

Application for Amendment of Plan under Section 12A of the Town Planning Ordinance (Cap. 131) to Rezone the Application Site from “Green Belt” to “Residential (Group C)1” for Proposed House Development at Various Lots in D.D. 244 and Adjoining Government Land, Nam Pin Wai, Sai Kung

Supporting Planning Statement

Nov 2023

This report takes into account the particular instructions and requirements of our client.

It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

Arup Hong Kong Ltd
Level 5 Festival Walk
80 Tat Chee Avenue
Kowloon Tong
Kowloon
Hong Kong
www.arup.com

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EXECUTIVE SUMMARY

This Supporting Planning Statement is submitted for the Proposed Amendment to the Approved Ho Chung Outline Zoning Plan No. S/SK-HC/11 (the “OZP”) under Section 12A of the Town Planning Ordinance (Cap. 131), in support of the rezoning from “Green Belt” (“GB”) zone to “Residential (Group C) 1” (“R(C) 1”) zone at Various Lots in D.D.244 and Adjoining Government Land, Nam Pin Wai, Sai Kung (the “Application Site”) to facilitate a Proposed House Development (the “Proposed Amendment”).

With a site area of about 6,601m², the Application Site is located within a low-dense residential neighbourhood with an existing “R(C)1” site locating to its immediate west, where General Building Plan for developing 51 houses was approved by the Building Authority in January 2023. The Application Site is connected by an approved access road (approved under planning application No. A/SK-HC/223) which was intended to connect the adjoining “R(C)1” site to Wo Mei Hung Min Road. The construction work for the approved “R(C)1” site and its connecting access road have been commenced. It should be noted that the Application Site under this S12A application includes the approved access road and the 2 portions of land bisected by the access road.

The Application Site is currently largely vacant (except the approved access road which is currently under construction). Only limited trees with generally low amenity value can be found on the Application Site, which barely serve the intention of “GB” for “*defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets*”. It should be noted that the Applicants owned majority part of the Application Site (about 76.8%, including the access road) and are keen to review the potential of the wasted land not serving “GB” function at the Application Site for residential development that is compatible with the surrounding context. This is also fully in-line with the Government’s initiative to review suitable “GB” sites for housing development, locating “*in the fringe of built-up areas close to existing urban areas and new towns, and those vegetated areas with relatively less buffering effect and lower conservation value*”.

It is therefore proposed to rezone the Application Site to the same “R(C)1” zone as the adjoining site, which is subject to a maximum plot ratio (PR) of 0.75, maximum site coverage (SC) of 37.5% as well as a maximum building height (BH) of 9m with 2 storeys over one storey of carport; or to a maximum PR of 0.75, maximum SC of 25% as well as a maximum BH of 12m with 3 storeys over one storey of carport.

An Indicative Scheme has been formulated in support of the Proposed Amendment, which consists of 17 nos of 3-storey houses with a PR of not more than 0.75, SC of not more than 25% and a BH of not more than 12m with 3 storeys. The Applicants proposed a phased development strategy to develop the Application Site in 2 phases (including 13 houses under Phase 1 owned by the Applicants, 4 houses under Remaining Phase owned by others).

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The Proposed Amendment at the Application Site is considered fully justified based the following grounds:

- Rationalising Wasted Land Resources Not Serving "GB" Function for Housing Purpose;
- Not Compromising the Integrity and Function of the Wider "GB" Zone;
- In Line with the Government's Initiatives and Criteria of Reviewing Suitable "GB" zone for Housing Development;
- Ensuring Full Compatibility with Surrounding Context;
- Enhancing Landscape Amenity and Upgrading Local Environment;
- Adopting a Pragmatic Phasing Approach; and
- Inducing No Adverse Impacts to the Surroundings.

This Application has demonstrated Applicants' genuine intention and commitment in taking forward the Proposed Amendment at the Application Site. In light of the planning merits and justifications put forward in this Supporting Planning Statement, we sincerely seek the favourable consideration from the Town Planning Board to give its support to this Section 12A Application.

行政摘要

(內文如與英文版本有任何差異，應以英文版本為準)

本規劃綱領根據《城市規劃條例》(第 131 章)第 12A 條，就位於西貢南邊圍丈量約份第 244 約內多個地段和毗連政府土地(「申請地點」)，擬議修訂蠔涌分區計劃大綱核准圖編號 S/SK-HC/11(「分區計劃大綱圖」)，將申請地點由「綠化地帶」地帶改劃為「住宅(丙類)1」地帶，以作擬議屋宇發展(「擬議修訂」)。

申請地點的總地盤面積為約 6,601 平方米。申請地點位處一個主要以低密度住宅發展為主的區域。申請地點的西面毗鄰「住宅(丙類)1」地帶，該地帶已於 2023 年 1 月獲得核准建築圖則，以興建 51 間屋宇。申請地點可透過一條連接毗鄰「住宅(丙類)1」地帶的连接道路(核准規劃申請編號 A/SK-HC/223)接駁至窩美紅棉路。現時毗鄰屋宇及許可的连接道路的地盤平整工程已展開。是次第 12A 條申請的申請地點包括這條连接道路及兩旁的土地。

現時，申請地點大部分的土地為空置(除了正進行工程的连接道路外)。申請地點內樹木的價值偏低，現況難以體現「綠化地帶」的規劃意向，即「*利用天然地理環境作為市區和近郊的發展區的界限，以抑制市區範圍的擴展，並提供土地作靜態康樂場地*」。申請人為申請地點內約 76.8% 私人土地(包括连接道路)的持有人，希望藉此機會審視申請地點的發展潛力及發展周邊地區相互協調的住宅發展。擬議修訂符合政府檢視「綠化地帶」發展潛力的評估標準，即「*位於已建設地區邊緣、鄰近現時市區和新市鎮、有植被但緩衝作用和保育價值相對較低的「綠化地帶」*」。

故此，擬議修訂建議將申請地點改劃為「住宅(丙類)1」地帶，最高地積比率為 0.75 倍，最大上蓋面積為 37.5%，以及最高建築物高度為 9 米(即一層開敞式停車間上加兩層)；或最高地積比率為 0.75 倍，最大上蓋面積為 25%，以及最高建築物高度為 12 米(即一層開敞式停車間上加三層)。

申請人已制定一個指示性方案以支持擬議修訂，建議於申請地點興建 17 間 3 層高的屋宇，地積比率不多於 0.75，上蓋面積不多於 25%，建築物高度不超過 12 米。申請人亦提議分期發展策略，當中包括由申請人擁有的第一期發展(13 間屋宇)及由其他私人地段組成的餘下階段發展(4 間屋宇)。

擬議修訂具有以下合理改劃理由：

- 理順荒廢多年亦未能體現「綠化地帶」的規劃意向的土地作住宅用途；
- 不影響廣大範圍內「綠化地帶」的完整性及作用；
- 符合政府檢視合適「綠化地帶」發展潛力的政策方針及評估標準；

- 確保與周邊的發展互相協調；
- 提升景觀美化價值及改善地區環境；
- 提供合適的分期發展策略；及
- 不會對周邊環境造成負面影響。

申請人對推進此擬議修訂持有誠懇和積極的態度。基於本規劃綱領所闡述的規劃增益和理據，我們懇請城市規劃委員會支持是次第 12A 條規劃申請。

1 Introduction

- 1.1.1 This Supporting Planning Statement is submitted to the Town Planning Board ("TPB") in support of a Planning Application under Section 12A of the Town Planning Ordinance (Cap. 131) for Proposed House Development ("the Proposed Amendment") at Various Lots in D.D. 244 and Adjoining Government Land, Nam Pin Wai, Sai Kung ("the Application Site").
- 1.1.2 The Applicants propose amendment to the Approved Ho Chung Outline Zoning Plan No. S/SK-HC/11 ("the OZP") by rezoning the Application Site from "Green Belt" ("GB") to the same "Residential (Group C)1" ("R(C)1") zone to the immediate west of the Application Site ("the Proposed Amendment") with a maximum plot ratio ("PR") of 0.75, a maximum site coverage ("SC") of 37.5% and a maximum building height ("BH") of 9m with 2 storeys over one storey of carport or with a maximum PR of 0.75, a maximum SC of 25% and a maximum BH of 12m with 3 storeys over one storey of carport, to facilitate a Proposed House Development at the Application Site.
- 1.1.3 The Application Site is located to the west of the New Hiram's Highway and is situated in a predominantly low-dense residential neighbourhood. Currently, majority part of the Application Site is vacant, except the approved access road (approved with conditions by the TPB under planning application No. A/SK-HC/223) connecting to the adjoining house development (with approved General Building Plan for 51 houses) which are both under construction. Only limited trees with generally low amenity value can be found on the Application Site, barely serving the intention of "GB" zone. Existing trees planted along the New Hiram's Highway, which forms part of the wider "GB" zone will be excluded from the Application Site and will not be affected.
- 1.1.4 In recent years, the Government has been reviewing development potential of suitable "GB" sites as part of the multi-pronged approach to increase housing supply. In the past 10 years (2013-2021), a total of 210 sites have been identified by the Government with potential for housing development and 140 of them have already been rezoned or allocated for housing development¹. It should be noted that a 2.5ha site at about 650m to the south of the Application Site was recently rezoned from "GB" zone to "R(C)7" zone for private housing development on the Approved Tseng Lan Shue OZP No. S/SK-TLS/10 as initiated by the Government².
- 1.1.5 In-line with Government's initiative, the Applicants, being the landowners of majority of land within the Application Site bisected by the access road, see the opportunity to rationalise the long-wasted land

¹ Replies to initial written questions raised by Finance Committee Members in examining the Estimates of Expenditure 2021-22. Retrieved from https://www.devb.gov.hk/filemanager/en/content_1251/devb-pl-e.pdf

² Draft Tseng Lan Shue Outline Zoning Plan approved. Retrieved from <https://www.info.gov.hk/gia/general/202305/05/P2023050500233.htm>

that barely serves the function of "GB" for house development. The proposed development would be of a compatible scale with the surrounding and serves an opportunity to enhance the landscape amenity and living environment for the Nam Pin Wai neighbourhood.

1.1.6 An Indicative Scheme has been formulated to demonstrate the feasibility of the Proposed Amendment. The Indicative Scheme will provide a total of 17 additional houses with the same development intensity and would serve as a natural extension of the adjoining "R(C)1" zone.

1.1.7 This Supporting Planning Statement contains the sections below that are necessary to support this Planning Application to demonstrate its feasibility and suitability:

- Section 2 describes the context of the Application Site and its surrounding areas;
- Section 3 explains the planning context of the Application Site;
- Section 4 presents the Indicative Scheme at the Application Site;
- Section 5 summarises the amendment proposal to be incorporated into the Plan and Notes of the OZP;
- Section 6 highlights the planning justifications and planning merits in support of the Proposed Amendment; and
- Section 7 concludes the highlights and justifications of this Supporting Planning Statement.

2 Site Context

2.1 Location

- 2.1.1 The Application Site is located at various lots in D.D. 244 and adjoining Government Land in Nam Pin Wai, Sai Kung. Referring to **Figure 2.1**, the Application Site is situated between a "R(C)1" zone and the amenity slope of New Hiram's Highway zoned as "GB".
- 2.1.2 With a site area of about 6,601m², the Application Site comprises of an approved access road (about 1,246m²) which is the subject of an approved S16 Planning Application (No. A/SK-HC/223), as well as land areas bisected by the approved access road to the north and south (**Figure 2.2** refers).

2.2 Land Status

- 2.2.1 The Application Site area is about 6,601m², which comprises of about 6,080m² (about 92.1%) of private lots and about 521m² (about 7.9%) of Government Land. Among the private lots, about 83.4% are solely owned by the Applicants (i.e. Sites A, B and C and majority part of the approved access road). The remaining 16.6% are third-party private lots locating at the southern portion of the Application Site. Please refer to **Figure 2.2** for the lot index plan.
- 2.2.2 Please also refer to **Table 2.1** below for the detailed landholding schedule.

