

Representation Number:
TPB/R/S/YL-NTM/13R001

Submission Number:
TPB/R/S/YL-NTM/13-S004

Urgent Return receipt Expand Group Restricted Prevent Copy

From: Fiona Woodhouse [REDACTED]
Sent: 2024-05-08 星期三 17:42:03
To: tpbpd/PLAND <tpbpd@pland.gov.hk>
Cc: [REDACTED]
Subject: SPCA representations in respect of the new draft San Tin Technopole OZP and the amendments to the Ngau Tam Mei OZP and the Mai Po and Fairview Park OZP
Attachment: 2024_05 Representation on S_YL-MP_7 - SPCA(HK).pdf; 2024_05 Representation on S_STT_1 - SPCA(HK).pdf; 2024_05 Representation on S_YL-NTM_13 - SPCA(HK).pdf

Dear Town Planning Board,

Please find attached some submissions from the SPCA on the following items:

[Representation on the San Tin Technopole Outline Zoning Plan - Plan no. S/STT/1](#)

[Representation on the Mai Po & Fairview Park Outline Zoning Plan - Plan no. YL-MP/7](#)

[Representation on the Ngau Tam Mei Outline Zoning Plan - Plan no. S/YL-NTM/13](#)

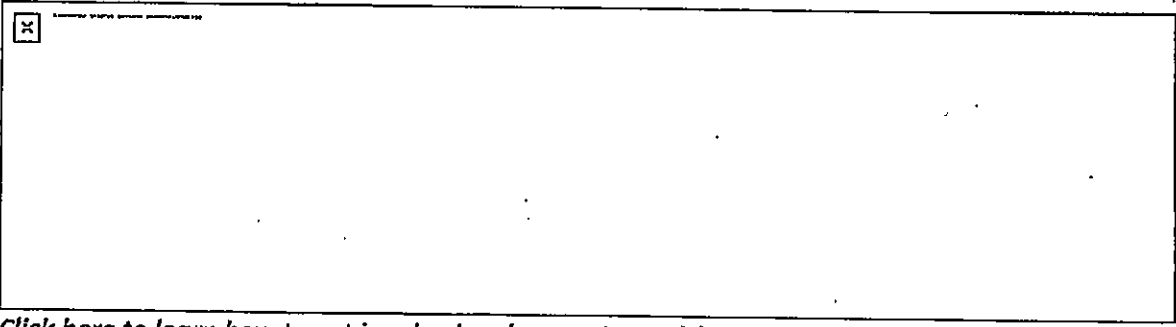
If you have any queries please do not hesitate to contact us.

Best wishes,

Dr Fiona Woodhouse
BA.Hons. Vet MB. MVP Mgt
Deputy Director (Welfare)

SPCA (HK) 香港愛護動物協會

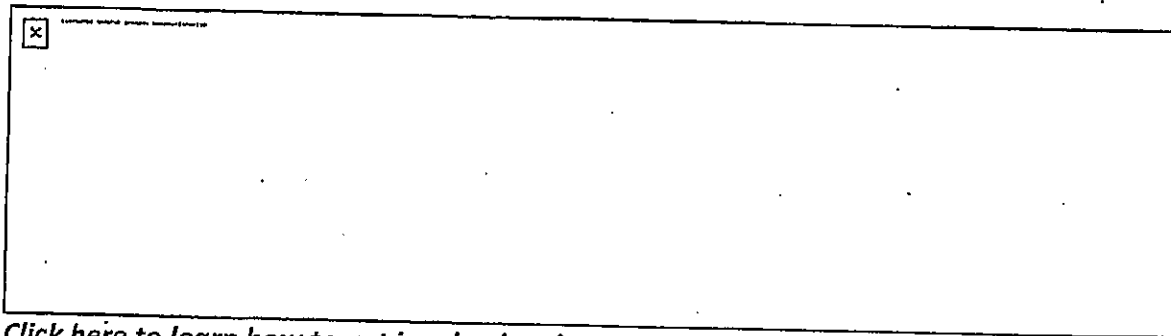
Website: www.sPCA.org.hk
Facebook: www.facebook.com/spcahk



Click [here](#) to learn how to get involved and support our vision.

