TOWN PLANNING BOARD

TPB Paper No. 10960 For Consideration by <u>the Town Planning Board on 8.3.2024</u>

DRAFT TUEN MUN OUTLINE ZONING PLAN NO. S/TM/38 CONSIDERATION OF REPRESENTATIONS NO. TPB/R/S/TM/38-R1 TO R4

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DRAFT TUEN MUN OUTLINE ZONING PLAN NO. S/TM/38 CONSIDERATION OF REPRESENTATIONS NO. TPB/R/S/TM/38-R1 TO R4

Subject of Representations (Amendment Items)	Representers (No. TPB/R/S/TM/38-)
Item A1 Rezoning of a site at the upper section of Hong Po Road from "Green Belt" ("GB") and an area shown as 'Road' to "Residential (Group A)28" ("R(A)28") with stipulation of building height restriction (BHR).	<u>Total: 4</u> <u>Supports Item C1</u> R1: Individual
Item A2 Rezoning of a site at the junction of Hong Po Road/Tsing Lun Road and Ng Lau Road from "Residential (Group E)1" ("R(E)1") and an area shown as 'Road' to "R(A)28" with stipulation of BHR. Item B	Opposes/Provides Adverse Views on Items A1, A2, B, C1, C2, D and E R2: Individual Opposes Item A2 R3: Join Smart Limited represented by Masterplan Limited
Rezoning of a site to the west of Ng Lau Road from "R(E)1" to "Government, Institution or Community" ("G/IC") with stipulation of BHR. <u>Item C1</u> Rezoning of a site in Tuen Mun Area 9 from "Comprehensive Development Area (1)" ("CDA(1)"), "CDA(2)" and an area shown as 'Road' to "Commercial (2)" ("C(2)") with stipulation of BHRs.	Provides Views on Items C1 and C2 R4: Mass Transit Railway Corporation Limited (MTRCL)
<u>Item C2</u> Rezoning of a site adjacent to Ho Tin Light Rail Station from "CDA(1)" to "Open Space" ("O").	
<u>Item D</u> Rezoning of a site to the west of Hing Fu Street from "GB" to "G/IC(3)" with stipulation of BHR.	
<u>Item E</u> Rezoning of a site to the further west of Hing Fu Street from "GB" to "G/IC(4)" with stipulation of BHR.	

Note: The names of the representers are attached at **Annex III**. Soft copy of the submissions is sent to Town Planning Board (the Board) Members via electronic means; and is also available for public inspection at the Board's website at https://www.tpb.gov.hk/en/plan_making/S_TM_38.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 20.10.2023, the draft Tuen Mun Outline Zoning Plan (OZP) No. S/TM/38 (the Plan) 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 to the OZP and its Notes is at **Annex II** and the locations of the amendment items are shown on **Plans H-1a and H-1b**.
- 1.2 During the two-month statutory exhibition period, a total of four valid representations were received. On 2.2.2024, 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 representers have been invited to attend the meeting in accordance with section 6B(3) of the Ordinance.

2. <u>Background</u>

Items A1, A2 and B - Supporting Facilities for the Planned San Hing Road and Hong Po Road Public Housing Development

- 2.1 The Government has adopted a multi-pronged approach with a view to meeting housing and other development needs. The land use review of the "GB" sites has been carried out since 2012 for conversion to residential use. Amongst the potential sites, three sites, namely San Hing Road (SHR), SHR Site Extension and Hong Po Road (HPR) sites at the northern fringe of Tuen Mun New Town (TMNT) straddling the Lam Tei and Yick Yuen (LTYY) OZP and Tuen Mun OZP, have been identified for public housing development. An Engineering Feasibility Study with Environmental Impact Assessment (EIA) under the Environmental Impact Assessment Ordinance (EIAO) was conducted to facilitate and ascertain the technical feasibility of the comprehensive public housing development.
- 2.2 Later in 2017, the Government decided to combine the three sites into one single development (i.e. the SHR and HPR public housing development) for integrated and comprehensive public housing development with government, institution and community (GIC) uses and associated infrastructural works. The planned SHR and HPR public housing development, when materialised, will provide a total of 20,400 housing units for a total population of about 57,120.
- 2.3 The major portion of the planned SHR and HPR public housing development (about 22.05 ha) (76%) falls within LTYY OZP. Corresponding amendments to the LTYY OZP to rezone this major portion to "R(A)" (subject to a maximum plot ratio (PR) of 6.5 and a maximum BH of 160mPD) and "G/IC" zones to facilitate the planned public housing development were completed and the approved LTYY OZP No. S/TM-LTYY/12 was published in November 2022. The current amendments to the Tuen Mun OZP are aimed at reflecting a minor portion of the planned SHR and HPR public housing development (about 2.72 ha) (9.4%)¹ covering mainly parts of two

¹ The remaining portion (about 4.23 ha) (14.6%) is mainly for road works which will be reflected on the Tuen Mun OZP when appropriate upon completion of the road works.

proposed public transport interchanges (PTIs) and a sewage pumping station (SPS) serving the development.