Table 2.1 Landholding Schedule within the Application Site

Private Land Status (in D.D. 244) (About 6,080m² in total) (About 92.1% of Application Site)	
Lots fully acquired by the Applicants	877 RP 878 RP 879 RP 1939 RP 1939 S.B ss.3 1939 S.E 1939 S.F 1940 (Part) 1944 RP 2189 (Part)
Lots under third-party ownership	788 RP (Part) 789 RP (Part) 827 RP (Part) 828 RP (Part) 855 RP 863 RP (Part) 865 RP (Part) 868 RP

		871 872 873 874 875 RP 876 RP
Summary on Land Status		
Private Land	Lots fully acquired by the Applicants	About 5,073m ² (76.8%)
	Lots under third-party ownership	About 1,007m ² (15.3%)
Government Land		About 521m ² (7.9%)
Total Application Site Area		About 6,601m ²

2.3 Existing Land Uses and Condition

- 2.3.1 Currently, the Application Site is mostly vacant except the approved access road under planning application No. A/SK-HC/223 which is under construction. A few trees in fair to poor condition with generally low amenity value are scattered along two sides of the approved access road and the northern periphery of the Application Site.
- 2.3.2 In terms of site topography, the approved access road is at a site level of about 19mPD, forming the highest point of the Site which gradually slopes downwards to its south (about 7mPD) and north (about 8mPD).
- 2.3.3 Please refer to **Figure 2.3** for the existing condition of the Application Site.

2.4 Surrounding Land Uses

- 2.4.1 The Application Site is situated in a predominantly residential neighbourhood in Nam Pin Wai area with existing and planned low-dense houses and village settlements:
- To the **immediate west** adjoining the Application Site is the always permitted 'House' development at "R(C)1" zone with an approved GBP for building 51 houses and an approved access road connecting to Wo Mei Hung Min Road. To the **further west** across the "R(C)1" zone are rural village houses under "V" zone.
 - To the **immediate south** adjoining the Application Site is Wo Mei Hung Min Road, then the low-dense village clusters under "V" zone, including the Yosemite and the Royal Garden and other village type houses.
 - To the **immediate east** of the Application Site is the New Hiram's Highway, including its noise barrier and amenity slope under the same "GB" zone as the Application Site. As observed from site

visit, there is a cluster of trees located right next to the Application Site within the same "GB" zone, serving as landscape buffer from the New Hiram's Highway. To the **further east** across the New Hiram's Highway is the Sai Kung Central Primary School under "Government, Institution or Community" ("G/IC") zone.

- To the **immediate northwest** of the Application Site is the low-dense village type house namely Villa Royale within the same "R(C)1" zone. To its **further north** across Nam Pin Wai Road are the rural village houses of Ho Chung New Village under the "V" zone and an area designated as "Comprehensive Development Area" ("CDA") zone subject to a maximum PR of 0.75, a maximum SC of 25% and a maximum BH of 12m with 3 storeys over one storey of carport. The northern part of the "CDA" zone is the subject of a planning application (No. A/SK-HC/124-2) for 26t nos of houses with 3 storeys over one storey basement allowed by the Town Planning Appeal Board on 16 July 2013. While the southern part is the subject of a planning application (No. A/SK-HC/340) for 8 nos. of houses with 3 storeys over one storey carport and 14 nos. of houses with 6 storeys over one storey carport approved on 9.6.2023.

2.4.2 Please refer to **Figure 2.4** for the surrounding uses of the Application Site.

2.5 Accessibility

2.5.1 The Application Site is accessible to the Wo Mei Hung Min Road via the approved access road serving the adjoining "R(C)1" development, which further connects to the New Hiram's Highway (a district distributor road) to other parts in Sai Kung, Kowloon East and Tseung Kwan O areas.

2.5.2 The Application Site is well-served by public transport services, including franchised bus and green minibus with stops within 50m walking distance. The public transport services (with routes 101M, 92, 292P, 96R, 1, 1A, 1S and 792M) right next to the Application Site provide convenient connection to Sai Kung town centre and other urban areas such as Causeway Bay, Mong Kok and Kwun Tong, etc.

3 Planning Context

3.1 Land Use Zoning

- 3.1.1 The Application Site falls within the "GB" zone under the Approved Ho Chung OZP No. S/SK-HC/11. It was partly designated as 'Road' and partly zoned "GB" on the Draft Ho Chung OZP No. S/SK-HC/1 gazetted on 20.5.1994. Subsequently, the whole Application Site was rezoned as "GB" on the Draft Ho Chung OZP No. S/SK-HC/6 gazetted on 2.7.2004.
- 3.1.2 According to the Notes of the OZP, the planning intention of the "GB" zone is *"primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone"*.
- 3.1.3 The Explanatory Statement ("ES") further elaborates the planning intention of the subject "GB" zone is *"primarily for defining the limits of urban and sub-urban development areas by natural features, including foothills, lower hillslopes, spurs, isolated knolls, woodland, vegetated land and amenity areas at the urban fringe, and to contain urban sprawl as well as to provide passive recreational outlet and delineating roadside amenity areas."*
- 3.1.4 It is also specified in the ES that *"part of the area under this zoning falls within the Ho Chung Site of Archaeological Interest. Relics dated to late Neolithic, Bronze Age and historic period were unearthed in the area... Prior consultation with the AMO of the LCSD should be made if any development, redevelopment or rezoning proposals might affect the above historic building or site of archaeological interest and their immediate environs"*. Since the western part of the Application Site falls within the Ho Chung Site of Archaeological Interest (SAI), the Applicants conducted an Archaeological Review with proposed mitigation measures for the consideration of AMO to respect the requirement under the ES (**Appendix F** refers).
- 3.1.5 Please refer to **Figures 3.1a to 3.1d** for the extracts of the Notes and ES of the Ho Chung OZP.

3.2 Planning History

- 3.2.1 As discussed in **Section 2**, the Application Site includes an approved access road (about 1,246m²) connecting the adjoining "R(C)1" site and Wo Mei Hung Min Road. The approved access road, located within "GB" zone, was the subject of a S16 Planning Application (No. A/SK-HC/223) for an ancillary road serving the always permitted 'House' development at the adjoining "R(C)1" zone, which was then approved with conditions by the TPB on 8 February 2013. Subsequently, the proposed access road was approved by the Building Authority as part

of the House development (51 houses) at the adjoining "R(C)1" site in January 2023. Construction work for both the proposed access road and 51 houses development has commenced.

- 3.2.2 In addition, part of the Application Site (Lots 865 RP, 868 RP, 871, 872, 873, 874, 875 RP & 876 RP in D.D. 244 and adjoining Government Land, mainly the land areas between Site A and Site B) were the subject of two previous S16 planning applications (Nos. A/SK-HC/252 and A/SK-HC/279) with same application site for temporary place of recreation, sports or culture, which were approved with conditions by the TPB on 13 May 2016 and 3 August 2018 respectively. Yet, both planning applications were revoked on 13 November 2016 and 3 July 2020 respectively, and no work has been commenced so far (**Diagram 3.1** refers).

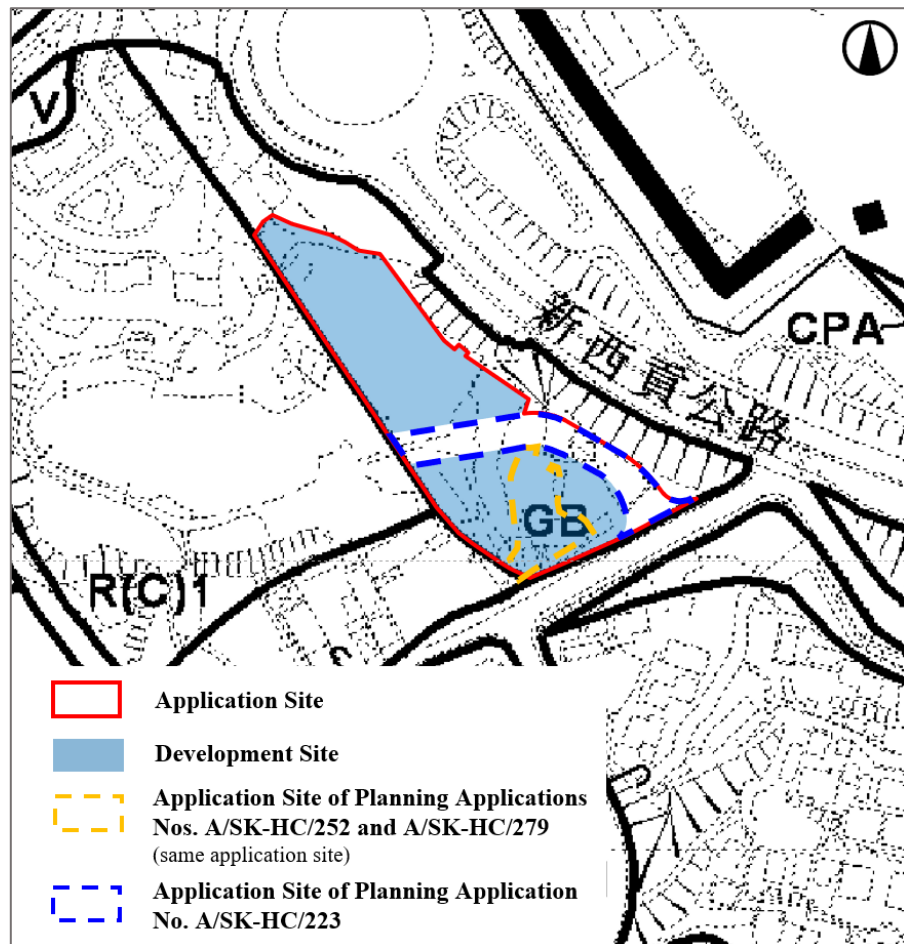


Diagram 3.1 Previous Planning Applications within the Application Site

3.3 Government's Multi-Pronged Approach to Increase Housing Supply

- 3.3.1 Housing shortage is one of the most pressing issues faced in Hong Kong in recent years and the Government has adopted a multi-pronged

approach in increasing land for housing supply including identifying new land for development. It was reaffirmed in the Policy Addresses from 2019 to 2022³ that the Government will continue to review various land uses and rezone sites as appropriate for housing development. Reviewing and rezoning suitable "GB" sites for housing development has been one of the major measures.

3.3.2 Despite with a "*presumption against development*", the Government has taken steps to review different "GB" sites that covered the whole territory of Hong Kong for rezoning in two stages. According to the Legislative Council Paper for the Panel on Development in 2022⁴, the Government will continue to recognise the rezoning of "GB" zones as an important source of housing land supply for their relatively lower ecological value, committing to 'a new round of review' of land zoned "GB" (Stage 3 "GB" Review refers). In the Stage 3 "GB" Review, it will target at "*sites with higher gradient and farther away from the built-up area but still with roads in the vicinity, covering even private land*". **Table 3.1** below summarises the key assessment criteria of different rounds of "GB" Reviews initiated by the Government:

Table 3.1 Key Assessment Criteria of "Green Belt" Reviews Initiated by the Government

Different Rounds of "GB" Review	Assessment Criteria
Stage 1 "GB" Review ⁵	- devegetated, deserted or formed, and those that are closer to existing urban areas and new towns
Stage 2 "GB" Review ⁶	- in the fringe of built-up areas close to existing urban areas and new towns, and those vegetated areas with relatively less buffering effect and lower conservation value
Stage 3 "GB" Review ⁷	- sites with higher gradient and farther away from the built-up area but still with roads in the vicinity, covering even private land

³ 2019 Policy Address (<https://www.policyaddress.gov.hk/2019/eng/pdf/PA2019.pdf>); 2020 Policy Address (<https://www.policyaddress.gov.hk/2020/eng/policy.html>); 2021 Policy Address (<https://www.policyaddress.gov.hk/2021/eng/p93.html>); 2022 Policy Address (https://www.policyaddress.gov.hk/2022/public/pdf/policy/policy-full_en.pdf)

⁴ LC Paper No. CB(1)1395/20-21(01) <https://www.legco.gov.hk/yr20-21/english/panels/dev/papers/dev20211025cb1-1395-1-e.pdf>

⁵ LCQ10: Statistics on and rezoning of Green Belt sites <https://www.info.gov.hk/gia/general/201801/24/P2018012400288p.htm>

⁶ LCQ10: Statistics on and rezoning of Green Belt sites <https://www.info.gov.hk/gia/general/201801/24/P2018012400288p.htm>

⁷ 2021 Policy Address https://www.devb.gov.hk/en/about_us/policy/2021-policy-address-supplement/policy-address-and-pa-supplement-initiatives/index.html

3.3.3 In the first two stages of "GB" reviews, 77 sites with potential for residential use have been shortlisted and 45 of them have been rezoned from "GB" to housing sites. Stage 3 of "GB" review was completed recently and has further identified about 255ha of "GB" land, with its first batch of rezoning targeted to be completed by 2024⁸.

