

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

APPLICATION NO. Y/NE-KTS/14

- Applicants** : Kyland Investments Limited and Elmtree Worldwide Limited represented by Masterplan Limited
- Site** : Lots 958 RP, 959 RP, 961 RP, 962 to 965, 967, 969 to 976, 977 RP, 978 RP, 986 S.B RP, 992 RP, 998 RP (Part), 999 RP, 1000, 1001, 1002 RP, 1003 RP, 1005 RP, 1006 to 1009, 1011, 1012, 1013 RP and 2272 in D.D. 92 and Adjoining Government Land, Kam Hang Road, Kwu Tung South, New Territories
- Site Area** : 31,050m² (about) (including about 4,973.8m² of Government Land, 16%)
Site A: 20,978m² (about)
Site B: 10,072m² (about)
- Lease** : Block Government Lease (demised for agricultural use)
Lots 958 RP, 959 RP, 961 RP, 962 to 964, 967, 969 to 976, 977 RP, 978 RP, 986 S.B RP, 992 RP, 998 RP, 999 RP, 1000, 1001, 1002 RP, 1003 RP, 1005 RP, 1006 and 1007 in D.D. 92
New Grant Lots
Lots 965, 1008, 1009, 1011, 1012, 1013 RP and 2272 in D.D. 92
- Plan** : Approved Kwu Tung South Outline Zoning Plan (OZP) No. S/NE-KTS/16
- Zonings** : Site A
“Recreation” (“REC”) (about 99% of Site A)
[restricted to a maximum plot ratio (PR) of 0.2 and a maximum building height (BH) of 2 storeys (6m)]
“Comprehensive Development Area” (“CDA”) (about 1% of Site A)
[restricted to a maximum PR of 0.4, a maximum site coverage (SC) of 20%, and a maximum BH of 3 storeys including car park]
Site B
“Agriculture” (“AGR”) (about 82% of Site B)
“REC” (about 18% of Site B)
[restricted to a maximum PR of 0.2 and a maximum BH of 2 storeys (6m)]
- Proposed Amendment** : Rezoning Site A from “REC” and “CDA” to “CDA(2)” and Site B from “REC and “AGR” to “CDA(3)”, both with a maximum PR of 3 and a maximum BH of 75mPD

1. The Proposal

- 1.1 The application comprises 2 application sites (i.e. Site A and Site B) (the Sites) (**Plans Z-1a and Z-2a**) and seeks to rezone Site A from “REC” and “CDA” to “CDA(2)” and Site B from “AGR” and “REC” to “CDA (3)”, both with a proposed maximum PR of 3 and maximum BH of 75mPD, on the approved Kwu Tung South (KTS) OZP No. S/NE-KTS/16 to facilitate two proposed residential developments. A set of Notes for the proposed “CDA(2)” and “CDA(3)” zones submitted by the applicants is at **Appendix Ic**. The proposed Notes are similar to that of the existing “CDA” zone of the OZP except for the increased maximum PR and BH restrictions.
- 1.2 Site A is sandwiched between Fanling Highway and Kam Hang Road, while Site B is located to the south of Kam Hang Road (**Drawing Z-1 and Plan Z-1a**). For Site A, the indicative scheme consists of 7 residential blocks of 17 (65.55mPD) and 20 storeys (75mPD) over a single-storey semi-basement car park and a 2-storey clubhouse. For Site B, the indicative scheme consists of 3 residential blocks of 20 storeys (75mPD) over a single-storey basement car park and a single-storey clubhouse. Site A is accessible via Kam Hang Road in the southwest connecting Kwu Tung Road, while Site B is accessible via Hang Tau Road in the northwest connecting Kam Hang Road (**Drawing Z-1 and Plan Z-2a**). As requested by Transport Department (TD), two bus lay-bys on Kam Hang Road and widening of Hang Tau Road and its junction with Kam Hang Road will be provided within the Sites. The anticipated completion year of both proposed developments is 2025. The Master Layout Plan (MLP), Section Plans, Landscape Master Plan (LMP) and photomontages of the indicative scheme are at **Drawings Z-1 to Z-8**. The proposed development parameters of the indicative scheme are as follows:

	Site A (Proposed “CDA(2)”)	Site B (Proposed “CDA(3)”)	Total
Site Area	20,978m ² (about)	10,072m ² (about)	31,050m ² (about)
Development Area ¹	20,843m ² (about)	9,893m ² (about)	30,736m ² (about)
Maximum PR (Applicable to Development Area)	3	3	3
Gross Floor Area (GFA)	62,529m ² (about)	29,679m ² (about)	92,208m ² (about)
Maximum BH	75mPD (20 storeys above ground)	75mPD (20 storeys above ground)	75mPD (20 storeys above ground)
Maximum SC	33.33%	33.33%	33.33%
Number of Residential Blocks	7	3	10
Number of Flats	971	456	1,427
Average Flat Size	64.4m ² (about)	65.1m ² (about)	64.6m ² (about)
Private Car Parking Space	280	105	385
Loading/Unloading Spaces	7	3	10

¹ The development area is indicative and subject to change at s.16 planning application stage to reflect departmental requirements, e.g. footpath widening.

	Site A (Proposed “CDA(2)”) (Proposed “CDA(3)”)	Site B (Proposed “CDA(3)”) (Proposed “CDA(2)”)	Total
Private Open Space	2,995m ²	1,512m ²	4,507m ² (for estimated population of 4,138)

