

TOWN PLANNING BOARD

TPB Paper No. 10964

**For Consideration by
the Town Planning Board on 22.3.2024**

DRAFT SHA TIN OUTLINE ZONING PLAN NO. S/ST/37

CONSIDERATION OF REPRESENTATIONS NO. TPB/R/S/ST/37-R1 TO R43

**DRAFT SHA TIN OUTLINE ZONING PLAN (OZP) NO. S/ST/37
CONSIDERATION OF REPRESENTATIONS NO. TPB/R/S/ST/37-R1 TO R43**

Subject of Representations	Representers (No. TPB/R/S/ST/37-)
<p><u>Amendments to the Plan</u></p> <p><u>Item A (Plan H-1a)</u> Rezoning of a site at the junction of Wong Chuk Yeung Street and Kwei Tei San Chuen Road from “Green Belt” (“GB”) to “Residential (Group A) 8” (“R(A)8”) with stipulation of building height restriction (BHR) of 240 metres above Principal Datum (mPD).</p> <p><u>Item B (Plan H-1a)</u> Rezoning of a site to the northeast of Shan Mei Street from “Industrial” (“I”) to “Government, Institution or Community” (“G/IC”) with stipulation of BHR at 140mPD.</p> <p><u>Items C1 (Plan H-1b)</u> Rezoning of a site at the north of On Sum Street from “G/IC” to “Commercial (1)” (“C(1)”) with stipulation of plot ratio (PR) restriction of 9.5 and BHR of 130mPD.</p> <p><u>Item C2 (Plan H-1b)</u> Rezoning of a site at the south of On Sum Street from “Open Space” (“O”) to “C(1)” with stipulation of PR restriction of 9.5 and BHR of 130mPD.</p> <p><u>Item D (Plan H-1b)</u> Rezoning of a site at the junction of Yuen Hong Street and Yuen Shun Circuit from “G/IC” to “C(1)” with stipulation of PR restriction of 9.5 and BHR of 120mPD.</p> <p><u>Item E (Plan H-1b)</u> Rezoning of a site on Sha Tin Wai Road from “O” to “Residential (Group A) 9” (“R(A)9”) with stipulation of PR restriction of 5 and BHR of 110mPD.</p>	<p><u>Total: 43</u></p> <p><u>Support and Oppose (1)</u></p> <p><u>Item A (Oppose)</u> <u>Item B (Support)</u> <u>Item K (Oppose)</u> R1: Ex-Member of Sha Tin District Council (STDC), Mr. Chow Hiu Laam Felix</p> <p><u>Oppose/Adverse Comments (41)</u></p> <p><u>All amendments (Oppose) (1)</u> R2: An Individual</p> <p><u>Item E (Adverse Comments) (2)</u> R41: Swire Coca-Cola HK (SCCHK) R42: An Individual</p> <p><u>Item K (Oppose) (38)</u> R3 to R40: Individuals</p> <p><u>Provide Views (1)</u></p> <p><u>Item F(1)</u> R43: MTR Corporation Limited (MTRCL)</p>

Subject of Representations	Representers (No. TPB/R/S/ST/37-)
<p><u>Item F (Plan H-1b)</u> Rezoning of a site on Chap Wai Kon Street from “G/IC” to “Residential (Group A) 10” (“R(A)10”) with stipulation of PR restriction of 6 and BHR of 120mPD.</p> <p><u>Item G (Plan H-1b)</u> Rezoning of a site on Yuen Hong Street from “Industrial (1)” (“I(1)”) to “Commercial (2)” (“C(2)”) with stipulation of Gross Floor Area (GFA) restriction of 32,000m² and BHR of 120mPD.</p> <p><u>Item H1 (Plan H-1c)</u> Rezoning of a site on Tung Lo Wan Hill Road from “GB” and “G/IC” to “Residential (Group B) 3” (“R(B)3”) with stipulation of PR restriction of 2.5 and BHR of 140mPD.</p> <p><u>Item H2 (Plan H-1c)</u> Rezoning of a strip of land at the northern end of Tung Lo Wan Hill Road from “GB” to “G/IC”.</p> <p><u>Item J (Plan H-1c)</u> Rezoning of a site to the north of Mei Tin Road, Tai Wai from “R(B)” and “GB” to “Other Specified Uses” annotated “Religious Institution with Columbarium” (“OU(Religious Institution with Columbarium)”) with a GFA restriction of 1,416m², a BHR of 3 storeys, and a maximum number of 4,779 niches.</p> <p><u>Item K (Plan H-1d)</u> Rezoning of a site to the south of Chek Nai Ping on Tai Po Road (Ma Liu Shui) from “GB” to “Other Specified Uses” annotated “Columbarium (2)” (“OU(Columbarium(2))”) with a GFA restriction of 120m² and a maximum BH of 7.7m, and a maximum number of niches of 1,716.</p> <p><u>Amendments to the Notes of the Plan</u></p> <p>(a) Revision to the Remarks for “C” zone to incorporate development restrictions for “C(1)” and “C(2)” sub-zones.</p>	

Subject of Representations	Representers (No. TPB/R/S/ST/37-)
<p>(b) Revision to the Remarks for “R(A)” zone to incorporate development restrictions for “R(A)9” and “R(A)10” sub-zones.</p> <p>(c) Revision to “R(A)” zone to include ‘Public Vehicle Park (in “R(A)10” sub-zone only)’ under Column 1.</p> <p>(d) Incorporation of a new set of Notes for the “OU(Religious Institution with Columbarium)” zone.</p> <p>(e) Revision to the Remarks for “OU(Columbarium)” zone to incorporate development restrictions for “OU(Columbarium)2” sub-zone.</p>	

Note: The names of the representers are attached at **Annex III**. Soft copies of the submissions are sent to Town Planning Board (the Board) Members via electronic means; and are also available for public inspection at the Board’s website at https://www.tpb.gov.hk/en/plan_making/S_ST_37.html and the Planning Enquiry Counters of the Planning Department (PlanD) in North Point and Sha Tin. A set of hard copies is deposited at the Board’s Secretariat for Members’ inspection.

1. **Introduction**

- 1.1 On 17.11.2023, the draft Sha Tin Outline Zoning Plan No. S/ST/37 (the draft OZP) at **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 is at **Annex II** and the locations of the amendments to the Plan are shown on **Plans H-1a to H-1d**.
- 1.2 During the two-month statutory exhibition period, a total of 43 valid representations were received. On 23.2.2024, the Board agreed to consider all the representations collectively in one group.
- 1.3 This Paper is to provide the Board with information for consideration of the representations. The list of representers is at **Annex III**. The representations are at **Annex IV**. The representers have been invited to attend the meeting in accordance with section 6B(3) of the Ordinance.

2. **Background**

Item A – Proposed Public Housing Development (PHD) to the West of Ex-Fo Tan Cottage Area (Proposed PHD in Fo Tan) (about 3.4ha)

- 2.1 As set out in various Policy Addresses (PAs) in recent years, the Government has

adopted a multi-pronged approach to increase land supply and build up land reserve with a view to meeting housing and other development needs. To meet and expedite housing land supply in short and medium terms, the Government has been carrying out various land use reviews, including reviews on the “GB” sites, in order to identify suitable sites for rezoning to residential use. A “GB” site to the west of Ex-Fo Tan Cottage Area at the junction of Wong Chuk Yeung Street and Kwei Tei San Chuen Road in the northwestern part of Fo Tan has been identified for PHD in the second stage of “GB” review¹. The Engineering Feasibility Study (EFS) conducted by the Civil Engineering and Development Department (CEDD) has confirmed the technical feasibility of the proposed PHD. To take forward the proposal, the subject site has been rezoned from “GB” to “R(A)8” with stipulation of BHR of 240mPD.

Item B – Proposed Joint-user Complex (JUC) on Shan Mei Street, Fo Tan (Proposed JUC in Fo Tan) (about 0.77ha)

- 2.2 According to the 2018 PA, the Government will strengthen the implementation of the “single site, multiple use” (“SSMU”) development model for government land (GL) by integrating and providing more government, institution and community (GIC) facilities to meet the demand for public services while making optimal use of limited land resources. The 2019-2020 Budget further announced that approximately 22 billion dollars would be reserved to take forward the six first batch projects under the “SSMU” initiative, which include the proposed JUC on Shan Mei Street in Fo Tan. Various technical assessments have confirmed the feasibility of the proposed JUC. To facilitate the above development proposal, the subject site has been rezoned from “I” to “G/IC” with stipulation of BHR of 140mPD.