3.3.4 The Application Site, which has only a few trees with generally low landscape value and locates within an existing residential area with convenient transport infrastructure connecting to the Sai Kung town centre and other urban cores of Hong Kong, have met the criteria under the 3 stages of "GB" Reviews with potential for housing development.

3.4 Government's Effort in Identifying "GB" Site for Housing Development in the Surrounding Area

3.4.1 The Government's initiative to review suitable "GB" sites for housing development can also be found in the Sai Kung District and in the vicinity of the Application Site. At the time of this submission, a total of 6 "GB" sites in the Sai Kung area have already been rezoned by Government initiatives for private/ public housing development during the land reviews (Table 3.1 below).

Table 3.1 Rezoning of "GB" Sites initiated by the Government in Sai Kung District for Housing Development^{9 10}

No.	Location	Site Area (in ha)	Rezoning Proposal and Development Restriction	No. of Flats	Status
1	The junction of Pik Sha Road and Clear Water Bay Road ¹¹	0.13	<ul style="list-style-type: none"> To "R(C)10" Maximum PR of 0.6 Maximum SC of 30% Maximum BH of 3 storeys (including carport) 	4 (private)	Rezoning Completed
2	South of Chiu Shun Road, Tseung Kwan O ¹²	0.46	<ul style="list-style-type: none"> To "R(A)8" Maximum PR of 6.5 Maximum BH of 130mPD 	600 (public)	Rezoning Completed
3	East of Movie City, Tseung Kwan O	2.26	<ul style="list-style-type: none"> To "R(A)7" Maximum PR of 6.5 	2,900 (public)	Rezoning Completed

⁸ LCQ8: Development planning for area around Ting Lai Road near Nam Hang Tsuen, Tai Po <https://www.info.gov.hk/gia/general/202301/18/P2023011800376.htm?fontSize=1>

⁹ Task Force on Land Supply Paper No. 10/2017. Retrieved from https://www.devb.gov.hk/filemanager/en/content_1054/Paper_10_2017.pdf

¹⁰ https://www.devb.gov.hk/filemanager/en/content_1251/devb-pl-e.pdf Replies to initial written questions raised by Finance Committee Members in examining the Estimates of Expenditure 2021-22. Retrieved from https://www.devb.gov.hk/filemanager/en/content_1251/devb-pl-e.pdf

¹¹ https://www.info.gov.hk/tpb/en/papers/RNTPC/486-rntpc_7-13.pdf RNTPC Paper No. 7/13. Retrieved from https://www.info.gov.hk/tpb/en/papers/RNTPC/486-rntpc_7-13.pdf

¹² RNTPC Paper No. 6/17. Retrieved from <https://www.info.gov.hk/tpb/en/papers/papers.html>

			<ul style="list-style-type: none"> Maximum BH of 210mPD 		
4	Northwest of Ying Yip Road, Tseung Kwan O	1.59	<ul style="list-style-type: none"> To "R(A)7" Maximum PR of 6.5 Maximum BH of 170mPD 	1,600 (public)	Rezoning Completed
5	West of Yau Yue Wan Village, Tseung Kwan O	2.95	<ul style="list-style-type: none"> To "R(A)7" Maximum PR of 6.5 Maximum BH of 140mPD 	2,700 (public)	Rezoning Completed
6	Ta Ku Ling, Tseng Lan Shue area ¹³	2.55	<ul style="list-style-type: none"> To "R(C)7" Maximum GFA of 23,466m² (PR of about 0.92) Maximum BH of 7 storeys (24m) 	330 (private)	Rezoning Completed

3.4.2 Among the above rezoned sites within Sai Kung area, the site in Ta Ku Ling is within the vicinity of the Application Site. At about 650m of the Application Site, the Ta Ku Ling site was recently rezoned from "GB" to "R(C)7" for private housing development as one of the amendment items on the Draft Tseng Lan Shue OZP No. S/SK-TLS/9 which has been approved by the CE in C¹⁴. The Approved Tseng Lan Shue OZP No. S/SK-TLS/10 has been gazetted on 5 May 2023 ¹⁵(**Diagram 3.2** refers).

3.4.3 According to the TPB Paper No. 10861¹⁶, the rezoned "GB" site has a site area of about 2.55ha and is intended for 14 nos of 7-storey private housing development with a maximum GFA of 23,466m² (equivalent to a PR of about 0.92). In terms of land use and development intensity, the site was considered compatible with the surrounding areas given that there are existing low-density residential developments and village houses nearby. The Application Site shares similar context with the rezoned "GB" site by locating within a predominantly low-dense neighbourhood.

¹³ RNTPC Paper No. 1/22. Retrieved from

<https://www.info.gov.hk/tpb/en/papers/papers.html>

¹⁴ Minutes of 1280th Meeting of the Town Planning Board held on 2.9.2022. Retrieved from

https://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1280tpb_e.pdf

¹⁵ Draft Tseng Lan Shue Outline Zoning Plan approved. Retrieved from

<https://www.info.gov.hk/gia/general/202305/05/P2023050500233.htm>

¹⁶ TPB Paper No. 10861

https://www.info.gov.hk/tpb/en/whats_new/Website_S_SK-TLS_9.html

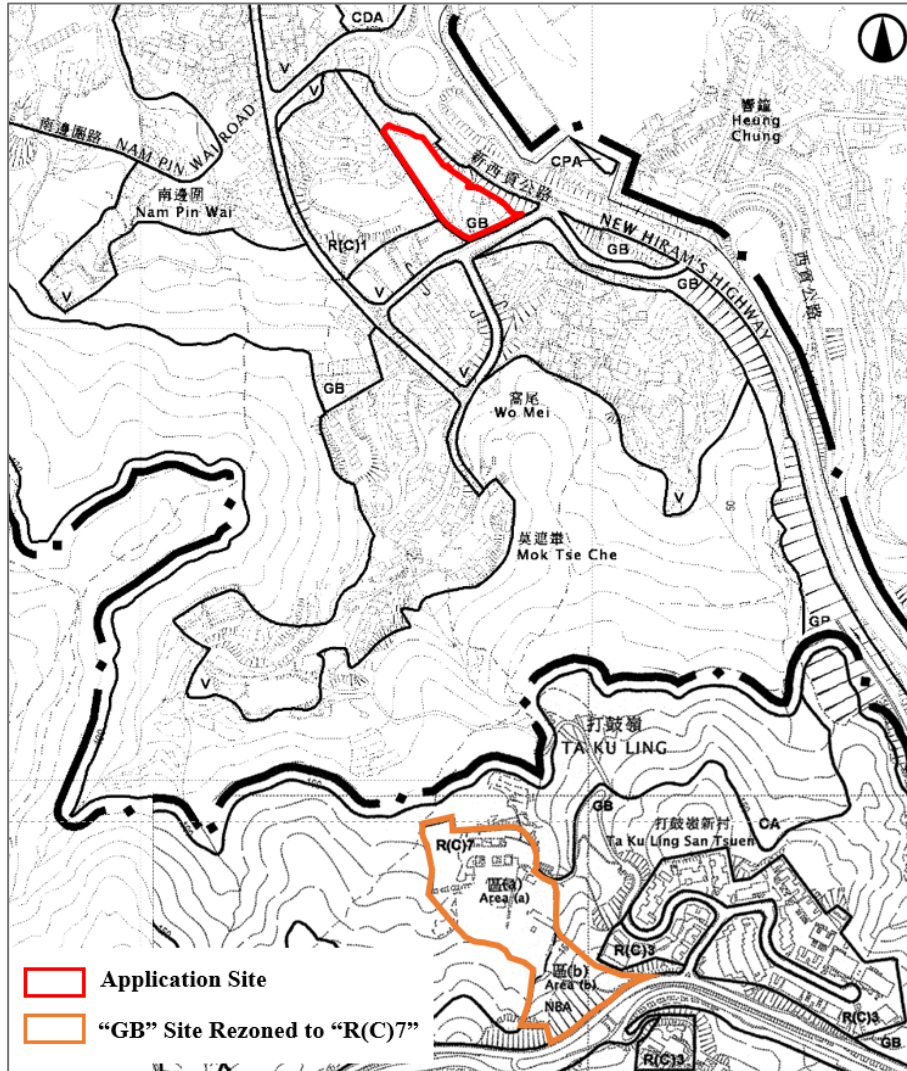


Diagram 3.2 Nearby "GB" Site in Tseng Lan Shue Area Rezoned to "R(C)7" for Housing Development

4 The Indicative Scheme

4.1 Reviewing Development Potential of the Long-wasted Land while Not Compromising the Integrity and Function of the Wider "GB" Zone

- 4.1.1 Located within an existing residential neighbourhood of Nam Pin Wai and in particular adjoining a "R(C)1" site under construction, the Application Site, largely vacant and with limited landscape value barely serves the planning intention of "GB" zone for defining limits of urban and sub-urban development, contain urban sprawl and provide passive recreational outlets. The Application Site has met the assessment criteria in the various stages of review conducted by the Government to identify suitable "GB" sites for housing development.
- 4.1.2 The Applicants owned a consolidated portion of private lots within the Application Site, which provide certainty for the Application Site to be released for suitable house development as a natural extension of the "R(C)"1 site and seamlessly integrate to the low-density residential neighbourhood.
- 4.1.3 At the same time, the Application Site has excluded the remaining "GB" zone locating along the New Hiram's Highway where dense tree cover serving as a landscape buffer from the major road can be found. This also ensure the wider "GB" network planned along the New Hiram's Highway on the OZP to remain intact.

4.2 General Planning and Design Principles

- 4.2.1 The general planning and design principles that guides the formulation of the Indicative Scheme are described below.
- 4.2.2 **Consolidating Fragmented Land Lots in this Underutilised Left-over Space Not Serving "GB" Function** – Currently, the Application Site is bisected by the approved access road into two left-over pieces to the north and south with sparse distribution of trees of generally low amenity value. The frequently observed pedestrian trespassing and waste dumping due to a lack of management also create safety concern and visual eye sores to the nearby residents. All these hindered the Application Site from serving the function of "GB" zone. The Applicants, owning about 76.8% of private lots in a consolidated manner, see an opportunity to review and rationalise these undermanaged left-over areas for suitable housing development to benefit society at large. Through a well-designed and managed house development, it is anticipated to bring an overall enhancement to the local residential area.
- 4.2.3 **Full Compatibility with the Surrounding Areas** – The Application Site is located within a low-dense neighbourhood and immediately adjoins an approved house development under the existing "R(C)1"

zone with a PR 0.75 and BH of 12m. Proposed Development at the Application Site should be fully compatible with the sub-urban character of Nam Pin Wai area and in particular intended to adopt the same development scale as the adjoining "R(C)1" site as a natural extension of house development at the Application Site.

