

TOWN PLANNING BOARD

TPB Paper No. 10872

**For Consideration by the
Town Planning Board on 16.12.2022**

DRAFT NGAU CHI WAN OUTLINE ZONING PLAN NO. S/K12/17

**CONSIDERATION OF REPRESENTATIONS NO. TPB/R/S/K12/17-R1 TO R8
AND COMMENTS NO. TPB/R/S/K12/17-C1 AND C2**

DRAFT NGAU CHI WAN OUTLINE ZONING PLAN NO. S/K12/17

**CONSIDERATION OF REPRESENTATIONS NO. TPB/R/S/K12/17-R1 TO R8
AND COMMENTS NO. TPB/R/S/K12/17-C1 AND C2**

Subject of Representations (Amendment Items) (Plan H-1)	Representers	Commenters
<p><u>Item A:</u> Rezoning of two sites abutting Wing Ting Road from “Residential (Group B)” (“R(B)”), “Government, Institution or Community” (“G/IC”), “Open Space” (“O”), “Village Type Development” (“V”) and areas shown as ‘Road’ to “Residential (Group A)1” (“R(A)1”) with stipulation of building height restrictions (BHRs)</p> <p><u>Item B:</u> Rezoning of two pieces of land abutting Wing Ting Road and Lung Cheung Road from “R(B)”, “G/IC” and an area shown as ‘Road’ to “O”</p> <p><u>Item C:</u> Rezoning of a strip of land along Lung Cheung Road from “G/IC” to an area shown as ‘Road’</p>	<p>Total: 8</p> <p><u>Support Item A (3)</u></p> <p>R1: Hong Kong Housing Society (HKHS) R2 and R3: Individuals</p> <p><u>Support Item B and Oppose Item A (1)</u></p> <p>R4: Individual</p> <p><u>Oppose Items A and B (1)</u></p> <p>R5: East Kowloon Property Development Limited</p> <p><u>Oppose Item A (2)</u></p> <p>R6: Keyman One Development Limited R7: Individual</p> <p><u>Provide Adverse Views on Items A and B (1)</u></p> <p>R8: Individual</p>	<p>Total: 2</p> <p><u>Support R1 to R4 (part) and providing responses to R4 (part) to R8 (1)</u></p> <p>C1 (also R1): HKHS</p> <p><u>Provide Views (1)</u></p> <p>C2 (also R8): Individual</p>

Notes: The names of all representers and commenters are attached at **Annex III**. Soft copy of their submissions is sent to the Town Planning Board (the Board) Members via electronic means; and is also available for public inspection at the Board’s website at https://www.info.gov.hk/tpb/en/plan_making/S_K12_17.html and the Planning Enquiry Counters of the Planning Department in North Point and Sha Tin. A set of hard copy is deposited at the Board’s Secretariat for Members’ inspection.

1. **Introduction**

- 1.1 On 24.6.2022, the draft Ngau Chi Wan Outline Zoning Plan (OZP) No. S/K12/17 (the draft OZP) (**Annex I**) was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). The Schedule of Amendments setting out the amendments incorporated into the draft OZP and its Notes is at **Annex II** and the locations of the amendment items are shown on **Plan H-1**.
- 1.2 During the two-month exhibition period, eight representations were received. On 9.9.2022, the representations were published for three weeks for public comments. Upon expiry of the three-week publication period, two comments were received.
- 1.3 On 4.11.2022, the Town Planning Board (the Board) agreed to consider all the representations and comments collectively in one group.
- 1.4 This paper is to provide the Board with information for consideration of representations and comments. The list of representers and commenters is at **Annex III**. The representers and commenters have been invited to attend the meeting in accordance with section 6B(3) of the Ordinance.

2. **Background**

Item A – Proposed Public Housing Development in Ngau Chi Wan Village (NCWV)

- 2.1 As announced under the 2019^[1], 2020^[2] and 2021 Policy Addresses (PAs), a Government-led approach would be adopted to resume private land, inter alia, in NCWV for high-density public housing and related infrastructure, with a view to expediting the development of this squatter area in urban area and rebuilding a new community therein. The Civil Engineering and Development Department (CEDD) carried out a feasibility study (FS)^[3] to investigate the long-term land use for NCWV (zoned “G/IC”, “R(B)”, “O”, “V” and area shown as ‘Road’ on the previous OZP) and the details of site formation and infrastructure works required. The FS was completed. To take forward its recommendations, NCWV site is rezoned to “R(A)1” for high-density public housing development (**Plans H-5a to H-5c**).

Item B – Public Open Space (POS)

- 2.2 To re-provision the loss of “O” zones on the previous OZP due to the proposed public housing development at the NCWV site, two pieces of land in the NCWV site have been rezoned to “O”, which together with the portion of the “O” zone on the previous OZP form a POS of about 0.27ha (**Plans H-2 and H-5a**). The proposed POS will be designed and constructed by HKHS, and maintained and managed by the Leisure and Cultural Services Department (LCSD) upon completion.

[1] In the 2019 PA, the Government put forward the proposal to resume and clear land in three urban squatters, namely Cha Kwo Ling Village, Chuk Yuen United Village and NCWV for public housing development.

[2] As stated in the 2020 PA, HKHS was invited to implement the proposed public housing development in NCWV.

[3] Under the FS, preliminary assessments on Traffic and Transport Impact Assessment, Drainage Impact Assessment, Sewerage Impact Assessment, Water Supply Impact Assessment, Utilities Impact Assessment, Geotechnical Assessment, Site Formation Assessment, Preliminary Environmental Review, Heritage Impact Study, Landscape and Visual Impact Assessment, and Air Ventilation Assessment in the form of Expert Evaluation are conducted (See Attachment V of MPC Paper No. 8/22).

Amendments to the Notes of the OZP (Annex II)

- 2.3 In relation to the above amendment items, the Notes of the OZP have been revised accordingly.
- 2.4 Opportunity is also taken to incorporate other technical amendments into the Notes of OZP for reflecting the latest revision of the Master Schedule of Notes to Statutory Plans.

