

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-MP/384

- Applicants** : Gotland Enterprises Limited and World Capital Tenth Limited represented by Llewelyn-Davies Hong Kong Limited
- Site** : Lots 76 S.G (Part) and 76 S.H (Part) in D.D. 101 and Adjoining Government Land (GL), Mai Po, Yuen Long
- Site Area** : About 8,429m² (including GL of about 97m² or about 1.2% of the Site)
- Lease** : Yuen Long New Grant No. 401
- Plan** : Approved Mai Po and Fairview Park Outline Zoning Plan (OZP) No. S/YL-MP/8
- Zoning** : “Village Type Development” (“V”)
[subject to a maximum building height (BH) of 3 storeys (8.23m)¹]
- Application** : Proposed Social Welfare Facility (Residential Care Home for the Elderly (RCHE)), Shop and Services (Medical Clinic and Consulting Room) and Public Vehicle Park (Private Cars Only)

1. The Proposal

- 1.1 The applicants seek planning permission for proposed social welfare facility (RCHE), shop and services (medical clinic and consulting room) and public vehicle park (private cars only) at the application site (the Site), which falls within an area zoned “V” on the OZP (**Plan A-1a**). According to the Notes of the OZP for “V” zone, ‘Social Welfare Facility’, ‘Shop and Services’ (not being on the ground floor of New Territories Exempted House (NTEH)) and ‘Public Vehicle Park (excluding container vehicle)’ are Column 2 uses which require planning permission from the Board. The Site is currently vacant and paved (**Plans A-2 and A-4**).
- 1.2 According to the applicants, the proposed development, with a total plot ratio (PR) of 1.96 and total gross floor area (GFA) of 16,506m², comprises a 9-storey building (34.55mPD at the main roof) and two 3-storey buildings (15.2mPD at the main roof) over one level of basement for a proposed privately-operated RCHE with 716 bed spaces and supporting/ancillary facilities such as office, canteen, retail shop and healthcare/wellness centre; a medical clinic and consulting rooms; and a public vehicle park with 19 private car parking spaces in the basement. No part of any RCHE dormitory rooms will be located at a height more than 24m above ground floor, complying with relevant legislation and licensing requirements. The proposed medical

¹ According to the Notes for the “V” zone, the maximum BH of 3 storeys (8.23m) is not applicable to some uses specified under Column 2, which require planning permission from the Town Planning Board (the Board), including the proposed uses covered in this application.

clinic and consulting rooms will serve both the RCHE residents and the general public. Private open space of not less than 716m² with landscape area/garden and landscape pond will be provided at-grade. The Master Layout Plan with associated floor plans and sections, Landscape Master Plan (LMP) with associated landscape sections, private open space plan and photomontages for the proposed scheme submitted by the applicants are at **Drawings A-1 to A-7e**. Major development parameters of the proposed development are tabulated below:

Development Parameters	
Site Area (about)	8,429m ²
Total GFA (about)	16,506m ²
- Social Welfare Facility	15,896m ²
- Shop and Services (Medical Clinic and Consulting Room)	610m ²
Total PR (about)	1.96
- Social Welfare Facility	1.89
- Shop and Services (Medical Clinic and Consulting Room)	0.07
Maximum BH (at main roof)	
- 3-storey Blocks (mPD / absolute height)	not exceeding 15.2mPD / 10.8m
- 9-storey Block (mPD / absolute height) (both on top of one basement level)	not exceeding 34.55mPD / 30.15m
Site Coverage (about)	35%
No. of Blocks	3
No. of Beds	716
Main Floor Uses	
B/F	<ul style="list-style-type: none"> • Private Car Parking Spaces • Sewage Treatment Plant (STP) • Public Vehicle Park
G/F	<ul style="list-style-type: none"> • Loading/Unloading (L/UL) Bays • Bicycle Parking Spaces • Entrance Lobby and General Office • Ancillary Shop and Canteen
1/F	<ul style="list-style-type: none"> • RCHE Rooms • Healthcare/Wellness Centre
2/F	<ul style="list-style-type: none"> • RCHE Rooms • General Office • Footbridges connecting 3 Blocks
3/F to 7/F	<ul style="list-style-type: none"> • RCHE Rooms
8/F	<ul style="list-style-type: none"> • RCHE General Office • RCHE Kitchen and Laundry • Medical Clinic and Consulting Rooms
Private Open Space	Not less than 716m ²
Greening Ratio	Not less than 20%
Transport Facilities	
Private Car Parking Spaces (basement)	76 (including 2 disabled parking spaces)
- Social Welfare Facility	48
- Medical Clinic and Consulting Room	9
- Public Vehicle Park	19
Lay-by and L/UL Bays (at-grade)	8
- Taxi / Private Car Lay-by	3
- Ambulance Lay-by	1

Development Parameters	
- Non-emergency Medical Transportation Bay	2
- Refuse Collection Vehicles Bay	1
- Parking / L/UL Bay	1
Bicycle Parking Spaces (at-grade)	20
Anticipated Completion Year	2028

- 1.3 In support of the application, the applicants have submitted a Supporting Planning Statement (SPS) with technical assessments including Traffic Impact Assessment (TIA), Ecological Impact Assessment (EcoIA), Landscape Design and Tree Preservation Proposal (LD&TPP), Visual Impact Assessment (VIA), Environmental Assessment (EA), Drainage Impact Assessment (DIA), Sewerage Impact Assessment (SIA) and Water Supply Impact Assessment (WSIA).

