

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/HSK/573

Applicant : MTR Corporation Limited

Site : Government Land (GL) at Planning Areas 28A and 28B of Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA), New Territories

Site Area : About 82,027m²

Land Status: GL

Plan : Approved Hung Shui Kiu and Ha Tsuen (HSK & HT) Outline Zoning Plan (OZP) No. S/HSK/2

Zoning : “Other Specified Uses” annotated “Mixed Use” (“OU(MU)”) subject to the following restrictions:

- (a) maximum plot ratio (PR) of 7 (of which the domestic PR should not exceed 4.5);
- (b) maximum building height (BH) of 180mPD for Planning Area 28B and the eastern portion of Planning Area 28A; and maximum BH of 60mPD for the western portion of Planning Area 28A; and
- (c) minor relaxation of the PR and/or BH restrictions may be considered by the Town Planning Board (the Board) on application under section 16 of the Town Planning Ordinance (the Ordinance) based on individual merits

Application : Proposed Minor Relaxation of Domestic PR Restriction (From 4.5 to 5) for Permitted Mixed Use Development

1. The Proposal

- 1.1 The applicant seeks planning permission for minor relaxation of domestic PR restriction from 4.5 to 5 (i.e. +0.5 or +11%) (i.e. converting 20% of the permissible non-domestic gross floor area (GFA) for domestic use) with the overall PR of 7 and maximum BHs remain unchanged for permitted mixed use development at the application site (the Site) zoned “OU(MU)” on the OZP (**Plan A-1**). According to Schedule I and II of the Notes of the OZP for “OU(MU)” zone, various compatible uses including ‘Shop and Services’, ‘Eating Place’, ‘Office’ and ‘Public Vehicle Park (excluding container vehicle)’ uses are permitted in a non-residential building or the non-residential portion of a building, and ‘Flat’ use is permitted in a residential building or the residential portion of a building. The Notes of the OZP stipulates that the maximum PR of the “OU(MU)” zone is 7 (of which the domestic PR should not exceed 4.5). Based on the individual merits of a development or redevelopment

proposal, minor relaxation of the PR restriction may be considered by the Board on application under section 16 of the Ordinance (**Plan A-2**).

- 1.2 The Site comprises two portions, with the northern portion falling within Planning Area 28B and the southern portion falling within Planning Area 28A of the HSK/HT NDA (**Plan A-1**). The two portions of the Site are separated by an area shown as 'Road' and designated as 'pedestrian street' on the OZP. According to the applicant, the proposed development has a total PR of 7 with a domestic PR of 5 and a non-domestic PR of 2. The total GFA of the proposed development is about 574,189m², including a domestic GFA of about 410,135m² and a non-domestic GFA of about 164,054m².
- 1.3 To demonstrate the technical feasibility of the proposed minor relaxation of domestic PR restriction, the applicant has submitted an indicative scheme for the proposed development. According to the indicative scheme, the proposed development consists of eight residential blocks (BHs of 38 to 41 storeys, not more than 180mPD) above non-domestic podiums (BHs of four to eight storeys) for retail and office uses with a Public Transport Interchange (PTI) and park-and-ride (PnR) facilities, and three levels of basement carpark (**Drawings A-1 to A-7**). In accordance with the requirements under the Explanatory Statement (ES) of the OZP, the PTI to be provided in Planning Area 28A will have a GFA of about 10,000m² with a terminus for public transport services. A total number of 1,050 PnR parking spaces will be provided to promote PnR patronage, which is about 1,000 spaces beyond the minimum requirement of 50 public car parking spaces stipulated in the ES of the OZP. The proposed development will provide about 8,202 flats, accommodating an anticipated population of about 22,966. Physical segregation will be provided to separate the residential portion from the non-residential portion of the proposed development. The proposed development will be implemented in phases, with estimated completion by 2037.
- 1.4 The major development parameters of the indicative scheme are summarised below:

Major Development Parameters ⁽ⁱ⁾		Proposed Development		
		Planning Area 28A	Planning Area 28B	Total
Site Area (About)		43,001m ²	39,026m ²	82,027m ²
PR	Total⁽ⁱⁱ⁾	7	7	7
	Domestic	5	5	5 (+0.5 or +11% when compared to OZP restriction)
	Non-domestic	2	2	2 (-0.5 or -20% when compared to OZP restriction)
GFA (About)	Total	301,007m ²	273,182m ²	574,189m ²
	Domestic	215,005m ²	195,130m ²	410,135m ²
	Non-domestic ⁽ⁱⁱⁱ⁾	86,002m ²	78,052m ²	164,054m ²
Site Coverage (SC)		Not more than 65%		
No. of Blocks		8	8	16

