



LCH Planning and Development
Consultants Limited

To rezone the application site from "Comprehensive Development Area" and "Green Belt" to "Residential (Group A) 4" and to Amend the Notes of the zone applicable to the site

Section 12A Planning Application No. Y/YL-TYST/12

Response to Departmental Comments Table (Comments received on 30 April 2026)

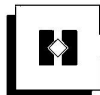
No.	Comments Received	Our Responses
A. Comments from Architectural Services Department (ArchSD) (Subject Officer: Ms. Jacqui CHEUNG, Architect/ASC/8, Tel: 2582 5322)		
Date: 30 April 2026		
	Based on the information provided, it is noted that the proposal mainly involves two building blocks with a gross floor area (GPA) of 10,489 sq.m. and a maximum building height (BH) of 13 storeys, which are both allowed under the GPA and BH restrictions of the Comprehensive Development Area as stipulated in the current Outline Zoning Plan. From the photomontages provided, it is noted that the proposal would not create much visual impact to the Surrounding environment. In this regard, we have no comment from architectural and visual impact point of View, subject to PlanD's View.	Noted.
B. Comments from Lands Department (LandsD) (Subject Officer: Mr. Chris CHAN, Estate Surveyor/E1 (DLO, YL), Tel: 2443 3164)		
General Comments		/
i.	The application site involves two private lots known as Lot Nos. 2188 ("Lot 2188") and 398 RP ("Lot 398RP") in all DD. 121 and subject to the following lease restrictions.	/
	a) Lot 2188 is held under the New Grant No. 22978 dated 6.7.2022 ("the New Grant") restricted for the use of a residential care home as approved by the Director of Social Welfare ("SWD"). It is also subject to a Building Covenant ("BC") period and a Commence to Operate ("C to O") period to the satisfaction of SWD to be expired on 31.3.2027.	Noted. Upon the approval of this planning application, land exchange application will be submitted to LandsD to modify the lot boundary as well as the lease covenants. An extension of the BC and C to O periods under the New Grant may be required if the approval date of this planning application and land exchange application fall after 31 March 2027.



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	b) Lot 398RP is an old scheduled agricultural lot held under a Block Government Lease, which contains the restriction that no structure is allowed to be erected without prior approval from the Government.	Noted.
ii.	The proposed development scheme contravenes the lease conditions governing both lots and would probably affect the completion of the residential care home on Lot 2188 within the BC and C to O periods, as overseen and monitored by SWD, under the New Grant. Hence, SWD's advice on the acceptability of the proposal must be sought.	Please note this planning application with supporting technical assessments will also be circulated to SWD for their review and comments.
iii.	In the event 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 may submit request for streamlined processing of land exchange application. 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 premium (if required) and the administrative fee(s) (including fee payable to the Legal Advisory and Conveyancing Office, if required) by the land owner, commence the streamlined processing of the land exchange application on a without prejudice and non-committal basis while Planning Department (PlanD) is taking forward the relevant OZP amendment.	Noted.



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iv.	The land owner is 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 to LandsD is still required and policy support should be obtained from LWB/SWD if the applicant wishes to implement the proposal under the “Incentive Scheme to Encourage Provision of Residential Care Homes for the Elderly Premises in New Private Developments” as stipulated in LandsD LAO PN No. 5/2023.	Noted. Upon the approval of this planning application, land exchange application will be submitted to LandsD to modify the lot boundary as well as the lease covenants. Our Applicant will also apply for the “Incentive Scheme to Encourage Provision of Residential Care Home for the Elderly Premises in New Private Developments – Time Limited Enhancement” (LAO Practice Note No. 5/2023).
v.	Given Lot 2188 is subject to an unfulfilled BC and C to O periods, if the planning application is approved by the TPB, the applicant should apply for an extension of the BC and C to O periods under the New Grant until the land exchange application is approved by LandsD.	Noted. An extension of the BC and C to O periods under the New Grant may be required if the approval date of this planning application and land exchange application fall after 31 March 2027.
vi.	The land exchange application and the extension application as mentioned in paragraphs (iv) and (v) above, if submitted to LandsD, will be considered on its own merits by LandsD at its absolute discretion acting in its capacity as a landlord and policy support from LWB/SWD has to be obtained for the applications. There is no guarantee that the land exchange application will eventually be approved by LandsD. If the application for land exchange is approved by LandsD, it 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.
Advisory Comments		/
i.	Please note that the New Grant contains (a) a BC clause that requires the Grantee to complete the development on Lot 2188 and make it fit for occupation and (b) a C to O clause that requires the Grantee to commence to operate the residential care home to the satisfaction of SWD, both on or before 31.3.2027	Noted.



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	Non-compliance of the clauses is a breach of the New Grant and will amongst other remedies Lot 2188 liable to re-entry by the Government.	
ii.	The technical assessments as enclosed in the Planning Assessment Report and the related appendices should be subject to comments of relevant Government departments.	Noted.
C. Comments from Fire Services Department (FSD) (Subject Officer: Mr. WONG Cheuk-kei, ADO(TP), Tel: 2733 7737)		
1.	Please be informed that we have no specific comments 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.
2.	Nevertheless, the following advisory clauses shall be delivered to the applicant:	/
	i. Detailed fire safety requirements will be formulated upon receipt of a formal submission of Short Term Tenancy or Short Term Waiver, general building plans or referral of the application via the relevant licensing authority.	Noted.
	ii. The provision of emergency vehicular access 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.
3.	Furthermore, please be advised that for any proposal involving a school, child care centre, residential care homes for the elderly or residential care homes for persons with disabilities, the height restrictions as stipulated in the respective Regulations and Code of Practice shall be observed.	Noted.
D. Comments from Electrical and Mechanical Services Department (EMSD) (Subject Officer: Mr. Jermery WONG, Engr/Tech Secretariat/1, Tel: 3757 6231)		
Electricity Safety	/	



