

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/MOS/125**

- Applicant** : Prolong Limited represented by Llewelyn-Davies Hong Kong Limited
- Site** : Various Lots in D.D. 167 and Adjoining Government Land, Nai Chung, Ma On Shan, New Territories
- Site Area** : 25,629 m<sup>2</sup> (about) (including Government Land of about 10,996 m<sup>2</sup>)
- Lease** : (a) Various lots in D.D. 167 (about 14,633 m<sup>2</sup> or 57%) under old scheduled agricultural lots  
  
(b) Government land (about 10,996 m<sup>2</sup> or 43 %)
- Plan** : Draft Ma On Shan Outline Zoning Plan (OZP) No. S/MOS/23  
[Approved Ma On Shan OZP No. S/MOS/22 at the time of submission. The zoning of the application site remains unchanged on the draft OZP.]
- Zoning** : “Other Specified Uses” annotated “Educational and Recreational Development” (“OU(ERD)”) subject to  
- maximum Gross Floor Area (GFA): 17,800 m<sup>2</sup>  
- maximum Building Height (BH): 7 storeys
- Application** : Proposed School with Recreational Area

**1. The Proposal**

- 1.1 The applicant seeks planning permission for a proposed private/international school with recreational area at the application site (the Site) (**Plan A-1**). According to the Notes of the OZP, while recreational uses including ‘Park and Garden’ and ‘Playground/Playing Field’ are always permitted within the “OU(ERD)” zone, ‘School’ use requires planning permission from the Town Planning Board (the Board).
- 1.2 The proposed private/international school development with nursery/ kindergarten, primary and secondary sections will provide 29 classrooms and open space for outdoor learning and collaborative activities. It consists of two

building blocks with building heights from 5 to 7 storeys which are generally stepping down towards the waterfront. Internal transport facilities including car parking, loading/unloading and drop-off/pick-up spaces will be located at the basement level. Peripheral planting strips will be provided along the site boundary. The layout plan, block, floor and section plans of the proposed school submitted by the applicant are shown in **Drawings A-1 to A-11**.

- 1.3 A recreational area (about 1,800 m<sup>2</sup>) is proposed with a combination of active and passive recreational facilities for public use in the north-eastern portion of the Site facing the waterfront. There will be three one-storey building structures (about 4.15 m in height) to accommodate the facilities necessary to support the operation of the recreational area. It connects the existing footpath along the coastal area to the north-east of the Site maintained by the Home Affairs Department (HAD) and is accessible from the public transport facilities along Sai Sha Road. The opening hours for public will be from 7am to 8pm daily. According to the applicant, the future school operator will be responsible for the management and maintenance of the proposed recreational area. Low-rise and permeable fencing will be provided for security purpose and clear delineation between the recreational area and the existing footpath. To enhance the pedestrian environment along the waterfront, part of the fencing along the northern development site boundary will be setback by 1.5 m. The layout and design of the proposed recreational area is shown on the Conceptual Landscape Master Plan and the Blow-Up Plan of the Recreational Area in **Drawings A-12 and A-13**. The proposed development is anticipated to be completed by 2025.
- 1.4 The Site is accessible via Nin Ming Road and Nin Wah Road connecting to Sai Sha Road. A setback of 0.5 m to 1 m of the Site, subject to detailed design, along Nin Ming Road and Nin Wah Road is proposed by the applicant to form a footpath with a total width of 4.5 m (**Drawing A-14**).
- 1.5 According to the applicant's tree survey submitted, there are 277 and 11 trees recorded within and outside the Development Site respectively. Eight trees are proposed to be retained while six and 274 trees are proposed to be transplanted and felled (including eight dead trees) respectively. To compensate for the loss of woodland habitat, a woodland (about 1,490 m<sup>2</sup>) with 90 native woodland trees is proposed at the western part of the Site. For the remaining parts of the Site, 352 heavy standard sized trees are also proposed for compensation (**Drawing A-12**).