Transport and Traffic

- 1.4 The Site is accessible from Tam Kon Chau Road leading to Castle Peak Road – Mai Po, with a proposed ingress/egress at the south-western part of the Site which is so located with a view to minimising traffic disruption along Castle Peak Road (**Drawings A-2b and A-8**). According to the submitted TIA, to mitigate the potential traffic impact, it is proposed to widen a short section of Tam Kon Chau Road to allow 2-way 2-lane access from Castle Peak Road – Mai Po to the Site and a pedestrian crossing will be provided to the further south of the Site to facilitate road crossing to nearby bus stops (**Drawings A-13**). From a wider perspective, a sensitivity test has been conducted to demonstrate that the traffic trips generated by the proposed development which will be of a relatively small scale will not impose adverse impact on the planned development of San Tin Technopole (the Technopole). Taking into account the proposed improvement works to be carried out by the applicants, the TIA concludes that all key junctions and surrounding road links will operate with adequate capacity in the design year (i.e. year 2031) with the proposed development in place.
- 1.5 Private car parking spaces and L/UL spaces will be provided for the proposed development based on operational needs. In addition, a public vehicle park with 19 private car parking spaces is proposed to serve the surrounding areas/developments, including the ‘Visitor Zone’ of the planned Sam Po Shue Wetland Conservation Park (SPS WCP) to its north as well as the planned Agriculture, Fisheries and Conservation Department (AFCD)’s WCP Management Office to its east (**Drawing A-14**). Besides, the TIA concludes that the existing public transport services in the area would have sufficient capacity to cater for the additional demand arising from the proposed development.

Ecology

- 1.6 The Site falls within the wetland buffer area (WBA) and directly abuts the wetland conservation area (WCA) of the Deep Bay Area under Town Planning Guidelines No. 12C on ‘Development within the Deep Bay Area under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 12C) (**Plan A-1a**). The Habitat Map of the submitted EcoIA (**Drawing A-9**) reveals that the Site only comprises developed areas which are of very low ecological value, and the potential ecological impact due to the loss of habitat within the Site is considered insignificant and no wetland habitat at the Site will be directly impacted by the proposed development.

- 1.7 The Site is located in the vicinity of the Mai Po Village Egrettry (MPVE) and the Mai Po Egrettry Site of Specific Scientific Interest (MPE SSSI) to its south-east, the associated birds' flight paths to its north-east, and the planned SPS WCP to its north (**Plan A-1a**). According to the submitted EcoIA, the principles of avoidance and minimisation have been adopted during the formulation of the proposed development scheme and the associated mitigation measures. In order to avoid direct impact on the MPVE, all five trees within the MPVE (with one of which located within the Site) will not be affected by the proposed development (**Drawing A-8**). Besides, a group of new heavy standard trees of native common species will be planted before removal of the existing trees within the Site (details at paragraph 1.10 below) to minimise potential indirect impact and disturbance to the adjacent habitat at the MPVE (**Drawing A-4**). A building free zone with a width of about 18m setting back entirely from the periphery of trees of the MPVE is also proposed (**Drawing A-8**). While the submitted EcoIA reveals that only limited portion of birds' flight paths would fly across the Site, a height restriction zone with only low-rise buildings below 15m at the north-eastern portion of the Site is proposed in order to preserve the air space and minimise the disturbance to the bird's flight paths recorded in the ardeid flight zone to an acceptable level (**Drawings A-8 and A-10 to A-12**). A landscape pond with native wetland planting to serve as a buffer from the WCA is also proposed at the northern part of the Site aligning with the bird's flight paths (**Drawings A-4 and A-8**). Besides, the applicants note that the Site directly abuts the WCA and the proposed 'Visitor Zone' of SPS WCP in its north (**Drawing A-14**). In this regard, building setback with a width of about 10m along the entire north-western boundary of the Site from the planned SPS WCP with buffer planting of heavy standard native trees is proposed (**Drawings A-4 and A-8**).
- 1.8 Apart from the above, the applicants also propose mitigation measures during construction phase, such as establishment of a 100m-radius work restriction zone from the MPVE during the breeding season from March to late-September; installation of site hoarding and adoption of good site practice including using quieter piling methods and avoiding direct floodlights on ecologically sensitive area; and continuous site monitoring and auditing exercise. Sensitive building design features including internal blinds, window film and shades will also be adopted for the proposed development in order to address the potential light and glare impacts on the surrounding habitats during the operational phase. With the above mitigation measures, the submitted EcoIA concludes that no significant adverse ecological impact arising from the proposed development is anticipated.

