

TOWN PLANNING BOARD

TPB Paper No. 10988

**For Consideration by
the Town Planning Board on 13.12.2024**

DRAFT NAM SANG WAI OUTLINE ZONING PLAN NO. S/YL-NSW/9

**CONSIDERATION OF
REPRESENTATIONS NO. TPB/R/S/YL-NSW/9-R1 TO R8**

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Subject of Representations	Representers (No. TPB/R/S/YL-NSW/9-R1 to R8)
<p><u>Amendment Item (Item) A1</u> Rezoning of a site to the north of Ho Chau Road from “Residential (Group D)” (“R(D)”) to “Residential (Group A)1” (“R(A)1”) with stipulation of building height (BH) restriction</p> <p><u>Item A2</u> Rezoning of a site to the north of Ho Chau Road from “R(D)” to “Residential (Group A)2” (“R(A)2”) with stipulation of BH restriction.</p> <p><u>Item B</u> Rezoning of a site to the north of Ho Chau Road from “R(D)” to “Other Specified Uses” (“OU”) annotated “Pumping Station” (“OU(PS)”).</p> <p><u>Item C</u> Rezoning of a strip of land to the north of Ho Chau Road from “R(D)” to “Village Type Development” (“V”).</p> <p><u>Item D</u> Rezoning of a knoll to the north of Ho Chau Road from “R(D)” to “Green Belt” (“GB”).</p> <p><u>Item E</u> Rezoning of a site at Wing Kei Tsuen from “OU” annotated “Comprehensive Development to Include Wetland Restoration Area” (“OU(CDWRA)”) to “OU” annotated “Comprehensive Development to Include Wetland Restoration Area 1” (“OU(CDWRA)1”) with stipulation of BH restriction.</p> <p><u>Amendments to the Notes of the Plan</u> (a) Incorporation of a new set of Notes for “R(A)” zone with development restrictions. (b) Deletion of ‘Market’ from Column 2 of the Notes for “R(D)” and “V” zones.</p>	<p>Total: 8</p> <p><u>Supports Items A1 to D</u> R1: Topwood Limited / Success King Limited / Richduty Development Limited represented by Llewelyn-Davies Hong Kong Limited</p> <p><u>Supports Item D and Opposes Items A1, A2, B, C & E and Explanatory Statement (ES) of “OU(CDWRA)” and “CA” zones</u> R2: The Conservancy Association</p> <p><u>Supports Item D and Opposes Items A1, A2, B, C & E and Notes (d), (f) and (h)</u> R3: Individual</p> <p><u>Opposes Items A1 to E and ES of “CA” zone</u> R4: The Hong Kong Bird Watching Society</p> <p><u>Opposes Items A1 and A2 and Notes and ES</u> R5: Individual</p> <p><u>Opposes Items A1 to B</u> R6: Individual</p> <p><u>Opposes Item A2</u> R7: Individual</p> <p><u>Adverse Views on some items</u> R8: Kadoorie Farm and Botanic Garden</p>

Subject of Representations	Representers (No. TPB/R/S/YL-NSW/9-R1 to R8)
<p>(c) Incorporation of ‘Government Refuse Collection Point’ and ‘Public Convenience’ under Column 1 of the Notes for “V” zone; and corresponding deletion of ‘Government Refuse Collection Point’ and ‘Public Convenience’ under Column 2 of the Notes for “V” zone.</p> <p>(d) Incorporation of ‘Field Study/Education/Visitor Centre’ and ‘Hotel (Holiday House only)’ under Column 2 of the Notes for “V” zone.</p> <p>(e) Revision of ‘Shop and Services’ to ‘Shop and Services (not elsewhere specified)’ under Column 2 of the Notes for “Government, Institution or Community” (“G/IC”) zone.</p> <p>(f) Incorporation of ‘Zoo’ under Column 2 of the Notes for “G/IC” zone.</p> <p>(g) Revision to Notes for “G/IC” and “OU” annotated “Comprehensive Development and Wetland Enhancement Area” (“OU(CDWEA)”) zones on planning intention.</p> <p>(h) Revision to the Remarks of the Notes for “OU(CDWEA)”, “OU(CDWRA)” and “Conservation Area” (“CA”) zones on filling of land/pond and excavation of land clause.</p> <p>(i) Revision to the Remarks of the Notes for “OU(CDWRA)” zone to incorporate development restrictions for “OU(CDWRA)1” sub-zone.</p>	

Note: The names of all representers are attached at **Annex III**. Soft copy of the submissions is sent to the Town Planning Board (the Board) Members via electronic means; and is also available for public inspection at the Board’s website at https://www.tpb.gov.hk/en/plan_making/S_YL-NSW_9.html and the Planning Enquiry Counters of the Planning Department (PlanD) in North Point and Sha Tin. A set of hard copy is deposited at the Board’s Secretariat for Members’ inspection.

1. **Introduction**

- 1.1 On 12.7.2024, the draft Nam Sang Wai Outline Zoning Plan (OZP) No. S/YL-NSW/9 (the draft OZP) (**Annex I**) was exhibited for public inspection under section (s.) 5 of the Town Planning Ordinance (the Ordinance). The Schedule of Amendments setting out the amendments to the OZP and its Notes is at **Annex II** and the locations of the amendment items are shown on **Plans H-1a and H-1b**.

- 1.2 During the two-month statutory exhibition period, eight valid representations were received. On 18.10.2024, the Board agreed to consider all the representations collectively in one group.
- 1.3 This Paper is to provide the Board with information for consideration of the representations. The list of representers and their submissions are at **Annexes III and IV** respectively. The representers have been invited to attend the meeting in accordance with s.6B(3) of the Ordinance.

2. **Background**

Items A1, A2, B, C and D – Proposed Land Sharing Pilot Scheme (LSPS) Development at Ho Chau Road (Plan H-1a)

- 2.1 As part of the Government’s multi-pronged strategy to increase land and housing supply in the short-to-medium term, a proposed framework of the LSPS was put forward in the 2018 Policy Address (PA) with further details outlined in the 2019 PA. The LSPS aims to unleash the development potential of private land with consolidated ownership that is outside specified environmentally sensitive areas and not covered by the Government’s completed, ongoing and soon-to-commence development studies in order to boost both public and private housing supply.
- 2.2 On 2.8.2021, an LSPS application for the site at Ho Chau Road in Yuen Long (the LSPS Site) was submitted to the Development Bureau (DEVB) for consideration and subsequently endorsed in principle by the Chief Executive in Council (CE-in-C) on 1.11.2022. To take forward the proposed LSPS development, which comprises public and private housing and associated supporting infrastructures, the LSPS Site has been rezoned from “R(D)” to “R(A)1”, “R(A)2” and “OU(PS)” (**Items A1, A2 and B** respectively). The remaining western portion of the subject “R(D)” zone has been rezoned to “V” and “GB” (**Items C and D** respectively) in light of the existing site condition and ownership pattern, and to allow a buffer between the proposed LSPS development and the ponds and wetlands within the “CA” zone to the north respectively (**Plan H-1a**).

