MPC Paper No. Y/H10/9D
For Consideration by the
Metro Planning Committee
on 6.4.2018

APPLICATION FOR AMENDMENT OF PLAN
UNDER SECTION 12A OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. Y/H10/9

Applicant	:	Mr. SAU Chi Ching
Plan	:	Approved Pok Fu Lam Outline Zoning Plan (OZP) No. S/H10/15 (in force when the application was submitted) Draft Pok Fu Lam OZP No. S/H10/16 (currently in force)
Site	:	Government land to the east of Chi Fu Fa Yuen, Pok Fu Lam
Site Area	:	34,852m^2 (about)
Land Status	:	Government land
Zoning	:	"Residential (Group B)" ("R(B)") (same on both OZPs No. S/H10/15 and S/H10/16)
Proposed Amendment	:	To rezone the application site to "Other Specified Uses" annotated "Eco-Heritage Park" ("OU(Eco-Heritage Park)")

1. The Proposal

1.1 The applicant proposes to amend the Pok Fu Lam OZP by rezoning a piece of government land to the east of Chi Fu Fa Yuen (the Site) from "R(B)" to "OU(Eco-Heritage Park)" with a view to developing the Site into a proposed eco-heritage park (**Plans Z-1** and **Z-2**).

1.2 According to the applicant, the "OU(Eco-Heritage Park)" zone is intended primarily for the development of an eco-heritage park to conserve and enhance the remaining heritage of the Old Dairy Farm therein, protect its natural habitats including the vast number of old and valuable trees and the unique landscape, and promote natural and heritage conservation and education. The applicant also proposes that there should be a general presumption against development under such zone unless it is required to support the conservation of the ecological feature and the heritage of the area. A set of new Notes for the zone as proposed by the applicant is attached at **Drawing Z-1**.

1.3 To illustrate his concept, the applicant has submitted an implementation plan and a master layout plan of the proposed eco-heritage park, which are attached at **Appendix If** and **Drawing Z-4** respectively. The proposal is mainly to preserve the Site, including its ecology, environment and heritage, in the form

of park with preservation works (such as repair and restoration of the Old Dairy Farm remains, upgrading of the walking trails and provision of signage posts and boards); management of the Site through regular monitoring, clean-up and removal of invasive plants; and promotion and education (such as provision of an information hub near the Site, park design competition, publication of pamphlets and organisation of workshops).

1.4 To illustrate the ecology and heritage value of the Site, the applicant has also submitted a survey each of the physical heritage of the Old Dairy Farm, valuable trees, freshwater creatures and bird species in the area. The applicant also suggests collaboration among the community, experts, non-government organisations (NGOs) and the relevant government departments to implement, manage and maintain the park. As the project is community-initiated with limited manpower and numerous parties are involved, the applicant has expected that at least three years would be required to fully implement the proposal.

1.5 In support of the application, the applicant has submitted the following documents:

(a)	Application form	(**Appendix I**)
(b)	Supplementary document	(**Appendix Ia**)
(c)	Email dated 24.8.2016 providing clarifications	(**Appendix Ib**)
(d)	Email dated 21.4.2017 providing further information (FI)	(**Appendix Ic**)
(e)	Email dated 20.9.2017 providing FI	(**Appendix Id**)
(f)	Email dated 15.12.2017 providing FI	(**Appendix Ie**)
(g)	Email dated 9.1.2018 providing FI *(not exempted from publication and recounting requirements)*	(**Appendix If**)

1.6 The Metro Planning Committee (the Committee) of the Town Planning Board (the Board) agreed in four previous occasions (11.11.2016, 17.2.2017, 14.7.2017 and 13.10.2017) to defer the consideration of the application for a total of eight months as requested by the applicant. After receiving the last FI on 9.1.2018, the application is scheduled for consideration by the Committee at this meeting.