Visual and Landscape

- 1.9 A VIA has been conducted to assess the visual impact of the proposed development (**Drawings A-7a to A-7e**). According to the VIA, the overall visual impact of the proposed development is considered to be largely slightly adverse, and the proposed development will blend in well with the future developments at the Technopole. Various design measures proposed, such as stepped BH within the Site, building setback from surrounding areas and provision of periphery planting, will create visual buffers and soften the building edge of the proposed development (**Drawing A-8**). In particular, a main portion of the Site is of lower BH, with building blocks of three storeys (or 15.2mPD at main roof) only at its north-eastern portion, in order to minimise the impacts on the birds' flight paths while the taller building block of nine storeys will be located in the south-western portion facing the existing village settlements of Mai Po Tsuen. According to the applicants, the said setback and greening/planting will help soften the visual bulk of the proposed development.

- 1.10 According to the submitted LD&TPP, a total of 36 trees (including 21 within the Site and 15 outside the Site) have been surveyed. Amongst which, one within the Site and 12 outside the Site, including five of the adjacent MPEV, will be retained, while 20 within the Site and 3 outside the Site will be felled. 76 new trees of heavy standard (including 46 of native species) will be planted within the Site for compensation purpose and to help address the potential impact on the surrounding habitats as mentioned in paragraph 1.7 above (**Drawings A-4 and A-8**). No registered old and valuable trees are found within the Site. A private open space of not less than 716m² will be provided (**Drawing A-6**), and an overall greening ratio of not less than 20% will be achieved. According to the LMP (**Drawing A-4**), a variety of landscape amenities, including elderly fitness area, pavilion and sitting area, as well as landscape pond and tree buffer planting zone are proposed at the Site.

Environment, Sewerage, Drainage and Water Supply

- 1.11 The air quality, noise, water quality, waste management and land contamination aspects of the proposed development have been assessed in the submitted EA, and no adverse impacts are anticipated. On air quality aspect, building setbacks of 5m and 10m are proposed from Tam Kon Chau Road and Castle Peak Road – San Tin respectively as buffer areas. No air-sensitive use, including openable window and fresh air intake will be located at the buffer areas. In this regard, no adverse air quality impact due to vehicular emission is anticipated. Besides, the on-site STP will be located in the basement with deodorizers, and its exhaust point will be located away from air sensitive receivers, no adverse odour impact on the proposed development and surrounding areas is expected. As for noise aspect, apart from building setbacks from surrounding public roads, mitigation measures such as installation of acoustic windows and fixed glazing on the proposed development; siting of noise tolerant uses such as staircases and toilets at areas with no openable windows facing public roads; and installation of acoustic silencer and enclosure for the on-site STP have been incorporated into the proposed development. Hence, adverse noise impact on the proposed development is not anticipated. During its construction and operation phases, the applicants also commit to complying with relevant environmental related legislation, and adopting good site practices to avoid nuisances to the surrounding areas.
- 1.12 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 STP (**Drawing A-2a**) in the basement is proposed to process the sewage generated by the proposed development, and the treated effluent would be used for toilet flushing and irrigation for landscaped areas within the Site. On drainage aspect, surface runoff generated from the Site would be discharged into an existing pipe, which has enough capacity to cater for the additional surface runoff generated from the proposed development. The submitted WSIA also demonstrates that the future freshwater demand of the proposed development is considered minor, and therefore no adverse water supply impact is anticipated.
- 1.13 In support of the application, the applicants have submitted the following documents:
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|-----|---|------------------------|
| (a) | Application Form with attachments received on 24.12.2024 | (Appendix I) |
| (b) | Further Information (FI) received on 10.4.2025 [#] | (Appendix Ia) |
| (c) | FI received on 18.6.2025 [#] | (Appendix Ib) |
| (d) | FI received on 5.8.2025 and 6.8.2025 [*] | (Appendix Ic) |
- [#]not exempted from publication and recounting requirements
^{*}exempted from publication and recounting requirements

- 1.14 On 14.2.2025 and 6.6.2025, the Committee of the Board agreed to the applicants' request to defer making a decision on the application for two months each.

2. Justifications from the Applicants

The justifications put forth by the applicants in support of the application are detailed in the Application Form and FIs at **Appendices I to Ic**. They can be summarised as follows:

- (a) The proposed RCHE with smart technologies such as intelligence robots would increase its quality and operational efficiency, and would be in line with the Government's vision to develop the Technopole as an innovation and technology (I&T) hub. It is also in line with the Government's policy to enhance the quality of RCHEs in the territory.
- (b) Incorporating the proposed private RCHE, medical clinic, consulting rooms and public vehicle park within one single development is in line with the "Single Site, Multiple Use" initiative promoted by the Government, and to better utilize land resources.
- (c) The Site does not fall within any village "environ" ('VE'), and therefore the proposed development would not jeopardise the Small House (SH) supply in the subject "V" zone.
- (d) With the tentative completion year of 2028, the proposed development will be in line and compatible with the Phase 1 development of Technopole, which is tentatively to be completed by 2031. The proposed development could contribute to addressing the shortfall in RCHE beds and provide employment opportunities in the area.
- (e) The proposed development has been carefully formulated to satisfy the requirements under TPB PG-No. 12C, and would not cause net increase in pollution to the Deep Bay Area. It could also act as a buffer between the planned I&T uses, villages and wetlands, enabling a smooth transition from an existing rural setting to a planned urbanised setting in the Technopole.
- (f) Various technical assessments demonstrate that the proposed development would not cause adverse landscape, visual, traffic, ecological, drainage, sewerage and water supply impacts on the surrounding areas. Various mitigation measures have also been proposed to further mitigate the potential impacts on the surrounding areas.

