

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

APPLICATION NO. Y/YL-MP/10

- Applicant** : Capital Chance Limited represented by KTA Planning Limited
- Plan** : Approved Mai Po & Fairview Park Outline Zoning Plan (OZP) No. S/YL-MP/8
- Site** : Lots 3152, 3153 RP, 3156 S.B and 4805 in D.D. 104 and Adjoining Government Land (GL), Kam Pok Road, Mai Po, Yuen Long
- Site Area** : 65,690m² (about) (including GL of about 92.3m² (about 0.14%))
- Land Status** : (a) Lot 4850: New Grant No. 22959 (demised for private residential purpose)
- (b) Lots 3152, 3153 RP and 3156 S.B in D.D. 104: Block Government Lease (demised for agricultural purposes)
- (c) GL
- Zoning** : “Residential (Group D)” (“R(D)”) *[restricted to a maximum plot ratio (PR) of 0.2 and a maximum buiding height (BH) of 2 storeys (6m)]*
- Proposed Amendment** : To rezone the application site (the Site) from “R(D)” to “Residential (Group C) 1” (“R(C)1”) and amend the Notes of the zone applicable to the Site

1. The Proposal

- 1.1 The applicant proposes to rezone the Site from “R(D)” to “R(C)1” with a total PR of not more than 1.59 (including a domestic PR of 1.5 and a non-domestic PR of 0.09) and a maximum BH of 16 storeys (excluding basement level(s)) (or 59.85mPD) to facilitate a proposed comprehensive residential development with commercial use, transport lay-by facilities and government, institution and community (GIC) facilities (**Plan Z-1a**). The proposed Notes and Explanatory Statement (ES) of the OZP for the “R(C)1” zone submitted by the applicant are at **Appendix II**. According to the applicant’s submission, while ‘Flat’ use is always permitted within the “R(C)” zone, it is proposed to incorporate ‘Eating Place’, ‘Public Transport Terminus or Station’, ‘School’, ‘Shop and Services’, ‘Social Welfare Facility’, ‘Place of Recreation, Sports or Culture’ and ‘Private Club’ as Column 1 uses under the proposed “R(C)1” zone¹.

¹ According to the prevailing Notes of the OZP for the “R(C)” zone, ‘Eating Place’, ‘Public Transport Terminus or Station’, ‘School’, ‘Shop and Services’, ‘Social Welfare Facility’, ‘Place of Recreation, Sports or Culture’ and ‘Private Club’ are Column 2 uses requiring planning permission from the Town Planning Board (the Board).

- 1.2 The Site is divided into two portions (i.e. the main site and the minor site) by Ha Chuk Yuen Road and an existing nullah (**Plans Z-1a and Z-1b**). The main site (with an area of about 64,704m²) is sandwiched between Kam Pok Road and Ha Chuk Yuen Road, while the minor site (with an area of about 986m²) is located to the east of Ha Chuk Yuen Road. The Site is currently vacant, fenced-off and covered with vegetation (**Plans Z-4a and Z-4b**).
- 1.3 The Site, in part or in whole, is the subject of a previous section (s.)12A application and six previous s.16 applications for permanent residential developments (details at paragraphs 5.2 to 5.5 below) (**Plan Z-1b**). The previous s.12A application (No. Y/YL-MP/6) submitted by the current applicant for proposed comprehensive residential development with local commercial uses, transportation services and GIC facilities subject to a maximum total PR of 1.88 and a maximum BH of 19 storeys (67.3mPD) was rejected by the Rural and New Town Planning Committee (the Committee) of the Board in 2023 on the grounds as detailed at paragraph 1.6 below. The last s.16 application (No. A/YL-MP/205) also submitted by the current applicant for proposed amendments to an approved scheme under application No. A/YL-MP/193 for proposed house development subject to a maximum PR of 0.2 and a maximum BH of three storeys including basement was approved with conditions by the Committee in 2013².
- 1.4 According to the indicative scheme submitted by the applicant under the current application (the current scheme), the proposed development comprises 10 residential blocks of 14 to 16 storeys³ (with BH ranging from 53.55mPD to 59.85mPD and one of the tower on top of a 1-storey clubhouse podium); four 1 to 2-storey blocks for clubhouse and/or E&M facilities; and three 2-storey blocks for local commercial uses with a retail street at their northern sides abutting Kam Pok Road, transport lay-by facilities, a 6-classroom kindergarten and a Neighbourhood Elderly Centre (NEC). Besides, a basement level for carpark, E&M facilities and clubhouse is proposed at the main site (**Drawings Z-1a to Z-1d and Z-2**). The applicant claims that the commercial, transport and community facilities will form a neighbourhood activity node serving both the future residents at the proposed development and the local community in the area. In addition, private open space of not less than 8,370m² will be provided at the Site, including not less than 6,270m² for the exclusive use of residents (with a landscape pond of about 0.5ha and gardens), as well as not less than 2,100m² (along the two sides of Ha Chuk Yuen Road) to be open to public for not less than 13 hours a day (**Drawing Z-13**). The private open space to be open to public will be constructed by the applicant, and maintained and managed by the future commercial portion of the proposed development. The Master Layout Plan (MLP) and associated floor plans and sections, Landscape Master Plan (LMP) and associated landscape section, as well as the photomontages of the proposed development submitted by the applicant are at **Drawings Z-1a to Z-3** and **Drawings Z-12a to Z-12f**.
- 1.5 A comparison of the major development parameters of the indicative scheme under the previously rejected application (No. Y/YL-MP/6) (the previous rejected scheme) and the current scheme is tabulated below:

² The approved development under application No. A/YL-MP/205 is considered commenced with general building plans approved in 2021 and lease executed in 2022.

³ Excluding basement level, transfer plate and E&M floor.

	Y/YL-MP/6 (Previous Rejected Scheme) (a)	Y/YL-MP/10 (Current Scheme) (b)	Difference (b) - (a)
Site Area (about)	65,690m ² (including GL of about 92.3m ²)	65,690m ² (including GL of about 92.3m ²)	No change
Maximum PR	1.88	1.59	-0.29 (-15.4%)
- Domestic	1.8	1.5	-0.3 (-16.7%)
- Non-domestic	0.08	0.09	+0.01 (+12.5%)
Total GFA (about)	123,392m ²	104,227m ²	-19,165m ² (-15.5%)
- Domestic*	118,242m ²	98,535m ²	-19,707m ² (-16.7%)
- Non-domestic@	5,150m ²	5,692m ²	+542m ² (+10.5%)
• commercial uses%	3,292m ²	3,292m ²	No change
• transport lay-by	1,858m ²	2,400m ²	+542m ² (+29.2%)
Site Coverage (about)	25%	30%	+5%
BH			
- Residential Blocks			
• low-rise blocks	15.3 to 21.9mPD	N/A	N/A
• medium-rise blocks	61 to 67.3mPD	53.55 to 59.85mPD	-7.45mPD (-11.1%)
- Commercial and GIC Facilities blocks	15.4 to 18.4mPD	14.4 to 15.4mPD	-3mPD (-16.3%)
- Clubhouse/ E&M blocks	10.4mPD	10.4mPD	No change
No. of Storeys[#]			
- Residential Blocks			
• low-rise blocks	3 to 5	N/A	N/A
• medium-rise blocks	17 to 19	14 to 16	- 3 storeys (-15.8%)
- Commercial and GIC Facilities blocks	2 to 3	2	- 1 storey (-50%)
- Clubhouse/ E&M blocks	1	1 to 2	+ 1 storey (+100%)
No. of Blocks			
- Residential Blocks			
• low-rise blocks	4	N/A	N/A
• medium-rise blocks	10	10	No change
- Commercial and GIC Facilities blocks	3	3	No change
- Clubhouse/ E&M blocks	3	4	+1 (+33.3%)
Number of Units	2,771	2,322	-449 (-16.2%)
Average Flat Size (about)	42.7m ²	42.4m ²	-0.3m ² (-0.7%)
Estimated Population (about)	7,482 persons	6,270 persons	-1,212 persons (-16.2%)
Private Open Space	not less than 7,482m ²	not less than 8,370m ²	+888m ² (+11.9%)
- Exclusive Use of Residents	not less than 5,382m ²	not less than 6,270m ²	+888m ² (+11.9%)

