

# **TOWN PLANNING BOARD**

**TPB PAPER NO. 10389  
FOR CONSIDERATION BY THE TOWN PLANNING BOARD  
ON 12.2.2018**

**CONSIDERATION OF FURTHER REPRESENTATIONS  
NO. F1 TO F186 ON PROPOSED AMENDMENTS TO  
THE DRAFT SHA TIN OUTLINE ZONING PLAN NO. S/ST/33 ARISING  
FROM THE CONSIDERATION OF REPRESENTATIONS AND COMMENTS  
ON THE DRAFT OUTLINE ZONING PLAN**

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 ARISING FROM THE CONSIDERATION OF REPRESENTATIONS AND COMMENTS  
 ON THE DRAFT OUTLINE ZONING PLAN**

<b>Subject of Further Representation</b>	<b>Further Representers</b>
All <b>oppose</b> the proposed Amendment Item A ( <b>Plan FH-1</b> ) and propose to rezone the On Muk Street site (the Site) from “Open Space” (“O”) to “Residential (Group A)6” (“R(A)6”) for residential use	<b>F1:</b> Prof. Bernard Vincent LIM Wan-fung, Chairman of the Building Committee of the Hong Kong Housing Authority (HKHA)
	<b>F2:</b> Mr. WAN Man-ye & Dr. LAU Kwok-yu, HKHA Members
	<b>F3:</b> Society for Community Organization
	<b>F4 to F186:</b> Individuals

Note: A CD-ROM containing all further representations is enclosed at **Enclosure V** [for the Town Planning Board Members only]. The names of all further representers can be found at **Enclosure IV** and at the Board’s website at [http://www.info.gov.hk/tpb/en/plan\\_making/S\\_ST\\_33.html](http://www.info.gov.hk/tpb/en/plan_making/S_ST_33.html).

**1. Introduction**

1.1 On 13.1.2017, the draft Sha Tin Outline Zoning Plan (OZP) No. S/ST/33 (the Plan) was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). The amendments mainly involve the proposed Sha Tin Cavern Sewage Treatment Works at A Kung Kok and its supporting facilities, proposed Columbarium and Garden of Remembrance at On Hing Lane, Shek Mun, rezoning of Olympic Stables at Sha Tin Racecourse and proposed public housing development at On Muk Street, Shek Mun. During the two-month plan exhibition period, a total of 1,666 valid representations were received. On 28.4.2017, the representations were published for public comments. During the three-week public inspection period, a total of 542 valid comments were received.

1.2 After considering the representations and comments on 15.9.2017 and 22.9.2017, the Town Planning Board (the Board) decided to uphold/partially uphold 932 representations (R1 (part), R2 (part), R4 (part), R5 (part), R204 (part), R207 (part), R216 (part), R359 (part), R403 (part), R438 (part), R566 (part), R588 (part), R748 (part) and R749 to R1667) by reverting the zoning of the proposed public housing development site at On Muk Street under Amendment Item A (the Site) from “Residential (Group A) 6” (“R(A)6”) back to “Open Space” (“O”). In deliberating the representations and comments, a majority of the Board Members considered it premature to rezone the Site from “O” to “R(A)6” in

isolation, when the longer term land use planning for the adjoining “O” site currently occupied by Kitchee Football Centre was uncertain. They were of the view that the long-term use of the Site should be considered in the context of the use of the wider area and should be reviewed comprehensively with the entire strip of “O” zone along the river channel when the way forward regarding relocation of Kitchee Football Centre became clearer. The relevant TPB Paper No. 10335 and the minutes of the aforesaid Board’s meetings are deposited at the Board’s Secretariat for Members’ inspection. They are also available at the Board’s website.

- 1.3 On 13.10.2017, the proposed amendments to the draft OZP were exhibited for public inspection under section 6C(2) of the Ordinance. A set of the Schedule of Proposed Amendments, Amendment Plan No. R/S/ST/33-A1 and proposed amendments to the Notes and Explanatory Statement of the draft OZP is attached at **Enclosure I**. Upon expiry of the three-week exhibition period, a total of 189 further representations (FRs) were received.
- 1.4 On 1.12.2017, the Board decided that **F187 to F189** were considered invalid and should be treated as not having been made under section 6D(1) of the Ordinance<sup>1</sup>. The Board also decided to hear a total of 186 FRs, i.e. **F1 to F186**, collectively in one group as they were all related to the proposed amendment item.
- 1.5 This paper is to provide the Board with information for the consideration of the FRs. A summary of the valid FRs with the Planning Department (PlanD)’s responses, in consultation with the concerned Government departments, is at **Enclosure II** and a copy each of **F1, F2, F3** and the sample of **F4 to F186** are attached at **Enclosure III**. The location of the FRs is shown on **Plan FH-1**.
- 1.6 In accordance with section 6F(3) of the Ordinance, the original representers/commenters who have made representations/comments on which the proposed amendments have been made and the further representers **F1 to F186** have been invited to the meeting.
- 1.7 On 25.11.2017, the Chief Executive, under section 8(2) of the Ordinance, agreed to extend the statutory time limit for the Board to submit the draft OZP to the Chief Executive in Council (CE in C) for approval for a period of 6 months from 13.12.2017 to 13.6.2018.

