
Attachment 1

Responses to Comments Table

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Responses to Departmental Comments

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	Departmental Comments	Responses to Comments
1.	Comments of Antiquities and Monuments Office and Commissioner for Heritage's Office	
1.1	Further to our earlier reply on the captioned submission, a site meeting among the applicant's representatives, PlanD, CHO and AMO was conducted on 15 July 2026 to discuss the preservation options of Ng Yuen, noting the applicant's intention to preserve only the front portion of Ng Yuen in the formal s.12A submission.	Noted.
1.2	During the meeting, AMO highlighted that Ng Yuen was graded by the AAB as a whole and that the heritage value of the rear portion should not be diminished. In response to AMO's comments, the applicant acknowledged the historic significance of preserving the entirety of Ng Yuen, and pledged to holistically consider whether the preservation of the entire Ng Yuen is feasible. The applicant would also review and update the Conservation Management Plan (CMP) to duly reflect the heritage significance of Ng Yuen. In addition, the applicant had no adverse view against incorporating the relevant preservation requirements into the OZP documents (including the Schedule of Uses and Explanatory Statement) and subsequently the land lease documents.	As presented in the revised CMP (see Appendix A), the Applicant has further reviewed the heritage value of Ng Yuen and decided to preserve the entirety of Ng Yuen in-situ and renovate it for adaptive re-use. The Indicative Development Scheme has also been reviewed to allow Ng Yuen to seamlessly integrate with the retail/F&B spaces at the podium level so to promote easy access and appreciation of the unique interior of Ng Yuen. Besides, to better reflect the in-situ preservation of Ng Yuen through this preservation-cum-development-project, the proposed zoning has been refined as "Other Specified Uses" annotated "Comprehensive Development with Historic Building Preserved", under which the planning intention is now specified to be primarily to preserve the historic building of Ng Yuen in-situ through the preservation-cum-development project, with the proposed Schedule of Uses remain unchanged as per the previous proposal. For details, please refer to the revised Planning Statement (see Attachment 2).
1.3	We will therefore provide our detailed comments on the planning application upon receipt of the revised CMP and confirmation of the applicant's position on the preservation details of Ng Yuen.	Noted.

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2.	Comments of Sha Tin, Tai Po & North District Planning Office, Planning Department	
2.1	The applicant is reminded that several private lots with temporary structures are in the immediate vicinity of the subject site and there is a new S.12A application (No. Y/ST/63) in the vicinity of the application site. Please examine the interface issues between the proposed development and the existing and/or potential future developments (if any). The cumulative impacts of the neighbouring developments (both existing and planned) with details currently available in the public domain should be taken into account in the technical assessments, specifically the Traffic Impact Assessment, Environmental Assessment, and Sewerage Impact Assessment. We defer to the further comments of the relevant departments on the technical assessments.	Noted. The TIA, EA and SIA have been updated accordingly to incorporate the cumulative impacts induced by the adjacent planned development under Planning Application No. Y/ST/63 (see Appendices F, G and I). The revised reports concluded that there is no adverse cumulative technical impact even with the consideration of the impact induced by the adjacent Planning Application.
3.	Comments of Urban Design & Landscape Section, Planning Department	
3.1	<u>Urban Design and Visual</u> The subject site (the Site) is situated in Planning Area 28, the vicinity of Sha Tin Town Centre and along the southern bank of Shing Mun River (the river). The immediate locality is intermixed with open spaces, recreation ground, village type developments including Tsang Tai Uk (with building heights (BHs) ranging from 7 to 27mPD), and medium- to high-rise residential developments (with BHs ranging from 58 to 155mPD);	Noted.