2.4 To take forward the planned SHR and HPR public housing development as well as its supporting facilities, the sites under Items A1 and A2 have been rezoned to "R(A)28" to form part of the comprehensive public housing development subject to a maximum PR of 6.5 and a maximum BH of 160mPD, while the site under Item B has been rezoned to "G/IC" for a SPS subject to a maximum BH of one storey.

Items C1 and C2 - Section 12A (s.12A) Application for Proposed Commercial Use and Reflecting As-built Condition and Planned Use

- 2.5 On 23.6.2023, the Rural and New Town Planning Committee (RNTPC) of the Board agreed a s.12A application (No. Y/TM/28) for rezoning a site in Tuen Mun Area 9 from "CDA(1)", "CDA(2)" and area shown as 'Road' to "C(2)" to facilitate a commercial development, subject to a maximum PR of 9.5, maximum BHs of 140mPD (for Tuen Mun Town Lots (TMTL) 79 and 80) and 120mPD (for TMTL 81), provision of additional transport lay-bys with gross floor area (GFA) of not less than 3,000m² (for TMTL 80) and 2,000m² (for TMTL 81) and reprovision of a public vehicle park (PVP) of not less than 62 parking spaces (for TMTL 80). To take forward the RNTPC's decision, the site under Item C1 has been rezoned to "C(2)" with stipulation of the above development restrictions.
- 2.6 The applicant of the above s.12A application originally proposed to rezone the area occupied by the existing public toilet with ancillary facilities and the planned pet garden located to the north of TMTL 79 to "C(2)". However, to reflect the as-built condition and planned uses, the site under Item C2 is considered more appropriate to be rezoned to "O" within which 'Public Convenience' and 'Park and Garden' are Column 1 uses which are always permitted.

Items D and E - S.12A Applications for Columbarium Use

- 2.7 On 25.8.2023, the RNTPC considered two s.12A applications (No. Y/TM/25 and 26) for rezoning two sites located to the west and further west of Hing Fu Street respectively from "GB" to "G/IC" to regularise the existing columbarium use on each of the site. The applicants did not provided tailor-made Notes for the proposed "G/IC" zones. In view that the applicants had submitted detailed development proposals with supporting technical assessments, concerned departments have no in-principle objection to or adverse comment on the proposed schemes and there is control mechanism under the licencing regime of the Private Columbaria Ordinance (PCO) and the land administrative regime, the RNTPC agreed to the s.12A applications by rezoning the sites to suitable "G/IC" sub-zone(s) and placing 'Columbarium' use under Column 1 (i.e. uses always permitted) to streamline the development control process.
- 2.8 To take forward the RNTPC's decisions, the two sites under Items D and E have been rezoned to "G/IC(3)" and "G/IC(4)" with stipulation of maximum BHs of two storeys and one storey and maximum numbers of niches of 5,282 and 4,942 respectively.

Amendments to the Notes and Explanatory Statement of the OZP

- 2.9 In relation to the above amendment items, the Notes and Explanatory Statement (ES) of the OZP have been revised accordingly. Opportunity has also been taken to update the general information for various land use zones to reflect the latest status and planning circumstances of the Planning Scheme Area.
- 2.10 On 22.9.2023, the RNTPC agreed that the proposed amendments to the approved Tuen Mun OZP No. S/TM/37 were suitable for public inspection under section 5 of the Ordinance. The relevant RNTPC Paper No. 7/23 is available at the Board's website² and the extract of the minutes of the RNTPC meeting is at Annex IV. Accordingly, the draft Tuen Mun OZP No. S/TM/38 was published on 20.10.2023.

3. Local Consultation

Prior to the Submission of the Proposed Amendments to RNTPC

- 3.1 Prior to the submission of the proposed amendments to RNTPC for consideration, the Planning Department (PlanD), Civil Engineering and Development Department (CEDD) and Housing Department (HD) jointly issued letter and consultation paper to the Tuen Mun Rural Committee (TMRC) to invite comments on the proposed amendments to the OZP, the planned SHR and HPR public housing development and its associated site formation works and supporting facilities (i.e. Items A1, A2 and B). On 11.9.2023, PlanD, CEDD and HD jointly consulted the Tuen Mun District Council (TMDC) on the above.
- 3.2 No comment was received from TMRC while TMDC in general supported the proposals and the related OZP amendments. TMDC also requested for adequate and timely provisions of GIC facilities and car parking spaces and to explore the feasibility of enhancing pedestrian and transport connections between the planned public housing site and the TMNT in general. Their views and comments have been incorporated into RNTPC Paper No. 7/23 mentioned in paragraph 2.10 above and in the extract of minutes of the TMDC meeting at **Annex V**.
- 3.3 During the processing of the respective s.12A applications relating to Items C1, C2, D and E, the applications were published for public comments in accordance with the pre-amended Ordinance³. In considering the three s.12A applications on 23.6.2023 and 25.8.2023, the RNTPC had taken into account the public comments received during the respective publication periods.

