

**APPLICATION FOR PERMISSION**  
**UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/NE-KTS/565**

<b><u>Applicant</u></b>	:	Hinying Limited represented by Llewelyn-Davies Hong Kong Limited
<b><u>Site</u></b>	:	Lots 1027, 1029, 1030, 1034A, 1034B, 1039 (Part), 1040, 1042 RP, 1043 RP, 1044 RP (Part), 1045, 1047, 2233 (Part), 2251 S.A RP, 2256 RP, 2315 (Part) and 2316 RP (Part) in D.D. 92 and Adjoining Government Land (GL) (new Lot to be known as Lot 2644 in D.D. 92), Kwu Tung South, Sheung Shui, New Territories
<b><u>Site Area</u></b>	:	19,591m <sup>2</sup> (about) (including about 5,272m <sup>2</sup> of GL, about 27%)
<b><u>Lease</u></b>	:	Block Government Lease (demised for agricultural purposes)
<b><u>Plan</u></b>	:	Approved Kwu Tung South Outline Zoning Plan (OZP) No. S/NE-KTS/22
<b><u>Zonings</u></b>	:	“Comprehensive Development Area (3)” (“CDA(3)”) <i>[restricted to a maximum plot ratio (PR) of 2 and a maximum building height (BH) of 70mPD]</i>
<b><u>Application</u></b>	:	Proposed Residential Development with Minor Relaxation of PR Restriction

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed residential development with minor relaxation of PR restriction from 2 to 2.012 (+0.012 or +0.6%) (the proposed development) at the application site (the Site), which falls within an area zoned “CDA(3)” subject to a maximum PR of 2 and a maximum BH of 70mPD on the OZP (**Plan A-1**). According to the Notes of the OZP for the “CDA(3)” zone, ‘Flat’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board), and the applicant for permission for development on land designated “CDA” shall prepare a Master Layout Plan (MLP) for the approval of the Board. Based on the individual merits of a development or redevelopment proposal, minor relaxation of PR restriction may be considered by the Board on application.

- 1.2 The Site is elongated in shape and is currently fenced-off, vacant and mostly covered by weeds with some trees at the periphery and a small portion paved at the north. It is the subject of a previous s.12A application (No. Y/NE-KTS/15) to rezone the application site from “CDA”, “Agriculture” (“AGR”) and area shown as ‘Road’ to “Residential (Group B)” with a maximum PR of 2 and a maximum BH of 70mPD for proposed residential development, which was partially agreed by the Rural and New Town Planning Committee (the Committee) of the Board on 28.10.2022. The Site was subsequently rezoned to “CDA(3)” on the draft Kwu Tung South OZP No. S/NE-KTS/19, subject to a maximum PR of 2 and a maximum BH of 70mPD, to take forward the Committee’s decision (details at paragraph 5 below).
- 1.3 As compared with the notional scheme under the abovementioned s.12A application (the Notional Scheme), the proposed development under the current application (the Proposed Scheme) involves minor relaxation of PR from 2.0 to 2.012 due to reduction in site area upon rationalisation of site boundary<sup>1</sup> with the same development intensity in terms of Gross Floor Area (GFA) as proposed under the partially-agreed s.12A application. The Proposed Scheme has also taken into account the Committee’s comments and concerns on ecological and environmental aspects of the proposed development in considering the said s.12A application, and the requirements subsequently incorporated in the Explanatory Statement (ES) of the OZP (as detailed in paragraph 9.2 below), including (i) enhancement to the tree buffer zone abutting the existing meander and planting areas along River Beas by planting more trees (**Drawing A-12**); (ii) revision to the building form and disposition to increase the setback of residential towers from River Beas (**Drawing A-10**); (iii) widening of building gaps to facilitate wind penetration (**Drawing A-11**); (iv) relocation of the outdoor swimming pool further away from the meander and incorporation of measures to minimise potential disturbance and glare impact / light pollution to the areas around the meander (**Drawing A-13**); and (v) conducting an updated EcoIA to support the current application. Details are set out in paragraphs 1.7 to 1.11 below.
- 1.4 According to the Proposed Scheme submitted by the applicant (**Drawing A-1**), the proposed development comprises three residential towers of 16 storeys on top of a common basement level, with a BH of not more than 70mPD and a maximum PR of 2.012 based on the current site area (with a maximum GFA of not more than 39,400m<sup>2</sup> which is the same as the Notion Scheme). About 1,062 flats will be provided with an anticipated population of about 2,868. The proposed development is expected to be completed in 2032. A comparison of the major development parameters of the Notional Scheme and the Proposed Scheme is as follows:

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<sup>1</sup> As compared with the site boundary under the Notional Scheme, some existing features and part of a private lot have been excluded upon review and site survey, including a portion of Lot No. 998RP (about 42.7m<sup>2</sup>) not under the ownership of the applicant; part of the retaining wall at the existing nullah to the north of the Site (about 26m<sup>2</sup>); an existing refuse collection point near the southern tip of the Site (about 9.6m<sup>2</sup>); an existing catchpit/u-channel at the southern tip of the Site (about 12.2m<sup>2</sup>); and an existing maintenance footpath at the southern tip of the Site (about 18.7m<sup>2</sup>) (**Drawing A-9**).