	Y/YL-MP/6 (Previous Rejected Scheme) (a)	Y/YL-MP/10 (Current Scheme) (b)	Difference (b) - (a)
- Open to Public	not less than 2,100m ²	not less than 2,100m ²	No change
Private Car Parking Spaces			
- Residents	602	496	-106 (-17.6%)
- Visitors	70	50	-20 (-28.6%)
- Commercial	16	16	No change
- Kindergarten	1	1	No change
Motorcycle Parking Spaces			
- Residents	28	24	-4 (-14.3%)
- Commercial	2	2	No change
Loading/ Unloading (L/UL) Bays			
- Residential	14	10	-4 (-28.6%)
- Commercial	3	3	No change
Lay-bys (for kindergarten)			
- Taxi/private car	10	10	No change
- Small coaches	5	5	No change
Bicycle Parking Spaces for Residents	92	78	-14 (-15.2%)
Target Completion Year	2028	2031	-
Remarks * excluding the GFA of clubhouse and E&M facilities which is proposed to be exempted from GFA calculation by the applicant, subject to the consideration by relevant authorities at detailed design stage. @ the non-domestic GFA does not include the social welfare facilities (i.e. a NEC with a net operating floor area of about 328m ²), which is proposed to be exempted from GFA calculation by the applicant, subject to the consideration by relevant authorities at detailed design stage. % the non-domestic GFA for commercial uses comprises shop and services, eating places and a 6-classroom kindergarten, etc.. # excluding basement level, transfer plate and E&M floor.			

- 1.6 In support of the rezoning application, the applicant has submitted a Supporting Planning Statement and technical assessments including Landscape Design Proposal (LDP), Traffic Impact Assessment (TIA), Ecological Impact Assessment (EcoIA), Visual Impact Assessment (VIA), Environmental Assessment (EA), Air Ventilation Assessment – Expert Evaluation (AVA-EE), Drainage Impact Assessment (DIA), Sewerage Impact Assessment (SIA) and Water Supply Impact Assessment (WSIA). In addition, the applicant has prepared responses (**Appendix III**) to address the key concerns of the Committee on the previously rejected application No. Y/YL-MP/6, including that there was insufficient justification for the proposed increase in development intensity under the previous rejected scheme; it was considered premature to determine the appropriate development intensity with on-going planning studies in the surrounding areas; there was no ecological planning gain under the previous rejected scheme; there were scope for enhancing the previous rejected scheme in terms of building/layout design and sustainability; and the previous rejected scheme did not take into account cumulative impacts on the surrounding areas (detailed at paragraph 5.2 below).

Development Intensity and Building/Layout Design

- 1.7 Comparing with the previous rejected scheme, the applicant has reduced the proposed domestic PR and BH from 1.8 and 19 storeys to 1.5 and 16 storeys respectively under the current scheme. According to the applicant, the reduced development intensity under the current scheme is considered appropriate taking into account the development of San Tin Technopole (the Technopole) to its further north and the future development in Ngau Tam Mei (NTM) area including the NTM Station of the Northern Link (NOL) Main Line to its further east. The applicant also generally maintains the non-domestic portion for the provision of local commercial and GIC facilities⁴ and transport lay-by facilities to create a neighbourhood activity node which could serve the future residents of the proposed development and the local community in the area.
- 1.8 On building/layout design and sustainability aspects as concerned by the Committee in considering the previous rejected scheme, the applicant has omitted the row of low-rise residential blocks at the northern edge of the main site proposed in the previous rejected scheme to allow wider setback (increased from 30m to 50m) of the residential towers from the NTM Drainage Channel (NTMDC), reconfigured the landscape pond to lengthen its interface with the NTMDC for enhancing its compatibility with the surrounding environment (details to be elaborated in paragraph 1.13 below), and incorporated green roofs on top of building blocks near the NTMDC (**Drawings Z-7 and Z-11**). Besides, other appropriate design measures to enhance the proposed development on visual, air ventilation, landscape and ecological aspects are still maintained under the current scheme, including stepped BH profile, provision of building gaps between residential towers and building setbacks from the Site boundary, buffer tree planting, etc. (details at paragraphs 1.9 to 1.14 below).

Air Ventilation, Visual and Landscape

- 1.9 A VIA has been conducted to assess the visual impact of the proposed development (**Drawings Z-12a to Z-12f**). According to the VIA, the overall visual impact of the proposed development is considered to be slightly adverse, and the visual impacts will be mitigated to an acceptable level through incorporation of design measures in the current scheme including stepped BH profile descending from south-east to north-west to respect the surrounding setting, sensitive façade treatment and building disposition, as well as provision of building gap of not less than 15m between residential towers and building setback of a minimum width of 5m from the Site boundary (**Drawing Z-11**). These design measures will also promote visual integration of the proposed development and the surrounding areas. The applicant also considers that the proposed development will make a positive contribution to the evolving sub-urban visual character of the area which is close to the future high-density development in the NTM area.
- 1.10 According to the submitted AVA-EE, various design measures incorporated in the current scheme can enhance air ventilation performance of the proposed development, including optimal building disposition, provision of building gaps of not less than 15m between residential towers favouring the flow of annual and summer prevailing winds, and provision of open areas in the form of setbacks, landscape areas and a landscape pond at the periphery of the Site to facilitate wind penetration through the Site

⁴ As compared to the previous application No. Y/YL-MP/6, a Residential Care Home for the Elderly has not been provided under the current application taking into account comments received from Social Welfare Department.

(Drawing Z-11). Taking into consideration the topography as well as the existing and planned developments in the surrounding areas, with the provision of the design measures, the AVE-EE concludes that the proposed development would not induce significant adverse air ventilation impact on the surrounding area.

- 1.11 According to the submitted LDP, all 267 existing trees within the Site are proposed to be felled. None of them are protected tree species, old and valuable trees, champion trees or trees of particular interests. The existing trees are generally in poor condition and are difficult or not suitable to be transplanted. A minimum of 267 new trees of heavy-standard will be planted within the Site for compensation purpose. According to the LMP (**Drawing Z-2**), the new trees will be planted along the periphery of the Site to provide buffer with the adjacent areas. Besides, as mentioned in paragraph 1.4 above, private open space of not less than 8,370m² will be provided at the Site, including not less than 6,270m² for the exclusive use of residents (with a landscape pond of about 0.5ha and gardens) and not less than 2,100m² to be open to public for not less than 13 hours a day (**Drawing Z-13**). The private open space to be open to public use will be constructed by the applicant, and managed and maintained by the commercial portion of the proposed development with details to be fixed under the future land lease. A minimum greening ratio of 30% will also be achieved.