2. Justifications from the Applicant

2.1 The justifications put forth by the applicant in support of the application are detailed in **Appendices Ia** to **If**. They can be summarised as follows:

Historical, Social and Architectural Significance

(a) as the dairy farm of the Old Dairy Farm Company was established in 1886 to supply affordable, clean and sustainable cow milk to Hong Kong in the past, the Site had significant influence to the overall development of Hong Kong. Since the closure of the farm in 1983, the remained properties within the Site have been abandoned and kept intact without any redevelopment (**Drawing Z-2**). A number of the surviving structures of the Old Dairy Farm within and in vicinity of the

Site have been graded by the Antiquities Advisory Board (AAB) and are important historic structures in their own right;

Ecological Significance

(b) the extremely high ecological value of the Site can be compared with that of the Tai Po Kau Nature Reserve. The Short-legged Toad, Lesser Spiny Frog and some freshwater creatures, which are found and identified near the streams in the Site, are classified under the International Union for Conservation of Nature and Natural Resources (IUCN) Red List of Threatened Species as endangered species and vulnerable species respectively. More than 60 birds species including some migratory birds are observed in the area;

(c) among the total of 54 trees surveyed and recorded in the area, there are at least 35 significant *Ficus microcarpa* meeting the standard of Old and Valuable Trees (**Drawing Z-3**). The density is unmatched by other areas in Hong Kong. Other protected tree species identified and recorded in the area are eight *Lagerstroemia fordii* and one *Aqualaria sinensis*;

Unique Landscape

(d) there are stonewalls estimated to be built in between the late 1880s to 1930s. The root systems of some old and valuable trees are attached to these stonewalls, forming the unique scenery and demonstrating the harmonious co-existence of man-made heritage and the natural environment. The stonewall trees growing from the paddocks are unseen elsewhere in Hong Kong;

Unique Geo-Heritage

(e) the geology of Pok Fu Lam is volcanic rocks in large scale fold structures which is uncommon in Hong Kong. The geology also underlies dramatic landscape features including the High West and Waterfall Bay. The landscape character of Pok Fu Lam has suffered much damage due to massive development projects over time and now risks further destruction. The Site is an integral and important component of the unique geo-heritage and landscape of Pok Fu Lam. Its natural beauty and the cultural landscape deserve conservation and rehabilitation as a valuable asset in the area; and

Need for Rezoning

(f) in view of the above, it is proposed to conserve the Site through the proposed rezoning to facilitate the development of the eco-heritage park for the heritage of the Old Dairy Farm, the natural habitats, unique geo-heritage and landscape of Pok Fu Lam, and also for providing an educational and recreational point of attraction to the public.

3. Compliance with the "Owner's Consent/Notification" Requirements

As the Site involves only government land, the "owner's consent/notification" requirements as set out in the Town Planning Board Guidelines on Satisfying the "Owner's Consent/Notification" Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31) are not applicable to the application.

4. Background

4.1 The Site, namely the Near Chi Fu Road site, was one of the six government sites in the southern part of Pok Fu Lam released for public housing developments through partial lifting of the administrative moratorium on development in Pok Fu Lam (i.e. the Pok Fu Lam Moratorium (PFLM)) as announced in the 2014 Policy Address. Other sites included Wah Fu North, Wah King Street, Wah Lok Path, Kai Lung Wan as well as the existing Wah Fu Estate (**Plan Z-6**). The proposed housing developments at the aforesaid five new sites would mainly serve as the reception resources for the redevelopment of Wah Fu Estate and, upon their full developments and the redevelopment of Wah Fu Estate, a total of about 11,900 additional public housing units would be provided.

4.2 Based on the findings of the feasibility study for the proposed public housing developments at the five new sites conducted by the Civil Engineering and Development Department (CEDD), the original housing site boundaries were revised so as to minimise delay to the implementation programme of the proposed housing developments in view of, among other things, the uncertainties of the impacts and associated mitigation measures on the ecology and the Old Dairy Farm remains within the Site. As a result, no public housing development at the Near Chi Fu Road site has been proposed (**Plan Z-6**).

4.3 On 25.8.2017, the Committee agreed to the proposed amendments of the draft Pok Fu Lam OZP to rezone the five new sites to "Residential (Group A)" ("R(A)") and "R(A)1" to facilitate the proposed public housing developments. No amendment to the zoning of the Site was proposed. On 15.9.2017, the draft Pok Fu Lam OZP No. S/H10/16 was gazetted under section 5 of the Town Planning Ordinance (the Ordinance) for public inspection.