Items C1, C2, D, E and F – Proposed Commercial and Private Residential Developments in Shek Mun and Siu Lek Yuen (about 2.21ha)

- 2.3 According to the ‘Report on 2020 Area Assessments of Industrial Land in the Territory’ (2020 AA) undertaken by the PlanD, Shek Mun Business Area (SMBA) with a mixture of industrial and business uses currently mainly zoned “Other Specified Uses” annotated “Business” (“OU(B)”) is further restructuring into general business use, while Siu Lek Yuen Industrial Area (SLYIA) under “I(1)” zone has seen active transformation to commercial uses. With proximity to the MTR Shek Mun Station and City One Station, five sites previously zoned “G/IC” or “O” in the areas with no implementation programme or proposal have been rezoned to “C(1)” for commercial use or “R(A)9” and “R(A)10” for residential use to optimize the development potential of valuable land resources.

Item G – Completed Hotel Development (about 0.64ha)

- 2.4 To reflect the as-built Alva Hotel by Royal in SLYIA, the site has been rezoned from “I(1)” to “C(2)” with ‘Hotel’ as a Column 1 use.

¹ The first stage of “GB” review in 2012 mainly covered “GB” areas which were formed, deserted or devegetated, but possessed potential for residential development. The second stage of “GB” review in 2013 covered “GB” zones at the fringe of built-up areas close to existing urban areas and new towns, and those vegetated areas with relatively less buffering effect and lower conservation value.

Items H1 and H2 – Agreed Section 12A Application for Proposed Private Residential Development on Tung Lo Wan Hill Road (about 0.66ha)

- 2.5 To take forward a section 12A application (No. Y/ST/58) agreed by the Rural and New Town Planning Committee (the Committee/RNTPC) on 13.1.2023, the site under Item H1 on Tung Lo Wan Hill Road has been rezoned from “GB” and “G/IC” to “R(B)3”. A strip of land abutting the site has also been rezoned from “GB” to “G/IC” to rationalize the zoning boundaries.

Item J – Agreed Section 12A Application for Proposed Religious Institution and Columbarium Development to the north of Mei Tin Road, Tai Wai (about 0.4ha)

- 2.6 On 14.7.2023, a section 12A application (No. Y/ST/49) was agreed by the Committee to rezone a site with an area to the north of Mei Tin Road in Tai Wai, which is currently occupied by a three-storey religious institution and columbarium known as Puguangming Temple (PGMT) (普光明寺), from “R(B)” and “GB” to “OU(Religious Institution with Columbarium)” for a maximum of 4,779 niches.
- 2.7 To take forward the agreed section 12A application, the subject site (Item J) has been rezoned from “R(B)” and “GB” to “OU(Religious Institution with Columbarium)”.

Item K - Agreed Section 12A Application for Proposed Columbarium Development to the South of Chek Nai Ping (about 0.02ha)

- 2.8 On 28.1.2022, the Committee agreed to a section 12A application No. Y/ST/53 to rezone a site to the south of Chek Nai Ping, Ma Liu Shui, from “GB” to “OU(Columbarium(2))” for columbarium development known as Sha Tin Ching Yuen (STCY) (沙田靜苑) with a maximum of 1,716 niches.
- 2.9 To take forward the agreed section 12A application, the subject site (Item K) has been rezoned from “GB” to “OU(Columbarium(2))”.

Amendments to the Notes of the Plan

- 2.10 In connection to the above amendment items, amendments to the Notes of the OZP have also been made accordingly.

The Draft OZP

- 2.11 On 27.10.2023, the Committee agreed that the above amendments to the Sha Tin OZP were suitable for exhibition under section 5 of the Ordinance for public inspection. The relevant RNTPC Paper No. 8/23 is available at the Board’s website² and the extract of minutes of the RNTPC’s meeting are at **Annex V**. The draft Sha Tin OZP was then gazetted on 17.11.2023.

² The RNTPC Paper No. 8/23 is available at the Board’s website at:
https://www.tpb.gov.hk/en/meetings/RNTPC/Agenda/729_rnt_agenda.html

3. Local Consultation

- 3.1 The Development, Housing, Environment and Health Committee (DHEHC) of STDC was consulted on the amendments to the Sha Tin OZP on 19.9.2023. The views and comments received, as well as responses by the governmental departments, were incorporated into the RNTPC Paper No. 8/23 for consideration of the Committee. Minutes of the DHEHC's meeting are attached in **Annex VI** for reference.
- 3.2 During the statutory exhibition period of the draft OZP, STDC Members were notified on 17.11.2023 that members of the public could submit views on the amendments in writing to the Secretary of the Board. No representation or comment from Members of STDC was received. Representation from an ex-Member of the STDC, Mr. Chow Hiu Laam Felix (**R1**) was received.

4. The Representation Sites and the Surrounding Areas

4.1 **Item A (Proposed PHD in Fo Tan) (Plans H-1a, H-2a, H-3a, H-4a and H-5a)**

- 4.1.1 The site, with an area of about 3.4ha, is zoned "R(A)8" for PHD, subject to BHR of 240mPD and a maximum PR of 6.7. The indicative layout and sections for the proposed PHD are shown in **Drawings H-1 to H-3**. The major development parameters of the proposed development are listed below:

Site Area	About 3.4 ha
Maximum PR	6.7 (Domestic PR of 6.5 and non-domestic PR of about 0.2)
Maximum BH	240mPD ⁽¹⁾
Number of Building Blocks	4
Estimated No. of Flats (Estimated Population) ⁽²⁾	about 3,300 (about 8,900)
Target Completion Year	2034/2035
Supporting Facilities	<ul style="list-style-type: none"> • Social Welfare Facilities (SWFs) ⁽³⁾⁽⁴⁾ • Ancillary car parking spaces and loading/unloading bays

Note:

- (1) A maximum BH of 240mPD will accommodate 47 to 48 domestic floors on 2 to 5 podium levels with site formation levels ranging from 68mPD to 95mPD.
- (2) No. of flats and population subject to confirmation at detailed design stage.
- (3) GFA equivalent to about 5% of the total attainable domestic GFA will be reserved for the provision of SWFs, including elderly, child care and rehabilitation facilities.
- (4) SWFs will be exempted from PR calculation. The location, type and actual provision of SWFs will be subject to detailed design in consultation with relevant government departments including the Social Welfare Department (SWD).
- 4.1.2 The site is a piece of GL located at the northwestern hilly fringe with site levels ranging from about 70mPD to 100mPD in height in Fo Tan. It is covered by dense trees groups, vegetation, and woodland with some scattered temporary structures. An existing semi-natural watercourse with channelized sections

running in a west-east direction is located outside the site at the northern fringe, while another one is located within the site. It is accessible to Fo Tan Road via Wong Chuk Yeung Street and Kwei Tei Street.

- 4.1.3 High-rise residential developments Chun Yeung Estate (PR of 6.1 and BH of 164mPD) and Choi Wo Court (PR of 5.8 and BH of 170mPD) on Wo Sheung Tun Street are located to its northeast and east respectively while rural and low-rise villages are found on the other sides.

4.2 **Item B** (*Proposed JUC in Fo Tan*) (**Plans H-1a, H-2b, H-3b, H-4b and H-5a**)

- 4.2.1 The site, with an area of about 0.77ha, is zoned “G/IC” for a single-block JUC development, subject to BHR of 140mPD. According to the tentative plan, the JUC with a PR of about 9.5 will accommodate sports centre, library, community hall, elderly and youth SWFs, clinical/healthcare facilities, government offices, reprovisioning of the existing public transport interchange (PTI) on-site and public car park to optimize site utilization.
- 4.2.2 It is a piece of GL currently occupied by the existing Fo Tan Cooked Food Market (East), Shan Mei Street PTI, Sitting-out Area, Basketball Court and Public Toilet. The adjacent Sui Fai Factory Estate will be redeveloped for public housing providing about 1,360 flats by 2029/2030 with its central location in Fo Tan. Sha Tin Galleria with BH of 81mPD is to its northwest, while Fo Tan Road is to its northeast. The site is easily accessible by public transport with MTR Fo Tan Station at about 500m away to its southeast and a PTI at the “Comprehensive Development Area” (“CDA”) site on Au Pui Wan Street (i.e. The Arles).