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Society for the
Prevention of Cruelty to
Animals (HK)
香港愛護動物協會

5 Wan Shing Street
Wanchai, Hong Kong
香港灣仔譚善街五號

Tel/電話: (852) 2802 0501
Fax/傳真: (852) 2802 7229
<http://www.sPCA.org.hk>

8th May 2024

Ref: WF347/FW/05/2024
Secretary
Town Planning Board
15/F North Point Government Offices,
33 Java Road,
North Point, Hong Kong

By Email only

Dear Sir/Madam,

Representation on the Ngau Tam Mei Outline Zoning Plan - Plan no. S/YL-NTM/13

The Society for the Prevention of Cruelty to Animals (Hong Kong) would like to express our view on the Ngau Tam Mei Outline Zoning Plan (the Plan). We would appreciate the Town Planning Board (TPB) to take into account our perspective and consider the recommendations below.

Our views

As the San Tin Technopole project advances in the neighboring region, significant reconstruction efforts are proposed, by considering the important ecological value in the Ngau Tam Mei, San Tin and Mai Po areas, we encourage the Plan to better conserve biodiversity through suitable measures and monitoring to safeguard the welfare of wild animals supported by resources in the Ngau Tam Mei, San Tin and Mai Po areas and sustainably support bio-diversity in Hong Kong and the surrounding region.

1. Amendments on "Green Belt"

Item C - Rezoning of a site to the north of Tam Mei Barracks from "Comprehensive Development Area" ("CDA") to "Green Belt" ("GB").



We support item C to rezoning "Comprehensive Development Area" ("CDA") to "Green Belt" ("GB") enhancing the habitat connectedness to a certain extent.

Nevertheless, the item C and the adjacent "GB" will be surrounded by tall buildings in item A for a maximum 200mPD as per the proposed San Tin Technopole Outline Zoning Plan (San Tin Technopole OZP).

Item A

The redesignation of Ngau Tam Mei OZP and San Tin Technopole OZP will cause a significant division and loss of extensive "Green Belt" areas originally integrated into Ngau Tam Mei OZP item A area. Unfortunately, upon comparison with the previous zoning, all six sections of the "Green Belt" in item A have either been greatly reduced or been completely eroded.

Meanwhile, the redesignation has resulted a complete isolation of the "GB" in the area where item C is situated, previously its eastern boundary extended to Siu Hum Tsuen but this has now been pushed back to Shek Wu Wai San Tsuen. **In this regard, we strongly oppose this amendment, which will destroy and degrade natural habitats of resident wild animals and harms their welfare by removing their living and foraging environment.**

2. Relaxation on development

The proposed item F refers to the amendment that grants exceptions of permission from the Town Planning Board (TPB) to government-implemented or coordinated land-filling or excavation of land public works in the Remarks section of the "Conservation Area" ("CA").

We suggest that all land filling and excavation works continue to be monitored by the TPB to ensure that these constructions align with the planning intention of the "Conservation Area."

In addition the item G proposes relaxation of building height for individual projects on "Residential (Group C)", "Residential (Group D)", "Industrial (Group D)" and "Recreation" zones - this would loosen the protection of aerial space required by avifauna.

We recommend that the TPB establish a standard for assessing the impact of these developments on the ecological value and environment so as to minimise any potential negative influence on the area and visiting or resident birds.

3. Wild animal confinement facility

We are aware that the inclusion of 'zoo' as a permitted use under zoning, particularly within categories such as "Government, Institution or Community", "Recreation", and "GB", may lead to poor animal welfare due to the confinement of wild animals.



Given zoos could bring significant negative welfare impacts on the wild animals involved as while held in captivity their complex welfare needs would not be satisfied, we are concerned on general animal welfare grounds in relation to this proposed use.

We strongly advocate for the TPB to eliminate these antiquated uses from both the Plan and the 'Master Schedule of Notes'.