4.4 A total of 63 remaining structures of the Old Dairy Farm have been identified by the Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department (LCSD) for grading assessment by AAB. Among those structures, five Grade 3 structures and five nil grade structures (as confirmed by AAB on 7.9.2017, 7.12.2017 and 22.3.2018 respectively) are located within the Site (**Plan Z-7**).

5. Previous Application

There is no previous application for amendment of the Pok Fu Lam OZP in respect of the Site.

6. Similar Application

There is no similar application for amendment of the Pok Fu Lam OZP.

7. The Site and its Surroundings (Plans Z-1 to Z-3 and photos on Plans Z-4 and Z-5)

7.1 The Site is:

(a) vacant with dense vegetation cover and scattered structures of the Old Dairy Farm, including five Grade 3 and five nil grade structures;

(b) bounded by Chi Fu Road to the west, Yar Chee Villa to the southwest and natural vegetated slopes to the north, east and south; and

(c) accessible only by walking trails from the restricted road extended from Pok Fu Lam Road to the south. There is a drop of about 10m in site level from the section of Chi Fu Road along the site boundary.

7.2 The surrounding areas have the following characteristics:

(a) to the west across Chi Fu Road is Chi Fu Fa Yuen and to the immediate southwest is Yar Chee Villa, both are low to medium-density private residential developments zoned "R(B)";

(b) to the immediate north, east and south are vegetated slopes zoned "GB" and the Kai Lung Wan Fresh Water Service Reservoir zoned "Government, Institution or Community" ("G/IC") as well as the two new public housing sites zoned "R(A)1" and "R(A)" to the further south along Pok Fu Lam Road and Shek Pai Wan Road;

(c) to the further south and southwest across Pok Fu Lam Road are the existing public housing developments, namely Wah Fu Estate, Wah Kai Estate and Ka Lung Court, as well as two existing private residential developments zoned "R(A)" and the three new public housing sites along Pok Fu Lam Road, Shek Pai Wan Road and Wah King Street zoned "R(A)", and several government, institution and community (GIC) developments zoned "G/IC"; and

(d) to the further north and northeast is the Pok Fu Lam Country Park zoned "Country Park".

8. Planning Intention

The "R(B)" zone is intended primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.

9. Comments from the Relevant Government Departments

9.1 The following government departments have been consulted and their views on the application are summarised as follows:

Land Administration

9.1.1 Comments of the District Lands Officer/Hong Kong West & South, Lands Department (DLO/HKW&S, LandsD):

(a) no comment on the application;

(b) the Site falls the PFLM Area and within unleased and unallocated government land, slope feature nos. 11SW-C/R109 being maintained by the Highways Department, 11SW-C/C966, 11SW-C/DT28, 11SW-C/FR409 and 11SW-C/R628 being maintained by the Slope Maintenance Section of LandsD, and three AMO structures with Historical Building No. AM93-0539(11), AM93-0539(13) & AM93-0539(28); and

(c) the proposed preservation scheme and recreational/ accommodation facilities are outside the purview of LandsD and LandsD is not in a position to comment.

Heritage Conservation

9.1.2 Comments of the Commissioner for Heritage's Office, Development Bureau (CHO, DEVB) and AMO, LCSD:

(a) no objection in-principle, given there will not be any proposed demolition of historic relics and structures;

(b) it is noted from the implementation plan of the eco-heritage park (**Appendix If**) that a number of remaining structures of the Old Dairy Farm would be preserved in situ and featured in the proposed eco-heritage park within the Site and the associated heritage trail. Since both the eco-heritage park and the heritage trail are in their conceptual stage with only a preliminary list of the proposed works items (e.g. repair and restoration works, cleaning up and signage posts), AMO would offer comment from the heritage conservation perspective when the detailed works/design proposals are available in the implementation stage. The implementation and management of parks, however, do not fall within AMO's purview;