4.3 **Items C1 and C2** (*Proposed Commercial Developments in Shek Mun*) (**Plans H-1b, H-2c, H-3c, H-4c and H-5b**)

- 4.3.1 The sites, with area of 0.85ha to the north of On Sum Street (Item C1) and 0.41ha to the south of On Sum Street (Item C2) respectively, are zoned “C(1)” for commercial developments, subject to PR restriction of 9.5 and BHR of 130mPD. GFA will be reserved in both sites for the provision of SWFs, including elderly, child care and rehabilitation facilities. Facilities of Department of Health (DH) will also be provided at the site under Item C1. The GIC facilities at the sites will be exempted from PR calculation.
- 4.3.2 The sites are located at the northern fringe of SMBA, with Shek Mun Playground to the south. The site under Item C1 is currently occupied by a temporary public car park, while the site under Item C2 is currently a temporary works area for CEDD, both under short term tenancies (STTs). Residential developments are found to the north across Tai Chung Kiu Road.

4.4 **Item D** (*Proposed Commercial Development in Siu Lek Yuen*) (**Plans H-1b, H-2d, H-3c, H-4e and H-5b**)

- 4.4.1 The site, with an area of 0.11ha, is zoned “C(1)” for commercial development, subject to PR restriction of 9.5 and BHR of 120mPD.

- 4.4.2 The site is located at the northeastern side of SLYIA. It is currently vacant and to be re-tendered by Lands Department (LandsD) for a temporary public car park under STT. The site is bounded by Chiaphua Centre, PCCW Yuen Chau Kok Telephone Exchange Building, Alva Hotel by Royal (i.e. Site under Item G) and Kowloon Motor Bus (KMB) Sha Tin Depot.
- 4.5 **Item E** (*Proposed Private Residential Development in Siu Lek Yuen*) (**Plans H-1b, H-2d, H-3d, H-4d, H-4f and H-5b**)
- 4.5.1 The site, with an area of 0.56ha, is zoned “R(A)9” for private residential development, subject to PR restriction of 5 and BHR of 110mPD.
- 4.5.2 The site is located at the eastern fringe of SLYIA and is bounded by Siu Lek Yuen Road Sha Tin Wai Road, SCCHK and Goldlion Holdings Centre. The site is currently under an STT for temporary parking, repairing and/or maintenance of motor vehicles by SCCHK. A drainage reserve for storm drains and box culvert transverses the eastern and southwestern parts of the site (**Plan 2d**). As advised by Drainage Services Department (DSD), no structure or support for any structure should be erected on this drainage reserve. A gas governor kiosk owned by the Hong Kong and China Gas Co. Ltd. is also found within the site. Currently, access to the site requires passing through the ingress/egress on the G/F of the SCCHK factory on Yuen Shun Circuit. The planned ingress/egress of the site and the existing ingress/egress of SCCHK are both fronting Yuen Shun Circuit.
- 4.6 **Item F** (*Proposed Private Residential Development in Siu Lek Yuen*) (**Plans H-1b, H-2d, H-3d, H-4g and H-5b**)
- 4.6.1 The site, with an area of 0.28ha, is zoned “R(A)~~9~~**10**” for private residential development, subject to PR restriction of 6 and BHR of 120mPD. GFA will be reserved for the provision of SWFs, including elderly, child care and rehabilitation facilities. The GIC facilities at the sites will be exempted from PR calculation.
- 4.6.2 The site is at the northwestern fringe of SLYIA and bounded by Chap Wai Kon Street, Shatin Industrial Centre, Yuen Shun Circuit and Siu Lek Yuen Fire Station. It is currently occupied by a temporary public car park under an STT.
- 4.7 **Item G** (*Completed Hotel Development in Siu Lek Yuen*) (**Plans H-1b, H-2d, H-3d, H-4d to H-4e and H-5b**)
- 4.7.1 The site, with an area of 0.64ha, is zoned “C(2)” to reflect the existing hotel development, subject to a maximum GFA of 32,000m² and BHR of 120mPD taking into account the building height (BH) profile of the area.
- 4.7.2 The site is located at the eastern fringe of SLYIA and is occupied by Alva Hotel by Royal, which was completed in 2019. The hotel is currently in operation with a non-domestic GFA of about 31,863m² and a BH of about 101mPD.

4.8 Items H1 and H2 (Proposed Private Residential Development on Tung Lo Wan Hill Road) (Plans H-1c, H-2e, H-3e and H-4h)

- 4.8.1 The site under Item H1, with an area of 0.61ha, is the subject of a section 12A application (No. Y/ST/58) agreed by the Committee on 13.1.2023 for private residential development. To take forward the agreed application, the site is zoned “R(B)3”, subject to PR restriction of 2.5 and BHR of 140mPD.
- 4.8.2 The site, with a formed platform at a level of about 79mPD, is located on a sloping ground with dense vegetation in To Fung Shan, northwest of the town centre of Sha Tin. The site is located to the immediate south of the Sha Tin North Service Reservoir (STNSR) with several residential developments to its southwest and southeast, including Peak One (PR of 2.36 and maximum BH of 106.1mPD), Pristine Villa (PR of 0.48 - 1.28 and maximum BH of 106.5mPD), and Sky One (PR of 1 and maximum BH of 64.6mPD). To the further south downhill is another residential development, viz. The Great Hill with PR of 2.28 and maximum BH of 81.3mPD.
- 4.8.3 The site under Item H2 is a remnant narrow strip of land with an area of about 0.05ha. It is zoned “G/IC” and abuts the southern boundary of the site under Item H1 and is currently occupied by an access road.

4.9 Item J (Columbarium PGMT) (Plans H-1c, H-2f, H-3f and H-4i)

- 4.9.1 The site, with an area of 0.4ha, is the subject of a section 12A application (Y/ST/49) agreed by the Committee on 14.7.2023 for religious institution and columbarium use. To take forward the agreed application, the site is zoned “OU(Religious Institution with Columbarium)”, subject to GFA restriction of 1,416m², BHR of 3 storeys, and a maximum number of 4,779 niches.
- 4.9.2 The site is located on an uphill sloped area to the north of Mei Tin Road and Mei Chung Court which is a subsidized sale flat development in Tai Wai. The site is currently occupied by a three-storey building for religious institution and columbarium development, viz. PGMT (普光明寺) currently in operation. The site is accessible via a footpath from Mei Tin Road uphill.

4.10 Item K (Columbarium STCY) (Plan H-1d, H-2g, H-3g and H-4j)

- 4.10.1 The site, with an area of about 0.02ha, is the subject of a section 12A application (No. Y/ST/53) agreed by the Committee on 28.1.2022 for columbarium development. To take forward the agreed application, the site is zoned “OU(Columbarium(2))”, subject to GFA restriction of 120m², BHR of 7.7m, and a maximum number of 1,716 niches.
- 4.10.2 It is located to the south of Chek Nai Ping, Ma Liu Shui, which is currently occupied by a three-storey building for columbarium development, viz. STCY (沙田靜苑) currently in operation. The site is surrounded by green knolls, tree groups, indigenous graves, hillside burials and Chek Nai Ping Village on the opposite side of Tai Po Road (Mai Liu Shui) to its north.

4.11 Planning Intentions

The planning intentions of the zones in relation to the above representation sites are as follows:

- (a) the “R(A)8”, “R(A)9” and “R(A)10” zones are 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;
- (b) the “R(B)3” zone is intended primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board;
- (c) the “G/IC” zone is intended primarily for the provision of GIC facilities serving the needs of local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments;
- (d) the “C(1)” and “C(2)” zones are intended primarily for commercial developments, which may include shop, services, place of entertainment and eating place, functioning mainly as local shopping centre serving the immediate neighbourhood;
- (e) the “OU(Religious Institution with Columbarium)” zone is primarily for land intended for religious institution and columbarium use; and
- (f) the “OU(Columbarium(2))” zone is primarily for land intended for columbarium use.