1.6 Major development parameters of the proposed development are as follows:

	<b>Development parameters</b>
Total Site Area	About 25,629 m <sup>2</sup>
Development Site Area <sup>1</sup>	About 23,681 m <sup>2</sup> (including about 1,800 m <sup>2</sup> of recreational area)
Gross Floor Area (GFA)	Not exceeding 17,800 m <sup>2</sup> (including three one-storey building structures each with a size of 25 m <sup>2</sup> in the recreational area)
No. of Storeys	Not exceeding 7 (including one basement carpark)
Site Coverage	Not exceeding 25%
Building Height	Not exceeding 34 mPD
Total Number of Classrooms including	29
- <i>Nursery/Kindergarten</i>	5
- <i>Primary School</i>	12
- <i>Secondary School</i>	12
No. of Car Parking Spaces and Layby	
- Private car park (for staff)	19
- Private car/taxi laybys	60
- School bus laybys	18

Note 1: The Development Site excludes strips of land along Nin Ming Road and Nin Wah Road and the existing footpath under HAD's maintenance along the waterfront.

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

- (a) application form received on 23.9.2019 **(Appendix I)**
- (b) supplementary planning statement attached to the application form **(Appendix Ia)**
- (c) Further Information (FI) received on 11.12.2019 providing responses to departmental comments and Ecological Impact Assessment # -
- (d) FI received on 3.1.2020 providing responses to departmental comments, revised Traffic Impact Assessment, Geotechnical Planning Review Report, Landscape Master Plan, Landscape Design and Tree Preservation Proposal, revised floor/section plans and replacement pages of Sewerage Impact Assessment, Drainage Impact Assessment and Environmental Review # -

- (e) FI received on 5.6.2020 providing responses to departmental comments, revised Traffic Impact Assessment, revised floor plans, development schedule, and revised pages of Landscape Design Proposal, Tree Survey and Preservation Report, Environmental Assessment, Quantitative Risk Assessment and Drainage Impact Assessment # -
- (f) FI received on 3.9.2020 providing responses to departmental comments, revised Landscape Design and Tree Preservation Proposal and consolidated Planning Statement with Technical Assessments covering all previous submissions in one report which serves to supersede all previous submissions ^ **(Appendix Ib)**
- (g) FI received on 6.10.2020 providing responses to departmental comments, revised Landscape Master Plan, Blow-up Plan of Recreational Area and Landscape Section, an Indicative Layout Plan, replacement pages of Landscape Design and Tree Preservation Proposal, Environmental Assessment, Drainage Impact Assessment, Sewerage Impact Assessment and Planning Statement ^ **(Appendix Ic)**
- (h) FI received on 20.10.2020 providing clarification on the development proposal, namely the building height of the building structures and the opening hours of the proposed Recreational Area, and site coverage and setback distance of the development site ^ **(Appendix Id)**

*^ accepted and exempted from publication and recounting requirements*

*# accepted but not exempted from publication and recounting requirements*

- 1.8 On 15.11.2019 and 26.5.2020, the Rural and New Town Planning Committee (the Committee) of the Board agreed to the applicant's request to defer making a decision on the application each for two months to allow time for the applicant to prepare FI in support of the application. In light of special work arrangements for government departments due to novel coronavirus infection, the meeting originally scheduled for 24.7.2020 for consideration of the application has been rescheduled, and the Board has agreed to defer consideration of the application on 1.9.2020 for further 2 months. After the deferral, the applicant submitted FI on 3.9.2020, 6.10.2020 and 20.10.2020 and the application is scheduled for consideration by the Committee on 23.10.2020.