Ecology

- 1.12 Major portion of the Site falls within the wetland buffer area (WBA) of the Deep Bay Area⁵ (**Plan Z-1a**). The Habitat Map of the submitted EcoIA (**Drawing Z-6**) reveals that the Site mainly comprises grassland and plantation which are disturbed and are of very low to low ecological value, and a relatively small portion of reed bed found at the Site is of low to moderate ecological value. There is no significant change in the habitat condition at the Site since the previous application No. Y/YL-MP/6.
- 1.13 Notwithstanding the above, the applicant claims that in order to comply with the TPB PG-No. 12C⁶ and in response to the previous concerns of the Committee on the ecological planning gain, the configuration of the landscape pond has been redesigned into an elongated shape to lengthen its interface with the NTMDC for enhancing its effectiveness in maintaining the buffer function between the NTMDC and the Site for wetland conservation purpose (**Drawing Z-7**). Additional ecological features are also proposed for the landscape pond which comprises waterbody with various water depths (including shallow water area, reed bed and open water area) to create a variety of habitats with synergy for wildlife to enhance the ecological functions (**Drawing Z-3**). Terrestrial plants would be planted at the edge of the pond to enhance its habitats. Besides, a proactive approach has been taken in formulating the building layout under the current scheme to respect major birds' flight line along the NTMDC by adopting a BH profile descending from south-east to north-west towards the NTMDC. Separation

⁵ According to Town Planning Board Guidelines No. 12C on 'Development within the Deep Bay Area under Section 16 of the Town Planning Ordinance' (TPB PG-No. 12C), the intention of WBA is to protect the ecological integrity of the fish ponds and wetland within the Wetland Conservation Area (WCA) and prevent development that would have a negative off-site disturbance impact on the ecological value of fish ponds. As a substantial amount of the fish ponds within the WBA have already been lost over time through filling and certain areas have been degraded by the presence of open storage use, these degraded areas may be considered as target areas to allow an appropriate level of residential/recreational development so as to provide an incentive to remove the open storage use and/or to restore some of the fish ponds lost.

⁶ TPB PG-No. 12C only applies to s.16 applications falling within the WBA and WCA, and is not applicable for the current application.

between the residential towers and the NTMDC has also been increased from 30m to 50m (**Drawing Z-7**). With implementation of various mitigation measures respecting the integrity of NTMDC, the EcoIA concludes that there is no unacceptable residual ecological impacts arising from the proposed development.

- 1.14 The landscape pond of about 0.5ha with ecological features will be constructed by the applicant, and maintained and managed together with the future residential portion. In order to avoid excessive disturbance to the future habitats of the landscape pond, access of future residents will be restricted to designated paths through registration via property management. Various measures and good site practices will also be adopted to minimise ecological impacts of the proposed development on surrounding areas during the construction phases, including quieter piling methods and setting up of noise barrier. To minimise the risk of bird collision, the applicant also commits to avoiding the use of extensive reflective surfaces in the proposed development.

Transport and Traffic

- 1.15 The Site is accessible from Kam Pok Road, which is an existing single two-lane carriageway connecting to Fairview Park Boulevard and Castle Peak Road – Mai Po, through two vehicular accesses, including one to serve the residential development and the ingress of transport lay-by facilities, and another to serve the commercial and GIC facilities block, as well as the egress of transport lay-by facilities (**Plan Z-2, Drawings Z-1a and Z-4**). According to the submitted TIA, the parking and L/UL facilities are provided at the proposed development in accordance with the requirements under the Hong Kong Planning Standards and Guidelines (HKPSG) to cater for the transport demand. Franchised bus and minibus services are also proposed, which will be subject to further discussion and agreement with relevant departments at the implementation stage, to connect the Site to the Yuen Long Station and the nearby planned NTM Station of the NOL Main Line⁷.
- 1.16 In view of the Committee's concerns on cumulative traffic impact, the submitted TIA has taken into account the cumulative traffic impact induced by the existing and proposed private residential developments in the locality⁸. To mitigate the potential traffic impact, as recommended in the TIA, the applicant proposes two junction improvement works respectively at Castle Peak Road/Kam Pok Road East (**Drawing Z-5a**) and Castle Peak Road/Kam Pok Road (**Drawing Z-5b**), as well as road modification works at Yau Pok Road (**Drawing Z-5c**). Improvement works are also proposed at Fairview Park Interchange (**Drawings Z-5d and 5e**) to enhance the junction capacity. All the abovementioned junction and interchange improvement and road modification works would be implemented at the cost of the applicant before the occupation of the proposed development. Taking into account the proposed road and junction improvement and road modification works under the current application and other planned junction improvement works⁹, the TIA concludes that all critical

⁷ Construction of the NOL Main Line is expected to commence in 2025 for completion by 2034.

⁸ The proposed private residential developments include those already approved by the Committee, as well as two s.12A applications (No. Y/YL-MP/7 and Y/YL-MP/8) currently under processing to the north of Kam Pok Road in close vicinity to the Site.

⁹ Including the planned improvement measures at Fairview Park Interchange under CEDD Agreement No. CE10/2020 (CE) for Sha Po Public Housing Development. In case of programme mismatch between the proposed development under the current application and the Sha Po Public Housing Development, the applicant would construct the junction

junctions and road links will operate within capacity with the proposed development in place, except San Tin Highway. Notwithstanding this, the traffic speed of San Tin Highway would still be manageable. With the completion of the Northern Metropolis (NM) Highway¹⁰, it is expected that the traffic condition of San Tin Highway would be improved.

Environment

- 1.17 According to the EA submitted by the applicant, the air quality, noise, water quality and waste management aspects of the proposed development have been assessed and no adverse impacts are anticipated. On air quality, as the Site is located away from the San Tin Highway and there is no industrial emission sources identified within 500m of the Site, no adverse air quality impact on the proposed development due to vehicular and industrial emission is anticipated. Besides, the on-site sewage pumping station (SPS) will be located underground with odour removal filtering system, and odour impact on the proposed development and the surrounding areas is not anticipated (**Drawing Z-8**). Since the proposed development constitutes a designated project under the Environmental Impact Assessment Ordinance¹¹ (EIAO), an Air Quality Impact Assessment will be conducted during the EIA stage. On noise aspect, appropriate mitigation measures including building setback from the Site boundary, incorporation of landscape area adjacent to public road as buffer, environmental conscious layout design with fence wall near the proposed kindergarten, etc. have been incorporated into the proposed development (**Drawing Z-2**). Hence, adverse traffic noise impact on the proposed development is not anticipated. Proper design of the future E&M rooms, air ventilation system of the transport lay-by facilities and commercial blocks and the on-site SPS will also comply with relevant noise requirement under the HKPSG and the Noise Control Ordinance. During the construction stage of the proposed development, the applicant also commits to complying with relevant environmental related legislation, and adopting good site practices to avoid nuisances to the surrounding areas, hence adverse impact is not anticipated.

Sewerage, Drainage and Water Supply

- 1.18 SIA, DIA and WSIA have been submitted to demonstrate that no adverse sewerage, drainage and water supply impacts are envisaged from the proposed development. In respect of sewerage, an on-site SPS (**Drawing Z-8**) is proposed to collect the sewage generated from the proposed development. The sewage will then be discharged to a proposed twin rising mains at Kam Pok Road connecting to a proposed common conversion chamber at Pok Wai South Road, which will then be connected to a proposed gravity sewer downstream¹² via an existing sewage manhole. The proposed

improvement works at Fairview Park Interchange prior to the commissioning of the proposed development at the Site (**Drawing Z-5e**).

¹⁰ It is anticipated that San Tin Section of the NM Highway (connecting San Tin Highway near Kam Tin to Fanling Highway near Kwu Tung North/Fanling North New Development Areas) will be completed in or before 2036, with a view to completing the remaining sections in phases in three to four years after the commissioning of the San Tin Section.

¹¹ The Site falls within the boundary of Deep Bay Buffer Zone 2, the future residential development at the Site will constitute a designated project under Item P.1, Part 1, Schedule 2 of the EIAO.

¹² The proposed gravity sewer downstream will be taken forward under a proposed comprehensive residential development agreed by the Committee on 10.11.2023 under s.12A application No. Y/YL-NSW/7 to rezone a site from

sewer downstream will be connected to the existing Nam Sang Wai Sewage Pumping Station and ultimately to Yuen Long Effluent Polishing Plant for further treatment (**Drawing Z-9**). All the proposed private sewerage facilities, including the on-site SPS and rising mains, will be constructed, operated and maintained by the applicant at his own cost. As for the proposed gravity sewer downstream, in case the proposed works are not timely in place as planned, the applicant commits to taking up the construction works at his own cost, while the future sewer will be handed over to the Government for future maintenance.