	<b>Notional Scheme under partially- agreed s.12A Application No. Y/NE-KTS/15</b>	<b>Proposed Scheme under current application</b>	<b>Changes</b>
Site Area	About 19,700m <sup>2</sup>	About 19,591m <sup>2</sup>	-109m <sup>2</sup> (-0.55%)
Maximum PR	Not more than 2	Not more than 2.012	+0.012 (+0.6%)
Total GFA <sup>#</sup>	Not more than 39,400m <sup>2</sup>	Not more than 39,400m <sup>2</sup>	No change
BH (main roof level)	67.75mPD to 70mPD	Not more than 70mPD	No change in overall BH
Number of Storeys <sup>^</sup>	15 to 16 storeys over 1 level of basement carpark	Not more than 16 over 1 level of basement carpark	No change in overall BH
Number of Blocks	6	Not more than 3	-3 (-50%)
Number of Unit	About 909	About 1,062	+153 (+16.83%)
Average Unit Size	About 43m <sup>2</sup>	About 37.1m <sup>2</sup>	-5.9m <sup>2</sup> (-13.72%)
Anticipated Population <sup>+</sup>	About 2,455	About 2,868	+413 (+16.82%)
Private Open Space	Not less than 2,455m <sup>2</sup>	Not less than 2,868m <sup>2</sup>	+413m <sup>2</sup> (+16.82%)
Parking Facilities			
- Private Car Parking Spaces	138	171	+33 (+23.91%)
- Motorcycle Parking Spaces	10	11	+1 (+10%)
- Bicycle Parking Spaces	59	71	+12 (+20.34%)
- Loading/ Unloading bays for residential development	6	3	-3 (-50%)

<sup>^</sup> Excluding transfer plate.

<sup>#</sup> The residents' clubhouse GFA is about 4.5% of the domestic GFA of the proposed development and is exempted from PR calculation.

<sup>+</sup> Assuming a person-per-flat ratio of 2.7.

- 1.5 The MLP, floor plans, section plans, Landscape Master Plan (LMP) and photomontages of the Proposed Scheme submitted by the applicant are at **Drawings A-1 to A-5** and **Drawings A-8a to A-8f** respectively.

- 1.6 In support of the planning application, the applicant has submitted supplementary planning statement (SPS) and technical assessments (**Appendix Ia**) including Traffic Impact Assessment (TIA), LMP and Tree Survey and Preservation Proposal (TSPP), Air Ventilation Assessment (Expert Evaluation) (AVA-EE), Environmental Assessment (EA), Ecological Impact Assessment (EcoIA), Drainage Impact Assessment (DIA), Sewerage Impact Assessment (SIA), Water Supply Impact Assessment (WSIA) and Quantitative Risk Assessment (QRA).

#### Development Layout

- 1.7 As mentioned in paragraph 1.4 above, the applicant has reviewed the building form and disposition of the proposed development in response to the Committee's concerns and the requirements set out in the ES of the OZP. Under the Proposed Scheme, three slimmer towers with a uniform height of 70mPD are proposed and located in the eastern part of the Site, which allows the width of setback of residential towers from River Beas be increased from a range of about 15m to 65m under the Notional Scheme to a range of about 25m to 70m (**Drawing A-10**).

#### Visual and Air Ventilation

- 1.8 Despite an increase of BH of Tower T3 (from 67.75mPD to 70mPD), there is no increase in the overall maximum BH of the development, which conforms with the maximum BH as stipulated in the OZP for the subject "CDA(3)" zone (i.e. 70mPD). Besides, while the slimmer building design will result in longer north-south running facades fronting Hang Tau Road, two east-west building gaps will be provided to enhance visual permeability. To address the Committee's concerns, the width of one of the building gaps is widened from 15m to 20m while the width of another one is maintained as 25m (**Drawing A-11**). A 3m-wide landscape strip with peripheral planting along Hang Tau Road and tree buffer zone of 4m to 8m-wide along the meander and planting areas of River Beas (**Drawing A-12**) will also help enhance the visual amenity of the proposed development. The applicant has submitted photomontages which illustrate that the visual impact brought by the Proposed Scheme is comparable to that under the Notional Scheme, and that the proposed development is acceptable in visual terms (**Drawings A-8a to A-8f**).
- 1.9 A quantitative AVA was previously conducted for the Notional Scheme which concluded that the proposed development would not induce a significant impact to the nearby areas in air ventilation terms. In support of the application, a qualitative AVA-EE is conducted for the Proposed Scheme which demonstrates that the overall ventilation performance of the Notional Scheme and Proposed Scheme are comparable. The proposed building gaps, with one of which widened under the Proposed Scheme, will also facilitate wind penetration through the Site (**Drawing A-11**).

### Landscape and Tree Preservation

- 1.10 According to the submitted LMP (**Drawing A-5**) and TSPP, among the 275 existing trees within the Site, 11 would be retained, two would be transplanted and 239 (including 23 dead trees) would be felled. A total of 261 new heavy standard trees would be planted for compensation, achieving a replanting ratio of more than 1:1 in terms of quantity. As compared with the LMP under the Notional Scheme, 22 additional trees will be planted. The tree buffer zone along the existing meander and planting areas at River Beas has also been enhanced by widening from 4m to a range of 4m to 8m with an additional row of trees (**Drawing A-12**). Also, the 3m-wide landscape strip with peripheral planting along Hang Tau Road as committed under the Notional Scheme is maintained (**Drawing A-15**). Not less than 20% greenery coverage will be provided and a total of not less than 2,868 m<sup>2</sup> private open space will be provided to serve the future residents (**Drawing A-6**).

### Ecological and Environment

- 1.11 While the Site has long been zoned for residential development, it abuts the mitigation woodland (i.e. which was referred as 'mitigation planting' in the submission) currently maintained by Agriculture, Fisheries and Conservation Department (AFCD) on the west (under the Rural Drainage Rehabilitation Scheme for River Beas), two pieces of existing planting areas located at the northern and southern parts of the Site will be affected by the proposed development (**Drawing A-7**). In response to the Members' concerns and the requirements set out in the ES of the OZP (details at paragraph 9.2 below), an EcoIA has been conducted to support the application, which indicates that no mitigation measures are required as the direct impact due to habitat loss within the Site is considered minor. The applicant also proposes, at his own cost, to use his land immediately outside the Site, with a compensation ratio of 1:1 in terms of area, and adjoining strips of GL as compensatory planting areas (**Drawing A-7** and **Plan A-2a**), which would be provided to the satisfaction of AFCD for their future management and maintenance. Apart from tree planting, shrubs will also be planted in the compensatory planting areas between trees to create a densely vegetated habitat and provide shelter for local fauna. The tree buffer zone is also proposed to be enhanced with an additional row of trees and increased width to 4m to 8m with selected native species of trees and shrubs so as to achieve continuity of the habitats along River Beas and integration with the compensatory planting areas. To minimise the potential glare impact/light pollution on the habitat, the outdoor swimming pool is proposed to be located further away from the existing meander, external flood light and lightings will be minimised and the lighting for security and safety will be directed inwards on buildings within the Site or facing towards ground.