Item E – Proposed Comprehensive Residential Development at Wing Kei Tsuen (Plan H-1b)

- 2.3 To take forward the Rural and New Town Planning Committee (the RNTPC) of the Board’s decision on 10.11.2023 to agree to a s.12A application No. Y/YL-NSW/7 (the s.12A Application), the site to the west of San Tin Highway and Castle Peak Road – Tam Mi has been rezoned from “OU(CDWRA)” to “OU(CDWRA)1” to facilitate a proposed comprehensive residential development (**Item E**) with a maximum plot ratio (PR) of 1.55 and a maximum BH of 54mPD (**Plan H-2b**).

Amendments to the Notes and ES of the OZP

2.4 The following amendments to the Notes of the OZP have been made:

“R(A)” zone

- (i) in relation to **Items A1 and A2**, a new set of Notes for the “R(A)” zone with restrictions on gross floor area (GFA) and BH has been incorporated;

“OU(CDWRA)” zone

- (ii) in relation to **Item E** above, the Notes for “OU(CDWRA)” zone have been revised to incorporate the restrictions on PR and BH for the “OU(CDWRA)1” zone; and

Technical Amendments

- (iii) opportunity has also been taken to revise the Notes of the OZP based on the latest Master Schedule of Notes to Statutory Plans (MSN).

2.5 The ES of the OZP has been suitably revised in view of the above amendments as well as to update the general information for various land use zones to reflect the latest status and planning circumstances of the Planning Scheme Area and to incorporate certain technical revisions.

The Draft OZP

2.6 On 21.6.2024, the RNTPC agreed that the proposed amendments to the approved Nam Sang Wai OZP No. S/YL-NSW/8 were suitable for exhibition under s.5 of the Ordinance for public inspection. The relevant RNTPC Paper No. 4/24 is available at the Board’s website¹ and the extract of minutes of the said RNTPC meeting is at **Annex V**. Subsequently, the draft OZP was gazetted on 12.7.2024.

3. Local Consultation

Prior to Submission of the Proposed Amendments to the RNTPC

3.1 The Shap Pat Heung Rural Committee (SPHRC) was consulted on 11.3.2024 on the proposed amendments to the OZP (**Items A1 to D** only) in respect of the proposed LSPS Development, and the Yuen Long District Council (YLDC) was consulted on 26.3.2024 on the proposed amendments to the OZP (all amendment items). Members of both SPHRC and YLDC generally supported the proposed amendments, but expressed concerns mainly on the traffic issues arising from the proposed developments, especially on the inadequate road capacity in the area to cater for the traffic demand, and the cumulative impacts of the increasing population in Yuen Long District in the future.

¹ The RNTPC Paper No. 4/24 is available at the Board’s website at:
https://www.tpb.gov.hk/en/meetings/RNTPC/Agenda/744_rnt_agenda.html

- 3.2 Besides, during the processing of the s.12A Application relating to **Item E**, the application was published for public comments in accordance with the provisions under the pre-amended Ordinance². In considering the s.12A Application on 10.11.2023, the RNTPC had taken into account the public comments received.

Upon Gazettal of the Draft OZP

- 3.3 During the exhibition period of the draft OZP, Members of YLDC, SPHRC and San Tin Rural Committee (STRC) were notified that members of the public can submit representations on the amendments in writing to the Secretary of the Board. An Information Paper on the amendments incorporated in the draft OZP was also circulated to YLDC, SPHRC and STRC. No representation from members of YLDC, SPHRC and STRC has been received.

4. The Representation Sites and the Surrounding Areas

Representation Sites under Items A1, A2, B, C and D

- 4.1 Representations sites under **Items A1 to D** (with a total area of about 8.5ha) are located to the north of Ho Chau Road (**Plan H-1a**) and are currently accessible to Nam Sang Wai Road through a village road off Ho Chau Road (**Plan H-2a**). **Item A1 to C** Sites are mainly occupied by vegetated land, ponds and abandoned ponds, and **Item D** Site is currently a vegetated knoll. The surrounding areas are mainly rural in character with scattered residential dwellings/structures, vacant/vegetated land and ponds. To the immediate southwest of **Item A2** Site is a proposed residential development and community hub (with a total PR of 2.29 and a maximum BH of 6-19 storeys above basement (not more than 75mPD)) at a site zoned “Undetermined” (“U”) under s.16 application No. A/YL-NSW/274 which was approved by the RNTPC in 2021³ and is currently under construction. To the south are the existing Ho Chau Road, Yuen Long Bypass Floodway and Yuen Long Highway (**Plans H-2a, H-3a and H-4a to H-4c**).
- 4.2 The proposed LSPS development comprises public and private housing, associated access road and supporting infrastructures (**Drawing H-1a**). The northern portion of the LSPS Site (i.e. **Item A1** Site with an area of about 2.2ha) has been rezoned to “R(A)1” with maximum GFA and BH of 95,100m² and 100mPD respectively for a proposed public housing development and a proposed local track connecting to the existing villages to the north. The southern portion of the LSPS Site (i.e. **Item A2** Site with an area of about 3.7ha) has been rezoned to “R(A)2” with maximum domestic GFA, non-domestic GFA and BH of 50,179m², 2,245m² and 100mPD respectively for a proposed private housing development with compensation wetlands of 0.69ha (i.e. the same area of existing ponds within the LSPS Site) and a new access road connecting to Ho Chau Road. To facilitate the construction of a sewage pumping station serving the proposed

² The “pre-amended Ordinance” refers to the Town Planning Ordinance as in force immediately before 1.9.2023.

³ The applicant of the s.16 application No. A/YL-NSW/274 is one of the applicants of the proposed LSPS development (the LSPS Applicants). The proposed development has commenced with general building plan approved on 10.10.2022, and the land grant was executed on 14.8.2023.

LSPS development, an area (i.e. **Item B** Site with an area of about 0.3 ha) to the immediate west of **Item A2** Site and the immediate southwest of **Item A1** Site has been rezoned to “OU(PS)”. The proposed layout and section of the LSPS development are at **Drawings H-1a and H-1b** and the major development parameters are summarised below:

Development Proposal	Public Housing Portion at Item A1 Site ^(a)	Private Housing Portion at Item A2 Site ^(b)
Development Site Area (about)	2.1 ha	2.4 ha
Total GFA (about)	95,100m ²	52,424m ²
- Domestic ^(c)	93,400m ²	50,179m ²
- Non-domestic ^(d)	1,700m ²	2,245m ²
Housing Mix in Domestic GFA (about)	70% (public housing) / 30% (private housing) ^(e)	
Maximum BH	Not more than 100mPD	
No. of storeys	26 storeys (including a 2-storey podium)	27 storeys (including a 2-storey podium and a 1-storey basement for car park)
No. of Towers	4	3
No. of Units	1,868	1,261
Estimated Population	5,231	3,153
Government, Institution and Community (GIC) Facilities ^(f)	<ul style="list-style-type: none"> • Neighbourhood Elderly Centre (NEC) • One team of Home Care Services (HCS) for Frail Elderly Persons (4-team size non-kitchen based) 	<ul style="list-style-type: none"> • Kindergarten • Public Transport Terminus (PTT)
Compensation Wetlands	N/A	6,900m ²