Upon Gazettal of the Plan

3.4 On 20.10.2023, the draft OZP was published for public inspection under section 5 of the Ordinance. TMDC and TMRC members were also notified that members of the public can submit representations on the amendments in writing to the Secretary of the Board during the exhibition period of the draft OZP. No representation from members of TMDC or TMRC were received.

² The RNTPC Paper No. 7/23 is available at the Board's website at: https://www.tpb.gov.hk/en/meetings/RNTPC/Agenda/727_rnt_agenda.html

³ The "pre-amended Ordinance" refers to the Town Planning Ordinance in force immediately before 1.9.2023

4. The Representation Sites and their Surrounding Areas

4.1 Representation Sites under Items A1, A2 and B

- 4.1.1 Item A1, A2 and B Sites are currently mainly occupied by various brownfield operations (including open storage yards, warehouses and carparks), with some portions occupied by sections of the existing HPR and vegetated land. To the immediate north of these sites are mainly brownfield operations which will be cleared for the planned SHR and HPR public housing development zoned "R(A)" on the LTYY OZP. To the south and further south of Item A1 Site is an area zoned "Village Type Development" on the OZP covering Tsz Tin Tsuen, Po Tong Ha and Siu Hang Tsuen. The existing HPR runs through Item A1 Site in northwest-southeast direction. Items A2 and B Sites are bounded by HPR and Ng Lau Road to the south with Light Rail (LR) tracks and viaduct of the Tuen Ma Line (TML) to the east (Plans H-2a, H-2b, H-3a, H-4a and H-4b).
- 4.1.2 Items A1 and A2 Sites (about 0.8 ha and 1.68 ha respectively) are zoned "R(A)28" and Item B Site (about 0.24 ha) is zoned "G/IC". They both form a small but integral part of a larger site planned for the SHR and HPR public housing development. The major development parameters of the planned public housing development (**Plan H-5**) are summarised as below:

T-4-1 0:4- A *	A h avet 20 h a		
Total Site Area *	About 29 ha		
Maximum PR	6.5		
Maximum BH	160mPD		
Number of	About 43 - 46 storeys		
Domestic Storeys			
Number of Blocks	24 blocks		
Number of Flats	About 20,400 flats		
Population	About 57,120 persons		
Target	2031/32 to 2033/34		
Completion Date			
Supporting	• One primary school, kindergartens and social		
Facilities	welfare facilities		
	Retail facilities		
	• One sports centre and one 11-a-side soccer pitch		
	• Two PTIs (partly covered by Items A1 and A2)		
	• One SPS (covered by Item B)		

* For the whole development project including the associated infrastructure and road works

4.2 Representation Sites under Items C1 and C2

4.2.1 Items C1 and C2 Sites are located at the eastern fringe of Tuen Mun Area 9 and at the core area of TMNT adjacent to TML Tuen Mun Station. The sites comprises TMTLs 79, 80 and 81 and several public roads (Kin Fung Circuit in the east, northeast and southeast, a section of Kin Wing Street in the south, a section of Kin Tai Street in the west and a section of Ho Tin Street in the northwest). The district distributor of Tsun Wen Road runs through the site in north-south direction. The site is currently occupied by Crown Data

Centre I, a logistics centre/godown and a bus depot at TMTLs 79, 80 and 81 respectively. Item C2 Site is currently partly occupied by a public toilet with ancillary facilities and a pet garden under construction (**Plans H-2c, H-3b, H-4c to H-4d**).

4.2.2 Item C1 Site (about 3.65ha) is zoned "C(2)" subject to a maximum PR of 9.5 and maximum BHs of 120mPD and 140mPD for commercial use. The major development parameters of the indicative scheme of approved s.12A application No. Y/TM/28 are summarised as follows:

Development Site Area	About 20,3	$48m^2$		
TMTL 79	About 20,3 About 2,24			
TMTL 80	About 7,547m ²			
TMTL 80	About $10,554$ m ²			
Commercial PR	Not more than 9.5			
Commercial GFA	About 193,			
TMTL 79	About 21,3		dime 1 000)
TMTL 80		$696m^2$ (inclu	laing 1,000	Jm- Ior
TMTL 81 [#]	kindergarte			
-	About 100,			
Transport Lay-by GFA	About 5,00	J0m²		
TMTL 79	-	oo 2		
TMTL 80	About 3,0			
TMTL 81	About 2,0	00m²		
SC				
Over 61m	62.5% (TM			
		han 65% (TM	TLs 80 & 8	1)
Over 24m but not	90% (TMT	,		
exceeding 27m		han 90% (TM	ITLs 80 & 8	31)
No. of Blocks	3 (one for each lot)			
BH		han 140mPD	·	& 80)
	Not more than 120mPD (TMTL 81)			
No. of Storeys				
TMTL 79	-	ment levels		
TMTL 80	-	ment levels		
TMTL 81	27 + 4 base	ement levels		
Private Open Space	Not less that	an 3,440m ²		
GIC Facility		welfare faci	•	
	~	/ Outreaching	/ 11	
	the Elderly	(with GFA of	f about 7131	m^2)
Target Completion Year	2028			
Ancillary Car Parking	<u>TMTL 79</u>	<u>TMTL 80</u>	<u>TMTL 81</u>	<u>Total</u>
Spaces				
- Private Car	122	378	526	1026
- Motorcycle	13	38	53	104
Ancillary	<u>TMTL 79</u>	<u>TMTL 80</u>	<u>TMTL 81</u>	Total
Loading/Unloading				
(L/UL) Bays				
- Heavy Goods Vehicle	3	13	19	35
(HGV)				
- Light Goods Vehicle	6	24	34	64
- Coach	-	2	-	2