- 4.2.4 **Pragmatic Phasing Approach in Response to the Land Ownership Pattern** – The layout of the Indicative Scheme has fully taken into account the existing land use pattern at the Application Site. Phase 1 development will be proposed on Sites A, B and C (Figure 2.2 refers) which are under Applicants' consolidated ownership and readily connected via the approved access road. During the scheme formulation process, the Applicants also recommend a feasible development layout for the Remaining Phase. By allocating GFA in each phase on a pro-rata basis and ensuring self-contained provision such as local open space and internal transport facilities, the Indicative Scheme will pay full respect to the development rights of the third-party owners at the Application Site. The Indicative Scheme will present a pragmatic phasing strategy to allow certainty in early implementation of Phase 1 development while providing incentive to spearhead the Remaining Phase development. All technical assessments have taken into account both Phase 1 and Remaining Phase development to ensure technical feasibility of the Proposed Amendment at the Application Site.
- 4.2.5 **Enhancing Landscape Amenity, Phasing out of Visual Eye Sores and Upgrading the Neighbourhood Environment** – As revealed in tree survey, existing vegetation at the Application Site is sparsely distributed and in fair to poor health conditions. Together with the lack of management, resulting in pedestrians trespassing and waste dumping for years, it creates environmental degradation and visual eye sores to the surrounding area. Future house development at the Application Site is committed to enhance the visual and landscape amenity with a dedicated landscape design concept and centralized management. The environmental and living quality of its surrounding communities is anticipated to be greatly improved.
- 4.2.6 **Minimising Potential Impacts to the Proposed Development on the Ho Chung Site of Archaeological Interest** – As the western part of the Application Site falls within the Ho Chung SAI (**Diagram 4.1**), in full respect with the ES of OZP, an Archaeological Review has been conducted and to recommend mitigation measures to ensure no adverse impacts to the SAI will be resulted with the proposed development at the Application Site.

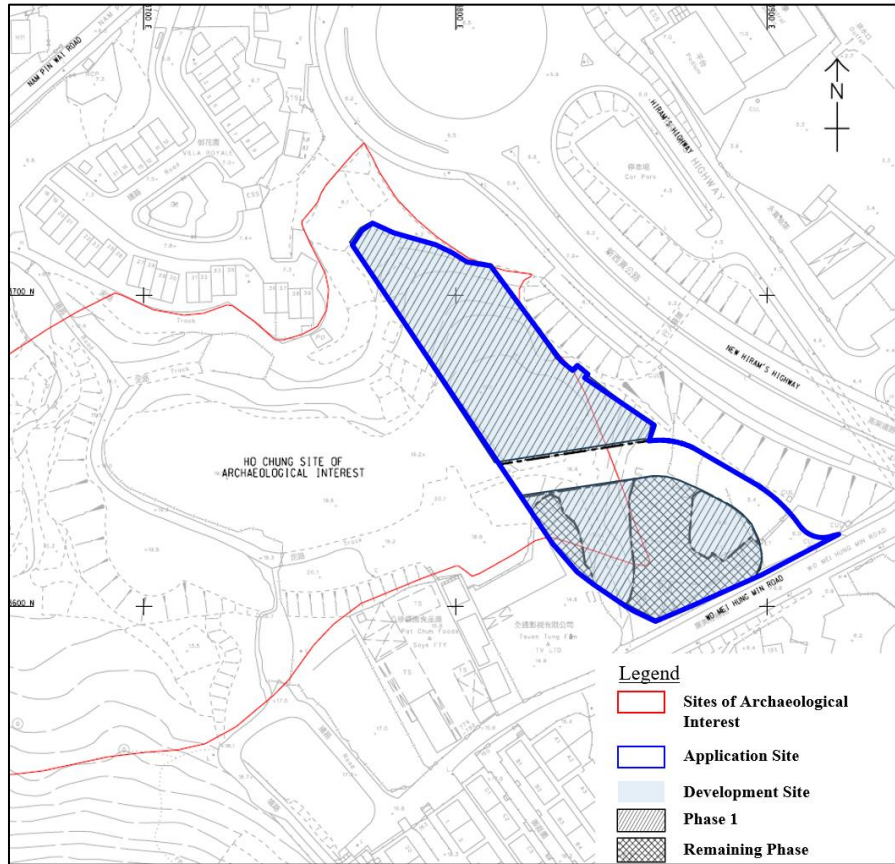


Diagram 4.1 Ho Chung Site of Archaeological Interest and the Application Site

4.2.7 Please refer to **Appendix A** for the Architectural Plans of the Indicative Scheme.

4.3 Key Development Parameters

4.3.1 As discussed in **Section 4.2.4**, the Applicants are fully aware of and respect the development rights of other private lots within the Application Site. Therefore, the Indicative Scheme will be developed in 2 self-contained phases, namely Phase 1 (including Sites A, B and C with consolidated ownership by the Applicants) and Phase 2 (including third-party lots and Government land) (**Diagram 4.2** refers).

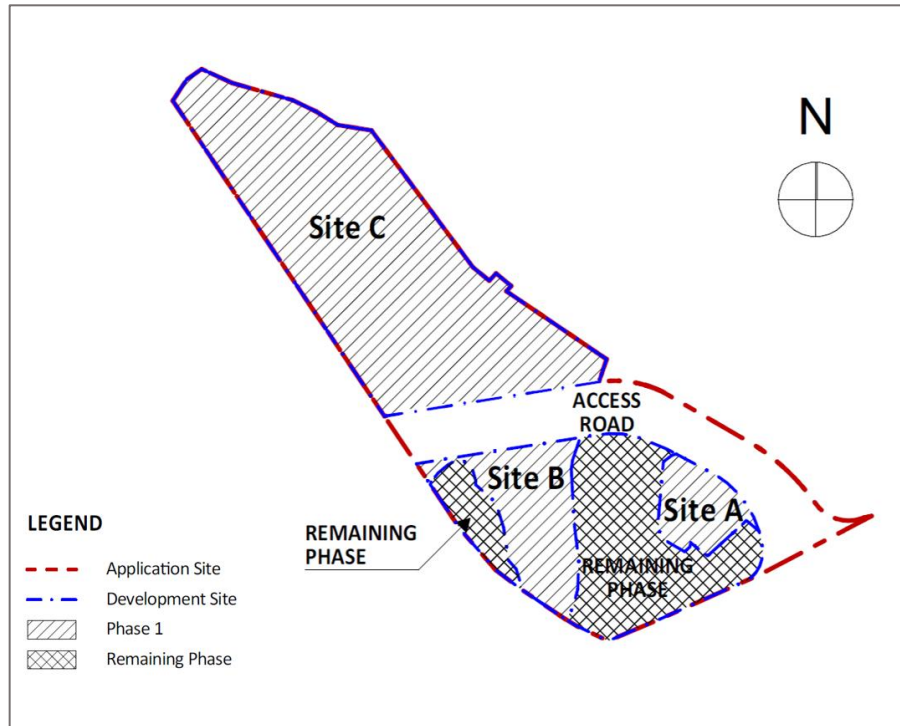


Diagram 4.2 Phasing Arrangement of the Indicative Scheme

- 4.3.2 Please refer to **Table 4.1** below for the key development parameters of the Indicative Scheme, and by their respective phases. It can be observed that an equivalent PR (0.75), BH (12m or 3 storeys), Site Coverage (not more than 25%) will be reserved for both Phase 1 and Remaining Phase of the Indicative Scheme. The Indicative Scheme also ensures that the provision of ancillary parking facilities and local open space provision to be self-contained within both the Phase 1 and Remaining Phase according to prevailing planning standards. By doing so, landowners of these other private lots are encouraged to develop the Remaining Phase at their own initiatives.
- 4.3.3 It is anticipated that Phase 1 development will be completed by year 2030. For technical assessment purpose, it is assumed that the entire Indicative Scheme, including both Phase 1 and the Remaining Phase, will be completed by year 2030.

Table 4.1 Key Development Parameters of the Indicative Scheme

Key Development Parameters	Indicative Scheme			
	Phase 1	Remaining Phase	Total	
Application Site Area (About)	-	-	6,601m ²	
Development Site Area Excluding the Access Road* (About)	4,020m ²	1,335m ²	5,355m ²	
Domestic PR (Not more than) [#]	0.75	0.75	0.75	
Domestic GFA (About) ^{# &}	3,015m ²	1,001m ²	4,016m ²	
Building Height (About)	12m	12m	-	
No. of Storeys	3	3	3	
Site Coverage [#]	Not more than 25%	Not more than 25%	Not more than 25%	
No. of Houses	13	4	17	
Anticipated Population (about) [^]	39	12	51	
Local Open Space	Not less than 39m ²	Not less than 12m ²	Not less than 51m ²	
Parking Spaces	Private Car	26	8	34
	Visitors	2	-	2
	Motorcycle	1	0	1
Loading/ Unloading Bay	1	-	1	

Notes:

* The area of the access road under the approved planning application No/ A/SK-HC/223 is about 1246m²

Calculation is based on the Development Site Area which excludes the access road.

[^] A Person Per Occupied Flat of 3.0 is assumed based on the average domestic household size of Pak Sha Wan District Council Constituency Area as reported in the 2021 Population Census by the Census and Statistics Department

& GFA of the proposed clubhouse provision is within 5% of the total domestic GFA and is therefore exempted from GFA calculation

4.4 Building Design of the Indicative Scheme

4.4.1 The building design of the Indicative Scheme has followed the general planning and design principles as set out in **Section 4.2**. The Indicative Scheme pays full respect to the existing low-dense residential context of the Nam Pin Wai area. The building designs of Phase 1 and Remaining Phase developments are as follows:

Phase 1

4.4.2 With a PR of 0.75, SC of 25% and BH of 12m with 3 storeys, Phase 1 development comprises three sites with Site B and C for houses development to the south and north of the approved access road; and Site A mainly serve as the ancillary clubhouse at the entrance of the Application Site. Under the Indicative Scheme, two houses are planned at Site B while eleven houses are planned at Site C, directly adjoins the

adjacent "R(C)1" site under construction. The interface issue has been taken into account by designating an internal access road with a hammerhead at the western portion of Site C, providing buffer with the "R(C)1" Site (Section AA of **Appendix A** refers). At the same time, houses at Site C will be effectively screened from the New Hiram's Highway by the existing tree cover outside the Application Site.

Remaining Phase

- 4.4.3 Lots under third-party ownership are planned to be developed under Remaining Phase. In view of the constrained site area of the lots to the east of Site B (under Phase 1), the proposed GFA of the Remaining Phase will be allocated to the larger land parcel sandwiched between Sites B and A, to accommodate four houses with a PR of 0.75, SC of 25% and BH of 12m with 3 storeys. The Remaining Phase will be self-contained and possess a separate vehicular access to the approved access road leading to Wo Mei Hung Min Road and New Hiram's Highway. It should be noted that the proposed layout of the Remaining Phase is for indicative purpose only and might be developed by the third-party owners by their own initiatives under the proposed development intensity.

Sensitive Design Layout

- 4.4.4 By adopting the same development intensity of the adjoining "R(C)1" zone, the Indicative Scheme under the Proposed Amendment will seamlessly blend in with the adjoining development and act as its natural extension. As shown on Section AA in **Appendix A**, the development scale of the proposed houses at the Application Site is fully compatible with the adjoining environ.
- 4.4.5 Noting that the Application Site is bounded by New Hiram's Highway to its east and Wo Mei Hung Min Road to its south, the Indicative Scheme adopted a sensible layout design by setting back 20m and 5m from the two roads such that the future residents at the Application Site will not be susceptible to adverse environmental impacts (**Diagram 4.3** refers).