Note:

- (a) The area of Item A1 Site is about 2.2 ha, which includes the development area of the public housing portion (about 2.1 ha) and the proposed local track along the northern perimeter of public housing portion (about 0.1 ha).
- (b) The area of Item A2 Site is about 3.7 ha, which includes the development area of the private housing portion (about 1.8 ha), the associated compensation wetland (about 0.7 ha) and the proposed new access road connecting to Ho Chau Road (about 1.2 ha).
- (c) The equivalent domestic PR for public and private housing portions based on the development site area are 4.37 and 2.06 respectively.
- (d) Excluding social welfare facilities (SWF) and PTT, which would be exempted from GFA calculation.
- (e) In accordance with the LSPS and Guidance Note on Applications issued by DEVB in April 2022, no less than 70% of the increased domestic GFA shall be set aside for public housing or Starter Homes development. For the proposed LSPS development, the calculation of housing mix in domestic GFA shall exclude the domestic GFA of 10,150m² under the approved s.12A application No. Y/YL-NSW/4 and hence, GFA of public housing: GFA of private housing is 93,400m² : 39,679m² (i.e. 50,179m² - 10,500m²) which is 70 : 30.
- (f) Area equivalent to about 5% of the total attainable domestic GFA of the public housing portion would be set aside for the provision of SWF as per 2020 PA. SWF as required by the Government would be exempted from GFA calculation.

4.3 To rationalise the zoning boundaries, a strip of land to the west of the LSPS Site (i.e.

Item C Site with an area of about 0.9 ha), which mainly shares similar ownership pattern and site condition as the adjacent “V” zone, has been rezoned to “V”. A vegetated knoll to the north of the LSPS Site (i.e. **Item D** Site with an area of about 1.4 ha) has been rezoned to “GB” to reflect existing site condition and allow a buffer between the proposed LSPS development and the ponds and wetlands within the “CA” zone to the north (**Plans H-2a and H-3a**).

Representation Site under Item E

- 4.4 Representation site under **Item E** (with an area of about 6.8ha) is located to the north of Wing Kei Tsuen. The western part of **Item E** Site is mainly occupied by various existing brownfield uses, while the eastern part is mainly grassland and abandoned ponds. **Item E** Site is situated to the west of San Tin Highway and Castle Peak Road – Tam Mi, with the surrounding areas predominately occupied by various open storage and warehouse uses as well as residential dwellings/village houses at Pok Wai and Wing Kei Tsuen (**Plans H-2b, H-3b and H-5a to H-5c**).
- 4.5 To take forward the agreed s.12A Application, **Item E** Site has been rezoned to “OU(CDWRA)1” subject to a maximum PR of 1.55 and a maximum BH of 54mPD. There is no change to the planning intention and Column 1 and Column 2 uses under the “OU(CDWRA)” zone of the Notes of the OZP. According to the applicant’s indicative scheme under the s.12A Application, the proposed comprehensive residential development comprises seven 15-storey residential towers, two 2-storey clubhouse blocks and a 3-storey GIC & retail block all above a 2-storey basement carpark/E&M floor, and a wetland restoration area (WRA). The indicative master layout plan (MLP) and section are at **Drawings H-2a and H-2b** and the major development parameters of the indicative scheme are summarised below:

Major Development Parameters	
Total Site Area	68,385m ² (about) (including GL of about 6,073m ²)
Development Site Area [#]	65,121m ²
PR (not more than)	1.548
Domestic PR	1.5
Non-domestic PR	0.048
Gross Floor Area (GFA) (not more than)	100,782m ²
Domestic GFA	97,682m ²
Non-domestic GFA	3,100m ²
Site Coverage (SC)	Not more than 15%
No. of Blocks	
Residential towers	7
GIC & retail block	1
Clubhouse	2
BH (over two storeys basement)	
Residential towers	15 storeys (+53.95mPD)
G/IC & retail block	3 storeys (+20.5mPD)
Clubhouse	2 storeys (+15.5mPD)
GIC & retail block	
G/F	Retail

Major Development Parameters	
1/F 2/F	Kindergarten Child Care Centre (CCC)
No. of units	1,997

[#] Areas covering the adjoining nullah and a section of Pok Wai Road are excluded from the Development Site Area

Planning Intentions

4.6 The planning intentions of the zones in relation to the above representation sites are as follows:

- (a) the “R(A)1” and “R(A)2” zones under **Items A1 and A2** are intended primarily for medium-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building;
- (b) the “OU(PS)” zone under **Item B** is intended primarily for pumping station use;
- (c) the “V” zone under **Item C** is intended to designate both existing recognized villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board;
- (d) the “GB” zone under **Item D** is intended primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone; and
- (e) the “OU(CDWRA)1” zone under **Item E** is intended to provide incentive for the restoration of degraded wetlands adjoining existing fish ponds through comprehensive residential and/or recreational development to include WRA. It is also intended to phase out existing sporadic open storage and port back-up uses on degraded wetlands. Any new building should be located farthest away from Deep Bay.

5. The Representations

5.1 Subject of Representations

5.1.1 Amongst the eight representations received, one (**R1**) from the applicants of the LSPS development supports **Items A1 to D**; two (**R2 and R3**) from the Conservancy Association and an individual support **Item D** but oppose all other items, and **R2** also opposes the revision to ES in relation to “OU(CDWRA)” and “CA” zones and **R3** also opposes amendments (d), (f) and (h) to the Notes of the OZP; one (**R4**) from the Hong Kong Bird Watching Society opposes all items and the revision to ES in relation to “CA” zone; one (**R5**) from an individual opposes **Items A1 and A2** and the Notes and ES; one (**R6**) from an individual opposes **Items A1 to B**; one (**R7**) from an individual opposes **Item A2**; and one (**R8**) from Kadoorie Farm and Botanic Garden has adverse views on some items (e.g. those related to rezoning from “R(D)” to “R(A)”) from ecological and conservation perspective.

5.1.2 The major grounds and views of representations, and PlanD’s responses in consultation with the relevant government departments are summarised in paragraphs 5.2 to 5.3 below.

5.2 Supportive Representations

5.2.1 **Items A1 and A2**

Major Ground/Comment(s)/Suggestion(s)	Representation No.
(1) The proposed “R(A)1” and “R(A)2” zones and relevant development restrictions for the public housing portion and private housing portion respectively under the LSPS development have been agreed by the Board. The LSPS development is a framework being put forward as part of the Government’s multi-pronged strategy to increase land and housing supply in short-to-medium term which could boost both public and private housing supply. Technical assessments have been conducted to demonstrate the technical feasibility of the LSPS development, and the relevant government departments had no in-principle objection.	R1
Responses	
(a) In response to (1): The supportive views are noted.	

5.2.2 Items B, C and D

Major Ground/Comment(s)/Suggestion(s)	Representation No.
(2) Items B, C and D are supported as they are mainly to reflect the proposed infrastructure works and the existing site conditions in the surrounding areas of the LSPS development.	R1
(3) Item D is supported. The presumption against development in this area should be strongly upheld.	R2 and R3
Responses	
(b) In response to (2) to (3): The supportive views are noted.	