1.19 On the drainage aspect, a proposed detention tank will be provided within the Site to store the surface runoff generated by the proposed development (**Drawing Z-10**), hence connecting to the NTMDC for further discharge. Proper internal and peripheral drainage system will also be provided within the Site to ensure that no adverse drainage impact arising from the proposed development is envisaged. The water demand of the proposed development could also be catered by the existing and planned water supply networks in the vicinity.

1.20 In support of the application, the applicant has submitted the following documents:

- (a) Application Form with Supporting Planning Statement and (**Appendix I**) attachments received on 27.2.2025
- (b) Consolidated Supporting Planning Statement received on (**Appendix Ia**) 27.6.2025

(Supporting Planning Statement received on 27.2.2025 at **Appendix I** as well as Further Information (FI) received on 28.3.2025[#], 17.4.2025[#], 25.4.2025^{*}, 10.6.2025[#] and 26.6.2025^{*} were superseded and are attached at **Appendices Ib, Ic, Id, Ie and If** respectively.)

* exempted from recounting requirements

not exempted from recounting requirements

1.21 On 6.6.2025, the Committee of the Board agreed to the applicant's request to defer making a decision on the application for two months.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Consolidated Supporting Planning Statement at **Appendix Ia**. They can be summarised as follows:

- (a) The application aims to optimise the scarce land resources and echo with the Government's policy to increase flat supply by proposing a higher development intensity at the Site. In particular, the Site is a piece of flat land which is currently vacant and easily accessible from major transport networks, and is immediately available for development.
- (b) The proposed development echoes with the foreseeable transformation in the surrounding areas, including the development of the Technopole, future development

"Other Specified Uses" annotated "Comprehensive Development to include Wetland Restoration Area" ("OU(CDWRA)") to "OU(CDWRA)1".

at NTM with a proposed domestic PR of 6 for residential sites, as well as the NOL Main Line with an intermediate station in NTM, which is about 730m away from the Site (**Plan Z-1a**). It is certain that the surrounding areas is going to experience a tremendous transformation to become an extension of the future urbanised NTM area. However, the applicant respects that high-density and high-rise development will be located closer to the station and development intensity should descend gradually towards San Tin Highway near the Site. The rezoning proposal could also harness the opportunity brought by the surrounding planned developments and projects and unleash the development potential of the Site.

- (c) The proposed development intensity is considered compatible with the surrounding areas, including the future development at NTM with a proposed domestic PR of 6 for residential sites. The applicant has also reduced the domestic PR from 1.8 to 1.5 and the BH from 19 storeys to 16 storeys as compared to the previous application No. Y/YL-MP/6 in response to the concerns of the Board. Despite the reduction in the proposed development intensity, the proposed development would still retain key community elements such as provision of GIC facilities, non-domestic GFA for commercial portions (including a kindergarten), and transport lay-by facilities to foster a vibrant neighbourhood activity node. Therefore, the proposed development is an enhancement over the previous application and would not set an undesirable precedent. Besides, to address comments and concerns of the Board on the previously rejected application No. Y/YL-MP/6, the applicant has prepared responses to the key comments (**Appendix III**).
- (d) The proposed development has incorporated various planning gains and design merits (**Drawing Z-11**), including sensible and optimal building design, as well the provision of stepped BH, building gaps and building setback to enhance visual permeability and promote wind penetration. Besides, commercial and GIC facilities as well as transport lay-by facilities will be provided to serve the proposed development and the local community in the surrounding area. A landscape open space will also be provided to serve the general public.
- (e) The proposed development is in line with the requirement under the TPB PG-No. 12C⁶. With certain mitigation measures (detailed in paragraphs 1.13 to 1.14 above) including the provision of landscape pond with ecological features, the ecological functions would be enhanced. Besides, there have been different examples within the WBA for medium-rise development, in particular at the landward periphery of the WBA.
- (f) The applicant has submitted various technical assessments, including LDP, TIA, EcoIA, VIA, EA, AVA-EE, DIA, SIA and WSIA. Concerned technical aspects have been duly considered and there is no insurmountable problem due to the proposed development with the implementation of proposed mitigation measures. In addition, sensitivity tests under different scenarios have been conducted under the TIA to assess the potential cumulative impacts on the surrounding areas.

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

The applicant is the sole ‘current land owner’ for the private lots of the Site. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the requirements as set out in the Town Planning Board Guidelines on Satisfying the ‘Owner’s Consent/Notification’ Requirements under Sections 12A and 16 of the Town Planning

Ordinance' (TPB PG-No. 31B) are not applicable.

4. **Background**

- 4.1 The Site was first zoned "R(D)" on the draft Mai Po and Fairview Park OZP No. S/YL-MP/1 gazetted on 12.7.1991, and the "R(D)" zone has remained unchanged since then.
- 4.2 The Technopole, which is located to the north of the Site at a distance of about 1km (**Plans Z-1a and Z-5**), will become a modern new development area with innovation and technology (I&T) development and a liveable environment¹³. Statutory planning procedures for the draft San Tin Technopole OZP (STT OZP) No. S/STT/1 have been completed in September 2024. Phase 1 Stage 1 development of the Technopole has already commenced in late 2024 for substantial completion in 2031, including the first batch of land for I&T uses targeted to be available in 2026/2027 the earliest. The first population intake of the Technopole will be in 2031. The entire Technopole development is targeted for completion by 2039.
- 4.3 The Government is conducting a planning study on the NTM area (i.e. the Land Use Review Study for the NTM Area (the NTM Review Study)), with a Broad Land Use Concept Plan released in November 2024 for public consultation until January 2025 (**Plans Z-1a, Z-5 and Z-6**). The future development at NTM area, which is located to the east of the Site at a distance of about 300m, will consist of post-secondary education institutions complementing the I&T development in the Technopole, a new integrated hospital and a third medical school. Besides, to capitalise on the development opportunities brought about by the NTM Station on the proposed NOL Main Line, an integrated residential community is planned around the proposed NTM station¹⁴. According to the latest programme, site formation and infrastructure works will commence in 2027 at the earliest, and the site formation works for the first batch of residential, integrated hospital and post-secondary education institutions are expected to be completed progressively from 2029 onwards. First population intake is expected to take place from 2034 onwards to dovetail with the commissioning of the NOL Main Line in the same year.
- 4.4 The Site is not subject to any current planning enforcement action.

5. **Previous Applications**

- 5.1 The Site is involved in a previous s.12A application (No. Y/YL-MP/6) and six previous s.16 applications (No. A/YL-MP/104, 110, 132, 146, 193 and 205). Details of the previous applications are summarised in **Appendix IV** and their locations are shown on **Plan Z-1b**.

Section 12A Application

- 5.2 Application No. Y/YL-MP/6 was submitted by the same applicant to rezone the same

¹³ The residential sites at the Technopole is subject to a maximum PR of 6.5 or 6.8, and a maximum BH ranging from 160mPD to 200mPD as stipulated on the San Tin Technopole OZP.

¹⁴ According to the recommendation of the NTM Review Study, a domestic PR of 6 is assumed for residential sites, while a PR of 3 is assumed for the post-secondary education institutions (including the third medical school).

Site as the current application from “R(D)” to “R(C)1” for a proposed comprehensive residential development with a neighbourhood activity node providing local commercial use, transportation services and GIC facilities with a maximum PR of 1.88 (including domestic PR of 1.8 and non-domestic PR of 0.08) and a maximum BH of 67.3mPD (19 storeys). The application was rejected by Committee on 5.5.2023 mainly on the considerations that approval of the application would set an undesirable precedent for other similar applications of high development intensity without sufficient justification and induce adverse cumulative impacts on the surrounding areas; no ecological planning gain was provided in the submission; there were scope for enhancing the scheme in terms of building/layout design and sustainability; and it was premature to determine the appropriate development intensity of the Site while the overall land use planning in NTM area was still under review. The Committee’s key concerns on the application are also set out in paragraph 1.6 above.