- 1.3 In addition, as requested by Social Welfare Department (SWD), the applicants are willing to provide a Residential Care Home for the Elderly (RCHE) (150 places) cum Day Care Unit (DCU) (30 places) with internal floor area (IFA) of 3,195m² within Site B, and the facility would be exempted from the total GFA calculation. However, the applicants consider it more suitable to locate the facility on a stand-alone site owned by the applicants in the vicinity of the Sites. The above facility has not been incorporated in the indicative scheme. The facility will be included in the future s.16 planning application.
- 1.4 According to the Traffic Impact Assessment (TIA) (**Appendices Ia and If**), in addition to the proposed road improvements along Kam Hang Road, including widening of Kam Hang Road and improvements of its junctions (**Drawing Z-9**), under an agreed s.12A application No. Y/NE-KTS/12² to the east of Site A (**Plan Z-1a**) as stated in paragraph 6, further junction improvements (**Drawing Z-10**), provision of 2 bus lay-bys on Kam Hang Road and widening of a section of Hang Tau Road along Site B (**Drawing Z-11**) are incorporated in the indicative scheme. The applicants will implement the 2 bus lay-bys and the widening of a section of Hang Tau Road. The applicants undertake to implement the proposed junction improvement works, if the Sites are developed ahead of other sites. The TIA concludes that the junctions analysed would operate with sufficient capacities. The widening of the adjoining footpath as requested by TD will be incorporated in the future s.16 planning application.
- 1.5 The applicants have submitted an Environmental Assessment (EA) (**Appendix Id and If**). Regarding air quality, there is adequate buffer distance from the surrounding road networks, and therefore no significant air quality impact due to vehicular emission is anticipated. Regarding noise impact, after adoption of all practicable noise mitigation measures, including setback and orientation of residential blocks and use of vertical architectural fin, fixed glazing with maintenance window, acoustic window (baffle type) and acoustic balcony door (baffle type), the proposed development would not be subject to unacceptable road traffic noise impact.
- 1.6 According to the submitted Sewerage Impact Assessment (SIA) (**Appendix Id and If**), sewage is proposed to be discharged to Shek Wu Hui Sewerage Treatment Works (SWHSTW) via Tsung Pak Long Sewage Pumping Station. On top of the proposed sewer upgrading works under the agreed s.12A application No. Y/NE-KTS/12, other sewer upgrading works are also proposed by the applicants.

² On 20.9.2019, the Committee agreed the s.12A application No. Y/NE-KTS/12 for rezoning a CDA site to the east of Site A (**Plan Z-1a**) from “CDA” to “CDA(1)”, with a maximum PR of 3 and a maximum BH of 75mPD, to facilitate a proposed residential development, see paragraph 6.3.

In case of programme mismatch with Y/NE-KTS/12, the applicants will be responsible for implementing all the proposed sewer upgrading works. With the proposed sewer upgrading works in place, the SIA concludes that the proposed development is feasible from sewerage impact point of view.

- 1.7 The submitted Drainage Impact Assessment (DIA) (**Appendix Id and If**) shows that in addition to the proposed pipeline along Kam Hang Road under the agreed s.12A application No. Y/NE-KTS/12, drainage diversion works (including the existing channels along Kam Hang Road and Hang Tau Road within Site B) and pipe upgrading works are proposed. In case of programme mismatch with Y/NE-KTS/12, the applicants will implement the proposed drainage works. The DIA concludes that the proposed development is feasible from drainage impact point of view.
- 1.8 As stated in the submitted Landscape Master Plan and a Tree Preservation Proposal (**Appendices Ib, Id, Ie, Ig and Ih**), amongst the 436 trees within the Sites, 169 trees would be retained and 1 tree would be transplanted. 266 trees (including 13 dead trees) within the Sites together with 19 trees outside the Sites would be felled. A total of 319 trees would be planted for compensation. A strip of 3m to 5m wide landscape buffer with screen planting along the site boundary, retention of existing tree groups for landscape screening effect, gardens and grand lawn are proposed. LMP is at **Drawing Z-4**.
- 1.9 According to the Visual Impact Assessment (VIA) (**Appendix Ia**), with incorporation of stepped building height profile, setback of the residential blocks, visual corridors and appropriate landscape treatments, the proposed development is considered visually compatible with the existing and future surrounding developments. Photomontages are at **Drawings Z-5 to Z-8**.
- 1.10 According to the Air Ventilation Assessment (AVA) (**Appendix Ie, If and Ig**), three 15m wide building separations (i.e. northeast/southwest, north/south, and northwest/southeast) and 3m to 26m building setback from the site boundary are proposed. The AVA concludes that the proposed development will be comparable with the baseline scheme (i.e. existing low-rise temporary structures within the Site) from air ventilation standpoint.
- 1.11 The submitted Ecological Impact Assessment (EcoIA) (**Appendix Ie and If**) indicates that the ecological value of the Sites is considered negligible. The Sites are approximately 400m away from Long Valley Nature Park (LVNP) (**Plan Z-1b**) and significant ecological impact on LVNP in both construction and operational phases is not anticipated. Regarding the public comment concerning the impact of the night-time lighting of the proposed residential towers on LVNP, it should be noted that the proposed development will be partly obscured by the intervening village development and mature trees, and will not be highly visible in LVNP. Besides, various measures including building disposition and façade treatment, landscape screening and minimisation of external lighting will be adopted to minimise the night-time light intensity.

- 1.12 In view of the underground high pressure town gas pipeline in the vicinity of the Sites (**Plan Z-2a**), the applicants have submitted a Quantitative Risk Assessment (QRA) (**Appendix Id**), which indicates that the risk associated with the underground high pressure town gas pipelines are in the “Acceptable” region of the relevant guidelines.
- 1.13 In support of the application, the applicants have submitted the following documents:
- (i) Application Form with a letter of 20.5.2020 received on 11.6.2020 (**Appendix I**)
 - (ii) Supplementary Planning Statement (**Appendix Ia**)
 - (iii) Supplementary Planning Statement (Appendix 11) (**Appendix Ib**)
 - (iv) Letter of 16.6.2020 (**Appendix Ic**)
 - (v) Further Information (FI) of 25.8.2020 (**Appendices Id(i) and Id(ii)**)
 - (vi) FI of 28.9.2020 (**Appendices Ie(i) and Ie(ii)**)
 - (vii) FI of 16.11.2020[#] (**Appendices If(i) and If(ii)**)
 - (viii) FI of 3.12.2020[#] (**Appendices Ig(i) and Ig(ii)**)
 - (ix) FI of 10.12.2020[#] (**Appendix Ih**)
- [#] Exempted from publication

2. **Justifications from the Applicants**

The justifications put forth by the applicants in support of the application are detailed in the Supplementary Planning Statement at **Appendices Ia and Ib** and FIs at **Appendices Id, Ie and If**. They are summarized as follows:

- (a) The current “REC” and “AGR” zones within the Sites are no longer appropriate in the future development context for the area. The development of the Kwu Tung North (KTN) and Fanling North (FLN) New Development Area (NDA) in the immediate vicinity of the Sites will upgrade the infrastructure and provide a new form of development primarily focusing on housing. Moreover, the Sites are at a prime strategic location with convenient access to the road networks and good connection with the future rail station in KTN NDA. The Sites are currently occupied by temporary uses which are not appropriate for the long-term use of the land. The rezoning of the Sites will enable it to have a permanent medium-density residential development, which is appropriate for the future planning context.
- (b) The proposed residential development is in line with the Government policy to increase housing supply. The rezoning application could contribute to additional private housing supply to meet the needs of Hong Kong people.
- (c) The application is to respond to the comments from the Rural and New Town

Planning Committee (the Committee) in considering the s.12A application No. Y/NE-KTS/12 to the immediate east of Site A that the existing development intensity of the area is too low, the proposed average flat size (70m²) under Y/NE-KTS/12 is too large and the development potential of the KTS area should be examined in a wider context. Moreover, the proposed development parameters and density of the indicative scheme are same as that of Y/NE-KTS/12. The Sites are in consolidated ownership that allows timely realisation of the proposed residential development.