5. The Representations

5.1 Subject of Representations

- 5.1.1 43 representations were received of which one representation submitted by a former STDC Member (**R1**) supports Item B, but opposes Items A and K;
- 5.1.2 One representation (**R2**) submitted by an individual opposes all items and amendments to the Notes of the OZP to exempt GIC facilities required by the Government from PR calculation for the “C(1)” and “R(A)10” zones;
- 5.1.3 38 representations in a standard letter format submitted by individuals (**R3 to R40**) oppose Item K;
- 5.1.4 Two representations submitted by SCCHK represented by Llewelyn-Davies Hong Kong Limited (**R41**) and an individual (**R42**) provide adverse comments on Item E; and
- 5.1.5 One representation submitted by MTRCL (**R43**) provides views on Item F.

5.1.6 The major grounds and views of the representations as well as the alternative proposal and PlanD's responses in consultation with relevant government bureaux/departments (B/Ds), are summarized in paragraphs 5.2 and 5.3 below.

5.2 **Major Grounds of Representations and PlanD's Responses**

Supportive Representation

5.2.1 **Item B** (*Proposed JUC in Fo Tan*)

Major Ground(s) / View(s)	Representation No.
(1) Supports Item B to rezone to “G/IC” for JUC for provision of leisure, recreational, government and medical related services to local residents.	R1
(2) BHR of 240mPD for the proposed JUC will block visual openness along Sui Wo Road.	
(3) The Government should provide development programme of the JUC as it affects existing operators of Fo Tan Cooked Food Market (East) and (West).	
Responses	
(a) In response to (1): The supportive view is noted.	
(b) In response to (2): BHR of the proposed JUC development is 140mPD which is the same as the adjacent “R(A)8” site for PHD upon redevelopment of Sui Fai Factory (Plan H-5a). According to the Visual Appraisal for the JUC, the high-rise JUC would blend in with the surrounding high-rise building environment and is considered not incompatible with the surrounding environment with the implementation of the proposed mitigation measures including building setback, building separation and good design features.	
(c) In response to (3): Government Property Agency (GPA) advises that relevant departments have been undertaking design works and the project will be submitted to the Finance Committee of the Legislative Council for funding in due course and is expected to be completed in 2034 at the earliest.	

Adverse Representations

5.2.2 **Item A** (*Proposed PHD in Fo Tan*)

5.2.2.1 *Planning Aspect*

Major Ground(s) / View(s)	Representation No.
(1) Further encroachment onto the natural terrain in “GB” zone is against the prudent approach towards containing urban sprawl.	R1 and R2
(2) Remote location far from urban centre with limited and expensive transport link is considered not appropriate for PHD.	R2
Responses	
<p>(a) In response to (1) and (2):</p> <p>To meet and expedite housing land supply in short and medium terms, the Government has been carrying out various land use reviews on an ongoing basis, including reviews on the “GB” sites, in order to identify suitable sites for rezoning to residential use. Located at the fringe of the existing built-up areas of Fo Tan with vegetated areas of relatively less buffering effect and lower conservation value, the subject site under Item A originally zoned “GB” has been identified for PHD in the second stage of “GB” review. The EFS conducted by CEDD has confirmed that no insurmountable technical problem is envisaged to develop public housing at the site. The site is accessible by road and will be served by bus and mini-bus to connect MTR Fo Tan Station and other areas. The site is considered suitable for PHD.</p>	

5.2.2.2 *Ecological and Landscape Aspects*

Major Ground(s) / View(s)	Representation No.
(1) The proposed PHD falls within an area zoned “GB”. Most of the species of conservation importance recorded within Item A site (according to Ecological Impact Assessment (EcoIA) under the EFS) which are sensitive to external environmental pollution will be directly affected.	R1 and R2
(2) The ecological impacts would be irreversible and could not be minimized by woodland compensation.	R1
(3) Tentative location at a slope for off-site compensatory planting to the northeast of the site will be brushed under the carpet in due course.	R2

Responses

(a) In response to (1) and (2):

Potential habitat loss and indirect impacts on the natural habitats/species of conservation importance arising from the development of Item A site have been assessed in the EcoIA under the EFS. According to the EcoIA, most of the affected habitats are of low to very low ecological value and only 1.4ha of woodland of medium ecological value would be directly impacted by the development. With the implementation of the respective mitigation measures, including woodland compensation (which is a common practice for this type of habitat loss in Hong Kong), good site practices during both construction and operational phases, and other precautionary measures to minimize impacts on water quality, noise and air to the nearby habitats/species of conservation importance, no significant residual impacts on the habitats and species of conservation importance would be anticipated.

Most of the species of conservation importance (2 flora and 9 fauna) recorded within the site have relatively high mobility e.g. bird, butterfly, reptile and bat. There are plenty of suitable habitats in the vicinity. Potential impacts on these species of conservation importance are considered minor. Only two flora species (i.e. *Cibotium barometz* (金狗毛蕨) and *Diospyrous vaccinioides* (小果柿)) and one aquatic invertebrate species (i.e. *Cryptopotamon anacoluthon* (鰓刺溪蟹) (a crab species)) might be directly affected. In order to mitigate impact on these species, transplantation and translocation of these species are recommended. There are precedent successful examples of transplantation and translocation of these species and proven records of the implemented mitigation measures. A further vegetation survey on flora species of conservation importance and a pre-construction verification survey on the aquatic invertebrate species of conservation importance will be carried out in the design stage to formulate a detailed transplantation/translocation proposal with the subsequent monitoring. Agriculture, Fisheries and Conservation Department (AFCD) has no adverse comment on the findings and recommendations of the EcoIA.

(b) In response to (3):

According to the EFS, the estimated 898 nos. of trees proposed to be felled under the proposed PHD are generally common species and there will be compensatory tree planting for the felled trees at a ratio of 1:1. While a tentative location to the northeast of the development site has been identified for tree compensation (**Drawing H-4**), the exact location and species for tree planting will be further confirmed and agreed with relevant government departments such as LandsD and AFCD at detailed design stage.

5.2.2.3 Visual and Air Ventilation Aspects

Major Ground(s) / View(s)	Representation No.
(1) The proposed BH of 240mPD will breach the ridgeline in the north and cause irreversible visual impact on the Fo Tan area. It should be on par with Chun Yeung Estate and Choi Wo Court (Plan H-5a).	R1 and R2
(2) The high concrete walls with a few decorative trees will not make ugly blocks blend into the green panorama.	R2
(3) There would be serious air ventilation issue as the site is in a valley backed by steep hillside.	R2
Responses	
<p>(a) In response to (1) and (2):</p> <p>In view of the high site levels of the site from about 70mPD to 100mPD, a higher BH for the development has to be adopted. The proposed BHR of 240mPD has balanced various considerations including site levels, ecological, environmental, air ventilation, visual, landscape, geotechnical with a view to optimizing land resources. According to the Landscape and Visual Impact Assessment (LVIA) under the EFS, although the proposed development would inevitably alter the existing visual context of its hillside locality, it would form part or extension of the existing urban townscape of Fo Tan.</p> <p>To reduce the potential visual impacts, proposed mitigation measures such as plantation of compensatory or new trees, buffer plantings, compatible design of building façade and landscape treatment within the housing site, building separation of not less than 15m wide between the building blocks, at-grade green area, landscape treatment for the slopes and screen plantings for built structures would be considered. Housing Department (HD) advises that the colour scheme and texture of materials for the domestic blocks will be meticulously planned to blend in with the natural environment as far as practicable. Other treatments, such as provision of architectural fins and greening features, will be introduced to break down the bulkiness of the massing and add visual interest to the developments. With the implementation of the aforesaid visual mitigation measures and additional design measures to be considered at detailed design stage, such as permeable podium design, compliance with the Sustainable Building Design Guidelines and variation in BH profile, visual impact on the overall visual context and character would be alleviated. Chief Town Planner/Urban Design and Landscape, PlanD (CTP/UD&L, PlanD) has no adverse comments on the findings and recommendations of the VIA.</p>	

(b) In response to (3):

Based on the results in the Air Ventilation Assessment in the Form of Expert Evaluation Report (AVA-EE) under the EFS, with the implementation of appropriate design measures such as building separations in alignment generally with wind direction to provide air path for the prevailing winds, building permeability, disposition and orientation of building blocks, and open spaces at the western portion of the site for incoming winds to skim over, the proposed PHD will not induce significant adverse effect on the general air ventilation performance in the areas and its surroundings. CTP/UD&L, PlanD has no adverse comments on the findings and recommendations of the AVA-EE.