- Taxi/Private Car	-	3	4	7
Public Vehicle Parking	<u>TMTL 79</u>	<u>TMTL 80</u>	<u>TMTL 81</u>	Total
Spaces				
- HGV	-	13	-	13
- Coach	-	4	-	4
- Motorcycle	-	45	-	45

Including GFA of the proposed retail link bridge connecting TMTLs 80 and 81 at 2/F to 4/F above Tsun Wen Road

4.2.3 Item C2 Site (about 0.07 ha) is zoned "O" to reflect its as-built condition and the pet garden under construction.

4.3 Representation Site under Item D

4.3.1 Item D Site (about 0.09 ha) is zoned "G/IC (3)" subject to a BHR of two storeys to regularise the existing columbarium use. It is located on a platform at the hillslope in the northwestern fringe of TMNT and accessible via a local track leading from the cul-de-sac of Hing Fu Street. There is an existing columbarium named Able Fortune Memorial Garden (祥隆精舍) at the site with a 2-storey columbarium building and several temporary structures for ancillary uses. There are three columbaria in the vicinity of the site and a high-rise public housing development named Po Tin Estate located to its east down the slope. To the further west are vegetated slopes and Tsing Shan Firing Range (**Plans H-2d, H-3c and H-4e**).

4.4 **<u>Representation Site under Item E</u>**

Item E Site (about 0.14 ha) is zoned "G/IC (4)" subject to a BHR of one storey to regularise the existing columbarium use. The surrounding areas share similar characteristics with Item D Site as mentioned in paragraph 4.3 above. There is an existing columbarium named Citifair Memorial Garden (益豐精舍) at the site with two single-storey columbarium buildings and several temporary structures for ancillary uses (**Plans H-2d, H-3c and H-4f**).

4.5 Planning Intentions

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

- (a) The "R(A)28" zone under Items A1 and A2 is intended primarily for highdensity residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed nonresidential portion of an existing building. The ES of the OZP also specifies that the "R(A)28" zones under Items A1 and A2 are intended for public housing developments.
- (b) The "G/IC" zone under Item B is intended primarily for the provision of GIC facilities serving the needs of the 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.

- (c) The "C(2)" zone under Item C1 is 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.
- (d) The "O" zone under Item C2 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.
- (e) The "G/IC(3)" and "G/IC(4)" zones under Items D and E are intended primarily for columbarium and religious institution uses.

5. <u>The Representations</u>

5.1 Subject of Representations

- 5.1.1 There are a total of four valid representations. **R1** is submitted by an individual supporting Item C1; **R2** is submitted by an individual opposing/providing adverse views on Items A1, A2, B, C1, C2, D and E; **R3** is submitted by Join Smart Limited (i.e. the owner of some of the private lots under Item A2) opposing Item A2; and **R4** is submitted by MTRCL providing views on Items C1 and C2.
- 5.1.2 The major grounds of representations and the proposal, and PlanD's responses in consultation with the relevant government bureaux/departments (B/Ds) are summarised in paragraphs 5.2 to 5.4 below.

5.2 Supportive Representation

Item C1

Major Ground(s)	Rep No.
(1) Item C1 Site is well-connected to the existing and planned transport infrastructure for commercial use.	R1
(2) The rezoning is in line with the Government's initiatives to concentrate developments in the Western Economic Corridor and to enhance Hong Kong's role as an international business centre and the gateway to the Greater Bay Area. It enables redevelopment and regeneration of the old Tuen Mun industrial district and enhances the economic vibrancy of the area.	
Responses	
In response to (1) and (2):	
The supporting views are noted.	

5.3 Adverse Representations

Items A1 and A2

5.3.1 Site Suitability for Housing Development

Major Ground(s)	Rep No.
Rezoning of the Item A1 Site for public housing development would eliminate the "GB" zone and undermine its buffering function from HPR.	R2
Responses	•
(a) Being located at the northern fringe of TMNT and served by ex the SHR and HPR site was considered suitable for pub development and provision of associated infrastructure and GIC meet the housing demand in short to medium term. The statutory process for the major portion of the public housing site which fall	lic housing facilities to plan-making

process for the major portion of the public housing site which falls within the LTYY OZP has been completed and the approved OZP was published in 2022. Items A1 and A2 are mainly to reflect the remaining minor portion of the planned SHR and HPR public housing site covering the supporting facilities of the development.