## **2. The Further Representations**

- 2.1 All 186 FRs, i.e. **F1 to F186**, oppose Amendment Item A to revert the zoning of the Site from “R(A)6” back to “O”. **F1** and **F2** were submitted by the Chairman of the Building Committee of HKHA and HKHA Members respectively. **F3 to F186** were submitted by Society for Community Organization and individuals in a standard/similar format. The grounds and proposals of the FRs are summarised as follows : -

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<sup>1</sup> Pursuant to section 6D(1) of the Ordinance, any person, other than that who has made any representation or comment and after consideration of which the proposed amendments have been made, may make further representation to the Board in respect of the proposed amendments.

## Grounds of FRs

### *Long Waiting List for Public Housing*

- (a) The waiting time of families on the waiting list to be given the first offer has increased from 3 years (March 2014) to 4.7 years (June 2017). Among them, the average waiting time for elderly one-person applicants has increased to 2.6 years. Furthermore, individual families with 3 to 4-person households have waited much longer than 6 years. In view of the shortage of land supply and long waiting list for public housing, piecemeal rezoning for early production of public housing is necessary, urgent and important.

### *Implications on Public Housing Production*

- (b) Subsidized sale flat is an integral part of public housing development. To meet the production targets set down in the Long Term Housing Strategy 2014, the HKHA has no choice but to develop sites of all sizes that are available. Delay in rezoning the Site for residential use would mean that it would not be possible to complete the public housing development in 2021/22 and the flats would not be available to the grass roots citizens in need. Cost effectiveness is a concern but regularly superseded by production priorities.

### *Co-existence between Residential and Recreation Uses*

- (c) The proposed development will not have significant impacts on traffic, visual and air ventilation aspects. Appropriate design measures including setback and façade orientation are incorporated to minimise the effect of possible light and noise generated from Kitchee Football Centre. The proposed public housing development at the Site can co-exist with the Kitchee Football Centre before its relocation. The next phase of public housing development at On Muk Street will not take place until the Kitchee Football Centre is satisfactorily reprovisioned.

### *Provision of Open Space in Sha Tin*

- (d) The district and local open space is sufficient to meet the needs of planned population of Sha Tin in accordance with the Hong Kong Planning Standards and Guidelines (HKPSG). When there is no overwhelming reasons not to allow the public housing developments to proceed, particularly in the case of On Muk Street where all development impacts have been found to be acceptable, public housing development should be allowed priority.

## Proposal from the Further Representers

All further representers (**F1 to F186**) propose to rezone the Site to “R(A)6” for residential use.

### **3. Planning Considerations and Assessments**

#### ***The Site and the Surrounding Areas (Plans FH-1 to FH-5)***

- 3.1 The Site, covering a land area of about 0.43 ha, is situated along the Siu Lek Yuen Nullah and located in proximity to the Shek Mun Business Area to the north and about 250m away from MTR Shek Mun Station to the northeast. To the immediate east of the Site is the Kitchee Football Centre site. To the south of the Site is reserved for the development of riverside promenade. Open spaces and residential development namely the On Muk Street Garden, On King Street Park and Ravana Garden are located to the immediate northwest and further northwest of the Site.

#### ***Proposed Amendment after Consideration of Representations/Comments***

- 3.2 On 13.1.2017, the Site was rezoned from “O” to “R(A)6” on the draft Sha Tin OZP for public housing development. After consideration of the representations/comments on the rezoning proposal on 15.9.2017 and 22.9.2017, a majority of the Board Members considered that it was premature to rezone the Site from “O” to “R(A)6” in isolation and the long-term use of the Site should be considered in the wider context together with the Kitchee Football Centre site when the way forward regarding relocation of Kitchee Football Centre became clearer. The Board decided to propose amendments to the OZP to uphold/partially uphold 932 representations by reverting the zoning of the Site from “R(A)6” back to “O”.