- (d) The proposed development is compatible with the surrounding land uses and the urban design framework of KTN NDA. The proposed BH is consistent with the KTN NDA, where the building intensity and height profile steps down from the town centre at the KTN rail station, descending towards the periphery. The indicative scheme is compatible with the scale of development at the peripheral building height and plot ratio bands.
- (e) Technical assessments in terms of traffic, landscape, sewerage, drainage, visual, environment, air ventilation, quantitative risk and ecology have concluded that, with the proposed mitigation and improvement measures, there would be no insurmountable problems to upzone the Site. The proposed development would have insignificant impact on the surrounding environment.
- (f) In response to public comment relating to the existing vehicular access and footpath (**Plan Z-2a**) being used by the nearby residents to the immediate south of Site B, the applicants will ensure that the concerned access will be maintained after the development is constructed. The above access will not be impacted by the proposed development.

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

The applicants are the sole “current land owners” of the private lots in the Site. Detailed information would be deposited at the meeting for Members’ inspection. For the Government land (about 16% of the Site), the “owner’s consent/notification” requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) are not applicable.

4. Background

Parts of Site A are subject to 3 planning enforcement actions under the Town Planning Ordinance. For enforcement case No. E/NE-KTS/250 against an unauthorized development (UD) involving storage use (including deposit of containers) and use for place for parking of vehicles (**Plan Z-2a**), Reinstatement Notice (RN) was issued on 19.10.2020 requiring reinstatement of the concerned land. For enforcement cases No. E/NE-KTS/251 and 252 against UD involving storage use (including deposit of containers) and use for place for parking of vehicles respectively (**Plan Z-2a**), upon

expiry of the RNs on 7.10.2020, the sites had not been reinstated and prosecution action may be taken.

5. **Previous Applications**

- 5.1 The Sites are involved in 4 previous s.16 applications and a previous s.12A application. Details of the previous s.12A application are summarized at **Appendix II** and its location is shown on **Plan Z-1a**.

s.16 applications

- 5.2 The 4 applications involved parts of the Sites. Three applications for proposed open storage or pond filling for plant nursery were rejected by the Committee or the Town Planning Board (the Board) between 1992 and 2005. The remaining one for temporary barbecue and shrimp fishing area approved by the Committee in 2009 was revoked in 2010 due to non-compliance with conditions.

s.12A application

- 5.3 Application No. Y/NE-KTS/9, submitted by the current applicants, for proposed rezoning of Site A from “REC” and “CDA” to “Other Specified Uses” (“OU”) annotated “Integrated Development with Residential, Farming and Community Facilities” with a maximum PR of 3.6, BH of 16 storeys above ground (63.5mPD) and 538 flats to facilitate a proposed integrated development with residential, farming and community facilities was not agreed by the Committee in 2016 mainly for reasons that the proposed development parameters were significantly higher than the surrounding areas and incompatible with the low-rise and low-density character of the area; the applicants failed to demonstrate that the proposed rezoning was acceptable from the perspective of traffic, drainage, sewerage, environmental, geotechnical, landscape and risk impacts; and approval of the rezoning application would set an undesirable precedent.

6. **Similar Applications**

- 6.1 There are four similar s.12A applications involving two sites. Details of the similar applications are summarized at **Appendix III** and their locations are shown on **Plan Z-1a**.

A site to the immediate east of Site A

- 6.2 Two similar rezoning applications are on the same site (about 37,560m²) to the immediate east of Site A. Application No. Y/NE-KTS/6 for rezoning the site from “CDA” to “CDA(1)” with a maximum PR of 2.1, SC of 37% and BH of 60mPD (14 storeys) to facilitate a proposed residential development was not agreed by the Committee in 2016 for similar reasons for Y/NE-KTS/9 as mentioned in paragraph 5.3.

- 6.3 Application No. Y/NE-KTS/12 for rezoning the “CDA” site to “CDA(1)” for increasing PR from 0.4 to 3 and BH from 3 storeys to 75mPD (19 storeys) to facilitate a proposed residential development (1,573 flats) was agreed by the Committee in September 2019 mainly on the considerations that the proposed residential use was compatible with the surrounding land uses; the proposed development intensity was not entirely incompatible with the developments in KTN NDA; and the proposed rezoning was considered acceptable due to changes in the planning context.

A site to the southwest of the Sites at Hang Tau Tai Po

- 6.4 Two similar rezoning applications are on the same site (about 17,685m²) at Hang Tau Tai Po to the southeast of the Sites. Application No. Y/NE-KTS/5 for rezoning the site from “REC” to “CDA” with a maximum PR of 0.4 and a maximum BH of 3 storeys to facilitate a proposed residential development (30 houses) was agreed by the Committee in 7.12.2012 mainly on the considerations that the proposed residential use was compatible with the surrounding land uses and the proposed residential use and development intensity were consistent with the character of the neighbourhood.
- 6.5 Application No. Y/NE-KTS/13 is mainly for intensifying the “CDA” site by increasing the PR from 0.4 to 1.645 and BH from 3 storeys to 12 storeys to facilitate a proposed residential development (400 flats). The application is under processing.

7. The Sites and Their Surrounding Areas (Plan Z-2a, aerial photo on Plan Z-3 and site photos on Plans Z-4a to 4f)

7.1 The Sites are:

- (a) Site A - generally flat, partly fenced off, partly hard paved and partly occupied by plant nursery, fallow farmland, man-made fish ponds, trees/vegetation and domestic structures; and directly accessible via Kam Hang Road; and
- (b) Site B - generally flat, partly fenced off, occupied by plant nursery, active farmland, storages and open storage of vehicles; and accessible from Hang Tau Road via a local track.

