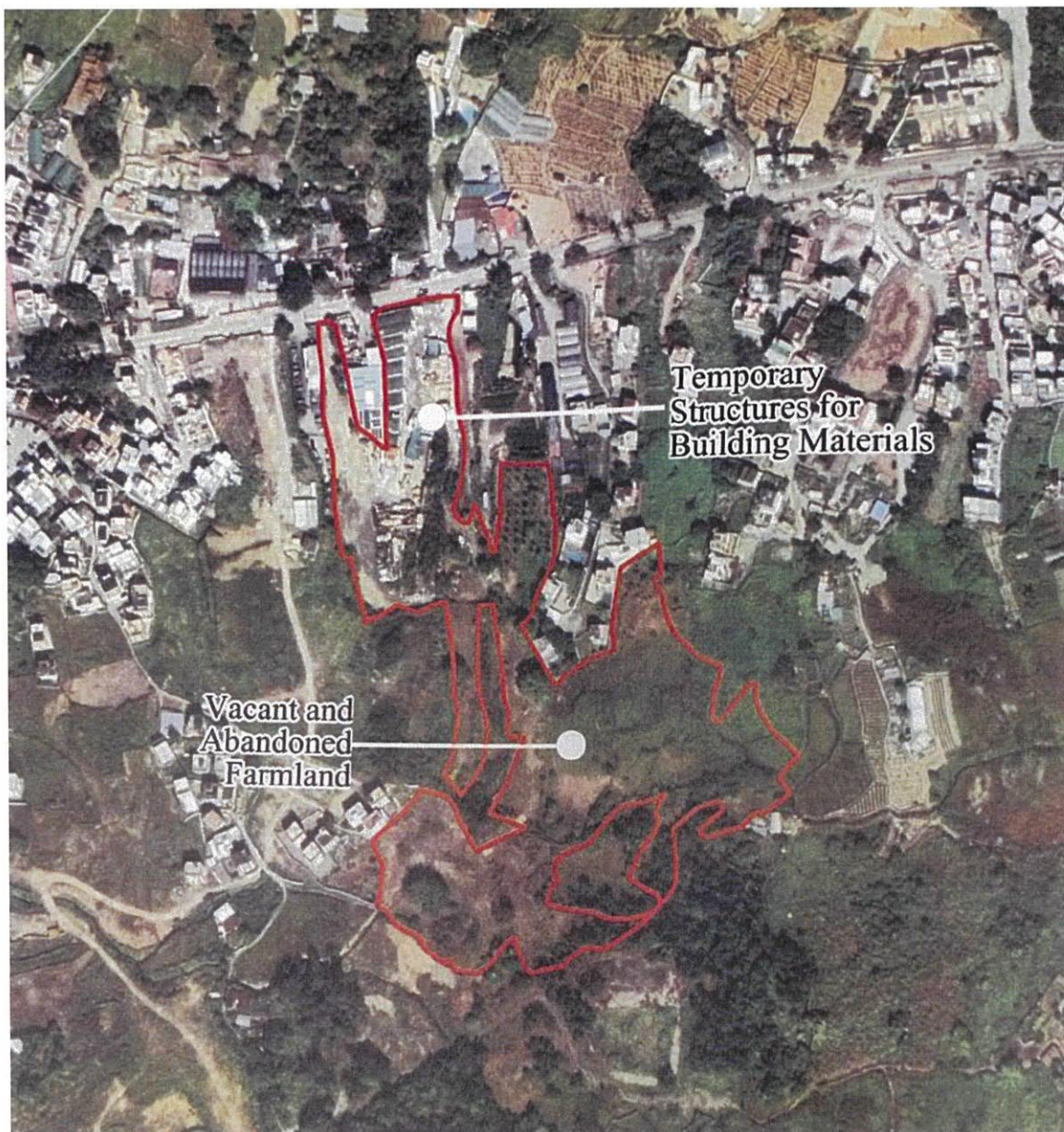


Fig. 2 Aerial Photo of the Site (Source Fig 4.2 of Executive Summary)



Fig 3. Landscape Master Plan (Source: Gist Pg 11)



Fig 4 (flesh colour – Wah Yuen houses, grey colour – PD)

Compared to our existing 3-storey houses, the PD comprises:

- 2 car parks – one of these being a 3-storey carpark holding 148 private car spaces backing on three of our houses on the eastern side of the Wah Yuen compound.
- Residentials - 19 blocks of 6-storey buildings, each with height of 18.1m (plus 1.5m landfill). Each of the 19 buildings will house 44 units on average, hence each building around 125 residents. In particular buildings T7, T8 and T11 are stone's throw away, right adjacent to our houses in Wah Yuen.

Given how Wah Yuen will be U-shaped engulfed by the PD, it is only intuitive to anyone that all our existent view / sunlight / airflow will be totally blocked.

Visuals

Please see fig.4 above a 3D simulation of how our compound will look like after the PD.

Due to limited budget, we can only show the visual above using one angle. However, guess it needs no imagination to visualise that our houses will be totally walled in. This has a devastating impact on our lives, as well as the monetary values of our properties.

Western side

Per the proposed plan, on the west side of our house it is proposed that there will be 2 6-storey buildings T7 and T8, closest being at around 4 metres away from us. All the green views that we have will be gone, instead it will be 2 x 6 storeys worth of someone's living rooms / bedrooms and domestic noise, at stone's throw distance. Privacy and our peaceful life will be totally gone. This has a devastating impact on our lives, as well as the monetary values of our properties.

Eastern side

On the [REDACTED] our house, what is view of our neighbours' houses, will become view of a 3-storey car park, backing right on the 3 neighbours' houses in the compound. A 3-storey carpark is sure to be taller than a 3-storey residential house. On top, the façade of such kind of carpark is usually dark in colour. As such, our view becomes that of a dark wall as we look out of our house. A dark wall that spans along the back of three of our houses in the compound.

Looking at the plan of the PD, the Applicant 'cleverly' planned their 3-storey car park in this protruding part of their plot, away from their 'neatly ordered' residential buildings. This is truly an negative illustration of "Do unto others as you would have them do unto you". This is totally totally unfair and unethical. Besides, we will be suffering from the fumes of the 24/7 operation carpark right in front of our house, how is it possible that such planning can be allowed ?

Southern Side

Wah Yuen has a history dating back 1979, the choice of land was abundant at the time and the location of Wah Yuen was picked with optimal fung shui benefits, with view of the Tai Mo Shan mountain from all our windows.

Our house faces right on the South side, facing the Tai Mo Shan and greenery. With the PD, our views will be totally blocked by the line-up of the 6-storey buildings.

Views, sunlight, air circulation, privacy etc, all these important features of the environment that attracted us to live here, to spend material amounts in making our homes that of a lifetime dwelling, are going to be gone with the proposed plan.

It is interesting that the Application gist includes the skyline of the PD from the angles of :

- Lin Fa Tei bus stop (westbound) along Kam Sheung Road;
- Lai Uk Tsuen Bus Stop (eastbound) along Kam Sheung Road;
- Front Entrance of the Chik Kwai Study Hall.

Has there been consideration of the complete visual blockage of all our views in Wah Yuen when the plan is 'kissing' our houses ?

As can be seen from the aerial photo above in fig, 2, there are almost no residential houses along the boundary of the plot, except for Wah Yuen.

The question of why, of all the planning of the buildings the Applicant can have, why the current plan has to have 6-storey buildings and 3-storey carpark RIGHT ADJACENT to our houses ?

Sunlight and Air Circulation

With two 6-storey buildings T7 and T8 on the west side of our house towering over us, closest distance apart at ~4m, this means afternoon sun would be severely blocked, sunlight to our pool and to our house will be detrimentally diminished.

As illustrated below, the reduction in sunlight has huge impact on the use of our swimming pool. The design and layout of the pool at the time of planning was to capture the best of sunlight. WITHOUT DIRECT SUNLIGHT AT ALL in the autumn / winter time, the pool will be too cold to use. Usage of pool will be cut by half. And in the summer, the pool will be in full shade around 16:30 or before. This will have huge impact on our lifestyle after all the investment we made to the house, notwithstanding the huge impact in the valuation of our property.

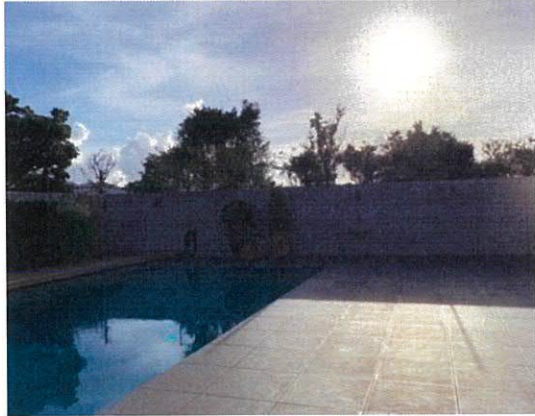
As an illustration of the huge change in sunlight before and after the PD is constructed, the Interactive Sun Path Diagram per the Hong Kong Observatory has been used. Taking approximation of our garden having a width of 18m, wall height at 2m, and the PD with height of 18.15m, here are the findings:

As at 29/5/2022:

	Before	After
When half of garden is in shade	18:00	16:02
Last sunlight (when garden is in full shade)	18:29	16:39

As at 29/11/2022:

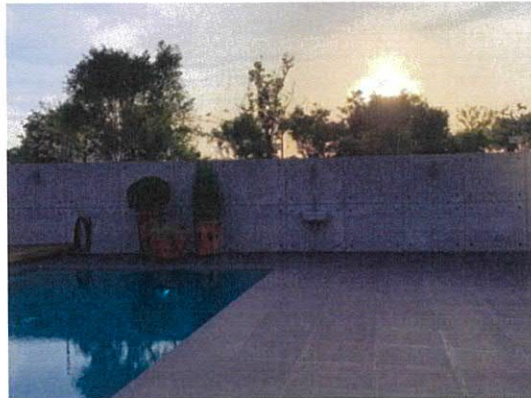
	Before	After
When half of garden is in shade	16:34	13:39
Last sunlight (when garden is in full shade)	17:04	14:54



17:44



18:02



18:20

Above shows how the sun is setting between 17:44 to 18:20 on one sunny day in May 2022. The view would be replaced by two 6-storey buildings, and the sun will be blocked much earlier, between 2-3 hours less sun. During winter time, as altitude of sun is much lower, we will have NO DIRECT SUN AT ALL.

Looking above, we are losing at least 2-3 hours of the sun each day in the afternoon if the PD is built. Similar implication can apply for sunrise.

In addition, given the 6-storey buildings are towering over our houses, during winter time, with the sun at altitude of ~44-46 degrees maximum, we will basically have NO DIRECT sunlight at all times in the afternoon as the new buildings will be blocking the sun.

Given the proposed plan, where we are towered by 6-storey buildings T7 and T8 on our west side, and a 3-storey car park on the east side, we will be totally walled in and wind circulation will be severely impacted.

Air pollution

It appears that a 3-storey carpark holding 148 private car spaces is to be built right next to three of our houses. Firstly, we see that a 3-storey carpark is significantly higher than a 3-storey height residential house.

This design has no regard to our existing residents in Wah Yuen. There is so much spiel about building setback from Kam Sheung Road and green buffers along boundary areas with agricultural land, mainly for the benefit of the residents of the PD. Yet, for the boundary with Wah Yuen, this PD has 6-storey high buildings + 3-storey carpark right outside on our boundary wall, right in front of our windows ?

There does not seem to be any consideration for residents of Wah Yuen. Living in this rural environment, we are all receptive to new houses of similar height for residential purpose. Why does the Applicant have to have a 3-storey carpark leaning on our wall ? Why does it not have this structure leaning against its 19 blocks ? Why ?

Living next to an all-purpose 3-storey carpark building surely is not anyone's choice, and this is an understatement. It is totally not acceptable that the design of the Proposed Development has such disregard to our lives. We did not come to live in the rural area to have a carpark next to our windows.

So the Proposed Development is seeking for approval of 0.8 plot ratio, for building of 6-storey blocks, and as a result, justifying itself in building such 3-storey carparks backing onto 3 of our houses servicing its residents, which is totally ruining our environment and lives ?

Besides the great concern with the 24-hours running carpark outside our bedroom windows, with devastating visual impact on our homes, the 24/7 operation of the carpark means that we will suffer from noise, fumes and increase in air pollutant levels issues from the carpark.

In the area, there are existing 3 major housing developments by a major developer, these being:

- Seasons Palace 104 units (since 2006);
- Seasons Monarch 244 3-storey units (since 2009);
- Seasons Villas 112 units (since 2004)

(Above total number of units and years of completion are taken from local estate agent websites, for general reference.)

The above are all 3-storey complexes, with well developed infrastructures. So given the argument in the Proposed Development, were these loss-making projects ?

Applicant's justification in the "need" to have 6-storey structures is unfounded and twisted. So because of commercial profiteering reason, they can turn the rules and do whatever they want in the name of support of housing needs ? From a macro point of view, housing shortages would not be brought down by this development, as long as there are systemic problems of unequal distribution of housing resources.

Noise

The Noise Impact study (Appendix 5) seems to be assessing the noise affecting the Proposed Development only, as opposed to whether the PD is affecting the neighbourhood areas. As a noise mitigating measure for the benefit of the PD, there is mentioning of Building Setback.

Turning the table around, at Wah Yuen, we are concerned about the noise levels created by the PD. Currently, we enjoy the nature environment, the only 'noise' we have being singing of birds. We question whether these will all disappear when we are towered by the PD.

Also, it is mentioned that the two clubhouses will be equipped with central air-conditioning full time, so we question if such kind of 24 hours operation will have noise impact on us. Wah Yuen is right next the PD, humming noise of ventilating system of such scale non-stop 24/7 will be very significant given our serene environment. We strongly request for acoustic silencers and acoustic enclosures for these equipments. Also we strongly request for such equipment to not be facing towards direction of Wah Yuen.

Moreover, given the stone's throw distance of the adjacent 6-storey buildings, as well as the 3-storey carpark, we are extremely concerned with the noise that will be created. From our existing 3-storey houses to this sudden neighbourhood of 125 residents on average per building, this will definitely cause disturbance to our tranquil environment which we treasure so much. There is no information on the design of the carpark, whether it is completely enclosed or not, but a 24/7 operational carpark right next to our windows in the rurals, how is it possible that such planning arose ?

Wah Yuen houses are situated between 90 to 220 m away from Kam Sheung Road, we enjoy the sound of nature, birds etc. This environment of nature will disappear once the development is built, as the 6-storey buildings will be shielding us from the existing greenery and views and nature. Moreover, we will be on the receiving end to the 24/7 ventilation system in the two clubhouses, as well as the noise arisen from activities of a potential of 125 residents per 19 buildings, and the 24/7 usage of the 3-storey carpark.

ii. Flooding Risk

Regarding the drainage impact, this is one critical issue for Wah Yuen, and for our house, absolutely critical as we were mostly affected in the heavy rainstorm of 29th August 2018.

Our house is along the westbound wall of Wah Yuen. Just outside this wall, and between the proposed buildings T7 and T8 of the PD, there is a brook which splits into 2 streams flowing into the PD. Throughout all the years, water flowed smoothly through their paths, yet in recent 5 years due to the development work of the Application site, the site has become

brownfield site. Since then the water becomes almost stagnant and the previous flow movements along the stream cannot be seen anymore. Moreover water level of the stream rises high, and too quickly, even after moderate rainfall. Some Wah Yuen residents even need to install electric pumps to bump away the backflow of water from our houses. As much as we repeatedly made reports to our Local Councillor and village head, we were informed that there is not much that they could do as the land where the stream path is blocked is under private ownership.