Amendments to the OZP

- 2.5 On 10.6.2022, the Metro Planning Committee (MPC) of the Board agreed that the above amendments to the approved Ngau Chi Wan OZP No. S/K12/16 were suitable for exhibition under section 5 of the Ordinance. The MPC Paper No. 8/22 is available at the Board's website^[4] and at the Secretariat for Members' inspection, while the extract of the minutes of the said MPC meeting is at **Annex IV**. Subsequently, the draft Ngau Chi Wan OZP was gazetted on 24.6.2022.

3. Local Consultation

- 3.1 Planning Department (PlanD), CEDD and Lands Department (LandsD) jointly consulted the Wong Tai Sin District Council (WTSDC) on 7.7.2020 regarding the proposed developments at Chuk Yuen United Village (CYUV) and NCWV sites. Whilst the WTSDC in general had no in-principle objection to the proposed developments, they raised concerns mainly on potential traffic, environmental and infrastructural impacts caused by the proposed developments, provision of adequate government, institution or community (GIC) facilities, and issues relating to compensation and rehousing (C&R) and freezing survey. Responses from relevant Government departments are stated in paragraph 12.2 of the MPC Paper No. 8/22.
- 3.2 On 4.5.2021, the affected villagers/operators of NCWV were invited to a Town Hall briefing session jointly arranged by CEDD, LandsD and PlanD, on the broad development proposal, programmes and C&R arrangements. The concerns and enquiries of the attendees were mainly on the C&R issues.
- 3.3 An information paper on the findings of the FS and the proposed OZP amendments in relation to the proposed public housing developments at the CYUV, NCWV and Wong Tai Sin Community Centre (WTSCC) sites was submitted to the Housing Committee (HC) of the WTSDC on 22.4.2022. As requested by the HC Vice Chairman, Ms. Tam Heung-man, PlanD, CEDD and LandsD jointly attended a meeting with the representatives of CYUV and NCWV as well as the two incumbent WTSDC members (Ms. Tam Heung-man and Mr. Liu Sing-lee) on 13.5.2022. Both the WTSDC members and the village representatives consulted gave full support to the proposed public housing developments at the CYUV, NCWV and WTSCC sites and the proposed amendments to the OZP. At the meeting, the WTSDC members raised some concerns regarding impact on local traffic and pedestrian flow as well as provision of ancillary car parking facilities and community facilities. The village representatives were mainly concerned about the C&R issues and cultural heritage aspect which were set out in the letter of 14.5.2022 from the East Kowloon District Residents' Committee. The aforesaid letter and PlanD's reply dated 30.5.2022 are at

^[4] The MPC Paper No. 8/22 and its attachment comprising relevant technical assessments are available at the Board's website at https://www.info.gov.hk/tpb/en/meetings/MPC/Agenda/697_mpc_agenda.html.

Attachments VIIa and VIIb of the MPC Paper No. 8/22 respectively. Responses from relevant Government departments on the main concerns raised by the WTSDC members and village representatives are stated in paragraphs 12.5 to 12.9 of the MPC Paper No. 8/22.

4. The Representation Sites and their Surrounding Areas

The Representation Sites and their Surrounding Areas (Plans H-1 to H-4)

- 4.1 Item A Site (about 1.68 ha) comprising two portions (i.e. Sites C and D1 on Plan **H-5a**) and Item B Site (about 0.21ha) are located right next to the Choi Hung MTR Station and situated on a relatively flat terrain. Item B Site is sandwiched by the two portions of Item A Site (**Plan H-1**). The Sites are bounded by the former St. Joseph's Home for the Aged, which is zoned "Comprehensive Development Area" ("CDA"), to the east, Lung Cheung Road to the southwest, Hammer Hill Road Swimming Pool Complex to the west and Wing Ting Road to the north. The Sites are mainly occupied by existing low-rise squatters (**Plans H-4a** and **H-4b**). According to the pre-clearance survey conducted by LandsD in June 2022 upon gazettal of the draft OZP, there are about 949 affected structures in NCWV involving 447 households with 783 residents and 28 business undertakings. A Grade 3 historic building namely Man Fat Nunnery (萬佛堂) (**Plans H-2** and **H-4c**) to be preserved in-situ for adaptive reuse and the Jockey Club Breast Health Centre (BHC) ^[5] are located at the northwestern portion of Item A Site (**Plans H-2** and **H-4b**).
- 4.2 In a wider context, Item A and B Sites are surrounded by various low to high-rise developments with building height (BH) ranging from 61mPD to 114mPD ^[6], and the planned CDA development with maximum BH of 230mPD^[7] to the east. No building height restriction has been imposed on the OZP for the aforesaid surrounding sites (**Plan H-2**).

Development Parameters

- 4.3 Item A Site is zoned "R(A)1" for proposed public housing development with provision of GIC facilities and commercial uses (**Plans H-1** and **H-2**). Social welfare facilities with floor area not less than 5% of the respective domestic gross floor area (GFA) will be provided in the podium floors of the housing sites^[8]. The planned POS of about 2,700m² zoned "O" covering the Item B Site and a portion of the existing open space

^[5] Mainly funded by the Hong Kong Jockey Club, the BHC is a two-storey structure built in 2018 providing breast cancer screening services to the community.

^[6] The BHs of the developments near NCWV are: the Bay View Garden (114mPD), Fortune Garden (95mPD), Wealth Garden (103mPD), FSD Married Quarters (111mPD) and Choi Hung Estate (61mPD) (**Plan H-2**).

^[7] A comprehensive commercial/residential development is being planned at this CDA site. The Master Layout Plan under Application No. A/K12/34 was approved with conditions by the MPC of the Board on 3.2.2006, and the latest general building plans for the proposed development were approved on 6.5.2022. To minimise noise/air impacts generated from Clear Water Bay Road and provide public open space with three Grade 2 buildings preserved in-situ at the forecourt area, the residential towers have been setback to the northwest with incorporation of a relatively higher BH up to 230mPD.