(c) the AAB has completed the grading assessment of the remaining structures of the Old Dairy Farm in Pok Fu Lam area (totalling 63 items). Some of these 63 items have been accorded Grade 2 or Grade 3 status while the rest have been accorded Nil Grade status. Ten out of these 63 items (including five items with Grade 3 status, and the other five

Nil Grade status) are located within the Site; and

(d) government-owned historic buildings/structures are normally managed by user departments. Where such buildings/ structures have yet to be allocated to a user department, they are normally managed by LandsD. Generally speaking, should bureaux/departments do not have particular use of a certain historic building/structure, and such building/structure has limited commercial viability, they may consider putting that building/structure under the Revitalising Historic Buildings Through Partnership Scheme (R-Scheme) subject to other considerations as well. One example is the Old Dairy Farm Senior Staff Quarters at 141 Pok Fu Lam Road which will be revitalised as the "Pokfulam Farm" under the R-Scheme. At the moment, CHO does not have any plan to put the aforementioned five Grade 3 items under the R-Scheme. On the other hand, it is not uncommon not to interrupt government-owned historic buildings/structures. Moreover, initiatives to revitalise government-owned historic buildings/structures do not necessarily come from the CHO and/or AMO. Should there be any initiatives, AMO is prepared to offer comments from the heritage conservation perspective to the relevant departments/project proponents.

Ecological Conservation

9.1.3 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

(a) the Site is a naturally vegetated area. It is currently zoned "R(B)" on the Pok Fu Lam OZP which is intended for residential development. The proposed "OU(Eco-Heritage Park)" which involves preservation of the natural habitats and proposed facilities of only a limited scale, is no doubt more favourable from the nature conservation perspective. He has no strong view on the application; and

(b) the Agriculture, Fisheries and Conservation Department (AFCD) would not take up the implementation and management of the proposed eco-heritage park and facilities.

9.1.4 Comments of the Director of Leisure and Cultural Services:

(a) no adverse comment on the application based on the understanding that no recreation facility nor amenity under the purview of LCSD will be affected;

(b) in accordance with the requirements of the Hong Kong Planning Standards and Guidelines, there is a surplus of open space in the Southern District. The existing provision of open space in the district is considered sufficient;

(c) the Leisure Service Branch of LCSD is mainly to provide

leisure facilities and sports related programs/activities for the community. In view that the nature and scope of the applicant's proposal is related to the ecological and heritage, they are not in the position to offer comment;

(d) the Site is proposed to be rezoned to "OU(Eco-Heritage Park)". LCSD has no comment on the rezoning and has no intention to take up the future development and management of site; and

(e) as the scope of the application is still at the preliminary stage, LCSD reserves the right to give further comment should there be any development of the case.

Traffic

9.1.5 Comments of the Commissioner for Transport (C for T):

as only limited information is provided in the conceptual scheme, he can only provide comments when more information is available. The information should include but not limited to the design of access road, proposed location and size of parking areas.

Visual and Landscape

9.1.6 Comments of the Chief Town Planner/Urban Design and Landscape, (CTP/UD&L), PlanD:

Visual

(a) judging from the submitted information, Column 1 uses of the proposed "OU(Eco-Heritage Park)" zone would only cover nature reserve and nature trail, and there is a general presumption against development unless it is required to support the conservation of the ecological feature and the heritage of the area. It is not anticipated that there would be significant adverse visual impact arising from the proposal on the surrounding area;

Landscape

(b) according to the submitted information and aerial photo of 1.1.2015, the Site is a valley with dense vegetation cover, including approximately 35 numbers of large mature *Ficus microcarpa*, five numbers of large mature *Ficus elastica* and eight numbers of the protected species *Lagerstroemia fordii* found within or near the Site. The proposed rezoning is considered not incompatible with the existing landscape character; and

(c) however, she has some reservation on the application from the landscape planning perspective as the landscape impact cannot be reasonably assessed due to insufficient information on the scope of the proposed development, illustration of schematic proposal, preliminary technical assessment as well

as detailed survey of existing trees and vegetation within the Site.