BH		<u>Western Portion:</u> Not more than 60mPD <u>Eastern Portion:</u> Not more than 180mPD	Not more than 180mPD	N/A
No. of Residential Storeys		About 38 to 41 (excluding podium, lobby and refuge floor)		
No. of Flats ^(iv) (About)		4,300	3,902	8,202
Anticipated Population ^(v) (About)		12,040	10,926	22,966
Private Open Space (About)		13,000m ²	12,000m ²	25,000m ²
Transport Facilities ^(vi)	PTI	A PTI with GFA of not less than 10,000m ²	N/A	A PTI with GFA of not less than 10,000m ²
	No. of PnR Parking Spaces	Maximum 1,050		
	Basement Car Parking Spaces	Adequate parking spaces, loading/unloading spaces and bicycle parking spaces to be provided in accordance with the Hong Kong Planning Standards and Guidelines (HKPSG)		

- (i) Other than the proposed PR and the BH restrictions bounded by OZP, other development parameters are indicative only. Future developments at the Site will be governed by Master Layout Plan (MLP) submission, as an administrative measure under the lease.
- (ii) The ratio of domestic to non-domestic PR under the proposed development is 71:29 (i.e. 5:2), while the ratio of domestic to non-domestic PR under OZP restrictions is 64:36 (i.e. 4.5:2.5).
- (iii) The non-domestic uses and GFA comprise retail, office, a PTI and PnR facilities.
- (iv) An average flat size of 50m² is assumed.
- (v) A person per occupied flat of 2.8 is assumed.
- (vi) As required under the ES of the OZP, a PTI of GFA of about 10,000m² with a terminus for public transport services is planned in Planning Area 28A. A minimum of 50 public car parking spaces in addition to those required to serve the planned development should be provided within Planning Area 28A to promote PnR patronage.

1.5 According to the applicant, urban design requirements under the OZP and the adopted HSK & HT Outline Development Plan No. D/HSK/2 (the ODP) will be incorporated in the proposed development (**Plan A-2b, Drawings A-1 to A-7 and A-9**). Residential towers in Planning Area 28A will set back from the western boundary of the Site for 60m to form a stepped BH profile descending from east to west to maintain the openness in the Regional Plaza and the planned Tuen Ma Line (TML) HSK Station, and to minimise the potential noise impact from the elevated TML railway tracks. Retail terraced frontage with a maximum BH of 5m and 10m in width are proposed within both Planning Areas 28A and 28B along the frontage on the ‘pedestrian street’ and/or Regional Plaza. In addition to the requirements under the OZP and ODP, the urban design concepts and measures recommended in the Urban and Green Design Requirements Brief for Private Development Sites (UDB) and the Urban Design Guidelines (UDG) formulated under the detailed urban design study of the HSK/HT NDA ¹ (**Plan A-5**), will also been adopted in the proposed development, including the multi-level economic spines with pedestrian walkway

¹ A detailed urban design study has been conducted for the Town Centre including the sites in Planning Areas 26A, 28A, 28B, 30, 32A to 32D and 33 under the ‘Urban and Green Design Study for the Future Town Centre and the District Commercial Node in HSK/HT NDA - Feasibility Study’.

and provision of average 7.5m wide setback areas with an aim to forming a curvilinear arrangement along the 'pedestrian street' (**Drawings A-7 and A-9**). The indicative plan illustrating the above urban design requirements, concepts and measures submitted by the applicant is presented at **Drawing A-9**.

- 1.6 In terms of pedestrian connectivity, the proposed development will provide an east-west public pedestrian access within Planning Area 28A as required under the ES of the OZP (**Drawing A-9**). Such public access will provide pedestrian connection between the Regional Plaza in the west, the PTI and Planning Area 27A in the east. In addition, 'secondary pedestrian streets' and elevated connections will be provided within the proposed development in accordance with the recommendations under the UDB and UDG to enhance connectivity within and between Planning Areas 28A and 28B, as well as to the surrounding areas and facilities including the future TML HSK Station and Planning Area 27B (**Drawings A-9 and A-10**). Three footbridge connections will be provided between: (i) Planning Area 28A and TML HSK Station; (ii) Planning Area 28B and TML HSK Station; and (iii) Planning Areas 28A and 28B. Multiple at-grade pedestrian access points will also be provided. Moreover, an opening at basement level in Planning Area 28A will be reserved for a potential underground pedestrian connection to the proposed Hong Kong-Shenzhen Western Rail Link (Hung Shui Kiu-Qianhai) (HSWRL) HSK Station.
- 1.7 Adequate landscape areas will be provided for future users of the proposed development. Landscape areas in form of open space including about 13,000m² for Planning Area 28A and 12,000m² for Planning Area 28B are proposed at both at-grade and podium levels. Sensitive design with soft and hard landscape treatments and generous planting at the landscape areas will be implemented to ensure the quality of the proposed landscape treatments (**Drawing A-8**).
- 1.8 Relevant technical appraisals, including Traffic Statement, Environmental Appraisal, Air Ventilation Appraisal, Visual Appraisal, Sewerage Appraisal, Drainage Appraisal and Water Supply Appraisal have been conducted by the applicant based on the indicative scheme to demonstrate the feasibility of proposed minor relaxation of domestic PR at the Site (**Appendices Ia and Ib**). The assessments concluded that, with appropriate mitigation measures such as building setback, noise-tolerant structure, acoustic fins and acoustic balconies, insurmountable environmental impacts are not anticipated. The proposed development will not result in any adverse impact in terms of traffic, environmental, air ventilation, visual, sewerage, drainage and water supply aspects.
- 1.9 In support of the application, the applicant has submitted the following documents:
 - (a) Application Form received on 19.6.2025 (**Appendix I**)
 - (b) Supporting Planning Statement received on 19.6.2025 (**Appendix Ia**)
 - (c) Further Information (FI) received on 29.7.2025[#] (**Appendix Ib**)
 - (d) FI received on 11.8.2025[#] (**Appendix Ic**)