(b) The Item A1 Site is currently mainly occupied by various brownfield operations on formed land with some vegetated land. An EIA has been conducted to demonstrate the environmental acceptability of the SHR and HPR public housing development in accordance with EIAO and the EIA Report was approved by the Director of Environmental Protection (DEP) on 30.12.2020. An Environmental Review (ER) has also been conducted at the investigation stage. To address the road traffic noise, a number of mitigation measures had been recommended, including the adoption of roadside noise barriers, low-noise road surfacing material at some sections of the realigned HPR, acoustic windows on some residential blocks, and the restriction of locating noise sensitive welfare uses at façade facing the realigned HPR and access road. Regarding air quality, air quality impact from vehicular emission associated with the planned public housing development and the existing and planned road network has been assessed in the approved EIA and the predicted cumulative air quality impacts on all air sensitive receivers would comply with the Air Quality Objectives. With the proposed mitigation measures, no insurmountable noise and air quality impacts are anticipated.

5.3.2 Tree Preservation and Landscape

Major Ground(s)	Rep No.
No information on tree felling is provided. The two groups of mature trees identified in the Item A2 Site should be retained in the public housing development.	R2
Responses	
According to the broad-brush tree survey of the approved EIA m paragraph 5.3.1(b) above, about 1,300 trees within the entire SHR as	

would be in conflict with the public housing development and are proposed to be felled. To compensate for the loss of greenery, a compensatory ratio of 1:1 is proposed to be implemented at the SHR and HPR site and its vicinity as far as practicable. The tree issues, with support of the approved EIA have been duly considered in the statutory plan-making process of LTYY OZP. According to the broad-brush tree survey, about 69 trees within Item A1, A2 and B Sites would be in conflict with the public housing development and are proposed to be felled. Majority of the species recorded are common species in Hong Kong. No registered Old and Valuable Trees (OVTs) were identified. Detailed tree survey will be conducted and Tree Preservation and Removal Proposal will be prepared in accordance with DEVB TC(W) No. 4/2020 at the detailed design stage to avoid unnecessary tree felling, finalise tree treatment and allocate compensatory planting areas. HD will adopt the principle of "Right Plant, Right Place" in plant selection to ensure sustainable plant growth within the public housing development.

5.3.3 Site Specific Proposal

Ma	jor Ground(s) / Proposal	Rep No.
(1)		R3
(2)	The proposed private housing development could be implemented earlier as there are approved section 16 planning applications and approved general building plans, and it does not require land resumption and the development site is ready for commencement of development.	
(3)	According to the latest layout plan of the planned SHR and HPR public housing development, the number of flats has decreased by 1,200 and four school sites have been removed, with only one primary school remained. A soccer pitch has been added without justifications. There is flexibility and room to accommodate the proposed private housing scheme.	
(4)	The Government's intention to develop the land for public housing development has deprived R3 of its private development rights.	
(5)	R3 proposed to revise paragraph 9.3.2 of the ES of the OZP for the " $R(A)28$ " sub-zone by adding "and private" in the sentence	

Responses

In response to (1) to (5):

- (a) In view of the acute demand for public housing, the Government has stepped up efforts to identify suitable sites for public housing development. Taking account of the prevailing housing policy, the housing mix in Tuen Mun area, the land use context and the surrounding environment, the SHR and HPR site is considered suitable for public housing development providing about 20,400 flats from 2031/32 to 2033/34 to meet the housing demand in short to medium term. The major portion of the planned SHR and HPR public housing development falls within LTYY OZP. The statutory plan-making process to incorporate the corresponding amendments to the LTYY OZP to facilitate the planned public housing development was completed and the approved LTYY OZP No. S/TM-LTYY/12 was published in November 2022.
- (b) The site proposed by R3 for private housing development falls largely (about 91.4%) within an area zoned "R(A)" on the LTYY OZP (Plan H-6). During the LTYY OZP amendment stage, R3 submitted representation on similar grounds with similar proposal. After considering R3's then representation, the Board decided not to amend the LTYY OZP.
- (c) On 26.1.2024, the proposal for resumption of land for developments at the SHR and HPR site under the Lands Resumption Ordinance (Cap. 124), as well as the proposed road and related works under the Roads (Works, Use and Compensation) Ordinance (Cap. 370) and Water Pollution Control (Sewerage) Regulation (Cap. 358AL) were gazetted. The land exchange application submitted by **R3** was rejected on the same date. There is a clear planning intention for public housing development for the SHR and HPR site.
- (d) In view of the latest requirements of concerned B/Ds, four originally planned school sites were released and opportunities have been taken to incorporate other GIC facilities in need into the SHR and HPR site. As such, a sports centre and an 11-a-side soccer pitch are incorporated. It is considered necessary to include Item A2 Site into the public housing development for a comprehensive layout with more efficient and optimal use of scarce land resources. If part of the public housing site is carved out for private residential development, it would entail substantial changes in the layout of the planned public housing development. This would not only affect the comprehensiveness of the public housing development but also induce a substantial review on the technical assessments on various aspects such as traffic, environmental, air ventilation and infrastructure proposals under the EFS, resulting in a delay in the implementation programme of the public housing development.
- (e) No information is submitted by **R3** to demonstrate the technical feasibility of an alternative scheme with the proposed private housing development integrated into the planned SHR and HPR public housing development. In view of the above, there is no strong planning justification for amending the ES of the OZP to meet the representer's proposal.

