

TOWN PLANNING BOARD

TPB Paper No. 10837

**For Consideration by
the Town Planning Board on 27.5.2022**

DRAFT FANLING/SHEUNG SHUI OUTLINE ZONING PLAN NO. S/FSS/25

**INFORMATION NOTE AND HEARING ARRANGEMENT
FOR CONSIDERATION OF REPRESENTATIONS AND COMMENTS**

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CONSIDERATION OF REPRESENTATIONS AND COMMENTS**

1. Introduction

- 1.1 On 17.12.2021, the draft Fanling/Sheung Shui Outline Zoning Plan No. S/FSS/25 (the OZP) was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). The amendments mainly involve the rezoning of a site at Fanling Area 17 (**Item A1**) from “Government, Institution or Community” (“G/IC”) and “Residential (Group C)1” (“R(C)1”) to “Residential (Group A)7” (“R(A)7”) for public housing development; two sites at Fanling Area 17 (**Items A2 and A3**) from “G/IC” and “R(C)1” to “R(A)8” for private housing developments; a site to the north of Ching Hiu Road (**Item B**) from “G/IC” and “Green Belt” (“GB”) to “R(A)9” for public housing development; a site at Tai Tau Leng (**Item C1**) from “G/IC” and “GB” to “R(A)10” for public housing development; a site at Choi Shun Street (**Item D1**) from “Industrial” (“I”) to “R(A)11” for public housing development; a site at Sheung Shui Area 30 (**Item D2**) from “I” to “G/IC” for primary school; southern portion of Sheung Shui Area 30 (**Item D3**) and Sheung Shui Area 4 (**Item D4**) from “I” to “Commercial” and “Other Specified Uses” annotated “Business” (“OU(B)”) respectively to take forward the rezoning proposals recommended under the latest area assessments of industrial land; and other amendments (**Items C2 and D2**) to reflect the as-built Fanling Highway, Sheung Shui Ambulance Depot, Sheung Shui Ventilation Building and Dongjiang Watermains. The Schedule of Amendments setting out the amendments incorporated into the OZP is at **Annex I** and the location of the amendment items are shown on **Plan P-1**.
- 1.2 During the two-month public exhibition period of the draft OZP, a total of 18 representations were received. On 11.3.2022, the representations were published for three weeks for public comments. Upon expiry of the public inspection period on 1.4.2022, two comments were received. All representations and comments received are in line with the revised requirements as set out in the Town Planning Board Guidelines No. 29B (TPB-PG No. 29B)¹.
- 1.3 The lists of representers and commenters and the summaries of the representations

¹ According to TPB PG-No. 29B on Submission and Publication of Representations, Comments on Representations and Further Representations under the Town Planning Ordinance, which have taken effect since 1.1.2019, representers/commenters/further representers and their authorized agents are required to provide their full name as shown on the Hong Kong Identity (HKID) card/passport and their HKID card/passport number (only the first four alphanumeric characters are required) in the submission. For submission with no full name, incomplete and/or illegible names or no HKID card/passport number, the representation/comment/further representation concerned may be treated as not having been made.

and comments are shown at **Annexes II to IV** respectively for Members' reference. The location of the representation sites are shown on **Plan P-1**.

2. The Representations and Comments

2.1 All representations object to/ provide views/ suggestions on the amendment items of the Plan. The representations were submitted by Kung Hei Investment Limited (one of the land owners of the industrial building covered by **Item D4**) (**R1**), Hong Kong and China Gas Company Limited (**R2**), MTR Corporation Limited (**R18**) and individuals (**R3 to R17**). Below are the representers' main grounds of objection/views:

(a) Regarding **Items A1, A2 and A3**, they include:

- (i) **Items A2 and A3** should be retained as "G/IC" zone for provision of community services; and
- (ii) the proposed developments will induce adverse visual, landscape, ecological, air ventilation and traffic impacts.

(b) Regarding **Item B**, it includes:

- (i) the proposed public housing development is piecemeal lacking supporting facilities and not compatible with the surrounding. It should be used for private residential development or GIC use.

(c) Regarding **Item C1**, they include:

- (i) concerns on land resumption;
- (ii) the western side of the nullah should be retained as "Green Belt", such that the existing residents will not be affected;
- (iii) the proposed development will create adverse visual, air ventilation landscape, ecological, traffic, drainage and geotechnical impacts;
- (iv) Fanling Golf Course, Oi Yuen, brownfield sites and vacant land should be developed;
- (v) the potential risk due to the proximity to the 600mm towngas pipeline should be evaluated; and
- (vi) lack of prior direct consultation with the affected residents on the proposed development;

(d) Regarding **Items D1 to D4**, they include:

- (i) rezoning proposal on an industrial building covered by **Item D4** from "I" to "Residential (Group E)" ("R(E)") instead of "OU(B)" to facilitate

redevelopment of the representation site to composite residential development; and

- (ii) the potential noise impact caused by the East Rail should be assessed and mitigated by the project proponent .

2.2 There are two comments submitted by two individuals. **C1** objects to **Item C1** on ground that the existing grave within the site will be affected by the proposed development. **C2** who is also a representer (i.e. **R8**) comments that the current dual system of town planning process should not be truncated as it provides opportunity for local community to supplement background information ; the proposal made by **R1** has not estimated the job loss and provide alternative employment ; and instead of building more units, the focus should now be on assisting families of limited means to upgrade their quarters.

3. Arrangement for Consideration of Representations and Comments

3.1 Under section 2A of the Ordinance, the Board is empowered to appoint a Representation Hearing Committee (RHC) from amongst its members to consider representations and comments, propose amendments to the Plan to meet representations, consider further representations in respect of the proposed amendments, and consider whether to vary the proposed amendments upon consideration of any adverse further representations. As there are only 18 representations and two comments, it is considered more efficient for the full Board to hear the representations and comments without resorting to the appointment of a RHC. The hearing could be accommodated in the Board's regular meeting and a separate hearing session would not be necessary. The arrangement would not delay the completion of the representation consideration process.

3.2 Under section 6B(6) of the Ordinance, the Board may determine whether the representations and the related comments shall be considered at the same meeting and whether they shall be considered individually or collectively. In view of the similar nature of representations and comments, it is suggested to consider the representations and the comments collectively.

3.3 To ensure efficiency of the hearing, it is recommended to allot a maximum of 10 minutes presentation time to each representer/commenter in the hearing session.

3.4 Consideration of the representations and comments by the full Board under section 6B of the Ordinance is tentatively scheduled for August 2022.

4. Decision Sought

The Board is invited to consider:

- (a) whether to appoint a RHC for consideration of the representations and comments; and
- (b) whether the representations and comments should be considered in the manner as

proposed in paragraph 3 above.

5. Attachments

Annex I	Schedule of Amendments to the Approved Fanling/Sheung Shui Outline Zoning Plan No. S/FSS/24
Annex II	List of the Representers and Commenters
Annex III	Summary of the Representations
Annex IV	Summary of the Comments
Plan P-1	Location of Amendment Items

**PLANNING DEPARTMENT
MAY 2022**