Section 16 Applications

- 5.3 The Site is involved in six previous s.16 applications (No. A/YL-MP/104, 110, 132, 146, 193 and 205)¹⁵ for proposed residential development with or without minor relaxation of BH restriction or filling and excavation of land for site formation. Except the first application, all applications were approved by the Committee between 2003 and 2013. The planning permission for applications No. A/YL-MP/110, 132 and 146 lapsed upon expiry of the respective planning permissions.
- 5.4 Application No. A/YL-MP/193 for proposed house development subject to a maximum PR of 0.2, with minor relaxation of BH restriction from two storeys (6m) to three storeys including one level of basement (10.8m) and filling and excavation of land for site formation was approved with conditions by the Committee in 2012 mainly on the considerations that the proposed development was not incompatible with the surrounding land uses; was in line with the criteria under the then TPB PG-No. 12B for development within WBA; would not result in adverse impact on the surrounding areas with implementation of mitigation measures; no adverse comment from relevant departments; and approval of the application was in line with the previous decision of the Committee.
- 5.5 Application No. A/YL-MP/205 for proposed amendments to the approved scheme under application No. A/YL-MP/193 (with the major development parameters remained unchanged) was approved with conditions by the Committee in 2013 mainly on the considerations as stated in paragraph 5.4 above. The approved development was subsequently commenced with general building plans approved in 2021 and lease executed in 2022.

6. Similar Application

There is no similar rezoning application for “R(D)” zone on the OZP.

¹⁵ Applications No. A/YL-MP/104, 110 and 132 were submitted by a different applicant while applications No. A/YL-MP/146, 193 and 205 were submitted by the same applicant of the current application.

7. The Site and Its Surrounding Areas (Plans Z-1a to Z-4b)

7.1 The Site is:

- (a) divided into two portions (i.e. the main site and minor site) by Ha Chuk Yuen Road and an existing nullah;
- (b) currently vacant, fenced-off and covered with vegetation;
- (c) accessible from Kam Pok Road for the main site and Ha Chuk Yuen Road for the minor site; and
- (d) majority of the Site (about 58,448m² / 89%) falls within the WBA of Deep Bay Area.

7.2 The surrounding areas have the following characteristics:

- (a) to its north, north-west and west across Kam Pok Road and the NTMDC are existing residential developments (including the Yau Pok Road Light Public Housing (LPH)¹⁶, Fairview Park and Palm Springs), ponds and vegetated land. To the further north and north-west are the proposed Sam Po Shue Wetland Conservation Park. The Technopole development is located to the further north at a distance of about 1km;
- (b) to its east and south-east are existing village settlements at Chuk Yuen Tsuen and Sheung San Wai Tsuen, open storage yards and vegetated land. To the further east across Castle Peak Road – Tam Mi, San Tin Highway and San Tam Road is the NTM area, where the future development at NTM area and the NTM Station of the NOL Main Line is located as a distance of about 300m and 730m respectively; and
- (c) to its south are a flood storage pond, Chuk Yuen Stormwater Pumping Station, and a vacant land which is subject to two approved applications for house development (No. A/YL-MP/287¹⁷) and temporary public vehicle park (No. A/YL-MP/381).

8. Planning Intention

The planning intention of the “R(D)” zone is primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings. It is also intended for low-rise, low-density residential developments subject to planning permission from the Board. Residential development (other than New Territories Exempted House) in the “R(D)” zone shall not result in a total development in excess of a maximum PR of 0.2 and a maximum BH of two storeys

¹⁶ Intake for Phase 1 of the Yau Pok Road LPH has commenced from 28.3.2025. The entire Yau Pok Road LPH development is subject to an approved application No. A/YL-MP/341 with a total PR of 0.64 and a maximum BH of three storeys (16.8mPD). The same site is subject to two s.12A applications (No. Y/YL-MP/7 and 8) (**Plan Z-2**) submitted by the applicant of the current application for proposed residential developments and both applications are currently under processing.

¹⁷ Application No. A/YL-MP/287 for house development is subject to a PR of 0.2 and BH of two storeys (12.5mPD).

(6m).

9. Comments from Relevant Government Bureau/Departments

9.1 The following government bureau/departments have been consulted and their comments on the application are summarised as follows:

Land Administration

9.1.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL of LandsD):

- (a) no objection to the application;
- (b) the Site involves private Lot Nos. 3152, 3153 RP, 3156 s.B and 4805 all in D.D. 104 and adjoining GL. Private lot nos. 3152, 3153 RP and 3156 s.B are old-scheduled agricultural lots held under Block Government Lease while Lot No. 4805 is held under New Grant No. 22959 dated 18 March 2022 (hereinafter referred to as “the New Grant”). According to the New Grant, it contains, inter alia, the following restrictions:
 - (i) S.C. (10) provided that the Lot shall not be used for any purpose other than for private residential purposes; and
 - (ii) S.C. (11)(c) provided that the total gross floor area of any building or buildings erected or to be erected on the lot shall not be less than 7,754 square metres and shall not exceed 12,922 square metres.
- (c) the Site has an area of about 65,690m² quoted by the applicant which should be subject to further verification and survey. In case of any discrepancy in site area found, the respective proposed development parameters will have to be revised accordingly at the stage of land exchange, if applied;
- (d) the application contains development parameters which are fundamentally different from those permitted under the current lease conditions. Should the Board decide to approve the subject application, the applicant has to apply for a land exchange to implement the planning scheme. However, there is no guarantee at this stage that the land exchange application would be approved. Such application, if submitted, will be dealt with by LandsD acting in the capacity of the landlord at our discretion, and if it is approved, the approval would be subject to such terms and conditions including amongst others, the payment of premium and administrative fee as may be imposed by LandsD;
- (e) the applicant is reminded that the Conditions contains a Building Covenant that requires the Grantee to develop Lot 4805 in D. D. 104 that fit for occupation on or before 30.9.2027. Non-completion of the

development is a breach of the said Conditions and will amongst other remedies render the lot liable to re-entry by the Government; and

- (f) in the event that the rezoning application is agreed by the Board, LandsD may consider to incorporate tree preservation clause and landscape clause to the future lease and the LDP submitted under the current application should be submitted to LandsD for formal approval upon implementation of the development.

Traffic and Transport

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

- (a) based on the TIA, it is observed that the traffic impact arising from the proposed development to the adjacent road network within the area of influence would be acceptable except San Tin Highway. The TIA also indicated that the development would provide parking and L/UL facilities within the Site in accordance with HKPSG. In this regard, he has no in-principle objection to the application; and
- (b) detailed comments are at **Appendix V**.

9.1.3 Comments of the Chief Highways Engineer/New Territories West, Highways Department (CHE/NTW of HyD):

- (a) no in-principle objection to the application;
- (b) the TIA should be reviewed and commented by Transport Department (TD). If any proposed road improvements in the TIA are considered necessary by TD due to the proposed development, these proposed road improvements shall be implemented by the applicant to the satisfaction of TD and HyD at the applicant's own cost;
- (c) the proposed access arrangement to the Site should be commented by TD. HyD is not/ shall not be responsible for the maintenance of any access connecting the Site and Kam Pok Road/ Ha Chuk Yuen Road;
- (d) if the proposed access on Kam Pok Road/ Ha Chuk Yuen Road is approved by TD, the applicant should ensure a run-in/out is constructed in accordance with the latest version of HyD Standard Drawings no. H1113 and H1114, or H5133, H5134 and H5135, whichever set is appropriate to match with the existing adjacent pavement; and
- (e) adequate drainage measures should be provided at the Site access to prevent surface water flowing from the site to nearby public roads or exclusive road drains.