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3.2	As stated in the Explanatory Statement of the draft Sha Tin Outline Zoning Plan (OZP) No. S/ST/39, a prominent feature in Sha Tin New Town is the provision of large landscaped open spaces in Planning Area 12 (the Sha Tin Park), Planning Area 28 in the vicinity of the town centre and along the river channel at Siu Lek Yuen. They form a major node of recreational activities and extend along both sides of the river providing a spine for pedestrian and cycle movements. According to the notes of the adopted Layout Plan for Area 5D – Tsang Tai Uk Plan No. L/ST 5D/2, the areas in front of the Tsang Tai Uk Village up to the river channel are reserved for district open space and low-rise institutional and community uses. The Site is situated between Sha Tin Park to its north and Tsang Tai Uk Recreation Ground to its south. The open space framework also serves as a northeast-southwest visual corridor and a northwest-southeast visual corridor of the Sha Tin New Town;	Noted.
3.3	To a certain extent, the proposed development (with a BH restriction of not more than 70mPD) would compromise the integrity of the open space framework and the permeability/openness of the said visual corridors. Nevertheless, the applicant has discussed how the current proposal would materialise the designated open space at the Site and by the public open space to the south of the Site, the existing open space framework could be enriched. In addition, the proposed design measures (such as building setbacks/separation, cascading upper floors, and lower-floors voids design, etc.) would create visual interest for the area;	As mentioned in Item 1.2 above, the Indicative Development Scheme has been further reviewed to preserve the entirety of Ng Yuen in-situ and renovate it for adaptive re-use. That said, the tower setbacks from site boundary, cascading building design and permeable building design could still be maintained. For details please refer to Section 6 of the VIA in Appendix D .
3.4	Table 5.2 of the VIA (for VPs 3 and 5): based on the photomontages, the proposed development is visually prominent and would cause certain degree of visual obstruction to the open sky view and/or mountain backdrop. The assessment of 'slight' effect under the 'visual obstruction' and 'visual change' columns should be considered as 'moderate' effect; and	Table 5.2 of the VIA has been revised accordingly (see Appendix D).

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3.5	<u>Air Ventilation</u> An Air Ventilation Assessment – Expert Evaluation has been submitted to compare the ventilation performance of the Baseline Scheme (existing condition) and Proposed Scheme. The proposed development may result in inevitable adverse impact at the immediate downstream areas, including Hong Kong Bible Research and Education Centre to the west and the promenade to the north of the site, when compared to the relatively open existing condition. Various mitigation measures have been incorporated to alleviate the potential impact of the proposed development which include setbacks, permeable podium design and a podium garden. With the incorporation of the above features into the Proposed Scheme, no significant adverse impact on the overall pedestrian wind environment of the surrounding areas is anticipated when compared to the Baseline Scheme.	Noted.
3.6	<u>Landscape</u> Based on the aerial photo of 2025, the Site was situated in an area of residential urban landscape character comprising residential developments, a river, waterfront areas, open spaces and tree clusters. The proposed hotel development of 14 storeys is considered not entirely incompatible with the surrounding context;	Noted.
3.7	According to Appendix B – Landscape Design and Tree Treatment Proposal, all the 38 trees of common species found within the Site were proposed to be felled. No rare or precious species, OVTs or TPIs were observed within the Site. To mitigate the landscape impacts, 38 new trees are proposed to achieve a compensatory ratio of 1:1; and	Noted.
3.8	In view of the above, significant adverse landscape impact arising from this application is not anticipated.	Noted.

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4.	Comments of Environmental Protection Department	
4.1	Having reviewed the application, we considered that the Applicant is required to address the following technical comments on the EA of the PS before we could form our views for the application.	Noted.
4.2	<u>Noise</u> Appendix 4 (Detailed Calculation of Total Maximum Permissible Sound Power Level (SWL)) - It is noted that some figures in Appendix 4 are not consistent with those presented in Table 3.5. <u>Land Contamination</u>	Noted. Appendix 4 of the EA has been updated (see Appendix G).
4.3	Table 6.1 & S.6.3.3 – The following inconsistencies are identified between the table 6.1 and S.6.3.3: - Table 6.1 describes the site as 'mainly vacant land with Ng Yuen' since 1985, whereas S.6.3.3 states that it has been an 'open area with Ng Yuen'. Please clarify this inconsistency in land uses as they carry different operational and land contamination implications. - S.6.3.3 states that there was 'no significant change in land use' in 2005 and 2024. However, Table 6.1 explicitly details the introduction of several new and distinct uses over time, including residential buildings (Garden Villa B), carparking areas, farmland, and temporary structures. Please update the text to ensure consistency.	Noted. S.6.3.3 of the EA has been updated (see Appendix G).
4.4	S.6.4 - The current text only mentions temporary structures used as a site office and for religious activities. However, according to the site photos provided in Appendix 3, there are several distinct land uses and structures currently on-site that have been omitted from S.6.4. Please update S.6.4 to include all the observed land uses and evaluate their respective land contamination potential.	Noted. S.6.4.2 of the EA has been updated (see Appendix G).

