

**DRAFT MA ON SHAN OUTLINE ZONING PLAN NO. S/MOS/23  
INFORMATION NOTE AND HEARING ARRANGEMENT  
FOR CONSIDERATION OF REPRESENTATIONS AND COMMENTS**

**1. Introduction**

- 1.1 On 16.10.2020, the draft Ma On Shan Outline Zoning Plan No. S/MOS/23 (the draft OZP) was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). The amendments mainly involve:
- (a) rezoning of two “Green Belt” (“GB”) sites near Cheung Muk Tau Village to “Residential (Group A)11” (“R(A)11”) (**Items A and B1**);
  - (b) rezoning of the other two “GB” sites along Ma On Shan Tsuen Road (MOST Road) to “R(A)11” (**Item D**) and “Residential (Group B)6” (**Item G**);
  - (c) rezoning of three other sites along MOST Road from “GB” to “Government, Institution or Community” (“G/IC”) for a water pumping station (**Item C**), a primary school (**Item E**) and service reservoirs (**Item F**) supporting the proposed housing developments; and
  - (d) technical amendments to rezone a strip of land abutting Ma On Shan Bypass from “GB” to an area shown as ‘Road’ (**Item B2**), and a site to the south-east of Chevalier Garden from “GB” to “Other Specified Uses” annotated “Sewage Treatment Works” (“OU(STW)”) to rationalize the development boundary of the Sha Tin Cavern Sewage Treatment Works (STCSTW) (**Item H**).
- 1.2 The Schedule of Amendments setting out the amendments incorporated into the draft OZP is at **Annex I** and the locations of the amendment items are shown on **Plans P-1a to P-1c**.
- 1.3 During the two-month exhibition period, a total of 7,658 representations were received<sup>1</sup>. 5,699 representations were made in accordance with the revised requirement set out in the Town Planning Board Guidelines No. 29B (TPB PG-No. 29B)<sup>2</sup>, while the remaining 1,959 representations were made with identity information missing which should be considered as invalid pursuant to sections 6(2) and 6(3)(b) of the Ordinance.

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<sup>1</sup> After discounting 100 duplicated representations/multiple submissions by same representers.

<sup>2</sup> According to TPG PG-No. 29B on Submission and Publication of Representations, Comments on Representations and Further Representations under the Town Planning Ordinance, which has 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 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.

- 1.4 There are two out-of-time representations submitted by individuals after the exhibition period. In accordance with section 6(3)(a) of the Ordinance, where a representation is made to the Board after the expiration of the 2-month exhibition period, it shall be treated as not having been made. As such, the submissions should be disregarded.
- 1.5 On 29.1.2021, the representations were published for public comments for three weeks until 19.2.2021. During the three-week publication period, a total of 1,713 comments were received<sup>3</sup>. 1,587 comments were made in accordance with the revised requirement set out in the TPB PG-No. 29B, while the remaining 126 comments were made with identity information missing which should be considered as invalid pursuant to sections 6A(2) and 6A(3)(b) of the Ordinance.
- 1.6 There is an out-of-time comment submitted by an individual after the public inspection period. In accordance with section 6A(3)(a) of the Ordinance, where a comment is made to the Board after the expiration of the 3-week public inspection period, it shall be treated as not having been made. As such, the submission should be disregarded.
- 1.7 The lists of representers and commenters and the summaries of the representations and comments are shown at **Annexes II, III, IV and V** respectively for Members' reference. The locations of the representation sites are shown on **Plans P-1a to P-1c**.

## **2. The Representations and Comments**

- 2.1 Among the 5,699 valid representations received, there are 39 supporting representations, 5,656 adverse representations (including 4 representations opposing some amendment item(s) but at the same time also support other item(s)) and 4 representations providing views.