Environment

9.1.7 Comments of the Director of Environmental Protection (DEP):

(a) no adverse comment on the application in this stage;

(b) it is noted that **Appendices Ie** and **If** comprise minor clarification on the record of freshwater creatures found in the Site and an implementation plan of the proposed eco-heritage park including a revised master layout plan. There is no specific design detail for the proposed park in the submission and he notes that the applicant has proposed to initiate a competition for design of the proposed park by inviting the public to submit proposals in the later stage;

(c) with reference to the proposed Schedule of Use for the "OU(Eco-Heritage Park)" zone (**Drawing Z-1**), only 'Nature Reserve' and 'Nature Trail' are included in the proposed Column 1 use (i.e. uses always permitted), and the other relevant uses such as 'Field Study/Education/Visitor Centre', 'Government Refuse Collection Point', 'Government Use (not elsewhere specified)', 'Public Utility Installation' and 'Public Convenience' are listed under Column 2 use (i.e. uses that may be permitted with or without conditions on the application to the Board). With this respect, he understands that DEP's advice would be sought in the event there is planning application submitted for the proposed Column 2 uses in the future;

(d) on the other hand, he understands that the uses that are not mentioned under Column 1 or Column 2 of the proposed Schedule of Use would not be permitted in the event that the application is approved by the Board (e.g. barbecue areas and sleepover huts that were suggested in the original conceptual design (Appendix M of **Appendix Ia**) but were not included in the latest revised master layout plan (**Drawing Z-4**)), unless a separate planning application to amend the Schedule of Use of the zoning is submitted to and accepted by the Board in the future. In this connection, he understands that DEP's advice will be sought if there is separate planning application to amend the Schedule of Use; and

(e) the intention of the proposed zoning, which is conservation and preservation in nature, is not incompatible with the surrounding environment. Besides, although there is no specific design of the proposed park at this stage, he notes that there is mechanism for DEP to provide advice on the potential uses other than 'Nature Reserve' and 'Nature Trail' in the proposed park in the later stage as stated in sub-paragraphs (c) and (d) above.

Natural Terrain and Geology

9.1.8 Comments of the Head of the Geotechnical Engineering Office (H(GEO)), CEDD:

(a) no objection to the application;

Natural Terrain

(b) the Site is overlooked by steep natural terrain to its north and northeast and meets the Alert Criteria requiring a natural terrain hazard study (NTHS). If the proposed development involves Group 1 to Group 3 facilities under the Alert Criteria for a NTHS (such as the sleepover huts, exhibition hall, and the new building for café and bakery as mentioned in Appendix M of **Appendix Ia**), a NTHS is required and the necessary mitigation measures should be provided as part of the development;

Geological

(c) according to the published 1:20,000 geological map, the Site is underlain by fine ash vitric tuff of the Ap Lei Chau Formation and colluvium. Similar geology is common in the western and southwestern Hong Kong Island including Pok Fu Lam, Wah Fu, High West, Mount Kellett and Aberdeen;

(d) the large-scale fold structures in the western and southwestern part of the Hong Kong Island as shown on the geological map were interpreted and delineated based on the orientation of flow fabrics in the volcanic rocks in the region. These are not readily observable on a local scale, such as within the Site;

(e) the aerial photos also show that the Site has been disturbed with buildings and roads since the 1960s, and no major rock outcrops are observed within the Site; and

(f) in view of (c) to (e) above, the large-scale fold structures described in the application are not well-exposed or preserved within the Site. Therefore, the applicant needs to provide further information to substantiate the geological significance of the Site.

District Officer's View

9.1.9 Comments of the District Officer (Southern), Home Affairs Department (DO(S), HAD):

she did not receive any comment from the public during the public inspection period, and she has no comment on the application.

9.2 The following government departments have no comment on the application:

(a) Director of Housing;
(b) Chief Engineer/Special Duties (Works), CEDD;

(c) Commissioner of Police;
(d) Chief Building Surveyor/Hong Kong West, Buildings Department;
(e) Chief Architect/Central Management Division 2, Architectural Services Department;
(f) Chief Highway Engineer/Hong Kong, Highways Department;
(g) Chief Engineer/Construction, Water Supplies Department;
(h) Chief Engineer/Hong Kong & Islands, Drainage Services Department; and
(i) Director of Fire Services.