## 2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the supplementary planning statement and FIs received at **Appendices 1a to Id**. They can be summarized as follows:

- (a) the provision of private/international school contributes to the Government's continuous effort in nurturing and attracting talents to help maintain Hong Kong as an Asia's world city and International Innovation and Technology Hub. The proposed school campus can provide the necessary infrastructure and facilities tailor-made for the alternative curriculum due to its flexibility in design;
- (b) the new private/international school can support the needs of the new and emerging community from the approved comprehensive development in Sai Sha looking for alternative and western-style education;
- (c) the proposed school development and the recreational area for public enjoyment are fully in line with the planning intention and the development parameters of the "OU(ERD)" zone;
- (d) the proposed public recreational area would serve as a buffer between the proposed school development and the existing public footpath to facilitate a better interfacing with the shore. It would also seamlessly connect the existing footpath with a welcoming design to create synergy to form a recreational node and enhance the waterfront;
- (e) the size of the proposed public recreational area is in line with the design and management guidelines for public open space in private developments issued by Development Bureau and comparable with other existing public open space within school development in Hong Kong. The proposed public recreational area is justified and considered optimal in terms of size;
- (f) the design of blocking layout and disposition of the proposed school development is compatible with the existing and planned surrounding context. The variation in building heights could avoid a monotonous skyline and building blocks are broken up into clusters to ensure permeability;
- (g) the provision of internal transport facilities at the basement has addressed the traffic demand and the technical assessments have also confirmed that the proposed development would be sustainable in technical and infrastructural terms;
- (h) the Development Site has already been retreated from the existing boulder shore as well as mangroves. They will be kept intact and there would be no potential impact on concerned features. No site formation works will be carried out beyond the site boundary and encroach onto the adjacent "Green Belt" ("GB") zone; and

- (i) the applicant has fully secured land ownership of all private lots within the Site and hence warranting timely implementation of the proposed development tentatively by 2025.

### **3. Compliance with the “Owner’s Consent/Notification” Requirements**

The applicant is the sole “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection. For the adjoining Government land, the “owners’ 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) is not applicable.

### **4. Background**

- 4.1 The Site, which is situated at the Nai Chung coastal area fronting the Tolo Harbour (**Plans A-1 and A-2**), was originally zoned “GB” on the draft Ma On Shan OZP No. S/MOS/1 in 1991 and subsequently rezoned as “Recreation” on the draft Ma On Shan OZP No. S/MOS/2 in 1994, which was intended for a low-rise low-intensity recreational development for active recreation and/or tourism and public enjoyment of the scenic waterfront.
- 4.2 The Site was the subject of a previous rezoning request No. Z/MOS/4 for the rezoning of the Site under the draft Ma On Shan OZP No. S/MOS/9 from “Recreation” to “Government, Institution or Community” (“G/IC”) to facilitate a proposed international school and public recreational development. According to that indicative scheme, the proposed school development is 7 storeys in height with a total GFA of 17,800 m<sup>2</sup>. Considering that the proposed international school development was compatible with the surrounding areas including Li Po Chun United World College while the coastal area would be retained for public recreational uses, the application was partially agreed by the Rural and New Town Planning Committee on 12.7.2002 and the area was rezoned to “OU(ERD)” on the draft Ma On Shan OZP No. S/MOS/10 gazetted on 13.9.2002. Under the Notes of the OZP, development within this zone is subject to maximum GFA and BH restrictions of 17,800 m<sup>2</sup> and seven storeys respectively and the submission of a layout plan to provide the development details to the Board for approval. Since the Site was rezoned to “OU(ERD)” in 2002, no planning application for proposed school and public recreational development at the Site has been received.

## 5. **Previous Application**

The Site was also the subject of three previous s.12A planning applications No. Z/MOS/6, Y/MOS/3 and Y/MOS/4 submitted by the same applicant in 2005, 2013 and 2016 but were all subsequently withdrawn:

- (a) Application No. Z/MOS/6 for proposed rezoning of the Site from “OU(ERD)” to “OU” annotated “Recreational and Low-Density Residential Development” to facilitate a proposed low-density residential development and a public recreational area.
- (b) Application No. Y/MOS/3 for proposed rezoning of the Site from “OU(ERD)” to “Residential (Group C)3” and “Open Space” to facilitate a proposed low-density residential development and a public open space.
- (c) Application No. Y/MOS/4 for proposed rezoning of the Site from “OU(ERD)” to “Residential (Group C)4”, “Government, Institution and Community” and “Green Belt” to facilitate a proposed low-density residential development and a primary school.