### **Representations in respect of Items A, B1 and C to G for the proposed housing developments and supporting facilities**

- 2.2 All the 5,699 valid representations received are related to all or part(s) of the Items A, B1 and C to G for housing developments and the supporting infrastructure and facilities. Their views are summarized as follows:

#### *Supporting representations*

- (a) The 39 supporting representations were submitted by individuals mainly on the grounds that (i) there is still shortage in public and private housing; (ii) the amendment sites are appropriate for the proposed housing developments and significant impact on the surrounding environment is not anticipated with the stipulation of building height (BH) restrictions; (iii) the proposed development is an efficient and more environmental-friendly way to increase housing supply compared with reclamation and does not involve huge cost; and (iv) infrastructural development can help boost the economy and provide employment opportunities.

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<sup>3</sup> After discounting 76 duplicated comments/multiple submissions by same commenters

*Adverse representations*

- (b) Among the 5,656 adverse representations, 18 representations were submitted by members of Sha Tin District Council (STDC) (**R56 to R72**) and Tai Po District Council (TPDC) (**R73**), 7 by political parties and members of other District Councils (**R53 to R55** and **R74 to R77**), 15 by green groups or individuals (**R43 to R52**, **R92 to R94**, **R1640** and **R2465**), 3 by Incorporated Owners (**R78**, **R79** and **R1670**), 4 by Village Affairs Committee and Village Representatives of Cheung Muk Tau Village and Ma On Shan Mutual Aid Committee (**R81 to R83** and **R89**), 7 by concern groups (**R80**, **R84 to R88** and **R91**) and the rest (5,602) were submitted by individuals. About 4,418 of them were submitted in different types of standard formats, including about 2,948 in signature forms only. Below are the representers' major grounds of objection:
- (i) not in line with the prevailing government policy / strategy for housing development;
  - (ii) not in line with the planning intention of "GB" zones, and agreement to the rezoning will set an undesirable precedent;
  - (iii) inadequate provision of G/IC facilities;
  - (iv) traffic impact on the overloaded road network and public transport of Ma On Shan, which cannot be addressed by the traffic improvement measures proposed, and concerns on the adequacy of car parking provision in Ma On Shan;
  - (v) adverse environmental, landscape and ecological impacts as a result of the pollution generated, the extensive tree-felling required and the proximity of the amendment sites to Country Park and Ma On Shan Sites of Special Scientific Interest (SSSI);
  - (vi) heritage impacts on a pier of the Mineral Preparation Plant (Grade III historic building), and the potential impacts on the overall character of the Ma On Shan Iron Mine and its related buildings, structures and settlements (including Site G);
  - (vii) adverse geotechnical, visual and air ventilation impacts;
  - (viii) concerns on the extensive clearance of land and the rehousing arrangement; and
  - (ix) inadequate local consultation.

### *Representations providing views*

- (c) A total of 4 representations (**R90** and **R5697 to R5699**) provide views relevant to the proposed housing developments and supporting infrastructure and facilities. **R90** submitted by 馬鞍山單車會 provides suggestion on the improvement of MOST Road and the incorporation of cycle track and footpath along the improved MOST Road. **R5697** submitted by The Hong Kong and China Gas Co. Ltd. states that a quantitative risk assessment should be conducted to evaluate the potential risk and determine the necessary mitigation measures for the existing high pressure pipeline in the vicinity of Sites B1 and D. **R5698** submitted by an individual suggests that the traffic issue has to be resolved while increasing the population in Ma On Shan, while **R5699** submitted by an individual suggests to provide more public housing.

### **Representations in respect of Item B2 – Rezoning of a strip of land abutting Ma On Shan Bypass from “GB” to an area shown as ‘Road’ to reflect the existing as-built condition**

- 2.3 Of the 5,699 valid representations received, 1,415 representations are also related to Item B2. The 2 supporting representations (**R1** and **R2**) and 1,406 adverse representations did not provide grounds specific to Item B2, whilst the specific grounds provided by the remaining 7 representations (**R1767, R1778, R2765, R2766, R2789, R2799** and **R2800**) mainly include (i) the subject road is ancillary to the proposed housing developments, and thus its rezoning should not be agreed before the housing development is widely agreed by the society; (ii) the footpath and roadside facilities cannot accommodate the traffic generated by the proposed housing developments; and (iii) the subject road would lead to illegal parking and adverse impact on the environment.