5.3 Adverse Representations

5.3.1 Items A1, A2 and B

Eligibility of LSPS Development and Rezoning Process

Major Ground/Comment(s)/Suggestion(s)	Representation No.
(1) Part of the LSPS development overlaps with one of the Priority Sites for Enhanced Conservation (i.e. Deep Bay Wetland outside Ramsar Site) under the New Nature Conservation Policy (NNCP). The LSPS development should not be eligible under the criteria of LSPS application as set out by DEVB.	R2, R4
(2) There is no justification to destroy wetlands to provide public housing development as there is declining demand for public housing. In view of oversupply of private residential units, there is no need for additional development in the area.	R3
(3) The Government rezoned the LSPS Site for the LSPS development without going through s.12A application process is an undesirable precedent.	R5
Responses	
(a) In response to (1) to (2): As part of the Government's multi-pronged strategy to increase land and	

housing supply in the short-to-medium term, the LSPS aims to unleash the development potential of private land with consolidated ownership that is outside specified environmental sensitive areas⁴ and not covered by the Government's development studies in order to boost both public and private housing supply.

The LSPS Site has all along been planned for residential development under the previous zoning of "R(D)", which is intended primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings, and is also intended for low-rise, low-density residential developments subject to planning permission from the Board.

Part of the LSPS Site is also involved in a s.12A application (No. Y/YL-NSW/4) for rezoning the application site from "R(D)" to "R(D)2" for proposed residential development with a total domestic GFA of about 10,150m², which was agreed by the RNTPC on 12.1.2018⁵. Under the agreed s.12A application No. Y/YL-NSW/4, it had already been noted that a minor portion at the fringe of the application site, which was zoned "R(D)", overlapped with the fringe area of one of the Priority Sites for Enhanced Conservation under NNCP, namely the Deep Bay Wetland outside Ramsar Site.

Despite that minor portions at the fringe of the LSPS Site overlap with the Deep Bay Wetland outside Ramsar Site, the Land Sharing Pilot Scheme Panel of Advisors (the Panel), having taken into account the abovementioned planning history of the LSPS Site, considered that the LSPS proposal could strike a proper balance between housing demand and conservation and supported and submitted the LSPS application to the CE-in-C for endorsement. The CE-in-C subsequently endorsed in principle the LSPS application in November 2022.

Subsequent to the endorsement of the LSPS application, the LSPS Applicants have conducted detailed technical assessment and proposed relevant mitigation measures, including those of environmental and ecological aspects, to ascertain that the proposed LSPS development would not entail any unacceptable impacts. In particular, compensation wetlands with a total area of about 0.69 ha, which is equivalent to the area of the existing ponds within the LSPS Site, are proposed (**Drawing H-1d**). The compensation wetlands will form part of the LSPS development and will be managed and maintained together with the future private housing of the LSPS development. Native species will be planted along the edge of the compensation wetlands for

⁴ One of the eligibility criteria for LSPS is that the application site should not fall within country parks/special areas, six environmentally sensitive zonings and areas covered by 12 Priority Sites for Enhanced Conservation under the NNCP in order to strike a balance between development and conservation.

⁵ The s.12A application No. Y/YL-NSW/4 was submitted by two of the LSPS Applicants for rezoning the application site from "R(D)" to "R(D)2" with a maximum plot ratio of 0.34 (i.e. a GFA of about 10,150m² based on a site area of 30,160m²) and a maximum BH of 3 storeys (over 1-storey of basement) for proposed residential development.

enhancing the landscape character and biodiversity. The minor portions overlapping with the fringe of the Deep Bay Wetland outside Ramsar Site, which consist of largely vacant wasteland and some abandoned pond currently, are proposed mainly as compensation wetland and for provision of infrastructure and road (**Drawing H-1a, Plans H-2a and H-3a**). Relevant government bureau/departments (B/Ds), including the Agriculture, Fisheries and Conservation Department (AFCD), were consulted and have no adverse comment on the proposed LSPS development.

(b) In response to (3):

The eligibility criteria and implementation arrangements of the LSPS, including a three-stage approach to handle LSPS applications in a facilitating manner with a view to ensuring speedy delivery of the housing yield of the LSPS, are endorsed by the CE-in-C and have been published for public information.

LSPS application is processed in a procedure which is comparable to the established procedure for s.12A application under the Ordinance. Technical assessments should be conducted and submitted in support of the LSPS application. Upon receipt and vetting by the dedicated, multi-disciplinary team of government officers (i.e. Land Sharing Office (LSO)) under DEVB in consultation with relevant government B/Ds in Stage 1, the LSPS application will be put to the Panel for independent and third-party opinion under Stage 2. Those cases receiving support from the Panel would then be submitted to the CE-in-C for endorsement in principle. The LSPS applications so endorsed will enter into Stage 3 which involves two parts – the statutory processes (mainly on town planning and road/sewerage works gazettal) and the land administration procedures.

With regard to the public consultation for the proposed LSPS development endorsed in principle by the CE-in-C, the administrative procedures under the LSPS framework and statutory procedures for amendments to OZP under the town planning framework have been duly followed, including the exhibition of the draft OZP for public inspection and representation in accordance with the Ordinance and local consultation with SPHRC and YLDC on the amendments to OZP as mentioned in paragraph 3 above.

Ecological and Landscape Aspects

Major Ground/Comment(s)/Suggestion(s)	Representation No.
(4) The proposed LSPS development falls within Wetland Buffer Area (WBA) of Deep Bay area under the Town Planning Board Guidelines No. 12C for application for developments within Deep Bay Area under s.16 of the Ordinance (TPB PG-No. 12C) and would involve pond filling which would lead to direct loss of wetland (Plan H-	R2, R4, R6, R7

<p>1a). Some residential towers are very close to the boundary of Wetland Conservation Area (WCA) and such arrangement would cause disturbance to the wetland within WCA. There are no sufficient details to justify that the OZP amendments could adhere to the planning intentions of WCA and WBA, as well as the principle of “no-net-loss in wetland”. In particular, Item A2 site falls within the WCA and the original BH restriction should not be amended.</p>	
<p>(5) The LSPS development would wipe out a considerable area of ponds (i.e. 6,900m²) which should be protected. There are insufficient details to demonstrate the effectiveness of the scattered wetland compensation, especially that the compensation wetland will be a ‘cement lined pools bordered with shrubs’ which will be sterile and devoid of all attributes that natural ponds should provide to nurture water creatures, fauna and flora. Building set back of about 6m between the high-rise buildings of the LSPS development and the surrounding wetland is inadequate.</p> <p>Also, there are insufficient details in the Habitat Creation and Management Plan (HCMP) and financial arrangement to be provided by the LSPS Applicants. The sustainability (including future maintenance and management) of the compensation wetlands within the LSPS development is questionable.</p>	<p>R2, R3, R4, R5, R6</p>
<p>(6) There are cumulative loss of wetlands in the Deep Bay wetland ecosystem over the decades. The direct wetland loss is underestimated, and no verification survey has been conducted. Given the various planned developments within the region, the LSPS development would impose even greater pressure in the fragile Deep Bay ecosystem.</p>	<p>R2, R4, R6</p>
<p>(7) Certain adverse ecological impacts of the proposed LSPS development, including (i) failure in securing flight line of birds; (ii) the effectiveness of the proposed mitigation measures for potential human disturbance during operation phase being questionable; and (iii) potential light glare disturbance on migratory birds and other light sensitive nocturnal species, have not been assessed in the Ecological Impact Assessment (EcoIA) conducted by the LSPS Applicants.</p>	<p>R2, R4</p>
<p>(8) 153 trees are proposed to be removed due to the LSPS development. Amongst those, 104 trees are undesirable</p>	<p>R3</p>