Our concerns were vindicated with the heavy rainstorm of 29th August 2018, which caused flooding to all the houses in Wah Yuen. We had to call for support from the Police and Fire Departments to rescue us, water level was 20cm in some of our houses. From the main road Kam Sheung Road to Wah Yuen along the driveway, water level was over 30cm. Within 11 days on 9 September there was the typhoon Mangkhut, we had to procure and install electric pumps to bump away the backflow of water caused by the overflow outside the western wall of Wah Yuen. This situation has still not been improved despite our continuous reporting to the same parties above. As the proposed plan shows landfill in the area where the brook flows into, we are in the utmost fear of the negative impact of the PD will have on this brook DURING construction, as well as AFTER completion.

Given the above, in the summer rainy seasons, we can only resort to ad hoc measures such as sandbags / flooding prevention panels over main doors. And every heavy rain forecast is nerve wrecking to our residents.

Per the Application, this stream seems to have disappeared and landfilled. Not sure if the measures as mentioned in the Drainage Impact Assessment address the situation of this particular waterflow. In any case, this issue needs to be managed with utmost planning as during construction time, construction debris can immediately block the already non-flowing stream. Flooding risk will certainly increase and this will be catastrophic.

As such this drainage issue needs to be addressed before the start of construction before the landfill covering the stream, and this is not clear from the Application material.

Per the Drainage Impact Assessment, Table 4.4 tabulates the Proposed Condition with DSD planned works under scenarios 10A, 50A and 200A for 7 Control Points. We note that there are 7 occurrences where freeboard is positive per the table. This is our laymen's reading, obviously we are no expert. As with all the other Appendices, we are extremely concerned that the Applicant has not taken the welfare of Wah Yuen into its consideration in the Drainage Impact study.

iii. Traffic

Regarding the Traffic Impact Assessment, we have the following comments:

- a) The report only picked 4 main road junctions as study sample. It has not investigated the impact of the traffic and parking issues within Kam Sheung Road and Pat Heung

area, such as Kam Tin town center (main local shopping area meeting our daily needs) and Sheung Tsuen bus stop area (where there are about 6-7 restaurants, one grocery shop, car repair shops and property agents). Even on weekdays, one can hardly find a parking space in these two areas. We cannot imagine the addition of another 2,380 inhabitants from the PD. The situation will be overwhelming to handle.

- b) How do we tackle the parking issue of the Park and Ride facility in Kam Sheung Road station as this PD caters for 275 additional motor vehicles to this area. The Park and Ride carpark is always full after 10 a.m. each day. We are not sure the car park will be down sized or not when the new property development in Kam Sheung Road station starts soon, surely any increase would not be just for such 275 increase in motor vehicles ?
- c) The PD is 4.3 km away from Kam Sheung Road Station, not walking distance, feeder public transport is necessary. The impact study has not mentioned mini buses No 72 and No 23 and the Sunlight Bus NR 918 that goes to Central/Wanchai area. These are always very popular and fully loaded during peak times in the morning. Also, one can hardly find taxis available in the peak hours. What would be the impact when 2,380 inhabitants are added ?
- d) Junction C (Kam Sheung Road / Kam Tin Road) will reach full capacity soon. Nothing solid mentioned on how this will be resolved in the improvement proposal.

5. Negative impacts of the Proposed Development on Wah Yuen – Impact during Construction

Regarding the impact during the construction period, the proposal has not taken Wah Yuen into its consideration at all.

- a) **Structural impact** – Wah Yuen is a compound of over 42 years. The impact of the construction work few metres away from us on our foundation is not within our laymen's grasp, but we fear for the worst.

During the construction of the Shek Kong Stabling Sidings (High Speed Rail train repair center) along Kam Sheung Road a few years back, neighbouring villages including Lai Uk Tsuen, Tsang Uk Tsuen, Tse Uk Tsuen and us in Wah Yuen have suffered different degrees of damages including cracks and subsidence.

How will our 42-years old houses be able to bear such heavy construction work ? This is rural land where small scale 3-storey buildings have been built, most times by small scale developers / contractors. We fear that the large scale 6-storey construction, built at literally stone's throw away from our houses will cause structural cracks and damages to our houses.

What protection do we have in Wah Yuen when the site is only a few meters away from Wah Yuen at closest point. Is this going to be a scenario of having to prove the damages before our voice would be heard ? **This would bring huge psychological stress to our lives throughout the 5 years of construction.**

For our case, we have a swimming pool in our premise. We are extremely concerned about damages / cracks that the heavy construction work, at such close distance to us, could cause to our pool.

Again, no preventive measures had been mentioned in the Applicant's material as to how to mitigate and monitor structural impact/damages, especially, with the close proximity, on our houses in Wah Yuen.

- b) **Noise impact** - During construction period, how to minimise the noise pollution, again nothing mentioned in the impact assessment.

Especially during initial piling phase, with T7, T8 and the 3-storey car park so close to us, we see no mention of minimizing such impact on us at all.

- c) **Drainage impact** - It is mentioned that during construction period, the north channel will be connected to a new system replacing the existing blocked portion. However it is not clear how Wah Yuen is covered for the risk of flooding during this interim construction period. As mentioned in previous section 4 above, since the Applicant's site has turned to brownfield site, the stream along the outside edge of Wah Yuen does not flow well anymore and water level rises rapidly after each bout of heavy rain. Moreover, with the construction work, construction debris can immediately block the already non-flowing stagnant stream. **As such this drainage issue needs to be addressed before start of construction, before the landfill covering the stream. This is not clear from the Application material.**
- d) **Air pollutant and construction debris impact** – we will be totally exposed to construction contaminants and dust during the full period of construction, it is not seen from the Applicant's material as to how such impact would be minimized. Our dwellings are not flats where we could just close our windows, we have our outdoor garden areas which will be badly affected.

From our past experience, during renovation period of our neighbouring house which was even more of a distance away from our house than the planned T7, T8, the construction debris that got into our swimming pool caused blockage in our pool filter pump. We ended up having to pump away all water in order to perform thorough cleaning by external maintenance vendor. This caused great hassle and financial costs to us. We were warned by the maintenance team that had the construction debris been bigger in size, there will be risk of the debris trapped in the pump causing overheating and could easily damage the system with replacement being the only option.

Besides, given such heavy construction work at such close distance to us, the regular cleaning and maintenance work for our pool would definitely need to be intensified, as such increased financial burden.

Obviously the inconvenience and stress in handling such situations of our pool are not quantifiable.

Nothing again mentioned in the planning application as to how to deal with construction contaminants / debris / dust during time of construction.

- e) **Traffic impact** - The proposal has not assessed issues of how the construction heavy trucks and cranes would have impact on the traffic along Kam Sheung Road during construction period.

The completion date of the PD is 2027, this means construction period will be 5 years roughly. 5 years of continuous suffering under above scenarios is health damaging and distressful to say the least. Needless to say, there will be financial detriments to us as well in terms of repairs and cracks which take time to prove (if at all), as well as the adverse impact on the market values of our homes.

6. Conclusions

To summarise the above sections,

Permanent Impact:	
Before	After
- Greenery Views	- All Views blocked. No Privacy
- Singing of birds	- 24/7 ventilation system of the club houses - 24/7 carpark operation right next to us - 125 residents per building x 19, right next to us
- Natural sunlight	- Sunlight cut by 2-3 hours during afternoon each day - No direct sunlight at all in winter as 6-storey buildings towering over us - Without direct sunlight, our swimming pool will not be suitable for swimming for half of the year
- Natural air circulation	- Wall effect
- Rural freshness of air	- Air pollutants from carpark right next to us
- Drainage problem exacerbated in last few years since brownfield	- Unknown if situation will be worse
- Traffic	- added burden on public transport, parking facilities and the already congested Kam Sheung Road

Impact during Construction period (5 years roughly):

- High risk of structural damage to our houses in Wah Yuen due to the proximity from the development. For our house, we are [REDACTED]
[REDACTED] We have a swimming in our premise and we are extremely worried about the heavy impact of construction work on our pool and house;
- Noise from construction site, again we are [REDACTED]
[REDACTED];

- Increased risk of flooding on western side of Wah Yuen wall due to construction debris, our house is right next to a stagnant stream of which its level rises too quickly with heavy rain;
- Construction contaminants and dust impact, especially on our outdoor area. For our case, construction debris going to our pool could run the risk of damaging our pump system rendering replacement, which would be very costly. Besides, given such heavy construction work at such close distance to us, the regular cleaning and maintenance work for our pool would definitely need to be intensified, as such increased financial burden. Obviously the inconvenience and stress in handling such situations are not quantifiable; and
- Traffic impact with the construction heavy trucks and cranes as the site is right next to us.

As a house compound, we are one of the earliest one [REDACTED]
[REDACTED] We are all proud owners of our homes and we have spent significant amount of monies in maintaining and updating our houses throughout all the years since 1979.

From the day when we had sight of the gist details made available publicly, the sentiment of all the residents in Wah Yuen had been that of sadness, anger, and confusion.

Of course we support the development of housing in vicinity areas, in response to the need of housing requirements of Hong Kong. We support this whilst trusting in the well understood planning of the area, the boundary of the Kam Tin South / Pat Heung LUR (Plan 1), which is 1km away from the Proposed Development. Zoning of land around Wah Yuen are all agricultural land and V-zoned and we are of course open to development of nearby areas with zoning plans to build 3-storey residences, similar to ours in Wah Yuen. Yet to have all we have to disappear because the PD is close to us and twice as tall as our houses, this is a very disturbing situation to say the least.

Given the vastness of the Applicant's land, and the good intention of the Applicant's building setback as well as the green buffer measures for the benefit of the development's new residents, we sincerely hope that the Proposed Development would apply such measures to the boundary in Wah Yuen, for the benefit of us, the existing residents right next to the development.

We did not move from the city to the rural area to have a 3-storey carpark right next to our bedroom windows. We did not move to live in this compound knowing that there will be buildings twice of that of our homes right adjacent (4m closest) to us. The changes to our lives, of this proposed rezoning, is brutal, and it is just too hard to stomach.

We hope that this is not a case of 850 units vs 9 houses, not a case of the big developer vs our small complex, which has been here since 1979.

We beg that members as well as the officer in charge of this proposal to consider and hear our voice.

We are vehemently against the current proposed Application as represented.

We thank you for taking our views into your consideration on this Proposed Development.

Yours faithfully,

Residents of [REDACTED]

6279 附加

☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy

From: [REDACTED]
Sent: 2024-07-12 星期五 23:52:15
To: tpbpd/PLAND <tpbpd@pland.gov.hk>
Subject: Re: Y/YL-SK/1 - 11th submission 12.7.2024 deadline - comments

Apologies, it should be 12th submission 12.7.2024

On Fri, Jul 12, 2024 at 11:51 PM [REDACTED] wrote:

Dear sir/madam,

Please find attached Comments for the above subject.

Grateful if you could confirm your receipt of this email and its attachments in your earliest convenience.

Yours faithfully

致城市規劃委員會秘書：

專人送遞或郵遞：香港北角渣華道 333 號北角政府合署 15 樓

傳真：2877 0245 或 2522 8426

電郵：tpbpd@pland.gov.hk



To : Secretary, Town Planning Board

By hand or post : 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong

By Fax : 2877 0245 or 2522 8426

By e-mail : tpbpd@pland.gov.hk

有關的規劃申請編號 **The application no. to which the comment relates**

Y/YL-SK/1Received on 05/08/2024

意見詳情 (如有需要，請另頁說明)

Details of the Comment (use separate sheet if necessary)

本辦事處收到元朗八鄉上村居民反映，就上標申請再次作出強烈和堅決的反對。相關申請始於 2022 年 4 月 28 日，因為本區人士的強烈反對，發展者「濫用」「申請人提交進一步資料」的程序和機制，目的是明顯不過的！居民對這種「行政手段」極度不滿，十分憤怒。八鄉居民重申：八鄉居民堅持在沒有基建和配套的前提下，反對這項大型發展，懇請城市規劃委員會正視！

有關申請地段位於八鄉蓮花地村與上村黎屋村的交界。申請項目將興建 19 幢樓高 6 層的住宅及 4 幢非住用途的建築物，地盤面積超過 4 萬平方米，住宅單位 850 個，停車位達 275 個。項目規模與面積十分龐大，申請地段接連兩條村落部分的村屋，與黎屋村的法定古蹟植桂書室及二級法定建築黎氏大宅距離不足 60 米，六層高的大型建築，阻礙村民及村屋的視野，對村民及鄉郊環境造成無可挽救的破壞！

此外，蓮花地村以至黎屋村一帶（包括申請地段），經常出現嚴重水浸。相關項目須進行大規模填土工程(mPD 達 44.15 米(主水平基準上))，週邊地方頓時變成低窪地帶，兩村村民極度憂慮申請項目將加劇村民在過去十數年飽受困擾的水浸情況，對村民生命財產構成嚴重威脅！以每戶人口 4 人推算，相關項目將帶來超過 3 千人入住，大量人口定必帶來交通及排污的問題。八鄉南主要幹線近年已嚴重擠塞，而政府亦致力發展八鄉及錦田南一帶，政府的交通、基建和配套完全未能滿足八鄉居民的訴求，居民怨聲載道！申請項目帶來的人流及車輛勢必加劇八鄉交通擠塞的情況，令八鄉居民生活在水深火熱之中！

另一方面，八鄉是沒有中央排污系統，村民的家居污水都流經村內人工修建或天然渠道排放。大量人口排放的污水，對周邊地區的環境衛生造成破壞，同時亦增加渠道的負擔，減弱排洪的能力，增加水浸的風險。

此外，交通配套問題亦是一大問題，主要依賴的交通工具 64K 巴士即將減少班次。錦上路路窄車快，也沒有替代路線，亦有不少重型車輛出入。如興建大型住宅項目必會加重交通負荷，影響居民安全，令交通擠塞情況更嚴重。因此政府在未能解決八鄉錦上路的交通問題前，我們都會極力反對興建多戶的住宅項目。

本辦懇請城市規劃委員會重視八鄉上村居民的意見，聆聽和接納居民的訴求，否決上標大型發展項目，避免居民在水深火熱的環境下生活，造福八鄉上村及錦上路一帶居民！

「提意見人」姓名/名稱 Name of person/company making this comment 李靜儀

簽署 Signature



日期 Date

30-8-2024

333 Java Road, North Point, Hong Kong

Re: Comments on the Proposed Large-Scale Residential Development at the Boundary of Lin Fa Ti and Lai Uk Tsuen in Yuen Long

Application No.: Y/YL-SK/1 Further Information Submitted by the Applicant

Dear Officials and Members,

Regarding the above application no. Y/YL-SK/1, we have the following comments:

Firstly, Kam Sheung Road is a substandard road. The pedestrian path design is extremely narrow, especially in the section of the proposed large-scale residential development site. If pedestrians accidentally fall or slip on the road due to rain, they may fall into the adjacent stream or onto the other side of the road, and risk being hit by vehicles. We live in constant fear and trepidation when using this pedestrian path.