3. Compliance with the "Owner's Consent/Notification" Requirements

The applicants are the sole 'current land owners' 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. Town Planning Board Guidelines

The Site is located within the WBA of the Deep Bay Area (**Plan A-1a**). The TPB PG-No. 12C is relevant to the application. Relevant extracts of the above-mentioned Guideline are attached at **Appendix II**.

5. **Background**

- 5.1 The Technopole located at the immediate north-east of the Site will become a modern new development area with I&T development and a liveable environment. 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.
- 5.2 Besides, the Government has been adhering to the vision of ‘Co-existence of Development and Conservation’ in planning the development of Technopole. To promote conservation in the Northern Metropolis and compensate for the ecological loss arising from the development at Technopole, the SPS WCP has been proposed for proactive conservation. The planned SPS WCP will be established in phases, with Phase 1 expected to commence in 2026/2027 and the earliest for completion in 2031. The entire SPS WCP is scheduled for completion by 2039, to align with the estimated time for full operation of the Technopole.
- 5.3 According to the Report of the ‘Strategic Feasibility Study on the Development of Wetland Conservation Parks System under the Northern Metropolis Development Strategy’ published by AFCD in October 2024, the proposed ‘Visitor Zone’ of the planned SPS WCP will be located at its eastern fringe, which will be close to developed and non-ecologically sensitive areas, and will include a visitor centre with facilities such as outdoor classrooms, shops and restaurants, etc. for enriching visitor experiences. Besides, the proposed AFCD’s WCP Management Office, which will be connected with the said ‘Visitor Zone’, is intended to serve as a visitor access point and starting point of nature trails of the planned SPS WCP (**Drawing A-14**).
- 5.4 The Site is not subject to any current planning enforcement action.

6. **Previous Applications**

The Site is involved in four previous applications (No. A/DPA/YL-ST/4 and 25, and A/DPA/YL-MP/31 and 66) which were all submitted by different applicants. Except application No. A/YL-MP/66 for temporary public car park which was approved by the Committee in 2000, all other three previous applications for residential developments were rejected by the Committee or the Board on review between 1993 and 1994. As these previous applications involved different uses, they are considered not relevant to the current application. Details of the previous applications are summarised in **Appendix III** and their locations are shown on **Plan A-1b**.

7. **Similar Application**

There is no similar application for permanent development of social welfare facility, shop and services and/or public vehicle park within the same “V” zone in the past five years.

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

8.1 The Site is:

- (a) currently vacant and paved, which is accessible from Tam Kon Chau Road leading to Castle Peak Road – Mai Po;
- (b) located at the fringe of the “V” zone of Mai Po Tsuen but does not fall within the ‘VE’ of this recognised village within the subject “V” zone; and
- (c) within the WBA and directly abuts the WCA of the Deep Bay Area.

8.2 The surrounding areas have the following characteristics:

- (a) currently rural in character and predominated by low-rise village settlements, brownfield uses and ponds;
- (b) to its north and north-west are the planned SPS WCP, with its proposed ‘Visitor Zone’ immediate adjoining the Site;
- (c) to its north-east and east are the Technopole development, including the planned AFCD’s WCP Management Office at the “Government, Institution or Community(1)” zone with a BH restriction of two storeys, and the future I&T developments at the “Other Specified Uses” annotated “I&T” (“OU(I&T)”) zones with BH restrictions from 15mPD up to 105mPD on the San Tin Technopole OZP; and
- (d) to its south are the existing village settlements at Mai Po Tsuen, MPVE, with MPE SSSI to the further south-east across Castle Peak Road – Mai Po.

9. Planning Intention

The planning intention of the “V” zone is to reflect existing recognized and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of SHs by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of an NTEH. Other commercial, community and recreational uses may be permitted on application to the Board.

10. Comments from Relevant Government Departments

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

Provision of Social Welfare Facilities

10.1.1 Comments from the Director of Social Welfare (DSW):

no objection to the application as the proposed private/self-financing RCHE could serve to provide the elderly with residential care needs in the district with more choices in the market.