Environment

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

- (a) considering that the EA and SIA have demonstrated that, with the

implementation of mitigation measures, the proposed development will unlikely cause adverse environmental impacts exceeding the HKPSG criteria, he has no objection to the application from environmental planning perspective; and

- (b) on EIAO implication, the applicant is advised that if the current application is agreed by the Board, the proposed residential development is a designated project under Item P.1, Schedule 2 of the EIAO (i.e. a residential development or recreational development, other than New Territories exempted houses within Deep Bay Buffer Zone 1 or 2) and an environmental permit under the EIAO is required before the construction and operation of the proposed residential development.

Urban Design, Visual and Landscape

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

Urban Design and Visual

- (a) no adverse comment on the application from urban design and visual perspective;
- (b) judging from the photomontages of the VIA (**Drawings Z-12a to Z-12f**), the proposed development with a maximum BH of 16 storeys aboveground (59.85mPD) would stand out and become visually prominent in the existing low-rise neighbourhood. According to the VIA, the proposed development would result an overall slightly adverse visual impact. The proposed VPs at Yau Tam Mei Hill and Lam Tsuen Country Park would result in moderately adverse impact;
- (c) it is noted that some design measures are proposed to promote visual permeability, including stepped BH profile, not less than 15m of building separations between each pair of residential blocks, a landscape pond at the western corner and landscape buffer, etc.. In addition, the applicant claims that the proposed development is in line with the future high-rise development node in the NTM;

Air Ventilation

- (d) no adverse comment on the application from air ventilation perspective;
- (e) an AVA-EE is conducted to compare against the approved scheme under the approved Application No. A/YL-MP/205. It is noted that building separation of not less than 15m between residential blocks is proposed (**Drawing Z-11**). It concludes that the proposed development would not result significant adverse impact on surrounding wind environment;

Landscape

- (f) no adverse comment on the application from landscape planning

perspective;

- (g) with reference to the aerial photo of 2024, the Site is situated in an area of miscellaneous rural fringe landscape character comprising vacant land, temporary structures, drainage channel and scattered tree groups. The proposed development of 17 domestic/non-domestic blocks of maximum 16 storeys would affect the existing landscape character surrounded by low-rise buildings and ponds;
- (h) according to the LDP, 267 existing trees are surveyed within the Site and all of the existing trees are proposed to be felled. A minimum of 267 new trees are proposed within Site to mitigate the loss of existing trees, which meet the 1:1 compensatory ratio. According to the LMP (**Drawing Z-2**), landscape provisions with hard and soft landscape treatment, including buffer planting, lawn, private garden, landscape pond, swimming pool, etc. are proposed;
- (i) the application does not imply the application for tree works approval, if any, such as pruning, transplanting and felling. The applicant is reminded to seek comments and approval for any proposed tree works from the relevant department; and
- (j) for the compliance of site coverage of greenery requirements under PNAP APP-152, submission should be made separately to Buildings Department (BD) for comments and approval.

9.1.6 Comments of the Chief Architect/Advisory and Statutory Compliance, Architectural Services Department (CA/ASC of ArchSD):

noting that the applicant has provided anticipated BHs of the adjacent areas to be developed, he has no comment to offer.

Nature Conservation

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

- (a) as compared with the previous application No. Y/YL-MP/6, the applicant has proposed to reduce the development intensity to 16 storeys, remove the four low-rise residential blocks near the NTMDC and enhance the ecological features of the landscape pond. Additional ecological features of the landscape pond include specific habitats (e.g. deep water area, shallow water area and reedbed) to cater for different species in the hope of attracting biodiversity. With proper implementation of the proposed mitigation measures as mentioned in paragraphs 1.13 to 1.14 above, it is anticipated that the ecological impacts could be mitigated to acceptable level and the ecological functions of the landscape pond could be enhanced; and
- (b) based on the above and noting DEP's comments that the implementation of mitigation measures, if required, can be enforced under the EP to be issued under EIAO, he has no objection to the application.

Drainage

9.1.8 Comment of Chief Engineer/Mainland North, Drainage Services Department (CE/MN of DSD):

- (a) no adverse comment on the DIA and SIA; and
- (b) detailed comments are at **Appendix V**.

Social Welfare Provision

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

- (a) no comment on the proposed NEC; and
- (b) the proposed NEC could provide community support services to elderly and their carers of the Site and the surrounding areas.

Education

9.1.10 Comments of the Secretary for Education (SED):

- (a) it is noted that no public housing development is involved in the current application. She has no views on the planned provision of kindergarten for private housing developments. The applicant is advised to follow the HKPSG on the requirement of provision of kindergarten;
- (b) in terms of the Schedule of Accommodation (SoA) and GFA of the proposed kindergarten, she has no comment as long as the required SoA stated in the 'New Recommended Schedule of Accommodation for a 6-classroom Kindergarten' of the "Operation Manual for Pre-primary Institutions" could be fulfilled as far as practicable; and
- (c) detailed comments are at **Appendix V**.

Fire Safety

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

- (a) no specific comment on the application; and
- (b) detailed fire services requirements will be formulated upon receipt of formal submission of general building plans or referral of application via relevant licensing authority as appropriate. Furthermore, the provision of emergency vehicular access at the Site shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011, which is administered by the BD. In addition, height restriction as stipulated in relevant regulations governing the proposed kindergarten shall be observed. Licensing requirements will be formulated upon receipt of a formal application via the Licensing Authority.

Building Matters

9.1.12 Comments of the Chief Building Surveyor/New Territories West, BD:

- (a) no objection to the application; and
- (b) detailed comments are at **Appendix V**.

9.2 The following government bureau/departments have no objection to or no comment on the application and their detailed comments, if any, are in **Appendix V**:

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C of WSD);
- (b) Director of Food and Environmental Hygiene;
- (c) Director of Leisure and Cultural Services;
- (d) Chief Engineer/Railway Development 1-1, Railway Development Office, HyD;
- (e) Director of Electrical and Mechanical Services;
- (f) Project Manager (West), Civil Engineering and Development Department (CEDD);
- (g) Project Manager (North), CEDD;
- (h) Head (Geotechnical Engineering Office), CEDD (H(GEO) of CEDD);
- (i) District Officer (Yuen Long), Home Affairs Department; and
- (j) Commissioner of Police.

10. Planning Considerations and Assessments

The Proposal

- 10.1 The application is for rezoning the Site from “R(D)” (i.e. subject to a maximum PR of 0.2 and a maximum BH of two storeys (6m)) to “R(C)1” (i.e. a new sub-zone under the “R(C)” zone), subject to a maximum PR of 1.59 (including a domestic PR of 1.5 and a non-domestic PR of 0.09) and a maximum BH of 16 storeys (excluding basement level(s)) (or 59.85mPD), to facilitate a proposed comprehensive residential development with commercial uses, transport lay-by facilities and GIC facilities at the Site (**Plan Z-1a**). According to the indicative scheme submitted by the applicant under the current application (**Drawings Z-1a to Z-1d**), the proposed development comprises 10 residential blocks with BH ranging from 14 to 16 storeys¹⁸ (about 53.55mPD to 59.85mPD with one of the block on top of a 1-storey clubhouse podium), four 1 to 2-storey blocks for clubhouse and/or E&M facilities, three 2-storey blocks for local commercial uses, transport lay-bys, a 6-classroom kindergarten and a NEC which forms a neighbourhood activity node, as well as a basement level for carpark, E&M facilities and clubhouse at the main site as detailed in paragraph 1.4 above. Private open space of not less than 8,370m² will be provided at the Site, including not less than 6,270m² for the exclusive use of residents (with a landscape pond of about 0.5ha and gardens) and not less than 2,100m² (along the two sides of Ha Chuk Yuen Road) to be open to public for not less than 13 hours a day (**Drawing Z-13**).
- 10.2 According to the proposed Notes and ES of the OZP for the proposed “R(C)1” zone submitted by the applicant at **Appendix II**, the “R(C)1” zone is intended for medium-

¹⁸ Excluding basement level, transfer plate and E&M floor.

rise residential developments with commercial uses serving the residential neighbourhood. Apart from 'Flat' use which is always permitted within the "R(C)" zone, the applicant proposes to include 'Eating Place', 'Public Transport Terminus or Station', 'School', 'Shop and Services', 'Social Welfare Facility', 'Place of Recreation, Sports or Culture' and 'Private Club' as Column 1 uses of the proposed "R(C)1" zone. Hence, planning permission from the Board would not be required to effectuate the proposed development upon rezoning of the Site to "R(C)1".