- 1.12 According to the EA, with the adoption of the proposed noise mitigation measures including the use of acoustic window and enhanced acoustic balcony, the proposed development will not be subject to traffic noise impact. Also, since all residential towers have been setback from Kwu Tung Road and Kam Hang Road for at least 5m, which meets the recommended minimum buffer distance of the vehicular emission in the HKPSG, the Proposed Scheme would not result in adverse air quality impact.

#### Traffic and Transport

- 1.13 The Site is accessible via the existing Hang Tau Road along the eastern boundary (**Drawing A-1 and Plan A-2a**). Traffic improvement measures committed under the Notional Scheme are maintained in the Proposed Scheme, which include (i) the widening of the existing Hang Tau Road into a 7.3m-wide carriageway with 2m-wide footpath abutting the Site; (ii) provision of a Green Minibus (GMB) lay-by with queuing area along Hang Tau Road; and (iii) provision of a cautionary pedestrian crossing on Hang Tau Road to enhance the public transport and pedestrian accessibility (**Drawing A-1**). Supplementary traffic signs and road markings on both directions will also be provided at Hang Tau Road to alert motorists on the proposed pedestrian crossing. According to the submitted TIA, an additional on-street GMB layby is proposed at the Site along Hang Tau Road for the short-working route of GMB Route No. 50K (Hang Tau Road – Sheung Shui MTR Station).

#### Other Technical Aspects

- 1.14 According to the submitted SIA, the upgraded capacity of Shek Wu Hui Sewage Treatment Works is expected to be commissioned before or by the time of population intake of the proposed development. A connection sewer is proposed to discharge sewage from the proposed development to the existing public sewer along Hang Tau Road and Kam Hang Road. The SIA indicates that with the proposed works, no insurmountable sewerage impact from the proposed development is anticipated.
- 1.15 According to the submitted DIA, runoffs from the Site would be collected by future internal drainage and discharged into the existing drainage channel outlet along the southern end of Kwu Tung Road embankment to Sheung Yue River. The DIA indicates that the proposed development would be acceptable from drainage perspective.
- 1.16 According to the submitted WSIA, the proposed development is located within the supply zone of Kwu Tung Fresh Water Service Reservoir (KTFWSR). The water demands of the proposed development can be catered by the KTFWSR. The WSIA indicates that the proposed development is considered technically feasible from water supply point of view.

- 1.17 A QRA has been carried out to assess the risks posed by the high-pressure town gas pipeline (HPTGP) along Kwu Tung South, which demonstrates that both individual and societal risks associated with the existing HPTGP are in compliance with the Hong Kong Risk Guidelines and hence no mitigation measures are required.
- 1.18 In support of the application, the applicant has submitted the following documents:
- (a) Application form received on 9.9.2025 (Appendix I)
  - (b) Consolidated SPS received on 30.1.2026<sup>2</sup> (Appendix Ia)
- 1.19 On 7.11.2025, the Committee agreed to the applicant's request to defer making a decision on the application for two months.

## 2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the application form and Consolidated SPS at **Appendices I and Ia** and can be summarised as follows:

- (a) The Proposed Scheme is in line with the prevailing policy on enhancing housing and land supply and the latest planning of the Northern Metropolis. The Proposed Scheme will provide about 1,062 housing units, which can help meet the acute demand for private housing. The fully secured land ownership of the Site warrants timely implementation of the proposed residential development.
- (b) The Proposed Scheme complies with the planning intention of "CDA" and its development parameters generally conform to the restrictions under the OZP. The proposed minor relaxation of PR restriction is the resultant from a reduced site area upon rationalisation of site boundary mainly to exclude some existing features and private lot not under the applicant's ownership to avoid potential management and maintenance issues in future. There is no change to the maximum GFA as per the Notional Scheme and there is no increase in the development bulk of the proposed development, which was already approved by the Board during its consideration of the s.12A application in 2022. The resultant increase in PR of 0.012 (0.6%) is immaterial and insignificant in magnitude.
- (c) The applicant proactively responds to previous comments from the Board under application No. Y/NE-KTS/15 when formulating the Proposed Scheme where design merits have been incorporated for enhancement. The committed planning gains under the Notional Scheme are also maintained in the Proposed Scheme.

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<sup>2</sup> SPS received on 9.9.2025 as well as Further Information (FI) received on 8 & 11.12.2025\* were superseded and are attached at **Appendices Ib and Ic**.

\* accepted but not exempted from publication and recounting requirements.

- (d) The proposed development scale is compatible with the surroundings. The BH increase of one storey at Tower T3, which results in a uniform BH of 70mPD for the entire development, is inevitable so as to accommodate slimmer building design to maximise setback from River Beas while maintaining the same GFA as in the Notional Scheme. The increase of PR restriction was to accommodate the same GFA within a smaller area and the proposed PR is still much lower than that of other approved developments in close vicinity of the Site.
- (e) Relevant technical assessments have been conducted which demonstrate that the Proposed Scheme is technically feasible in terms of landscape, traffic, visual, air ventilation, environmental, ecological, drainage, sewerage, water supply and risk aspects.

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

The applicant is the sole “current land owner” of the private lots in the Site. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion of the Site (about 27% of the Site), 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) is not applicable.