4. Uses could potentially harm to animal or habitats

We have observed that certain uses labelled as "add where appropriate" have been included in the Schedule of Uses of the Plan. The inclusion of certain uses, which may be permitted with or without conditions, could potentially harm animals or habitats within specific zones. These uses including 'Barbecue Spot', 'Holiday Camp', and 'Tent Camping Ground' listed under Column 2 in the "CA" may pose risks to the local ecosystem by increasing human presence that brings disturbance. Additionally, the presence of 'Flats' within the "GB", also listed under Column 2, might disrupt the habitat consistently by waste, noise and light pollution along with other uncontrolled human activities that could negatively impact and disrupt the lives of nearby resident animals.

Given the significant impact of the redesignation and the development of San Tin Technopole, as well as the proposed San Tin station and its associated railway potentially passing through the Ngau Tam Mei OZP area, it is imperative to meticulously evaluate and control these uses to minimize the cumulative ecological impact on wildlife and their habitats by every possible measure. Therefore, we recommend removing these uses to better protect the environment fundamentally.

Conclusion

We appeal to the TPB and its members to take our reservations regarding the Plan and other matters we have raised into consideration as it is important consider every potential impact and unintended consequence when ethically addressing conservation concerns linked to proposed development projects aiming to safeguard animal welfare and ecosystems, support bio-diversity and protect the environment. We hope that these concerns are carefully taken into consideration before approving any development.

Should you have any enquiries in relation to this submission, please do not hesitate to contact us on [REDACTED] or by email c/o: [REDACTED]

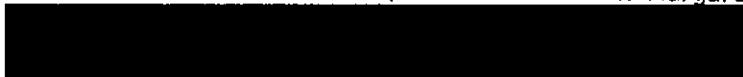
Yours sincerely,

Dr Fiona Woodhouse
(electronically)
BA. Hons. Vet MB. MVPHMgt



Deputy Director (Welfare)
Society for the Prevention of Cruelty to Animals (HK)

Full Name of Representer's Representative : Fiona Margaret Woodhouse



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NTM 牛潭尾分區計劃大綱圖的修訂
29/04/2024 14:32

Submission Number:
TPB/R/S/YL-NTM/13-S001

From: [REDACTED]
To: "tpbpd" <tpbpd@pland.gov.hk>
Sent by: tpbpd@pland.gov.hk
File Ref:

Representation Number:
TPB/R/S/YL-NTM/13R002

1 attachment



NTM_13 Fung Kam Lam 20240416.pdf

敬啟者：
本人反對牛潭尾分區計劃大綱圖的修訂，詳見附件。

申述人姓名： Fung Kam Lam
身份證首四個字符： [REDACTED]

牛潭尾分區計劃大綱草圖編號S/YL-NTM/13

本人Fung Kam Lam, 身份證首四個字符[REDACTED]反對上述圖則。

本人反對(f)項修訂, 有關《註釋》中「自然保育區」的「備註」就政府工程在填土和挖土的「豁免條款」。在本草圖而言, 該豁免條款不僅容許涉及(在《註釋》而言屬經常准許的)保養及修葺工程免除規劃申請, 更進一步豁免(在《註釋》而言屬經常准許的)新工程就填土挖土作出申請。

首先, 就個別圖則而言, 《法定圖則註釋總表》的內容並非必須完全跟隨。

再者, 豁免條款容易造成圖則內「自然保育區」中具爭議項目不能透過城規程序讓公眾表達意見。近年例子包括山徑的石屎化, 附上見本人與規劃署電郵通訊, 涉及一項在民間甚具爭議的大規模山徑石屎化工程, 無論性質是保養或新設施的「提供」, 發生在本草圖範圍而言, 將毋需作出規劃申請, 缺乏法律程序予公眾提出意見。

基於上述, 本人反對是項修訂。

(附件見下頁)

—完—

井欄樹分區計劃大綱圖自然保育區大上托山徑事宜

ceppd@pland.gov.hk <ceppd@pland.gov.hk>

2022年9月22日 上午9:25

收件者: [REDACTED]

本署檔號: SK/TLS/C/VII/015

馮先生:

你於2022年9月2日致本署的電郵已收悉，現回覆如下：

大上托遠足徑大部分位於觀塘(北部)分區計劃大綱圖及將軍澳分區計劃大綱圖的「綠化地帶」，只有小部分遠足徑位於井欄樹分區計劃大綱圖上劃作「自然保育區」地帶。根據這三張大綱圖的註釋，由政府統籌或落實的地區小工程是經常准許的用途，無須申請規劃許可。另外，在觀塘(北部)分區計劃大綱圖及將軍澳分區計劃大綱圖的「綠化地帶」，挖土或填土工程無須申請規劃許可，而在《井欄樹分區計劃大綱核准圖編號S/SK-TLS/8》上的「自然保育區」地帶，挖土或填土工程如屬保養或修葺工程，亦無須申請規劃許可。

根據土木工程拓展署的資料，大上托遠足徑工程的目的是改善現有區內的小徑以提供一條暢順及安全的遠足徑連接安達臣道發展區至附近的鄉村和衛奕信徑。在遠足徑工程建造之前，該地點已有一條小徑，由於有關工程涉及保養或修葺工程，因此無須申請規劃許可。

如對上述事宜有任何疑問，請與本電郵代行人聯絡。

規劃署

總城市規劃師 /

中央執行管制及檢控

(嚴劭敏 代行)

電話: 2150 0070 / [REDACTED]

From: [REDACTED]
To: ceppd <ceppd@pland.gov.hk>
Date: 02/09/2022 20:33
Subject: 井欄樹分區計劃大綱圖自然保育區大上托山徑事宜

attached please find a letter in pdf, two pages, Chinese, on the captioned topic. It is cc to some local green groups by other means for their interest.
thank you very much.

 井欄樹分區計劃大綱圖自然保育區大上托山徑事宜.pdf
648K

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Submission Number:

TPB/R/S/YL-NTM/13-S003

From: [REDACTED]
Sent: 2024-05-08 星期三 03:11:20
To: tpbpd/PLAND <tpbpd@pland.gov.hk>
Subject: PROPOSED AMENDMENTS TO THE NGAU TAM MEI OZP NO. S/YL-NTM/12

Representation Number:

TPB/R/S/YL-NTM/13R003

Dear TPB Members,

PROPOSED AMENDMENTS TO THE NGAU TAM MEI OZP NO. S/YL-NTM/12

Item A: 374ha at the northern part of the NTM OZP to be excised for incorporation into the STT OZP also includes an area outside the Revised RODP of the STLMC Study currently zoned "Conservation Area" ("CA") and "Green Belt" ("GB")

The STT OZP covers an area of about 1,004 ha comprising a major portion of the approved San Tin OZP (ST OZP) No. S/YL-ST/8 (about 610 ha); the northern part of the approved NTM OZP No. S/YL-NTM/12 (about 374 ha); and a few pieces of land near Siu Hum Tsuen, Shek Wu Wai San Tsuen, San Tin Barracks and Tam Mei Barracks (about 20 ha in total) previously not covered by any statutory plan.

OBJECT AS I OPPOSE THE SAN TIN TECHNOPOLE. THESE AMENDMENTS ARE NOTHING MORE THAN SMOKE SCREEN TO FACILITATE THE DEVASTATION OF THE ENTIRE AREA.

Item B: about 0.07 ha. Rezone from "Res (Group C)" to "G/IC" to facilitate the redevelopment of the existing house for a proposed 10-storey RCHE

Y/YL-NTM/9 Approved 8 Dec 2023

142 Beds RCHE / PR 7.33 (0.04) / 10 Storeys (3 Storeys) / 100% SC / 184sq.m OS / 5 Vehicle Parking

The Response to Comments raises a number of issues:

High levels of noise pollution on lower floors from the heavy traffic on nearby roads. Solution is acoustic windows. This is alarming in view of the recommendations during Covid that windows be opened in these facilities in order to ensure that the air is circulated and changed. A special interdepartmental task force set up to review the operation of care homes in 2022 encouraged care homes to join a scheme to improve on their ventilation conditions, as part of efforts to prevent another deadly Covid-19 outbreak at facilities for the elderly. Unfortunately, much of the material is in Chinese.

Proximity to heavy traffic also indicates that air cons would be sucking in substantial quantities of pollution. Factor in also possible residue from the Ngau Tam Mei Landfill and the need for natural cross ventilation should be a priority.