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	<p>Please be advised that we have no particular comment on the document from electricity supply safety aspect. However, in the interests of public safety and ensuring the continuity of electricity supply, the parties concerned with planning, designing, organizing and supervising any activity near the underground cable or overhead line under the mentioned document should approach the electricity supplier (i.e. CLP) for the requisition of cable plans and overhead line alignment drawings, where applicable, to find out whether there is any underground cable and/or overhead line within and/or in the vicinity of the concerned site. They should also be reminded to observe the Electricity Supply Lines (Protection) Regulation and the “Code of Practice on Working near Electricity Supply Lines” established under the Regulation when carrying out works in the vicinity of the electricity supply lines.</p>	<p>Noted.</p>
	<p>Town Gas Safety</p>	<p>/</p>
<p>1.</p>	<p>According to the R to C on pre-submission enquiry of the subject planning application, it is noted that the majority of the Application Site was covered by an approved s.16 planning application (No. A/YL-TYST/870) and quantitative risk assessment would be provided from the applicant of (No. A/YL-TYST/870) in the later detailed design stage.</p>	<p>Noted.</p>
<p>2.</p>	<p>However, the development under the approved s.16 planning application (No. A/YL-TYST/870) would no longer proceed as advised by PlanD. As such, a quantitative risk assessment would be required from the project proponent of the subject planning application to assess the potential risks associated with the high pressure town gas installation.</p>	<p>Noted. Site selection of this Application has been taken into account of electrical safety considerations.</p> <p>Please note the development intensity of our Proposed Development within the subject “Comprehensive Development Area” (“CDA”) zone does not exceed the maximum gross floor area as stipulated under the “CDA” zone of Approved Tong Yan San Tsuen OZP. In this regard, there should be no particular change in population.</p>



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		Hence, a quantitative risk assessment will be conducted and provided in the later detailed design.						
3.	The applicant/consultant/works contractor shall liaise with the Hong Kong and China Gas Company Limited in respect of the exact locations of existing and planned gas pipes/gas installations in the vicinity of the application site and any required minimum set back distance away from them during the design and construction stages of development.	Further details including safety measures would be discussed and liaised with Towngas in the later detailed design and/or land exchange stage.						
4.	<p>The applicant is required to observe the following requirements of the Electrical and Mechanical Services Department's Publications via the following web-link for reference</p> <table border="1" data-bbox="367 688 1037 1162"> <thead> <tr> <th data-bbox="367 688 648 748">Publications</th> <th data-bbox="648 688 1037 748">Web-link</th> </tr> </thead> <tbody> <tr> <td data-bbox="367 748 648 992">Guidance Note on Quantitative Risk Assessment Study for High Pressure Town Gas Installations in Hong Kong</td> <td data-bbox="648 748 1037 992">https://www.emsd.gov.hk/filemanager/en/content/287/GN_Qntve_Rsk_Asmnt_Study_Hgh_Prsre_Twn_Gas_Instltns_inHK.pdf</td> </tr> <tr> <td data-bbox="367 992 648 1162">Code of Practice on "Avoidance of Damage to Gas Pipes" 2nd Edition</td> <td data-bbox="648 992 1037 1162">https://www.emsd.gov.hk/filemanager/en/content/286/CoP_gas_pipes_2nd_(Eng).pdf</td> </tr> </tbody> </table>	Publications	Web-link	Guidance Note on Quantitative Risk Assessment Study for High Pressure Town Gas Installations in Hong Kong	https://www.emsd.gov.hk/filemanager/en/content/287/GN_Qntve_Rsk_Asmnt_Study_Hgh_Prsre_Twn_Gas_Instltns_inHK.pdf	Code of Practice on "Avoidance of Damage to Gas Pipes" 2nd Edition	https://www.emsd.gov.hk/filemanager/en/content/286/CoP_gas_pipes_2nd_(Eng).pdf	Noted.
Publications	Web-link							
Guidance Note on Quantitative Risk Assessment Study for High Pressure Town Gas Installations in Hong Kong	https://www.emsd.gov.hk/filemanager/en/content/287/GN_Qntve_Rsk_Asmnt_Study_Hgh_Prsre_Twn_Gas_Instltns_inHK.pdf							
Code of Practice on "Avoidance of Damage to Gas Pipes" 2nd Edition	https://www.emsd.gov.hk/filemanager/en/content/286/CoP_gas_pipes_2nd_(Eng).pdf							
<p><i>E. Comments from Landscape Unit, Urban Design and Landscape Section, Planning Department (UD&L, PlanD)</i> <i>(Subject Officer: Ms. May CHAN, LA/3, Tel: 3565 3949)</i></p>								
	We have <u>no adverse comments</u> on the s.12A application from landscape planning perspective. Our detailed comments are as follows:	Noted.						



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i.	the majority of the Site falls within “CDA” zone and a minor eastern portion falls within “GB” zone;	Noted.
ii.	according to the aerial photo taken in 2025, the Site was situated in area of miscellaneous rural fringe landscapes characterised by residential buildings, temporary structures, village houses, highways and scattered tree groups. From the site photos in the proposal, the Site, including the “GB” portion was largely hard paved;	/
iii.	as shown in the Landscape Proposal, two existing trees in the “GB” zone are proposed to be felled. The existing trees are not considered distinctive landscape resources, 17 new trees are proposed to be planted within the Site; and	/
iv.	in view of the above, no significant adverse landscape impact arising from the proposed rezoning is anticipated.	Noted.
Please note that HyD, WSD, West Development Office and Geotechnical Engineering Office of CEDD, AFCDD and HAD have no comment on the application.		Noted.