5.2.2.4 Traffic Aspect

Major Ground(s) / View(s)	Representation No.
(1) The public transportation system is unable to accommodate the further increase in population in Fo Tan. Government departments have yet to improve the inadequacy of existing bus services and night-time public transport. The issue would be aggravated with the increase of population intake.	R1
(2) Major road junctions at Sui Wo Road/Fo Tan Road, Fo Tan Road/Tai Po Road and Lok King's roundabout are operating close to or exceeding their capacities.	R1
Responses	
<p>(a) In response to (1) and (2):</p> <p>According to the EFS, for the increased demand of public transport services generated by the proposed development, new bus and minibus lay-bys (Drawing H-1) will be provided to facilitate public transport services to the nearby railway system and other areas. Based on the results of Preliminary Traffic & Transport Impact Assessment (PTTIA), the proposed public transport services (1 no. of external bus services (by franchised bus: long-haul franchised bus service) and 2 nos. of short-shuttle trips (by franchised bus: intra-district service)) will be sufficient to cater for the increased demand of public transport services during peak hours. The proposed arrangement will be determined by future discussion and agreement between relevant government departments and operators. Transport Department (TD) will closely monitor and enhance the public transport services in a timely manner so as to meet the commuting demand from the new population.</p>	

The PTTIA recommends improvement works at existing road junctions at (i) Fo Tan Road/Sui Wo Road; (ii) Sui Wo Road/Shan Mei Street; (iii) Fo Tan Road/Min Fong Street/Shan Mei Street; (iv) Fo Tan Road/Lok King Street and (v) Fo Tan Road/Tai Chung Kiu Road. With implementation of the improvement works and proposed lay-bys, the proposed development will not induce insurmountable traffic impacts in the vicinity. TD has no adverse comments on the findings and recommendations/mitigation measures of the PTTIA.

5.2.2.5 *Drainage, Geotechnical and Cost-effectiveness Aspects*

Major Ground(s) / View(s)	Representation No.
(1) The natural watercourse in proximity to the site was subject to flash flood causing damage to local settlements and infrastructures in September 2023. There is no mentioning of global warming, climate change, and the issues associated with excavation and filling of hillside. CEDD should provide further justification on hydraulic modelling and whether the 10m setback is sufficient to absorb stormwater under extreme climate.	R1 and R2
(2) Majority of the site is located at a slope. Substantial resources and construction period would be required for land development involving slope stabilization, slope cutting and site formation works. The overall development is not cost-effective.	R1
Responses	
(a) In response to (1) to (2): A Preliminary Drainage Impact Assessment (DIA) under the EFS has been undertaken with reference to design guideline stipulated in DSD's Stormwater Drainage Manual (SDM) by adopting the climate change factor up to End-21st Century. The hydraulic model has also considered the extreme case scenario of 200-years design return period. With the implementation of the proposed drainage connections to the existing watercourse, the 10m buffer zone along the watercourse at the northern fringe of the site, and the cut off drains at the crest of the slopes along the southern side of development boundary, no insurmountable drainage impact is anticipated from the proposed PHD. DSD has no adverse comments on the findings and recommendations/mitigation measures of the DIA.	
(b) In response to (2): According to the EFS, consideration has been given to minimizing the extent of site formation works by provision of stepped platforms for	

construction of the PHD. The site formation works and platform elevations have taken into account the existing topography and roads in the surroundings, and the elevations were optimized to minimize the amount of excavation/filling works while providing sufficient net site area for the proposed PHD.

5.2.3 Item B (*Proposed JUC in Fo Tan*)

5.2.3.1 *Planning Aspect*

Major Ground(s) / View(s)	Representation No.
(1) Location of the proposed JUC is considered inappropriate since Item B site is surrounded by industrial buildings and located away from residential developments.	R2
Responses	
<p>(a) In response to (1):</p> <p>The site is located in a central location of Fo Tan amidst the industrial buildings and emerging residential developments in the surroundings. The adjacent Sui Fai Factory Estate will be redeveloped for public housing providing about 1,360 flats by 2029/2030. The site is easily accessible by public transport with MTR Fo Tan Station at about 500m away to its southeast and the PTI at the “CDA” site on Au Pui Wan Street (i.e. The Arles). The proposed JUC will optimize land resources to provide the much-needed recreational and community facilities serving residential and working population in the area.</p>	

5.2.4 Items C1 and C2 (*Proposed Commercial Developments in Shek Mun*)

5.2.4.1 *Environmental Aspect*

Major Ground(s) / View(s)	Representation No.
(1) Item C1 site should be used to develop as a sports ground to provide affordable and well-equipped sports facilities to meet the needs of families living in high-rise residential developments.	R2
(2) Item C2 site should be used to improve and extend the Shek Mun Playground in compensation for the open space rezoned for Yu Tak Court (Plan H-5b) and to complement the adjoining sports centre.	

Responses
<p>(a) In response to (1) and (2):</p> <p>The sites under Items C1 and C2 are located at the northern fringe of SMBA which are primarily zoned “OU(B)” with planning intention for general business uses. Commercial buildings, industrial buildings, data centre, offices and hotel developments are found within SMBA. The “C(1)” zoning for the two sites are considered appropriate and in keeping with the character of SMBA.</p> <p>The site under Item C1 is an undesignated “G/IC” site. Its area of 0.85ha is not sufficient for development of sports ground which requires a land area of 3ha according to the Hong Kong Planning Standards and Guidelines (HKPSG).</p> <p>As regards using the site under Item C2 for extension of Shek Mun Playground, it should be noted that there is currently no programme to implement the open space proposal at the site according to Leisure and Cultural Services Department (LCSD). With the site rezoned to “C(1)”, there is still about 176ha of open space in the planning area of the Sha Tin OZP, which is adequate for the planned population of about 540,000 according to the HKPSG.</p>

5.2.5 Items D, E and F (*Proposed Commercial and Residential Developments in Siu Lek Yuen*)

Major Ground(s) / View(s)	Representation No.
(1) Items D, E and F should be considered in tandem. The draft OZP has a lack of consistency with Item D site rezoned for commercial use, and Item E and F sites rezoned for residential use. Commercial use should be accommodated in Item D, E and F sites. The sites have multiple issues of noise and pollution. While 150 trees will be eliminated, there is no mentioning of compensatory planting.	R2
(2) The nearby playgrounds will be deprived of natural light and good ventilation by the proposed developments.	
(3) There is an urgent need to provide premises for the operators to be evicted due to the development plans.	
Responses	
(a) In response to (1) and (2): According to the 2020 AA, SLYIA has seen active transformation to commercial uses. In view of the close proximity to MTR City One	

Station, the underutilized GL nearby has potential for gainful use.

For Items E and F, CEDD has conducted a Preliminary Environmental Review (PER) to demonstrate the environmental acceptability of the sites and concluded that with implementation of the recommended mitigation measures, no insurmountable environmental impact for residential development at the subject sites would be anticipated. In this regard, the two sites are considered suitable for residential use taking into account the changing character of the area and proximity to residential neighbourhoods nearby.

Item D site is proposed for commercial use as the PER has identified that adverse noise impact from the industrial buildings, bus depot and hotel development closely surrounding the site is difficult to mitigate at the site itself, particularly considering the small area of the site, and co-operation from third party might be required.

As regards tree compensation, LandsD advises that they would consult relevant government departments regarding the inclusion of an appropriate tree preservation clause in the lease conditions. The lot owner would be required to ensure that the existing trees are not removed or interfered with without the prior written consent of the Director of Lands and observe the requirements laid down in LandsD Practice Note No. 6/2023.

The sites are about 35m to 100m from the nearest playgrounds. An AVA-EE has been conducted by PlanD to confirm that there is no insurmountable air ventilation impact from the proposed developments under Items D, E and F.

(b) In response to (3):

The three sites were held under STTs for short term uses, which would be vacated for the planned use to maximize utilization of valuable land resources.