Natural lighting and ventilation provision

Every room used for habitation or for the purpose of an office or kitchen in RCHEs shall be provided

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with adequate natural lighting and ventilation for compliance with sections 29, 30, 31, 32 and 33 of the Building (Planning) Regulations, (Cap.123 sub. leg. F). In other words, provision of openable and prescribed windows shall be provided for the above-mentioned facilities for habitable including Dormitory, End-of-life Care Room and Sick/ Isolation/ Quiet Room, etc.

In addition, the development exceeds the stipulated height for RCHE

[https://www.info.gov.hk/tpb/en/application_collection/A_YL_289/FI_20220414/Response To Comments 1.pdf](https://www.info.gov.hk/tpb/en/application_collection/A_YL_289/FI_20220414/Response_To_Comments_1.pdf)

Section 20 of the Residential Care Homes (Elderly Persons) Regulation which stipulated that no part of an RCHE shall be situated at a height more than 24 metres above the ground floor, measuring vertically from the ground of the building to the floor of the premises in which the RCHE is to be situated.

But this facility would be ten stories high. Some of the residential floors are above 24m and the roof garden almost at 40m. What is there were to be a fire and feeble elderly were to be trapped at that height? Applicant states the additional upper floors to be used for staff accommodation but who will police this?

This is an example of sheer greed as the site currently accommodates a single low-rise home, a rise to blatantly over develop the site under the guise of providing a community service. The approved 2017 plan is for a two-storey private residence. The PR to be increase by almost 2,000%

The proposed structure would have 100% site coverage. But every RCHE should be accessible by emergency services, so what if there is a fire at the back?

Covered Skygarden??? Ridiculous. Not only is this on the first floor it is also covered. The roof garden could only be used by staff as the height exceeds that allowed for RCHE

The visual impact is also not acceptable in view of the surrounding low rise residential developments as the green tree line would be interrupted and exceeded.

That "concerned Government departments had no objection to or no adverse comment on the application" is an indication of the indifference displayed by so many govt departments with regard to the implementation of their own regulations. This was displayed recently in the failure of the Fire Services and Buildings to follow up on failures of property owners at New Lucky Building on Jordan to comply with orders to remove obstructions and upgrade facilities.

Note that there are no conditions in the approval to ensure that a RCHE will actually be provided.

Item C: about 0.79ha Rezone from "CDA" to "GB" to reflect the existing condition of the site which is wholly government land covered by vegetation and part of a permitted burial ground with similar conditions as the existing adjoining "GB" zone to its south.

SUPPORT – NOT THAT IT WILL PROVIDE ANY PROTECTION

Amendments:

Based on the updated Master Schedule of Notes (MSN) to Statutory Plans endorsed by the Board, it is proposed to revise the requirement for planning permission from the Board under section 16 of the Ordinance by exempting the public works co-ordinated or implemented by Government, and maintenance, repair and rebuilding works in the following situations: - filling of land/pond and excavation of land under the Remarks of the Notes for "OU(CDWRA)" and "OU(Comprehensive Development and Wetland Protection Area)" zones for the MP OZP; and filling of land/pond and excavation of land under the Remarks of the Notes for "CA" zones for both NTM and MP OZPs.

STRONGEST OBJECTIONS. THIS GIVES THE GOVERNMENT UNFETTERED AND UNACCOUNTABLE POWER TO BASICALLY DO WHATEVER IT WANTS AND MAKES A MOCKERY OF THE ENTIRE PLANNING PROCESS AS THERE IS NO POINT IN PROPOSING CONSERVATION PROJECTS WHEN THE LOTS CONCERNED CAN BE FILLED IN BY HKSAR WHENEVER IT PLEASES WITHOUT BEING SUBJECT TO EVEN MINIMAL SUPERVISION. THE INTERESTS OF THE COMMUNITY WILL BE ENTIRELY ELIMINATED FROM THE PROCESS.

I fully support the submission from the Conservancy Association and its proposals to provide better protection to the ecological sensitive areas and the measures it indicates to combat any activities that could be undertaken in the future to undermine the integrity and planning intention of the district.

Mary Mulvihill