Land Administration

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

- (a) no adverse comment on the application;
- (b) the Site involves private lots Nos. 76 S.G and 76 S.H both in D.D. 101 which are old scheduled agricultural lots held under Block Government Lease, and a strip of GL;
- (c) the area of the Site is about 8,429m². The actual Site area, Site boundary and lease details etc. of the Site involved will be subject to survey and verification at the stage of land exchange, if applicable;
- (d) the Site falls within “V” zone, which is primarily reserved for development of NTEH by indigenous villagers under the New Territories SH policy. The applicants should be reminded that every application submitted to LandsD will be considered on its own merit by LandsD at its absolute discretion acting in its capacity as a landlord and there is no guarantee that the land exchange application will eventually be approved by LandsD. If the application for land exchange is approved by LandsD, it will be subject to such terms and conditions as may be imposed by LandsD at its absolute discretion, including payment of premium and administrative fee;
- (e) in the event that the planning application for the proposal is approved by the Board, the applicants are reminded that they should obtain the necessary policy support for the proposal and apply to LandsD for land exchange to implement the proposal, subject to the preceding paragraph above; and
- (f) advisory comments are at **Appendix IV**.

Urban Design, Visual and Landscape

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

Urban Design and Visual

- (a) no comment on the application from urban design and visual perspective;

- (b) the proposed development comprises a 9-storey block (about 34.55mPD) and two 3-storey blocks (about 15.2mPD) above one level of basement, and with a PR of 1.96. The Site is located within the “V” zone. To the east of the Site are the MPVE and the MPE SSSI and to the west of the Site is planned SPS WCP. The scale of the proposed development is considered not incompatible with the planned development in the Technopole in the further north (i.e. area zoned “OU(I&T)” with a maximum BH up to 105mPD) and existing village settlements to the south of the Site (**Plan A-1a**); and
- (c) according to the VIA submitted by the applicants, the rating of visual impact due to the proposed development ranges from negligible to slightly adverse among the selected viewpoints. It is noted that the applicants have proposed design measures to enhance the visual amenity and permeability, such as setback of 18m for passive recreation and green space away from the MPVE and the MPE SSSI and setback of 10-12m with buffer planting away from the proposed SPS WCP. Peripheral planting is also proposed to act as visual buffer and soften the building edge (**Drawing A-8**).

Landscape

- (d) no adverse comment on the application from landscape planning perspective;
- (e) based on the aerial photo in 2024, the Site is located in a rural coastal plains landscape character comprising of ponds, open storage, temporary structures, and scattered tree groups. The proposed development is generally not incompatible with the surrounding landscape character;
- (f) according to the SPS, the Site is currently vacant and paved. Based on the submitted LD&TPP, 36 existing trees are surveyed within and in close proximity of the Site. 23 trees (including invasive species) are proposed to be felled and 13 trees (including one Tree of Particular Interest) are proposed to be retained. To compensate the loss of trees, 76 new trees are proposed within Site and the compensation ratio to the tree lost in term of quantity is 1:3.8, which is more than 1:1. Landscape provision such as grand lawn, buffer planting, etc. are provided to mitigate the landscape impact arising from the proposed development (**Drawing A-4**). Significant adverse landscape impact on existing landscape resource is not anticipated; and
- (g) advisory comments are at **Appendix IV**.

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

no comment on the application from architectural and visual impact perspectives, as the proposed development would have little visual impact on

the existing surrounding environment according to the photomontages submitted by the applicants (**Drawings A-7a to A-7e**).

Nature Conservation

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

- (a) no objection to the application from nature conservation perspective and no adverse comment on the revised EcoIA submitted by the applicants;
- (b) based on the revised EcoIA, the Site, though falling within the WBA, only comprises developed areas of very low ecological value (**Drawing A-9**). There is no loss in wetland area due to the proposed development. While the Site abuts MPVE, SPS WCP and WCA, relevant mitigation measures have been proposed to minimise its potential impacts (**Drawing A-8**). For MPVE and associated birds' flight paths, measures including preservation of existing trees of MPVE that were observed with nests of breeding ardeids at/near the Site, planting of new trees of native common species before removal of the affected existing trees adjoining the MPVE at the Site, designation of a building free zone separating the buildings from the MPVE, designation of a height restriction zone with only low-rise buildings for preservation of air space for birds' flight paths have been proposed to mitigate the potential impacts. Besides, buffer has also been provided from the adjoining SPS WCP and WCA to the north of the Site with buffer planting of heavy standard native trees and a landscape pond. Other mitigation measures such as establishment of a work restriction zone from MPVE during ardeid breeding season, adoption of good site practices and avoidance of direct floodlight on the ecologically sensitive area have also been proposed to mitigate any adverse impacts during the construction and operation of the proposed development; and
- (c) should the application be approved, an approval condition on the submission of a revised EcoIA and the implementation of the mitigation measures identified therein should be imposed.

Traffic

10.1.6 Comments from Commissioner for Transport (C for T):

- (a) no in-principle objection to the application from traffic engineering perspective; and
- (b) advisory comments are at **Appendix IV**.

10.1.7 Comments from Chief Highways Engineer/New Territories West, Highways Department (CHE/NTW, HyD):

- (a) no in-principle objection to the application from highways maintenance point of view; and

- (b) advisory comments are at **Appendix IV**.