[[#]Accepted and exempted from publication and recounting requirements]

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the

Supporting Planning Statement and FI at **Appendices Ia to Ic**. They can be summarised as follows:

In line with Development Bureau (DevB)’s announcement on allowing a conversion of up to 20% of non-domestic floor area to domestic floor area on commercial and mixed-use sites on both sides of TML HSK Station

- (a) The proposed minor relaxation of domestic PR for permitted mixed use development is in line with the DevB’s announcement on allowing a conversion of up to 20% of the non-domestic floor area to domestic use on the commercial and mixed-use sites on both sides of TML HSK Station. Without compromising the positioning and functionality of the HSK/HT NDA, the proposed 20% conversion of non-domestic PR to domestic use will meet the changing market needs while maintaining high development intensity, promoting the distribution balance of population and jobs in the Northwest New Territories. The feasibility of the proposed development is also supported by various technical appraisals.

In line with Government’s policy on increasing housing supply

- (b) The proposed minor relaxation is in line with the 2022 Policy Address to ‘enhance quantity, speed, efficiency and quality’ for housing supply, in which the Government will make the best use of land resources in the Northern Metropolis (NM) through the adoption of higher PR so as to develop NM as the new engine for growth.
- (c) Compared to the provision under the OZP, the proposed development can deliver an additional 820 flats for accommodating an increased population of about 2,296, making a positive contribution to housing supply.

In line with Government’s policy on creating a focal point at HSK/HT NDA without affecting the function of the Town Centre

- (d) According to the ES of the OZP, HSK/HT NDA is positioned as ‘the next generation new town of Hong Kong creating a desirable place to live, work, play and do business’ with high development intensity uses such as offices, commercial, retail facilities and residential. The slight adjustment of PR mix under the proposed development will be able to meet the changing market needs while maintaining high development intensity, allowing more residents to stay and socially interact within the Town Centre of the HSK/HT NDA.

In line with the planning intention of the “OU(MU)” zone with total PR unchanged

- (e) The proposed minor adjustment of domestic and non-domestic PRs only involves non-domestic PR conversion to domestic PR, without any change in the total PR and the planned land uses. As such, the proposed development is in line with the planning intention of the “OU(MU)” zone and complies with Town Planning Board Guidelines No. 42 on ‘Designation of “OU(MU)” zone and application for development within “OU(MU)” zone under section 16 of the Town Planning Ordinance’.

Providing Planning Merits

- (f) Multiple urban design concepts/measures including BH variation, setbacks, terraced frontage and pedestrian connections are proposed as described in paragraphs 1.5 and 1.6 above. In addition, being part of the planned strategic Transport Interchange Hub (TIH) in the Town Centre, a PTI with GFA of not less than 10,000m² in Planning

Area 28A and a maximum of 1,050 PnR parking spaces in Planning Areas 28A and 28B will be provided based on the advice from Transport Department (TD). Careful considerations have been given to the proposed location and design of the PTI. The proposed 1,050 PnR parking spaces is beyond the requirement of 50 spaces in Planning Area 28A as stipulated under the ES of the OZP. These additional planning and design merits can promote a more efficient and user-friendly transport network, thus improving accessibility and convenience for all travelers.

No adverse impacts to the surrounding environment

- (g) Technical appraisals (**Appendices Ia and Ib**) have concluded that the proposed minor relaxation of domestic PR restriction with no change to the overall building intensity will have no adverse impact on the planned infrastructure capacity. The proposed development is technically feasible from traffic, environment, air ventilation, visual, sewerage, drainage and water supply perspectives.

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

As the Site involves GL only, the “owner’s consent/notification” requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31B) are not applicable to the application.

4. Town Planning Board Guidelines

The Town Planning Board Guidelines on Designation of “OU(MU)” Zone and Application For Development Within “OU(MU)” Zone under Section 16 of The Town Planning Ordinance (TPB PG-No. 42) promulgated in November 2011 is relevant in the following aspects:

- (a) an application for development within “OU(MU)” zone should demonstrate that the proposed development is in line with the planning intention of the zone. The applicant should demonstrate that the proposed development is not incompatible with the surrounding land uses/other uses within the same building, would not adversely affect the character and environment of the neighbourhood, and would not overstrain the capacity of existing and planned infrastructure in the area including transport, drainage, sewerage and water supply. The applicant should also demonstrate through proper assessment that no environmental pollution or nuisance would be created by the proposed mixed-use development;
- (b) notwithstanding (a) above, any proposed development that will bring variety of uses and enhance the character, vitality and vibrancy to the area will be given favourable consideration;
- (c) for any application involving a new development, the applicant should demonstrate that physical segregation has been provided to separate residential uses from non-residential uses within the same building to ensure that the proposed use in either the residential portion or non-residential portion of the building would not create interface problems with uses within the other portion of the building. The building designs for physical segregation include the provision of separate access/entrance/lift lobbies/staircases and any other appropriate means;

- (d) adequate parking and loading/unloading spaces should be provided in accordance with the relevant standards in the HKPSG for the various uses proposed within the development; and
- (e) all other statutory and non-statutory requirements of relevant government departments including fire safety and building safety requirements must also be met.