7.2 The surrounding area is predominantly rural in nature with low-rise and low-density residential developments, domestic structures, open storages and tree groups with the following characteristics:

- (a) to the east of Site A are domestic structures and the site of the agreed application No. Y/NE-KTS/12 for residential use with PR of 3 and BH of 75mPD which is currently occupied by open storages and unused land;

- (b) to the east of Site B are mainly domestic structures, open storage of construction materials and unused land with trees;
- (c) to the south of Site B are a residential development (Casas Domingo), domestic structures and storage;
- (d) to the west across Kwu Tung Road and Hang Tau Road are mainly tree groups, Sheung Yue River and a “CDA” site with PR restriction of 0.4 and BH restriction of 3 storeys; and
- (e) to the north across Fanling Highway is the KTN NDA with an area zoned “OU (Business and Technology Park)” subject to a maximum PR of 3 and BH of 40 to 55mPD, “OU(Amenity)” and “Open Space” on the approved Kwu Tung North OZP No. S/KTN/2.

8. Planning Intention

- 8.1 The planning intention of the “REC” zone is primarily for recreational developments for the use of the general public. It encourages the development of active and/or passive recreation and tourism/eco-tourism. Uses in support of the recreational developments may be permitted subject to planning permission.
- 8.2 The planning intention of the “AGR” zone is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes.

9. Comments from Relevant Government Departments

- 9.1 The following Government departments have been consulted and their views on the application and the public comments received are summarised as follows:

Land Administration

- 9.1.1 Comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD):
 - (a) the Sites consist of various lots in D.D. 92 and the adjoining Government land. The private lots concerned (i.e. Lots 958 RP, 959 RP, 961 RP, 962 to 964, 967, 969 to 976, 977 RP, 978 RP, 986 S.B RP, 992 RP, 998 RP, 999 RP, 1000, 1001, 1002 RP, 1003 RP, 1005 RP, 1006 and 1007 in D.D. 92) are held under Block Crown Lease demised for agricultural purposes. The leases for other lots held under new grant (i.e. Lots 965, 1008, 1009, 1011, 1012, 1013 RP and 2272 in D.D. 92) cannot be obtained from the Land Registry. Also, parts of some Government land permits are within the Site;

- (b) generally, with a view to ensuring the compliance with any proposed additional conditions under lease, it is his department's requirement that any proposed additional conditions would only be considered to be incorporated under lease provided that there are relevant bureaux/departments (B/Ds) requesting for or in support of such additional conditions. Such B/Ds would be responsible for monitoring the grantee's compliance with such additional conditions. In the absence of such B/Ds' request or support, no additional conditions would be proposed and incorporated under lease for the proposed works;
- (c) as the owner will handle and implement the drainage upgrading works, it is presumed that no lease conditions will be imposed;
- (d) since there are 2 sites involved in the application, he advises that, subject to District Land Conference's consideration and approval, it is not advisable to link/trigger a landowner's rights and obligations with another private party's rights and obligations. Besides, it is not certain as to when and how the applicants of Y/NE-KTS/14 will be responsible to implement the proposed drainage upgrading works bearing in mind such upgrading works might have been imposed onto or implemented partly by the applicant of Y/NE-KTS/12. Any planning conditions (to be imposed under the subsequent s.16 approval) proposed to be incorporated under lease have to be site-specific and self-contained in terms of a particular site i.e. Site A or Site B. Otherwise, it would result in enforcement and monitoring problems if the compliance of lease conditions of Site A would depend on the works of / by Site B or vice versa;
- (e) as the applicants advised that the calculation is based on two separate sites, it is presumed that two separate land exchange applications for Site A and Site B would be submitted by the landowners concerned;
- (f) notwithstanding the above, we would like to draw the applicant's attention that any GFA exemption and concession shall be considered at building plan submission stage;
- (g) regarding the public comment (**Appendices V-18 and V-24**) indicating that Site B would block the existing vehicular access and footpath being used by the nearby residents, the concerned access falls onto Government Land and the applicants' private lots under the application (Lots 1013 RP and 1012 in DD 92) and a private lot (Lot 1013 S.A in DD92). According to his record, there is no provision for right-of-way stipulated under the Permit No. T17975 and Permit No. T8802 (**Plan Z-2b**). Notwithstanding the above, he advises that any private agreement/dealings (i.e. right-of-way not

specified under Government's lease) on right-of-way issue falls outside the purview of his department;

- (h) his office reserves comment on the area of the lots pending for detailed land survey information to be provided;
- (i) as revealed from the planning statement submitted by the applicants, there are some structures erected on the lots under the application. His office reserves the right to take appropriate lease enforcement action against these structures; and
- (j) if the Committee agrees the rezoning application and the lot owner subsequently applies to his department for land exchange, such application will be considered by his department acting in the capacity as landlord at its sole discretion and there is no guarantee that such application will be approved. If such application is approved, it will be subject to such terms and conditions as considered appropriate including but not limited to the revision of site boundary, the payment of premium and administrative fee. There is no guarantee that any Government land involved will be granted.

Traffic

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

- (a) the traffic pattern was affected by the COVID-19 when the traffic survey was carried out on 6.11.2020 and the result could not reflect the normal traffic pattern. Besides, according to Transport Planning and Design Manual (TPDM), the proposed width of footpath adjoining the proposed development shall be of 4m wide, instead of the proposed 2m. However, he has no in-principle objection to the application provided that the applicants shall submit an updated TIA and address the requirement for 4m wide footpath at s.16 planning application stage;
- (b) the current parking standard as stated in the Hong Kong Planning Standards and Guidelines (HKPSG) will be subject to revision shortly. If the revised standard is promulgated before the finalisation of land grant document, such revised standard shall be adopted in the planning of parking provisions; and
- (c) for the public comments relating to the existing access to nearby sites to be affected by Site B development, if the concerned residents have the right to use it, the applicants may be necessary to consider re-provision of the access.

Environment

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

- (a) he has no objection to the application;
- (b) it is noted from the applicants' submissions that the applicants are committed to conducting a more detailed assessment on waste management and land contamination at the future s.16 planning application stage, during which his comments shall be fully and satisfactorily addressed. He has no comment from waste management and land contamination perspectives and the EA at this stage; and
- (c) should the application be approved, the applicants are requested to submit a Noise Impact Assessment (NIA) with provision of mitigation measures to achieve 100% compliance with the noise criteria under HKPSG including road traffic noise standard to the satisfaction of DEP/the Board in the future s.16 application. His detailed comments on the NIA are at **Appendix IV** that should be addressed in the future NIA.