### **4. Town Planning Board Guidelines**

The Site falls within the “CDA(3)” zone. The Town Planning Board Guidelines for “Submission of Master Layout Plan under section 4A(2) of the Town Planning Ordinance” (TPB PG-No. 18B) is applicable to this application. The main points are summarised as follows:

- (a) all applications for permission in area zoned as “CDA” should be in the form of MLP and supported by other relevant information whilst the format and details of the MLP submission are set out in the guidelines; and
- (b) any subsequently revised MLPs to incorporate the relevant approval conditions imposed by the Board or any proposed amendments to the scheme approved by the Board should also be deposited as soon as practicable. Upon completion of the development, the final version of an approved MLP should be deposited in the Land Registry for public inspection.

### **5. Background**

- 5.1 A s.12A application (No. Y/NE-KTS/15) was submitted by the same applicant of the subject application to rezone the application site from “CDA” (with maximum PR of 0.4, maximum site coverage (SC) of 25% and maximum BH of



3 storeys including car park), “AGR” and an area shown as ‘Road’ to “Residential (Group B)” (“R(B)”) with a maximum PR of 2 and a maximum BH of 70mPD. On 28.10.2022, while generally having no objection to the proposed residential development and agreeing to the proposed development parameters (i.e. PR of 2 and BH of 70mPD), the Committee considered that the zoning of the Site should remain as “CDA”, instead of “R(B)” as proposed by the applicant, such that the Board could scrutinise the future development, in particular the ecological impacts, through the submission of planning application with MLP.

5.2 To take forward the Board’s decision, the application site was rezoned to “CDA(3)”, subject to a maximum PR of 2 and maximum BH of 70mPD, which is the same as those proposed under s.12A application No. Y/NE-KTS/15 (i.e. the Notional Scheme). Relevant amendments to the ES were also made to incorporate the requirements to minimise the potential adverse impacts and disturbance on the meander of River Beas and its wildlife habitat. The “CDA” zoning was retained so as to facilitate appropriate planning control over the proposed development at the Site. According to the Notes of the OZP for “CDA(3)” zone, the project proponent is required to submit a s.16 planning application with a MLP and technical assessments to substantiate its technical feasibility to the satisfaction of concerned departments.

5.3 The Site is not subject to any active enforcement action.

## **6. Previous Applications**

6.1 The Site is involved in two previous s.12A applications and two s.16 applications submitted by the current applicant (**Plan A-1**).

### S.12A applications

6.2 On 23.9.2011, the Committee agreed to the applicant’s s.12A application (No. Y/NE-KTS/3) for rezoning the application site from “AGR” to “Other Specified Uses” annotated “Rural Uses” (“OU(RU)”) or “CDA” for a proposed low-rise and low-density residential development with 34 houses with maximum PR of 0.4 and maximum BH of 3 storeys including carport. The application site was subsequently rezoned to “CDA” in 2013. As mentioned in paragraph 5 above, the Site is subject to another s.12A application (No. Y/NE-KTS/15).

### S.16 applications

6.3 On 22.5.2015, the Committee approved with conditions a s.16 Application (No. A/NE-KTS/364) for proposed residential development with 33 houses with PR of 0.4 and BH of 3 storeys, and the validity of application was subsequently extended to 22.5.2023. In the course of processing the land exchange in relation to the approved development, parcels of GL of about 3,580m<sup>2</sup> mostly within the “CDA” zone but outside the development site is proposed to be included in the

development for better utilisation of land resources and rationalisation of boundary. Subsequently, the applicant has submitted another s.16 application (No. A/NE-KTS/484) for amending the approved scheme under s.16 application No. A/NE-KTS/364 to facilitate a proposed residential development with 37 houses, with the same PR and BH to include the aforesaid GL for development with corresponding increase in GFA. The application was approved by the Committee on 5.2.2021.

- 6.4 Details of the previous applications are summarised at **Appendix II** and their locations are shown on **Plan A-1**.

## **7. Similar Applications**

- 7.1 There are two similar s.16 applications for proposed residential development at two “CDA” sites in the vicinity in the past five years.

### A “CDA” site to the northeast of the Site

- 7.2 Application No. A/NE-KTS/506 for the proposed comprehensive residential development with commercial and social welfare facilities and minor relaxation of PR (from 3 to 3.059, +1.97%) and BH restrictions was approved with conditions by the Committee in 2022 mainly on the grounds that the development was in line with the planning intention of the “CDA(1)” zone and the proposed development will not create adverse air ventilation, traffic, landscape and environmental impacts.

### A “CDA” site to the further southwest of the Site at Hang Tau Tai Po

- 7.3 Application No. A/NE-KTS/465 for the proposed house development (39 three-storey houses) with minor relaxation of PR (from 0.4 to 0.48, i.e. +20%) and SC restriction (from 20% to 22%, i.e. +2%) was approved with conditions by the Committee in 2019 mainly on the grounds that the development was in line with the planning intention of the “CDA” zone, compatible with the surrounding areas and there is no adverse environmental, ecological, sewerage, drainage, landscape and visual impacts on the surrounding areas. A s.12A application (No. Y/NE-KTS/13) was subsequently submitted by the applicant to sub-divide the site into two sub-areas and increase the development intensity by relaxing the maximum PR from 0.4 to 1.23 and 1.41 and maximum BH from 3 storeys to 6-8 storeys. The application was agreed by the Committee on 10.12.2021. The proposed amendments submitted under the said s.12A application were subsequently incorporated into the draft Kwu Tung South OZP No. S/NE-KTS/19 in 2023.
- 7.4 Details of these applications are summarized at **Appendix III** and their locations are shown on **Plan A-1**.