	and invasive species and no tree compensation is proposed. 49 new heavy-standard trees will be provided within the LSPS development as part of the landscape proposal. The tree clearance is not aligned with the 1:1 compensation.	
(9)	It is highly concerned about some of the amendments proposed (e.g. to change the zonings of certain sites from “R(D)” to “R(A)”) as the LSPS development is close to wetland of conservation importance, and there is also concern on the potential impacts of the proposed LSPS development on the Priority Site for Enhanced Conservation under the NNCP.	R8
(10)	The LSPS development falls within the study area of the proposed Nam Sang Wai Wetland Conservation Park (NSW WCP) and will adversely affect its establishment.	R2
Responses		
(c)	<p>In response to (4):</p> <p>The TPB PG-No. 12C only applies to s.16 applications falling within the WCA and WBA and is not applicable to amendments to the OZP to facilitate the proposed LSPS development. Nevertheless, the LSPS development is considered in line with the principle of “no-net-loss in wetland”. EcoIA has been conducted for the proposed LSPS development to ascertain the ecological impacts and propose corresponding ecological mitigation measures. In this regard, the Director of Agriculture, Fisheries and Conservation (DAFC) has no adverse comment on the EcoIA and the proposed LSPS development as well as the subsequent OZP amendments from ecological perspective.</p> <p>The majority of the LSPS Site (including Item A1, A2 and B Sites) is currently occupied by vacant land as well as some abandoned ponds and ponds with low and low-to-moderate ecological value (about 0.69ha). The Site was previously zoned “R(D)” and has all along been planned for residential development, and it falls wholly within the WBA and would not intrude into the WCA. Under the proposed LSPS development scheme, compensation wetlands of the same area as the affected existing ponds with enhanced wetland function are proposed within the private housing portion to compensate for the loss of ponds, complying with the “no-net-loss in wetland” principle (Drawing H-1d). To minimise the potential impacts on the adjacent wetlands, landscape area along the periphery of the LSPS development is also proposed to serve as a buffer (Drawing H-1c). Relevant government departments will ensure the proposed compensation wetlands are properly provided in the implementation stage, and the compensation wetlands will be managed and maintained together with the future private housing</p>	

portion of the LSPS development.

(d) In response to (5):

DAFC has no adverse comment on the conclusion of the EcoIA and mitigation measures identified therein. According to the EcoIA conducted for the proposed LSPS development, the magnitude of disturbances from the residential use is relatively low by nature as human activities are mainly confined to indoor. Notwithstanding this, appropriate design is proposed such as provision of landscape area at the periphery of the LSPS development to serve as a buffer from the adjacent wetlands to screen out potential noise, traffic and other human disturbance (**Drawing H-1c**). Given that the abandoned ponds to the east and south of the LSPS Site are of low or low-to-moderate ecological value, the overall residual impact due to disturbance is considered acceptable.

According to the Wetland Creation Scheme (WCS) submitted by the LSPS Applicants, there are wetlands to the southeast, south and southwest of the LSPS Site (**Drawing H-1d**). The proposed locations of the compensation wetlands (about 0.69ha) may result in a better synergy with the existing wetlands in the vicinity (**Drawing H-1d and Plan H-3a**). According to the WCS, the compensation wetlands would be in the form of retention ponds with soft substrate or freshwater reedbed that favors wildlife use (**Drawing H-1e**). Given that the abandoned ponds and ponds to be lost are of low and low-to-moderate ecological value, it is expected that the compensation wetlands could fully compensate for the wetland loss in terms of both area and function, and may provide slight enhancement to the overall ecological value of the surrounding area.

The WCS submitted by the LSPS Applicants has provided preliminary design and management approach of the compensation wetlands. A detailed HCMP will be developed at detailed design stage.

According to the LSPS Applicants, the compensation wetlands will be maintained and managed together with the future private residential portion with reference to the approaches adopted for the compensation wetlands for Park YOHO to the satisfaction of DAFC.

(e) In response to (6):

DAFC has no adverse comment on the conclusion of the EcoIA regarding the cumulative impacts from ecological perspective.

Cumulative impacts due to concurrent projects within 500m from the LSPS Site have been assessed under the EcoIA. Given that most of the concurrent development projects are either over 500m distance from the LSPS Site, or separated from the site by the Yuen Long Highway and/or Kam Tin River

Drainage Channel, the potential cumulative impacts are mostly low. For the nearest concurrent development project which is located to the immediate southwest of the LSPS Site, i.e. the residential development under s.16 application No. A/YL-NSW/274 (**Plan H-2a**), quieter piling method will be employed during the construction phase. Quieter piling method will also be assessed and considered for the LSPS development during detailed design stage, thus significant cumulative impact during the construction phase is not anticipated. Other impacts from these concurrent projects will be respectively mitigated and reduced to low levels. Significant residual cumulative impacts are not anticipated.

(f) In response to (7):

DAFC has no adverse comment on the EcoIA and the LSPS development from ecological perspective.

Assessments on the potential ecological impacts including disturbance impacts and impacts on bird's flight lines have been conducted in the EcoIA for the LSPS development. The assessment results have indicated that the potential ecological impacts are largely minor. With the implementation of landscape area, compensation wetlands and precautionary measures on light, there are no significant adverse residual ecological impacts arising from the LSPS development.

Regarding bird's flight lines, a dry season survey was conducted and this was considered sufficient in covering the flight lines of all roosting birds especially those that passed through the LSPS Site. The survey revealed that the majority of the flight lines (86%) did not pass through the LSPS Site. Only minor (about 12%) and occasional (about 2%) flight lines passed through the western side and eastern side of the LSPS Site. As such, the impact of potential fragmentation of dry season flight lines remains minor and the information on flight height and bird species will unlikely affect the result of the EcoIA.

(g) In response to (8):

According to the Landscape Design and Tree Preservation Removal Proposal submitted for the proposed LSPS development, 153 trees (including 104 of undesirable species) are proposed to be felled and 49 new trees are proposed as compensation, achieving a tree compensation ratio of 1:1 (excluding trees of undesirable species) which is in line with the DEVB Technical Circular (Works) No. 4/2020. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD has no adverse comment from landscape planning perspective.