5. Background

- 5.1 With the Shenzhen Bay Bridge and the HSWRL connecting with Qianhai in Shenzhen under planning, the HSK/HT NDA, together with the existing Yuen Long and Tin Shui Wai New Towns, the Yuen Long South NDA under development, and the Lau Fau Shan/Tsim Bei Tsui/Pak Nai areas under planning, collectively form the High-end Professional Services and Logistics Hub of the NM. While the NDA will provide a large number of public and private housing units to address the housing shortage problem, it will also offer sites to develop financial, professional, logistics services, etc, for economic development and job creation.
- 5.2 According to the ES of the OZP and ODP, the Town Centre of the NDA is planned around the TML HSK Station, including offices, commercial facilities, various government, institution or community (GIC) facilities, PTIs and Regional Plaza (**Plans A-1 to A-2b**). Pedestrian public access are also planned within Planning Areas 28A, 30 and 32A to enhance accessibility pedestrian network and movement in the city core. In order to achieve a holistic design and to create distinct sense of place, a detailed urban design study has been conducted for the Town Centre with formulation of various urban design concepts and measures as illustrated in **Plan A-5**.
- 5.3 In view of the strategic location adjoining the planned TML HSK Station and Regional Plaza, it is desirable to develop Planning Areas 28A and 28B in a comprehensive manner incorporating the recommendations of the detailed urban design study. Future development of the sites should be governed by MLP submission, as an administrative measure under the lease, by the project proponent to ensure proper design of the development.
- 5.4 According to the ES of the ODP, to enhance the efficiency, convenience and comfort of public transport services and to elevate the overall experience of the travelling public, a TIH encompassing the TML HSK Station, the proposed HSWRL and adjacent development sites (including the Site) will be introduced in the Town Centre. Subject to detailed design, the TIH will feature both cross-boundary and local public transport services to expand the coverage of the one-hour commuting network between Hong Kong and Shenzhen, connecting the corresponding transport network in other cities of the Guangdong–Hong Kong–Macao Greater Bay Area, and better integrating Hong Kong into the overall national development. As such, an appropriate number of public car parking spaces should be provided in the Site to cater for the PnR demand for cross-boundary travel in support of the proposed HSWRL.
- 5.5 When the Secretary for Development (SDEV) adopted the ODP in August 2024, it was announced that without affecting the positioning of HSK/HT NDA, up to 20% of the non-domestic floor area of the “Commercial” (“C”) sites and “Other Specified

Uses” annotated “Commercial and Residential Development” (“OU(C&R)”)² sites on both sides of TML HSK Station under the ODP may be converted to residential use. This could be achieved through technical assessments and submission of planning applications to the Board for approval in accordance with the established mechanism.

5.6 In September 2024, the Government signed a Project Agreement with the applicant for the financing, design, construction, operation and maintenance of TML HSK Station. The project will be funded by financial contribution from the “rail-plus-property” development model in Planning Areas 28A and 28B.

5.7 The Site is currently not subject to any active planning enforcement action.

6. Previous Application

The Site does not involve any previous application.

7. Similar Application

There is no similar application within the same “OU(MU)” zone on the OZP.

8. The Site and Its Surrounding Areas (Plans A-1 to A-4b)

8.1 The Site is:

- (a) currently accessible from Yick Yuen Road leading to Castle Peak Road to its further east;
- (b) currently scattered with low-rise residential dwellings, abandoned structures, warehouses/storage uses, and vegetated and unused land for the northern portion of the Site (Planning Area 28B) while the southern portion (Planning Area 28A) is mostly paved vacant land with some vegetated and unused land intermixed with a few temporary residential dwellings and abandoned structures. Both portions are interconnected with village footpaths; and
- (c) partly to be used as works sites for the construction of the TML HSK Station and subject to the Civil Engineering and Development Department (CEDD)’s site formation and engineering infrastructure works under the Second Phase development of HSK/HT NDA.

8.2 The surrounding areas are at present mainly of a mixed rural landscape character predominated by low-rise residential buildings, parking of vehicles, vehicle repair workshops, car servicing, warehouse, logistics and open storage uses intermixed with unused land and vegetated land. A nullah and the existing TML viaduct run north-south immediately to the west of the Site. The existing village clusters of Tin Sum Tsuen are located within “Village Type Development” zone to the north of the Site.

8.3 Under the planned context of HSK/HT NDA, the Site, located to the east of the planned Town Centre, is divided into the northern and southern portions by a 15m wide ‘pedestrian street’. The Site is bounded by the planned TML HSK Station,

² The “OU(C&R)” sites on the ODP refer to the “OU(MU)” sites on the OZP.