**8. The Site and Its Surrounding Areas (Plans A-2a and A-2b, aerial photo on Plan A-3 and site photos on Plan A-4)**

**8.1 The Site is:**

- (a) elongated in shape, currently vacant and fenced-off;
- (b) accessible via Hang Tau Road;
- (c) mostly covered by weeds with some trees at the periphery. A small portion at the north has been paved; and
- (d) two pieces of existing mitigation planting under the Rural Drainage Rehabilitation Scheme for River Beas maintained by AFCD are located at the northern and southern part of the Site.

8.2 The surrounding areas are rural in character and predominated by fallow agricultural land, low-rise and low-density residential developments (including private residential development Casas Domingo (PR 0.43) located within the adjacent “Residential (Group C)1” (“R(C)1”) zone, Shui Ming Villa and some residential dwellings at area zoned “Recreation” (“REC”) to the east of the Site across Hang Tau Road, Valais (PR 0.4) at the “R(C)2” zone across the Sheung Yue River, as well as abandoned meander and mitigation planting to the west of the Site. The Hong Kong Girl Guides Association Jockey Club Beas River Lodge is located to the further south. To the further north across Fanling Highway is the Kwu Tung North New Development Area (KTN NDA). The Site is also located in the vicinity of several sites which have been rezoned/having obtained planning approval for residential development with PR ranging from 2.4 to 3.059<sup>3</sup>.

**9. Planning Intention**

- 9.1 The planning intention of the “CDA” zone is for comprehensive development of the area for residential uses with the provision of open space and other supporting facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.
- 9.2 As stated in the ES of the OZP, the western boundary of the “CDA(3)” site encroaches upon a mitigation woodland and wetland currently maintained by AFCD under the Rural Drainage Rehabilitation Scheme for River Beas. Any development at the site should not adversely affect the ecological, amenity and

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<sup>3</sup> Including an area zoned “R(B)” to the east of the Site, subject to a maximum PR and BH of 2.4 and 72mPD respectively; an area zoned “CDA(2)” to the northeast of the Site, subject to a maximum PR and BH of 3 and 75mPD respectively; and an area zoned “CDA(1)” to the further east, subject to a maximum PR and BH of 3.059 and 21 storeys (81.5mPD) respectively under s.16 application No. A/NE-KTS/506.

landscape value of the mitigation woodland and wetland. If the development would unavoidably affect the existing mitigation woodland and wetland, the applicant should also submit technical assessment(s) including EcoIA and/or compensatory proposal(s) with implementation arrangements such as tree buffer and appropriate blocking layout to minimise the disturbance to the neighbouring habitat. The Site abuts Hang Tau Road and is subject to traffic noise impacts and potential vehicular emissions impact as well as other constraints such as inadequate drainage and sewerage facilities.

## **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:

### **Land Administration**

10.1.1 Comments of the Chief Estate Surveyor/Land Supply, Lands Department (CES/LS, LandsD):

- (a) no objection to the application;
- (b) the Site comprises 17 private lots (or parts thereof) and adjoining GL;
- (c) his office is handling a proposed land exchange application (new lot to be known as Lot No. 2644 in D.D. 92) to implement the subject proposed residential development under the parallel processing arrangement. However, there is no guarantee that the said application, including the granting of any GL, will be approved. Such application will be dealt with by LandsD acting in the capacity of the landlord at LandsD's discretion; and if it is approved, will be subject to such terms and conditions including among others, the payment of premium and administrative fee as may be imposed by LandsD; and
- (d) a minor portion of the GL near the southeastern boundary is occupied by temporary structures which is surveyed squatter structures. Granting of the relevant GL under the proposed land exchange application (if so approved), would be subject to the appropriate clearance procedures.

### **Traffic**

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

- (a) no objection to the application; and

- (b) should the application be approved, a condition requiring the developer to temporarily open up the turnaround cum one lay-by for pick-up/drop off only within the Site for GMB operation during peak hours until the permanent turnaround facilities to be provided in the other development are implemented is recommended.

10.1.3 Comments of the Chief Highway Engineer/New Territories East, Highway Department (CHE/NTE, HyD):

- (a) no comment on the application and the TIA from highways maintenance point of view; and
- (b) advisory comments are at **Appendix IV**.

**Environment**

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

- (a) no objection to the application from environmental planning perspective;
- (b) the applicant should be required to submit a revised NIA and the implementation of noise mitigation identified therein, and to submit a revised SIA and the implementation of sewage treatment and disposal measures identified therein; and
- (c) advisory comments are at **Appendix IV**.

**Sewerage**

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

- (a) no objection to the application;
- (b) the applicant shall implement the sewerage connections at his own cost and resources according to the approved design of relevant approval condition; and
- (c) should the Board approve the application, a condition requiring the design and provision of the sewerage connections from the proposed development to the public sewerage system is recommended.

### **Drainage**

#### 10.1.6 Comments of CE/MN, DSD:

- (a) no objection to the application;
- (b) the applicant shall implement the drainage connections at his own cost and resources according to the approved design of relevant approval condition; and
- (c) should the Board approve the application, a condition requiring the submission of a revised DIA with detailed drainage design including the proposed drainage diversion works and the implementation of the drainage proposal and drainage connection works identified therein is recommended.