Sewerage

9.1.4 Comments of the DEP:

he has no comment on the SIA at this stage. The applicants are reminded to conduct detailed SIA on the downstream sewerage network and relevant pumping stations in both average dry weather and peak flow scenarios and to propose effective mitigation measure to the satisfaction of the relevant government departments at the future s.16 planning application stage in order to prevent adverse sewerage impact from the proposed development.

Drainage

9.1.5 Comments of the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

- (a) he has no objection to the application subject to a revised DIA to be submitted at the s.16 planning application stage. The applicants shall be reminded to submit details in relation to the diversion of drainage works in the revised DIA before commencement of works should the s.12A application be approved. Whether the diversion proposal can be accepted is still subject to the finding and detailed drainage assessment, hydraulic calculation, detailed design, etc. in the revised DIA to be submitted. In case a sound solution of the drainage diversion could not be worked out, drainage reserve area (a non-building area) will need to be designated. As the width of the

drainage reserve should measure the “outer width of the drainage channel” plus 6m, the extent of the drainage reserve area should be reviewed and included in the revised DIA for further consideration; and

- (b) regarding the public comments relating to flooding, pond and drain within/in the vicinity of the Sites, such details should be properly addressed in the revised DIA to ensure that the flooding risk mentioned will be mitigated. The applicants shall also clarify whether filling of pond will be involved.

Urban Design and Visual

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

- (a) the Sites are located in KTS, separated by the Fanling Highway from the planned KTN NDA in the north. The BHs of the KTN NDA descend from the town centre (145mPD to 110mPD) towards the southern periphery by designating some low to medium-rise GIC facilities and Business and Technology Park (55mPD to 40mPD) along Fanling Highway to allow visual relief between the KTN NDA and the existing low-rise development in the KTS area. The KTS area is mainly occupied by low-rise low-density residential developments, farmland and brownfield operations. According to the OZP, residential developments in the KTS area are in general subject to a maximum PR of 0.2 to 0.43 and maximum BH of 2 to 3 storeys. A “CDA” site to the immediate east is the subject of application No. Y/NE-KTS/12 which was agreed to be relaxed to a maximum PR of 3 and a maximum BH of 75mPD;
- (b) given the existing surrounding context and the aforementioned intended stepped BH profile descending from the KTN NDA town centre towards the rural setting in the KTS area, the proposed rezoning would bring some changes to the existing low-rise and low-density character of the KTS to the south of Fanling Highway. Nevertheless, taking account of its close proximity to the KTN NDA and the agreed rezoning application No. Y/NE-KTS/12 to its immediate east which is of the same development scale, the potential visual impact of the proposed development at a BH of 75mPD is considered not substantial in the wider context. As illustrated in the photomontages of the submitted VIA (**Appendix Ia**), the spatial openness will be affected when viewed from all the selected viewpoints, resulting in slight to moderate adverse visual impact to the area as rated by the applicants; and
- (c) to minimize its possible visual impact on the neighbourhood, the applicants are advised to incorporate suitable height variations,

building separation or other architectural articulation in the design for enhancing the visual permeability at the subsequent s.16 planning application stage should this application be agreed.

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

the proposed development consists of 10 tower blocks with height ranging from 65.66mPD to 75mPD (17-20 storeys) which may not be incompatible with adjacent future development (agreed s.12A application No. Y/NE-KTS/12) with maximum BH of 75mPD (16-19 storeys). In this regard, he has no comment from visual impact point of view.

Air Ventilation

9.1.8 Comments of CTP/UD&L, PlanD:

an AVA Initial Study (IS) using computational fluid dynamic modelling has been carried out to support the application. Two scenarios, the Baseline Scheme (reflecting the existing low-rise and temporary structures within the Sites) and the Proposed Scheme, have been studied. According to the AVA IS report, various mitigation measures including (i) 15m-wide building separations between T1/T2, T5/T6, T2/T3 and T8/T9; and (ii) building setbacks ranging from 3m to 26m from the site boundaries, are proposed with the aim to address the potential adverse air ventilation impact induced by the proposed development on the surroundings. The simulation results show that the overall performances of the Baseline and Proposed Schemes on pedestrian wind environment are comparable. As such, the Proposed Scheme is not expected to impose significant adverse air ventilation impact to the surrounding pedestrian wind environment when compared with the Baseline Scheme under both annual and summer conditions.

Landscape

9.1.9 Comments of the CTP/UD&L, PlanD:

- (a) he has no objection to the application from landscape planning perspective;
- (b) compared the aerial photos of 2016 to 2019, there is no significant change in the rural landscape character. With reference to the aerial photo of 2.10.2019, Sites A and B are mainly occupied by agricultural use. Man-made fish ponds are found in the centre of Site A and the south-western portion of Site A was hard paved. Dense vegetation is in the northern portion of Site A and southern portion of Site B. There are clusters of temporary buildings, open storages and tree groups to the east of the Sites and low to medium-rise residential area 'Casas

Domingo' to the south of the Site B. According to record, a residential development under s.12A application No. Y/NE-KTS/12 located at the east of Site A was agreed by the Committee in 2019. The proposed rezoning is considered not incompatible with the landscape setting in the proximity;

- (c) according to the submission, 169 existing trees within the Sites will be retained and 319 new trees are proposed for compensation of the loss of 285 trees. Further, various landscape treatments such as buffer planting on which 5m and 3m wide planting strips is proposed at the southwest boundary of Site A and the northwest boundary of Site B. Significant impacts on the existing landscape resources and characters are not anticipated; and
- (d) the applicants are reminded to approach relevant authority/ government department(s) direct to obtain the necessary approval regarding any proposed tree preservation/removal scheme.

Agriculture and Nature Conservation

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

Agriculture

- (a) the Sites comprise plant nurseries, active and fallow farmland, temporary structures, paved area and vegetated area with trees of common species (some of which being mature trees);
- (b) agricultural activities are active in the vicinity, and agricultural infrastructures such as road access and water source are also available. Site B being mainly zoned "AGR" can be used for agricultural activities such as plant nurseries, greenhouses, etc. As Site B possesses potential for agricultural rehabilitation, the rezoning application is not supported from agricultural point of view; and

Nature Conservation

- (c) he has no comment on the EcoIA. A public comment indicating that the residential towers would become well-lit façades during night-time and would have adverse impact on LVNP is noted. He has no comment on this point from perspective of LVNP.