In terms of transportation infrastructure, the Kam Sheung Road MTR station has already seen the completion of a large-scale project, resulting in severe traffic congestion. If another large-scale project is added, even though the traffic load is already severely overloaded, it will further impact the living of our residents.

Additionally, there are frequent instances of flooding on various sections of Kam Sheung Road, especially during heavy rainstorms. Which is due to the severe lack of drainage facilities in the surrounding area.

Kam Sheung Road does not have any sewage treatment facilities. If the project generates wastewater that is not properly treated, it will seriously affect public health and exacerbate the water logging problem.

Based on the above reasons, we hope that the officials and members will consider the plight of the residents in our area, and include our concern of this development project until all the above-mentioned issues has been improved before approving the project.

Yours sincerely,

Name *Joe Lapina*
Joe Lapina Address
Tel [REDACTED]



333 Java Road, North Point, Hong Kong

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Yours sincerely,



Name *M. Musto* Address

Tel



333 Java Road, North Point, Hong Kong

6572

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Yours sincerely,



Name ALICE CHAN

Address

Tel



333 Java Road, North Point, Hong Kong

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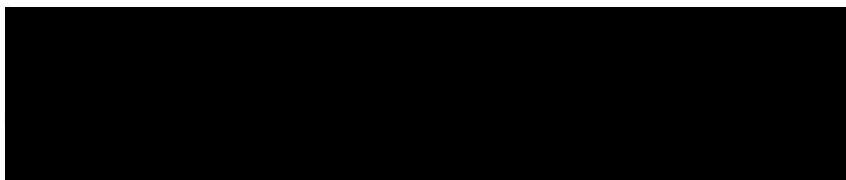
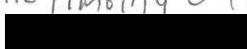
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Yours sincerely,


Name Timothy CHAN Address 
Tel 



333 Java Road, North Point, Hong Kong

6576

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Yours sincerely,


Name CHAN PO YIP

Tel

Address

3 Sep 2024



Residents of Wah Yuen

6th September 2024

RECEIVED

- 6 SEP 2024

Town Planning
Board

Dear Secretary of the Town Planning Board,

Re: Comments to the Town Planning Board in respect of Application Y/YL-SK/1

We are residents to LOT 259A of the compound Wah Yuen 華苑, following our comments we sent you on 3rd June, 5th August, 7th October 2022, 9th December in 2022, 24th February, 14th April, 30th June, 21st July, 22nd September, 8th December 2023, 3rd May and 12th July 2024 during the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh and twelve rounds of submission respectively made by the applicant, with the newly added information in the current ninth round of submission, we would like to share with you our further views.

The Proposed Development ("PD" hereafter) of above reference **envelopes our compound 270 degrees**. Having reviewed the plan and the documents made available at the Planning Department, we feel that no consideration has been taken into account of Wah Yuen in the planning of the PD. We feel that our general welfare, and health will be detrimentally affected.

We object strongly to the Application.

On the latest round of submission of information dated 5th August 2024, here are our comments.

Annex I Revised Traffic Impact Assessment

3.3 Critical Junction – 3.3.2 – The writer of the report justifies the approval of the PD by mentioning road works already planned and in work progress by the various governmental departments. Such improvements in road works were planned long time ago and did NOT have the increase of 850 units of the PD in mind at the time of planning. Such planning were based on the area of the PD to be developed according to the original approved permit, that is: Residential Group D. NOT 6 storeys X 19 buildings + 254 cars (based on 254 car spaces) + increased population 2,380.

Moreover, assuming the maximum number of private car brought about by the car spaces for the residents of the PD is erroneous. With 850 units and only 254 car spaces, this means that residents with cars but who are not owners of the 254 car spaces will seek for rental spaces in areas nearby. Most residents who live along Kam Sheung Road have at least one car

for one household, as this is the lifestyle of the area. 15 minutes away from nearby MTR, love of countryside, low-density living.

Let's take for example on the transitional units in Kong Ha Wai along Kam Sheung Road, western side towards the Kam Sheung Road MTR. Car owners in this transitional housing compound are renting car parks nearby. The fact that there is no carpark inside Kong Ha Wai does NOT mean that the residents do not own any cars.

Going back to the PD, with only 30% (254/850) of the 850 units having car parks, the demand for car parks outside the PD (for example ad hoc ones as provided by nearby undeveloped lands) will be significant.

What makes the writer of the report to assume that the increase in car traffic caused by the PD to be eased by the roadworks that were LONG PLANNED before the PD ???

The road works for the critical junction were planned and will just ease off demand from the increased in population per existing planning permission. A sudden increase in demand in the 850 units PD will put the work CEDD / HyD back to square one. And this is an understatement. In reality, the road demand of such increase in the PD, in the middle of Kam Sheung Road, not walking distance to the MTR station, will totally ruin the commuting experience of existing residents in the area.

Again, in the projection of Traffic Impact Assessment, CTA Consultants is representing a very misleading picture. 2034 Reference Traffic Flows (without PD) is projected, then that of the PD Traffic Flows is added on top.

The way how the 2034 Reference Traffic Flows (without PD) is projected is based on planned/committed future developments in the vicinity as obtained from District Planning Office (DPO). These are **approved** plannings, unlike the PD, where the applicant is looking for a rezoning from Residential Group D to Group C, where the projected population of 2,380 more than doubles due to the number of small units proposed. Piggy bagging on the planned PWP, which never took into account of the PD (rezoning from D to C), then justifying that infrastructure is sufficient for the increase demand from the PD, is misleading and erroneous.

Just for the sake of argument, any new developments who want to apply for rezoning could sponge on the already planned transportation infrastructure, and justifies that such projected infrastructure is more than sufficient for such added new development. However, taking the argument further, if there are 10 of such new development proposals, and each of these assume they are the only one that is changing the rule of the game (i.e. rezoning), the result would be 10 of such unexpected developments sponging on the planned infrastructure which never anticipated such 'rezoned' developments.

Playing such projected numbers with a moving goal is totally misleading.

3.2 Existing Public Transport Services

As we have mentioned many times throughout the last 12 rounds of public comments, the public transport survey as conducted on 18 November 2021 IS ERRONEOUS AND MISLEADING. It is FUNDAMENTALLY FLAWED.

ANNEX II and ANNEX III

Not sure what is the point of these 2 reports by the paid consultant Westwood Hong & Associates.

The reports assesses the impact of noise to the residents of the PD. Have they got the wrong end of the stick ?????

We are the ones who are concerned with the noise brought in by the 850 units/2,380 increased population of the PD. The continuous operation of air ventilation in the residents' blocks/ club house / carpark ... all stone's throw's distance from us residents in Wah Yuen.

Are these just one of those reports that are needed to fill in a standard checklist ? There is no respect to neighbouring residents on what the impact of the PD will create. And yet the consultants are writing a report on how the PD's residents are impacted on ?????

ANNEX V

The report mentions the reduction in size of the pipes from 1650mm to 1350mm in diameter.

We are not drainage expert, but reducing the size of pipes is a cause for concern.

In general, the report has been using the following phrases throughout:

- Not worse than before
- 200 years flood event.

This is alarming. So as long as the 'desktop' analysis shows that the water level is NOT worse than before, the PD can build on artificially elevated grounds, filling up the soil, and surrounding itself by high walls ?? We at Wah Yuen, wrapped by the PD on 3 sides will bear ALL the water that flows down. This is heinous.

200 years flooding event... this is still to be used by out-of-date consultants with no regards to how the global weather is changing, how Hong Kong rain and typhoon situation is changing ????????

What is the purpose of all these paid consultant reports ? To prove to the TPB that the PD is safe and sound ? At the cost of neighbouring vicinity ? Without taking into consideration of its impact to us in Wah Yuen ?

Just claiming that Wah Yuen is a private residential compound and hence did not get access into, DOES NOT MEAN that ALL these paid consultants can avoid and airbrush all the ADVERSE impacts the PD has on us.

In the global financial / commercial world, where projects over US\$500 million seek for approval from governments, or seeking for finance, consultant reports from the development consortium are conducted, justifying the building of such projects. As a counter check, consultant reports are also commissioned from the counterparties, mainly financiers to which the developer is seeking finance from. It is the balance of these two sets of consultant reports/ projections, conducted for the two parties on the opposing ends, that is taken for the final agreed parameters.

For this PD, developer's paid consultant reports have been submitted and re-submitted to TPB, each time with insignificant amendments, yet, ignoring what we have been saying throughout these past 11 times of public opinion submissions.

It has been a ONE-WAY flow of information. Whilst our comments have gone to deaf ears. The same mistakes appear in these consultants every time. The same misleading information every time.

This process of seeking public opinion since 2022 June is taking a toll on all of us.

Writing the same points 13 times, whilst PD's consultants keep drumming the same lies.

We are vehemently against the current proposed Application as represented.

We thank you for taking our views into your consideration on this Proposed Development.

Yours faithfully,

Residents of Wah Yuen [REDACTED]

致：城市規劃委員會

日期：2024 年 9 月 6 日

有關：反對 Y/YL-SK/1 更改規劃申請



我們是華苑居民。華苑是唯一和 TENOX(下稱發展商)同處申請更改規劃地段(RD)，是最鄰近，也是唯一已發展成熟，落成逾 40 年的屋苑。屋苑周邊地段大部份是鄉郊地段 (Vzone)，地積比率雖然不是 RD 地段規定的 0.2¹，但樓房的高度、密度相對低，且其中不乏從事務農耕作的居民。簡單而言，這規劃地段的居民生活模式，切合規劃原意，是一個較寧靜，房屋人口密度低的規劃。作為當地社區居民，我們強烈反對是項更改用地規劃申請。

1. 發展商近乎漠視 5,996 份公眾意見，也從未向地區居民解說發展詳情

發展商擬大幅提高地積比率 4 倍由 0.2 至 0.8、樓層由 2-3 層至 6 層(升高地平後近 7 層高度)、加建近 300 個車位 (包括一個貼近鄰居的 3 層高停車場)、大幅更改河道，填高基礎地平 1.8 米，填平居民用作排水的天然河道，擬興建居民普遍不認同的替代渠道，增加水浸風險。居民透過公眾諮詢不斷重複提出疑問及意見。自 2022 年 4 月至今的公眾諮詢，已收集 5,996 份公眾意見，大部份表達對渠務、交通及社區人口規劃失衡等貼地民生議題的憂慮。

就發展商 2024 年 8 月提交的進一步資料(FI13)，由於文件沒就公眾意見提出進一步跟進回應，我們今次的意見主要聚焦在文件中引申的幾項有關審批的原則性提問。

2. 發展商在發展地盤以外進行工程，應否尋求有關居民/業主的意見？

2.1. 渠務署提出上述建議時(RtC4.2)，發展商的回應是：

2.1.1. 上述工程建議已在 FI12(2024 年 5 月 21 日) 文件提出，並經規劃署傳往有關部門，至今未有相關政府部門提出意見²

2.1.2. 公眾可就工程提出意見，但至今未見有回應³

2.2. 我們不能認同發展商的回應事實及邏輯：

2.2.1. 雖然申請機制提供一個平台，方便申請人獲取有關政府部門及公眾意見，但如果工程有關在非發展範圍進行工程，基本原則不是應該由申請人提供土地業權擁有人(包括政府及私人) 的正面同意(opt-in) 始能進行嗎？所謂「默許」(opt-out) 的模式理應不適用於此工程類別。

¹ 據了解 V-ZONE 的地積比是 3.0

² "Nil departmental comments have been received on the proposed works" - RtC4.2

³ "Based on our review of the public comments received, there have been no public comments from the local residents/VR made on the proposed works." – RtC4.2

2.2.2. 舉一個有關實則私人地段的疑點，，發展商擬更改北面河道(Northern Channel)，聲稱部份走道(非發展地盤範圍) 堵塞，故建議更改河道走道。換句話說，發展商建議切斷/奪走非自己業權地段原先存在的河道，轉接至自己業權範圍內。這個實則工程雖然沒在其他私人地段進行，但切斷本屬於他人的河道，影響整個地段的排水，獲取地段私人業權人的正面同意(affirmative consent) 不是基本原則嗎？

2.3. 有關事實部份，發展商提及居民可利用公眾諮詢表達意見，又聲稱根據他們檢視所得，公眾沒有就有關工程提出意見。就此，我們認為發展商的回應有誤導部門及委員會之嫌。

2.3.1 首先，公眾的意見不可能傾向技術性，例如不可能具體至文件提及有關影響公眾通道的技術回應。正常合理的公眾意見應該是有關渠務排水的直接及間接影響。我們認為渠務影響深遠，尋求居民意見是必須的。

2.3.1 第二，居民事實上有就此表達直接及間接意見，任何人只要看看公眾意見，也不難理解居民的擔憂及理據，發展商只是沒有理會。舉一個最近的例子，在上一輪的諮詢，居民對建議大幅更改河道，及替代渠道的可行性，至部份天然河道位處發展商範圍以外，進而對其是否有誘因或業權能力維修河道有很大存疑⁴。

3. 政府部門有必要遷就一個沒有公眾利益考量的私人發展項目，在整體道路改善計仍在籌劃期間，容許發展商主導先行落實工程，進而有機會影響往後政府工程落實執行時的彈性嗎？

就發展商回應路政署的意見 (RtC2)，文件提及路政署有 2 項相關道路工程改善計劃(6820TH 及 6892TH)，但兩者現階段均在計劃階段，存在一定變數，故此路政署特別聲明現階段顯示計劃詳情包括設計及完工日期並不合適。在居民立場，我們的意見是：

3.1. 有關公共設施如道路、交通、渠務等，影響廣泛範圍居民，市民的理解是，除大型基建，或公私營合作基建項目，否則通常適合由政府主導。

3.2. 如果一個還在計劃階段的道路工程，政府部門貿然為一個私人發展商的更改規劃申請，提前落實其中部份範圍的工程，進而有機會錯失了往後工程發展的彈性，相信這不是有利廣大市民的行政方向。

⁴ 參考華苑居民 7 月 12 日提交公眾意見第 2 點，題為「居民對發展商聲稱負責取代河道的重大維修有重大疑慮」

4. 我們想在此特別點名提問民政事務署在是項公眾諮詢的角色

- 4.1. 我們懷疑民政署的角色如果只在其中心及安排外判商在發展地段張貼諮詢資料，讓市民知道計劃及諮詢期是否合理和足夠？
- 4.2. 截至目前，是項更改規劃的的申請，已接獲近 6,000 份公眾諮詢，反對的意見全是民生議題。民政署理應感受到地區居民對更改規劃的合理擔憂。須知道發展商和鄉郊社區居民的資源能力極度不對等，建議方案的內容比較複雜，也偏技術性，更關乎不同政府部門的運作，我們期望民政署能否多做些協調工作，讓居民更了解更改規劃對當地居民的影響。
- 4.3. 除協調角色，我們在公開文件甚至看不到民政事務署對政府用地的協調或審批有任何公開回應或意見，整體似乎和居民對其角色的合理期望有相當程度的落差。

最後，我們強調居民的反對立場不變。我們不是反對發展土地，只是反對發展商在沒有足夠配套設施的情況下，提出更改規劃，大幅提高地積比，房屋及人口密度，令地區的規劃失衡。發展商提出更改的理據薄弱，投放大量資源就不同範疇僱用工程顧問公司，但無論在主要民生議題如渠務及交通評估，看到僱問公司無論在持平、專業及掌握地區資料也有疑問。發展商在整個申請過程，近乎無視地區居民及公眾意見，完全顯現不到新舊社區融的發展精神。