## 6 **Similar Application**

There is no similar application within the same “OU(ERD)” zone on the OZP.

## 7. **The Site and Its Surrounding Areas (Plans A-1 and Plan A-2, aerial photo on Plan A-3 and site photos on Plans A-4 to A-6)**

7.1 The Site is:

- (a) located on the hillside of a wooded knoll in Nai Chung which is located to the northeast of the Ma On Shan town centre;
- (b) partly vacant, partly covered by vegetation, and occupied by works area at its western tip;
- (c) accessible by Nin Ming Road to the south; and
- (d) abutting an existing footpath with a width of about 1.5 m to 7.5 m along the waterfront.

7.2 The surrounding areas have the following characteristics:

- (a) to the immediate north-west is an existing wooded knoll zoned “GB” where the Nai Chung Site of Special Scientific Interest (SSSI) is at the northern

fringe of the “GB” zone;

- (b) to the west are various GIC uses including Helping Hand Care Home for the Elderly, Cheung Muk Tau Holiday Centre for the Elderly, Outward Bound Alumni Association Outdoor Activities Centre and Li Po Chun United World College;
- (c) to the immediate southeast is the existing Sai O Off-take and Pigging Station and the proposed Sai O Sewage Pumping Station; to the south across Nin Ming Road is Hong Kong Baptist Theological Seminary and to the further south across Sai Sha Road is the village type development of Sai O; and
- (d) to the southwest across Nin Wah Road is the low-density residential development of Villa Concerto of Symphony Bay zoned “R(C)1” with PR of 1 and BH of 36 mPD (about 8 storeys) and to the further southwest across Sai Sha Road are the low-density residential development of Villa Rhapsody of Symphony Bay zoned “R(C)2” with PR of 1.5 and BH of 55 mPD (about 13 storeys) and the village type development of Cheung Muk Tau.

## **8. Planning Intention**

The planning intention of the “OU(ERD)” zone is primarily to provide land for educational and recreational development. Recreational uses compatible with the overall setting of the area are permitted as of right. The development of a school in this zone requires planning permission from the Board in order to ensure adequate planning control on the proposed use through the submission of layout plan. For any development on this site, special attention should be made to ensure no adverse impact on the surrounding environment (particularly the Nai Chung SSSI).

## **9. Comments from Relevant Government Departments**

- 9.1 The following Government departments have been consulted and their views on the application are summarized as follows:

### **Land Administration**

- 9.1.1 Comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD):

- (a) no objection to the application;



- (b) the Site comprises both Government land and private lots. The private lots involved are governed by Block Government Lease (demised for agricultural use); and
- (c) should the application be approved by the Board, the applicant is required to submit a land exchange application for implementation of the development proposal. There is no guarantee that such application will be approved by LandsD. If it is approved by LandsD acting in its capacity as the landlord at its absolute discretion, it will be subject to such terms and conditions, including but not limited to payment of premium and administrative fee, as may be imposed.

### **Traffic**

#### 9.1.2 Comments of the Commissioner for Transport (C for T):

he has no adverse comment on the application from traffic engineering viewpoint subject to the following conditions:

- (a) the applicant shall be responsible for the design and implementation of all the proposed measures, including footpath, pedestrian crossing facilities, etc.;
- (b) sufficient teachers/administrative staff shall be deployed to ensure the efficient use of the pick-up/drop off facilities inside school area;
- (c) the school shall by all means ensure all pick-up/drop off activities would be carried out within the school area; and
- (d) when the buffer area is used for queuing, the two lane two-way access ramp would become one lane two-way access. The school shall deploy sufficient staff for traffic management.