Fire Safety

9.1.11 Comments of the Director of Fire Services (D of FS):

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

Water Supply

9.1.12 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):

he recommends that the applicants should consider a proposed water supply scheme and submit a water supply impact assessment (WSIA) at the earliest stage as the proposed water supply scheme may impose construction difficulties and financial implications to the proposed development. However, he has no comment if the WSIA will be submitted in the future s.16 planning application. His detailed comments on the WSIA are at **Appendix IV**.

Electrical and Mechanical Aspects

9.1.13 Comments of the Director of Electrical and Mechanical Services (DEMS):

he has no comment on the QRA.

Geotechnical

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

he has no comment on the application and reminds the applicants that there are existing Features No. 2SE-B/F32, 2SE-B/F33 and 2SE-B/F110 located within and/or adjoining the boundary of the Sites, which may affect or be affected by the proposed developments. The applicants should submit a Geotechnical Planning Review Report to support the future s.16 application.

Social Welfare Facility

9.1.15 Comments of the Director of Social Welfare (DSW):

- (a) he proposes that a RCHE (150 places) cum DCU (30 places) (with IFA of 3,195m²) with required parking and loading/unloading

facilities be provided within the Sites;

- (b) noting that the applicants have agreed to include the proposed RCHE cum DCU in Site B, the application is supported from the welfare point of view. However, he has reservation on the applicants' proposal of locating the RCHE cum DCU outside the Sites, given that such provision could not be governed under this s.12A application;
- (c) regarding the applicants' request for GFA exemption of the welfare facility concerned, he has no objection from the welfare point of view; and
- (d) the premises for the welfare facility will be assigned back to the Financial Secretary Incorporated as a Government Accommodation upon construction completion. The construction cost of the welfare premises would be borne by his department and the service operator would be selected by his department.

District Officer's Comments

9.1.16 Comments of the District Officer (North), Home Affairs Department (DO(N), HAD):

- (a) he consulted the locals on the application and the published FIs. The Chairman of Sheung Shui District Rural Committee (SSDRC), the North District Council (NDC) member of the subject Constituency, the Indigenous Inhabitant Representatives (IIRs) and Resident Representative (RR) of Hang Tau, RR of Kam Tsin, RR of Kwu Tung, RR of Kwu Tung (South), Owners' Committee Chairman of Casas Domingo, Chairperson of Owners' Committee of Valais and some Kwu Tung villagers (with 58 signatures) raised objections mainly on the following grounds:
 - (i) Transport infrastructure in the area is inadequate and the local roads are congested. Traffic congestion is frequently found in Castle Peak Road – Kwu Tung. There is high population density in the area. A number of residential developments in the vicinity will be completed and additional traffic to Castle Peak Road is anticipated. Approval of the application would further increase the number of residents resulting in worsening the traffic congestion.
 - (ii) Similar planning applications for residential developments are found in the area recently. If these applications are approved at the same time, TIA and relevant technical assessments could not reflect the actual situation of the area.

- (iii) Public transport services are insufficient in the area and cannot cater for the additional residents of the proposed development. If shuttle bus services are provided by the proposed development, it would also increase the traffic flow of the local roads and worsen the traffic congestion in the Castle Peak Road – Kwu Tung.
 - (iv) The Sites are situated in the vicinity of the main road. The indicative scheme with BH of 75mPD is higher than the nearby village houses. It would cause adverse visual and landscape impacts and affect the fung shui of nearby villages.
 - (v) The proposed rezoning would cause adverse impacts on environment, drainage, sewerage and noise. Sewerage facility is inadequate in the area. The sewage generated by additional population may pollute the river and affect hygiene. The outdoor lighting facilities of the proposed development would adversely affect the nearby residents. It would also affect the tranquil environment of the area.
 - (vi) Although the 2014 Policy Address states increase in number of flats through increasing development intensity, it is unrealistic to ignore the impact on environment and infrastructure in the area.
 - (vii) Construction works of the proposed development may cause nuisance and damage the nearby houses and squatters.
 - (viii) The applicants should consult and discuss with the nearby residential developments regarding the impacts of the construction.
- (b) the IIR of Kam Tsin and RR of Kwu Tung (North) indicated no comment; and
 - (c) regarding the public comment (**Appendices V-18 and V-24**) indicating that Site B would block the existing vehicular access and footpath being used by the nearby residents, the access and footpath are not constructed and maintained by his office.

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

- (a) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
- (b) Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD);
- (c) Commissioner of Police (C of P);

- (d) Director of Leisure and Cultural Services (DLCS); and
- (e) Project Manager (North) (PM(N)), CEDD.

10. Public Comments Received During Statutory Publication Period

- 10.1 The application and two FIs were published for public inspection. During the three-week statutory publication periods, a total of 34 public comments were received. Of which, 33 object to the application (**Appendices V-1 and V-28**). The remaining one comment (**Appendix V-29**) submitted by Towngas advises that the applicants should consult and close coordinate with Towngas at design and construction stages respectively and provide protective measures to nearby high pressure town gas pipeline.
- 10.2 The 33 objecting comments are submitted by Kadoorie Farm & Botanic Garden Corporation, Hong Kong Bird Watching Society, World Wide Fund for Nature Hong Kong, Designing Hong Kong Limited, IIR of Yin Kong Village, villagers/nearby residents (one with 57 signatures and one with 32 signatures) and individuals (**Appendices V-1 and V-28**) mainly on the following grounds:
- (a) The development intensity and scale of the proposed development are not in line with the planning intention of “AGR” and “REC” zones and not compatible with the setting of the locality. The Sites possess potential for agricultural rehabilitation and should be retained as “AGR” zone. It proposes a substantial increase in the BH and does not provide public recreational functions. There are low-rise developments in the vicinity of the Sites and the Sites are not suitable for high-rise residential development. The approval of the rezoning application would set an undesirable precedent. The cumulative impacts should be considered.
 - (b) Traffic congestion is frequently found in Castle Peak Road – Kwu Tung. A number of residential developments in the area will be completed together with the proposed residential developments under the agreed s.12A application No. Y/NE-KTS12 and additional traffic to Castle Peak Road is anticipated. Moreover, transport infrastructure and public transport services (with only one green minibus route) are insufficient. The road system cannot cater for the proposed development. The proposed development with additional population would cause adverse traffic impact.
 - (c) Relevant authority should investigate whether an ecological survey has been carried out for the EcoIA submitted by the applicants and whether the EcoIA is adequate to assess the potential ecological impacts to be caused by the proposed development. The proposed high-rise buildings are highly visible in Long Valley area which is of high conservation value. These residential towers would become well-lit façade during night-time. This would have adverse impacts on the habitat quality and wildlife in Long Valley area.