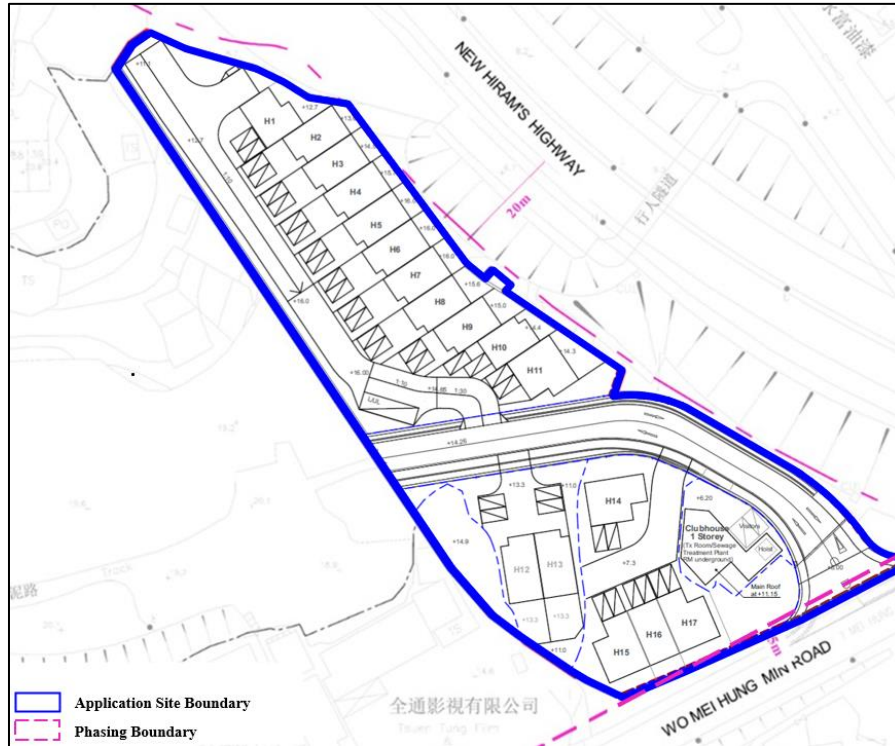


Diagram 4.3 Setback Distances from New Hiram's Highway and Wo Mei Hung Min Road

Compliance with Sustainable Building Design Guidelines (SBDG)

- 4.4.6 The Indicative Scheme fully adheres to the SBDG. For the building setback, the building disposition has taken into account of the setback from the centre line of Wo Mei Hung Min Road which complies with relevant SBDG requirement. It is noted that the proposed residential building blocks of height not exceeding 15m would be exempted from the building separation requirements. In terms of site coverage of greenery, both Phase 1 and Remaining Phase complies with the minimum requirement of providing 20% of the site area on a self-contained basis.

4.5 Landscape Design

Landscape Design Concept

- 4.5.1 The key landscape design concepts of the Indicative Scheme are as follows:
- Create a landscape design commensurate with the specific site conditions of the Application Site;
 - Create a landscape character consistent with the overall design language and aesthetic of the architectural elements;

- Ensure the Proposed Development is sensitively integrated into the surrounding areas via appropriate interface treatments;
- Create suitable outdoor spaces for communal use of future residents; and
- Promote the use of indigenous plant species throughout the landscape and to introduce exotic ornamental species to feature areas.

4.5.2 With the above concepts, the landscape proposal of the Indicative Scheme includes the followings:

4.5.3 **Entrance Courtyard:** An entrance courtyard planted with flowering trees and shrubs is designed to enhance the arrival experience, aid orientation and create a welcoming atmosphere.

4.5.4 **Clubhouse Landscape Area:** The clubhouse is designed as a strong node and a visual landmark reference point within the development. It consists of hard and soft landscape areas for multi-function usage suitable for function/ event and recreation facilities.

4.5.5 **Private Garden:** A feature tree will be planted at each housing unit to reflect the overall character of the development and establish the individuality of the housing units.

4.5.6 **Avenue Tree Planting:** A combination of specimen trees and shrub planting will be provided along the EVA of the Proposed Development. This creates a lush tree planting avenue. Colour paving and patterns will be used to delineate the road bed and adjacent sidewalk to create an inviting environment upon which pedestrians will feel safe and comfortable. These measures are designed to enhance the character, vitality, amenity and safety of the Indicative Scheme.

Tree Preservation Proposal

4.5.7 Among 93 nos. of existing trees living in tree groups, 92 nos. of them are proposed to be felled (Phase 1: 78 nos. and Remaining Phase: 14 nos.) and 1 no. rare species *Aquilaria sinensis* living in Phase 1 is proposed to be transplanted.

4.5.8 Majority of existing trees proposed to be felled are in fair to poor condition, health and form with low amenity value, and possess defects such as dead branches, cavity, wood decay, wounds or seams and low in survival rate after transplanting. To replenish the loss of existing greenery, 92 nos. of new trees are proposed to be planted (Phase 1: 78 nos. and Remaining Phase: 14 nos.) in 1:1 compensation ratio in terms of quantity.

Open Space Provision

4.5.9 The Indicative Scheme is in accordance with the open space requirement in the Hong Kong Planning Standards and Guidelines (HKPSG), which requires 1m² local open space per person. As the total

estimated population for the Proposed Development is about 51 persons, therefore not less than 51m² of local open space will be provided. Both Phase 1 and Remaining Phase development are self-contained in terms of local open space provision.

Greenery Provision

- 4.5.10 The Indicative Scheme is also in full compliance with the requirement of PNAP APP-152 that an area of not less than 20% of the total greenery will be provided for both Phase 1 and Remaining Phase.
- 4.5.11 Please refer to **Appendix B - Landscape Master Plan** for more details.

4.6 Traffic Arrangement

Vehicular Access

- 4.6.1 The Application Site is located near the junction of Hiram's Highway/ Wo Mei Hung Min Road. At present, there is no proper vehicular access to the Application Site. As shown in the Indicative Scheme, an access road under the approved planning application No. A/SK-HC/223 will be formed connecting Wo Mei Hung Min Road, the Application Site and the adjoining "R(C)1" development. Hence, the Application Site will be connected to the Sai Kung town centre and urban areas in Kowloon and Hong Kong island via the approved access road which further links to Wo Mei Hung Min Road and New Hiram's Highway.
- 4.6.2 The access arrangement is shown in the Indicative Scheme in **Appendix A**.

Internal Transport Facilities

- 4.6.3 Each development phase of the Indicative Scheme will be self-contained in terms of internal transport facilities which are provided in accordance with requirement of the HKPSG. Please refer to the **Appendix C - Traffic Impact Assessment** for the details on the traffic and transport arrangement for the Indicative Scheme.

5 Amendment Proposal

5.1 Considerations for An Appropriate Zoning

- 5.1.1 In response to the Government's on-going initiative to identify suitable sites to aid housing development, and with the fact that the existing condition of the Application Site has not been serving the function of "GB" and is readily available for house development, an appropriate zoning in place for the Application Site is needed to realise the Indicative Scheme discussed in **Section 4**. The key factors contributing to an appropriate and hence, successful zoning is listed out in the following sub-sections.

5.2 Clear Planning Intention

- 5.2.1 The proposed zoning should carry a clear planning intention and development direction for the type of uses and development intensity on the Application Site. In the case of this Application Site, the zoning should clearly specify that the Application Site should predominately be used for low-dense house development.

5.3 Appropriate Zoning Control

- 5.3.1 The proposed zoning should have appropriate zoning control over the proposed use, scale and intensity by designating restrictions on the PR, SC and BH to guide the direction of the development towards the intended planning intention and to rationalise the bisected land pieces at the Application Site. Appropriate zoning control would also ensure that the Indicative Scheme will be compatible with the surroundings.

5.4 Appropriate Zoning Flexibility

- 5.4.1 Some kind of flexibility has to be allowed in the zoning to allow flexibility in creative and innovative design and proposals, which can tie in more closely to community aspirations and market demands, allowing diversity which contributes to social vibrancy.

5.5 The Proposed Amendment

- 5.5.1 In light of the discussion in the above Sections, this Planning Application proposes amendment to the Plan and Notes to the Approved Ho Chung OZP No. S/SK-HC/11 by rezoning the Application Site from "GB" zone to "R(C)1" zone with a development intensity fully compatible with the surrounding context for private housing use.
- 5.5.2 The Proposed Amendment will be responding to the overall policy direction of increasing housing supply through rezoning "GB" sites and has met suitable criteria in Stages 2 and 3 of "GB" reviews, viz. locating

in the fringe of built-up area close to existing urban areas and new towns, having low buffering effect and conservation value, as well as being well-served by existing road infrastructure in the vicinity.

- 5.5.3 The Applicants are intended to adopt the existing "R(C)1" zone and the development parameters and requirement as stipulated in its existing Notes and ES on the Application Site. By rezoning the Application Site to the same "R(C)1" zoning as its adjoining development, it could facilitate the natural integration of the two developments in a seamless manner, to provide additional private residential supply while at the same time not compromising compatibility with the adjoining environment.
- 5.5.4 The Proposed Amendment on the Plan is shown in **Figure 5.5a**. The Notes and ES of the current "R(C)1" zone to which the Application Site is proposed to be rezoned is illustrated in **Figures 5.5b to 5.5c** and **Figures 5.5d to 5.5e** respectively.

6 Planning Justifications

6.1 Rationalising Wasted Land Resources Not Serving "GB" Function for Housing Purpose

- 6.1.1 Despite being zoned as part of "GB" on the OZP for decades, the existing condition of the Application Site barely perform the function of "GB" for *defining limits of urban and sub-urban development, contain urban sprawl and provide passive recreational outlets*. Currently, majority of the Application Site has been left vacant with limited tree cover possessing defects and low amenity value. The lack of management also resulted in frequent pedestrian trespassing and waste dumping, causing environmental degradation and security issue to the wider residential neighbourhood of Nam Pin Wai.
- 6.1.2 On the other hand, as a piece of land adjoining built-up residential developments and well-served by public transport services, the vacated land of the Application Site is considered a wastage of scarce land resources that warrants a review for suitable development that is compatible with its surroundings.
- 6.1.3 Being the landowner of consolidated private lots within the Application Site, the Applicants are keen to rationalize this piece of wasted land immediately adjoining to an approved house development (the adjoining "R(C)1" site) and propose for house development with a similar scale under pragmatic development phases.
- 6.1.4 It should be noted that the boundary of the Application Site mainly includes the wasted land held by private lots, while retaining the existing dense tree cover along its eastern boundary as "GB" to minimize impact to the wider "GB" network along New Hiram's Highway.

6.2 Not Compromising the Integrity and Function of the Wider "GB" Zone

- 6.2.1 Despite the rezoning of the Application Site from "GB" to "R(C)1" will inevitably reduce the total area of "GB" at the local area of Nam Pin Wai, the overall planning intention "*primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone*" for the wider area will not be compromised with the Proposed Amendment.
- 6.2.2 As shown on **Figure 5.5a and Diagram 4.3**, it should be noted that the strip of "GB" zone of at least 20m-wide to the east of the Application Site, currently occupied by dense tree cover, will be retained on the OZP. The "GB" strip will continue to serve as a landscape/visual buffer between the New Hiram's Highway and the sub-urban residential area

of Nam Pin Wai, including the Indicative Scheme at the Application Site. It will continue to link up with the wider "GB" zone along the New Hiram's Highway to the south with a similar width serving similar functions.

- 6.2.3 As such, rezoning of the Application Site from "GB" to "R(C)1" zone will not affect the planning intention "GB" network along New Hiram's Highway. In turn, the Proposed Amendment will improve the local environment by replacing the existing under-managed land by a high-quality 'House' development with proper management and thoughtful designed landscape. Early implementation of the Indicative Scheme will provide an upgrade to the landscape and visual amenity of the local area while ensuring full compatibility with the surrounding developments by proposing suitable development intensity.

6.3 In Line with the Government's Initiatives and Criteria of Reviewing Suitable "GB" Zone for Housing Development

- 6.3.1 As outlined in **Section 3.3**, as part of the multi-pronged approach to increase land supply, the Government has been actively reviewing and exploring the development potential of sites that fall within "GB" zone.
- 6.3.2 Based on the criteria adopted in three rounds of "GB" Review by the Government, **Table 6.1** below summarizes the applicability of the Application Site, as a suitable "GB" site that warrants review for suitable land uses for housing purpose.