#### ***Responses to Grounds and Proposal of FRs***

##### **Long Waiting List for Public Housing**

- 3.3 The Government has formulated the Long Term Housing Strategy (LTHS), adopting a supply-led strategy in order to gradually avert the current supply-demand imbalance. Three major directions are set out in the strategy, i.e. to build more public rental housing (PRH) units and ensure the rational use of existing resources; to provide more subsidised sale flats; and to stabilise the residential property market through steady land supply and appropriate demand-side management measures. Meanwhile, the Government has also adopted a multi-pronged approach to identify suitable land to address the pressing needs for housing and other development. In this regard, the Government had identified some 210 potential housing sites, including sites zoned “O” and “G/IC” without implementation programme, for housing development. One of the sites is at On Muk Street in Shek Mun (Amendment Item A) which is currently zoned “O”. The proposed Home Ownership Scheme development is in line with the strategic direction under LTHS of providing more subsidised sale flats to meet the home ownership aspirations of low to middle income families.
- 3.4 There were about 152,700 PRH general applicants and about 127,400 non-elderly one-person applicants under the Quota and Points System as at end-September 2017. The average waiting time for general applicants was 4.6 years, exceeding the target of providing the first flat offer to general applicants at around three years on average. In addition to new public housing flat supply, recovery of PRH units is another major source of supply. With subsidised sale flats from the

proposed public housing development at the Site coming on stream, more PRH units could be released from Green Form buyers who are PRH tenants for re-allocation to waiting list applicants and to those with more pressing needs.

### Implications of Public Housing Production

- 3.5 Targeted for completion in 2021/22, the proposed public housing development at the Site would provide a total of about 560 subsidised sale units, which would account for about 10% of the projected subsidized sales flats supply in that year. In view that the Site is formed and located in proximity to MTR Shek Mun Station and supporting retail facilities in Shek Mun, it is considered suitable for public housing development to meet the housing needs in the short-to-medium term.
- 3.6 As stated in the LTHS Annual Progress Report 2017, assuming that all sites identified can be smoothly delivered on time for housing development, the Government has identified land for constructing about 237,000 public housing units for the ten-year period from 2018/19 to 2027/28, which already lags behind the ten-year public housing supply target of 280,000 units. If the proposed public housing development at On Muk Street cannot be materialised, this will further aggravate the overall public housing supply situation.

### Co-existence between Residential and Recreation Uses

- 3.7 The Site together with the adjoining Kitchee Football Centre site, which was identified as one of the 210 potential housing sites, was proposed for public housing development. The Kitchee Football Centre currently occupies part of the “O” site along the riverside on a temporary basis. As the relocation arrangement has yet to be settled, the Government had decided to proceed with the development of the Site first to meet the acute demand for public housing and thus only the Site was proposed for rezoning from “O” to “R(A)6” on the draft OZP No. S/ST/33.
- 3.8 As advised by Housing Department (HD), the proposed public housing development at the Site will be set back about 20m from its eastern boundary to allow buffer distance with Kitchee Football Centre. Under the current proposal, most of the flats are oriented towards the Shing Mun River or the adjacent On Muk Street Garden to minimize the possible effect of light and noise generated from Kitchee Football Centre. Although the lowest two floors of the proposed development are below the top level of the light pole at Kitchee Football Centre, however, as the lights point inwards and downwards to the football fields, it is not anticipated that the light source will be directly visible from those flats. An Environmental Assessment Study would be conducted by HD at the detailed design stage to address the potential environmental impacts for the approval of Environmental Protection Department. The mitigation measures to be provided should meet the requirements of relevant legislation.
- 3.9 To cater for the need for sports facilities, Home Affairs Bureau (HAB) has recently provided policy support for the development of a permanent Football Centre. A site search exercise is being conducted to identify a suitable site for permanent relocation of Kitchee Football Centre. The Kitchee Football Centre

site would not be rezoned until a permanent relocation site is identified and the relocation arrangement has been settled.