- (d) The proposed development involves felling of many trees that would cause direct loss of habitats and landscape resources.
- (e) The proposed development would pollute streams nearby and cause adverse impacts on noise, sewerage, drainage, ecology, hygiene, visual and privacy of nearby residents. As there are pond and drain within/in the vicinity of the site, the proposed development would cause flooding in the vicinity. The outdoor lighting facilities of the proposed development would adversely affect the nearby residents.
- (f) Although the 2014 Policy Address states increase in number of flats through increasing development intensity, it is unrealistic to ignore the impact on the environment and infrastructure in the area.
- (g) The Site involves Government land but the proposed development does not provide community facility such as elderly care and kindergarten or public benefit. The Sites should be developed to a park, playground or public car park.
- (h) The southern tip of Site B would block the existing vehicular access and footpath being used by the nearby residents. Development in Site B would block the drain from the southern area and cause flooding.
- (i) SSDRC and nearby villages should be consulted to resolve traffic, sewerage and feng shui-related issues.
- (j) During construction period, many large vehicles with large construction machinery to and from the Sites would worsen the traffic in the area. The construction works at the Sites will create noise, thereby destroying the tranquil environment and damaging the buildings/squatters nearby.
- (k) Ponds within the Sites were filled without planning permission. These were unauthorised uses/developments within the Sites. Approval of the application would further legitimise the current misuse of the “AGR” and “REC” zones, leading to the promotion of “destroy first, develop later” attitudes among landowners in the locality.

11. Planning Considerations and Assessments

- 11.1 The application is for rezoning Site A from mainly “REC” with a small portion of “CDA” (just about 1% of Site A) to “CDA(2)” and Site B from “AGR” and “REC” to “CDA (3)”, both with a proposed maximum PR of 3 and maximum BH of 75mPD to facilitate two proposed residential developments. According to the indicative scheme submitted by the applicants, Site A comprises 7 residential blocks of 17 and 20 storeys (max. 75mPD) and Site B comprises 3 residential blocks of 20 storeys (max. 75mPD). For Site A, stepped building height is proposed with lower BH of 65.55mPD (17 storeys) in the west (**Drawing Z-1**). The total GFA is 92,208m² providing 1,427 flats.

Land Use Compatibility, Development Intensity and Urban Design

- 11.2 The Sites are located in an area predominantly rural in nature, with low-rise and low-density residential developments, domestic structures, open storages and tree groups in the vicinity (**Plan Z-2a**). The planned KTN NDA with maximum PR of 6 and maximum BH of 145mPD is to the north of the Sites across Fanling Highway (**Plan Z-1b**). To the east of Site A is the site of the s.12A application No. Y/NE-KTS/12 agreed in 2019³ with a maximum PR of 3 and a maximum BH of 75mPD, i.e. the same as the subject application. For Site B which is about 200m away from Fanling Highway, it is surrounded by existing and planned/permitted low-rise low-density residential developments at a maximum PR of 0.4 and BH of 3 storeys to its south, west and east. The proposed residential use is not incompatible with the surrounding land uses.
- 11.3 Given the surrounding context and the intended stepped BH profile descending from the KTN NDA town centre towards the rural setting in the KTS area (**Plan Z-1b**), CTP/UD&L, PlanD considers that the proposed rezoning would bring some changes to the existing low-rise low-density character of the KTS to the south of Fanling Highway. Nevertheless, taking account of its close proximity to the KTN NDA and the agreed rezoning application Y/NE-KTS/12 to its immediate east, which is of the same development scale, the potential visual impact of the proposed development at a BH of 75mPD is considered not substantial in the wider context. To minimize its possible visual impact on the neighbourhood, the applicants are advised to incorporate suitable height variations, building separation or other architectural articulation in the design for enhancing the visual permeability at the subsequent s.16 planning application stage should this application be agreed. CA/CMD2, ArchSD has no comment from visual impact point of view as the proposed development may not be incompatible with adjacent future development (i.e. Y/NE-KTS/12). In terms of development intensity, the proposed PR of 3 and BH of 75mPD are not entirely incompatible with the developments in the KTN NDA on the other side of Fanling Highway.

Flat Supply

- 11.4 The proposed increase in development intensity could optimize the use of scarce land resources to meet the pressing housing demand of the community and is not unacceptable from urban design aspect. Although AFCD does not support the application due to potential for agricultural rehabilitation in Site B, it should be noted that the Agricultural Park of about 80ha in KTS is being implemented by phases by the Government, and a total of 83ha of land in KTN covering Long Valley and adjoining areas has been retained for agricultural use. Rezoning of the “AGR” site would unlikely have significant impact on the agricultural activities in KTS area.

³ Amendment to the OZP to reflect the agreed s.12A application is under processing.

Traffic, Environment and Other Technical Aspects

- 11.5 The applicants have submitted technical assessments, including TIA, EA, SIA, DIA, QRA and EcoIA. For transport facilities, the applicants have incorporated 2 bus lay-bys within Sites A and B on both sides of Kam Hang Road and other road improvement measures, as requested by TD, in the indicative scheme (**Drawings Z-10 and Z-11**). In view that an updated TIA will be submitted and other required improvements will be considered in the future s.16 application, C for T has no in-principle objection to the application.
- 11.6 For environmental aspect, DEP has no comment on the EA and SIA at this stage as a detailed assessment on waste management and land contamination and detailed SIA will be submitted at the future s.16 planning application stage, and he has no objection to the application. For drainage aspect, CE/MS, DSD has no objection to the application subject to a revised DIA to be submitted at s.16 planning application stage. EMSD has no comment on the QRA. The Sites are about 400m away from LVNP. DAFC has no comment on the EcoIA from LVNP perspective. As requested by relevant departments, various technical assessments should be submitted at s.16 MLP stage, e.g. NIA, SIA, waste management and land contamination assessment, DIA and WSIA.

Landscape and Tree Preservation

- 11.7 According to the submitted Landscape Master Plan and a Tree Preservation Proposal, of the 436 trees in the Sites, 169 will be retained and 319 new trees are proposed to be planted. Moreover, a strip of 3m to 5m wide landscape buffer with screen planting along the site boundary, retention of existing tree groups for landscape screening effect, gardens and grand lawn are proposed. CTP/UD&L, PlanD considers that significant impact on the existing landscape resources and characters are not anticipated, and the proposed rezoning is considered not incompatible with the landscape setting in proximity.