10. Public Comments Received During Statutory Publication Period

10.1 During the statutory public inspection periods of the application (from 26.8.2016 to 17.9.2016) and the FI dated 9.1.2018 (from 19.1.2018 to 9.2.2018), a total of 5,083 public comments were received from a Southern District Council member, some concern groups, an NGO, some local residents and the general public. Out of the public comments, there are 5,081 supporting the application (including 1,844 standard letters collected from a petition launched by the Chi Fu Fa Yuen Residents' Association and 3,166 standard on-line submission form), one objecting to the application and one providing comment. A full set of public comments received are at **Appendix II** for Members' inspection.

10.2 Some public comments related to the previous public housing proposal at the Site have been overtaken by event in view of HD's latest proposal as set out in paragraph 4.2 above. Major views of the remaining public comments can be summarised as follows:

Supportive Comments

(a) the proposed rezoning of the Site will preserve the Old Dairy Farm remains which have social, historical and architectural significance to Hong Kong;

(b) it will protect the cluster of old and valuable trees, the endangered species and the habitat of birds;

(c) it will protect the ecological system or even enhance the ecological value of the and the surroundings;

(d) it will protect Pok Fu Lam's unique geo-heritage and landscape;

(e) it can provide an educational and recreational point of attraction to the public and tourists with appropriate management;

(f) its public gain is comparable to that of housing development;

(g) it will commensurate the surroundings including Pok Fu Lam Country Park, Mount Kellett, reservoirs, other remains of the Old Dairy Farm and Pok Fu Lam Village;

(h) as the Convention on Biological Diversity has been extended to Hong Kong, the government's conservation policy and measures should be in line with the objectives of the Convention;

(i) the Site and the adjacent "GB" zone are not suitable for residential development, as the road network of the Pok Fu Lam area cannot accommodate additional traffic flow. The proposed residential development at the Site will cause irrecoverable and permanent loss to Hong Kong;

(j) there are suggestions to redevelop Wah Fu Estate in-situ and requests for alternative sites to facilitate WFER;

Opposing Comments

(k) instead of submitting the rezoning application, the applicant should write to LandsD for consent to use the Site for the eco-heritage park and apply for declaration of the Old Dairy Farm as a monument first;

(l) since the land for residential development is scarce, the interest of the government and the right of Hong Kong citizen for residential development should not be deprived;

(m) approval of the application will have a flood gate effect for subsequent cases, as people would submit rezoning application for adjacent government land for their own interest;

Other Comments

(n) preservation and restoration of the buildings/structures of the Old Dairy Farm should be carried out by HD in the future public housing development;

(o) the design of the eco-heritage park should minimise disturbance to the local residents. Should there be a new vehicular access from the Near Chi Fu Road site, restricted access may be required; and

(p) the implementation of the South Island Line (West) should tie in with the proposed public housing developments to reduce road traffic in the Pok Fu Lam area.

11. Planning Considerations and Assessments

11.1 The applicant proposes to rezone the Site from "R(B)" to "OU(Eco-Heritage Park)" zone for development of the eco-heritage park to conserve and enhance the remaining heritage of the Old Dairy Farm, protect the natural habitats and promote natural and heritage conservation and education.

Land Use

11.2 The Site has been zoned "R(B)" since the first Pok Fu Lam OZP No. S/H10/1 gazetted on 28.2.1986. It is intended primarily for medium-density residential

developments. It was one of the six government sites released for public housing developments through the partial lifting of PFLM in 2014 in order to serve as one of the reception resources for the redevelopment of Wah Fu Estate. CEDD has undertaken a feasibility study for the proposed public housing development. Taking into account the findings of the CEDD's feasibility study, the Site was subsequently excluded from the proposed housing development in order to minimise the delay to its implementation programme due to the uncertainties of the impacts and associated mitigation measures on the ecology and the Old Dairy Farm remains within the Site at that time.