### **School Development**

#### 9.1.3 Comments of the Secretary for Education (S for Education):

- (a) under the prevailing policy, a school should be registered as international school before it may be named as an international school. However, neither the applicant nor any of its associates is an international school operator in Hong Kong. Hence, no support is yet given to the proposed development from international school development perspective;

- (b) new operators of international schools are welcomed to join the sector through the school allocation exercises. An existing private school may also be recognized as an international school if a detailed school proposal could be submitted to demonstrate that the school has met S for Education's requirements and has secured a permanent site/premises for operation on their own. The applicant may refer to the relevant section in <http://internationalschools.edb.hkedcity.net> about setting up an international school in Hong Kong; and
- (c) as regards school registration requirement, Section 10 of Education Ordinance (EO) stipulates that every school shall be registered or provisionally registered. Should any institution, organisation or establishment fall within the definition of "School" as stated in Section 3 of EO, an application for registration of a school will have to be made in the specified form.

### **Environment**

#### 9.1.4 Comments of the Director of Environmental Protection (DEP):

- (a) he has no objection to the application from chlorine risk perspective related to the consultation zone of Ma On Shan Water Treatment Works;
- (b) he has no objection to the application from the environmental planning perspective. According to the information provided by the applicant, no insurmountable environmental impacts would be anticipated because:
  - (i) adequate buffer distance as required in the HKPSG could be maintained between the proposed buildings and outdoor active recreational areas, and the nearby roads;
  - (ii) emission from the proposed Sai O Trunk Sewer Pumping Station would be treated by deodorizers;
  - (iii) the proposed development will be equipped with central mechanical ventilation without relying on opened window for ventilation;
  - (iv) the fixed plants of the proposed development will be designed to meet the HKPSG standard for fixed noise sources;

- (v) wastewater generated onsite during operation of the project will be collected and discharged to public sewer system to avoid pollution to nearby water body;
- (vi) the SIA concluded that no adverse sewerage impact is anticipated; and
- (c) an updated SIA when the site of Sai O Sewage Pumping Station is confirmed or if there is any change in the sewerage proposal is still required. As such, approval conditions as shown in paragraphs 12.2 (f) and (g) below would be required.

### **Drainage**

- 9.1.5 Comments of the Chief Engineer/Mainland North, Principal Project Coordinator/Special Duty, Chief Engineer/Sewage Treatment 1 and Chief Engineer/Land Drainage, Drainage Services Department (CE/MN, PPC/SDD, CE/ST1 & CE/LD, DSD):
- (a) no objection to the application; and
  - (b) his advisory comments are at **Appendix III**.

### **Water Supply**

- 9.1.6 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):
- (a) no objection to the application;
  - (b) the Site falls within the consultation zone of Ma On Shan Water Treatment Works, which is a Potentially Hazardous Installation. Comments from EPD should be sought in this respect;
  - (c) for provision of water supply to the development, the applicant may need to extend the inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards; and
  - (d) a very small part at the eastern corner of the Site (i.e. the "Recreational Area" as seen in the development proposal) encroaches upon Government Land designated as Waterworks Reserve (WWR) (**Plan A-2**). No buildings or structures shall be

erected within this area. The Water Authority and his officers and contractors, his or their workmen shall have free access at all times to the said area with necessary plant and vehicles for the purpose of laying, repairing and maintenance of water mains and all other services across, through or under it which the Water Authority may require or authorize.

### **Geotechnical Aspect**

9.1.7 Comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);

- (a) the Site is overlooked by steep natural terrain and meets the alert criteria for a natural terrain hazard study (NTHS). The applicant has committed in the Geotechnical Planning Review Report to undertake an NTHS and to implement mitigation measures as part of the proposed development. Therefore, he has no geotechnical comment on the application; and
- (b) should the application be approved, an approval condition on the submission of an NTHS report and implementation of the mitigation measures recommended therein is required.

### **Urban Design and Landscape**

9.1.8 Comments of Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD):

he has no comment from visual impact point of view as the proposed development complies with the BH restriction and may not be incompatible with adjacent educational development of 6 storeys.