### **Water Supply**

#### 10.1.7 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):

- (a) no objection to the application;
- (b) should the Board approve the application, a condition requiring the submission of a revised WSIA is recommended; and
- (c) advisory comments are at **Appendix IV**

### **Urban Design and Visual**

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

##### Urban Design and Visual

- (a) no adverse comment on the application from urban design and visual perspectives;
- (b) the current submission involves minor relaxation of PR restriction from 2 to 2.012 due to refined application site boundary while maintaining the same GFA of 39,400m<sup>2</sup>. As compared to the Notional Scheme, the applicant has proposed following design merits to refine layout under the current submission: (i) consolidating the original six towers to three towers in order to achieve further setback from the western site boundary facing Sheung Yue River from 15m - 65m to 25m - 70m; (ii) widening of building gaps from 15m/25m to 20m/25m;

(iii) widening of tree buffer zone from 4m to 4m - 8m along western site boundary; and (iv) maintaining a 3m-wide landscape strip with peripheral planting along eastern site boundary. It is noted that the proposed BH does not exceed the restriction as permitted under OZP;

#### Air Ventilation

- (c) taking into account the scale of the proposed development (with site area of not more than 2 hectare and overall PR of not more than 5), it is considered that significant adverse air ventilation impact due to the proposed development on the proposed pedestrian wind environment is not anticipated;

#### Landscape

- (d) no adverse comment on the application and the proposed LMP;
- (e) with reference to the aerial photo of November 2024, the Site is located in an area of rural fringe character dominated by low-rise residential developments, village house, river channel, temporary structures, farmlands, and scattered tree groups. Comparing the aerial photos of November 2024 and March 2022, there is no significant change to landscape character of the Site and the surrounding area. The proposed minor relaxation of PR restriction is considered not entirely incompatible with the landscape setting in the proximity;
- (f) with reference to site photos taken on 16.9.2025, the Site is vacant. Trees and vegetation are observed mainly scattered within and along the peripheries of the Site. In comparison with the Notional Scheme, there is no significant change to the Proposed Scheme. With reference to the TSPP of the submission, the total no. of trees surveyed (i.e. 275), to be transplanted (i.e. 2) and to be felled (i.e. 239) remain unchanged, the no. of trees to be retained increased (i.e. from 10 to 11), the nos. of dead trees to be felled reduced (i.e. from 24 to 23), and the new trees to be planted increased (i.e. from 239 to 261). No Old and Valuable Trees or trees with high conservation value are identified within the Site;
- (g) the existing planting area (EPA) and compensatory planting area arrangements were agreed upon by AFCD and approved by Board in previous planning applications; and (ii) trees no. 74, 75, 77 to 81 within the EPA will remain unaffected. It is noted that not less than 2,868m<sup>2</sup> open space is proposed for the anticipated

population of 2,868 as shown on the Open Space Demarcation Plan (**Drawing A-6**); and

(h) advisory comments are at **Appendix IV**.

### **Nature Conservation**

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

No comment on the application from nature conservation point of view. Should the Board approve the application, a condition requiring the submission of an updated proposal of compensatory planting areas (including detailed setting out of compensatory planting areas) prior to commencement of site formation works and the implementation of the compensatory planting areas identified therein is recommended.

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

- (a) Director of Electrical and Mechanical Services (DEMS);
- (b) Chief Building Surveyor/New Territories West, Buildings Department;
- (c) Project Manager (North), Civil Engineering and Development Department;
- (d) Chief Architect/Advisory & Statutory Compliance Division, Architectural Services Department (CA/ASC, ArchSD);
- (e) Director of Fire Services (D of FS);
- (f) District Officer/North, Home Affairs Department; and
- (g) Commissioner of Police.

## **11. Public Comments**

11.1 On 16.9.2025, the application was published for public inspection. During the statutory public inspection period, a total of 38 public comments were received, including 31 supporting comments from individuals (**Appendix Va**); five objecting comments including one from the Indigenous Inhabitant Representative (IIR) of Hang Tau, one jointly submitted by the IIR of Hang Tau and an individual, and three from two individuals (**Appendix Vb**); one from Hong Kong and China Gas Company Limited providing views on the proposal (**Appendix Vc**); and one from a North District Council member indicating no comment on the application (**Appendix Vd**). The comments received are summarised as follows:



**Supporting Comments (Appendix Va)**

- (a) the proposed development can increase housing supply to meet the rising housing demand and increase job opportunities, which is in line with the Northern Metropolis Development Strategy;
- (b) the proposed development would bring about traffic improvement in Hang Tau Road and provide public transport services for the benefit of residents and the local community;
- (c) the landscape design with two rows of trees along the western boundary can act as buffer between the residential development and River Beas, which would bring about pleasant living environment with greening opportunities;
- (d) the proposed development is compatible with the surrounding environment. It is technically feasible and will not cause adverse impact from sewerage, water supply, landscape, environment, air ventilation, ecology and risk management point of view;
- (e) the proposed religious institution can serve the community in Fanling. As it is located within a shopping mall, it is in nature a non-domestic use and is compatible to the surrounding environment<sup>4</sup>;

**Objecting Comments (Appendix Vb)**

- (f) the proposed BH is too high and the proposed development is incompatible with the surrounding environment comprising mainly low-rise developments which are rural in nature;
- (g) the development will induce traffic impacts and worsen the traffic congestion problem at Hang Tau Road;
- (h) as there are already a lot of large-scale high density developments in the nearby KTN NDA, this piece of land could be used to provide more facilities to serve the community, creating a more balanced development in the Northern part of the New Territories and achieving better urban-rural integration;
- (i) there is a lack of community benefit. The proposed plantation of an additional row of tree will not provide the conditions compatible with a healthy ecosystem; and

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<sup>4</sup> This public comment is irrelevant to this application.

### Providing Views (Appendix Vc)

- (j) as the proposed development is located in the close vicinity of a HPTGP at Kwu Tung Road, the applicant should conduct a QRA, consult the Hong Kong and China Gas Company Limited at design stage, closely coordinate with them at the construction stage and provide protective measures.

## **12. Planning Considerations and Assessments**

- 12.1 The application is for a proposed residential development with minor relaxation of PR restriction from 2 to 2.012 (+0.012 or +0.6%) at the Site zoned “CDA(3)” on the OZP (**Plan A-1**). The proposed development with a maximum PR of 2.012 and a maximum BH of 70mPD comprises three residential towers of not more than 16 storeys on top of a common basement for carpark and will provide 1,062 flats.