Table 6.1 Fulfilment of the Government’s Assessment Criteria in Reviewing “GB” Sites

Assessment Criteria adopted in Three Rounds of “GB” Review	Fulfilment of the Application Site
<p>Stage 1 “GB” Review devegetated, deserted or formed, and those that are closer to existing urban areas and new towns</p>	<p>✓ The Application Site is mostly vacant. Only a few trees in fair to poor condition with general low amenity value can be found.</p> <p>✓ An approved access road (approved under No. A/SK-HC/223) is currently formed and under construction, cutting across the Application Site connecting to Wo Mei Hung Min Road.</p>
<p>Stage 2 “GB” Review in the fringe of built-up areas close to existing urban areas and new towns, and those vegetated areas with relatively less buffering effect and lower conservation value</p>	<p>✓ The Application Site is immediately adjoining an approved 51 house development under “R(C)1” zone which is under construction, and in a wider context within the low-dense sub-urban residential neighbourhood of Nam Pin Wai.</p> <p>✓ The Application Site is conveniently connected to Wo Mei Hung Min Road via an approved access road (approved under No. A/SK-HC/223), which further connects to the New Hiram’s Highway, conveniently connected to Kowloon and Sai Kung in 15mins.</p> <p>✓ Based on tree survey, existing trees on the Application Site possess low conservation value. Majority of them are in fair too poor condition and possess defects such as dead branches, cavity, wood decay, wounds or seams. The existing condition of the Application Site is largely vacant land with no proper management. Pedestrian trespassing and waste dumping causes environmental degradation and security concerns.</p>

Assessment Criteria adopted in Three Rounds of "GB" Review	Fulfilment of the Application Site
	<p>✓ The Application Site has excluded the existing dense tree cover (about 20m) along the New Hiram Highways. The remaining "GB" strip will be adequate to serve as an effective landscape/visual buffer between the New Hiram's Highway and the sub-urban residential area of Nam Pin Wai, including the Indicative Scheme at the Application Site.</p>
<p>Stage 3 "GB" Review sites with higher gradient and farther away from the built-up area but still with roads in the vicinity, covering even private land</p>	<p>✓ The Application Site is sitting on a sloping topography. The Indicative Scheme demonstrates a sensitive design that response to the topography for suitable housing development.</p> <p>✓ The Applicants already owned about 76.8% of private lots within the Application Site in a consolidated manner. Agreement to the Proposed Amendment will facilitate an early implementation of a central- managed house development at Phase 1 of the Application Site while offering drive to the Remaining Phase development, eventually bringing landscape and environmental upgrading to the area.</p>

6.3.3 Besides, as detailed in **Section 3.4**, it is also noted that the Government has rezoned a total of 6 "GB" zones for residential purpose in the Sai Kung District, ranging from 0.13 to 2.95 ha, providing a total of 7,800 public housing units and 334 private housing units in the past 10 years. Among them, a site in Tseng Lan Shue (2.55ha), which locates at about 650m to the south of the Application Site possessing a similar sub-urban context, was recently rezoned to "R(C)7" with a maximum GFA of about 23,466m² (equivalent to a PR of about 0.92) and maximum BH of 7 storeys (24m) for 330 private housing units on the Approved Tseng Lan Shue OZP No. S/SL-TLS/10 gazetted on 5 May 2023^{17 18}.

¹⁷ Minutes of 1280th Meeting of the Town Planning Board held on 2.9.2022. Retrieved from https://www.info.gov.hk/tpb/en/meetings/TPB/Minutes/m1280tpb_e.pdf

¹⁸ Draft Tseng Lan Shue Outline Zoning Plan approved. Retrieved from <https://www.info.gov.hk/gia/general/202305/05/P2023050500233.htm>

- 6.3.4 The Proposed Amendment under this Application, which is of a much smaller scale in terms of Site Area (about 6,601m²), PR (about 0.75), BH (about 12m and 3 storeys) is therefore not unprecedented and a proactive response to the Government's on-going land supply initiatives.

6.4 Ensuring Full Compatibility with the Surrounding Context

- 6.4.1 As discussed in **Section 5**, the Proposed Amendment at the Application Site seeks for adopting the same "R(C)1" zoning as its adjoining approved house development. By adopting the same development restrictions (in terms of PR, SC and PR), and the fact that the Application Site (about 6,601m²) is of much smaller scale than the original "R(C)1" zone (about 21,455m²), the Proposed Amendment is considered a natural extension of the original "R(C)1" zone while fully compatible with the sub-urban residential context of the Nam Pin Wai area.
- 6.4.2 As demonstrated in Sections A-A, B-B, and C-C in **Appendix A**, the Proposed Amendment will be fully compatible with the low-dense living environment of Nam Pin Wai area and while at the same time not diminishing the function and integrity of the remaining "GB" zone on the OZP. **Appendix H** (Visual Impact Assessment) has also confirmed that the Proposed Amendment will not create adverse visual impacts to the surroundings and is considered compatible with the surrounding low-dense residential neighbourhood.

6.5 Enhancing Landscape Amenity and Upgrading Local Environment

- 6.5.1 Currently, the identified trees at the Application Site are generally in fair to poor condition with no rare species (except one *Aquilaria sinensis* which is proposed to be transplanted). The survey has concluded that the existing trees are of low amenity value.
- 6.5.2 Under the Indicative Scheme, the landscape environment of the Application Site will be greatly enhanced with sensible landscape design and the existing trees will be replaced by species with higher aesthetic value. The currently unmanaged environment within the Application Site will also be replaced by modern and contemporary well-designed house development. Hence, the Proposed Amendment is anticipated to enhance the landscape amenity and upgrade the living environment, thus benefitting the wider local community.

6.6 Adopting a Pragmatic Phasing Approach

- 6.6.1 The Indicative Scheme has presented a pragmatic phasing approach in response to the land ownership pattern within the Application Site. Phase 1 (Sites A, B, C) comprises of land lots solely owned by the

Applicants which is readily available for development, which provide incentives for private lot owners in the Remaining Phase to develop their land at their own initiatives.

- 6.6.2 As presented in the Indicative Scheme, each development phase will be self-contained in terms of development potential, local open space and internal transport facilities provision. The same development intensity is applied to both phases on a pro-rata basis such that the development rights of other private land owners will not be undermined.
- 6.6.3 Technical assessments submitted under this Application will include the entire Indicative Scheme, including both Phase 1 and Remaining Phases to ensure the feasibility of the Proposed Amendment at the Application Site.

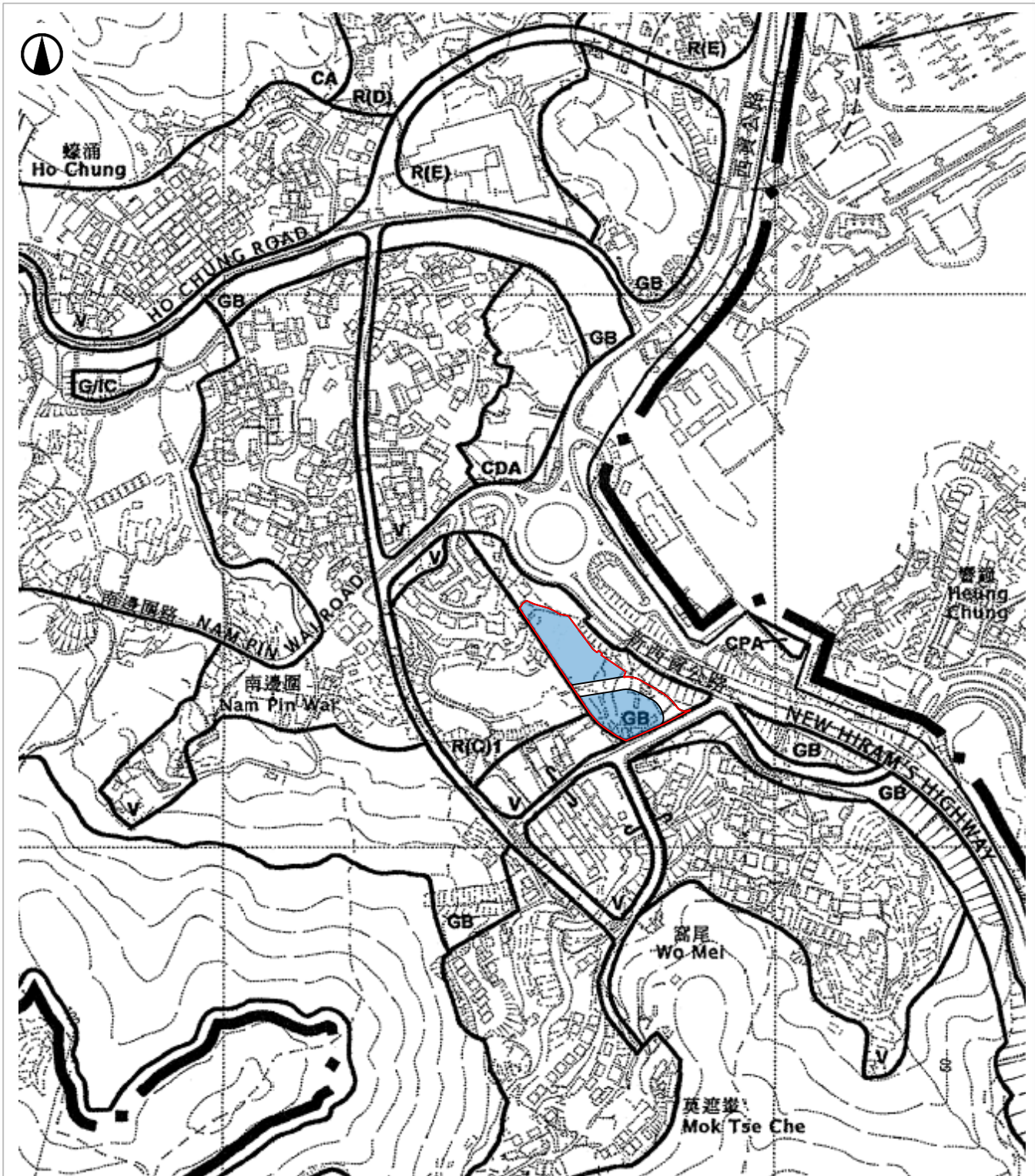
6.7 Inducing No Adverse Technical Impacts

- 6.7.1 Various technical assessments have been conducted to demonstrate the feasibility of the Proposed Amendment. These include Landscape Master Plan (**Appendix B**), Traffic Impact Assessment (**Appendix C**), Drainage Impact Assessment (**Appendix D**), Sewerage Impact Assessment (**Appendix E**), Archaeological Review Report (**Appendix F**), Geotechnical Planning Review Report (**Appendix G**) and Visual Impact Assessment (**Appendix H**). Findings of the technical assessment reveals that the Proposed Amendment will not generate adverse impact to the surrounding environment.

7 Conclusion

- 7.1.1 This Supporting Planning Statement is submitted under Section 12A of the TPO to seek approval for the Proposed Amendment to the Approved Ho Chung OZP No. S/SK-HC/11 by rezoning the Application Site from "GB" zone to "R(C)1" zone to facilitate a Proposed House Development at Various Lots in D.D. 244 and Adjoining Government Land, Nam Pin Wai, Sai Kung.
- 7.1.2 This Supporting Planning Statement has demonstrated the suitability and technical feasibility of the Proposed Amendment at the Application Site to the same "R(C)1" zone to its immediate west, which is subject to a maximum PR of 0.75, a maximum SC of 37.5% and a maximum BH of 9m with 2 storeys over one storey of carport or with a maximum PR of 0.75, a maximum SC of 25% and a maximum BH of 12m with 3 storeys over one storey of carport, to facilitate a Proposed House Development at the Application Site.
- 7.1.3 The Proposed Amendment seeks to rationalize the wasted land resources at the Application Site not effectively serving "GB" function for housing purpose. This is considered in-line with Government's on-going initiatives and criteria of reviewing suitable "GB" zones for housing development, while not compromising the integrity and function of the wider "GB" zone on the same OZP. By adopting the same development intensity and restriction as the adjoining approved house development, the Proposed Amendment is considered fully compatible with the sub-urban residential character of Nam Pin Wai. Agreement of the Proposed Amendment will provide certainty for a well-managed, modern house development with a sensitive landscape design, enhancing the landscape amenity for the local area.
- 7.1.4 It has been demonstrated in the technical assessments that the Proposed Amendment at the Application Site will not be generating adverse impact to the surroundings in terms of landscape, traffic, archaeological, drainage, sewerage and visual perspectives.
- 7.1.5 In view of the planning merits and justifications put forward in this Supporting Planning Statement, we sincerely seek the favourable consideration from the TPB to give support to this S12A Planning Application.