Regional Plaza of the Town Centre and the proposed HSWRL HSK Station to its west and the planned Road L16 to its north. To the further east across the planned Road L12 are Planning Areas 27A to 27C for planned public and private housing developments with BHs ranging from 160mPD to 175mPD within “R(A)2” zone. To the further south across the planned Road L15 is Planning Area 26A planned for a Regional Government Complex with a BH of 130mPD within “Government, Institution or Community” zone.

9. Planning Intention

- 9.1 The planning intention of the “OU(MU)” zone is primarily for high-density residential development and commercial development in close proximity to the railway stations. Flexibility for the development/redevelopment/conversion of residential or other uses, or a combination of various types of compatible uses including commercial, residential, educational, cultural, recreational and entertainment uses, either vertically within a building or horizontally over a spatial area, is allowed to meet changing market needs. Physical segregation has to be provided between the non-residential and residential portions within a new/converted building to prevent non-residential uses from causing nuisance to the residents. Minor relaxation of the PR and/or BH restrictions may be considered by the Board through the planning permission system and each proposal will be considered on its individual merits.
- 9.2 The Site is also subject to the following requirements under the ES of the OZP and ODP:
- (a) terrace frontage, proposed specifically for ‘Shop and Services’ and ‘Eating Place’ uses, with a maximum BH of 5m and 10m in width along the frontage on the pedestrian street and/or Regional Plaza;
 - (b) the recommended urban design concepts and measures under the detailed urban design study;
 - (c) a PTI of GFA of about 10,000m²;
 - (d) a minimum of 50 public car parking spaces in addition to those required to promote PnR patronage;
 - (e) an appropriate number of public car parking spaces to cater for the PnR demand for cross-boundary travel in support of the proposed HSWRL;
 - (f) a TIH encompassing the TML HSK Station, the proposed HSWRL, and adjacent development sites (including the Site);
 - (g) an east-west public pedestrian access within Planning Area 28A to enhance the connectivity to the surrounding sites. Such public access will provide pedestrian connection between the Regional Plaza in the west, the PTI and Planning Area 27A in the east; and
 - (h) MLP submission, as an administrative measure under the lease, to ensure proper design of the development at Planning Areas 28A and 28B in a comprehensive manner.

10. Comments from Relevant Government Bureaux and Departments

10.1 The following government bureau and departments have been consulted and their views on the application are summarised as follows:

Policy Aspect

10.1.1 Comments of SDEV:

- (a) the Site is located within the HSK/HT NDA in the west of the New Territories. The NDA, together with the existing Yuen Long and Tin Shui Wai New Towns, the Yuen Long South NDA under development, and the Lau Fau Shan/Tsim Bei Tsui/Pak Nai areas under planning, collectively form the High-end Professional Services and Logistics Hub of the NM. Within the NDA and near the Site, the TML HSK Station is under construction targeting for commissioning in 2030, while the HSWRL connecting with Shenzhen Port and Qianhai is at investigation and design stage targeting for commissioning in 2035;
- (b) when the SDEV adopted the ODP in August 2024, it was announced that without affecting the industry positioning of the HSK/HT NDA, up to 20% of the non-domestic floor area of the “C” sites and the “OU(C&R)” sites on both sides of TML HSK Station under the ODP may be converted to residential use. This could be achieved through technical assessments and submission of planning applications to the Board for approval in accordance with the established mechanism; and
- (c) the Site is to the immediate east of TML HSK Station and is zoned “OU(C&R)” under the ODP. The application proposes to have a minor relaxation of the domestic PR restriction of the Site from 4.5 to 5 under the OZP for mixed use development, which equivalents to the above-mentioned change of 20% of the non-domestic floor area to residential use. Such a change of GFA involves 41,014m², accounting for only about 7.1% of the total GFA of the Site. It is considered that the change would not affect the industry positioning of the HSK/HT NDA. As such, subject to acceptance of the relevant technical assessments, SDEV supports the subject application from policy perspective.

Land Administration

10.1.2 Comments of the Chief Estate Surveyor/Railway Development, Lands Department (CES/RD, LandsD):

- (a) she has no comment from railway land administration point of view;
- (b) LandsD reserves comment on the proposed schematic design which would only be examined in detail during the building plan submission stage upon execution of land grant. There is no guarantee that the schematic design presented in this planning application will be acceptable under the land grant if it is so reflected in future building

plan submission(s); and

- (c) imposition of Noise Impact Assessment (NIA) requirement under the future land grant would be considered if the Director of Environmental Protection (DEP) confirms the detailed NIA could be conducted after the execution of land grant for the land-use/development under the planning application. Supposedly there would be no insurmountable problem on the noise impact or implementation of mitigation measures under this planning application. In any event, imposition of the NIA requirement through the land grant will be subject to District Land Conference's approval and the DEP's prevailing advice. If such NIA requirement is to be imposed under the future land grant conditions, DEP will be specified as the approving authority for the NIA submission.