### Planning Intention

- 12.2 The planning intention of the “CDA” zone is for comprehensive development/redevelopment of the area for residential uses with the provision of open space and other supporting facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints. As mentioned in paragraph 5 above, the subject “CDA(3)” zone was designated to take forward the Committee’s earlier decision to partially agree to a s.12A application (No. Y/NE-KTS/15) for proposed residential development, for which the proposed development intensity (i.e. PR of 2 and BH of 70mPD) was generally agreed while the zoning of the Site was retained as “CDA” such that the Committee’s concerns and comments could be addressed through submission of planning application with a MLP. The proposed development for residential use is generally in line with the planning intention of the “CDA” zone.

### Minor Relaxation of PR Restriction

- 12.3 According to the Notes of the OZP, minor relaxation of the PR and/or BH restrictions may be considered by the Board based on individual merits of the proposal. According to the applicant, the proposed minor relaxation of PR restriction from 2 to 2.012 (+0.012/0.6%) is a result of rationalisation of site boundary mainly to exclude part of a private lot not under the ownership of the applicant and some existing features to avoid potential management and maintenance issues in future in relation to the proposed development, and to maintain the total GFA in the Notional Scheme (i.e. not more than 39,400m<sup>2</sup>) under the partially-agreed application No. Y/NE-KTS/15). The resultant PR

increase is negligible in magnitude, and there is no increase in development intensity in terms of GFA for the Site.

#### Development Scheme and Planning Merits

- 12.4 As compared with the Notional Scheme, the Proposed Scheme has incorporated changes in the development layout mainly to respond to the Committee's concerns and the requirements set out in the ES of the OZP, in particular those on ecological aspects, which include (i) enhancement to the tree buffer zone abutting the meander and planting areas of the River Beas by planting an additional row of trees (i.e. two rows in total); (ii) revision to the building form and layout by consolidating six towers into three slimmer towers which will be located at the eastern part of the Site to allow wider setback (increased from 4m to a range of 4m to 8m) from the River Beas ; (iii) widening of building gaps to facilitate wind penetration; and (iv) relocation of an outdoor swimming pool further away from the meander and incorporation of measures to minimise potential disturbance and glare impact / light pollution to the areas around the meander (as detailed in paragraphs 1.7 to 1.11 above). Given the elongated site configuration of the Site, and having balanced the merit of widened setback of the residential towers from the River Beas and the visual impact of the slimmer but longer building footprints along Hang Tau Road, the applicant has demonstrated the efforts to enhance the development scheme and the proposed layout is considered not unacceptable. Besides, other planning and design merits committed under the Notional Scheme have been maintained in the Proposed Scheme, including the proposed traffic improvement measures as well as the proposed 3m-wide landscape strip with peripheral planting at the eastern boundary of the Site. In this regard, CTP/UD&L of PlanD and CA/ASC of ArchSD have no comment on the application.

#### Compatibility with the Surroundings and Visual Impact

- 12.5 While the Site is located in an area that is rural in nature with predominately low-rise and low-density developments in the vicinity, a number of sites in the close proximity have recently been rezoned for or with planning approval obtained for medium-rise and medium-density residential developments with PR ranging from 2.4 to 3.059 and BH from 72mPD to 81.5mPD (21 storeys). The proposed development with a maximum BH of 70mPD and a PR of 2.012, which conforms with the BH restriction of the subject "CDA(3)" and involves a slight increase in PR, is considered compatible with the planning context of the surrounding areas. While the slimmer building design under the Proposed Scheme will result in longer north-south running facades fronting Hang Tau Road, two east-west building gaps will be provided to enhance visual permeability, where the width of one is widened from 15m to 20m while the width of another one is maintained as 25m. A 3m-wide landscape strip with peripheral planting along Hang Tau Road and tree buffer zone of 4m to 8m-wide along the meander and planting areas of River Beas will also help enhance the visual amenity of the proposed development. The VIA submitted by the

applicant has demonstrated that the visual impact brought by the Proposed Scheme is comparable to that under the Notional Scheme, and that the proposed development is acceptable in visual terms. CTP/UD&L of PlanD has no adverse comment on the application from urban design and visual perspectives.

#### Landscape and Tree Preservation

- 12.6 According to the LMP (**Drawing A-5**) and TSPP, among the 275 existing trees within the Site, 11 trees would be retained, two would be transplanted and 239 (including 23 dead trees) would be felled. A total of 261 new heavy standard trees would be planted for compensation, achieving a replanting ratio of more than 1:1 in terms of quantity. As compared with the LMP under the Notional Scheme, an additional 22 trees will be planted. The tree buffer zone has been enhanced in the Proposed Scheme, with width expanded to 4 to 8m and planting of an additional row of trees. CTP/UD&L of PlanD has no adverse to the application from landscape planning perspective.

#### Compensatory Planting

- 12.7 To compensate for the two affected pieces of mitigation planting at the Site which are currently managed by AFCD, it was proposed that similar area of the applicant's land outside the Site, with a ratio of 1:1 in terms of area, and adjoining strips of GL would be formed as compensatory planting areas. Such areas would be provided to the satisfaction of AFCD for and be handed over to the Government for future management and maintenance. While DAFC has no comment on the application from nature conservation point of view, DAFC has requested for an approval condition requiring the applicant to submit an updated proposal of compensatory planting areas (including detailed setting out of compensatory planting areas) prior to commencement of site formation works and the implementation of the compensatory planting areas identified therein.

#### Traffic

- 12.8 As committed under the Notional Scheme, the existing Hang Tau Road would be widened to an up-to-standard road, i.e. a 7.3m-wide carriageway with a 2m-wide footpath, adjoining the eastern boundary of the Site. A pedestrian crossing at Hang Tau Road to ensure pedestrian safety and a GMB layby along Hang Tau Road will be provided. While C for T has no adverse comment on the application and the submitted TIA, since the turnaround facility of concerned GMB route (i.e. 50K) is to be implemented by another developer at a site located to the south of Hang Tau Road, C for T has requested for an approval condition requiring the applicant to open up temporarily the turnaround cum one layby for pick-up/drop-off within the Site for GMB operation during peak hours until the relevant permanent turnaround facilities committed by another developer are implemented.