^[8] As announced in the 2020 PA, social welfare facilities with floor area not less than 5% of the proposed domestic GFA will be provided in public housing projects.

is also proposed. The major development parameters are summarised below and the notional scheme^[9] is at **Plans H-5a to H-5c**.

Zoning	“R(A)1”
Site area	about 1.68ha
Maximum Total/Domestic Plot Ratio (PR)	9.0 / 7.5
Maximum Building Height	130mPD (Site C) / 115mPD (Site D1)
No. of flats ^[a]	about 2,700
Estimated population ^[a]	about 7,290
Social welfare facilities ^[b]	<ul style="list-style-type: none"> - 100-place Residential Care Home for the Elderly (RCHE) cum 30-place Day Care Unit; - 100-place RCHE; - 100-place Child Care Centre; - One Neighbourhood Elderly Centre; - One team of Home Care Services for Frail Elderly Persons (2 team-size kitchen-based); and - One Family and Child Protective Services Unit
Other facilities	<ul style="list-style-type: none"> - One Community Hall^[b] - One 9-classroom kindergarten ^[c] ^[d] - BHC ^[b] ^[e] - Retail facilities
Recreational facilities, local open space (LOS), greenery and ancillary parking facilities	<ul style="list-style-type: none"> - Recreational facilities, LOS (i.e. 1m² per person) and ancillary car parking and loading/unloading (L/UL) spaces will be provided in accordance with the Hong Kong Planning Standards and Guidelines (HKPSG) - Site coverage of greenery would be provided to meet the requirement under the Sustainable Building and Design Guidelines (SBDG)
Estimated population intake	from 2031 by phases

Notes:

- [a] Based on the notional scheme prepared by HKHS (**Plans H-5a to H-5c**) and is subject to the detailed planning and design. Average flat size of about 50m² (Site C) / 43m² (Site D1) and 2.7 persons per flat are assumed.
- [b] The social welfare / community facilities as listed above have been included for technical assessments. Actual provision of facilities will be subject to further discussions between government departments and HKHS at the detailed planning and design stage. Floor space for GIC facilities (including the BHC), as required by the Government in the “R(A)1” zone, is disregarded from PR calculation as specified in the Notes of the OZP.
- [c] For accommodating all classrooms required for the proposed developments at NCWV, CYUV and WTSCC sites.
- [d] Subject to the detailed design in consultations with relevant government departments.
- [e] The BHC will continue to operate to provide services.

^[9] The notional scheme with the indicative layout, disposition, and building footprint is prepared by HKHS for the purpose of demonstrating the feasibility of the developments with the statutory development restrictions and site constraints as well as for conducting various technical assessments. They are subject to change in the detailed design stage with due regard to statutory development restrictions, design considerations specified in the Explanatory Statement, and other relevant requirements under Sustainable Building Design Guidelines.

Planning Intentions

- 4.4 The “R(A)1” zone under Item A is intended primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.
- 4.5 The “O” zone under Item B is intended primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.

5. The Representations

5.1 Subject of Representations

- 5.1.1 There are eight representations, including three (**R1** to **R3**) supporting Item A, one (**R4**) supporting Item B but opposing Item A, one (**R5**) opposing both Items A and B, two (**R6** and **R7**) opposing Item A and one (**R8**) providing adverse views on Items A and B.
- 5.1.2 The major grounds of representations, and PlanD’s responses, in consultation with relevant Government Bureaux/Departments (B/Ds), are summarised in paragraphs 5.2 to 5.4 below.

5.2 Supportive Representations

5.2.1 Item A

Major Supportive Ground(s) / View(s)	Representation(s)
<p>(1) Support Item A for a high-density public housing development with GIC and commercial facilities at NCWV on the following grounds:</p> <p>(i) the development providing about 2,700 public housing units can address the pressing need of housing supply;</p> <p>(ii) the proposed land use and development density are compatible with surroundings;</p> <p>(iii) Man Fat Nunnery within Item A Site will be well preserved in-situ for adaptive reuse for public enjoyment;</p> <p>(iv) local connectivity can be improved by constructing the extension of Wing Ting Road (Plan H-2) to link up with the planned CDA development and Ngau Chi Wan Municipal Services Building;</p> <p>(v) POS within the “O” zone will be designed and constructed by HKHS to serve the public;</p>	<p>R1 to R3</p> <p>R1 and R3</p> <p>R1 and R2</p> <p>R1 and R2</p> <p>R1 and R2</p>

(vi) social welfare (not less than 5% of domestic GFA), community and retail facilities will be provided;	R1 and R2
(vii) greenery area not less than 20% of the site area and diverse landscaping will be provided within the development; and	R1
(viii) the development will not result in any insurmountable problems on various technical aspects.	R1
Responses	
(a) The supportive views at (1) above are noted.	

5.2.2 Item B

Major Supportive Ground(s) / View(s)	Representation(s)
(1) Support Item B for providing more quality open space in the district.	R4
Responses	
(a) The supportive view at (1) above is noted.	

5.3 Adverse Representations

5.3.1 General Issues on Item A

Major Ground(s) / Comment(s)	Representation(s)
<i>Development Intensity and Provision of Open Space</i>	
(1) The proposed public housing development is compact and of too high density with inadequate open space. Urban design of the area is affected.	R4 and R7
Responses	
<p>(a) In response to (1):</p> <p>The Government has been adopting a multi-pronged approach to increase housing land supply and to meet the acute housing demand, including to resume private land in urban squatter areas with a view to expediting the development and rebuilding a new community therein. The NCWV site is surrounded by various low to high-rise developments with connections to major roads and pedestrian network and is easily accessible by public transportation. Having regard to the site context, the land use compatibility with surrounding developments, the infrastructural capacity and the</p>	

recommendations of the FS, the Item A Site is considered suitable for the proposed public housing development with provision of GIC facilities and commercial uses, subject to the same maximum PR restriction of other “R(A)” zones on the OZP (i.e. a maximum domestic/total PR of 7.5/9.0 for “R(A)” zone stipulated on the OZPs in Kowloon).