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

#### **Urban Design**

- (a) no in-principle objection to the application from urban design and visual perspectives;
- (b) the urban design proposal including about 1,800 m<sup>2</sup> of recreational areas with combination of active and passive recreational activities for public enjoyment and built-forms set against a building height profile (5 to 7 storeys) in descending order towards the waterfront are considered relatively compatible with surrounding built environment and natural topographical settings;

- (c) it is noted that a low-rise and permeable fencing would be provided for security purpose. It is also noted that for the narrower portion of waterfront with only a footpath of about 1.5 m wide, the fencing would be setback for 1.5 m from the site boundary such that the usable area for pedestrian circulation will be doubled to about 3 m in width. Against this background, she has no strong view on the current fencing proposal provided that it is able to achieve the intention of seamlessly integration with the existing footpath. At detailed design stage, careful consideration should be given to the design of the fencing to enhance the seamless integration with the said footpath to facilitate usage and enjoyment by the public as far as possible;

#### Landscape

- (d) no objection to the application from the landscape planning perspective;
- (e) it is noted that site formation works would not be carried out beyond site boundary and would not encroach onto the existing vegetated slope within the area zoned “GB” on the OZP; and that existing watercourse and boulder shore within the Site would remain undisturbed by the proposed development. It is also noted that about 1,800 m<sup>2</sup> of open space has been proposed within the Site;
- (f) it is noted that total no. of surveyed trees is 288 and the proposed tree treatment, i.e. approximate 352 new trees, are proposed within the Site for the loss of approximate 274 existing trees to be removed;
- (g) *Ficus microcarpa* (T244) with diameter at breast height 1,000mm within the Site is proposed to be retained. Further on-site investigation has found an additional *Aquilaria sinensis* (T183A) outside the Site, which is also proposed to be retained. Besides, the applicant reported two *Aquilaria sinensis* (T198 and T11A) were felled by intruder with full justification including photo records and police report of the incident;
- (h) a “compensated woodland” has been proposed in the western portion of the Site. With the proposed landscape mitigation measures, significant adverse residual landscape impact arising from the development is not anticipated; and
- (i) approval of the application does not imply approval of tree works

such as pruning, transplanting and felling under lease. Tree removal applications should be submitted direct to DLO/TP, LandsD for approval.

### **Nature Conservation**

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

- (a) based on the applicant's consolidated planning statement and responses to his comments, he has no objection to the application; and
- (b) the Nai Chung SSSI is of geological interest. As the proposed development does not involve works at the SSSI or its vicinity, adverse direct impacts to this SSSI is unlikely.

### **Provision of Public Recreational Area**

9.1.11 Comments of the Director of Leisure and Cultural Services (DLCS):

- (a) the provision of open space in Tai Po is sufficient and the sitting-out area under District Minor Works Project at Nai Chung has already been in the pipeline. He will not consider taking up the maintenance and management responsibilities of the proposed recreational area under application; and
- (b) the applicant should maintain the major road (Nin Ming Road) clear and accessible during construction period of the sitting-out area and children's playground at Nai Chung into/and out from delivery route via the reprovision of Nai Chung Public Transport Terminus.

### **Building Matters**

9.1.12 Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- (a) if the existing structures are erected on leased land without approval of the Buildings Department (not being a New Territories Exempted House), they are unauthorized under the Buildings Ordinance (BO) and should not be designated for any approved use under the application;
- (b) presumably the Site abuts on a specified street (Nin Ming Road) of not less than 4.5 m wide, the development intensity shall not exceed the permissible as stipulated under Building (Planning)

Regulation (B(P)R). If the Site is not abutting on a specified street prescribed in B(P)R 18A, the development intensity shall be determined by the Building Authority under B(P)R 19(3) at building plan submission stage;

- (c) emergency vehicular access for every building of the proposed development shall be provided in accordance with B(P)R 41D; and
- (d) the applicant is advised to appoint an Authorized Person/Registered Structural Engineer/Registered Geotechnical Engineer and submit the required plans to the Building Authority for approval in accordance with the BO.

### **Fire Safety**

#### 9.1.13 Comments of the Director of Fire Services (D of FS):

- (a) he has no in-principle objection to the application subject to water supplies for fire-fighting and fire service installations being provided to his satisfaction;
- (b) EVA provision in the Site shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 under the B(P)R 41D which is administered by the BD; and
- (c) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans.