10.1.3 Comments of the Chief Estate Surveyor/New Development Area, LandsD (CES/NDA, LandsD):

The Site is subject to active land allocations No. GLA-TM 399 to the Food and Environmental Hygiene Department for refuse collection point and No. STLA-TYL 635 to CEDD for site formation and engineering infrastructure works. The land in Planning Areas 28A and 28B falling within the scope of Cap. 28 Notices will be progressively handed over to CEDD after clearance.

Traffic

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

- (a) on the basis of the Traffic Statement submitted by the applicant, no adverse traffic impact arising from the proposed development is anticipated;
- (b) pedestrians from TML HSK Station could access Planning Areas 28A and 28B conveniently at ground level or through pedestrian footbridge connections to HSK Station. Planning Areas 28A and 28B are located at close proximity of public transport facilities, including public transport interchanges, TML, Smart and Green Mass Transit System and HSWRL; and
- (c) in light of the above, she has no comment on the application. Her detailed advisory comments are at **Appendix II**.

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

He has no adverse comment on the application from the highways maintenance viewpoint.

Environment

10.1.6 Comments of the DEP:

He has no in-principle objection to the application subject to the following:

- (a) there will be an imposition of a detailed NIA under statutory mechanism

of either as a planning condition or a land grant condition; and

- (b) the relevant air quality, noise and sewerage criteria would be met in the Site and the applicant will ensure the proper implementation of the proposed mitigation measures and good practices during the construction and operational phases.

Urban Design, Visual, Air Ventilation and Landscape

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

Based on the information provided, it is noted that the application mainly involves a proposed increase in domestic PR from 4.5 to 5. The proposed overall PR is kept unchanged and complies with the PR restriction as stipulated in the current OZP. It is noted that the proposed development has no additional visual impact to the surrounding environment as compared with an OZP compliant scheme. As such, she has no particular comment on the application from architectural and visual points of view.

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

Urban Design and Visual

- (a) the planning application only involves minor relaxation of domestic PR (from a maximum PR 4.5 to 5) for permitted mixed use development, while the total PR remains as 7 (i.e. non-domestic PR will be 2) and maximum BHs (i.e. 60mPD and 180mPD in Planning Area 28A and 180mPD in Planning Area 28B) remain unchanged as stipulated on the OZP. The proposed development is considered compatible with the planned surrounding context with high-density and high-rise commercial/ residential/government developments around the planned TML HSK Station in the Town Centre of the NDA;
- (b) according to the applicant's submission, various design measures including a setback of 60m from the western boundary of the Site in Planning Area 28A, retail terrace frontage along the Pedestrian Street and Regional Plaza, east-west pedestrian access, multi-level economic spine with elevated pedestrian walkways, other pedestrian connections (with the TML HSK Station, Regional Plaza, etc), as well as pedestrian lanes within Planning Areas 28A and 28B, etc. have been incorporated in the indicative scheme (**Drawings A-9 and A-10**);
- (c) with reference to applicant's submission: (i) considerations have been given to incorporating the relevant urban design concepts, measures and requirements which are applicable to Planning Areas 28A and 28B as indicated in the OZP, ODP, UDG as well as UDB under the detailed urban design study into the indicative scheme; (ii) the applicant will continue to ensure the urban design concepts, measures and requirements under the UDG, UDB and Sustainable Building Design Guidelines (SBDG) are respected and incorporated as far as practicable at the detailed design stage; and (iii) building disposition and height variation respecting the general directions of prevailing wind and

meeting the requirements in the SBDG with regard to building separation, building setback and provision of greenery in the OZP and ODP will be fully complied with at detailed design stage. Besides, it is noted that the submitted scheme is indicative and non-binding; and the future development of the Site will be governed by MLP submission under the lease. In view of the above, she has no particular comments on the application from the urban design perspective;

- (d) according to the submitted Visual Appraisal and photomontages (**Drawings A-11 to A-13**), there would be no significant visual impact arising from the indicative scheme as compared with the baseline scheme (i.e. OZP compliant scheme) to the selected public viewing points in the planned surrounding context of the NDA;

Air Ventilation

- (e) according to the submitted Air Ventilation Appraisal, as compared with the baseline scheme, there is no change to the total PR and maximum BHs in the indicative scheme. No significant adverse air ventilation impact is anticipated;

Landscape

- (f) the Site is situated in an area of miscellaneous rural fringe landscape character currently predominated by Small Houses, open car parking, brownfield uses and tree groups, whereas under the planned HSK/HT NDA, the Site is designated as the 'town centre east precinct' in HSK with a 'multi-level economic spine' located to the immediate east of the planned TML HSK Station. As the Site will be enclosed by "R(A)" and "C" zones in the planned HSK/HT NDA, the proposed development is considered not incompatible with the landscape character and the planned developments in the vicinity;
- (g) while existing tree groups and vegetation were observed within the Site, no existing tree information are provided in the application. Based on the clarification of the applicant, removal of trees/ vegetation would be carried out by CEDD during the site formation stage before handing over the sites to the next stage of development by other parties. The preparation and submission of Tree Preservation and Removal Proposal (TPRP) for approval should be processed by CEDD in accordance with 'DevB TC(W) No. 4/2020 – Tree Preservation';
- (h) according to the submitted Planning Statement, the indicative scheme and materials including the indicative 'landscape master plan' presented in the application are non-binding so as to ensure future design flexibility. Urban design concepts, measures and requirements under the UDG, UDB and SDBG, such as but not limited to site coverage of greenery of not less than 30% of the site area, will be followed and incorporated during the detailed design stage and governed by the landscape master plan submission under lease; and
- (i) her detailed advisory comments on the application are at **Appendix II**.