The BHRs of 130mPD (Site C on **Plan H-5a**) and 115mPD (Site D1 on **Plan H-5a**) are generally compatible with the surrounding height profile of existing/planned developments ranging from 95 to 230mPD. As illustrated in the photomontages (**Plans H-8a to H-8f**), the proposed development could be seen as an extension of residential townscape. Mitigation measures to alleviate the visual impacts, such as building separations of about 15m, building/podium setback of about 7.5m and provision of greening/landscape treatment have been incorporated in formulating the layout design of the proposed development (**Plan H-5a**).

A POS of about 0.27ha will be provided at the adjacent “O” zone covering Item B Site and a portion of the existing open space for public use (**Plan H-2**). Adequate LOS (i.e. minimum of 1m² of LOS per person) will be provided in the development in accordance with the HKPSG requirements. Adding all, there would be a surplus in LOS of about 6.89 ha but a shortfall in district open space (DOS) of about 5.32ha in the Ngau Chi Wan Planning Scheme Area (**Annex V**). DOS is intended to serve the district population and there will be a surplus in district open space of about 9.2ha in the Wong Tai Sin District as a whole. The existing and planned provision of major recreational facilities and open space are generally adequate to meet the demand in accordance with the requirements of the HKPSG and concerned B/Ds’ assessment.

Major Ground(s) / Comment(s)	Representation(s)
Technical Issues	
(2) The proposed development creates adverse traffic impact.	R4
Responses	
<p>(b) In response to (2):</p> <p>Based on the results of Preliminary Traffic and Transport Impact Assessment (TTIA) conducted under the FS, the proposed development will not create adverse traffic impact to the existing road network/junctions after implementation of the proposed traffic improvement works at (i) Lung Cheung Road (eastbound) near Wing Chi Path, (ii) at the junction of Hammer Hill Road/Ping Ting Road and (iii) at Hammer Hill Road Roundabout (Plan H-7) under this project. Besides, with the Choi Hung MTR Station being located within walking distance, it is expected that MTR will be a main mode of transport for the proposed development. As revealed in the Preliminary TTIA, given the proposed development would only estimate to increase the loading of Kwun Tong Line by around 1%, impact on Kwun Tong Line would</p>	

not be significant (taking into account the cumulative traffic impact on Kwun Tong Line generated by the proposed developments at the NCWV, CYUV and WTSCC sites). CEDD will conduct a TTIA in the subsequent detailed design stage to ascertain the traffic and transport impacts, as well as the necessary traffic improvement works. Commissioner for Transport (C for T) has no objection in-principle to the proposed development from traffic point of view.

5.3.2 Site-Specific Proposal for Items A and B

Major Ground(s) / Comment(s)	Representation(s)
<p><u>R5's Proposal (Plans H-2, H-6a to H-6e)</u></p> <p>(1) The representation site for R5 comprises "R(A)1" zone under Item A and the adjacent "O" zone covering Item B Site and a portion of the existing open space as well as an adjoining piece of Government land (about 481m²) abutting Lung Cheung Road, which is not subject to any amendment item and is zoned "G/IC" currently occupied by a refuse collection point (RCP) cum public toilet, a section of Lung Chi Path and an electric substation (ESS) (Plans H-4c, H-4d, H-6b and H-6c). The representer has claimed to have land holdings concentrated at the southeastern portion of Item A Site (i.e. the Proposed Private Housing Site (PPHS) of about 3,178m² as shown on Plans H-6a to H-6d) with mutual understanding formed between the representer and other private landowners to develop the PPHS via private initiatives.</p> <p>(2) The representer has proposed an Enhanced Scheme to increase the development intensity of the NCWV site by (i) enlarging the "R(A)1" zone at Item A Site by 3,178m² (i.e. from 16,800m² to 19,978m²) with inclusion of the "O" zone covering the Item B Site and a portion of the existing open space (about 2,697m²) and the adjoining "G/IC" zone (about 481m²) for PR calculation; and (ii) excluding the PPHS from land resumption by Government so that it can be developed for private housing development by the representer together with other landowners (Plans H-6b and H-6c). The Enhanced Scheme has not only retained the originally planned 2700-unit public housing development under Amendment Item A by enlarging the development site area as proposed in (i) above, but also provided not less than 500 additional private housing units at the PPHS.</p> <p>(3) The POS would be provided as originally planned and the existing uses (including a standalone RCP cum public toilet, a section of Lung Chi Path and an ESS)</p>	<p>R5</p>

within the adjoining “G/IC” zone would be remained in-situ, though they have been included into the site area of the expanded “R(A)1” zone for PR calculation. The Enhanced Scheme would adopt the same building layout/footprint as proposed by HKHS (**Plan H-6d**) in that Towers 1 and 2 would be developed by HKHS for public housing development with the same GFA of the original HKHS scheme (i.e. domestic GFA of 126,000m² and non-domestic GFA of 25,000m²) for production of 2700 units whereas the area occupied by Tower 3 falling within the PPHS would be developed by the representer/other landowners for private housing development subject to a maximum total PR of 9 (domestic PR 7.5/non-domestic PR 1.5, equivalent to domestic GFA of 23,835m² and non-domestic GFA of 4,767m²). To cater for the increase in number of flats and the non-domestic GFA, the proposed building height of Tower 1 and Tower 2 for public housing development would increase from 130mPD to 166.9mPD and 115mPD to 148mPD respectively, whilst the building height of Tower 3 at the PPHS would be slightly increased from 115mPD to 119.6mPD (**Plan H-6e**).