Item B

Major Ground(s)/Comment(s)/Suggestion(s)	Rep No.
(1) There is no information provided regarding the detailed design of the proposed SPS.	R2
(2) No information on tree felling is provided.	
Responses	
In response to (1):	
(a) Item B Site is intended for a proposed one-storey SPS, which is small in scale and for serving the planned SHR and HPR public housing development. According to the approved FIA mentioned in paragraph 5.3.1(b) above green	

and for serving the planned SHR and HPR public housing development. According to the approved EIA mentioned in paragraph 5.3.1(b) above, green roof and corresponding landscape work such as planting of climbers, shrubs and bamboo, and vertical planting at boundary fence would be carried in order to enhance the greenery. A minimum 20% greenery is proposed at the Item B Site. The design of the proposed SPS will be further considered at the detailed design stage in tandem with the detailed planning and design of the SHR and HPR public housing development.

In response to (2):

(b) Response in paragraph 5.3.2 are relevant.

Items C1 and C2

Major Ground(s) / Suggestion(s)	Rep No.
Item C1	R2
(1) The proposed public car park, social welfare facility, footbridges and open space under the s.12A rezoning application No. Y/TM/28 are undesirable and the proposal for accommodating a kindergarten at the site is unjustified given the downward trend of births. The proposed commercial development would create adverse traffic, visual and sunlight penetration impacts and pollution at pedestrian level.	
(2) Item C1 Site should be retained as "CDA" zone to ensure adequate provisions of community facilities and services.	
(3) Full details of the s.12A rezoning application should be made available to public given that there is only one round of public participation. The general public not familiar with the town planning process would have no clue to access information on the original application.	
Item C2	
(4) Item C2 Site should be rezoned to "G/IC" to better reflect its as-built condition as a public toilet.	

Responses

In response to (1) to (3):

- (a) Item C1 is to take forward the RNTPC's decision on the s.12A rezoning application No. Y/TM/28 for commercial development. The application was agreed by RNTPC on 23.6.2023 based on its individual planning and design merits and various planning considerations including land use compatibility, development intensity and technical feasibility.
- (b) According to the applicants' indicative scheme, a social welfare facility for a Multi-disciplinary Outreaching Support Team for the Elderly as requested by the Social Welfare Department with a net operating floor area of $324m^2$ (or a GFA of about 713m²) and a kindergarten with a GFA of about 1,000m² would be accommodated at the site. Private open space of not less than 3,440m² at the podium and lower levels of the proposed developments will be provided for public enjoyment subject to the operation hours of the future retail malls. A retail bridge and a footbridge connecting TML TM Station are proposed to enhance pedestrian movement and connectivity of the area, while a PVP of not less than 62 parking spaces is proposed for the reprovisioning of the public metered parking spaces currently at Kin Fung Circuit. Taking account of the surrounding land uses, the technical assessments and mitigation measures proposed under the s.12A application and comments of the relevant government departments, the proposal to rezone the Item C1 Site is considered feasible and acceptable from land use, traffic, environmental, visual and infrastructural perspectives.
- (c) Besides, due to multi-ownership of the Item C1 Site, the s.12A applicants intended to rezone the site from "CDA(1)" and "CDA(2)" to "C" to allow flexibility for phased development thus accelerating the development progress. It is therefore considered suitable to zone the Item C1 Site as "C(2)" to facilitate early redevelopment of the site to commercial use and gradual revitalisation of the area.
- (d) The proposal of providing a kindergarten at the subject commercial development is based on the requirement stipulated in the ES of the OZP for the previous "CDA(1)" zone. The operation of kindergartens in Hong Kong is market-driven and the provision of kindergarten at the Item C1 Site will be further reviewed in the detailed design stage.
- (e) The established practice for conducting both statutory and administrative public consultation has been followed during the process of the s.12A rezoning application and the publication of the draft Tuen Mun OZP. Details of the proposed OZP amendments, including the relevant RNTPC Papers and their enclosures as well as the minutes of the RNPTC meetings, have been made available for inspection by members of the public on the Board's website. Members of the public could submit representations in respect of the proposed amendments in accordance with the provisions of the Ordinance.

In response to (4),

(f) Item C2 Site is mainly occupied by a planned pet garden at the western portion of the site which is now under construction while the eastern portion is occupied by an existing public toilet with ancillary facilities. The "O" zoning,

in which both 'Park and Garden' and 'Public Convenience' are Column 1 uses, is considered appropriate to reflect the planned pet garden use and the as-built condition.