5.2.6 **Item E** (*Proposed Private Residential Development in Siu Lek Yuen*)

5.2.6.1 **Planning Aspect**

Major Ground(s) / View(s)	Representation No.
<p>(1) There are existing bus depot and active industrial operations in SLYIA. The proposed “R(A)9” zoning is not consistent with the recommendations under previous 2009 AA, 2014 AA and 2020 AA. 2020 AA has recommended to rezone SLYIA to “Residential (Group E)” (“R(E)”) to facilitate redevelopment while addressing the industrial/residential (I/R) interface issue. There is no strong reason why this recommendation is not adopted.</p> <p>While the bus depot and vibrant industrial operations are still in existence, I/R interface problem will remain an issue as noted in these reports. The “R(A)9” zoning could not offer strong planning control. Submission of environmental assessments (EA) under lease would not be available for public inspection. Stakeholders in the area especially the bus depot and SCCHK will not be able to offer comments.</p>	R42
Proposal	
<p>(2) “R(E)” zone is more appropriate to ensure greater control and to address potential I/R interface problem. It will allow the Board to control the future design of the residential development with adequate mitigation measures in a more detailed and comprehensive manner. It will also ensure the technical assessment will be made available for public inspection and comment.</p>	R41 and R42
Responses	
<p>(a) In response to (1) and (2):</p> <p>The land recommended for “R(E)” zoning under AA 2020 refers to the area under “I (1)” zone in SLYIA only and does not include the subject site. The subject site, originally zoned “O” is at the fringe of SLYIA and GL in the area was recommended by the AA 2020 for more gainful use such as commercial or residential use to optimize the development potential of valuable land resources. As mentioned in response in paragraph 5.2.5(a) above, CEDD has conducted a PER for the proposed residential development at Item E site. The PER has concluded that with implementation of the recommended mitigation measures, no</p>	

insurmountable environmental impact would be anticipated.

Environmental Protection Department (EPD) has no adverse comment on the PER and would request the future lot owner to submit Noise Impact Assessment (NIA) and Sewerage Impact Assessment (SIA) based on any updated information at the land administration stage to identify and implement appropriate mitigation measures for the future development scheme and to address any I/R interface issue to the satisfaction of relevant departments. The future lot owner has the responsibility to ensure up-to-date information be taken into account in the NIA and SIA which will be scrutinized by relevant government departments. In view of the above, it is considered that the “R(A)9” zoning is appropriate.

5.2.6.2 *Environmental Aspect*

Major Ground(s) / View(s)	Representation No.
(1) There was no prior consultation with SCCHK on the proposed OZP amendments, and SCCHK had no chance to present a full and detailed account of the daily operation activities in the SCCHK factory. The current technical assessments could not accurately represent the full range of environmental and traffic impacts. There will be I/R interface issue between the proposed residential use and the adjoining industrial operations of SCCHK. There is insufficient technical assessment to support the rezoning.	R41 and R42
(2) The PER carried out has assumed a predicted fixed noise level with no details on location where measurements were taken. Only general measurements are involved. Major fixed noise sources, including industrial operating noise, have not been taken into account.	
(3) Traffic noise from semi open-air car ramp for delivery trucks, in/out traffic with siren noise for over 600 vehicles (high traffic volume) and busy loading/unloading activities from SCCHK throughout the day have not been taken into account in the PER. Temporary road closure is also required at times.	
(4) While the operation of the SCCHK factory complies with the Noise Control Ordinance, the noise level close to the threshold of the acceptable noise level may cause adverse health impacts to the future	

residents at the site.	
(5) There would be hot steam air from boilers on the 3/F of the SCCHK operations, affecting the future residents at the site.	
(6) The SCCHK factory has a 24/7 operation mode, inevitable to have lighting throughout the building at night time, affecting the future residents at the site.	
(7) The existing vehicle maintenance section at the site via STT will be relocated back to the SCCHK factory, immensely exacerbating the expected noise nuisance from the factory. Moreover, SCCHK is planning for expansion. The relocation of vehicle maintenance section back to the factory and the company's possible expansion of production line have not been considered in the PER.	
Responses	
<p>(a) In response to (1) to (4) and (7):</p> <p>The subject site is located at the eastern fringe of SLYIA bounded by highways, a converted industrial-office building and SCCHK factory. To address the potential I/R interface issues, CEDD has conducted PER in accordance with established guidelines and practice to demonstrate the environmental acceptability of the site (including the potential fixed noise sources and road traffic noise issues). The PER has concluded that with implementation of the recommended mitigation measures, no insurmountable environmental impact for the proposed development at the subject sites would be anticipated.</p> <p>In the process of fixed noise sources impact assessment, CEDD's consultant contacted SCCHK for relevant information including locations and operation of the cooling towers and chiller room with louver. Site visits were also conducted to obtain noise data of the plants including the semi-open plantrooms during operation of the SCCHK factory. Night time measurements were included in view of the more stringent requirement for noise at night under the Noise Control Ordinance. As regards road traffic noise impact assessment, the peak hour traffic flow data of the existing roads including Yuen Shun Circuit, Sha Tin Wai Road and those in the proximity of SCCHK, as well as future peak traffic associated with nearby industrial uses and from nearby roads, including those generated by the SCCHK operation, were evaluated in the assessment.</p> <p>Based on the best available information, the PER has concluded that with implementation of the recommended mitigation measures (such as adoption of installation of acoustic windows, architectural fins and etc. and in particular, single aspect building design facing SCCHK and the</p>	

<p>KMB Bus Depot (Drawing H-5), no insurmountable environmental impacts for the proposed development at the subject site would be anticipated.</p> <p>EPD has no adverse comments on the PER and would request the future lot owner to submit a NIA at the land administration stage, to identify and implement appropriate mitigation measures for the future development scheme with reference to the requirements under the relevant environmental ordinance including the Noise Control Ordinance and the established guidelines for EA. Any changes to the existing environmental conditions, including those arising from future relocation and expansion plan of SCCHK, should be duly taken into account in the NIA submitted by the future lot owner.</p>
<p>(b) In response to (5):</p> <p>CEDD advises that the hot steam identified will not generate any pollutants if there is no fuel combustion involved. Also, according to SCCHK's response to the consultant's enquiry for information during the study stage, there is no gaseous pollutant emission from the production floor. Therefore, there is no insurmountable problem for the proposed development.</p> <p>Moreover, the recommended noise mitigation of "single aspect building" design with the wall facing the SCCHK factory may also serve as mitigation measure for the alleged nuisance caused by the hot steam.</p>
<p>(c) In response to (6):</p> <p>The recommended noise mitigation of "single aspect building" design with the wall facing the SCCHK factory may also serve as a mitigation measure for the alleged nuisance caused by the lighting from the factory.</p>

5.2.6.3 Traffic Aspect

Major Ground(s) / View(s)	Representation No.
(1) The Traffic Impact Assessment (TIA) carried out cannot accurately represent the worst-case scenario in both the existing and planned scenario without certain data provided by the SCCHK, the potential traffic impact has been underestimated.	R41 and R42
(2) Future residents will be affected by the regular temporary road closures required for lifting works for replacement of old machineries/equipments.	

Responses	
(a)	In response to (1)
	According to TD, to facilitate the TIA, classified vehicle movement count traffic surveys within the Area of Influence (AOI) have been conducted. The traffic surveys at the road links and key junctions have taken into account the traffic generated by nearby industrial uses, including the existing operation of the SCCHK factory. Hence, the technical assessment during peak period could represent the full range of traffic impacts.
(b)	In response to (2)
	According to TD, the existing Yuen Shun Circuit is a single four-lane carriageway (i.e. with two traffic lanes at each bound) and with footpath on both sides of the road. Hence, the temporary road closures of portion of the road which should not last long due to the lifting works shall still be able to maintain live traffic and pedestrian flows at all time.

5.2.7 **Item G** (*Completed Hotel Development in Siu Lek Yuen*)

Major Ground(s) / View(s)		Representation No.
(1)	The completed hotel is at a height of 101mPD. The proposed BHR of 120mPD is not to “reflect the as-built hotel development”.	R2
Responses		
(a)	In response to (1):	
	SMBA and SLYIA are currently dominated by high-rise industrial and commercial buildings with BH generally from about 100mPD to 120mPD (Plan H-5b). A BHR of 120mPD is compatible with the surrounding BH profile while allowing design flexibility for the site upon redevelopment and hence appropriate for the site.	