11.3 As mentioned in paragraph 4.4 above, there are five Grade 3 historic structures within the Site as confirmed recently by AAB. In view of this and the ecological concerns as identified by the CEDD's feasibility study, further technical assessments including heritage impact assessment and ecological impact assessment would be required to ascertain the possible adverse impacts if the Site is to be developed for residential use and the appropriate mitigation measures, if any. As technical assessments have not yet been undertaken, it is considered premature at this stage to conclude that the current "R(B)" zoning of the Site is not suitable.

Implementability

11.4 The applicant has submitted an implementation plan (**Appendix If**) and a master layout plan (**Drawing Z-4**) to demonstrate the feasibility of the proposed eco-heritage park. However, there are only limited information available on the proposed park, e.g. upgrading and enhancement to the existing site conditions and environment, improvements to the connectivity, preservation of historic structures (including the repair and restoration of the Old Dairy Farm remains) and provision of information centre near Chi Fu Road. In this connection, AMO, TD and CTP/UD&L, PlanD consider that they could not offer their comments on the proposed park from the heritage conservation, traffic and landscape aspects at this stage.

11.5 The applicant has also proposed under his implementation plan that collaboration among the community, experts, NGOs and the relevant government departments is required to implement, manage and maintain the proposed eco-heritage park. However, there is no policy support from the relevant bureaux for the proposed park. In addition, LCSD and AFCD have already indicated that they would not take up the development and management of the proposed park. In this connection, the applicant has also not identified other agent, such as NGO, to take the lead in the implementation of the proposed park. Hence, it is not clear how the proposed park could be implemented and rezoning the Site to "OU(Eco-Heritage Park)" zone is considered not appropriate.

Public Comments

11.6 The majority views of the public comments are in support of the application mainly on the grounds that the heritage and ecological significance of the Site could be preserved. The planning assessments in the above paragraphs 11.2 to 11.5 are relevant. As for the concern on the Convention on Biological Diversity, AFCD advises that the Convention was extended to Hong Kong in

2011 and Hong Kong has already adopted a nature conservation policy and a wide range of measures in line with the objectives of the Convention.

12. Planning Department's Views

12.1 Based on the assessment made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10 above, PlanD does not support the application for the following reasons:

(a) as the applicant fails to demonstrate that the site is not suitable for residential use, it is premature to conclude that the current "R(B)" zoning of the site is not suitable; and

(b) there is no policy support for the proposed eco-heritage park and the applicant fails to demonstrate the implementability of the proposal. As such, it is considered inappropriate to rezone the site to "OU(Eco-Heritage Park)" zone.

12.2 Alternatively, should the Committee decide to agree to the application and incorporation of the rezoning proposal into the OZP, amendments to the draft Pok Fu Lam OZP No. S/H10/16 would be submitted to the Committee for agreement prior to gazetting under section 7 of the Ordinance.

13. Decision Sought

13.1 The Committee is invited to consider the application and decide whether to agree, partially agree, or not to agree to the application.

13.2 Should the Committee decide not to agree or partially agree to the application, Members are invited to advise what reason(s) for the decision should be given to the applicant.

14. Attachments

Appendix I	Application form received on 12.8.2016
Appendix Ia	Applicant's supporting document
Appendix Ib	Applicant's email dated 24.8.2016
Appendix Ic	Applicant's email dated 21.4.2017
Appendix Id	Applicant's email dated 20.9.2017
Appendix Ie	Applicant's email dated 15.12.2017
Appendix If	Applicant's email dated 9.1.2018
Appendix II	Public comments received during the statutory publication period
Drawing Z-1	Proposed schedule of uses of the "OU(Eco-Heritage Park)" zone
Drawing Z-2	Location plan of the buildings/structures of Old Dairy Farm
Drawing Z-3	Topographical plan
Drawing Z-4	Master layout plan of the eco-heritage park
Plan Z-1	Location plan
Plan Z-2	Site plan
Plan Z-3	Aerial photo
Plan Z-4 and 5	Site photos

Plan Z-6	Five government sites and Wah Fu Estate
Plan Z-7	Historic structures of the Old Dairy Farm

PLANNING DEPARTMENT
APRIL 2018