Figures



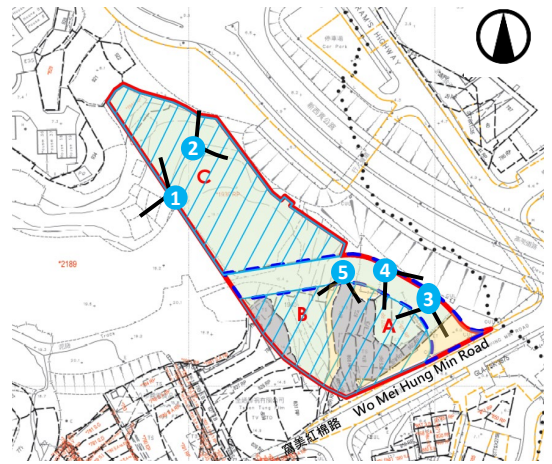
LEGEND

- Application Site
- Development Site

ZONING

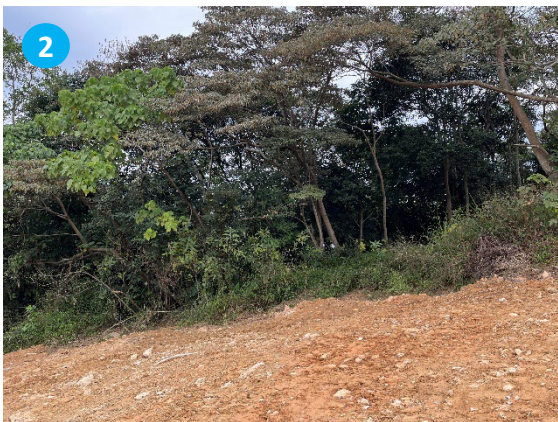
- R(C)1 Residential (Group C)1
- R(D) Residential (Group D)
- R(E) Residential (Group E)
- CDA Comprehensive Development Area
- G/IC Government, Institution or Community
- GB Green Belt
- V Village Type Development
- CA Conservation Area
- CPA Coastal Protection Area

Figure No.	Scale	Figure Title	Location Plan
2.1	-		
ARUP	Date	Source	Extracted from the Approved Ho Chung Outline Zoning Plan (No. S/SK-HC/11)
	May 2023		



LEGEND

- Application Site
- Development Site
- Approved Access Road under Planning Application No. A/SK-HC/223
- Lots under the Applicants' ownership (Phase 1 development with Sites A, B and C)
- Lots under Third-Party Ownership (Remaining Phase)
- Government Land



<i>Figure No.</i> 2.3	<i>Scale</i> -	<i>Figure Title</i> Existing Condition of the Application Site
ARUP	<i>Date</i> May 2023	<i>Source</i> Photos taken in Jan 2023

LEGEND

- Application Site
- Development Site

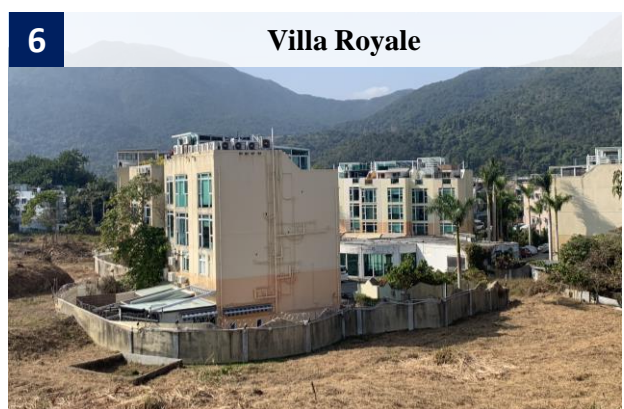
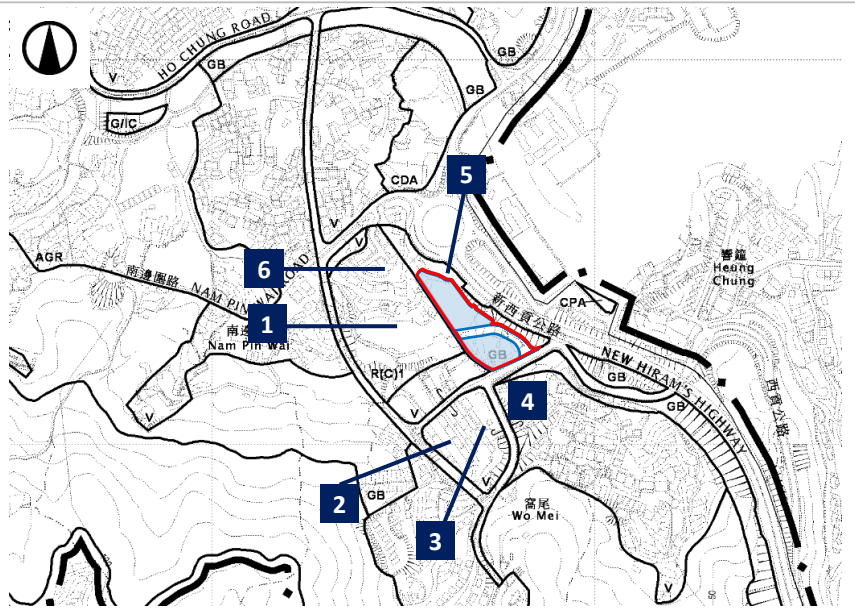


Figure No.	Scale	Figure Title
2.4	-	Surrounding Condition of the Application Site
ARUP	Date	Source
	May 2023	Various

GREEN BELT

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Agricultural Use Barbecue Spot Government Use (Police Reporting Centre only) Nature Reserve Nature Trail On-Farm Domestic Structure Picnic Area Public Convenience Tent Camping Ground Wild Animals Protection Area	Animal Boarding Establishment Broadcasting, Television and/or Film Studio Burial Ground Cable Car Route and Terminal Building Columbarium (within a Religious Institution or extension of existing Columbarium only) Crematorium (within a Religious Institution or extension of existing Crematorium only) Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) Helicopter Landing Pad Holiday Camp House (other than rebuilding of New Territories Exempted House or replacement of existing domestic building by New Territories Exempted House permitted under the covering Notes) Petrol Filling Station Place of Recreation, Sports or Culture Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Religious Institution Residential Institution Rural Committee/Village Office School Service Reservoir Social Welfare Facility Utility Installation for Private Project

(Please see next page)

<i>Figure No.</i>	<i>Scale</i>	<i>Figure Title</i>
3.1a	-	Extracted Notes of the “GB” Zone Attached to the Ho Chung OZP (1 of 2)
ARUP	<i>Date</i> May 2023	<i>Source</i> Extracted from the Approved Ho Chung Outline Zoning Plan (No. S/SK-HC/11)

GREEN BELT (Cont'd)

Planning Intention

The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.

Remarks

Any filling of land/pond or excavation of land, including that to effect a change of use to any of those specified in Columns 1 and 2 above or the uses or developments always permitted under the covering Notes (except public works co-ordinated or implemented by Government, and maintenance, repair or rebuilding works), shall not be undertaken or continued on or after the date of the first publication in the Gazette of the notice of the interim development permission area plan without the permission from the Town Planning Board under section 16 of the Town Planning Ordinance.

<i>Figure No.</i>	<i>Scale</i>	<i>Figure Title</i>
3.1b	-	Extracted Notes of the “GB” Zone Attached to the Ho Chung OZP (2 of 2)
ARUP	<i>Date</i> May 2023	<i>Source</i> Extracted from the Approved Ho Chung Outline Zoning Plan (No. S/SK-HC/11)

- 9.8.1 The planning intention of this zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes, which is in line with the current agricultural policy of promoting modern, efficient, intensive, safe and environmentally acceptable farming on land for agricultural use or rural activities through statutory zoning. This zone is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.
- 9.8.2 Being well served by irrigation and servicing facilities, the agricultural land in Ho Chung valley is of “good” quality as classified by the Agriculture, Fisheries and Conservation Department.
- 9.8.3 The main farming activities in the area are the growing of vegetables, flowers and fruit trees. Rivers and streams provide the main source of water supply for irrigation. The area is only served by limited vehicular access via the sub-standard Ho Chung Road but it is largely accessible via footpaths.
- 9.8.4 As filling of land/pond may cause adverse drainage and environmental impacts on the adjacent areas, permission from the Board is required for such activities. However, filling of land specifically required under prior written instructions of Government department(s), or for the purposes of genuine agricultural practice including laying of soil not exceeding 1.2m in thickness for cultivation, and construction of agricultural structure with prior written approval from the Lands Department is exempted from the control.
- 9.8.5 Part of the area under this zoning falls within the Ho Chung Site of Archaeological Interest. Relics dated to late Neolithic, Bronze Age and historic periods were unearthed in the area. Details of the site of archaeological interest have been uploaded onto AMO’s official website. Prior consultation with the AMO of the LCSD should be made if any development, redevelopment or rezoning proposals might affect the above site of archaeological interest and their immediate environs.

9. Green Belt (“GB”) : Total Area 55.08 ha

- 9.9.1 The planning intention of this zone is primarily for defining the limits of urban and sub-urban development areas by natural features, including foothills, lower hillslopes, spurs, isolated knolls, woodland, vegetated land and amenity areas at the urban fringe, and to contain urban sprawl as well as to provide passive recreational outlet and delineating roadside amenity areas.

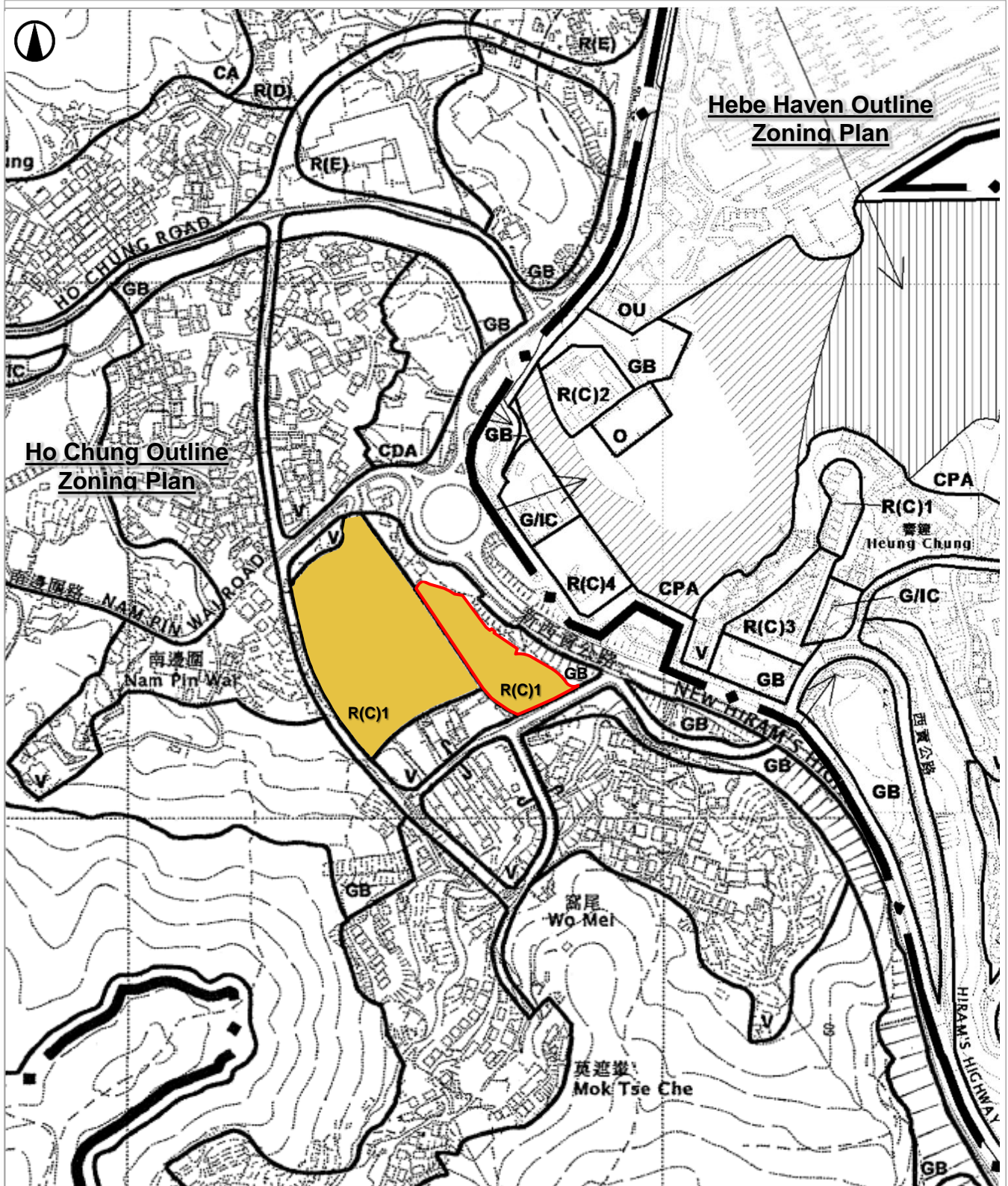
<i>Figure No.</i>	<i>Scale</i>	<i>Figure Title</i>
3.1c	-	Extracted Explanatory Statement of the “GB” Zone Attached to the Ho Chung OZP
ARUP	<i>Date</i>	<i>Source</i>
	May 2023	Extracted from the Approved Ho Chung Outline Zoning Plan (No. S/SK-HC/11)