我們認為發展商應沿用現有規劃發展用地，尊重規劃原意，發揮智慧用地的精神。

華苑居民

2024 年 9 月 6 日

致：城市規劃委員會

日期：2024 年 11 月 22 日

有關：反對 Y/YL-SK/1 申請的公眾意見 (就 FI14 有關部門的部份意見及申請人的回應)



我們是華苑居民。華苑是唯一處上述更改申請的同一規劃地段，也是最鄰近，且落成逾 40 年的屋苑。現就 Tenox（下稱發展商）於 2024 年 10 月提交申請的進一步資料(FI14)提出意見。

由於申請人沒積極跟進及回應公眾意見。由 2022 年 4 月提交申請就計，下列意見主要為廣受關注的渠務及水浸生議題。事實上，這些意見在之前的諮詢已經提出，但一直未能獲得解答。此外，我們認為渠務議題，尤其在維修方面和地政署的用地條款有關聯，議題獲廣大地區居民關注，民政署在這個民生議題上應有角色。故此，我們對把關部門也提出了意見和題問，也期望負責歸納公眾意見的城規秘書處及現劃署，向城規會提交的待審批文件，有充份考慮截止今天收到達 6,882¹的公眾意見，尤其有關因是次更改規劃申請，在民生配套不足的情況下，尤其是水浸問題，地區居民的關注和憂慮。

有關負責政府部門	公眾意見/提問
1. 渠務署表示對申請人的建議沒有進一步意見 (Ref. F14/ #3.1)	<p>1.1 渠務署作為把關部門，從申請人提交第一份渠務評估報告(DIA) 時，完全剔除華苑及圍繞屋苑唯一一條用作排水的天然河道開始至今，我們感謝署方在多方面作出合理疑問。</p> <p>1.2 作為主力把關部門，我們對渠務署在地區居民仍有實則疑慮，而署方的部份提問仍未獲全面解答的情況下表示沒有進一步意見，我們對署方能否有效為居民把關有保留。</p>

¹ 城規會網站截至 2024 年 11 月 22 日顯示的數字，三星期的公眾諮詢期今天午夜 12 時截止。

	<p>1.3 我們留意到署方似乎大程度依賴申請人委任顧問公司進行的水力模型測試，預測水浸風險的報告結果。顧問公司一直對署方就大部份不利於建議的回應，總以測試結果正面為解脫。</p> <p>1.4 首先，我們絕對不是質疑水力模型測試程式的準確性，我們不能信任的是委任進行模型測試的申請人及獲委任進行測試的顧問公司。我們不能信任的理據是基於其第一輪渠務評估報告(DIA) 已顯示立場偏頗，且非常不專業。顧問聲稱對民居有重大影響的唯一排水天然河道並不存在，在建議圖則劃作平地；無論在文字至圖則，報告什至完全抹去華苑(佔地相當於發展地盤的私人擁有總面積約 17%，只要曾到現場，普通人都不可能看不到，遑論專業的顧問公司) 的存在，更對其渠務建議對屋苑的影響隻字不提。我們認為這情況如果是疏忽，是為不專業，或不能有效掌握地區的實際情況；否則就是立場偏頗，有意掩蓋部份事實。兩者都讓居民不相信顧問的中立和專業性。</p> <p>1.5 再者，我們相信科學的運算測試程式不論如何科學，如何準確，進行測試一方所作出假設，倒入運算程式的本土數據(Raw Data) 是否全面或經全面核實，對測試的結果有重大的影響。我們相信署方有檢視運算程式是否準確，一些重要的因素假設是否合理。但我們想向署方提問：署方在相信測試結果之前，有全面實地核實顧問公司的本土數據嗎？有根據報告的數據，什或在暴雨出現時實地覆檢水流的走向嗎？我們理解政府資源有限，正因如此，我們認為渠務署必須聆聽當地居民，每有暴雨均身歷其中的聲音。申請人提出的是大規模渠務改動，切身被影響的也是</p>
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		<p>當地居民，且更改不能逆轉，我們不希望檢視評估報告流於辦公室內的評計算機運作，認為把關的政府部門檢視流程必須結合民間智慧和科學，再加上實地覆檢，始決定部門整體意見。</p> <p>1.6 事實上，我們非常感謝署方有盡力在多方面，什至與渠務工程沒有直接關連的項目作出提問。但希望署方明白居民的深切憂慮。是項申請結集了近 7,000 份公眾意見，而大部份和水浸有關。近期大家面對全球包括香港極端天氣的威脅，未來的水浸風險更具挑戰性。現時申請人的建議大幅度更改民居的排水，包括更改河道，替代明渠的不足，加高全個地盤至不合理地平致令其他周邊地段頓成低地，明渠的維修問題等等，都讓居民不可能完全信服顧問公司的水力模型測試結果。故此，我們強烈要求渠務署若有一丁點兒懷疑是項建議的確定性，必須向委員會提出。</p>
2.	<p>渠務署提醒申請人必須依據其於 5 月 21 日提交 F112 部門回應，有關維修渠道相信包括替代明渠的維修修責 (Ref. F14/ #3.2)</p>	<p>2.1 我們強調，渠道淤塞是構成水浸的最大走原因，故此日常清除渠道的工作是預防水浸的最有效方法。翻查申請人當日的回應，其實只有一個承諾，沒有列明如何維修如何執行，只承諾在申請通過後提交詳情。</p> <p>2.2 再者，我們多次在公眾意見提出，建議的替代渠道收淺收窄之餘，渠道的走道脈絡超越申請人的地盤範圍至鄉村地段，申請人又大幅變更主要的北面河道的走道，渠道流經的地段容易被砂石堵塞，申請人更改了天然河道，但不能維修不屬自己的走道範圍，我們認為經維修的承諾若缺乏實際執行的資料，容易淪為空談。</p>

3	<p>對地政署的提問 - 我們理解讓申請人在通過審批後，有效執行渠道居維修的責任的其中一個方法是將維修責任增加至地契使用條款。</p>	<p>3.1 我們在此強烈表達，我們絕對不認同這是一個有效的方法。從「貼地」的層面分析，首先，現時申請人作為業主，盡管沒有條款，天然河道座落私人範圍，若河道有水浸風險，業主理應有責任清理維修。但事實是，現時業主擁有地盤土地數十年，但從來沒有履行維修河道責任。約十年前，因屋苑擔憂有水浸風險，在屋苑要求下，要求渠務署作主導匯同地政署及屋苑業主開會研究，要求地盤業主處理，結果是經歷數年也沒有成效，事件最終不了了之。後來因為渠務署在整個地區作出改善工程水浸情況才得以紓緩。</p> <p>3.2. 我們看不到審批後增加條款會一夜間有大的改變。違反地契條件的檢控鮮有發生，政府資源有限，不能隨時巡查，十年前地政署不能執行的斷不會一夜間斷突然改變。水浸是發生在一瞬間，檢控不是最理想的解決方法，檢控也保償不了居民的精神困擾，財物什或人命損失。</p> <p>3.3. 如上述提及的原因，我們認為只倚靠申請人盡責維修幾乎不可能，地契條款只是給多方一個便利的台階，交待有法可依，風險最終由居民承擔。當然，如果是一些已發現問題的地方，條款仍可作為最後後盾。但是項申請未經審批，問題未及發生，我們認為政府部門將這後盾認作魔術，認為增加條款可以解決渠道淤塞問題的想法是不切實際。</p> <p>3.4 我們發現地政署在這方面雖然有其角色，但在整個審批過程中，鮮有參與。就這課題，特此向地政作為把關政府部門，在過往經驗，請為市民把關提出意見，我們期望地政署憑其經驗，可以提出實則數據及</p>
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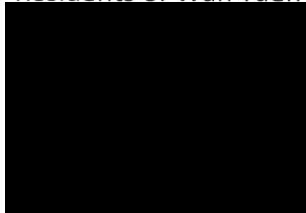
		個案，就只以加入地契條款是否足以預防及解決社區即時的水浸危險提出意見。
4	對民政署的提問	是項申請展開公眾諮詢至今，集結了近 7,000 份當地居民的意見，我們且大部份有關民生議題，包括水浸。民政署屢有進行地區的小型包括渠務工程，我們期望民政署就申請提出地區的意見。

華苑居民

2024 年 11 月 22 日



Residents of Wah Yuen

22nd November 2024

Dear Secretary of the Town Planning Board,

Re: Comments to the Town Planning Board in respect of Application Y/YL-SK/1

We are residents to [REDACTED], since the first submission to TPB from the developer in April 2022, the process has dragged on for 2.5 years. All in total, upto last submission (the 13th round) with public response deadline dated 6th September 2024, total number of **protest letters are now upto to 6,586**.

With the repetition of almost identical materials churning out every submission by the paid desktop-bound consultants, with tweaks in data, with the same **pre-determined conclusion EVERYTIME** This repeated mantra, no matter what our comments are, gives us no vote of confidence as to where our comments have gone, if they have be forwarded to the developer / developer's paid consultants / relevant government departments / relevant TPB staff who actually understands the issues of the application.

The Proposed Development ("PD" hereafter) of above reference **envelopes our compound 270 degrees**. Having reviewed the plan and the documents made available at the Planning Department, we feel that no consideration has been taken into account of Wah Yuen in the planning of the PD. We feel that our general welfare, and health will be detrimentally affected.

We object strongly to the Application.

On the latest round of submission of information dated 14th October 2024, here are our comments.

Annex I Revised Traffic Impact Assessment
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7. Pedestrian Footpath Assessment

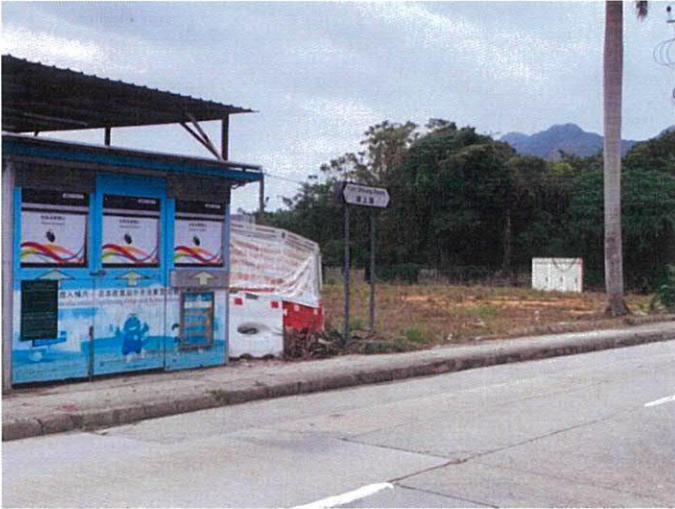
So for Critical Section F1 and F2, which is **RIGHT ADJACENT to entrance of Wah Yuen**, the Effective Footpath Width is cut by a third, Effective width is halved, leading to 2-way Pedestrian Flow Rate (ped/min/m) at AM and PM peaks to be doubled.

Yet with no change in conclusions ???????? No change ? The doubling of traffic flow at AM and PM peaks mean no change ????? Because only Wah Yuen is affected ???

Kam Sheung Road - Photos taken from eastern side of Wah Yuen, towards PD – note the narrow area for walking



Kam Sheung Road - Photos taken opposite Wah Yuen, towards PD – note the narrow area for walking



Has the desktop bound developer paid consultant team ever visited the surroundings of the site ????

In the middle of a countryside road, with no infrastructure support for a population of 6 storeys X 19 buildings. The pedestrian paths are barely enough for just one person walking, with overgrown grass and weeds taking up most of the width, as well as underground water channel. As much as the developer will 'beautify' its fronting, justifying that the paving along Kam Sheung Road is sufficient for its 6 storeys X 19 buildings population, it really does not make sense as this will require significant increase in public transportation.

Does this make any sense ? All for private commercial gains ?

Following comments were made last round. It just seems that all of our comments made so far have NO IMPACT on the consultants reports.

The consultants reports just continue with their spinning.....

What is the system in this PUBLIC COMMENTS process if there is no connection between public comments and the incessant submission of the same information from the developer's side which we repeatedly and strongly express our disagreement with ?

3.3 Critical Junction – 3.3.2 – The writer of the report justifies the approval of the PD by mentioning road works already planned and in work progress by the various governmental

departments. Such improvements in road works were planned long time ago and did NOT have the increase of 850 units of the PD in mind at the time of planning. Such planning were based on the area of the PD to be developed according to the original approved permit, that is: Residential Group D. NOT 6 storeys X 19 buildings + 254 cars (based on 254 car spaces) + increased population 2,380.

Moreover, assuming the maximum number of private car brought about by the car spaces for the residents of the PD is erroneous. With 850 units and only 254 car spaces, this means that residents with cars but who are not owners of the 254 car spaces will seek for rental spaces in areas nearby. Most residents who live along Kam Sheung Road have at least one car for one household, as this is the lifestyle of the area. 15 minutes away from nearby MTR, love of countryside, low-density living.

Let's take for example on the transitional units in Kong Ha Wai along Kam Sheung Road, western side towards the Kam Sheung Road MTR. Car owners in this transitional housing compound are renting car parks nearby. The fact that there is no carpark inside Kong Ha Wai does NOT mean that the residents do not own any cars.

Going back to the PD, with only 30% (254/850) of the 850 units having car parks, the demand for car parks outside the PD (for example ad hoc ones as provided by nearby undeveloped lands) will be significant.

What makes the writer of the report to assume that the increase in car traffic caused by the PD to be eased by the roadworks that were LONG PLANNED before the PD ???

The road works for the critical junction were planned and will just ease off demand from the increased in population per existing planning permission. A sudden increase in demand in the 850 units PD will put the work CEDD / HyD back to square one. And this is an understatement. In reality, the road demand of such increase in the PD, in the middle of Kam Sheung Road, not walking distance to the MTR station, will totally ruin the commuting experience of existing residents in the area.

Again, in the projection of Traffic Impact Assessment, CTA Consultants is representing a very misleading picture. 2034 Reference Traffic Flows (without PD) is projected, then that of the PD Traffic Flows is added on top.

The way how the 2034 Reference Traffic Flows (without PD) is projected is based on planned/committed future developments in the vicinity as obtained from District Planning Office (DPO). These are **approved** plannings, unlike the PD, where the applicant is looking for a rezoning from Residential Group D to Group C, where the projected population of 2,380 more than doubles due to the number of small units proposed. Piggy bagging on the planned PWP, which never took into account of the PD (rezoning from D to C), then justifying that infrastructure is sufficient for the increase demand from the PD, is misleading and erroneous.

Just for the sake of argument, any new developments who want to apply for rezoning could sponge on the already planned transportation infrastructure, and justifies that such projected infrastructure is more than sufficient for such added new development. However, taking the

argument further, if there are 10 of such new development proposals, and each of these assume they are the only one that is changing the rule of the game (i.e. rezoning), the result would be 10 of such unexpected developments sponging on the planned infrastructure which never anticipated such 'rezoned' developments.

Playing such projected numbers with a moving goal is totally misleading.

3.2 Existing Public Transport Services

As we have mentioned many times throughout the last 12 rounds of public comments, the public transport survey as conducted on 18 November 2021 IS ERRONEOUS AND MISLEADING. It is FUNDAMENTALLY FLAWED.