### **District Officer's Comments**

#### 9.1.14 Comments of the District Officer/Tai Po, Home Affairs Department (DO/TP, HAD) :

he has no comment from departmental point of view. His office is only responsible for maintenance of the footpath adjoining the development site.

#### 9.2 The following Government departments have no objection to/comment on the application:

- (a) Antiquities and Monuments Office, Development Bureau (AMO, DEVB);
- (b) Commissioner of Police (C of P);
- (c) Director of Electrical and Mechanical Services (DEMS);

- (d) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD); and
- (e) Project Manager/North, Civil Engineering and Development Department (PM/N, CEDD).

## **10. Public Comments Received During Statutory Publication Period**

10.1 The application and the FIs were published for public inspection. During the statutory public inspection periods, a total of 120 public comments were received from a Tai Po District Council (TPDC) member and individuals, with 83 comments supporting the application and 37 comments objecting to the application.

### Supporting Comments (83) (individuals)

10.2 The supporting public comments are summarised as follows:

- (a) the proposed international school helps nurture and attract talents and supports the needs of the community from the future comprehensive development nearby;
- (b) the land has been left vacant for many years. Land resources should be optimized and the proposed uses with support of technical assessments comply with the zoning requirements under the OZP; and
- (c) design and density of the school proposal is compatible with its environment. The recreational area will be open for public use and bring enhancement to the existing waterfront.

### Opposing Comments (37) (a TPDC member and individuals)

10.3 The objecting public comments are summarised as follows:

- (a) there are concerns on adverse traffic impact arising from the proposed school development. The data used in the assessments do not reflect the existing congested situation in the area. Consultation with local residents is necessary;
- (b) the Site comprising government land should be used to provide facilities for the general community and not for the exclusive use of the very few who can afford international school fees;
- (c) the proposed school development is close to the proposed Sai O Sewage Pumping Station and its location is not suitable;



- (d) Nai Chung has been identified as an archaeological site and a SSSI. The ecological value of the area is very high. The proposed development may affect the ecology of the area; and
- (e) the proposed development will affect public access to the waterfront and the pier.

10.4 The whole set of public comments has been deposited in the Board's Secretariat for Members' inspection and samples of the supporting/objecting comments are attached at **Appendix II** for Member's reference.

## **11. Planning Considerations and Assessments**

- 11.1 The application is for a proposed private/international school with recreational area at the Site zoned "OU(ERD)" on the OZP. The planning intention of the "OU(ERD)" zone is to provide land for educational and recreational development subject to a maximum GFA of 17,800 m<sup>2</sup> and a maximum BH of 7 storeys. Whilst recreational use compatible with the overall setting is permitted as of right, the development of a school in this zone requires planning permission from the Board in order to ensure the bulk, disposition and height of the proposed school development are compatible with the recreational waterfront setting and surrounding developments.
- 11.2 The application site with an area of 25,629 m<sup>2</sup> generally follows the boundary of the "OU(ERD)" zone while the development site with an area of about 23,681 m<sup>2</sup> excludes strips of land abutting Nin Wah Road and Nin Ming Road and the existing footpath under HAD's maintenance along the waterfront. The proposed private/international school with nursery/kindergarten, primary and secondary sections and the recreational area with combination of active and passive recreational activities for public enjoyment are in line with the planning intention of the "OU(ERD)" zone. The proposed GFA not exceeding 17,800 m<sup>2</sup> and BH of 7 storeys comply with the development restrictions of the subject zone. The built-forms set against a building height profile (5 to 7 storeys) in descending order towards the waterfront are considered relatively compatible with the surrounding low-density residential/ village development and GIC uses and natural topographical settings. CTP/UD&L, PlanD has no in-principle objection to the proposal from urban design and visual perspectives.
- 11.3 A recreational area with 1800 m<sup>2</sup> is proposed in the north-eastern portion of the Site to provide active and passive recreational facilities for public use, which will connect with the existing footpath along the waterfront. The opening hours for public will be from 7am to 8pm daily. Access to the waterfront and the existing pier will not be affected. According to the applicant, the future school operator is responsible for the management and maintenance of the proposed

recreational area. Relevant departments including DLO/TP, LandsD, DLCS and DO/TP, HAD have no adverse comments on this proposal.