### **Representations in respect of Item H – Rezoning of a site to the south-east of Chevalier Garden from “GB” to “OU(STW)” to rationalize the boundary of STCSTW**

- 2.4 Of the 5,699 valid representations received, 1,323 representations are also related to Item H. One representer (**R42**) supports Item H on the grounds that a city has to keep on developing and improving, while the other 3 supporting representations (**R1, R2** and **R39**) did not provide grounds specific to Item H. Amongst the 1,319 opposing representations, only 4 of them (**R2585, R2593, R2781** and **R3126**) provided grounds specific to Amendment Item H, mainly including (i) doubt on the need for the STCSTW; and (ii) adverse landscape and odour impact arising from the proposed STCSTW and the irreversible impact on the “GB” zone.

### **Comments on representations**

- 2.5 Among the 1,587 valid comments received, 1 comment submitted by an individual (**C1**) supports the rezoning and objects to the adverse representations R2465, R3126 and R3131. 1 comment submitted by an individual (**C2**) supports Items B2, C and E, provides views on Item H and objects to the remaining items. 1 comment submitted by an individual (**C1587**) has no clear indication of the views. The remaining 1,584 comments opposing to the rezoning are submitted by 4 STDC members (**C7 to C10**), a Sai Kung District Council member (**C11**), 6 green groups or individuals (**C3 to C6**,

**C15** and **C16**), 3 concern groups (**C12 to C14**) and individuals (1,570). Amongst the 1,587 commenters, about 123 of them are also representers. The commenters opposing to the rezoning are mainly concerning the proposed housing developments and the supporting facilities, with comments supporting the adverse representations, objecting to the supportive representations, objecting to the suggestions of the adverse representations and/or supporting/objecting to the representations providing views, on grounds that the supporting representations have neglected the alternative means of development and the adverse impacts due to the proposed development, and similar grounds as stated in para. 2.2(b) above.

### **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 among 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. Since the amendments incorporated in the draft OZP have attracted much public interest, it is recommended that the representations and comments should be considered by the full Board. A separate hearing session may be arranged, if necessary.
- 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. As the concerns of the representers and commenters are generally on the proposed housing developments as well as the supporting infrastructure and facilities and the issues involved are similar, the hearing of all representations and comments is suggested to be considered in one group.
- 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, subject to confirmation of the number of representers and commenters attending the hearing and the aggregated presentation time required.
- 3.4 Consideration of the representations and comments by the full Board under section 6B of the Ordinance is tentatively scheduled for July 2021.

### **4. Decision Sought**

- 4.1 The Board is invited to note that:
  - (a) pursuant to section 6(2) and 6(3), 1,959 representations with the required identity information missing and the 2 out-of-time representations as mentioned in paras. 1.3 and 1.4 above should be considered as invalid and treated as not having been made; and

- (b) pursuant to section 6A(2) and 6A(3), 126 comments with the required identity information missing and the out-of-time comment as mentioned as mentioned in paras. 1.5 and 1.6 above should be considered as invalid and treated as not having been made.

4.2 The Board is invited to consider whether:

- (a) to appoint a RHC for consideration of the representations and comments; and
- (b) the representations and comments should be considered in the manner as proposed in para. 3 above.

## 5. Attachments

<b>Annex I</b>	Schedule of Amendments to the Approved Ma On Shan Outline Zoning Plan No. S/MOS/22
<b>Annex II</b>	List of Representers
<b>Annex III</b>	List of Commenters
<b>Annex IV</b>	Summary of Representations
<b>Annex V</b>	Summary of Comments
<b>Plans P-1a to P-1c</b>	Location Plans of the Representation Sites

**PLANNING DEPARTMENT  
APRIL 2021**