Environment

10.1.8 Comments from the Director of Environmental Protection (DEP):

- (a) no comment on the revised EA and SIA under the application;
- (b) should the planning application be approved, approval conditions requiring the submission and implementation of a revised Noise Impact Assessment and revised SIA should be imposed; and
- (c) advisory comments are at **Appendix IV**.

Drainage

10.1.9 Comments from the Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD):

- (a) no objection to the planning application;
- (b) should the planning application be approved, an approval condition requiring the submission of a revised DIA should be imposed; and
- (c) advisory comments are at **Appendix IV**.

Building Matters

10.1.10 Comments from the Chief Building Surveyor/New Territories West, Buildings Department:

- (a) no objection to the application;
- (b) not in the position to offer comment on the suitability for the use proposed in the application as there is no record of approval granted by the Building Authority (BA) for the existing structures at the Site;
- (c) it is noted that a 9-storey tower and two 3-storey towers of RCHE over a basement carpark are proposed. Before any new building works (including containers/open sheds as temporary buildings, demolition and land filling, etc.) are to be carried out on the Site, prior approval and consent of the BA should be obtained, otherwise they are unauthorised building works under the Buildings Ordinance (BO). An Authorised Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO; and
- (d) advisory comments are at **Appendix IV**.

10.2 The following departments have no objection to/ no comment on the application:

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) Director of Fire Services;
- (c) Director of Food and Environmental Hygiene;

- (d) Director of Leisure and Cultural Services;
- (e) Chief Engineer/Railway Development 1-1, Railway Development Office, HyD;
- (f) Director of Electrical and Mechanical Services;
- (g) Project Manager (West), Civil Engineering and Development Department (CEDD);
- (h) Project Manager (North), CEDD;
- (i) Head (Geotechnical Engineering Office), CEDD;
- (j) Commissioner of Police; and
- (k) District Officer (Yuen Long), Home Affairs Department.

11. Public Comments Received During Statutory Publication Periods

The application was published for public inspection on 7.1.2025, 22.4.2025 and 27.6.2025. During the statutory public inspection periods, a total of 108 public comments were received, with 49 supporting, 46 objecting to and 13 providing views on the application. Full set of public comments is at **Appendices Va to Vc**. Their major views are summarised as follows:

Supporting Comments (Appendix Va)

11.1 The supporting comments from individuals are summarised as follows:

- (a) the proposed RCHE with supporting facilities could meet the demand for RCHE and demonstrates effective use of scarce land resources as promoted by the Government's "Single Site, Multiple Uses" initiative;
- (b) the provision of high-quality and high-tech RCHE could promote age-friendly development within the society by providing quality elderly care and residential services to integrate with future Technopole development;
- (c) the implementation of high-tech elderly care services and facilities is in line with the national initiatives for the elderly to enhance the elderly care service system during the 14th Five-Year Plan period (2021-2025) and Policy Address that encourages the use of technology for the elderly;
- (d) the proposed development could promote silver economy, creating employment opportunities and diversifying the business sectors in the area; and
- (e) the proposed development is compatible with the surrounding, as there are no adverse impacts identified from the technical assessments, and adequate mitigation measures have been proposed.

Objecting Comments (Appendix Vb)

11.2 The objecting comments, including those from the village representative of Mai Po Tsuen, World Wide Fund for Nature Hong Kong, Hong Kong Bird Watching Society, Conservancy Association, Designing Hong Kong Limited and individuals, are summarised as follows:

- (a) the proposed BH is incompatible with the surrounding areas and would block the egrets' flight paths even with the designated height restriction zone;

- (b) the proposed development would induce adverse traffic, visual, noise, drainage and ecological impacts on the nearby habitats including those of the adjacent MPVE and SPS WCP; and
- (c) the proposed development is not in line with the TPB PG-No. 12C, and approval of the application will set undesirable precedent in the Deep Bay Area; and
- (d) the Site is located within the boundary of Mai Po Tsuen and any land for SH developments within the village should be preserved.

Providing Views (Appendix Vc)

11.3 Comments providing views, including those from Kadoorie Farm and Botanic Garden Corporation and individuals, are summarised as follows:

- (a) the Board should liaise with relevant authorities as to i) whether the egret flyline survey in the EcoIA is adequate, ii) whether the proposed development would significantly affect the birds' flight path, and iii) whether the proposed development is in line with the planning intention of the "V" zone;
- (b) the proposed development would deviate from the sustainable development of Hong Kong, and the Site should not be used for housing development; and
- (c) natural habitats for the birds in Mai Po should be preserved, and balance between the needs of the elderly and nature conservation should be achieved

12. Planning Considerations and Assessments

12.1 The application is for the proposed social welfare facility (RCHE), shop and services (medical clinic and consulting room) and public vehicle park (for private cars only) at the Site zoned "V" (**Plan A-1a**). The proposed development with a total PR of 1.96 and a total GFA of 16,506m² comprises one 9-storey building of 34.55mPD (at main roof) and two 3-storey buildings of 15.2mPD (at main roof) over one level of basement in support of a proposed privately-operated RCHE with 716 bed places and supporting/ ancillary facilities, as well as a medical clinic and consulting rooms, together with a public vehicle park of 19 private car parking spaces at the basement.