Planning Context and Development Intensity

- 10.3 The Site is located between the existing sub-urban neighbourhood in the Mai Po and Fairview Park area, the development of Technopole to its north, as well as the future development at NTM area to its east with the planned NTM Station of the NOL Main Line (**Plans Z-1a, Z-5 and Z-6**). While the surroundings of the Site are currently mainly low-rise residential developments (e.g. Yau Pok Road LPH, Fairview Park and Palm Springs subject to a maximum BH of three storeys under the respective zonings or approved planning application) and village settlements (e.g. Chuk Yuen Tsuen and Sheung San Wai Tsuen), open storage yards and vegetated land, there have been changing planning circumstances in the wider areas in recent years, including the developments of the Technopole and NTM area as well as the construction of NOL Main Line and planning of NM Highway.
- 10.4 In considering the previous application No. Y/YL-MP/6 in 2023, the Committee raised that it would be premature to determine the appropriate development intensity of the Site while the overall land use planning in NTM area was still under review. In this regard, the applicant has provided general responses as extracted at **Appendix III**. The Broad Land Use Concept Plan for NTM area has subsequently been released in November 2024 (**Plan Z-6**), according to which NTM area will be developed for post-secondary education institutions, an integrated hospital, a third medical school as well as an integrated residential neighbourhood with a proposed domestic PR of 6 for residential developments. The Site is located about 300m away from the future residential neighbourhood of NTM area and 730m away from the future NTM Station of NOL Main Line across San Tin Highway. Besides, the Site is about 1km away from the Technopole, which is planned for a modern new development area with I&T development and a liveable environment (**Plans Z-1a and Z-5**), with residential sites subject to a maximum PR of 6.5 or 6.8 and a maximum BH ranging from 160mPD to 200mPD on the STT OZP. The first population intake for the future development at NTM area and the Technopole is expected to take place from 2034 and 2031 respectively. In addition, the construction of NOL Main Line is expected to commence in 2025 for completion in 2034. The San Tin Section of the NM Highway will also be completed in or before 2036.
- 10.5 With the commissioning of new transport infrastructures including the NOL Main Line and the associated NTM Station as well as the NM Highway, the accessibility of the area will be greatly enhanced, and coupled with the planned new developments at the Technopole and the NTM area, there is potential for the area to transform into a medium-rise residential neighbourhood. The proposed medium-rise development at the Site may provide a gradual transition from the future high-rise and high-density developments at the Technopole and NTM areas to the existing low-rise and low-density residential developments and wetlands to the west of the Site (**Plan Z-5**). Taking into account the Committee's concerns on the development intensity, the applicant proposes a lower intensity (i.e. reduced from a maximum PR of 1.88 to 1.59

and a maximum BH of 19 storeys to 16 storeys) under the current application. Such proposed development intensity is considered not totally out of keeping with the land use character of the existing sub-urban neighbourhood and not out of context with the planned development context of the wider surrounding areas benefitted from the enhanced accessibility.

Provision of GIC and Commercial Facilities and Open Space

- 10.6 The Site is located in an existing rural area with no major commercial or community facilities as well as public open space. According to the current scheme, a neighbourhood activity node is proposed at the Site comprising commercial and community facilities including a 6-classroom kindergarten and a NEC to serve the residents of the Site and the surrounding areas. DSW opines that the proposed NEC could provide community support services to elderly and their carers of the Site and the surrounding areas and has no comment on the proposed NEC, and SED has no comment on the provision of kindergarten within the proposed development. Besides, a private open space of not less than 2,100m² is proposed along the two sides of Ha Chuk Yuen Road which will be open to public enjoyment for not less than 13 hours a day.

Design, Visual, Air Ventilation and Landscape Aspects

- 10.7 To address the Committee's previous concerns on building design and sustainability aspects, under the current scheme with reduced PR and overall BH, the applicant has proposed some changes in the layout and building design as mentioned in paragraphs 1.7 to 1.8 above, including the omission of the low-rise residential blocks to allow further setbacks between the residential portion and the northern periphery of the Site, redesigning of the landscape pond, and incorporation of green roofs for the low-rise commercial and E&M blocks to enhance the building design and sustainability (**Drawing Z-11**). Other appropriate design measures to enhance the proposed development on visual, air ventilation and landscape aspects are still maintained under the current scheme, including stepped BH profile, provision of building gaps between residential towers and building setbacks from the Site boundary, and buffer tree planting.
- 10.8 According to the submitted VIA, the overall visual impact of the proposed development is considered to be slightly adverse and various sensitive design measures, including stepped BH, sensitive façade treatment and building disposition, provision of building gap of not less than 15m between residential towers and building setbacks with a minimum width of 5m from the Site boundary are proposed in the current scheme to mitigate the impacts and to promote visual permeability and visual integration between the proposed development and the surrounding areas. CTP/UD&L of PlanD has no adverse comment on the application from urban design and visual perspectives having considered the abovementioned design measures. The AVA-EE submitted by the applicant also demonstrates that the proposed development with the abovementioned design measures implemented would not induce a significant adverse air ventilation impact to the surrounding area, and CTP/UD&L of PlanD has no adverse comment on the application from air ventilation perspective.
- 10.9 On landscape aspect, while all 267 existing trees within the Site are proposed to be felled, a minimum of 267 new trees of heavy-standard will be planted along the periphery of the Site for compensation purpose as well as to serve as a green buffer

between the Site with the adjacent areas. Private open space of not less than 8,370m² will be provided within the Site (**Drawing Z-13**), of which not less than 2,100m² along the two sides of Ha Chuk Yuen Road will be open to public for not less than 13 hours a day. A greening ratio of not less than 30% will be achieved. In this regard, CTP/UD&L of PlanD has no adverse comment on the application from landscape planning perspective.

Ecological Aspect

- 10.10 Based on the EcoIA submitted by the applicant, the Site mainly comprises grassland and plantation and a small portion of reed bed, which are disturbed and of very low to moderate ecological value (**Drawing Z-6**). To address the Committee's concern on ecological planning gain, under the current scheme, as mentioned in paragraphs 1.13 and 1.14 above, the landscape pond at the north-western edge is reconfigured to lengthen its interface with the NTMDC for buffering function and additional ecological features for the landscape pond are proposed, including waterbody with various water depths to create a variety of habitats and terrestrial plants at the edge of the pond (**Drawing Z-7**). The landscape pond will be constructed by the applicant, and maintained and managed together with the future residential portion. The design measures incorporated in the current scheme, such as sensible building layout, stepped BH and building separation will also respect the major birds' flight path along the NTMDC. With proper implementation of the proposed mitigation measures, DAFC considers that the ecological impacts could be mitigated and has no objection to the application.