Items D and E

Major Ground(s)	Rep No.
(1) It appears that the columbaria are under the same operation and neither of them has a history of religious use. The effectiveness of the proposed online worship and parking arrangements are in doubt.	
(2) Approval of the s.12A rezoning applications together with other planned columbaria in the area would overload the traffic network.	
Responses	1

In response to (1) and (2):

- (a) Items D and E are to take forward the RNTPC's decisions on the respective s.12A rezoning applications No. Y/TM/25 and 26 to regularise the existing columbarium use on each of the site. The s.12A applications were agreed by RNTPC on 25.8.2023 based on various planning considerations including land use compatibility, development intensity and technical feasibility.
- (b) Relevant technical assessments under the s.12A rezoning applications have demonstrated that the proposals are feasible and relevant government departments have no objection to/no adverse comment on the applications from visual and landscape planning, geotechnical, fire safety and structural aspects. On traffic aspect, the applicants have proposed crowd management measures including closing the columbaria on festival days and the 14 calendar days before and after, and adopting a visit-by-appointment arrangement. Besides, no on-site parking space will be provided for visitors (except for those with the needs with prior permission). The applicants have also proposed to set up electronic platform to provide worship, reminiscence and remembrance activities for further reducing the number of visitors to the columbaria. The applicants have assessed the cumulative traffic impacts arising from the columbarium developments in the locality. With the implementation of the proposed traffic and crowd management measures, adverse traffic impact is not anticipated. The Transport Department has no adverse comment on the proposals from traffic point of view.
- (c) Despite 'Columbarium' is placed under Column 1 use in the subject "G/IC(3)" and "G/IC(4)" zones, the applicants of the s.12A applications would still need to comply with other relevant legislations and requirements governing the columbarium use at the respective sites including those under the licensing and land administrative regime albeit the zoning is amended. Should the Private Columbaria Licencing Board decide to approve the licence applications, as a general practice, the implementation of the approved Management Plan (including traffic and crowd management measures

proposed by the applicants) would be included as one of the licensing conditions which the licensee(s) will be required to comply.

5.4 **<u>Representation Providing Views</u>**

Items C1 and C2

Major Ground(s) / Suggestion(s)	Rep No.
As part of the development site falls within the TML and LR	R4
Protection Boundary, all works shall comply with the relevant	
statutory requirements and practice notes. Detailed construction	
and monitoring proposals for railway structures and facilities shall	
be submitted for MTRCL's review and prior agreement before	
commencement of works. Works involving lifting appliances shall	
be positioned as far as possible away from the TMR and LR	
tracks/structure and MTRCL's prior agreement shall be sought.	

Responses

The views above are noted. According to the requirements stipulated in the Practice Note for Authorized Persons Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-24, general building plans (GBPs) submitted to the Buildings Department (BD) which involve railway protection areas will be circulated to MTRCL for comment under the centralised processing arrangements. Detailed checking for compliance with the Buildings Ordinance and PNAP APP-24 would be made at the GBP submission stage.

6. <u>Departmental Consultation</u>

- 6.1 The following B/Ds have been consulted and their comments have been incorporated in the above paragraphs, where appropriate:
 - (a) Secretary for Education;
 - (b) Commissioner for Transport;
 - (c) Chief Highway Engineer/Railway Development 1-1, Highways Department (HyD);
 - (d) Chief Engineer/Housing Projects 2, CEDD;
 - (e) Director of Food and Environmental Hygiene:
 - (f) Director of Housing;
 - (g) Director of Leisure and Cultural Services;
 - (h) Director of Social Welfare; and
 - (i) Chief Town Planner/Urban Design & Landscape, PlanD.
- 6.2 The following B/Ds have no comment on the representation:
 - (a) Secretary for Development;
 - (b) Secretary for Transport and Logistics;
 - (c) Secretary for Housing;

- (d) DEP;
- (e) Commissioner of Police;
- (f) Director of Agriculture, Fisheries and Conservation;
- (g) Director of Electrical and Mechanical Services;
- (h) Director of Fire Services;
- (i) Director of Health;
- (j) District Lands Officer/Tuen Mun, Lands Department (LandsD);
- (k) Chief Estate Serveyor/Railway Development, LandsD;
- (1) District Officer (Tuen Mun), Home Affairs Department;
- (m) Head of the Geotechnical Engineering Office, CEDD;
- (n) Chief Building Surveyor/New Territories West, BD
- (o) Chief Building Surveyor / New Territories East(2)& Rail, BD;
- (p) Chief Highway Engineer/New Territories West, HyD;
- (q) Chief Engineer/Mainland North, Drainage Services Department;
- (r) Chief Engineer/Construction, Water Supplies Department;
- (s) Chief Architect/Advisory and Statutory Compliance, Architectural Services Department;
- (t) Director-General of Civil Aviation; and
- (u) Project Manager (West), CEDD.