Building Matters

10.1.9 Comments of the Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD):

- (a) he has no in-principle objection under the Buildings Ordinance (BO) to the application subject to the following comments:
 - i. as the land status and width of streets abutted by the two development sites have not been demonstrated, Site Classification can only be determined according to Regulation 18A of Building (Planning) Regulations at building plan submission stage;
 - ii. the applicant's attention should be drawn to the policy on GFA concessions under Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-151 in particular the 10% overall cap on GFA concessions and, where appropriate, the Sustainable Building Design requirements under PNAP APP-152;
 - iii. PNAP APP-2, HKPSG and the advice of C for T will be referred to when determining exemption of GFA calculation for car parking spaces;
 - iv. exemption of Public Transport Terminus from GFA calculations under the BO will be considered on a case-by-case basis. The decision will be aligned with LandsD and PlanD under Joint Practice Note No. 4; and
 - v. detailed comments under the BO will be provided at the building plan submission stage; and
- (b) no building plan submission in respect of the Site has been received by his department.

Implementation Aspect

10.1.10 Comments of the Project Manager/West, CEDD (PM/W, CEDD):

- (a) he has no objection to the application;
- (b) the Site falls within the boundary of HSK/HT NDA. To ensure timely and orderly implementation, the development of HSK/HT NDA and relevant site formation and infrastructure works would be implemented in three phases, viz. First Phase development, Second Phase development and Remaining Phase development. The area concerned falls within the sites under Second Phase development of HSK/HT NDA. Please note that the Site is being handed over to CEDD via LandsD in phases starting from end 2024 for site clearance and formation works, including land decontamination and tree removal works. Detailed tree survey and revised TPRP will be prepared; and
- (c) the Site also adjoins the limit of works area for road works under Cap. 370, which also falls under Second Phase development of HSK/HT NDA. The works of the Second Phase development had commenced

progressively from mid-2024. The applicant is required to pay attention to the development programme mentioned above and liaise with this office to ensure that the proposed development would not affect the proposed works under the development of HSK/HT NDA.

Local Views

10.1.11 Comments of the District Officer/Yuen Long, Home Affairs Department (DO/YL, HAD):

- (a) he has no comment from departmental point of view; and
- (b) his office has not received any comment from the locals on the application.

10.2 The following government bureau and departments have no objection to/no adverse comment on the application. Their advisory comments, if any, are at **Appendix II**.

- (a) Secretary for Transport and Logistics (STL);
- (b) Commissioner for Northern Metropolis Railways (C for NMR), HyD;
- (c) Chief Engineer/Mainland North, Drainage Services Department;
- (d) Chief Engineer/Construction, Water Supplies Department;
- (e) Commissioner of Police;
- (f) Director of Fire Services; and
- (g) Director of Food and Environmental Hygiene.

11. Public Comment Received During Statutory Publication Period

The application was published for public inspection on 27.6.2025. During the statutory public inspection period, one public comment was received from an individual providing views regarding the need of community facilities provision in the proposed development and suggesting that 5% of the non-domestic GFA should be reserved for such purpose (**Appendix III**).

12. Planning Considerations and Assessments

12.1 The application is for minor relaxation of domestic PR restriction from 4.5 to 5 (i.e. +0.5 or +11%) for permitted mixed use development at the Site zoned “OU(MU)” on the OZP, with the overall PR of 7 and maximum BHs not exceeding the OZP restrictions for the Site. Correspondingly, the proposed non-domestic PR will be reduced from 2.5 to 2 (i.e. converting 20% of the permissible non-domestic GFA (about 41,014m²) for domestic use). When compared to the OZP restriction, there is a change in ratio of domestic to non-domestic PR from 64:36 to 71:29.

Planning Intention

- 12.2 The proposed minor relaxation of domestic PR restriction would not involve changes in the planned land uses. A combination of uses including residential, retail, office, PTI and public vehicle park is proposed, with physical segregation between residential and non-residential portions of the Site. The proposed development is in line with the planning intention of the “OU(MU)” zone for high-density residential development and commercial development in close proximity to the TML HSK Station and in compliance with the TPB PG-No. 42 while allowing flexibility for the development of a combination of various types of compatible uses to meet the changing market needs.
- 12.3 The proposed conversion of 20% of the non-domestic GFA to residential use tallies with DevB’s announcement in August 2024 as mentioned in paragraph 5.4 above. The proposed relaxation of domestic PR restriction from 4.5 to 5 (+11%) could provide additional residential units³ and such a change of GFA involves about 41,014m², accounting for only about 7.1% of the total GFA of the Site and would not affect the industry positioning of the HSK/HT NDA as High-end Professional Services and Logistics Hub. In this regard, SDEV supports the application.
- 12.4 While the Site would be granted to the applicant as property development sites under the “rail-plus-property” model, both STL and C for NMR, HyD have no objection to the application from railway development perspective.