5.2.8 **Items H1 and H2** (*Proposed Private Residential Development on Tung Lo Wan Hill Road*)

Major Ground(s) / View(s)	Representation No.
(1) Planning application to rezone “GB” zone for residential development, particularly for the ones requiring extensive tree felling and excavation, is no longer justified in view of the failure of recent land sales and the increasing number of units that fail to sell. Planting additional compensation trees would not mitigate the impact of trashing a mature ecosystem and impact on our natural defences against inclement weather.	R2
(2) There is no guarantee that the developer would take up the maintenance and management responsibilities of the proposed access road.	
Responses	
(a) In response to (1): Items H1 and H2 are to take forward a section 12A application No. Y/ST/58 agreed by the Committee on 13.1.2023, taking into account the applicant’s justifications and technical assessments, land use compatibility, and comments received from the public and government departments. According to the EcoIA submitted by the applicant, the proposed development would confine to some disturbed habitats with an existing platform which is of low ecological value and the overall residual ecological impact from the development is considered acceptable. AFCD had no adverse comment on the EcoIA. The amendments to the OZP are considered appropriate.	
(b) In response to (2): The applicant has committed to take up the maintenance and management responsibilities of the proposed access road serving the proposed development at the planning application stage. LandsD advises that the proposed road works are initiated by the applicant and required mainly to serve the subject residential development. LandsD will follow the established mechanism and consult the relevant B/Ds to allow appropriate lease conditions under the land exchange as applied by the applicant for the appropriate party to bear the responsibilities of the maintenance and management, including all costs incurred.	

5.2.9 **Item J** (*Columbarium PGM*)

Major Ground(s) / View(s)	Representation No.
(1) Object to the additional 3,000 niches under planning application No. Y/ST/49 acting as an incremental approach to increase the niche number to achieve a much larger columbarium.	R2
(2) While the columbarium is accessed by a separate path, the issue of lack of parking facilities remains.	
Responses	
(a) In response to (1) and (2): Item J is to take forward the section 12A application No. Y/ST/49 agreed by the Committee on 14.7.2023, taking into account the applicant’s justifications and technical assessments, land use compatibility, and comments received from the public and government departments. The Notes of the OZP have restricted the maximum number of niches to 4,779 under the “OU(Religious Institution with Columbarium)” zone. Any minor relaxation of the number of niches would require application to the Board and may be considered based on the individual merits of the proposal. According to the TIA for the planning application, the applicant will implement management plan (i.e. pre-registration system) to control the number of visitors and thereby limiting the number of cars coming to the columbarium during Ching Ming and Chung Yeung Festival periods. TD has no adverse comment on the TIA. The management plan and operation of the columbarium will also be subject to the control and monitoring of the Private Columbaria Affairs Office (PCAO) of Food and Environmental Hygiene Department (FEHD) upon approval of associated licence application by the Private Columbaria Licensing Board (PCLB). In view of the above, the amendments to the OZP are considered appropriate.	

5.2.10 **Item K** (*Columbarium STCY*)

5.2.10.1 Planning Aspect

Major Ground(s) / View(s)	Representation No.
(1) The columbarium has been built for more than ten years. The "destroy first, build later" approach will	R3 to R40

set undesirable precedent for developing the “GB” zone.	
(2) The existing and planned niches in columbarium constructed by the Government will reach 800,000. The demand for private columbarium is decreasing.	R3 to R40
(3) Ageing population in Hong Kong resulting in a rising demand of niches has encouraged growth of private columbarium sector. The Government should strengthen its regulating role for private columbarium as many of them lack proper transport planning and is not beneficial to community development. Moreover, the supply of niches in public columbarium should be increased so that pricing of niches would be more reasonable.	R1
Responses	
<p>(a) In response to (1) to (3):</p> <p>Item K is to take forward the section 12A application No. Y/ST/53 agreed by the Committee on 28.1.2022 taking into account the applicant’s justifications and technical assessments, land use compatibility, and comments received from the public and government departments. Technical assessments have been conducted under the applications to demonstrate that there will be no insurmountable technical impact arising from the proposed development with implementation of appropriate mitigation measures. In particular, traffic management plan has been proposed to address the visitors during normal days and Ching Ming and Chung Yeung Festival periods. Response at paragraphs 5.2.10.2 (a) below on traffic aspect is relevant. In this regard, the amendments to the OZP are considered appropriate.</p> <p>In respect of public niches, the Government implements a columbarium development scheme for developing new public columbaria. Cape Collinson-San Ha Columbarium providing about 25,000 niches had been commissioned in 2023. The Government will continue to take forward other new projects under the columbarium development scheme and continue to identify other suitable sites for the construction of new public columbaria with a view to securing a stable medium and long-term supply of public niches. With the completion of the Tsang Tsui Columbarium in 2020, providing around 160,000 niches, a substantial and steady supply of niches has become available. The current supply of public niches is adequate.</p> <p>Private columbarium is regulated by the Private Columbaria Ordinance. Only private columbaria that have obtained a licence may sell or newly let out niches. The future supply of private niches is contingent upon a host of factors including private columbarium operators’ business decisions, the number of private columbaria that comply with the</p>	

application requirements for licence and the number of niches that they may provide. The pricing of niches in private columbaria is a matter of business decision of the operators, which may be subject to various factors.

5.2.10.2 Traffic Aspect

Major Ground(s) / View(s)	Representation No.
(1) Arrangement of the shuttle bus services is inefficient during Ching Ming and Chung Yeung Festival periods. According to applicant's proposal under the s.12A application No. Y/ST/53, the shuttle bus services would be provided at a frequency of 30 minutes during festival periods. Awaiting shuttle bus would be temporarily parked on Chak Cheung Street (near Ma Liu Shui PTI adjacent to MTR University Station) (Plan H-2h) which takes a 16-minute drive to STCY. Given the impracticality of the arrangement, it is believed that the shuttle bus(es) would be parked on Tai Po Road (Ma Liu Shui) near Chek Nai Ping Village or Chinese University of Hong Kong (Plan H-2h).	R1
(2) The proposed drop-off/pick-up points of shuttle services near Chek Nai Ping Village Refuse Collection Point (RCP) (Plan H-2g) is considered inappropriate for visitors since the RCP is occupied by garbage bins and refuse collection vehicles from time to time. Such arrangement would aggravate traffic congestion and illegal parking in the area.	R3 to R40
(3) Public transport to the columbarium is not sufficient to cope with the demand of visitors during normal days. People might visit the columbarium by private cars and cause illegal parking at Chek Nai Ping Village.	R1
Responses	
<p>(a) In response to (1) to (3):</p> <p>As advised by TD, according to the Management Plan submitted by the applicant, there is restriction on the number of visitors, and appointment for the visit is required. The traffic demand of the visitors can be properly managed. In addition, crowd control management plan will be implemented during Ching Ming and Chung Yeung Festival periods. The staff of the columbarium will be stationed at each pick-up/ drop-off point on Tai Po Road (Ma Liu Shui) (northbound and southbound) (Plan H-2g), and to guide visitors to walk from the shuttle bus drop-off</p>	

point to the columbarium / from the columbarium to the shuttle bus pick-up point via the pedestrian crossing, and assist the queuing and waiting of passengers for the shuttle bus services. With the strict implementation of the Management Plan, no adverse traffic impact on the adjacent road is anticipated. If such Management Plan and the associated licence application are approved by the PCLB, the PCAO of FEHD will undertake the monitoring of implementation of the Management Plan which is subject to enforcement in accordance with the licensing conditions.

The Commissioner of Police (C of P) advises that, the shuttle bus pick-up point at Tai Po Road – Ma Liu Shui (southbound) near Chek Nai Ping (near Chek Nai Ping RCP at **Plan H-2g**) during festival periods would not pose severe traffic concerns in traffic management and local policing. For illegal parking on public road, the C of P advises that they will take enforcement actions to curb the illegal parking activities.

5.2.10.3 Other Aspects

Major Ground(s) / View(s)	Representation No.
(1) Half of the site of Item K encroaches onto GL. Approval of the columbarium development would open up areas for further expansion of the development.	R2
(2) The columbarium development has affected fung shui of nearby village.	R3 to R40
Responses	
(a) In response to (1): Responses in paragraph 5.2.10.1 (a) is relevant. Encroachment of GL would be considered by LandsD under the established mechanism at land administration stage.	
(b) In response to (2): ‘Fung shui’ is not a relevant planning consideration of the Board.	

5.2.11 Amendments to the Notes

Major Ground(s) / View(s)	Representation No.
(1) There should be a cap on GFA for GIC facilities to be discounted in determining the maximum PR for “C(1)” and “R(A)10” zones.	R2

Responses
<p>(a) In response to (1):</p> <p>The exemption of GIC facilities required by the Government from PR calculation would facilitate provision of the much-needed GIC facilities in tandem with the proposed developments. The GIC provisions will be in a reasonable scale and would only constitute a minor part of the future developments.</p>

5.3 Major Grounds of and Responses to Representations providing Views

5.3.1 **R43** provide views on Item F. The views and PlanD's responses are summarized below.

5.3.2 **Item F** (*Proposed Private Residential Development in Siu Lek Yuen*)

5.3.2.1 Environmental Aspect

Major Ground(s) / View(s)	Representation No.
(1) The proposed development at the site could be sensitive to air-borne noise from the railway noise of MTR Tuen Ma Line and the nearby rail turnout infrastructures. The future project proponent should be required to conduct a detailed Railway Noise Impact Assessment to be approved by EPD to ensure full compliance with statutory requirements by implementing adequate mitigation measures at the development site.	R43
Responses	
<p>(a) In response to (1):</p> <p>CEDD advises that in conducting the PER, the consultant has contacted MTRCL for noise information and performed on-site noise assessment at peak hour including airborne noise from the MTR Tuen Ma Line and the nearby track crossings/rail turnout to determine the noise level generated from the railway operations. The PER has concluded that with implementation of the recommended noise mitigation measures including acoustic windows (baffle type), architectural fins and etc. facing the railway and road, no insurmountable noise impact would be anticipated for the proposed development (Drawing H-6).</p> <p>EPD has no adverse comment on the PER and would request the future lot owner to submit a NIA based on any updated information at the land administration stage to identify and implement appropriate mitigation measures for the future development scheme.</p>	

6. Departmental Consultation

6.1 The following B/Ds have been consulted, and their comments, if any, have been incorporated into the above paragraphs where appropriate:

- (a) Commissioner for Transport;
- (b) Director of Agriculture, Fisheries and Conservation;
- (c) Director of Environmental Protection;
- (d) Director of Housing;
- (e) Government Property Administrator;
- (f) Chief Architect/Advisory & Statutory Compliance Division, Architectural Services Department;
- (g) Director of Social Welfare;
- (h) Chief Building Surveyor/New Territories 2 & Railway, Buildings Department;
- (i) Chief Engineer/Special Duties (Works) Division, Civil Engineering and Development Department;
- (j) Chief Engineer/Housing Projects 3, Civil Engineering and Development Department;
- (k) Head of Geotechnical Engineering Office, Civil Engineering and Development Department;
- (l) District Lands Officer/Shia Tin, Lands Department;
- (m) Chief Estate Surveyor/Land Supply, Lands Department;
- (n) District Office (Shia Tin), Home Affairs Department;
- (o) Chief Engineer/Construction, Water Supplies Department;
- (p) Chief Engineer/Mainland South, Drainage Services Department;
- (q) Chief Highway Engineer/New Territories East, Highways Department;
- (r) Commissioner of Police;
- (s) Director of Fire Services;
- (t) Director of Food and Environmental Hygiene;
- (u) Director of Leisure and Cultural Services;
- (v) Director of Electrical and Mechanical Services;
- (w) Director-General of Trade and Industry;
- (x) Chief Engineer/Railway Development 1-1, Railway Development Office, Highways Department; and
- (y) Chief Town Planner/Urban Design and Landscape, Planning Department.

7. Planning Department's Views

7.1 The supportive view of **R1 (part)** and other views provided by **R43** are noted.

7.2 Based on the assessments in paragraph 5.2 above, PlanD does not support R1 (part) and R2 to R42 in relation to all items and amendments to the Notes, and considers that the OZP should not be amended to meet the representations for the following reasons:

- (a) being located in Fo Tan accessible by public transport, the site under Item A is suitable to be rezoned to "Residential (Group A) 8" for public housing development to meet the acute housing demand. Relevant technical assessments on traffic, environment, ecology, visual, landscape, air ventilation, drainage, sewerage, water supply and geotechnical aspects have been conducted under the

Engineering Feasibility Study to confirm that there is no insurmountable technical problem arising from the proposed public housing development (**R1** and **R2**);

- (b) being located in a central and easily accessible location in Fo Tan, the site under Item B is suitable to be rezoned to “Government, Institution or Community” for a government joint-user complex to provide the much-needed recreational and community facilities to serve the residential and working population in the area (**R2**);
- (c) sites under Items C1, C2 and D are suitable to be rezoned to “Commercial (1)” while sites under Items E and F are suitable to be rezoned to “Residential (Group A) 9” and “Residential (Group A) 10” respectively taking into account the transformation of Siu Lek Yuen Industrial Area and Shek Mun Business Area, and recommendation of ‘Report on 2020 Area Assessments of Industrial Land in the Territory’ to identify available government land for gainful use. Relevant technical assessments on environment, traffic, visual, landscape and air ventilation aspects have been conducted to confirm that there is no insurmountable technical problem arising from the proposed developments with implementation of appropriate mitigation measures (**R2**, **R41** and **R42**);
- (d) the Traffic Impact Assessment and Preliminary Environmental Review for Item E site have assessed the potential traffic and environmental impact including those generated from Swire Coca-Cola HK factory and concluded that no insurmountable impact is anticipated with appropriate mitigation measures. The “Residential (Group A) 9” zoning is appropriate for the site as no insurmountable impact arising from the residential development is anticipated. Further detailed technical assessments would be required at detailed design stage to ensure proper control on the development (**R41** and **R42**);
- (e) the building height restriction of Item G is compatible with the building height profile of the area and is considered appropriate (**R2**);
- (f) Items H1, H2, J and K are to take forward three section 12A applications agreed by the Rural and New Town Planning Committee of the Town Planning Board taking into account the applicants’ justifications and relevant technical assessments, land use compatibility, and comments received from the public and government departments. Technical assessments have been conducted under the applications to demonstrate that there will be no insurmountable technical impact arising from the proposed developments with implementation of appropriate mitigation measures and traffic management plans. The amendments to the approved Sha Tin Outline Zoning Plan No. S/ST/36 are considered appropriate (**R2** to **R40**); and
- (g) the amendment to the Notes to exempt gross floor area for government, institution and community facilities required by the Government is considered appropriate to facilitate the provision of government, institution and community facilities (**R2**).

8. Decision Sought

- 8.1 The Board is invited to give consideration to the representations taking into consideration the points raised in the hearing session, and decide whether to propose/not to propose any amendments to the draft OZP to meet/partially meet the representations.
- 8.2 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 its respective Notes and updated Explanatory Statement, are suitable for submission under section 8 of the Ordinance to the Chief Executive in Council for approval.

9. Attachments

Annex I	Draft Sha Tin OZP No. S/ST/37 (reduced size)
Annex II	Schedule of Amendments to the Approved Sha Tin OZP No. S/ST/36
Annex III	List of Representers
Annex IV	Submissions of Representers
Annex V	Extract of Minutes of RNTPC Meeting held on 27.10.2023
Annex VI	Extract of Minutes of the DHEHC of the STDC Meeting held on 19.9.2023 (in Chinese)
Annex VII	Provision of Major Community Facilities and Open Space in Sha Tin Planning Area
Drawing H-1	Item A – Conceptual Layout Plan
Drawing H-2	Item A – Section Plan
Drawing H-3	Item A – Conceptual Landscape Plan
Drawing H-4	Item A – Proposed Location for Compensatory Planting
Drawing H-5	Item E – Extract of Recommended Environmental Mitigation Measures
Drawing H-6	Amendment Item F – Extract of Recommended Environmental Mitigation Measures
Plans H-1a to H-1d	Location Plans of the Representation Sites
Plans H-2a to H-2g	Site Plans of the Representation Sites
Plan H-2h	Item K - Proposed Pick-up/ Drop-off Points of Shuttle Bus Services and Temporary Parking of Shuttle Bus

Plans H-3a to H-3g

Aerial Photo of the Representation Sites

Plans H-4a to H-4j

Site Photos of the Representation Sites

Plans H-5a to H-5b

Existing Building Height of Building Blocks in the Surrounding Area

**PLANNING DEPARTMENT
MARCH 2024**