### Other Technical Aspects

- 12.9 As compared with the Notional Scheme, there is an increase in no. of units from 909 to 1,062 (+153/16.83%) and an expected population from 2,455 to 2,868 (+413/16.82%). Technical assessments have been submitted which have demonstrated that the proposed development under the Proposed Scheme with a slight increase of population and no. of flats is technically feasible from visual, air ventilation, environmental, sewerage, drainage, water supply and risks aspects. Concerned government departments, including D of FS, DEP, CE/NM of DSD, CE/C of WSD and DEMS have no comment on or objection to the application and their technical concerns could be addressed by relevant approval conditions as appropriate.

### Previous and Similar Applications

- 12.10 The Site is involved in two s.16 applications and two s.12A applications submitted by the same applicant as detailed in paragraph 5. The latest s.12A application No. Y/NE-KTS/15 for comprehensive residential development with relaxation of PR (from 0.4 to 2) and BH (from 3 storeys to 70mPD) as detailed in paragraph 6 is relevant to the subject application. Also, there are two approved similar applications for minor relaxation of PR in two other “CDA” sites in the vicinity approved between 2019 and 2022 as detailed in paragraph 7. Approval of the current application is in line with the previous decisions of the Board.

### Public Comments

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

## **13. Planning Department's Views**

- 13.1 Based on the assessment made in paragraph 11 and having taken into account the public comments as mentioned in paragraph 10 above, 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 **6.2.2030**, 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 approval conditions and advisory clauses are also suggested for Members' reference:

Approval conditions

- (a) the submission and implementation of a revised Master Layout Plan to incorporate the approval conditions as stated in paragraphs (b) to (l) below to the satisfaction of the Director of Planning or of the Town Planning Board;
- (b) the submission and implementation of a Landscape Master Plan to the satisfaction of the Director of Planning or of the Town Planning Board;
- (c) the provision of water supplies for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board;
- (d) the design and provision of vehicular access, parking spaces and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (e) the provision of a 2m-wide footpath on the western side of the section of Hang Tau Road along the site and provision of a pedestrian crossing at Hang Tau Road before occupation of the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (f) the temporary opening up of the turnaround cum one layby for pick-up/drop-off within the site for green minibus operation during peak hours, until the relevant permanent turnaround facilities committed by others are implemented, to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (g) the submission of a revised Noise Impact Assessment and the implementation of the mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (h) the submission of a revised Sewerage Impact Assessment and implementation of the sewerage improvement and disposal measures identified therein to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (i) the submission of a revised Drainage Impact Assessment and the implementation of the drainage proposal and drainage connection works identified therein to the satisfaction of the Director of Drainage Services or of the Town Planning Board;

- (j) the design and provision of the sewerage connections from the proposed development to the public sewerage system to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (k) the submission of a revised Water Supply Impact Assessment and implementation of the water supply improvement measures identified therein to the satisfaction of the Director of Water Supplies or of the Town Planning Board; and
- (l) the submission of an updated proposal of compensatory planting areas (including detailed setting out of compensatory planting areas) prior to commencement of site formation works and the implementation of the compensatory planting areas identified therein to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the Town Planning Board.

#### Advisory clauses

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

13.3 There is no strong reason to reject the application.

### **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**

<b>Appendix I</b>	Application Form received on 9.9.2025
<b>Appendix Ia</b>	Consolidated SPS received on 30.1.2026
<b>Appendix Ib</b>	SPS received on 9.9.2025
<b>Appendix Ic</b>	FI received on 8.12.2025 and 11.12.2025
<b>Appendix II</b>	Previous Applications
<b>Appendix III</b>	Similar Applications
<b>Appendix IV</b>	Recommended Advisory Clauses
<b>Appendices Va to Vd</b>	Public comments

<b>Drawing A-1</b>	Indicative Master Layout Plan
<b>Drawing A-2</b>	Indicative Basement Layout Plan
<b>Drawing A-3</b>	Indicative Ground Floor Layout Plan
<b>Drawing A-4</b>	Indicative Section Plans
<b>Drawing A-5</b>	Indicative Landscape Master Plan
<b>Drawing A-6</b>	Open Space Demarcation Plan
<b>Drawing A-7</b>	Illustration of Design Merit and Planning Gains
<b>Drawings A-8a to A-8f</b>	Photomontages
<b>Drawing A-9</b>	Comparison with Site Boundary of Notional Scheme
<b>Drawing A-10</b>	Comparison on Setback from River Beas between Notional Scheme and Proposed Scheme
<b>Drawing A-11</b>	Comparison on Widened Building Gap between Notional Scheme and Proposed Scheme
<b>Drawing A-12</b>	Comparison on Enhanced Tree Buffer Zone between Notional Scheme and Proposed Scheme
<b>Drawing A-13</b>	Comparison on Enhanced Disposition of Residents’ Recreational Facilities between Notional Scheme and Proposed Scheme
<b>Drawing A-14</b>	Comparison on Road Improvement Works Along Hang Tau Road between Notional Scheme and Proposed Scheme
<b>Drawing A-15</b>	Comparison on 3m Peripheral Planting between Notional Scheme and Proposed Scheme
<b>Drawing A-16</b>	Illustrative Diagram Showing the Extent and Works for Proposed Hang Tau Road Widening and Footpath Widening
<b>Drawing A-17</b>	Proposed Extent of Road Improvement Works at Hang Tau Road
<b>Plan A-1</b>	Location Plan
<b>Plans A-2a and A-2b</b>	Site Plans
<b>Plan A-3</b>	Aerial Photo
<b>Plan A-4</b>	Site Photos