Environmental, Sewerage and Drainage Aspects

- 10.11 According to the EA submitted by the applicant, no adverse impacts on air quality, noise, water quality and waste management arising from the proposed development are anticipated. Various mitigation measures, as mentioned in paragraphs 1.17 to 1.19 above, are proposed in the indicative scheme to minimise the potential traffic noise on the proposed development, as well as the potential noise and air quality impacts arising from the operation of the proposed development, including the operation of the on-site SPS as well as the future E&M room and air ventilation system of the transport lay-by facilities and commercial blocks, to the surrounding areas. DIA and SIA have also been submitted which demonstrate that no adverse drainage and sewerage impacts are anticipated from the proposed development. In particular, an on-site SPS, rising mains and sewer are proposed to collect and discharge the sewage generated by the proposed development (**Drawing Z-8**). Besides, a proposed detention tank as well as a proper internal and peripheral drainage system will be provided within the Site (**Drawing Z-10**). In light of the above, DEP and CE/MN of DSD have no objection to the application from environmental planning and public drainage perspectives. In addition, the proposed development is a designated project under the EIAO and the applicant is required to obtain an environmental permit for the construction and operation of the development following the EIAO process.

Traffic and Transport Aspects

- 10.12 In view of the Committee's concerns on cumulative traffic impact, the applicant has submitted a TIA taking into account the cumulative traffic impact induced by the existing and proposed private residential developments in the locality and proposed various traffic improvement works as mentioned in paragraph 1.16 above, including

road modification and junction improvement works at Yau Pok Road (**Drawing Z-5c**), Castle Peak Road/Kam Pok Road East (**Drawing Z-5a**) and Castle Peak Road/Kam Pok Road (**Drawing Z-5b**), as well as improvement works at the Fairview Park Interchange (**Drawings Z-5d and 5e**). Taking into account the proposed road and junction modification/improvement works under the current application and other planned junction improvement works, the TIA concludes that all critical junctions and road links will operate within capacity with the proposed development in place, except San Tin Highway. Notwithstanding, the traffic speed of the said road link would still be manageable. With the partial completion of the NM Highway in or before 2036, it is expected that the traffic condition of San Tin Highway could be improved. In view of the above, C for T and CHE/NTW of HyD have no objection to the application from traffic engineering and highway maintenance perspectives respectively.

Other Technical Aspects

- 10.13 The applicant has also submitted various technical assessments and all other relevant government departments including D of FS, CE/C of WSD and H(GEO) of CEDD have no objection to or no adverse comment on the application.

Previous Application

- 10.14 The Site is the subject of a s.12A application (No. Y/YL-MP/6) for rezoning the same Site from “R(D)” to “R(C)1” for a proposed comprehensive residential development with a neighbourhood activity node providing local commercial use, transportation services and GIC facilities with a maximum PR of 1.88 (comprising domestic PR of 1.8 and non-domestic PR of 0.08) and a maximum BH of 67.3mPD (19 storeys), which was rejected by the Committee on 5.5.2023 mainly based on the considerations as mentioned in paragraph 5.2 above. In response to the Committee’s key concerns on the development intensity and planning context, building/layout design and sustainability, ecological planning gain of the proposed development, as well as cumulative impacts on the surrounding areas, the applicant has reduced the development intensity, proposed changes in layout and building design as well as design of landscape pond, and undertaken relevant technical assessments as set out above. Taking into account the planning assessments above, relevant government bureau/departments in general have no objection to/ no adverse comment on the current proposal. Hence, agreeing the rezoning proposal under current application will not be in conflict with the Committee’s previous decision.

Development Restrictions to be stipulated for the Proposed “R(C)1” Zone

- 10.15 According to the set of Notes proposed by the applicant (**Appendix II**), the maximum PR of 1.59 (including a GFA of not less than 5,692m² for non-domestic uses) and a maximum BH of 16 storeys (excluding basement level(s)) are proposed to be added in the remarks of the “R(C)1” zone. ‘Eating Place’, ‘Public Transport Terminus or Station’, ‘School’, ‘Shop and Services’, ‘Social Welfare Facility’, ‘Place of Recreation, Sports or Culture’ and ‘Private Club’ are also proposed to be incorporated as Column 1 uses of the “R(C)1” zone. Taking into account the above planning assessments, rezoning the Site from “R(D)” to “R(C)1” to facilitate the proposed comprehensive residential development with commercial use, transport lay-by facilities and GIC facilities is considered acceptable. To ensure proper control on the future “R(C)1” zone, further consideration in consultation with relevant bureau/departments is required on how the development restrictions, including PR/GFA, BH (number of

storeys/mPD), schedule of Column 1 and Column 2 uses, as well as specific requirements on provision of certain facilities, shall be translated or incorporated in the OZP and its Notes and/or ES to reflect the proposed development under the current application. Should the application be agreed by the Committee, PlanD will work out the appropriate amendments to the OZP, including the details of development restrictions to be set out in the Notes and/or the ES, for the Committee's consideration prior to gazetting of the proposed amendments to the OZP under s.5 of the Ordinance.

11. Planning Department's Views

- 11.1 Based on the assessments made in paragraph 10, PlanD has no in-principle objection to the application.
- 11.2 Should the Committee decide to agree/partially agree to the application, PlanD would work out the appropriate amendments to the OZP, including development restrictions to be set out in the Notes and the ES as stated in paragraph 10.15 above, for the consideration of the Committee prior to gazetting under Section 5 of the Ordinance upon reference back of the OZP.
- 11.3 Alternatively, should the Committee decide not to agree to the application, the following reason is suggested for Members' reference:

the Site falls within an area zoned "Residential (Group D)" ("R(D)") with the planning intention primarily for improvement and upgrading of existing temporary structures within the rural areas through redevelopment of existing temporary structures into permanent buildings, as well as for low-rise, low-density residential developments subject to planning permission from the Town Planning Board. There is no strong justification given in the submission for rezoning the Site to "Residential (Group C)1" with the proposed development intensity. The current "R(D)" zoning is considered appropriate and should be retained.

12. Decision Sought

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

13. Attachments

Appendix I	Application Form with Supporting Planning Statement and attachments received on 27.2.2025
Appendix Ia	Consolidated Supporting Planning Statement with Technical Assessments received on 27.6.2025
Appendix Ib	FI received on 28.3.2025
Appendix Ic	FI received on 17.4.2025
Appendix Id	FI received on 25.4.2025
Appendix Ie	FI received on 10.6.2025

Appendix If	FI received on 26.6.2025
Appendix II	Proposed Notes and Explanatory Statement for “R(C)1” zone submitted by the applicant
Appendix III	Response to key comments from Town Planning Board on previous application No. Y/YL-MP/6 submitted by the applicant
Appendix IV	Previous applications involving the Site
Appendix V	Government bureau/departments’ detailed comments
Drawing Z-1a	Indicative Master Layout Plan
Drawings Z-1b and Z-1c	Indicative Part Floor Plans and Basement Layout Plan
Drawing Z-1d	Indicative Sections
Drawing Z-2	Landscape Master Plan
Drawing Z-3	Indicative Section of the Landscape Pond
Drawing Z-4	Proposed Access Location
Drawings Z-5a to Z-5e	Proposed Junction Modification/Improvement Works
Drawing Z-6	Habitat Map
Drawing Z-7	Comparison of Layouts of the Landscape Pond
Drawing Z-8	Proposed Sewer Connection Plan and Location of Sewage Pumping Station
Drawing Z-9	Sewerage Network Plan
Drawing Z-10	Proposed Drainage System and Location of Detention Tank
Drawing Z-11	Summary of Planning and Design Merits
Drawings Z-12a to Z-12f	Photomontages
Drawing Z-13	Proposed Open Space Provision
Plan Z-1a	Location Plan
Plan Z-1b	Previous Applications Plan
Plan Z-2	Site Plan and Rezoning Applications Under Processing in the Vicinity
Plan Z-3	Aerial Photos
Plans Z-4a and Z-4b	Site Photos
Plan Z-5	Site and the Northern Metropolis
Plan Z-6	Site and Ngau Tam Mei Broad Land Use Concept Plan