(h)	<p>In response to (9):</p> <p>Regarding the concerns on the LSPS development being close to wetland of conservation importance and its potential impacts on the Priority Site for Enhanced Conservation under the NNCP, paragraph 5.3.1 (a) above is applicable.</p>
(i)	<p>In response to (10):</p> <p>In August 2021, the LSPS application was submitted to DEVB for consideration. In October 2021, the Northern Metropolis Development Strategy (NMDS), which contained the proposal to establish a Wetland Conservation Parks System (WCPs System), was promulgated. The NMDS laid down the preliminary area and boundary of the proposed parks under the WCPs System, including the proposed NSW WCP and the LSPS Site was not included in the boundary of the NSW WCP.</p> <p>In 2022, AFCD commissioned the Strategic Feasibility Study on the Development of WCPs System (“the Feasibility Study”) to provide recommendations on the overall implementation strategy of the WCPs System. The study scope of the Feasibility Study was mainly based on the park boundaries as proposed under the NMDS and further expanded to cover some nearby and connected fish ponds and wetlands, with a view to examining the details of and formulating the recommendations for the proposed parks more comprehensively. Therefore, the study scope of the Feasibility Study covered the LSPS Site.</p> <p>On 24 October 2024, the study report of the Feasibility Study was released. Considering that the majority of the LSPS Site is disturbed area, and the small area (less than 1 ha) of fish ponds scattered within the LSPS Site are not of active status, the ecological value of the LSPS Site as a whole is low. After considering the boundary delineation criteria⁶ comprehensively, the Feasibility Study does not recommend to include the LSPS Site into the boundary of NSW WCP (Plan H-6).</p>

Proposal

Proposal(s)	Representation No.
(11) To reflect the current condition and to conserve the existing wetland and ecological integrity, fishponds within the “U” zone and the WCA adjacent to Items A1	R4

⁶ The consultant of the Feasibility Study formulated a set of criteria for the delineation of park boundaries, including the area of wetland habitats, ecological value, level of aquaculture activities, committed, planned and proposed development projects, current land uses, land status and lot boundaries, etc.

to D should be rezoned to conservation-related zonings (Drawing H-1f).	
Responses	
<p>(j) In response to (11):</p> <p>As mentioned in paragraph 5.3.1 (c) to (f), the LSPS development is considered in line with the principle of “no-net-loss in wetland”. EcoIA has been conducted for the LSPS development to ascertain the ecological impacts and recommend corresponding ecological mitigation measures. DAFC has no adverse comment on the EcoIA and the LSPS development from ecological perspective.</p> <p>There is no detailed assessment conducted by the representer to support the rezoning proposal. Nevertheless, the fishponds in the subject “U” zone are recommended to be included in the NSW WCP according to the Feasibility Study (as mentioned in paragraph 5.3.1 (i) above). Such recommendation is subject to further detailed studies to be carried out for the NSW WCP.</p>	

5.3.2 Items C and D

Major Ground/Comment(s)/Suggestion(s)	Representation No.
(1) Opposes Item C . Land suitable for building small houses is confined to areas within Village Environs (VE). The concerned land lots under Item C are some distance from San Pui Tsuen and well outside the 300-feet radius from VE. There is no justification to extend any increase in “V” zone.	R3
(2) Opposes Item D without specifying the ground.	R4
Responses	
<p>(a) In response to (1):</p> <p>The planning intention of “V” zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. Although land within this zone is primarily intended for development of Small Houses by indigenous villagers, it is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board</p>	

	The strip of land to the west of the LSPS Site (about 0.9 ha), which mainly shares similar ownership pattern and site condition as the adjacent “V” zone, is considered appropriate to be rezoned to “V” zone to rationalise the zoning boundary.
(b)	<p>In response to (2):</p> <p>Item D Site has been rezoned from “R(D)” to “GB” to reflect existing site condition and allow a buffer between the LSPS development and the ponds and wetlands within the “CA” zone to the north.</p>

5.3.3 Item E

Ecological Aspect

Major Ground/Comment(s)/Suggestion(s)		Representation No.
(1)	It is clear that there is decrease in demand of private residential units and further erosion of the wetlands to generate additional stock of residential unit is unacceptable.	R3
(2)	The Wetland Restoration and Creation Scheme (WRCS) for proposed comprehensive residential development proposed to fill the existing ponds and replace with commercial fish ponds, which raises the possibility of concrete lined ponds and exploitation. There is no detail on long-term management and maintenance about the WRCS.	R2, R3
(3)	The proposed comprehensive residential development will bring negative off-site disturbance to the nearby wetlands and WCA. The cumulative impact of the developments within the Deep Bay area was not evaluated.	R3, R4
(4)	Various bird species are identified in the EcoIA for proposed comprehensive residential development. As the Item E Site is connected with existing wetland ecosystem, the openness and corridor provided by the existing rural landscape within WBA should be maintained. The proposed residential development will have environmental impacts and increase bird collision risk and human disturbance to birds and deteriorates the habitat quality of wetland ecosystem of the Deep Bay Area.	R4

Responses	
(a)	<p>In response to (1) to (4):</p> <p>The Item E Site was all along zoned “OU(CDWRA)”, which is intended to provide incentive for the restoration of degraded wetlands adjoining existing fish ponds through comprehensive residential and/or recreational development to include WRA, and Item E is to reflect and take forward the agreed s.12 Application to rezone Item E Site to “OU(CDWRA)1” with the maximum PR increased from 0.4 to 1.5 and the maximum BH increased from 6 storeys to 54mPD. DAFC had no objection to the s.12A Application and the OZP amendments in relation to Item E Site from ecological perspective.</p> <p>According to the EcoIA conducted for the s.12A Application, Item E Site consists of habitats of very low to low ecological value. WRA will be provided, resulting in a net increase in wetland area within Item E Site and meeting the “no-net-loss in wetland” principle. The WRA together with the landscape planting would also act as a wetland and visual buffer between the Item E Site and the habitats in WCA (Drawing H-2c). The magnitude of disturbances from residential development is relatively low by nature as human activities are mainly confined to indoor. Mitigation measures have been proposed to mitigate adverse impacts identified. With the mitigation measures implemented, no significant adverse residual and cumulative impacts are anticipated.</p> <p>The WCRS has outlined the design and major operation procedures of the WRA. According to the WCRS for the proposed comprehensive residential development under the s.12A Application, the bottoms of the proposed ponds would be lined with soil after construction of concrete bund which would be similar to traditional fishponds (Drawing H-2d). The construction cost and long-term management and monitoring of the WRA will be borne by the applicants of the s.12A Application. A detailed HCMP will be formulated at detailed design stage for the Item E Site.</p>

Other Issues

Major Ground/Comment(s)/Suggestion(s)	Representation No.
(5) The proposed comprehensive residential development at Item E Site is not in line with the planning intention of the WBA under the TPB PG-No. 12C and incompatible with the surrounding environment.	R2, R4
(6) The development intensity of the proposed comprehensive residential development at Item E Site should be reduced.	R4

(7) The applications for relaxation of development intensity in the district could overstrain the infrastructure, capacity and provision of community services as well as environmental capacity of the district.	R3
Responses	
(b) In response to (5) and (6): Please refer to the responses in paragraphs 5.3.3(a).	
(c) In response to (7): Relevant technical assessments have been conducted for the proposed development, including traffic impact assessment, drainage and sewerage impact assessments, EcoIA, environment assessment, etc., and it is concluded that the proposed development would not cause any insurmountable problem with implementation of mitigation measures. The applicant would be required to submit a detailed development scheme at the s.16 application stage to further demonstrate the feasibility of proposed development with the WRA as well as on infrastructural capacity. Based on the planned population and the relevant requirements under the Hong Kong Planning Standards and Guidelines, the provision of GIC facilities and open space within the Planning Scheme Area of the OZP is generally adequate to meet the demand.	