Other huge concerns we have repeatedly been saying since round 1 of submission for 2.5 years:

Sunlight

Sunlight will be severely blocked due to the 6 (equivalent to 7 as PD will be elevated significantly) storeys buildings right ADJACENT to us in Wah Yuen.

summer:

	Before PD	After PD	diff
When half of garden is in shade	18:00	16:02	-2 hours
Last sunlight (when garden is in full shade)	18:29	16:39	-2 hours

winter:

	Before PD	After PD	diff
When half of garden is in shade	16:34	13:39	-3 hours
Last sunlight (when garden is in full shade)	17:04	14:54	-2 hours

Our home in Wah Yuen (beige colour), 3-storeys high, will be enveloped by almost 7 storeys tower blocks of the PD (grey colour). 270 degrees around the whole of Wah Yuen complex.

Environment TOTALLY DESTROYED.



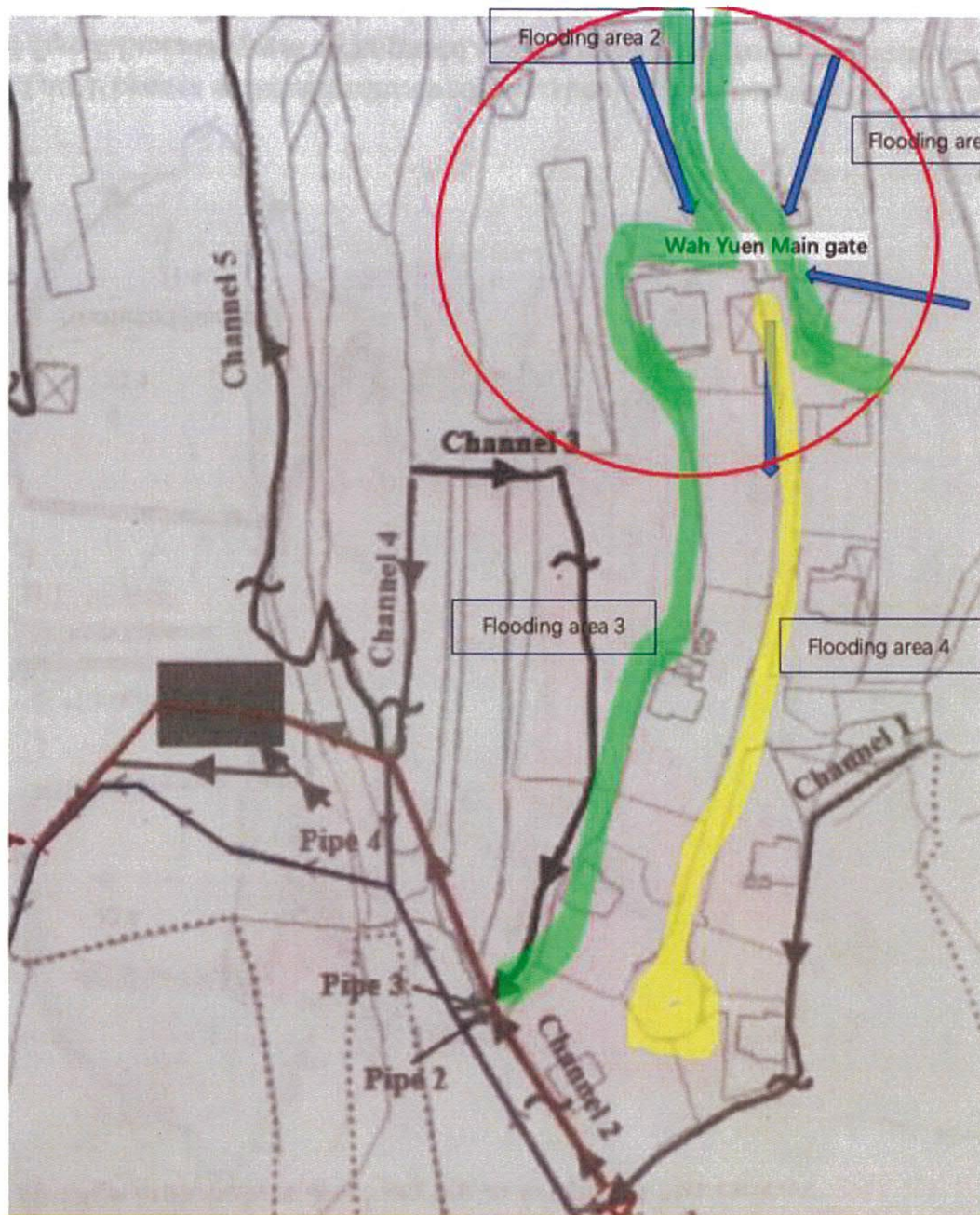
Drainage / flooding

Just the recent bout of rain on week commencing 18th November 2024, from Typhoon Man-Yi, the water level rises significantly outside of Wah Yuen adjacent to the PD:



The revised Drainage Impact Assessment has not addressed the origin of the water flooding on the North / Northeast side of the Wah Yuen main gate. All five proposed water channels are only close to the proposed development (on the West and Southwest of Wah Yuen), nothing really beneficial for Wah Yuen.

See the water catchment area below map in red circle. This is where all the water starts to flow into Wah Yuen, as driveway from Kam Sheung Road to Wah Yuen is bordered by waterstreams. When water level rises and overflows, the driveway will be flooded and water will go through the main gate area (Blue arrows). The water flows along the driveway (highlighted in yellow) into our houses.



In 8 Sept 2023 Black rain day, the water level of the streams have drastically increased after rain to **above road level of over 20 cm**. This measurement however is not to be taken as maximum as we were only able to venture outside of our house when the situation in our house subsided.



Wah Yuen main gate area (flooding due to overflow of small streams surrounding Wah Yuen)



Flooding area 1 East side of Wah Yuen main gate (stream overflowed)



Flooding area 2 West side of Wah Yuen main gate, water level of stream has gone up by 1 to 1.5m within 2 hours.

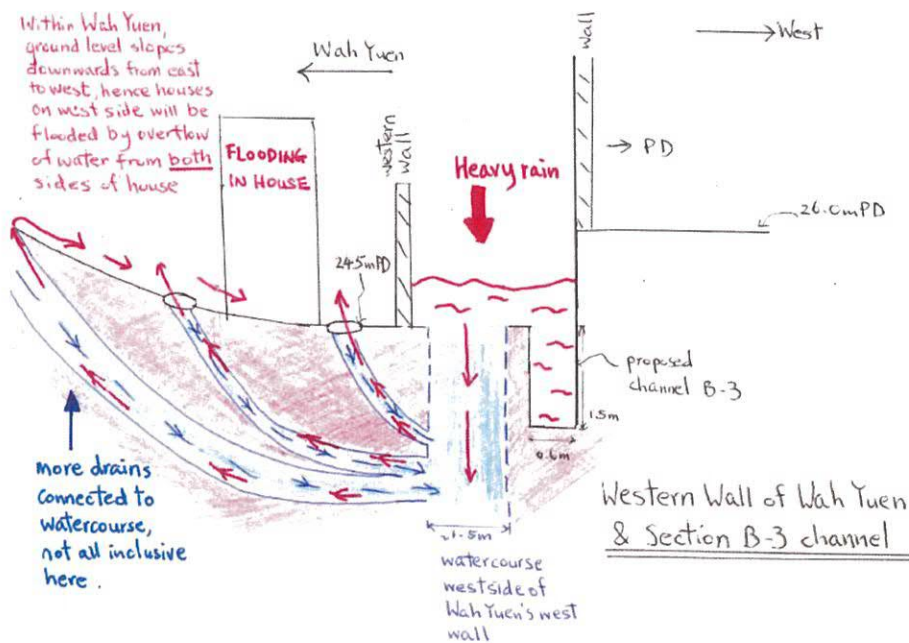


Flooding area 3 West boundary outside compound wall (you cannot distinguish the stream with the nursery ground level)



Flooding area 4 internal driveway of Wah Yuen (highlighted in yellow on map)

Moreover, the PD is elevating itself, with its high bound wall, significantly increasing level of water built up in water channel adjacent to our houses in Wah Yuen. **This directly INCREASES risk of flooding in Wah Yuen.**



Land Use Review (LUR)

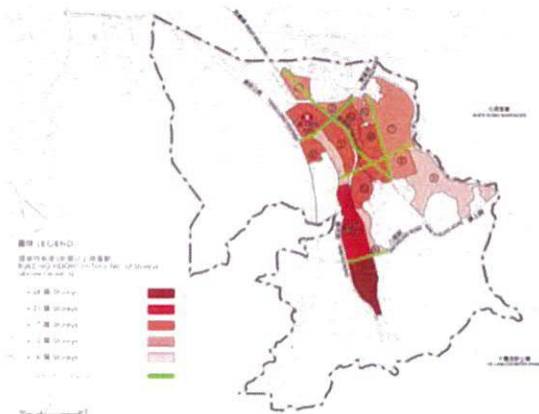


Figure 4 Proposed Building Height Profile and District Wind Corridors of the Potential Sites

PD is outside demarcation of the LUR. Why should PD be given exemption regarding plot ratio / building height. The developer bought the 'wrong' piece of land and now wants to move the goalpost ???

Planned Kam Tin South/ Pat Heung area developments are close to the Kam Sheung Road Station if along Kam Sheung Road, or on other roads such as Kam Shui South Road, or Kam Ho Road near the MTR Pat Heung Maintenance Centre. These areas have been planned for higher plot ratios, and we understand the rationale.

However, further along Kam Sheung Road towards where Wah Yuen is, this is an area with well-established villages with low-rise 3-storey houses already. By saying that the rezoning site is a mere 700m away (we do not agree it is 700m btw, we measure it as 1km from junction of Kam Sheung Road and Kam Shui South Road to the PD) is not fair as where does this exception end then ?

The Kam Tin South / Pat Heung area for development has taken intensive studies over 10 years and it is not fair that vested interest players keep seeking for change of goalpost. The area attracts people coming to live, based on their views of whether they want to be closer to the MTR, hence more dense dwellings, or further away, hence low-rise with more space. It is not fair that such planning is disturbed just because such player has accumulated enough land as their justification. If this sets the precedent allowing such change of rule. Where on Kam Sheung Road with similar 'exception' will end ? The whole of the rural environment would disappear then.

The fundamentals behind the planning of this PD is beyond our grasp.

Village houses of 700 sq ft per storey with 3 storeys height maximum are built in the whole area along Kam Sheung Road. General town planning common sense is to have the more densely populated residencials built on/adjacent to transportation terminals / MTR stations.

Why is the applicant allowed to build a development of average size of a mere 38m², with projected population size of 2,380 and 216 cars in the middle of Kam Sheung Road ?

This heavily compromises the car traffic / public transportation / air and light /visuals /drainage in the vicinity.

Densely populated developments should be built near transportation terminals / MTR stations, where residents can get access to public transportation on foot, without causing burden on single lane country roads like Kam Sheung Road. There is no alternative route from the PD site to Kam Sheung Road MTR station except along Kam Sheung Road. If Kam Sheung Road is congested, there is no way out.

Per Table 4.4 of Annex III (Revised Traffic Impact Assessment), scheduled developments under LUR are listed. Average flat size of the private developments are all 70 m², yet the LUR is closer to the Kam Sheung Road MTR station.

WHY ? Why is the PD allowed to build such small sized units in the middle of a single lane country road ?

If the applicant wants to enjoy the plot ratio similar to that of the LUR, the applicant should look for land within the LUR boundary, instead of trying to break the plan and totally ruin our low rise neighbourhood.


Of course we support the development of housing in vicinity areas, in response to the need of housing requirements of Hong Kong. We support this whilst trusting in the well understood planning of the area, the boundary of the Kam Tin South / Pat Heung LUR (Plan 1), which is 1km away from the Proposed Development. Zoning of land around Wah Yuen are all agricultural land and V-zoned and we are of course open to development of nearby areas with zoning plans to build 3-storey residences, similar to ours in Wah Yuen. Yet to have all we have to disappear because the PD is close to us and twice as tall as our houses, this is a very disturbing situation to say the least.

Writing the same points 14 times, whilst PD's consultants keep drumming the same lies.

We are vehemently against the current proposed Application as represented.

We thank you for taking our views into your consideration on this Proposed Development.

Yours faithfully,

Residents of Wah Yuen, 

Residents Signature :

居民簽署 :



Name (Print):

K. Ng

名(正楷) :

Address:



通訊:

Telephone number:



電話:

Residents Signature :



居民簽署 :

Name (Print):

M. Tam

名(正楷) :

Address:



通訊:

Telephone number:



電話:

Residents Signature :



居民簽署 :

Name (Print):

Y.S. Yew

名(正楷) :

Address:



通訊:

Telephone number:



電話:

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八鄉上村居民簽署：

姓名(正楷)：

2025 年 月 日

通訊地址：

聯絡電話：



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八鄉上村居民簽署：

姓名(正楷)：

2025 年 1 月 24 日

通訊地址：

聯絡電話：



黎永堅



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八鄉上村居民簽署: 陳淑梅
姓名(正楷): 陳淑梅
2025 年 月 日
通訊地址: [REDACTED]
聯絡電話: [REDACTED]



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八鄉上村居民簽署：

姓名(正楷)：

2025 年 1 月 24 日

通訊地址：

聯絡電話：

黎樹林
黎樹林



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八鄉上村居民簽署：

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2025 年 1 月 28 日

通訊地址：

聯絡電話：

TANG Ricky LIK



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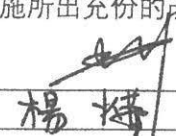
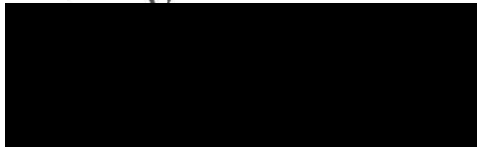
八鄉上村居民簽署：

姓名(正楷)：

2025 年 1 月 15 日

通訊地址：

聯絡電話：


楊梅




城市規劃委員會秘書
香港北角渣華道 333 號北角政府合署

強烈反對元朗八鄉蓮花地村與上村黎屋村的交界興建大型低密度住宅
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八鄉上村居民簽署：

姓名(正楷)：

2025 年 1 月 25 日

通訊地址：

聯絡電話：

XP 聯
TANG LUI LEO



城市規劃委員會秘書
香港北角渣華道 333 號北角政府合署

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八鄉上村居民簽署：

姓名(正楷)：

2025 年 1 月 25 日

通訊地址：

聯絡電話：

沈偉健

CHI WAI KIN



城市規劃委員會秘書
香港北角渣華道 333 號北角政府合署

強烈反對元朗八鄉蓮花地村與上村黎屋村的交界興建大型低密度住宅
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八鄉上村居民簽署：

姓名(正楷)：

2025 年 1 月 25 日

通訊地址：

聯絡電話：


CHUNG GAR LAM



城市規劃委員會秘書
香港北角渣華道 333 號北角政府合署

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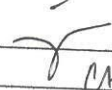
八鄉上村居民簽署：

姓名(正楷)：

2025 年 1 月 24 日

通訊地址：

聯絡電話：


CHOW YAN



城市規劃委員會秘書
香港北角渣華道 333 號北角政府合署

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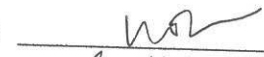
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八鄉上村居民簽署：_____

姓名(正楷)：_____

2025 年 月 日

通訊地址：_____

聯絡電話：_____


HO Koon Man
[Redacted address and phone number]