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4.5	S.7.1.7 of EA and S.8.7 of PS – After addressing the above comments (b) and (c), please update the findings in these sections accordingly.	Noted. S.7.1.7 of the EA and S.8.7 of the PS have been updated (see Appendix G and Attachment 2).
5.	Comments of Transport Department	
5.1	RtoC 3.6 – With the updated cycle track proposal, pedestrian crossing on cycle track near the junction would be required. The applicant should review if the above would have any implication on the updated proposal given the pedestrian crossing on cycle track is very close to the signalized pedestrian crossing. Detailed design drawings on the proposed cycle track / footpath should be submitted in due course for our comment.	Noted. The proposed cycle track and footpath layout and associated detailed traffic arrangement will be reviewed and further submitted at the detailed design stage.
5.2	RtoC 3.9 – Our previous comments is still valid. Given there will be around 332 trips generated per hour, please demonstrate the existing PT services nearby (e.g. bus and GMB etc.) could absorb the additional demand with supporting OC rates or figures.	The occupancy survey results, together with the relevant discussion on the existing franchised bus and GMB services, have been added in the revised TIA report (see Appendix F).
5.3	This is a coordinated reply from TENTE and TONT	Noted.
5.4	It is noted that there is another S12A submission at various lot in D.D 184 and adjoining GL located in the vicinity of the captioned application site, and currently the TIAs under the two applications have not considered the traffic impact due to their counterparts in the assessments.	The revised TIA report has taken into account the adjacent planned development under Planning Application No. Y/TS/63, and relevant assessment results have been updated accordingly (see Appendix F).
6.	Comments of Buildings Department	
6.1	There is no in-principle objection under the Buildings Ordinance (BO) to the proposed rezoning application.	Noted.
6.2	There is no record of approval by the Building Authority for the structures existing at the application site and Buildings Department (BD) is not in a position to offer comments on their suitability for the use related to the application.	Noted. General Building Plans will be submitted to the Buildings Department for vetting and approval at subsequent stage

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6.3	If the existing structures are New Territories Exempted House (NTEH) under the Buildings Ordinance (Application to the New Territories) Ordinance (Cap 121 of the previous Cap 322), District Land Officer/Shan Tin should be in a better position to comment on the captioned application.	Noted.
6.4	The applicant's attention is drawn to the following points: I. If the existing structures are erected on leased land without approval of the BD (not being a New Territories Exempted House), they are unauthorized under the BO and should not be designated for any approved use under the captioned application. II. Before any new building works are to be carried out on the application site, prior approval and consent of the Building Authority (BA) should be obtained unless they are exempted building works, designated exempted works or minor works commenced under the simplified requirements under the BO. Otherwise they are unauthorised building works (UBWs). An Authorized Person (AP) should be appointed as the coordinator for the proposed building works in accordance with the BO. III. For UBWs erected on leased land, enforcement action may be taken by the BA to effect their removal in accordance with Buildings Department's enforcement policy against UBWs as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBWs on the application site under the BO. IV. If the proposed use under application is subject to issue of a license, the applicant should be reminded that any existing structures on the application site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by the licensing authority.	Noted.

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6.4 (Con't)	V. The site shall be provided with means of obtaining access thereto from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulations (B(P)R) respectively. VI. If the site does not abut on a specified street of not less than 4.5m wide, its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage. VII. The preserved Main Building of Ng Yuen including G/F, M/F, 1/F and R/F within site boundary should be included in the site coverage (SC) and plot ratio (PR) calculations under the BO. VIII. All covered areas of private open space on G/F should be included in the SC and gross floor area (GFA) calculations under the BO. IX. GFA concessions (i.e. excluding/disregarding green/amenity features and non-mandatory/non-essential plant rooms and services from GFA and/or SC calculation) under PNAP APP-151 will only be considered upon full compliance with the pre-requisites in paragraph 6 of PNAP APP-151, including the Sustainable Building Design Guidelines under PNAP APP-152. X. GFA concessions under Regulation 23A of the B(P)R may be considered under PNAP APP-40 provided that the supporting facilities are demonstrated to be unique and integral to the normal operation of the hotel.	
6.5	Detailed comments on compliance with the BO and allied regulations for private developments such as permissible plot ratio, site coverage, means of escape, fire resisting construction, emergency vehicular access, private streets and/or access roads, etc. will be formulated will be given upon formal building plans submission.	Noted.