Planning Intention

12.2 The Site falls within the "V" zone of Mai Po Tsuen which is primarily intended for development of SHs by indigenous villagers. Other commercial, community and recreational uses may be permitted on application to the Board. The Site, which is largely owned by the applicants (i.e. about 98.8% of the Site area), does not fall within any 'VE' of the recognized village within the subject "V" zone (**Plan A-1a**). According to DLO/YL of LandsD, there are currently 33 outstanding SH applications for Mai Po Tsuen², whereas based on the latest estimation of PlanD, about 3.9 ha (which is equivalent to 155 SH sites) of land is available within the subject "V" zone excluding the Site, which is sufficient to meet the outstanding SHs application of Mai Po Tsuen.

² Whilst the 10-year SH demand forecast is 150, the Board since August 2015 has formally adopted a more cautious approach in considering whether there is a general shortage of land in meeting SH demand, more weighting has been put on the number of outstanding SH applications provided by LandsD.

While the proposed development is not entirely in line with the planning intention of the “V” zone, according to the applicants, it could contribute to addressing the shortfall in RCHE beds and provide employment opportunities in the area and better utilise the land resources with the integration of RCHE, clinic and public vehicle park. DSW has no objection to the proposed private RCHE which could provide the elderly with residential care needs in the area with more choices in the market.

Land Use Compatibility and Building Height

- 12.3 While the surrounding areas of the Site are currently rural in character and mainly predominated by low-rise village settlements and brownfield uses, the area will experience changing planning circumstances brought about by the development of Technopole and planned SPS WCP both tentatively to be fully completed by 2039. The Site is located amongst the existing village settlements with a maximum BH of three storeys in the Mai Po area to its south, the future I&T developments of the Technopole with a maximum BH from 15mPD to 105mPD to its north and north-east, and the planned SPS WCP and its ‘Visitor Zone’ to its north and north-west (**Plan A-1a**). The proposed development which comprises mainly RCHE is considered not incompatible with the existing context and the future planned developments in the surrounding areas of the Site. Besides, the stepped BH profile of the proposed development of three storeys to nine storeys (or 15.2mPD to 34.55mPD at main roof) (**Drawing A-1**) from north-east to south-west is considered not out of keeping with the existing and planned BH profile of the neighbourhood, and may form a gradual transition between the future high-rise and high-density developments at the Technopole and the existing low-rise low-density village settlements and wetlands (**Plan A-1a**). CTP/UD&L of PlanD indicates that the scale of the proposed development is considered not incompatible with the surrounding planned and existing development context.

Ecological Aspect

- 12.4 The Site is located within the WBA and directly abuts the WCA of Deep Bay Area under TPB PG-No. 12C, and is in vicinity of the MPVE and MPE SSSI, as well as the planned SPS WCP. The WBA is intended to protect the ecological integrity of the fish ponds and wetland within the WCA and prevent development that would have a negative off-site disturbance impact on the ecological value of fish ponds.
- 12.5 Based on the submitted EcoIA, the Site mainly consists of developed areas of very low ecological value, and no wetland habitat is located at the Site. In order to mitigate the potential ecological impacts on the surrounding areas, the applicants have adopted the principles of avoidance and minimization during the formulation of the proposed development scheme and the associated mitigation measures, including preservation of five trees within the MPVE (with one of which located within the Site) and planting of proposed compensatory tress of native common species before removal of affected existing trees adjoining the MPVE at the Site, as well as designation of a building free zone of about 18m from the periphery of the Site adjoining MPVE and MPE SSSI in order to minimise the potential impact (**Drawing A-8**). On the limited number of birds’ flight paths across the Site identified in the EcoIA, a height restriction zone with only low-rise buildings below 15m at the north-eastern portion of the Site is proposed to preserve the air space and minimise the disturbance to an acceptable level (**Drawings A-10 to A-12**). To provide adequate buffer from the SPS WCP and the WCA directly abutting the Site in the north, the applicants propose a building setback of about 10m along the entire north-western boundary of the Site with buffer planting of heavy

standard trees. A landscape pond with native wetland planting at the north-eastern part of the Site is also proposed (**Drawing A-8**). Other mitigation measures as detailed under paragraph 1.8, including the establishment of a work restriction zone from MPVE during breeding season; adoption of good site practices; avoidance of direct floodlights on ecologically sensitive area; installation of internal blinds, windows film and shades at the proposed RCHE, etc., have also been proposed during the construction and operational phases of the proposed development to further minimise the potential ecological and glare impacts. Taking into account the ecological value of the Site, as well as the proposed mitigation measures to mitigate the potential ecological impact on the MPVE and its associated birds' flight paths as well as the planned SPS WCP, DAFC has no objection to the application and recommends approval condition on the submission of a revised EcoIA and implementation of the mitigation measures identified therein in paragraph 13.2 below. In this regard, the proposed development is considered generally in line with the TPB PG-No. 12C.