Justifications by R5

- (4) More housing units can be provided (additional 500 private housing flats on top of 2,700 public housing flats by HKHS). Additional social welfare facilities (i.e. a 90-place Early Education and Training Centre) and retail floor space can be provided. The proposed development under the Enhanced Scheme is compatible with the surrounding context and is technically feasible in terms of traffic, sewerage, visual, air ventilation and environmental aspects as demonstrated by the technical assessments including Traffic Review, Sewerage Review, Visual Appraisal Report and Air Ventilation Review conducted by the representer.
- (5) The original implementation timetable of the proposed public housing development will not be affected. There is no need for re-conducting feasibility study and making significant amendments on the architectural design of the scheme. There is opportunity for early implementation of the PPHS by private initiatives through faster land acquisition process.
- (6) Better public-private housing mix in Wong Tai Sin can be achieved.

Responses

(a) In response to (1) to (4):

According to the representer's proposal, the "O" zone covering the Item B Site and a portion of the existing open space (about 2,697m²) as well as the adjoining "G/IC" zone (about 481m²) would be included in the expanded "R(A)1" zone for PR calculation, though the proposed POS at the aforesaid "O" zone and the existing uses (including a standalone RCP cum public toilet, a section of Lung Chi Path and an ESS) within the "G/IC" zone would be remained in-situ (**Plans H-6a to H-6e**). The above proposal with inclusion of the aforesaid O" and "G/IC" zones for PR calculation and substantial increase in total GFA and BH is considered unacceptable on the following grounds:

- (i) The subject "O" and "G/IC" zones are basically two separate sites for planned POS development and existing GIC uses/a section of Lung Chi Path respectively. According to Chapter 2 of the HKPSG, roads and zoned facilities including the open space and standalone GIC facilities should be excluded from the net site area of a development for domestic PR purposes. The representer has not provided any planning grounds to justify the proposed inclusion of the subject "O" and "G/IC" zones into the "R(A)1" zone for PR calculation.
- (ii) The proposed POS, the existing standalone RCP cum public toilet, the ESS and the section of Lung Chi Path do not form part of the proposed public housing development and are not intended for residential development. They will be/are managed and maintained by different Government departments/utility agents, i.e. the proposed POS by the LCSD, the RCP cum public toilet by the Food and Environmental Hygiene Department and the ESS by CLP Power Hong Kong Limited (CLP) ^[10]. The section of Lung Chi Path is a public path serving the area. Given the above, the concerned "O" and "G/IC" zones should be remained to reflect the planned/existing uses, and should not be included into the "R(A)1" zone for PR calculation as proposed by the representer. If the additional GFA of 28,602m² (domestic GFA 23,835m² + non-domestic GFA 4,767m²) is incorporated as proposed by the representer, the de facto domestic/total PR of the "R(A)1" zone (i.e. 16,800m²) without counting the site area of the "O" and "G/IC" zones will rise to 8.92/10.69, which is beyond the concerned PR control.

(b) In response to (5):

As mentioned in paragraph 2.1 above, the comprehensive public housing development in NCWV will be implemented by HKHS. The representer's proposal of carving out the Tower 3 for private housing development with substantial increase in total GFA by about 19% and building height of Towers 1 and 2 by about 33m to 37m would fundamentally affect the comprehensiveness and integrity of the public housing development as well as its overall design, not to mention the interface issues caused such as the shared

^[10] The ESS is granted to CLP under the Block Licence dated 2.4.1990 and Supplementary Statement dated 10.9.2007. CLP is responsible for the maintenance and repair of transformers and equipment in the ESS while Architectural Services Department is responsible for maintenance and repair of the enclosure and fencing of the ESS.

use of the ingress/egress of Site D1 and retail/carparking facilities (**Plans H-6d and H-6e**). It would induce a substantial review on the technical assessments of various aspects such as traffic, air ventilation, visual and infrastructure proposals under the FS, resulting in a delay in the implementation programme of the public housing development.

A majority portion of the PPHS (i.e. about 57% of the site area) falls within government land and the representer has yet obtained any Government's agreement to use the land. The representer also has yet obtained any ownership of the private lots within the PPHS^[11]. As advised by LandsD, the prospect and timing of completing the land exchange will be subject to a number of uncertainties including (i) timely uniting ownership of all private land to be involved in the land exchange; (ii) reaching an early agreement with the Government for the proposed land exchange including the premium payable for the exchange; and (iii) timely and smoothly removal of the occupants within the PPHS at the costs and resources of the representer.

No concrete evidence has been provided in the representation showing good progress in uniting the ownership for the land exchange application. The representer also has not provided any information to substantiate his claim that the proposed private housing development may be implemented faster than the proposed public housing development by HKHS.

(c) In response to (6):

In view of the acute demand for housing particularly public housing, the Government has been adopting a multi-pronged approach to identify suitable sites to increase land supply for public housing development. Taking into account the site context and land use compatibility with surrounding developments, Item A Site zoned "R(A)1" is considered suitable for a comprehensively planned public housing development. In terms of housing mix, there are a number of existing / planned private residential developments in the area (**Plan H-2**).

5.3.3 Site-specific Proposal for Item A

Major Ground(s) / Comment(s) / Proposal(s)	Representation(s)
<u>R6's Proposal</u> (1) The representer states that Buildings Department (BD) has granted consent to commencement of foundation works and general building plan (GBP) for developing a	R6

^[11] According to the record in the Land Registry, out of 19 private lots within the PPHS, none of them is owned by the representer R5.

house with BH less than 9.05m at the representer's lot ^[12] (Plans H-2 and H-4f). The representer proposes to exclude the lot and sufficient nearby areas in NCWV from "R(A)1" zoning, since the proposed high-density public housing development with building height of 130 and 115mPD will adversely affect the living quality of the proposed house at the lot.	
Responses	
<p>(a) In response to (1):</p> <p>The representer's lot stands in the middle of Site D1 with a portion encroached upon the proposed Wing Ting Road Extension (Plan H-5a). Its scheme would be in direct conflict with the proposed vehicular access to the housing development as well as the Wing Ting Road Extension. Confined in a narrow strip of land with a width of about 45m sandwiched by Wing Ting Road (and its extension) to the northeast and the re-sited village to the southwest, the development layout of Site D1 is highly constrained by its elongated configuration.</p> <p>The proposal of carving out the representer's lot and its surrounding area from the public housing site is undesirable since it will (i) significantly affect the overall layout design and the integrity of the proposed public housing development; (ii) reduce the GFA and number of flats of the proposed public housing development that can be achieved; and (iii) affect the design of Wing Ting Road Extension. Besides, the changes to the layout and planning parameters of the proposed public housing development arising from the representer's proposal would induce a review on the technical assessments under the FS, resulting in a delay in the implementation programme of the public housing development.</p>	