Air Ventilation

- 11.8 CTP/UD&L, PlanD advises that with various proposed mitigation measures including 15m-wide building separations and building setbacks, the Proposed Scheme is not expected to impose significant adverse air ventilation impact to the surrounding pedestrian wind environment.

Provision of Open Space and GIC Facilities

- 11.9 The proposed development will provide about 1,427 flats accommodating about 4,138 population. Private local open space of not less than 4,507m² is proposed in the 2 sites according to the requirement in HKPSG to meet the need of the residents. Besides, there is generally sufficient provision of district open space in the KTS area to meet the new demand.

- 11.10 The GIC provision in KTS is planned in a holistic manner to serve the population of the existing KTS area in accordance with the HKPSG and based on the advice of relevant Government departments. The planned provision of GIC facilities in the KTS area or North District are generally adequate to meet the demand of the planned future population, except for hospital bed, child care centre, community care services facilities for elderly and RCHE. The provision of GIC facilities are long-term target and the actual provision would be subject to the consideration of the relevant departments during the planning and development process. PlanD and concerned departments will work closely together to ensure that additional GIC facilities will be included in new development proposals in KTS and the North District. In this connection, SWD has requested the applicants to provide a RCHE cum DCU in the proposed development and the applicants have agreed to provide such facility in Site B while suggesting that the facility be exempted from GFA calculation. The facility will be included in the future s.16 planning application. DSW supports the application from the welfare point of view.

Previous and Similar Applications

- 11.11 The Site is involved in one previous s.12A application for proposed rezoning of Site A to “OU” annotated “Integrated Development with Residential, Farming and Community Facilities” with a maximum PR of 3.6 and BH of 16 storeys above ground (63.5mPD) which was not agreed in 2016, as detailed in paragraph 5. There are three processed similar rezoning applications involving two sites as detailed in paragraphs 6.2 to 6.4, one is adjoining the Sites and the other is to the further south of the Sites. The “CDA” site to the immediate east of Site A is most relevant to the current application. The Board agreed to its latest application (No. Y/NE-KTS/12) in 2019 by increasing the PR and BH to that of 3 and 75mPD, i.e. the same development intensity sought by the current applicants for the Sites. The circumstances of the current application are similar to those of application No. Y/NE-KTS/12 in that the potential traffic, environmental, sewerage, drainage and other impacts assessed by the applicants in the current application are acceptable to concerned departments, and both applications are subject to evolving planning context. Since the rejection of the previous s.12A application in 2016, the planning and infrastructure development for the Kwu Tung area has further proceeded. The site formation and infrastructure works (including road improvement works) for First Phase of the KTN NDA project have obtained funding approval in May 2019 and have commenced, and the Government is actively considering the development scheme of Northern Link submitted by the Mass Transit Railway Company Limited in 2017. Taking into account the changes in the planning context and the departmental comments and planning assessments above, the proposed rezoning with a development intensity lower than the rejected proposal in 2016 is considered acceptable.

Local Views and Public Comments

- 11.12 Local views conveyed by DO/N, HAD object to the application as stated in paragraph 9.1.16. There are 34 public comments received during the statutory publication periods. Apart from 1 providing views, the remaining ones object to

the application as mentioned in paragraph 10 above. In this regard, the departmental comments and planning assessments above are relevant.

12. Planning Department's Views

- 12.1 Based on the assessment made in paragraph 11 and having taken into account the local views and public comments mentioned in paragraphs 9.1.16 and 10, the Planning Department has no in-principle objection to the proposed rezoning of Site A from “REC” and “CDA” to “CDA(2)” and Site B from “REC” and “AGR” to “CDA(3)” with the proposed development restrictions to facilitate the proposed residential developments.
- 12.2 Should the Committee decide to agree/partially agree to the application for rezoning the two sites to “CDA” for the proposed residential developments, PlanD would work out the appropriate amendments to the OZP including zoning boundaries, as well as the development parameters and restrictions and requirements to be set out in the Notes and/or Explanatory Statement for Committee’s agreement prior to gazetting under Section 5 of the Town Planning Ordinance.
- 12.3 Alternatively, should the Committee decide not to agree to the subject application, the following reason is suggested for Members’ reference:

Site B mainly comprises plant nurseries and vegetated area and agricultural activities are active in the vicinity with agricultural infrastructures. Site B possesses potential for agricultural rehabilitation. Approval of the rezoning application would lead to a permanent loss of agricultural land for agricultural rehabilitation in the area. The current “AGR” zoning for Site B is appropriate.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to agree, partially agree, or not to agree to the application.
- 13.2 Should the Committee decide not to agree to the application, Members are invited to advise what reason(s) for the decision should be given to the applicants.

14. Attachments

Appendix I	Application Form with a letter of 20.5.2020 received on 11.6.2020
Appendix Ia	Supplementary Planning Statement
Appendix Ib	Supplementary Planning Statement (Appendix 11)
Appendix Ic	Letter of 16.6.2020
Appendices Id(i) and Id(ii)	FI of 25.8.2020

Appendices Ie(i) and Ie(ii)	FI of 28.9.2020
Appendices If(i) and If(ii)	FI of 16.11.2020
Appendices Ig(i) and Ig(ii)	FI of 3.12.2020
Appendix Ih	FI of 10.12.2020
Appendix II	Previous Applications
Appendix III	Similar Applications
Appendix IV	Detailed Departmental Comments
Appendices V-1 to V-28	Objecting Public Comments
Appendix V-29	Public Comment Providing Views
Drawing Z-1	Master Layout Plan
Drawings Z-2 and Z-3	Section Plans
Drawing Z-4	Landscape Master Plan
Drawings Z-5 to Z-8	Photomontages
Drawing Z-9	Proposed Road Improvements along Kam Hang Road under the Agreed s.12A Application No. Y/NE-KTS/12
Drawings Z-10 to Z-11	Proposed Road Improvements and Provision of Bus Lay-bys by the Applicants
Plans Z-1a and Z-1b	Location Plans
Plans Z-2a and Z-2b	Site Plans
Plan Z-3	Aerial Photo
Plans Z-4a to Z-4f	Site Photos

**PLANNING DEPARTMENT
DECEMBER 2020**