7. Planning Department's Views

- 7.1 The supportive views of **R1** on Item C1 and views of **R4** on Items C1 and C2 are noted.
- 7.2 Based on the assessments in paragraph 5.3 above, PlanD does not support R2 and R3 and considers that the OZP should not be amended to meet the representations for the following reasons:

Items A1 and A2

- (a) the Government has been adopting a multi-pronged approach to make available sufficient supply of housing land progressively to meet the acute demand for housing, including carrying out various land use reviews on an on-going basis. The representation sites which form part of the San Hing Road and Hong Po Road are located at the fringe of Tuen Mun New Town with existing public roads and supporting infrastructural facilities. It is considered appropriate for rezoning the representation sites for residential use with a view to increasing housing land supply (**R2**);
- (b) an Engineering Feasibility Study with Environmental Impact Assessment under the Environmental Impact Assessment Ordinance and other technical assessments on the potential impacts has been conducted and confirmed that there is no insurmountable technical problem in developing the representation sites for public housing development. Detailed tree preservation, removal and compensatory planting proposals will be further considered at the detailed design stage (**R2**);
- (c) the statutory plan-making process for the major portion of the San Hing Road and Hong Po Road public housing site which falls within the Lam Tei and Yick Yuen Outline Zoning Plan has been completed and the approved Lam Tei and Yick Yuen Outline Zoning Plan was published in 2022 (**R2 and R3**);

(d) the "Residential (Group A)" zone is intended to facilitate comprehensive public housing development to meet the acute demand for public housing, which is in-line with the government's prevailing housing policy. The proposal to use part of the Item A2 Site for private housing development would induce a substantial review on the development layout and associated technical assessments, resulting in a delay of the implementation programme of the planned public housing development. There is no strong planning justification for amending the Explanatory Statement of the Outline Zoning Plan to meet the representer's proposal (R3);

Item B

(e) an Engineering Feasibility Study with Environmental Impact Assessment under the Environmental Impact Assessment Ordinance and other technical assessments on the potential impacts has been conducted and confirmed that there is no insurmountable technical problem in developing the representation site for sewage pumping station. It is considered appropriate for rezoning the representation site for the sewage pumping station in support of the planned public housing development. The design of the proposed sewage pumping station will be further considered at the detailed design stage (**R2**);

Item C1

- (f) Item C1 is to take forward the decision of the Rural and New Town Planning Committee on the agreed s.12A application No. Y/TM/28 for commercial development with public car park, social welfare facility, footbridges and open space. The technical assessments undertaken by the applicant have demonstrated that the development proposal is feasible and sustainable in technical and infrastructural terms and visually compatible with the surrounding developments. It is considered appropriate to zone the site as "Commercial (2)" to facilitate early redevelopment of the site to commercial use and gradual revitalisation of the area (**R2**);
- (g) the operation of kindergartens in Hong Kong is market-driven. The provision of kindergarten will be further reviewed in the detailed design stage (**R2**);
- (h) the established practice for conducting both statutory and administrative public consultation has been followed during the process of the s.12A rezoning application and the publication of the draft Tuen Mun Outline Zoning Plan (R2);

Item C2

(i) the planning intention of the "Open Space" zone 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. It is considered appropriate to zone the site as "Open Space" to reflect the planned pet garden use and the as-built condition (R2); and

Items D and E

(j) Items D and E are to take forward the decisions of the Rural and New Town Planning Committee on two agreed s.12A applications No. Y/TM/25 and 26 to regularise the existing columbarium use on each of the site. The technical assessments undertaken by the applicants have demonstrated that, with the implementation of the proposed traffic and crowd management measures, the columbarium use would not have significant traffic impact on the surroundings. Future operation of the columbaria would be subject to licencing requirements under the Private Columbaria Ordinance (R2).

8. <u>Decision Sought</u>

- 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 Plan to meet/partially meet the representations.
- 8.2 Should the Board decide that no amendment should be made to the Plan to meet the representations, Members are also invited to agree that the Plan, together with their Notes and ES, are suitable for submission under section 8 of the Ordinance to the Chief Executive in Council.

9. Attachments

Annex I	Draft Tuen Mun OZP No. S/TM/38 (reduced size)
Annex II	Schedule of Amendments to the Approved Tuen Mun OZP No. S/TM/37
Annex III	List of Representers
Annex IV	Extract of Minutes of the RNTPC Meeting held on 22.9.2023
Annex V	Extract of Minutes of the TMDC Meeting held on 11.9.2023
Annex VI	Provision of Major Community Facilities and Open Space in the Tuen Mun OZP
Plan H-1a	Location Plan of Representation Sites under Items A1, A2, B, D and E
Plan H-1b	Location Plan of Representation Sites under Items C1 and C2
Plans H-2a to 2d	Site Plans
Plans H-3a to 3c	Aerial Photos
Plans H-4a to 4f	Site Photos
Plan H-5	Indicative Layout for SHR and HPR PRH Development
Plan H-6	R3's Proposed Development Site

PLANNING DEPARTMENT MARCH 2024