城市規劃委員會秘書
香港北角渣華道 333 號北角政府合署

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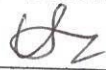
八鄉上村居民簽署：

姓名(正楷)：

2025 年 1 月 22 日

通訊地址：

聯絡電話：


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香港北角渣華道 333 號北角政府合署

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申請編號 Y/YL — SK1 — 申請人提交進一步資料

致各位官員和委員

你們好！關於以上申請編號的項目，我們作為附近的居民有以下的意見：

1. 交通

錦上路西鐵站旁邊，近年有多座高層樓宇落成，及現有大範圍的土地動工中，這土地可供建數十棟高層樓宇，還有數十座廉租屋和私人樓宇已落成及入住。錦上路一帶道路網原是鄉郊設計，對日後劇增的人口負擔，一定不勝負荷。

2. 行人路

錦上路沒有一條完整的行人路，特別是以上申請興建多層住宅項目的地段。這條行人路非常狹窄，沒有護欄，如行人不幸在此跌倒，可能會跌到旁邊數尺下的小溪或另一邊的馬路而有機會被車輛撞倒。居民們每次行經此路，都要十分小心，膽戰心驚。

3. 水浸

錦上路多處時常有水浸情況發生。每逢大雨，由於排水設施的不足及管理不善，我們家旁的小溪有時候會變成小河，水位一旦高升，水勢急湍甚箭，猛浪若奔。門前更甚或變成一片大海，岌岌可危。

4. 公共衛生

錦上路並沒有污水處理設施。如項目產生污水處理不當情況，便會嚴重影響公共衛生，滋擾附近居民們，或更甚會引致百病纏身。

基於以上種種原因，希望各位官員和委員能體恤我們附近居民的苦況，否決以上申請的項目，直至所有配套設施所出充份的改善，再作考慮。謝謝。


八鄉上村居民簽署：

姓名(正楷)：

2025 年 1 月 22 日

通訊地址：

聯絡電話：


陳亦枝



城市規劃委員會秘書
香港北角渣華道 333 號北角政府合署

強烈反對元朗八鄉蓮花地村與上村黎屋村的交界興建大型低密度住宅
申請編號 Y/YL — SK1 — 申請人提交進一步資料

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基於以上種種原因，希望各位官員和委員能體恤我們附近居民的苦況，否決以上申請的項目，直至所有配套設施所出充份的改善，再作考慮。謝謝。



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姓名(正楷)：

2025 年 1 月 22 日

通訊地址：

聯絡電話：


陳嘉貞




7276

To : Secretary, Town Planning Board
15 FI Government Offices, 333 Java Rd.
North Point, Hong Kong

25 Jan 2025

Dear Madam/Sir,

Refer to the application reference number: Y/YL-SK1. The following are our comments to the proposed project.

1. **Traffic** : in recent years Kam Sheung Road has had a lot of new private three story home construction and recently there have also been a number of transit apartments. The result has been a large increase in population which puts undue pressure on public transportation. Riders have long queues for buses or minibuses. Kam Sheung Road is overloaded with traffic both private and commercial due to many warehouses along the road serviced by large trucks. There does not appear to be a place to widen Kam Sheung Road to accommodate increased traffic.
2. **Flooding** : Whenever there is heavy rain, the front of our house just like an ocean and the side like a river, the water was coming from the nearby mountains as well as the proposed site. So far our house has not flooded. If the project is approved and our house gets flooded due to improper drainage by the proposed project, will the developer take full responsibility for any loss?
- 3 **Pavement**: The sidewalk along Kam Sheung road should be widened especially at the area around the proposed project. It is a very narrow sidewalk even for one person to walk through as one side of the pavement is the traffic road and the other side of the pavement is a cliff ditch. With the increased traffic and residents, it will be a danger to the public when they are walking on this sidewalk.
- 4 **Sewage**; In our area, Kam Sheung Road does not have a sewage system and relies on sump tanks. Without addressing this issue, the environment could be damaged and be unhealthy to the public. Therefore, the developer should fulfill the above requirements before the project is approved.


Yours sincerely

TIM CHAN



7277

22 Jan 2025

To : Secretary, Town Planning Board
15 Fl Government Offices, 333 Java Rd.
North Point, Hong Kong

Dear Madam/Sir,

Refer to the application reference number: Y/YL-SK1 .The following are our comments to the proposed project

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Yours sincerely

[Redacted Signature]



7278


23 Jan 2025


To : Secretary, Town Planning Board
15 Fl Government Offices, 333 Java Rd.
North Point, Hong Kong

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Yours sincerely,


ALICE CHAN



To : Secretary, Town Planning Board
15 Fl Government Offices, 333 Java Rd.
North Point, Hong Kong

21 Jan 2025

Dear Madam/Sir,

Refer to the application reference number: Y/YL-SK1 .The following are our comments to the proposed project

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Yours sincerely,

CHAN Poyip



333 Java Road, North Point, Hong Kong

Re: Comments on the Proposed Large-Scale Residential Development at the Boundary of Lin Fa Ti and Lai Uk Tsuen in Yuen Long

Application No.: Y/YL-SK/1 Further Information Submitted by the Applicant

Dear Officials and Members,

Regarding the above application no. Y/YL-SK/1, we have the following comments:

Firstly, Kam Sheung Road is a substandard road. The pedestrian path design is extremely narrow, especially in the section of the proposed large-scale residential development site. If pedestrians accidentally fall or slip on the road due to rain, they may fall into the adjacent stream or onto the other side of the road, and risk being hit by vehicles. We live in constant fear and trepidation when using this pedestrian path.



In terms of transportation infrastructure, the Kam Sheung Road MTR station has already seen the completion of a large-scale project, resulting in severe traffic congestion. If another large-scale project is added, even though the traffic load is already severely overloaded, it will further impact the living of our residents.

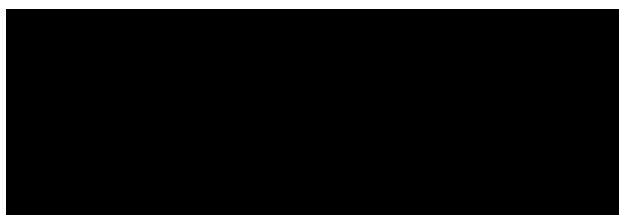
Additionally, there are frequent instances of flooding on various sections of Kam Sheung Road, especially during heavy rainstorms. Which is due to the severe lack of drainage facilities in the surrounding area.

Kam Sheung Road does not have any sewage treatment facilities. If the project generates wastewater that is not properly treated, it will seriously affect public health and exacerbate the water logging problem.

Based on the above reasons, we hope that the officials and members will consider the plight of the residents in our area, and include our concern of this development project until all the above-mentioned issues has been improved before approving the project.

Yours sincerely,


Name Address
Tel 



7281

333 Java Road, North Point, Hong Kong

Re: Comments on the Proposed Large-Scale Residential Development at the Boundary of Lin Fa Ti and Lai Uk Tsuen in Yuen Long

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Yours sincerely,

W. M. G. A. T. A.
ERMA JEAN GRANT A

Name

Address

Tel



☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy

From: [REDACTED]
Sent: 2025-01-31 星期五 01:48:24
To: tpbpd/PLAND <tpbpd@pland.gov.hk>
Subject: Re: Y/YL-SK/1 DD 112 Shek Kong

Dear TPB Members,

Che Kung message for 2025: "Avoid greed for peace and prosperity; with help from benefactors, do not waste effort"

The previous formula of build it and they will come is no longer viable. Lessons must be learned from the property market scenario over the border, the financial status of New World, etc.

Also this applications are now THREE YEARS OLD. Allowing the continuous introduction of Further Information is abuse of process.

DO NOT WASTE ANY MORE EFFORT.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Wednesday, 10 July 2024 2:21 AM HKT
Subject: Re: Y/YL-SK/1 DD 112 Shek Kong

Dear TPB Members,

Another turkey that it now overdue a binning.

No data provided so not possible to determine if any community facilities have materialized. Still no bicycle parking.

In addition the odd shape of the site would place constraints on development on the adjoining lots.

There is no demand for additional units, developers are offering large discounts to monetize their already substantial unsold stocks.

We have already wasted enough time on this application. There should be a cap on the number of deferrals allowed.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Thursday, 7 December 2023 2:29 AM HKT
Subject: Re: Y/YL-SK/1 DD 112 Shek Kong

Dear TPB Members,

Another plan that has been dragging feet for far too long.

Parking increased to 343 but NO BICYCLE PARKING included. Still no indication that there will be any community facilities, unacceptable for such a large site that would burden the already inadequate district community services with an additional 2.500 residents.

Members should reject the application. The footprint of the site is problematic.

Previous objections upheld.

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Thursday, 21 September 2023 1:57 AM HKT
Subject: Re: Y/YL-SK/1 DD 112 Shek Kong

Dear TPB Members,

No soft copy so Joe Public cannot determine if any community facilities have been included.

According to the PR the recent amendments made to the Town Planning ordinance are to speed up the process.

However it is quite clear that this statement is misleading. While the rights of residents to participate in the process have been drastically reduced, developers face no constraints on their practices that prolong the application on some developments for years by submitting endless 'additional information'.

Once plans have been exhibited for a stipulated period they should be withdrawn and subject to current guidelines such as the submission of soft copies, etc..

Mary Mulvihill

From: [REDACTED]
To: tpbpd <tpbpd@pland.gov.hk>
Date: Friday, 9 December 2022 2:00 AM CST
Subject: Re: Y/YL-SK/1 DD 112 Shek Kong

Dear TPB Members,

In addition there are no community facilities included. Going forward this provision is essential, particularly in NT districts that are in deficit of most services.

Mary Mulvihill

From: [REDACTED]

To: tpbpd <tpbpd@pland.gov.hk>

Date: Saturday, 4 June 2022 10:57 PM CST

Subject: Y/YL-SK/1 DD 112 Shek Kong

Y/YL-SK/1

Lots 246, 247 (Part), 251 (Part), 253 (Part), 254, 255 (Part), 256, 257, 258 (Part), 260, 263, 273 RP, 274, 275, 277, 278 S.B, 279, 280, 284, 294 RP, 295, 849, 850, 851 (Part), 853, 856 (Part), 859 (Part), 861 (Part) and 862 in D.D. 112 and Adjoining Government Land, Kam Sheung Road, Shek Kong

Site area : About 41,290sq.m Includes Government Land of about 415sq.m

Zoning : "Res (Group D)"

Proposed Amendment : Rezone to "Res (Group C)" / 850 Units / PR 0.8 / 6 floors / OS 2,280sq.m / 285 Vehicle Parking

Dear TPB Members,

The site is not cohesive, there are a number of lots belonging to others that could impact the well being of the residents and create issues going forward.

Also one has to question the sections given over to 'visitor parking'. It would be more efficient land use to add another floor to the parking and provide a vehicle free environment. Note no bicycle parking for such a rural location? Residents could cycle to the parking facilities from their homes.

With a population of over 2,000 there should be a basketball court. Shek Kong does not have many community facilities.

Note an **average unit size of about 38.9m²** so in other words just over 50% of the GFA of ONE FLOOR of a village house.

This is quite alarming as 400sq.ft. is not large enough to raise a family, particularly in rural areas where there are fewer community facilities and alternative spaces. In urban areas there is a wide variety of indoor and outdoor recreational facilities, coffee shops, etc one could escape to.

While we are being told that all this development is going to provide a better quality of life, most of the plans going through indicate that this is not the case. Going forward the scenario for many will be living in a constricted space with far fewer community amenities and longer commutes.

Mary Mulvihill

Residents of Wah Yuen

1st February 2025

Dear Secretary of the Town Planning Board,

Re: Comments to the Town Planning Board in respect of Application Y/YL-SK/1

We are residents to [REDACTED] Wah Yuen 華苑, since the first submission to TPB from the developer in April 2022, the process has dragged on for 2.75 years. All in total, upto last submission (the 14th round) with public response deadline dated 22nd November 2024, total number of **protest letters are now upto to 6,911**.

With the repetition of almost identical materials churning out every submission by the paid desktop-bound consultants, with tweaks in data, with the same **pre-determined conclusion EVERYTIME** This repeated mantra, no matter what our comments are, gives us no vote of confidence as to where our comments have gone, if they have be forwarded to the developer / developer's paid consultants / relevant government departments / relevant TPB staff who actually understands the issues of the application.

The Proposed Development ("PD" hereafter) of above reference **envelopes our compound 270 degrees**. Having reviewed the plan and the documents made available at the Planning Department, we feel that no consideration has been taken into account of Wah Yuen in the planning of the PD. We feel that our general welfare, and health will be detrimentally affected.

We object strongly to the Application.

On the latest round of submission of information dated 27th December 2024, here are our comments.

Annex I Revised Traffic Impact Assessment

7. Pedestrian Footpath Assessment

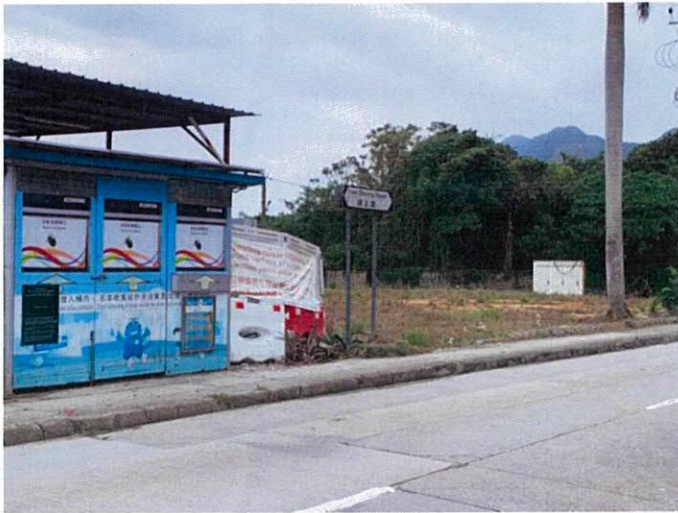
So for Critical Section F1 and F2, which is **RIGHT ADJACENT to entrance of Wah Yuen**, the Effective Footpath Width is cut by a third, Effective width is halved, leading to 2-way Pedestrian Flow Rate (ped/min/m) at AM and PM peaks to be doubled.

Yet with no change in conclusions ???????? No change ? The doubling of traffic flow at AM and PM peaks mean no change ????? Because only Wah Yuen is affected ???

Kam Sheung Road - Photos taken from eastern side of Wah Yuen, towards PD – note the narrow area for walking



Kam Sheung Road - Photos taken opposite Wah Yuen, towards PD – note the narrow area for walking



Has the desktop bound developer paid consultant team ever visited the surroundings of the site ????

In the middle of a countryside road, with no infrastructure support for a population of 6 storeys X 19 buildings. The pedestrian paths are barely enough for just one person walking, with overgrown grass and weeds taking up most of the width, as well as underground water channel. As much as the developer will 'beautify' its fronting, justifying that the paving along Kam Sheung Road is sufficient for its 6 storeys X 19 buildings population, it really does not make sense as this will require significant increase in public transportation.

Does this make any sense ? All for private commercial gains ?

Following comments were made last round. It just seems that all of our comments made so far have NO IMPACT on the consultants reports.

The consultants reports just continue with their spinning.....

What is the system in this PUBLIC COMMENTS process if there is no connection between public comments and the incessant submission of the same information from the developer's side which we repeatedly and strongly express our disagreement with ?