5.3.4 Amendments to the Notes of the draft OZP

Major Ground/Comment(s)/Suggestion(s)	Representation No.
(1) Object to incorporation of ‘Field Study/Education/Visitor Centre’ and ‘Hotel (Holiday House only)’ under Column 2 of the Notes for the “V” zone as hotel and holiday homes are commercial uses which does not align with the planning intention of “V” zone to provide home for indigenous villagers. (Amendments to Notes (d))	R3
(2) Keeping animals in cages is no longer justified when they can be left free in their natural habitat. There is no plan to establish a zoo within the area. ‘Zoo’ should not be incorporated under Column 2 of the Notes for the “G/IC” zone. (Amendments to Notes (f))	R3, R5
(3) Object to the revision to the Remarks of the Notes for “OU(CDWEA)”, “OU(CDWRA)” and “CA” on filling of land/pond and excavation of land clause in accordance	R3, R4, R5

<p>with the MSN. This gives the Government unfettered and unaccountable power to carry out filling of land/pond or excavation of land. The interests of the community will be eliminated. (Amendments to Notes (i))</p>	
<p>Responses</p>	
<p>(a) In response to (1):</p> <p>The Schedules of Uses under the Notes of the draft OZP for “V” zone follow the MSN promulgated by the Board. ‘Field Study/Education/Visitor Centre’ and ‘Hotel (Holiday House)’ are low-impact leisure and recreational uses so as to preserve and enhance the traditional rural townships which possess rich historical and cultural resources. In view of the possible impacts of these uses may bring to the surrounding village environment, the Board would have opportunities to scrutinise these development proposals on their individual merits in accordance with relevant guidelines of the Board, if any. Both uses are Column 2 uses of the “V” zone and planning permission from the Board is required.</p>	
<p>(b) In response to (2):</p> <p>According to the ‘Revised Definitions of Terms/Broad Use Terms Used in Statutory Plans’ issued by the Board in 2024, ‘Zoo’ means any place where animals and birds are kept for conservation purposes or display to the general public with or without payment of an entrance fee.</p> <p>Review of ‘Zoo’ use in the MSN had been considered and agreed by the Board on 8.3.2024. In general, there is a genuine need to make provision in suitable zonings to cater for the provision of zoo use. As advised by AFCD, all animals within the zoo are protected against cruelty by the Prevention of Cruelty to Animals Ordinance (Cap. 169) and there is licensing requirement for exhibiting animals or birds under the Public Health (Animals and Birds) (Exhibitions) Regulations (Cap. 139F). In Hong Kong, any zoo proposals are regulated through the need to obtain the planning permission and/or licence prior to its implementation. The welfare of animals is also protected under the current legislation as mentioned above. In view of the above, the Board considered appropriate to maintain the current provision of ‘Zoo’ use in MSN.</p> <p>The ‘Zoo’ use is a Column 2 use of the “G/IC” zone and planning permission from the Board is required.</p>	
<p>(c) In response to (3):</p> <p>The incorporation of the exemption clause for government works on filling of land/pond or excavation of land pertaining to public works co-ordinated or implemented by the Government from the requirement for planning</p>	

application in the conservation-related zones under the draft OZP is in line with the MSN promulgated by the Board. The objective is to streamline the planning application process/mechanism.

The exemption clause is only applicable to public works and minor works in which no major adverse impacts are anticipated. Public works co-ordinated or implemented by the Government are under an established monitoring mechanism where such works have to be agreed by B/Ds concerned and in compliance with the relevant government requirements, prevailing ordinances and regulations.

Besides, the exemption clause only applies to the filling of land/pond or excavation of land. If a use requires planning permission from the Board in terms of the Notes of the OZP (i.e. a Column 2 use), the use itself still requires planning permission and the associated filling of land/pond or excavation of land would also form part of the proposal. Statutory control over the developments in the conservation-related zones would not be undermined.

5.3.5 Amendments to the ES

Major Ground/Comment(s)/Suggestion(s)	Representation No.
(1) According to TPB PG-No. 12C, it is stated that “ <i>no-net-loss in wetland</i> ” can refer to both loss in area and function. No decline in wetland or ecological functions served by the existing fish ponds should occur.” The proposed amendments to “no-net-loss in wetland” principle as stated in the ES of the OZP for the “CA” and “OU(CDWEA)” zones are not consistent with the TPB PG-No. 12C.	R2, R4
(2) The Chinese translation of paragraph 9.11.1 of the ES of the OZP regarding “ <i>No-net-loss in wetland</i> ” can refer to no decline in wetland or ecological functions served by the existing fish ponds.” was not align with English version of the ES.	R5
Responses	
(a) In response to (1): The ES of the OZP for the “CA” and “OU(CDWEA)” zones set out the intention for the zones in respect of, amongst others, wetland conservation principles, whereas TPB PG-No. 12C is intended only for considering s.16 applications falling within WCA and WBA. All s.16 applications still need to observe the “no-net-loss in wetland” principle as stated in the TPB PG-No. 12C. Relevant B/Ds would be consulted on whether development proposals	

comply with the “no-net-loss in wetland” principle.	
(b)	<p>In response to (2):</p> <p>Noted. The Chinese translation of the relevant sentence in paragraph 9.11.1 “「不會有濕地淨減少」可指現有魚塘所發揮的濕地和或生態功能沒有減少。” will be revised accordingly.</p>

6. **Bureaux/Departmental Consultation**

6.1 The following government B/Ds have been consulted and their comments, if any, have been incorporated in the above paragraphs where appropriate:

- (a) Secretary for Development;
- (b) Secretary for Environment and Ecology;
- (c) District Lands Officer (Yuen Long), Lands Department (LandsD);
- (d) Chief Estate Surveyor/Land Supply, LandsD;
- (e) Chief Building Surveyor/New Territories West, Buildings Department;
- (f) Director of Environmental Protection;
- (g) DAFC;
- (h) Commissioner for Transport;
- (i) Chief Highway Engineer/New Territories West, Highways Department;
- (j) Head of Geotechnical Engineering Office, Civil Engineering and Development Department (CEDD);
- (k) Project Manager (West), CEDD;
- (l) Head of Civil Engineering Office, CEDD;
- (m) Chief Engineer/Mainland North, Drainage Services Department;
- (n) Chief Engineer/Construction, Water Supplies Department;
- (o) Chief Architect/Advisory & Statutory Compliance, Architectural Services Department;
- (p) Director of Electrical and Mechanical Services;
- (q) District Officer (Yuen Long), Home Affairs Department;
- (r) Director of Social Welfare;
- (s) Director of Food and Environmental Hygiene;
- (t) Director of Fire Services;
- (u) Director of Leisure and Cultural Services;
- (v) Director of Housing; and
- (w) CTP/UD&L, PlanD.