- 11.4 The applicant proposes to plant 352 new trees along the periphery of the Site to compensate the loss of existing trees. In addition, a woodland with 90 native woodland trees is proposed at the western part of the Site as mitigation measure for the loss of trees. Taking into account the compensatory tree proposal, CTP/UD&L, PlanD has no in-principle objection to the application from landscape planning perspective as significant adverse residual landscape impact arising from the proposed development is not anticipated.
- 11.5 The Nai Chung SSSI of geological interest is located at the further north of the Site. Regarding ecological aspect, DAFC considers that adverse direct impacts to the Nai Chung SSSI is unlikely and he has no objection to the application. According to AMO, DEVB, Sai O/Nai Chung is no longer a Site of Archaeological Interest. Other concerned departments including C for T, S for Education, DEP, CE/MN, PPC/SDD, CE/ST1 & CE/LD of DSD, CE/C of WSD, H(GEO) of CEDD, D of FS, DEMS, CHE/NTE of HyD and PM/N of CEDD have no objection to/comment on the proposal. To address technical concerns, relevant approval conditions on fire safety, slope safety and sewerage are suggested to be imposed as shown in paragraphs 12.2 (d) to (g) below.
- 11.6 Regarding the public comments as detailed in paragraph 10, the Government departments' comments and planning assessments above are relevant.

## **12. Planning Department's Views**

- 12.1 Based on the assessments made in paragraph 11 and taking into account public comments in paragraph 10, the Planning Department has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 23.10.2024, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and of advisory clauses are also suggested for Members' reference:

### Approval Conditions

- (a) the submission and implementation of a revised Layout Plan taking into account approval conditions (b), (e) to (g) below to the satisfaction of the Director of Planning or of the Town Planning Board;
- (b) the provision of a recreational area with an area of not less than 1,800 m<sup>2</sup> within the site, as proposed by the applicant;

- (c) the recreational area should be open for public enjoyment from 7am to 8pm daily, as proposed by the applicant;
- (d) the provision of water supply for fire-fighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board;
- (e) the submission of a Natural Terrain Hazard Study (NTHS) report and implementation of the mitigation measures recommended therein to the satisfaction of Head of the Geotechnical Engineering Office of the Civil Engineering and Development Department or of the Town Planning Board;
- (f) the submission of an updated Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
- (g) the implementation of the local sewerage upgrading/sewerage connection works identified in the updated Sewerage Impact Assessment in approval condition (f) above to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

#### Advisory Clauses

The recommended advisory clauses are attached at **Appendix III**.

12.3 There is no strong reason to recommend rejection of the application.

### **13. Decision Sought**

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.
- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reasons for rejection should be given to the applicant.

## 14. Attachments

Appendix I	Application form
Appendix Ia	Supplementary Planning Statement
Appendix Ib	FI received on 3.9.2020
Appendix Ic	FI received on 6.10.2020
Appendix Id	FI received on 20.10.2020
Appendix II	Samples of Public Comments
Appendix III	Recommended Advisory Clauses
Drawing A-1	Indicative Layout Plan
Drawing A-2	Indicative Section Plan
Drawing A-3	Indicative Block Plan
Drawing A-4	Indicative Basement Plan
Drawing A-5	Indicative Ground Floor Plan
Drawing A-6	Indicative First Floor Plan
Drawing A-7	Indicative Second Floor Plan
Drawing A-8	Indicative Third Floor Plan
Drawing A-9	Indicative Fourth Floor Plan
Drawing A-10	Indicative Fifth Floor Plan
Drawing A-11	Indicative Sixth Floor Plan
Drawing A-12	Conceptual Landscape Master Plan
Drawing A-13	Blow-up Plan of Recreational Area
Drawing A-14	Demarcation of Application Site and Development Site
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4 to A-6	Site Photos

**PLANNING DEPARTMENT  
OCTOBER 2020**