5.4 Representation Providing Adverse Views

5.4.1 Item A

Major Ground(s) / Comment(s)	Representation(s)
<i>Preservation of Man Fat Nunnery</i>	
(1) It is inappropriate to rent out Man Fat Nunnery (Plan H-4c) for commercial use which has no connection with the	R8

^[12] The representer's lot, which is currently vacant, is subject to two planning applications (i.e. No. A/K12/39 and A/K12/43). These two applications were submitted and considered when the representer's lot was zoned "G/IC" (62%) and shown as 'Road' (38%) on the approved Ngau Chi Wan OZP No. S/K12/16 (the "G/IC" portion was subsequently rezoned to "R(A)1" on the draft Ngau Chi Wan OZP No. S/K12/17 exhibited on 24.6.2022). Application No. A/K12/39 not submitted by the representer for a proposed 3-storey house was allowed on appeal with conditions by the Town Planning Appeal Board (TPAB) on 26.11.2013, and five sets of GBPs based on the approved scheme were subsequently approved by the Building Authority on 6.9.2017, 14.3.2018, 17.2.2020, 25.5.2021 and 29.12.2021. Application No. A/K12/43 submitted by the representer for a proposed 4-storey house was rejected by the MPC of the Board on 30.4.2021 and upon review by the Board on 20.8.2021. Subsequently, the representer lodged an appeal to the TPAB on 1.11.2021 against the Board's decision on the application. The Appeal Hearing is scheduled on 12.12.2022 and 14.12.2022.

original use of the nunnery. The enclosure of the nunnery will be destroyed. It is suggested to use the nunnery for GIC facilities.	
Responses	
<p>(a) In response to (1):</p> <p>The heritage significance of the Man Fat Nunnery (Plan H-4c), which is a Grade 3 historic building, will be respected by preserving it in-situ for adaptive reuse for public appreciation through integrating it into the proposed public housing development. The preliminary proposal of HKHS is to revitalize Man Fat Nunnery for commercial uses subject to review at detailed design stage, with setbacks of not less than 10m from the proposed housing blocks. As advised by the Antiquities and Monuments Office (AMO), the adaptive reuse proposal of the Man Fat Nunnery should be subject to relevant authorities' approval, on the understanding that its structural stability, integrity and architectural features will be properly maintained. Two-stage Heritage Impact Assessments (HIAs) will be carried out to formulate suitable heritage conservation measures in the detailed design stage which will be submitted to AMO and Antiquities Advisory Board for endorsement. The history and activities of Man Fat Nunnery will be duly considered in the HIAs and the findings will be incorporated in the detailed design stage.</p>	

Major Ground(s) / Comment(s)	Representation(s)
<i>Provision of Community Services</i>	
(2) Social welfare facilities with floor area not less than 5% is inadequate. There is a scarcity of provision of elderly facilities.	R8
Responses	
<p>(b) In response to (2):</p> <p>The proposed public housing development at the NCWV site will accommodate social welfare facilities of not less than 5% of respective proposed domestic GFA providing elderly and child care services as per advice from the Social Welfare Department (SWD). The Government will continue to adopt a multi-pronged approach with long, medium and short-term strategies to identify suitable sites or premises for the provision of more welfare services so as to meet the ongoing welfare service needs of the district.</p> <p>According to the HKPSG, there will be a shortfall in the provision of residential care home for the elderly, community care services, child care centre and some rehabilitation services in the Ngau Chi Wan Planning Scheme Area (Annex V). However, the SWD adopts a wider spatial context/cluster in the assessment of provision for such facilities. Besides, the aforesaid standards were reinstated in the HKPSG in 2018, 2020 and 2022 respectively, and thus they reflect the long-term target towards which the provision of elderly, child care and</p>	

rehabilitation facilities would be adjusted progressively.

Major Ground(s) / Comment(s)	Representation(s)
<i>Quality of Life</i>	
(3) The proposed redevelopment of the squatters in NCWV will diminish the quality of life and community ties of the affected residents.	R8
Responses	
<p>(c) In response to (3):</p> <p>NCWV is currently occupied by low-rise squatters generally in poor condition with about 949 affected structures according to the records of the LandsD. The living environment of residents in the squatter areas will be improved through the redevelopment and appropriate C&R will be provided in accordance with the prevailing policy. The other concerns of the affected stakeholders will be handled separately by the Government according to the established procedures. As stated in paragraph 3.2 to 3.3 above, the WTSDC members and the village representatives consulted gave full support to the proposed public housing developments at the NCWV site.</p> <p>For the district as a whole, the proposed public housing development can create a quality living environment with provision of social welfare facilities, GIC facilities, open space, greenery and recreational facilities.</p>	

Major Ground(s) / Comment(s)	Representation(s)
<i>Technical Issues</i>	
(4) Trees felling at the development site with no guarantee of adequate compensatory planting would result in the cumulative loss of mature trees. The proposed new trees are of spindly species that cannot grow tall.	R8
(5) The proposed social welfare facilities at lower floors of the domestic towers are impossible to be in compliance with regulations relating to natural lighting, ventilation and heating.	R8
(6) Proposed acoustic / fixed windows prohibit future residents from hanging damp clothes outside. Drying clothes indoor will cause additional energy consumption and health problem.	R8
(7) There are serious issues regarding the ventilation of the site.	R8