7. **Planning Department's Views**

7.1 The supportive views of **R1**, **R2(part)** and **R3(part)** are noted.

7.2 Based on the assessments in paragraph 5.3 above, PlanD does not support **R2(part)**, **R3(part)** and **R4** to **R8** and considers that the OZP should not be amended to meet the

representations for the following reasons:

Items A1, A2 and B

- (a) the Government has been adopting a multi-pronged approach to increase land and housing supply in the short-to-medium term, and Land Sharing Pilot Scheme (LSPS) is one of the initiatives. It is considered appropriate to rezone the sites under **Items A1, A2 and B** to take forward the proposed LSPS development endorsed by the Chief Executive in Council (CE-in-C) (**R3**);
- (b) the sites under **Items A1, A2 and B** have all along been planned for development and part of them is the subject of an agreed section 12A application No. Y/YL-NSW/4 for residential development. Despite that minor portions at the fringe of the sites overlap with one of the Priority Sites for Enhanced Conservation under the New Nature Conservation Policy, the LSPS application was accepted and supported by the Government and the LSPS Panel of Advisors, and subsequently endorsed by the CE-in-C (**R2, R4 and R8**);
- (c) to take forward the endorsed LSPS application involving sites under **Items A1, A2 and B**, the relevant amendments to the OZP have been submitted for Board's agreement and subsequently exhibited for public inspection under the Town Planning Ordinance. All relevant statutory and administrative public consultation procedures have been duly followed in taking forward the endorsed LSPS application (**R5**);
- (d) Ecological Impact Assessment has been conducted for the proposed LSPS development at the sites under **Items A1, A2 and B** to assess potential ecological and cumulative impacts. With the implementation of the proposed compensation wetlands and mitigation measures, there will be no-net-loss in wetland area and significant adverse residual and cumulative ecological impacts are not envisaged. The submitted wetland creation scheme has also provided preliminary design and management approach of the compensation wetlands. The proposed LSPS development is considered in line with the "no-net-loss in wetland" principle. The tree compensation proposal for the proposed LSPS development is also considered acceptable (**R2 to R8**);
- (e) according to the study report of the Strategic Feasibility Study on the Development of Wetland Conservation Parks System (the Feasibility Study) released in October 2024, the sites under **Items A1, A2 and B** are not recommended to be included in the Nam Sang Wai Wetland Conservation Park (**R2**);

Item C

- (f) the strip of land under **Item C** shares similar ownership pattern and site condition as the adjacent "Village Type Development" ("V") zone, and the "V" zoning is considered appropriate for the **Item C** Site for rationalising the zoning boundary (**R3**);

Item D

- (g) the “GB” zoning is considered appropriate for **Item D** Site to reflect the existing site condition and allow a buffer between the proposed LSPS development and the ponds and wetlands within the “Conservation Area” zone to the north (**R4**);

Item E

- (h) **Item E** is to reflect a section 12A application No. Y/YL-NSW/7 (the s.12A Application) agreed by the Rural and New Town Planning Committee of the Town Planning Board. Relevant technical assessments have been conducted for the proposed development and it is concluded that the proposed development would not cause any insurmountable problem from traffic, drainage, sewerage, environment and ecological perspectives with implementation of mitigation measures. In particular, wetland restoration area will be provided which will result in a net increase in wetland area and meet the “no-net-loss in wetland” principle. All government departments consulted have no objection to the s.12A Application and the related OZP amendment. Section 16 application would be required with detailed development scheme and relevant technical assessments to further demonstrate the technical feasibility of proposed development (**R2 to R4**);

Amendments to Notes

- (i) incorporation of ‘Field Study/Education/Visitor Centre’ and ‘Hotel (Holiday House)’ under Column 2 for the Notes of the “V” zone and ‘Zoo’ under Column 2 for the Notes of the “Government, Institution or Community” zone are in line with the Master Schedule of Notes to Statutory Plans (MSN) promulgated by the Board. The provisions of these facilities also require planning permission from the Board (**R3 and R5**);
- (j) incorporation of the exemption clause for government works on filling of land/pond or excavation of land pertaining to public works co-ordinated or implemented by the Government from the requirement for planning application in the conservation-related zones is in line with MSN promulgated by the Board and can streamline the planning application process. The exemption clause is only applicable to public works and minor works in which no major adverse impacts are anticipated. Statutory control over the developments in the conservation-related zones would not be undermined (**R3 to R5**); and

Proposal

- (k) there is no detailed assessment conducted by the representer to support the rezoning proposal for the “Undetermined” (“U”) zone adjacent to **Items A1 to D**. Nevertheless, the fishponds in the subject “U” zone are recommended to be included in the Nam Sang Wai Wetland Conservation Park according to the Feasibility Study (**R4**).

8. **Decision Sought**

- 8.1 The Board is invited to give consideration to the representations taking into consideration the points raised in the hearing session, and decide whether to propose/not to propose any amendment to the OZP to meet/partially meet the representations.
- 8.2 Should the Board decide that no amendment should be made to the OZP to meet the representations, Members are also invited to agree that the OZP, together with the Notes and updated ES, are suitable for submission under s.8(1)(a) of the Ordinance to the CE-in-C for approval.

9. **Attachments**

Annex I	Draft Nam Sang Wai OZP No. S/YL-NSW/9 (reduced size)
Annex II	Schedule of Amendments to the Draft Nam Sang Wai OZP No. S/YL-NSW/9
Annex III	List of Representers
Annex IVa	Submission of Representers (Support)
Annex IVb	Submission of Representers (Adverse)
Annex V	Extract of Minutes of RNTPC Meeting held on 21.6.2024
Annex VI	Provision of Major G/IC Facilities and Open Space in Nam Sang Wai OZP
Drawings H-1a and 1b	Indicative Development Scheme of Amendment Items A1 to B
Drawing H-1c	Landscape Proposal of Amendment Items A1 to B
Drawing H-1d	Location of existing wetland and compensation wetland within Amendment Items A1 to B
Drawing H-1e	Section of compensation wetland within Amendment Items A1 to B
Drawing H-1f	Extract of Representation No. R4
Drawings H-2a and 2b	Indicative Development Scheme of Amendment Item E
Drawing H-2c	Landscape Proposal of Amendment Items E
Drawing H-2d	Section of wetland restoration area within Amendment Item E
Plan H-1a and H-1b	Location Plan of the Representation Sites
Plan H-2a and H-2b	Site Plan of the Representation Sites
Plan H-3a and H-3b	Aerial Photo of the Representation Sites
Plans H-4a to H-4c	Site Photos of the Representation Sites (Items A1 to D)
Plans H-5a to H-5c	Site Photos of the Representation Sites (Item E)
Plan H-6	Proposed Park Boundary of the Nam Sang Wai Wetland Conservation Park