3.3 Critical Junction – 3.3.2 – The writer of the report justifies the approval of the PD by mentioning road works already planned and in work progress by the various governmental

departments. Such improvements in road works were planned long time ago and did NOT have the increase of 850 units of the PD in mind at the time of planning. Such planning was based on the area of the PD to be developed according to the original approved permit, that is: Residential Group D. NOT 6 storeys X 19 buildings + 254 cars (based on 254 car spaces) + increased population 2,380.

Moreover, assuming the maximum number of private cars brought about by the car spaces for the residents of the PD is erroneous. With 850 units and only 254 car spaces, this means that residents with cars but who are not owners of the 254 car spaces will seek for rental spaces in areas nearby. Most residents who live along Kam Sheung Road have at least one car for one household, as this is the lifestyle of the area. 15 minutes away from nearby MTR, love of countryside, low-density living.

Let's take for example on the transitional units in Kong Ha Wai along Kam Sheung Road, western side towards the Kam Sheung Road MTR. Car owners in this transitional housing compound are renting car parks nearby. The fact that there is no carpark inside Kong Ha Wai does NOT mean that the residents do not own any cars.

Going back to the PD, with only 30% (254/850) of the 850 units having car parks, the demand for car parks outside the PD (for example ad hoc ones as provided by nearby undeveloped lands) will be significant.

What makes the writer of the report to assume that the increase in car traffic caused by the PD to be eased by the roadworks that were LONG PLANNED before the PD ???

The road works for the critical junction were planned and will just ease off demand from the increased in population per existing planning permission. A sudden increase in demand in the 850 units PD will put the work CEDD / HyD back to square one. And this is an understatement. In reality, the road demand of such increase in the PD, in the middle of Kam Sheung Road, not walking distance to the MTR station, will totally ruin the commuting experience of existing residents in the area.

Again, in the projection of Traffic Impact Assessment, CTA Consultants is representing a very misleading picture. 2034 Reference Traffic Flows (without PD) is projected, then that of the PD Traffic Flows is added on top.

The way how the 2034 Reference Traffic Flows (without PD) is projected is based on planned/committed future developments in the vicinity as obtained from District Planning Office (DPO). These are **approved** plannings, unlike the PD, where the applicant is looking for a rezoning from Residential Group D to Group C, where the projected population of 2,380 more than doubles due to the number of small units proposed. Piggy bagging on the planned PWP, which never took into account of the PD (rezoning from D to C), then justifying that infrastructure is sufficient for the increase demand from the PD, is misleading and erroneous.

Just for the sake of argument, any new developments who want to apply for rezoning could sponge on the already planned transportation infrastructure, and justifies that such projected infrastructure is more than sufficient for such added new development. However, taking the

argument further, if there are 10 of such new development proposals, and each of these assume they are the only one that is changing the rule of the game (i.e. rezoning), the result would be 10 of such unexpected developments sponging on the planned infrastructure which never anticipated such 'rezoned' developments.

Playing such projected numbers with a moving goal is totally misleading.

3.2 Existing Public Transport Services

As we have mentioned many times throughout the last 14 rounds of public comments, the public transport survey as conducted on 18 November 2021 IS ERRONEOUS AND MISLEADING. It is FUNDAMENTALLY FLAWED.

Other huge concerns we have repeatedly been saying since round 1 of submission for 2.75 years:

Sunlight

Sunlight will be severely blocked due to the 6 (equivalent to 7 as PD will be elevated significantly) storeys buildings right ADJACENT to us in Wah Yuen.

summer:

	Before PD	After PD	diff
When half of garden is in shade	18:00	16:02	-2 hours
Last sunlight (when garden is in full shade)	18:29	16:39	-2 hours

winter:

	Before PD	After PD	diff
When half of garden is in shade	16:34	13:39	-3 hours
Last sunlight (when garden is in full shade)	17:04	14:54	-2 hours

Our home in Wah Yuen (beige colour), 3-storeys high, will be enveloped by almost 7 storeys tower blocks of the PD (grey colour). 270 degrees around the whole of Wah Yuen complex.

Environment TOTALLY DESTROYED.



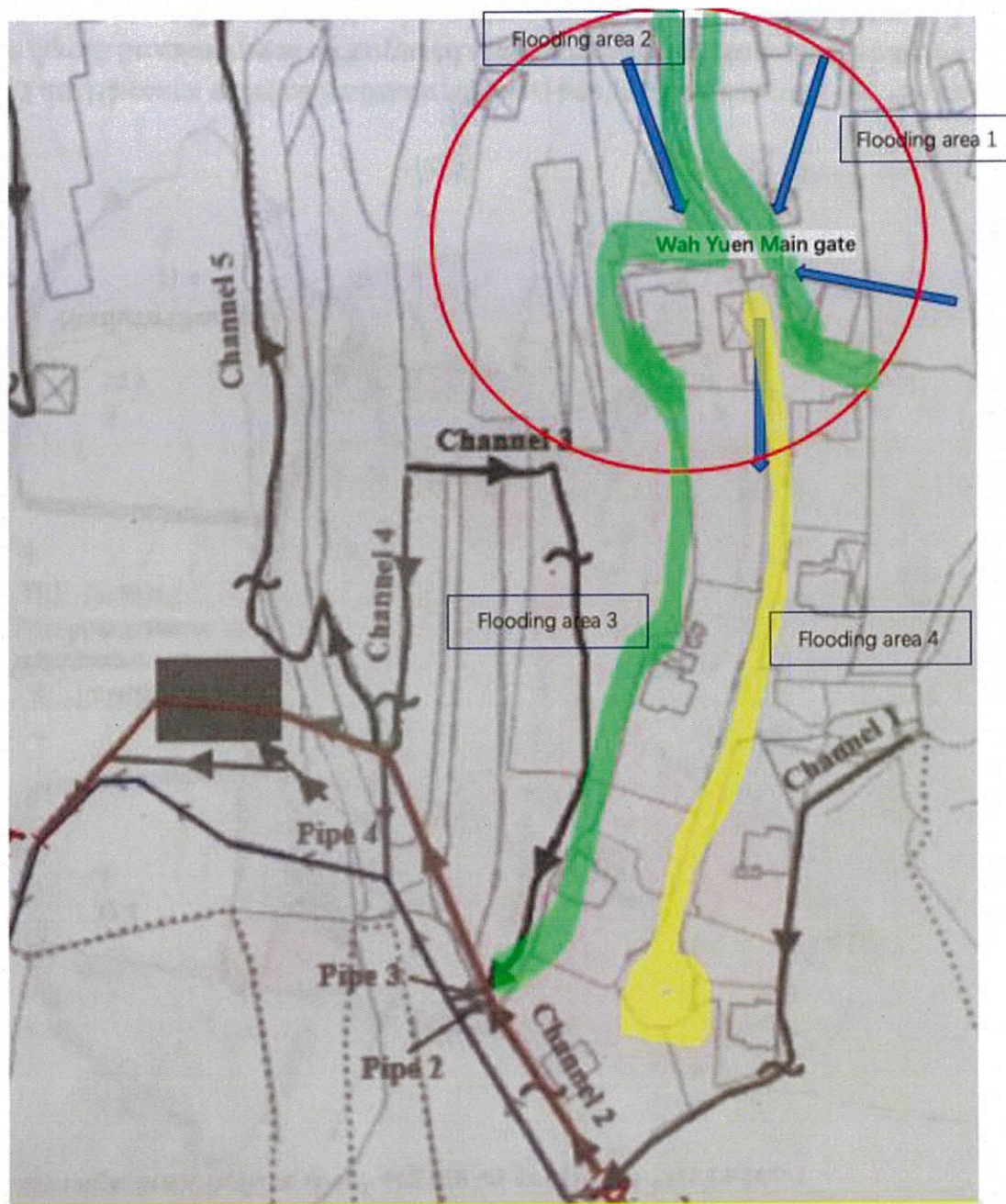
Drainage / flooding

Just the recent bout of rain on week commencing 18th November 2024, from Typhoon Man-Yi, the water level rises significantly outside of Wah Yuen adjacent to the PD:



The revised Drainage Impact Assessment has not addressed the origin of the water flooding on the North / Northeast side of the Wah Yuen main gate. All five proposed water channels are only close to the proposed development (on the West and Southwest of Wah Yuen), nothing really beneficial for Wah Yuen.

See the water catchment area below map in red circle. This is where all the water starts to flow into Wah Yuen, as driveway from Kam Sheung Road to Wah Yuen is bordered by waterstreams. When water level rises and overflows, the driveway will be flooded and water will go through the main gate area (Blue arrows). The water flows along the driveway (highlighted in yellow) into our houses.



In 8 Sept 2023 Black rain day, the water level of the streams have drastically increased after rain to **above road level of over 20 cm**. This measurement however is not to be taken as maximum as we were only able to venture outside of our house when the situation in our house subsided.



Wah Yuen main gate area (flooding due to overflow of small streams surrounding Wah Yuen)



Flooding area 1 East side of Wah Yuen main gate (stream overflowed)



Flooding area 2 West side of Wah Yuen main gate, water level of stream has gone up by 1 to 1.5m within 2 hours.

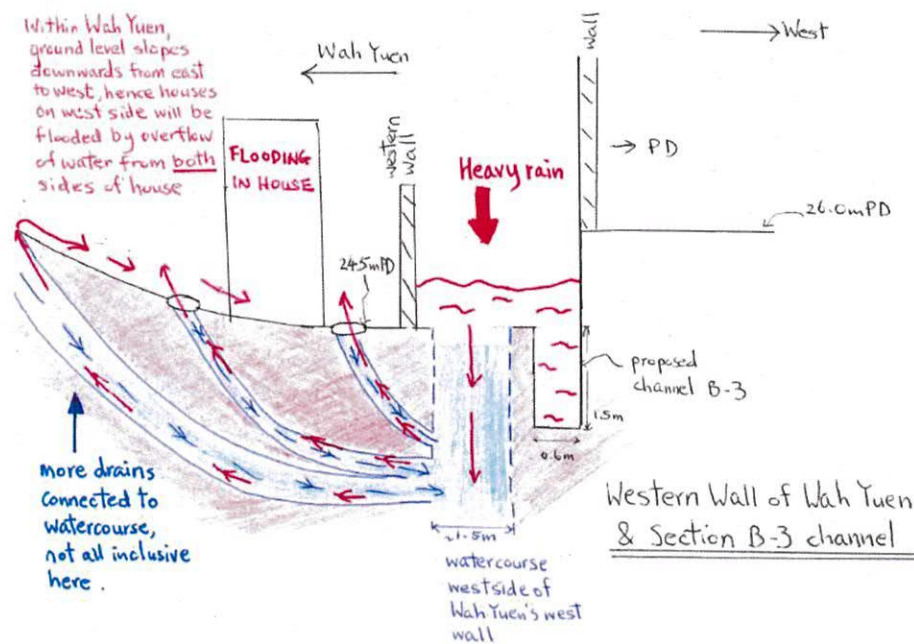


Flooding area 3 West boundary outside compound wall (you cannot distinguish the stream with the nursery ground level)



Flooding area 4 internal driveway of Wah Yuen (highlighted in yellow on map)

Moreover, the PD is elevating itself, with its high bound wall, significantly increasing level of water built up in water channel adjacent to our houses in Wah Yuen. **This directly INCREASES risk of flooding in Wah Yuen.**



Land Use Review (LUR)

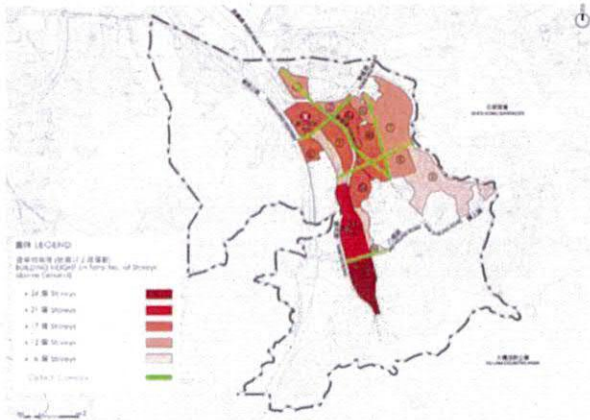


Figure 4 Proposed Building Height Profile and District Wind Corridors of the Potential Sites

PD is outside demarcation of the LUR. Why should PD be given exemption regarding plot ratio / building height. The developer bought the 'wrong' piece of land and now wants to move the goalpost ???

Planned Kam Tin South/ Pat Heung area developments are close to the Kam Sheung Road Station if along Kam Sheung Road, or on other roads such as Kam Shui South Road, or Kam Ho Road near the MTR Pat Heung Maintenance Centre. These areas have been planned for higher plot ratios, and we understand the rationale.

However, further along Kam Sheung Road towards where Wah Yuen is, this is an area with well-established villages with low-rise 3-storey houses already. By saying that the rezoning site is a mere 700m away (we do not agree it is 700m btw, we measure it as 1km from junction of Kam Sheung Road and Kam Shui South Road to the PD) is not fair as where does this exception end then ?

The Kam Tin South / Pat Heung area for development has taken intensive studies over 10 years and it is not fair that vested interest players keep seeking for change of goalpost. The area attracts people coming to live, based on their views of whether they want to be closer to the MTR, hence more dense dwellings, or further away, hence low-rise with more space. It is not fair that such planning is disturbed just because such player has accumulated enough land as their justification. If this sets the precedent allowing such change of rule. Where on Kam Sheung Road with similar 'exception' will end ? The whole of the rural environment would disappear then.

The fundamentals behind the planning of this PD is beyond our grasp.

Village houses of 700 sq ft per storey with 3 storeys height maximum are built in the whole area along Kam Sheung Road. General town planning common sense is to have the more densely populated residential built on/adjacent to transportation terminals / MTR stations.

Why is the applicant allowed to build a development of average size of a mere 38m², with projected population size of 2,380 and 216 cars in the middle of Kam Sheung Road ?

This heavily compromises the car traffic / public transportation / air and light /visuals /drainage in the vicinity.

Densely populated developments should be built near transportation terminals / MTR stations, where residents can get access to public transportation on foot, without causing burden on single lane country roads like Kam Sheung Road. There is no alternative route from the PD site to Kam Sheung Road MTR station except along Kam Sheung Road. If Kam Sheung Road is congested, there is no way out.

Per Table 4.4 of Annex III (Revised Traffic Impact Assessment), scheduled developments under LUR are listed. Average flat size of the private developments are all 70 m², yet the LUR is closer to the Kam Sheung Road MTR station.

WHY ? Why is the PD allowed to build such small sized units in the middle of a single lane country road ?

If the applicant wants to enjoy the plot ratio similar to that of the LUR, the applicant should look for land within the LUR boundary, instead of trying to break the plan and totally ruin our low rise neighbourhood.


Of course we support the development of housing in vicinity areas, in response to the need of housing requirements of Hong Kong. We support this whilst trusting in the well understood planning of the area, the boundary of the Kam Tin South / Pat Heung LUR (Plan 1), which is 1km away from the Proposed Development. Zoning of land around Wah Yuen are all agricultural land and V-zoned and we are of course open to development of nearby areas with zoning plans to build 3-storey residences, similar to ours in Wah Yuen. Yet to have all we have to disappear because the PD is close to us and twice as tall as our houses, this is a very disturbing situation to say the least.

Writing the same points 15 times, whilst PD's consultants keep drumming the same lies.

We are vehemently against the current proposed Application as represented.