(8) There is no information on the way forward of the BHC within Item A Site.	R8
Responses	
<p>(d) In response to (4):</p> <p>Preliminary Landscape and Visual Impact Assessment has been conducted under the FS to assess the potential landscape impact for the proposed development. A broad-brush tree and vegetation survey has been carried out. It has identified approximately 359 existing trees, which are of commonly found species in Hong Kong, with five of them being Trees of Particular Interest (TPIs) with diameter at breast height (DBH) over 1m. According to the preliminary proposal, 24 trees, including three TPIs, are proposed to be retained in-situ while the remaining 335 trees (including two TPIs) are to be felled due to the proposed site formation works and the proposed development.</p> <p>To alleviate the potential landscape impact, it is recommended to plant about 200 new trees within the housing site as far as practicable. With a view to maximising the scope of tree planting, a continuous search for potential areas for off-site planting, in consultation with relevant departments, would be conducted in the subsequent detailed design stages. A Tree Preservation and Removal Proposal will be prepared by CEDD at the detailed design stage in accordance with DEVB Technical Circular (Works) No. 4/2020 on Tree Preservation and latest Guidelines for Tree Risk Assessment and Management Arrangement.</p>	
<p>(e) In response to (5):</p> <p>In view of scarce land resources in Hong Kong, it is a common practice and reasonable to provide social welfare facilities on the lower floors/podium of the public housing development to serve the local residents. The concerned social welfare facilities will not be subject to insurmountable environmental impacts (including air and noise pollution) with the implementation of suitable mitigation/improvement measures at the detailed design stage. The design of the buildings will comply with relevant prevailing regulations and standards.</p>	
<p>(f) In response to (6):</p> <p>Preliminary Environmental Review has been undertaken under the FS to identify and assess the potential environmental impact including air quality impacts. No insurmountable environmental impact of the proposed development is anticipated with the implementation of mitigation measures, which include building setback and incorporation of acoustic window/fixed window to alleviate potential air quality impact and potential noise impacts from Lung Cheung Road respectively. The design of the buildings will comply with relevant prevailing regulations and standards. Director of Environmental Protection has no objection in-principle to the rezoning amendments from environmental planning perspective.</p>	
<p>(g) In response to (7):</p> <p>An Air Ventilation Assessment in the form of Expert Evaluation (AVA-EE) has</p>	

been conducted in the FS. The proposed development will incorporate various good air ventilation measures including building separations of about 15m, building/podium setbacks of about 7.5m, and openings of about 15m above podium level at Tower 1 to facilitate air flow subject to further review and detailed design (**Plans H-5a to H-5c**). According to the AVA-EE, with incorporation of the above measures, it is unlikely that the proposed development would induce any significant air ventilation impact to the surroundings. Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD has no adverse comment on the rezoning amendments from air ventilation perspective.

(h) In response to (8):

As stated in paragraph 4.7 of the MPC paper No. 8/22, the BHC will continue to operate to provide services (**Plan H-5a**).

5.4.2 Item B

Major Ground(s) / Comment(s)	Representation(s)
(1) There is no indication on whether the proposed POS will be at grade or on podium. POS on podium is not genuine open space.	R8
Responses	
(a) In response to (1): The proposed POS will be designed and constructed by HKHS, and maintained and managed by the LCSD upon completion. According to the scheme under the FS, the proposed POS will be at grade.	

6. The Comments on Representations

- 6.1 Two comments on representations from the HKHS (**C1**) and an individual (**C2**) were received^[13].
- 6.2 **C1** concurred with **R1** to **R3** in supporting Item A and **R4** in supporting Item B mainly on the grounds that the proposed public housing development may benefit both the residents and local community by meeting housing need, a POS will be provided at the adjacent “O” zone and the Man Fat Nunnery will be revitalized for adaptive reuse with no insurmountable impacts on traffic, environmental, visual, heritage, air ventilation and infrastructural capacity aspects. **C1**’s supportive views above are noted. **C1** has also provided responses to views raised by **R4** to **R8** covering various aspects on Item A for the proposed public housing development and Item B for the proposed POS in NCWV site. The responses are similar to PlanD’s responses in para. 5.3 and 5.4 above.

^[13] Commenter C1 is also the representer of R1, and commenter C2 is also the representer of R8.

- 6.3 **C2** reiterated the views on the grounds as stated in paragraph 5.4 above, and the corresponding responses are relevant. **C2** also provided some general views on the Government's policy on land and housing supply in Hong Kong which have not been mentioned in the representations. They are summarised below:

Major Comment(s)	Comment
(1) Rezoning for housing development becomes the only approach for the Government to increase land and housing supply.	C2
(2) The Government should explore the other approaches, including (i) purchasing vacant housing units in Mainland for accommodating citizens in Hong Kong / one-way permit holders so as to free up more public housing units in Hong Kong; and (ii) introducing programmes to assist young people in purchasing their own homes.	C2
(3) Development of new public housing units should be questioned, given (i) abuse of public housing units; (ii) no incentive for public housing residents to downsize when family member(s) move out; (iii) shrinking population and economic slowdown; and (iv) failure to drive forward the Tenants Purchase Scheme.	C2
Responses	
<p>(a) In response to (1) to (3):</p> <p>To address the acute, long-term and sustained housing need, the Government has been adopting a multi-pronged approach to identify suitable sites to increase land supply. Apart from rezoning, the Government is also actively taking forward a number of land supply initiatives such as new development areas, redevelopment of brownfields, reclamation, resumption of private land, and Northern Metropolis, etc.</p> <p>The Hong Kong Housing Authority is committed to combating tenancy abuses with stringent action^[14]. Households with living space exceeding the prescribed under-occupation standards will be required to move to another public rental housing flat of appropriate size.</p>	

^[14] Public rental housing tenants who are proven to have abused public housing resources will have their tenancies terminated and those who knowingly make false declarations may be prosecuted. In addition to the routine tenancy control carried out by the estate offices, the Public Housing Resources Management (PHRM) Sub-section was also set up to combat abuses of public housing resources. Apart from looking into suspected tenancy abuse cases, the PHRM also closely examines the declarations of incomes and assets made by public rental housing tenants and applicants of various subsidised housing schemes to prevent public housing abuse.