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7.	Comments of Civil Engineering and Development Department	
	<u>Comments from North Development Office</u>	
7.1	The footpath / cycle track / amenity area as illustrated in T4 Gazette Plan (Plan No. 60579757/GAZ/100-106) will be reconstructed then handed over to relevant government departments for future management and maintenance under the Trunk Road T4 in Sha Tin Project.	Noted.
7.2	Noted that the implementation of the proposed works by the applicant, including the proposed public open space as well as the proposed adjustment to the cycle track and footpath by the applicant, will only be commenced after the completion of the Trunk Road T4, the applicant should seek comment and approval from the relevant management and maintenance departments on the proposed works. There is no comment from Trunk Road T4 Project's interfacing point of view.	Noted.
8.	Comments of Fire Services Department	
8.1	They have no specific comment on the proposal subject to fire service installations and water supplies for firefighting being provided to the satisfaction of the Director of Fire Services.	Noted.
8.2	Detailed fire safety requirements will be formulated upon receipt of the formal submission of general building plans. In addition, licensing requirement will be formulated upon receiving the formal application under the Hotel and Guesthouse Accommodation Ordinance (Cap. 349).	Noted.
8.3	Furthermore, the provision of emergency vehicular access (EVA) in the subject work shall comply with the requirements as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011.	Noted.

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9.	Comments of Lands Department	
9.1	The application site currently comprises of private lots including Lot 533 s.E, Lot 533 s.F RP, Lot 533 s.G, Lot 533 s.H, Lot 533 s.J RP & Lot 533 s.J ss.1 all in D.D. 184 and the adjoining unleased and unallocated government land.	Noted.
9.2	The above private lots are held under New Grant No. 3203. Based on the available information, Lot 533 in D.D. 184 was sold as agricultural lot subject to General Conditions published in GN 365 of 1906 and the Special Condition ("SC") Nos. 1,2,3,4 published in GN 697 of 1909 and SC No. 5 published in GN 278 of 1911. The proposed hotel development is not acceptable under the existing land grant.	Noted.
9.3	In the event that the subject application under s.12A of the Town Planning Ordinance ("TPO") is accepted or partially accepted by the Town Planning Board ("TPB") with a set of clear development parameters (including but not limited to the proposed user, gross floor area and car parking provisions, as appropriate) defined / firmed up and further submission to the TPB (including application(s) for permission under S. 16 of the TPO after the corresponding amendment to the Outline Zoning Plan ("OZP") has been made) is not required, the land owner(s) may submit request for streamlined processing of land exchange application(s). Depending on the circumstances of each case, Lands Department ("LandsD") at its sole and absolute discretion may, upon receipt of such valid request and subject to payment of the administrative fee(s) (including fee payable to the Legal Advisory and Conveyancing Office, if required) by the land owner(s), commence the streamlined processing of the land exchange application(s) on a without prejudice and non-committal basis while PlanD is taking forward the relevant OZP amendment.	Noted.

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9.4	The land owner(s) are reminded that once the accepted or partially accepted proposal is reflected in the OZP and approved under S.9 of the TPO, a formal application for land exchange by land owner(s) to LandsD is still required. Every application submitted to LandsD will be considered on its own merits by LandsD at its absolute discretion acting in its capacity as a landlord and there is no guarantee that the land exchange application(s) will eventually be approved by LandsD. If the application(s) for land exchange are approved by LandsD, it/they will be subject to such terms and conditions as may be imposed by LandsD at its absolute discretion, including payment of premium and administrative fee(s).	Noted.
10.	Comments of Leisure and Cultural Services Department	
	<u>Comments from Sha Tin District Leisure Services Office (STDLSO)</u>	
10.1	According to the Planning Statement, it is observed that the Applicant proposes to transform the amenity area to the south of the Application Site into a vibrant Public Square. From the applicant's previous responses, it is noted that the applicant will be responsible for the construction of the concerned Public Open Space to the south of the Application Site and will take up the management and maintenance responsibilities until being handed over to the Government upon request.	Noted.
10.2	Please note that there are no facilities at the proposed Public Open Space to the south of the application site that fall under STDLSO's management or maintenance. As such, STDLSO does not intend to assume management or maintenance responsibilities for this area in the future.	Noted.
10.3	Regarding the proposed Amenity Area under the T4 project by CEDD, STDLSO is currently responsible for the maintenance of vegetation and will continue to undertake vegetation maintenance within the said area after the proper handover from CEDD.	Noted.

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	<u>Comments from New Territories East Tree Team (NTETT)</u>	
10.4	The affected trees shall be maintained by project specialist landscaping sub-contractor during the Defect Liability Period. Prior to commencement of the 12-month establishment/defect liability period and after substantial completion of works, a joint site inspection for the affected trees shall be arranged to assess and examine whether the trees are growing in a healthy condition in compliance with the required specifications.	Noted.
10.5	Subject to satisfactory establishment of the affected trees as observed at the final inspection after 12-month establishment/defect liability period, LCSD would in normal circumstances formally take over the maintenance of the affected trees.	Noted.