We thank you for taking our views into your consideration on this Proposed Development.

Yours faithfully,

Residents of Wah Yuen 

Residents Signature :

居民簽署 :



Name (Print): K. Ng
名(正楷) :

Address:
通訊:



Telephone number:
電話:



Residents Signature :
居民簽署 :



Name (Print): M. Tam
名(正楷) :

Address:
通訊:



Telephone number:
電話:



Residents Signature :



居民簽署 :

Name (Print): Y.S. Yew
名(正楷) :

Address:
通訊:



Telephone number:
電話:



致：城市規劃委員會

日期：2025 年 2 月 1 日

有關：反對 Y/YL-SK/1 申請有關交通配套的公眾意見 (ref: WY02012025)



我們是華苑居民。華苑是唯一位處上述更改申請的同一規劃地段，也是最鄰近，且落成逾 40 年的屋苑。Tenox（下稱發展商）自 2022 年 4 月提交更改規劃申請至今近 3 年，城規會至今啟動 14 次公眾諮詢，累積收集近 7,000 份公眾意見¹。基於申請地段缺乏大規模擴展配套設施，尤其在排水、交通及整體規劃欠缺鄉郊共融原素，大部份公眾意見均持強烈反對意見。發展商於 2024 年 12 月 27 日就交通評估提交進一步修訂文件，普通市民不可能就偏技術性的交通工程（traffic engineering）方面提出意見，必須依賴運輸署把關。但社區居民有足夠的基礎提出我們在民生交通議題提出的反對意見及理據，希望委員會及運輸署能認真聽取及考慮地區聲音，否決申請。

1. 有關沿錦上路地區的公共交通需求

<p>1.1 發展地段及鄰近地區缺乏日常生活設施，且位處錦上路後段，居民必須倚賴車輛接駁，始能到達集體運輸服務點及購買日常民生用品</p>	<p>1.1.1. 雖然發展商強調申請更改規劃地段與港鐵的圓周²距離是 500 米，事實上，發展地段與錦上路港鐵站的距離是 4.7 公里，步行需要 58 分鐘，駕車需要 11 分鐘³。地段附近沒有超級市場，居民需要前往元朗市買菜購物，車程 19 分鐘。最近的錦田街市只在早上運作，只有一間超市，未計候車時間，車程也須要 9 分鐘，且現時在地段範圍沒有公共車輛直達。</p> <p>1.1.2. 有別於其他接近港鐵站的住宅，發展地段及沿錦上路的居民，因缺乏配套設施，生活起居必須倚賴接駁車輛，居民每次出行均為現行的交通網絡做成負擔。在道路及交通設施未及配合底下，更改規劃導至居民數目大境只會令現行交通網絡超出負荷，對居民做成困擾。</p>
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¹ 參考城規會網頁 2025 年 2 月 1 日的網頁顯示，累積的公眾意見書的數目是 6,953，當中未計算年假後的更新數字

² TIA, December 2024: 3.2.1

³ Google map: 蓮花地往錦上路港鐵站的距離，及步行及駕車所需時間

1.2	<p>發展商委任顧問公司，兩度進行公共交通需求調查報告。我們認為調查無論在掌握基本地方資料，包括公共車輛班次，至調查基礎設定，包括乘客群組、出行模式、高峰時段等，至數據解讀及結論等等處處顯現不專業和偏頗立場。詳情及理據右列。</p>	<p>1.2.1. <u>調查列出的公共巴士班次不完整</u>⁴，列表欠缺對上班一族最重要，星期一至五上班繁忙時段提供往來港島中環灣仔的公共巴士：NR917 及 NR918。雖然由陽光巴士營運，但明路線仍受運輸署監管，且顯示在沿錦上路的巴士站路牌，如果做現場實地調查，不可能忽略。如果我們能正常掌握居民的生活模式，至公共交通需求，也不可能遺漏這兩條巴士路線。</p> <p>1.2.2. <u>有關設定「繁忙時段」</u>，顧問公司進行的調查沒明確設定群組，只概括「高峰」時段及他「平均使用率」，當中又剔除對上班一族最重要的巴士路線，調查設定顯現根本性問題。事實上，NR917/918 雖然只在星期一至五在上班繁忙時段由 0635 至 0800 營運，且只提供 12 班車經中環至灣仔終站，每班車可接載約 60 人。但居民對巴士的需求很大，早開的班次當駛至錦上路尾段，即發展地區附近或更早地段時已大多沒有位置。當年加開 0800 的班次只因滿足乘客大量需求，但畢竟到達港島時大多已超過 0900，只適合上班時間較遲的居民，故入座率相對較低，有需要的乘客多選擇其餘能趕及準時到達辦公室的交通工具。這正正反映入座率與乘客目標群，至需求時段理應緊密掛鉤。</p> <p>這 12 班次整體的載客量一早上只個多小時已接載逾 700 人。相對調查報告，在他們顯示，定義為「繁忙時段」的公共車輛「平均使用率」沒有一條路線達至 100%，有異於我們的親身經歷。我們認為顧問調查評估是嚴重扭曲了真實的公共交通需求。</p> <p>反觀顧問調查設定的西行的早上「繁忙時段」⁵為 0830-0930，即往元朗及錦上路鐵路站方向，除非乘客到達集體運輸點無須轉乘往其他目的地，且預計能輕鬆登上其他鐵路車或巴</p>
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⁴ TIA December 2024:Table 3.1

⁵ TIA December 2024:Table 6.3

		<p>士，又或者乘客能彈性上班，否則在這個時段還在等候巴士，是否有些不切實際呢？</p> <p>除上班繁忙時段，NR917/918 在下班繁忙時段這兩條巴士路線也有提供服務，基於下班時段乘客較多選擇，營辦商只提供共 7 班班次，由 1735 至 1845（以灣仔開車計），到錦上路時間大多為 1830 至 2000。綜觀營辦商訂立的下班繁忙時段合理，能提供適切的車輛服務。雖然較早開出的班次入座率相對較遲開出的為低，這也相當也符合香港上班一族的工作時段模式。</p> <p>反觀調查報告，他們將下班東行的「繁忙時段」設定為 1800-1900⁶，以到達目的地（即上班乘客回家）計，到家的時間最早是 1800，最遲也不過是 1900。相信顧問公司不大能掌握香港大部份打工一族的工作時間模式，才設定此時段。再加上顧問只報告多程「平均使用率」，又只在站頭數人頭，結論更容易被扭曲，反映不了整個路段的高峰需求，遑論以此結論評估未來的公共車輛需求。</p> <p>1.2.3. 顧問研究不能掌握居民目標群組及其日常生活及出行模式，調查是否專業和其設定的群組，地點及時段是否準確有關。顧問公司在解釋調查模式時沒有日清楚指定目標群，舉例一，上班一族，工作地點在港島的，部份會選擇 NR917/918，部份會選擇巴士/小巴往集體運輸服務點。但不論何種選擇，除非彈性上班，否則必須提早出行，以研究列舉的繁忙時段，是絕對配合不了正常的上班時間。舉例二，主婦一族，由於鄰近沒有菜市場及超市，主婦及家傭至退休長者（推斷佔的居民比例不少）出行的繁忙時段會是午飯前後。研究完全沒能有效調查這兩個重要群組。</p>
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⁶ TIA December 2024:Table 6.1

		<p>1.2.4. 除群組設定和時段，我們<u>同樣質疑研究只計算站頭乘客的調查方法</u>。發展地段位處錦上近尾段，在調查的時段（非顧問聲稱的最繁忙時段），無論往返，對比中段及頭段，乘入率未必達至最高峰，等於以屯門港鐵站流量，引申為錦上路港鐵站的需求一般。須知公共交通需求不能獨善其身，作為接駁車輛，乘客未到接駁或購物點鮮有中途下車，所以算流量應以整條錦上路前接駁/購物點為基礎，計算需求及負荷能力。</p>
1.4	就資居民使用交通公具的整體分佈評估 ⁷	<p>1.4.1. 發展商的交通工具分佈評估 (Distribution of Transportation Model Split) 有保留，認為他們低估居民使用了私家車的比率 (14%)。如果比較元朗區在多項選擇的情況下為 10-11%，發展地區欠缺選擇之餘，更有實際接駁需要，居民使用私家車的分佈率只調升至 14% 不大合理。除非是上班一族，有車的家庭主婦或退休人士日常駕車前往元朗市或其他地區佔不少。因缺乏科學的調查結果，實際的比率較難評估。但純以居民接觸或觀察到的情況，調升的數目不合理。</p> <p>1.4.2. 另一方面，發展商有沒有考量 14% 的私家車使用率如果是正確，運輸署是否要認真考量其建議設置的近 300 個合私家車及訪客車位，以至於其三層高的停車場。</p>
1.5	顧問交通調查的結論及建議	<p>1.5.1. 發展商提交的交通評估文件承認發展地段不接近香港鐵路站，及地段沒有全面的公共交通服務⁸，故在申請階段委任顧問就現時公共交通的調查研究。我們作為地區居民，除了上述意見，我們早前也表達了對是項交通調查的質疑及詳列理據⁹。事實上，運輸署也認</p>

⁷ TIA December 2024: Table 6.7

⁸ TIA, November 2023: 6.1.1 "The proposed development is not close to MTR station and the public transport service is not comprehensive"

⁹ 由華苑居民提出的書面公眾意見：2024 年 5 月 4 日：第 4 項

	<p>為是項調查結果不能作為公共交通評估的依據¹⁰，也同時詳列理據。但遺憾地，發展商仍選擇忽視。發展商 2024 年 12 月提交的進一步資料仍引用之前的論據及其「正面」的結果，以支持其申請。在此，我們再三不厭其煩的表明，我們不同意調查結論，並強烈質疑調查報告的專業性。</p> <p>1.5.2. 顧問公司認為只要增加綠色小巴班次¹¹已能解決公共交通需求問題。我們不得不強烈質疑調查報告的認受性。先不論備受爭議的調查結果，我們質疑顧問公司是否理解錦上路交通的問題根源？錦上路車路不算寬闊，只有兩條來回行車線，尤其接近錦上路中及尾段，沿途嚴重缺乏避車處。現時看不到短期內政府有擴闊錦上路行車路面的基建計劃。</p> <p>若申請獲通過，私家車一下子增加二百多部，載客量低，雖然不是一下子佔據和使用路面，但佔的比率很大機會高於顧問評估的 14% 分佈率。在交通負荷失衡的情況下，加上地區缺乏民生設施，居民有實際需要使用車路解決購物出行問題。如顧問建議，在這情況下再增加綠色專線小巴，每輛車平均座位低於 20，佔據同一條路面行駛，可行嗎？</p> <p>再者，發展商在商言商為股東謀取最大利潤是無可地厚非，小巴營運商有同樣需要。調查報告設定的使用率數據不適合取平均數，小巴營運商反而必須考慮全日的平均入座率，以計算成本盈利，是否能支持到在低入座率的非繁忙時段仍能提供服務，若顧問認為可行，我們相信無小巴營運商、運輸署、什至作為既得利益者的乘客居民，非常樂意進一步了解。若顧問只是模糊推出一個建議，我們認為有損專業形象，報告不能信服有關持份者。</p>
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¹⁰ RtC, March 2023: 1.5 "The survey results in Tables 6.1-6.4 cannot form the basis for public transport demand assessment"

¹¹ TIA, December 2024:8.7 "The assessment of the public transport services could cater the future demand by increasing the frequency of the GMBs."

1.6	參考江下圍村過渡房屋的設施及安排	<p>1.6.1. 位於錦上路中頭段的江下圍過渡性房屋，設 1,998 個單位，預計入住 6,000 人，平均每戶人口為 3，相比發展商申請地段預計興建 850 個單位，人口 2,380，平均每戶 2.8，我們認為發展商項目偏向低估入住人數。但無論如何，江夏圍仍在多方面具參考價。擬發展項目的人口總數個未計可能低估的數字，等於江夏圍項目的 43% 左右，不是一個不會影響公共交通的規模。</p> <p>1.6.2. 江夏圍比較接近鐵路，距離約 1.6 公里，步行只須約 19 分鐘，駕車約 5 分鐘。距離錦田市市場及超市 1.9 公里，步行 21 分鐘。區內自設另一超市。項目沒有預留車位。最值得發展商及運輸署參考的是，項目加設 251C 循環線往返江下圍及元朗市。</p> <p>1.6.3. 擬發展及鄰近地段比江夏圍更遠離市區購物點和鐵路站，有需要上時江夏圍仍可勉強選擇步行，但參考以上 1.1.1. 的資料，步行對我們的社區不是一個合理選項。我們鄰近什至不能購買日常必需用品，但江夏圍居民有選擇。但九巴和運輸署在現有的公共交通網絡上加開一條巴士專線，我們相信有其道理，估計由於他們位處錦上路中頭段，他們大多不能登上小巴或巴士班次不足以應付需求等等。無論何種原因，均表示現行錦上路的交通配套存在不足，大規模發展如江夏圍，雖然交通出行選項比我們多，還必需加配設施。參考這個個案，我們還能輕言現時的公共交通入座率遠低於 100%，有能力應付未來的交通需求嗎？</p>
2. 有關行人路設施		
2.1	<p>就行人設施方面，我們只想提出沿發展地段錦上路一帶，行人路的闊度只達 1 米，華苑鄰近地盤，居民往返最鄰近的黎屋村巴士站的必經行人路是一例子。由於錦上路車路相對窄，但經過的車輛不乏大型貨車，什至貨櫃物流車輛。每當居民行經行人路，有大型車輛經過，必須停步，避免意外，其實是相當危險。</p>	

	我們在此提出這點，是表示無論發展地盤內部設施如何建設，鄉郊的屋苑發展難以獨善其身，發展項目既然座落錦上路，其必成為主要幹道，除非以有基建如擴建路面改善工程，否則現時錦上路無論是車路或行人路的實際環境配套，並不適合大規模的更改規劃。	
3. 有關申請車輛數目		
3.1.	擬預留車輛數目	<p>3.1.1. 根據經修訂的車輛數目¹²，發展項目擬預設總數 337 個車位及停車處，當中包 254 私家車位，11 個電單車位，21 個重型貨車車位/停車處，和 51 個單車位。撇除單車位，車位數目高達 286，佔總戶數的 34%。我們認為在一個鄉郊地區，近 300 個車位在貼近寧靜的社區行走，不是一個合適的數目。</p> <p>3.1.2. 發展商聲稱停車位數目依據運輸署指引制訂，但據了解現時運輸署的相關指引，沒包括鄉郊發展地區，現時的指引適用於市區鄉郊。我們了解運輸署的交通策略是傾向鼓勵居民乘坐集體運輸工具，同時希望新發展預留適當停車位置，避免居民違泊。發展商的地段必須倚靠現接駁，但同時錦上路主要幹道有負荷問題。如果發展商堅持相信私家車輛對將入住的居民至為重要，運輸署是否更應該質疑是否應該更改規劃，令戶數及入住居民人數大增，影響路面公共交通？</p>
3.2	擬興建停車場位置	<p>3.2.1. 發展商擬興建的停車場樓高 3 層，貼近華苑，露天停車位置大部份預設在貼近華苑的周邊位置，可以想象無論在噪音或光度會做成貼近屋苑的嚴重困擾，希望規劃及運輸署在檢視時，要考慮其必須及逼切性。</p>

華苑居民/ 2025 年 2 月 1 日

¹² 城規會網頁：概括發展規範