Development Intensity and Urban Design

- 12.5 Given that the proposed minor relaxation of domestic PR restriction does not involve exceedance of the total PR restriction and the BH restrictions as stipulated in the OZP, the proposed development is considered compatible with the planned surrounding context with high-density and high-rise commercial/residential/government developments around the planned TML HSK Station in the Town Centre of the NDA.
- 12.6 As illustrated in the indicative scheme, the proposed development has incorporated various design measures including setback 60m from the western boundary of the Site in Planning Area 28A, retail terrace frontage along the ‘pedestrian street’ and Regional Plaza, east-west pedestrian access, multi-level economic spines with elevated pedestrian walkways, other pedestrian connections within the Site and to the surrounding areas and facilities, etc.. In view of the above and the considerations stated in paragraph 12.9 below, CA/ASC of ArchSD, CBS/NTW of BD and CTP/UD&L of PlanD have no adverse comment on the application from architectural, building regulation and urban design perspectives respectively.

Planning Merits

- 12.7 In addition to the requirements of a PTI and 50 public car parking spaces as stipulated in the ES of the OZP, the proposed development will incorporate additional transport facilities. These include a potential underground connection point between the proposed development and the future HSWRL HSK Station, and an additional 1,000 PnR parking spaces with a view to contributing to and enhancing the planned TIH in the Town Centre of the NDA. In this regard, C for T has no adverse comment on the proposal.

³ Compared with the OZP compliant scheme, the proposed development could provide an additional 820 flats.

Other Technical Aspects

- 12.8 Based on the indicative scheme, the applicant has conducted various technical appraisals from traffic, environment, air ventilation, visual, sewerage, drainage and water supply perspectives, and submitted a landscape master plan to demonstrate that the proposed development would not generate significant adverse impacts to the surrounding areas. Concerned government departments consulted including C for T, CHE/NTW of HyD, DEP, CTP/UD&L of PlanD, CE/MN of DSD and CE/C of WSD have no objection to or no adverse comment on the application from traffic, environment, air ventilation, drainage and water supply perspectives respectively. Regarding DEP's comment on noise impact, the applicant has committed to submit a NIA under the land grant or other statutory mechanisms. In this regard, both DEP and CES/NDA, LandsD have in general no adverse comments regarding the imposition of NIA requirement under the land grant stage. The other technical concerns of relevant departments could also be addressed in detailed design stage.

Indicative Scheme

- 12.9 It should be noted that the block layout plans for the proposed development submitted by the applicant are indicative only and solely for technical assessments purpose. Should the Committee approve the application, the approval is for application as stated in paragraph 12.1 only and the layouts of the Site do not form part of the approval. This is to allow future design flexibility at detailed design stage through MLP submission. The applicant also committed that in addition to the compliance of OZP and ODP requirements, relevant urban design concepts and measures under the detailed urban design study (**Plan A-5**) as detailed in paragraphs 1.5 and 1.6 above, and the requirements in SBDG will be incorporated as far as practicable during the detailed design stage to be governed by the MLP submission under lease.

Public Comment

- 12.10 Regarding the public comment received, while about 5% of GFA has been set aside for social welfare facilities in the public housing developments in HSK/HT NDA in accordance with the 2020 Policy Address, the existing and planned provision of major GIC facilities within this comprehensively planned NDA are generally adequate to meet the demand in accordance with the requirements of HKPSG and assessments of concerned government bureaux/departments, even with the proposed increase in domestic GFA under application.

13. Planning Department's Views

- 13.1 Based on the assessments made in paragraph 12 above and having taken into account the public comment mentioned in paragraph 11, the Planning Department has no objection to the application.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 15.8.2029, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The recommended advisory clauses are suggested at **Appendix II** for Members' reference.
- 13.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the applicant fails to demonstrate that there are sufficient justifications for the proposed minor relaxation of domestic plot ratio restriction.

14. Decision Sought

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.
- 14.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

15. Attachments

Appendix I	Application Form received on 19.6.2025
Appendix Ia	Supporting Planning Statement received on 19.6.2025
Appendix Ib	FI received on 29.7.2025
Appendix Ic	FI received on 11.8.2025
Appendix II	Recommended Advisory Clauses
Appendix III	Public Comment
Drawing A-1	Indicative Block Plan
Drawings A-2 to A-5	Section Plans
Drawings A-6 to A-7	Artist's Impressions of the Proposed Development
Drawing A-8	Landscape Master Plan
Drawing A-9	Urban Design Requirements, Concepts and Measures Plan
Drawing A-10	Multi-level Pedestrian Connections Plan
Drawings A-11 to A-13	Photomontages from Visual Appraisal
Plan A-1	Location Plan
Plans A-2a to 2b	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to 4b	Site Photos
Plan A-5	Urban Design Concepts and Measures at the Application Site

**PLANNING DEPARTMENT
AUGUST 2025**