7. Departmental Consultation

7.1 The following B/Ds have been consulted and their comments have been incorporated in the above paragraphs, where appropriate:

- (a) Secretary for Development;
- (b) Executive Secretary (Antiquities and Monuments), DEVB;
- (c) C for T;
- (d) Chief Estate Surveyor (Acquisition Section), LandsD;
- (e) Director of Leisure and Cultural Services;
- (f) Director of Social Welfare;
- (g) Director of Housing;
- (h) Project Manager/South, CEDD;
- (i) Director of Food and Environmental Hygiene; and
- (j) CTP/UD&L, PlanD.

7.2 The following B/Ds have been consulted and they have no major comment on the representations and comments:

- (a) Secretary for Health;
- (b) Secretary for Education;
- (c) Secretary for Constitutional and Mainland Affairs;
- (d) DEP
- (e) Chief Engineer/Mainland South, Drainage Services Department;
- (f) Chief Engineer/Construction, Water Supplies Department;
- (g) Chief Building Surveyor/Kowloon, Buildings Department;
- (h) District Lands Officer/Kowloon East, LandsD;
- (i) District Officer/Wong Tai Sin, Home Affairs Department;
- (j) Project Manager/East, CEDD;
- (k) Head of Geotechnical Engineering Office, CEDD;
- (l) Chief Highway Engineer/Kowloon, Highways Department (HyD);
- (m) Chief Engineer/Rail Development 2-2, HyD;
- (n) Government Property Administrator;
- (o) Director of Fire Services;
- (p) Chief Architect/Central Management Division 2, ArchSD;
- (q) Director of Agriculture, Fisheries and Conservation;
- (r) Director of Electrical and Mechanical Services;
- (s) Commissioner of Police; and
- (t) CTP/Strategic Planning, PlanD.

8. Planning Department's Views

8.1 The supportive views of **R1** to **R3**, **R4 (part)** are noted.

8.2 Based on the assessments in paragraphs 5.3 and 5.4 above, PlanD does not support R4 (part) to **R8** and considers that the OZP should not be amended to meet the representations for the following reasons:

- (a) the Government has been adopting a multi-pronged approach to increase land supply to meet the acute housing demand. The Item A Site is considered suitable for the proposed public housing development with provision of GIC facilities and commercial uses (**R4** and **R7**);

- (b) the representer's proposal of rezoning the "O" zone covering Item B site and a portion of the existing open space as well as the adjacent "G/IC" site to "R(A)1" for PR calculation is considered unacceptable. These two sites do not form part of the proposed public housing development in NCWV, and are/will be managed and maintained by the respective Government departments/utility agent. The "O" and "G/IC" zonings should be remained to reflect the planned POS and existing GIC uses respectively **(R5)**;
- (c) the "R(A)1" zone is intended to facilitate comprehensive public housing development. The representer's proposal incorporating private residential development thereat would substantially increase the total GFA and BH and alter the overall design of the proposed public housing development, thereby necessitating re-assessment on various technical aspects and causing delay to the development programme. The representer also has not provided any information to substantiate the claim that the proposed private housing development may be implemented faster than the proposed public housing development by HKHS. There is no strong planning justification for rezoning to meet the representer's proposal **(R5)**;
- (d) the "R(A)1" zone is intended to facilitate comprehensive public housing development. The representer's proposal of carving out its lot and surrounding area would affect the integrity, layout design and planning parameters of the proposed public housing development and associated works, which would necessitate re-assessment on various technical aspects and causing delay to the development programme. There is no strong planning justification for rezoning to meet the representer's proposal **(R6)**;
- (e) technical assessments on various aspects, including traffic and transport, environmental, heritage, visual, air ventilation, tree and landscape, drainage, sewerage, water supply, utilities and geotechnical confirmed that there is no insurmountable technical problem in developing the Item A site for high-rise public housing developments with supporting infrastructural facilities and suitable mitigation/improvement measures **(R4, R6 to R8)**;
- (f) the proposed public housing development will accommodate social welfare facilities providing elderly and child care services on the lower floors/podium in compliance with relevant prevailing regulations and standards. The Government will continue to adopt a multi-pronged approach to identify suitable sites or premises for the provision of more welfare services **(R8)**; and
- (g) the living environment of residents in the squatter areas will be improved through the redevelopment and appropriate C&R will be provided in accordance with the prevailing policy. For the district as a whole, the proposed public housing development can create a quality living environment with provision of social welfare facilities, GIC facilities, open space, greenery and recreational facilities **(R8)**.

9. Decision Sought

- 9.1 The Board is invited to give consideration to the representations and comments, taking into consideration the points raised in the hearing session, and consider whether to propose/not to propose any amendment to the draft OZP to meet/partially meet the representations.
- 9.2 Should the Board decide that no amendment should be made to the draft OZP to meet the representations, Members are also invited to agree that the draft OZP, together with the Notes and updated Explanatory Statement, are suitable for submission under section 8 of the Ordinance to the Chief Executive in Council for approval.

10. Attachments

Annex I	Draft Ngau Chi Wan OZP No. S/K12/17 (reduced size)
Annex II	Schedule of Amendments to the Approved Ngau Chi Wan OZP No. S/K12/16
Annex III	List of Representers and Commenters in respect of the Draft Ngau Chi Wan OZP No. S/K12/17
Annex IV	Extract of Minutes of MPC Meeting held on 10.6.2022 (English Version Only)
Annex V	Provision of Major Community Facilities and Open Space in Ngau Chi Wan Planning Area
Plan H-1	Location Plan of Representation Sites
Plan H-2	Site Plan of Representation Sites
Plan H-3	Aerial Photo of Representation Sites
Plans H-4a to H-4f	Site Photos of Representation Sites
Plans H-5a to H-5c	Notional Scheme of the Proposed Public Housing Development at NCWV
Plans H-6a to H-6e	Proposals for Representation Site under R5
Plan H-7	Proposed Traffic Improvement Works for Development at NCWV
Plans H-8a to H-8f	Photomontages

**PLANNING DEPARTMENT
DECEMBER 2022**