- 9.9.2 There is a general presumption against development within this zone. Development within this zone will be strictly controlled. Development proposals will be considered on individual merits taking into account the relevant Town Planning Board Guidelines.
- 9.9.3 As filling of land/pond and excavation of land may cause adverse drainage impacts on the adjacent areas and adverse impacts on the natural environment, permission from the Board is required for such activities.
- 9.9.4 Part of the area under this zoning falls within the Ho Chung Site of Archaeological Interest. Relics dated to late Neolithic, Bronze Age and historic periods were unearthed in the area. The Che Kung Temple (Grade 1) at Ho Chung Road also falls within this zone. Details of the site of archaeological interest and historic building have been uploaded onto AMO’s official website. Prior consultation with the AMO of the LCSO should be made if any development, redevelopment or rezoning proposals might affect the above historic building or sites of archaeological interest and their immediate environs.

10. Conservation Area (“CA”) : Total area 138.31 ha

- 10.1.1 The planning intention of this zone is to protect and retain the existing natural landscape, ecological or topographical features of the area for conservation, educational and research purposes and to separate sensitive natural environment such as Site of Special Scientific Interest or Country Park from the adverse effects of development. Areas under this zone often constitute topographical features of woodland or vegetated areas of scenic value which should be protected from encroachment by development. There is a general presumption against development in this zone. In general, only developments that are needed to support the conservation of the existing natural landscape or scenic quality of the area or the development is an essential infrastructure project with overriding public interest may be permitted on application to the Board. These uses may include small scale field study centre, education centre and visitor centre, public convenience, park and garden which would have insignificant impact on environment and infrastructural provision.
- 10.1.2 This zone comprises the hillslopes dropping towards the valley floors of Ho Chung. It covers water catchment areas, steep terrains and footslopes which remain in a relatively natural state with vegetation and undisturbed woodland forming a spectacular and valuable scenic landscape. These areas include the foothills of Ma On Shan Country Park and Lower Hebe Hill.

<i>Figure No.</i>	<i>Scale</i>	<i>Figure Title</i>
3.1d	-	Extracted Explanatory Statement of the “GB” Zone Attached to the Ho Chung OZP
ARUP	<i>Date</i>	<i>Source</i>
	May 2023	Extracted from the Approved Ho Chung Outline Zoning Plan (No. S/SK-HC/11)



LEGEND

- Application Site
- Outline Zoning Plan Boundary
- “Residential (Group C)1” (“R(C)1”) Zone on the Ho Chung Outline Zoning Plan

ZONING

- R(C)1 Residential (Group C)1
- R(D) Residential (Group D)
- R(E) Residential (Group E)
- CDA Comprehensive Development Area
- G/IC Government, Institution or Community
- GB Green Belt
- V Village Type Development
- CA Conservation Area
- CPA Coastal Protection Area

<i>Figure No.</i>	<i>Scale</i>	<i>Figure Title</i>	Proposed Amendments to the Approved Ho Chung Outline Zoning Plan No. S/SK-HC/11
5.5a	-		
ARUP	<i>Date</i>	<i>Source</i>	Extracted from the Approved Ho Chung Outline Zoning Plan (No. S/SK-HC/11) and Approved Hebe Haven Outline Zoning Plan (No. S/SK-HH/8)
	May 2023		

RESIDENTIAL (GROUP C)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Flat Government Use (Police Reporting Centre, Post Office only) House Utility Installation for Private Project	Ambulance Depot Eating Place Educational Institution Government Refuse Collection Point Government Use (not elsewhere specified) Institutional Use (not elsewhere specified) Library Place of Recreation, Sports or Culture Private Club Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Recyclable Collection Centre Religious Institution Residential Institution Rural Committee/Village Office School Shop and Services Social Welfare Facility Training Centre

Planning Intention

This zone is intended primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Town Planning Board.

(Please see next page)

<i>Figure No.</i> 5.5b	<i>Scale</i> -	<i>Figure Title</i> Proposed Amendments to the Approved Ho Chung Outline Zoning Plan No. S/SK-HC/11 – Notes of the “R(C)” Zone
ARUP	<i>Date</i> May 2023	<i>Source</i> Extracted from the Approved Ho Chung Outline Zoning Plan (No. S/SK-HC/11)

RESIDENTIAL (GROUP C) (Cont'd)

Remarks

- (a) On land designated “Residential (Group C)1”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 0.75, a maximum site coverage of 37.5% and a maximum building height of 9m with 2 storeys over one storey of carport or of a maximum plot ratio of 0.75, a maximum site coverage of 25% and a maximum building height of 12m with 3 storeys over one storey of carport, or the plot ratio, site coverage and height of the building which was in existence on the date of the first publication in the Gazette of the notice of the interim development permission area plan, whichever is the greater.
- (b) On land designated “Residential (Group C)2”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 0.4, a maximum site coverage of 20% and a maximum building height of 9m with 2 storeys over one storey of carport, or the plot ratio, site coverage and height of the building which was in existence on the date of the first publication in the Gazette of the notice of the interim development permission area plan, whichever is the greater.
- (c) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio, site coverage and building height restrictions stated in paragraphs (a) and (b) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (d) In determining the maximum plot ratio and site coverage for the purposes of paragraphs (a) and (b) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker’s office, or caretaker’s quarters and recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.

<i>Figure No.</i>	<i>Scale</i>	<i>Figure Title</i>	Proposed Amendments to the Approved Ho Chung Outline Zoning Plan No. S/SK-HC/11 – Notes of the “R(C)” Zone
5.5c	-		
ARUP	<i>Date</i>	<i>Source</i>	Extracted from the Approved Ho Chung Outline Zoning Plan (No. S/SK-HC/11)
	May 2023		

9.1.3 Development and redevelopment within this “CDA” site is subject to a maximum plot ratio (PR) of 0.75, a maximum site coverage (SC) of 25% and a maximum building height not exceeding 12m with 3 storeys over one storey of carport as stipulated in the Notes of the Plan. To provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of these restrictions may be considered by the Board through the planning permission system. Each proposal will be considered on its individual planning merits. The implementation of the “CDA” zone largely depends on private initiatives for land assembly. However, in view of the sizeable area of the site, phased development could be carried out provided that the intention for comprehensive redevelopment of the whole site would not be prejudiced.

9.1.4 Pursuant to section 4A(1) of the Ordinance, any development/redevelopment proposal within this zone is subject to the approval of the Board by way of a planning application under section 16 of the Ordinance. A Master Layout Plan (MLP) should be submitted together with the relevant assessment reports and a landscape master plan as well as other materials as specified in the Notes of the Plan for the approval of the Board under section 4A(2) of the Ordinance. Development/redevelopment will be in accordance with an approved MLP and it should be ensured that the nature and scale of new development will be in keeping with the surrounding natural landscape and land-uses and will not exert pressure on the limited road and other infrastructural provisions in the Area. A copy of the approved MLP shall be made available for public inspection in the Land Registry pursuant to section 4A(3) of the Ordinance.

9.2 Residential (Group C) (“R(C)”) : Total Area ~~3.30~~ **3.96** ha

9.2.1 The planning intention of this zone is primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board, and to restrict the future developments within the prescribed development parameters.

9.2.2 This zone can be divided into two sub-areas:

- (a) “R(C)1” - The residential development in this sub-area is subject to a maximum PR of 0.75, either with a maximum SC of 37.5% and a height not exceeding 9m with 2 storeys over one storey of carport, or with a maximum SC of 25% and a height not exceeding 12m with 3 storeys over one storey of carport.

This sub-area covers only **one two site sites** which **is are** located in **the area areas** sandwiched between Hiram’s Highway and Nam Pin Wai Village.

<i>Figure No.</i>	<i>Scale</i>	<i>Figure Title</i>	Proposed Amendments to the Approved Ho Chung Outline Zoning Plan No. S/SK-HC/11 – Explanatory Statement of the “R(C)” Zone
5.5d	-		
ARUP	<i>Date</i>	<i>Source</i>	Extracted from the Approved Ho Chung Outline Zoning Plan (No. S/SK-HC/11)
	May 2023		

The sub-area falls within the Ho Chung Site of Archaeological Interest. The Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department (LCSD) should be consulted well in advance on any development or redevelopment proposals affecting this site of archaeological interest as well as their immediate environs.

- (b) “R(C)2” – The residential development in this sub-area is subject to a maximum PR of 0.4, a maximum SC of 20% and a height not exceeding 9m with 2 storeys over one storey of carport.

This sub-area covers the area to the south-west of Hing Keng Shek which has mostly been developed into low-density residential houses. The site is only accessible via the sub- standard Hing Keng Shek Road.

9.2.3 The above sub-areas mainly reflect the existing character and development intensity. The development restrictions are mainly to conserve the existing character and intensity of the developments so as to blend in well with the surrounding natural environment and rural character as well as not to overload the limited infrastructural facilities, particularly the transport network in the Area.

9.2.4 Minor relaxation of the stated restrictions may be considered by the Board on application under section 16 of the Ordinance. This provision is to allow the Board to consider proposals for building layout and design which, while not strictly complying with the stated restrictions, meet the planning objectives. It is hoped to encourage imaginative designs which are adapted to the characteristics of particular sites, and overcome the need for stilting or allow for the conservation of environmentally important natural features or mature vegetation. Each proposal will be considered on its own merits.

9.2.5 Some scattered areas outside existing private residential lots within this zone may not be suitable for residential development. Their suitability for development or inclusion into adjoining lots for development would be assessed individually at the land administration stage based on their visual and amenity value, accessibility and geotechnical, environmental, infrastructural and traffic impacts.

9.3 Residential (Group D) (“R(D)”) : Total Area 6.78 ha

9.3.1 The planning intention of this zone is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board. This is in

<i>Figure No.</i>	<i>Scale</i>	<i>Figure Title</i>	Proposed Amendments to the Approved Ho Chung Outline Zoning Plan No. S/SK-HC/11 – Explanatory Statement of the “R(C)” Zone
5.5e	-		
ARUP	<i>Date</i>	<i>Source</i>	Extracted from the Approved Ho Chung Outline Zoning Plan (No. S/SK-HC/11)
	May 2023		