#### Provision of Open Space in Sha Tin

3.10 The Site and the adjoining Kitchee Football Centre site were originally reserved for district open space use by the ex-Municipal Council, but there is no development programme for the open space. To meet the housing needs in the short-to-medium term, both sites have been identified as a potential site for public housing development. The proposed public housing development at On Muk Street would not have significant adverse impact on the open space provision within the area covered by the OZP. Should the Site be zoned for residential use, there is still a surplus of district and local open space of 17.96 ha and 62.94 ha respectively against the planned population in the Sha Tin Planning Area in accordance with the HKPSG. Besides, there are a number of open spaces provided in Shek Mun area i.e. On King Street Park, Shek Mun Playground, On Muk Street Garden and riverside promenade adjoining Shek Mun Estate Phase 2. A 20m-wide public riverside promenade to the southwest of the public housing development site has also been retained as open space for public enjoyment and will be implemented to tie in with the completion of the housing development (**Plan FH-5**). The remaining riverside area is currently closed and occupied by the Kitchee Football Centre. The rezoning of Kitchee Football Centre after its relocation will provide an opportunity to open up the remaining riverside area, thus providing a continuous riverside promenade from Shek Mun Estate Phase II to connect to the wider public open space network in Sha Tin.

#### **4. Consultation**

4.1 The Secretary for Development, Commissioner for Sports of HAB, Director of Housing, Director of Environmental Protection and the Director of Leisure and Cultural Services have been consulted and their comments have been incorporated in the above paragraphs, where appropriate.

4.2 The following departments have no comment on the FRs:

- (a) Commissioner for Transport;
- (b) Chief Project Manager/ Project Management Branch 3, ArchSD;
- (c) Project Manager/New Territories East, CEDD;
- (d) District Lands Officer/Shan Tin, LandsD;
- (e) Chief Highway Engineer/New Territories East, HyD;
- (f) Chief Engineer/Development(2), WSD;
- (g) Chief Engineer/Mainland South, DSD;
- (h) Chief Building Surveyor/New Territories East 2 & Railway, BD;
- (i) Director of Fire Services;
- (j) District Officer (Sha Tin), HAD; and
- (k) Director of Social Welfare.

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

5.1 Based on the assessment in paragraph 3 above, PlanD maintains its previous views that the Site is suitable for residential use and considers that the draft OZP should not be amended by the proposed amendment under Amendment Item A for the following reasons:

- (a) the Site is formed and located in proximity to MTR Shek Mun Station and supporting retail facilities in Shek Mun, it is considered suitable for public housing development to meet the housing needs in the short-to-medium term. The findings of the technical assessments reveal that the proposed development will not have significant impacts on traffic, visual and air ventilation aspects to the surrounding areas;
- (b) the district and local open spaces and a range of GIC facilities are generally sufficient to meet the local needs in accordance with the HKPSG. Besides, a 20m-wide public riverside promenade along the Siu Lek Yuen Nullah has been retained as open space for public enjoyment; and
- (c) The current rezoning will not affect the operation of Kitchee Football Centre. Rezoning of the land occupied by the Kitchee Football Centre is postponed until the relocation arrangement for the Kitchee Football Centre is settled.

5.2 The Board may consider whether **F1 to F186** should be upheld for the above reasons.

## **6. Decision Sought**

The Board is invited to give consideration to **F1 to F186** taking into consideration the points raised in the hearing, and decide whether to amend or not to amend the draft OZP by the proposed amendments or by the proposed amendments as further varied.

## **7. Follow-up Action**

7.1 Should the Board decide not to amend the draft OZP by the proposed amendment, the zoning of the Site will be reverted back to "R(A)6" as shown on the draft OZP No. S/ST/33.

7.2 Should the Board decide to amend the draft OZP by the proposed amendment or the proposed amendment(s) as further varied, such amendment(s) shall form part of the draft Sha Tin No. S/ST/33. In accordance with section 6H of the Ordinance, the draft OZP shall thereafter be read as including the amendment(s). The amendment(s) shall be made available for public inspection until the CE in C has made a decision in respect of the draft OZP in question under section 9 of the Ordinance.

7.3 Administratively, the Building Authority and relevant government departments will be informed of the decision of the Board and will be provided with a copy/copies of the amendment(s), as appropriate.



**8. Attachments**

Plan FH-1	Location plan of further representations
Plan FH-2	Site plan of amendment item
Plan FH-3	Aerial photo of amendment item
Plan FH-4	Site photo of amendment item
Plan FH-5	Surrounding open spaces in Shek Mun
Enclosure I	Schedule of proposed amendment, amendment plan and proposed amendment to the Notes and Explanatory Statement of the draft Sha Tin OZP No. S/ST/33
Enclosure II	Summary of valid further representations and PlanD's responses
Enclosure III	Submission of <b>F1, F2 and F3</b> and sample of <b>F4 to F186</b>
Enclosure IV	List of all further representers
Enclosure V	CD-ROM containing all further representations [for the Town Planning Board Members only]

**PLANNING DEPARTMENT  
FEBRUARY 2018**