Visual and Landscape Aspects

- 12.6 The submitted VIA concludes that the overall visual impact arising from the proposed development is considered to be largely slightly adverse. With the implementation of proposed mitigation measures, including stepped BH, building setbacks and periphery planting, CTP/UD&L of PlanD has no adverse comment on the application from urban design and visual perspectives. On landscape aspect, a total of 36 trees (including 21 within the Site and 15 outside the Site) have been surveyed. Amongst which, one within the Site and 12 outside the Site, including five of the adjacent MPEV, will be retained. 76 new trees (including 46 native plant species) of heavy standard will be planted within the Site for compensation and serve as a buffer with the surrounding areas. Private open space of not less than 716m² will be provided within the Site (**Drawing A-6**) whereas a greening ratio of not less than 20% will be achieved. In this regard, CTP/UD&L of PlanD has no adverse comment on the application from landscape planning perspective.

Traffic and Transport Aspects

- 12.7 On top of the private car parking spaces for the proposed RCHE, the applicants propose a public vehicle park with 19 private car parking spaces to serve the surrounding developments/areas including the proposed 'Visitor Zone' of SPS WCP as well as the AFCD's WCP Management Office. According to the submitted TIA, various improvement works have been proposed as mentioned in paragraphs 1.4 and 1.5 above, including widening a short section of Tam Kon Chau Road and provision of a pedestrian crossing at Castle Peak Road – Mai Po (**Drawing A-13**). Besides, the applicants have carried out a sensitivity test to demonstrate that the proposed development of a relatively small scale would not impose impact on the Technopole. Taking into account the proposed improvement works to be carried by the applicants, the TIA concludes that all key junctions and surrounding road links will operate with adequate capacity with the proposed development in place. 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

- 12.8 The applicants have conducted various technical assessments to demonstrate that the proposed development would not impose adverse impacts on the surrounding areas. On the environmental aspect, various mitigation measures as mentioned in paragraph 1.11,

including setbacks from public roads; installations of acoustic windows; siting of noise tolerant uses with no openable windows facing public roads, etc., have been incorporated in the proposed development to minimise the potential air quality and noise impacts to the surrounding areas. On sewerage aspect, the on-site STP at the basement would process the sewage generated by the proposed development and the treated effluent would be used for toilet flushing and irrigation for the landscaped areas within the Site. During the construction and operation phases of the proposed development, relevant legislation and good site practices would also be adhered to by the applicants to avoid nuisance to the surrounding. Relevant government departments including DEP, CE/MN of DSD, D of FS and CE/C of WSD have no objection to or no adverse comment on the application, and their technical requirements could be addressed by imposing relevant approval conditions as recommended in paragraph 13.2 below should the application be approved.

Public Comments

- 12.9 Regarding the public comments as stated in paragraph 11 above, the planning considerations and departmental comments above are relevant.

13. Planning Department's Views

- 13.1 Based on the assessments made in paragraph 12 above and having taken into account the public comments mentioned in paragraph 11 above, PlanD 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 following conditions of approval and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the submission of a revised Ecological Impact Assessment and the implementation of the mitigation measures identified therein to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the Town Planning Board;
- (b) the submission of a revised Drainage Impact Assessment to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (c) the submission and implementation of a revised Sewerage Impact Assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
- (d) the submission and implementation of a Noise Impact Assessment to the satisfaction of the Director of Environmental Protection or of the Town Planning Board.

Advisory clauses

The recommended advisory clauses are at **Appendix IV**.

- 13.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

the proposed development is not in line with the planning intention of the "Village Type Development" zone which is primarily for development of Small Houses by indigenous villagers. There is no strong planning justification in the submission for a departure from the planning intention.

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 applicants.

15. Attachments

Appendix I	Application Form with attachments received on 24.12.2024
Appendix Ia to Ic	FIs received on 10.4.2025, 18.6.2025, 5.8.2025 and 6.8.2025
Appendix II	Relevant extracts of TPB PG-No. 12C
Appendix III	Previous Applications
Appendix IV	Recommended Advisory Clauses
Appendix Va	Public Comments (supporting)
Appendix Vb	Public Comments (objecting)
Appendix Vc	Public Comments (providing views)
Drawing A-1	Indicative Master Layout Plan
Drawing A-2a to 2j	Indicative Floor Plans
Drawing A-3	Indicative Section Plan
Drawing A-4	Indicative Landscape Plan
Drawings A-5a and 5b	Landscape Section Plans
Drawing A-6	Indicative Private Open Space Plan
Drawings A-7a to A-7e	Photomontages
Drawing A-8	Proposed Design Features
Drawing A-9	Habitat Map
Drawing A-10	Ardeid Flight Zone recorded within the Site
Drawing A-11	Recorded Flight Lines of Mai Po Village Egret and the Site
Drawing A-12	Proposed Height Restriction Zone
Drawing A-13	Proposed Access Arrangement and Additional Crossing
Drawing A-14	Application Site and the adjacent proposed Visitor Zone of planned Sam Po Shue Wetland Conservation Park
Plans A-1a to 1-b	Location Plan and Previous Application Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos