

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/YL-MP/407

- Applicant** : Monotonic Limited represented by Conrad Tang & Associates Limited
- Site** : Lot 3018 S.A in D.D. 104, Mai Po, Yuen Long
- Site Area** : About 3,220m²
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Draft Mai Po and Fairview Park Outline Zoning Plan (OZP) No. S/YL-MP/9
(currently in force)
- Approved Mai Po and Fairview Park OZP No. S/YL-MP/8
(at the time of submission)
- Zonings** : “Conservation Area” (“CA”) (about 3,156m² or about 98%)
- “Residential (Group C)” (“R(C)”) (about 64m² or about 2%)
[restricted to a maximum plot ratio of 0.4 and a maximum building height of three storeys (9m) including car park]
- [the zonings and development restrictions of the application site (the Site) remain unchanged on the OZP No. S/YL-MP/9]
- Application** : Proposed Public Utility Installation (Solar Photovoltaic (SPV) System)

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed public utility installation (SPV system) at the Site, which mainly falls within an area zoned “CA” with a minor portion at its eastern portion encroached onto an area zoned “R(C)” on the OZP (**Plan A-1**). According to the Notes of the OZP for the “CA” and “R(C)” zones, ‘Public Utility Installation’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently partially fenced off (with periphery walls erected along the northern, eastern and southern boundaries) and comprises two ponds and vegetated pond bunds, with a floating platform (without solar panels mounted on) and a walking platform at each of the pond (**Plans A-3 and A-4**).
- 1.2 The Site is accessible on foot at its south-western corner through a local access leading to Palm Springs Boulevard (**Plan A-2**). According to the layout plan submitted by the applicant at **Drawing A-1**, the proposed use involves 152 solar panels (each of about

2.094m (L) x 1.038m (W) x 0.5m (T)¹ in size with a tilt angle of 1° facing south) to be installed in two phases:

- (a) Phase 1 involves mounting of 56 solar panels on the floating platform (about 36.59m (L) x 6.87m (W) x 0.2m (T)) at the western pond (i.e. Pond 1) with anticipated completion by September 2026; and
- (b) Phase 2 involves mounting of the remaining 96 solar panels on the floating platform (about 41.37m (L) x 10.13m (W) x 0.2m (T)) at the eastern pond (i.e. Pond 2) with anticipated completion by December 2026.

- 1.3 The two floating platforms will be connected to the pond bunds with two respective walking platforms, each of about 14m (L) x 1m (W) x 0.2m (T). The area occupied by the two floating platforms and two walking platforms together will account for about 698m² out of 2,100m² (or about 33%) of the water surfaces of two ponds. To support the operation of the proposed use, a single-storey meter room of about 2.05m in height with a floor area of about 0.56m² will be erected on the pond bund at the southern part of the Site and two wall-hanged meters and transformers will also be mounted on the existing periphery wall along the southern boundary of the Site (**Drawing A-1**). Cables connecting the solar panels and the meters/transformers will run on top of the floating platforms and the walking platforms. Apart from functioning as fish ponds, part of the western pond (i.e. Pond 1) with an area about 130m² will be set aside for landscaping with water filtering facilities (**Drawing A-1**) to enhance the landscape setting of the Site. According to the applicant, only simple assembly works involving portable light equipment will be involved. No site formation or earthworks, dredging or filling/excavation of pond and land, or other building works will be involved, and no pond bed will be lost upon completion of the installation. No car parking or loading/unloading (L/UL) space will be provided and no vehicle will be allowed to enter the Site at all times.
- 1.4 The applicant has applied to take part in the ‘Renewable Energy Feed-in Tariff Scheme’ (the FiT Scheme) and an Acknowledgement Letter was received from CLP Power Hong Kong Limited (CLP). The SPV system at the Site will be connected to CLP’s existing network and the generation capacity of the proposed installation is 50 kilowatts (kW).
- 1.5 The Site falls within the wetland buffer area (WBA) of the Deep Bay Area (**Plan A-1**) under the Town Planning Board Guidelines for Application for Developments with Deep Bay Area under Section 16 of the Town Planning Ordinance (TPB PG-No.12C) (**Appendix III**). In support of the application, the applicant has submitted an Ecological Impact Assessment (EcoIA) as required under TPB PG-No.12C. The habitat map in the submitted EcoIA (**Drawing A-4**) shows that the Site comprises two ponds of low ecological value² and a minor portion of developed area (i.e. pond bund) of very low ecological value. As mentioned in the EcoIA, the ponds were once degraded and nearly dried out, and the applicant has made efforts recently to restore and manage the ponds by removing weedy plants and refilling water with regular monitoring on water depth and stocking of fishes, through which the ecological conditions of the ponds are being restored. According to the applicant, compared with the previous degraded condition, the restored ponds can potentially provide suitable habitat for waterbirds, upon implementation of proposed ecological measures as detailed in paragraphs 1.6 to 1.9 below, following the

¹ ‘L’, ‘W’ and ‘T’ denote length, width and thickness respectively.

² According to the EcoIA submitted by the applicant, in addition to the two ponds of low ecological value at the Site, there are six other ponds located within the same “CA” zone. Amongst which, three overgrown ponds to the immediate west of the Site are also of low ecological value.

‘avoidance, minimisation and compensation’ principles detailed in the Technical Memorandum on Environmental Impact Assessment Process.

- 1.6 The submitted EcoIA reveals that one flora species, Water Fern (水蕨 *Ceratopteris thalictroides*), was observed during the initial dry season vegetation survey but could no longer be recorded subsequently within the Site. While the installation of solar panels, which would only be conducted on water surface of the two ponds, would not directly affect this flora species, the applicant proposes to retain such species if observed during the construction and operation phases. It was also mentioned in the EcoIA that due to the small area of the ponds at the Site and the nature of the immediate environment being surrounded by residential developments, very low diversity and abundance of waterbirds were recorded at the Site. While two species of conservation importance, i.e. Striated Heron (綠鷺 *Butorides striata*) and Chinese Pond Heron (池鷺 *Ardeola bacchus*), were recorded on the pond bunds within the Site, their abundance was very low and potential impact on them arising from the proposed use is considered minor. Nevertheless, the applicant proposes the use of non-reflective solar panels and floating platforms made of hazardous-free materials with a view to minimising the potential reflection impacts on the waterbirds within and around the Site. Apart from the above, other floral and fauna recorded within and around the Site are not species of conservation importance.
- 1.7 During the operation phase, the applicant will follow the proposed Management Protocol (**Appendix J** of **Appendix I**) which specifies the maintenance and management (M&M) and ecological monitoring works to maintain the pond habitat and water quality. For example, the Management Protocol recommends fish stocking in the ponds, which provides foraging and feeding opportunities for waterbirds. Other M&M works would be conducted only when the solar panels are free of resting birds. Should any signs of bird breeding be found during inspection, such works near the breeding location would be halted and advice from qualified ecologists or Agriculture, Fisheries and Conservation Department (AFCD) would be sought where appropriate. Should mechanical equipment be used for the M&M works, the Quality Powered Mechanical Equipment (QPME) approved by the Environmental Protection Department (EPD) would be observed to minimise the noise disturbance to the wildlife within and beyond the Site.
- 1.8 Other mitigation measures to be implemented during the construction (i.e. installation of solar panels) and operation phases include minimisation of the scale and footprint of the solar panels, adoption of good site practices, no night-time construction/installation to avoid noise and lighting disturbances to the fauna species in the surrounding habitats, and minimal lighting for safety and security purposes during the operation phase.
- 1.9 To verify wildlife utilisation of the restored ponds, ecological monitoring comprising fauna surveys, fish population monitoring and habitat quality assessment will be carried out. Examples are regular inspection of the floating SPV system and water quality on a monthly basis and removal of invasive plants, if any, to avoid disturbance on the pond environment. With the implementation of the above mitigation measures, no adverse ecological impact will be anticipated. Coupled with that no pond bed will be lost upon completion of the installation of the proposed use, according to the applicant, the principle of “no-net-loss in wetland” under TPB PG-No.12C and the planning intention of the “CA” zone can be met.
- 1.10 In support of the application, the applicant has submitted the following documents:
 - (a) Application Form received on 3.3.2026 **(Appendix I)**
 - (b) Further Information (FI) received on 29.4.2026* **(Appendix Ia)**

- (c) FI received on 16.6.2026* (Appendix Ib)
**accepted and exempted from publication and recounting requirements*

1.11 On 17.4.2026, the Committee agreed to defer making a decision on the application for two months as requested by the applicant.

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the Application Form and FIs at **Appendices I to Ib**, and can be summarised as follows:

- (a) The proposed use is in line with the Government's objectives of encouraging the use of renewable energy (RE) and there are similar SPV systems on water bodies, such as the one at San Tin Polder³ which is also located within the WBA.
- (b) The proposed use is in line with the planning intention of the "CA" zone in that it can facilitate restoration and active management of the once abandoned ponds, and is not incompatible with the surrounding environment.
- (c) The proposed use respects the "no-net-loss" principle under TPB PG-No.12C, and is supported by an EcoIA which demonstrates that the proposed use will not cause adverse ecological impact on the surrounding. A Management Protocol specifying the M&M and ecological monitoring works during the operation phase is also proposed to further minimise the potential impacts on the wildlife within the Site, and to evaluate the level of ecological enhancement at the Site. Besides, no adverse visual, traffic and environmental impacts will be anticipated.
- (d) Both the installation and operation of the proposed use and the two fish ponds would not involve drying, ploughing or dredging processes. The proposed use would not cause nuisance to the surroundings with the implementation of the proposed management measures such as regular grass cutting to prevent overgrown vegetation, proper control of water quality and stocking of insect-eating fish such as mosquitofish (食蚊魚 *Gambusia affinis*) within the ponds to control mosquito larvae at the Site.
- (e) The design, installation, operation and maintenance of the proposed use would comply with the requirements set out under the Technical Guidelines on Grid Connection of RE Power Systems and the Guidance Notes for solar panel system Installation issued by Electrical and Mechanical Services Department (EMSD).

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

The applicant is the sole "current land owner". Detailed information would be deposited at the meeting for Members' inspection.

³ According to the Drainage Services Department (DSD), a pilot trial of floating SPV system comprising 70 solar panels with an installed generation capacity of 37 kW at the open water surfaces of San Tin Polder (新田蓄洪池) located within the San Tin Technopole OZP area has been implemented since 2022 to generate RE.

4. **Town Planning Board Guidelines**

The Site is located within the WBA of the Deep Bay Area (**Plan A-1**). The TPB PG-No.12C is relevant to the application and the relevant extract of which is at **Appendix III**.

5. **Assessment Criteria**

The set of Assessment Criteria for Considering Applications for SPV System made under Section 16 of the Town Planning Ordinance (the Assessment Criteria) was first promulgated on 21.7.2020. The latest set of Assessment Criteria which was promulgated on 7.10.2022 is at **Appendix IV**.

6. **Background**

6.1 The FiT Scheme is an initiative introduced by the Government under the post-2018 Scheme of Control Agreements with the two power companies for promoting the development of distributed RE. It aims to encourage the private sector to consider investing in RE as the power generated could be sold to the power companies at a rate higher than the normal electricity tariff to help recover the costs of investment in the RE systems and generation.

6.2 Any non-governmental bodies or individuals, as customers of the relevant power company planning to install distributed RE systems at their premises in the respective power company's supply area, are eligible for prescribed FiT rates from that power company if they have been connected to the latter's grid. An applicant for the Scheme may make submission direct to the relevant power company with the required documents including the preliminary layout diagram and other information of the proposed RE system. After meeting the requirements specified by the power company on technical assessment, system test and installation works, the power company will proceed with installing a smart meter in the applicant's premises to facilitate connection the proposed RE system to the power grid. Successful applicant would be offered the FiT rate throughout the project life of the RE system until end 2033. The applicant shall ensure that the design, installation, operation and maintenance of the RE system comply with the applicable laws, guidelines and safety and technical guidelines.

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

7. **Previous Application**

The Site in part is the subject of a previous application (No. A/DPA/YL-MP/28) submitted by a different applicant for residential development which was rejected by the Board upon review in 1994. Consideration of this previous application is not relevant to the current application due to different uses involved. Details of the previous application are summarised at **Appendix II** and its location is shown on **Plan A-1**.

8. **Similar Application**

There is no similar application within the same "CA" and "R(C)" zones during the past five

years.

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

9.1 The Site is:

- (a) partially fenced off (with periphery walls erected along the northern, eastern and southern boundaries);
- (b) comprised of two ponds and vegetated pond bunds, with a floating platform (without solar panels mounted on) and a walking platform at each of the pond;
- (c) accessible on foot via a local access leading to Palm Springs Boulevard; and
- (d) located within WBA of the Deep Bay Area.

9.2 The surrounding areas are sub-urban in character and predominated by low-rise residential dwellings (i.e. Palm Springs and Royal Palms), as well as six other ponds located within the same “CA” zone.

10. Planning Intentions

10.1 The planning intention of the “CA” zone is to conserve the ecological value of wetland and fish ponds which form an integral part of the wetland ecosystem in the Deep Bay Area. The “no-net-loss in wetland” principle is adopted for any change in use within this zone. The primary intention is to discourage new development unless it is required to support the conservation of the ecological integrity of the wetland ecosystem or the development is an essential infrastructure project with overriding public interest.

10.2 The planning intention of the “R(C)” zone is primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board. On land designated “Residential (Group C)1”, selected commercial uses serving the residential neighbourhood are always permitted in the free-standing purpose-designed non-domestic building or purpose-designed non-domestic portion of a building.

11. Comments from Relevant Government Bureau/Departments

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

Policy Aspect

11.1.1. Comments from the Secretary for Environment and Ecology (SEE):

- (a) he supports the development of RE systems, including the proposed use under the current application in “CA” and “R(C)” zones in Mai Po, involving the installation of 152 solar panels with a capacity of approximately 50 kW, which is sufficient to fulfil the annual electricity demand of about 15

households. The application, if approved, could make good use of the land for solar energy generation while achieving the carbon neutrality target;

- (b) the Government has set net-zero electricity generation as one of the major decarbonisation strategies in the Hong Kong's Climate Action Plan 2050 promulgated in October 2021. To achieve the long-term carbon neutrality target before 2050, it is needed to increase zero-carbon electricity supply through RE development as far as possible;
- (c) the policy is for the Government to take the lead in developing RE at various buildings and facilities where technically and financially feasible, and to create conditions that are conducive to community participation. For the private sector, his bureau and the power companies have introduced the FiT Scheme, providing financial incentives which can encourage the private sector to invest in distributed RE. A series of measures have also been introduced to facilitate and support members of the public in developing RE; and
- (d) advisory comments are at **Appendix V**.

Land Administration

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

- (a) no adverse comment on the application;
- (b) the Site comprises Old Schedule Agricultural Lot 3018 S.A in D.D. 104 held under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government; and
- (c) advisory comments are at **Appendix V**.

Urban Design, Visual and Landscape

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

Urban Design and Visual

- (a) no adverse impact on the application from visual perspective; and
- (b) according to the applicant's submission, the current proposal involves installation of two floating SPV systems (with covered areas of about 698m² in total) in the existing ponds, and a meter room with GFA of about 0.56m² and height of about 2.05m in area mainly zoned "CA" with a minor portion zoned "R(C)" on the OZP. Noting the small scale of the proposed use, significant adverse visual impact is not anticipated;

Landscape

- (c) no adverse comment on the application from landscape planning perspective;
- (d) based on the aerial photo taken in 2025, the Site is situated in an area of comprehensive residential development landscape character comprising wetlands, ponds, low-rise residential buildings and scattered tree groups. Noting that the Site is within the “CA” zone, approval of the application may slightly alter the landscape character of the “CA” zone;
- (e) with reference to site photos in 2026, the Site is generally fenced-off and occupied by ponds with some self-seeded vegetation. Two floating platforms are installed on the ponds. According to the applicant, no tree or vegetation felling is involved and the existing terrestrial vegetation and trees surrounding the ponds will be preserved;
- (f) in view of the above, significant adverse landscape impact arising from this application is not anticipated; and
- (g) advisory comments are at **Appendix V**.

Nature Conservation

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

- (a) no objection to the application from nature conservation and fisheries perspectives and no adverse comment on the EcoIA submitted by the applicant;
- (b) the Site falls within the WBA. According to the EcoIA, the Site comprises two ponds of low ecological value and a minor portion of developed area of very low ecological value (**Drawing A-4**). It is noted that the ponds were degraded and nearly dried out before, and have been restored to managed ponds with open water under the current proposal. A Management Protocol has also been prepared to specify the M&M works during operational phase of the proposed SPV system in order to further minimise the potential impacts on wildlife within the Site. Ecological monitoring will be carried out during the operation phase to verify wildlife utilisation of the restored ponds. Comparing with the previous degraded status, the restored ponds can potentially provide suitable habitat for waterbirds with no net loss in wetland function under the current proposal upon proper implementation of the Management Protocol;
- (c) taking into account the species of conservation importance within and in the vicinity of the Site, relevant mitigation measures have been proposed to minimise its potential impacts:
 - (i) retaining flora species of conservation importance (*Ceratopteris thalictroides*) within the Site;

- (ii) floating platforms are made of hazardous-free materials, with the solar panels being all non-reflective plates to minimise the potential impacts of reflection on birds;
 - (iii) M&M works to be conducted only when the solar panels are clear of resting birds and the use of mechanical equipment for such works, if any, would comply with the QPME approved by EPD to minimise the noise disturbance to the wildlife within and beyond the Site; and
 - (iv) carrying out of a Management Protocol specifying the M&M and ecological monitoring works during the operation phase to ensure that no adverse ecological impact will arise from the proposed use;
- (d) should the application be approved, an approval condition on the implementation of the mitigation measures identified in the submitted EcoIA should be imposed; and
- (e) advisory comments are at **Appendix V**.

Environment

11.1.5. Comments from the Director of Environmental Protection (DEP):

- (a) no objection to the application from environmental planning perspective;
- (b) having considered the scale and nature of the proposed use, the applicant's commitment/confirmation that no earthworks, dredging works and other building works would be carried out in the "CA" zone during construction and operation phases, and that the installation works would only involve simple assembling works using portable light equipment and manually reconnection of the electric cables of the solar panels to the cable ducts, it is anticipated that the proposed use will unlikely cause adverse environmental impacts during operation;
- (c) there was no environmental complaint related to the Site in the past three years; and
- (d) advisory comments are at **Appendix V**.

Drainage

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

- (a) no in-principle objection to the proposed use from drainage perspective; and
- (b) advisory comments are at **Appendix V**.

Traffic

11.1.7. Comments from the Commissioner for Transport (C for T):

no in-principle objection to the application from traffic engineering perspective.

11.1.8. Comments from the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):

- (a) no in-principle objection to the application from highways maintenance point of view and on the understanding that there is and will be no vehicle access to/from the Site, which is included in the applicant's submission; and
- (b) advisory comments are at **Appendix V**.

Fire Safety

11.1.9. Comments from Director of Fire Services (D of FS):

- (a) no in-principle objection to the application subject to imposition of an approval condition on fire service installations and water supplies for firefighting being provided to the satisfaction of the D of FS; and
- (b) advisory comments are at **Appendix V**.

Electricity Supply

11.1.10. Comments from the Director of Electrical and Mechanical Services (DEMS):

no comment on the application from regulatory services perspective.

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

- (a) Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD);
- (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (c) Chief Engineer/Railway Development 1-1, Railway Development Office, HyD;
- (d) Head (Geotechnical Engineering Office), Civil Engineering and Development Department (CEDD);
- (e) Project Manager (West), CEDD;
- (f) Commissioner of Police; and
- (g) District Officer (Yuen Long), Home Affairs Department.

12. Public Comments Received During Statutory Publication Period

On 10.3.2026, the application was published for public inspection. During the statutory public inspection period, six public comments were received, including one from a resident of Palm Springs, two from the residents of Royal Palms, one from the Estate Owners' Committee of Royal Palms Phase B and one from an individual, all objecting to the application mainly on the grounds that the proposed use would bring forth glare impacts and adverse ecological, visual, landscape, noise and health impacts on the surrounding area and that the property price of the

residential developments nearby would be adversely affected; and one from Palm Springs Management Services Office providing views on the installation of SPV system and its potential impacts and mitigation measures while requesting direct communication with the Board on the application (**Appendix VI**).

13. **Planning Considerations and Assessments**

The Proposed SPV System

13.1 The application is for proposed public utility installation (SPV system) at the Site which mainly falls within an area zoned “CA” (about 98%), with a minor portion encroached onto an area zoned “R(C)” (about 2%) (**Plan A-1**). The proposed use comprises 152 solar panels (each of about 2.094m (L) x 1.038m (W) x 0.5m (T) in size, with tilt angle of 1° facing south) to be developed in two phases: phase 1 for 56 solar panels to be mounted on the floating platform (about 36.59m (L) x 6.87m (W) x 0.2m (T)) at the western pond (i.e. Pond 1) with anticipated completion date by September 2026; and phase 2 for 96 solar panels to be mounted on the floating platform (about 41.37m (L) x 10.13m (W) x 0.2m (T)) at the eastern pond (i.e. Pond 2) with anticipated completion date by December 2026. The two floating platforms will be connected to the pond bunds with two walking platforms each with a dimension of 14m (L) x 1m (W) x 0.2m (T). The area of the floating platforms and the walking platforms will account for about 698m² out of 2,100m² of the water surfaces of the two ponds (i.e. about 33%). A single-storey meter room (about 2.05m in height) with a total floor area of about 0.56m² as well as two wall-hanged meters and transformers are also proposed at the southern part of the Site to support the operation of the proposed use. Cables connecting the solar panels and the meters/transformers will run on top of the floating platforms and the walking platforms. Apart from functioning as fish ponds, part of the western pond (i.e. Pond 1) with an area about 130m² will be set aside for landscaping with water filtering facilities (**Drawing A-1**) to enhance the landscape setting of the Site.

13.2 The applicant has applied to take part in the FiT Scheme and an Acknowledgement Letter was received from CLP. The solar panel system at the Site will be connected to CLP’s existing network and the generation capacity of the proposed installation is 50 kW. Given the electricity generated from the SPV system is equivalent to about 15 domestic households’ annual energy demand, SEE supports the proposed use under the application, and considers that the application could make good use of land for solar energy generation while achieving the carbon neutrality target. In view of the policy support from SEE above and taking into account the planning assessments below, the proposed use is considered not unacceptable.

Planning Intention and Land Use Compatibility

13.3 The Site largely falls within the “CA” zone (about 98%) which is primarily intended to conserve the ecological value of wetland and fish ponds which form an integral part of the wetland ecosystem in the Deep Bay Area. The “no-net-loss in wetland” principle is adopted for any change in use within this zone. The primary intention is to discourage new development unless it is required to support the conservation of the ecological integrity of the wetland ecosystem or the development is an essential infrastructure project with overriding public interest. According to the applicant, the proposed use involves installation of solar panels on the floating platforms on the water surfaces of the two existing ponds only (accounting for about 33% of the total pond area), and no site

formation, earthworks, dredging or filling/excavation of pond and land, or other building works will be involved, and no pond bed will be lost upon completion of the installation. No pond bed will also be lost upon completion of the installation. Although the proposed use is not an essential infrastructure project with overriding public interest, it is considered acceptable given its relatively small scale and its merit in incentivising the land owner (i.e. the applicant) to restore and enhance the ecological value of the once degraded ponds. Despite being not entirely in line with the planning intention of the “CA” zone, such restoration of ecological values of the once degraded/overgrown ponds due to the proposed use is considered not in conflict with the long-term planning intention of the “CA” zone. The “no-net-loss principle” in terms of function would also be fulfilled. Besides, given that there is no long-term development proposal at the minor portion of the “R(C)” zone falling within the same private lot (about 2%), it is considered that the long-term planning intention of the “R(C) zone would not be jeopardized with the implementation of the proposed use.

- 13.4 The surrounding areas of the Site are sub-urban in character and predominated by low-rise residential dwellings (i.e. Palm Springs and Royal Palms) and six other ponds including three overgrown ones located within the same “CA” zone which are of low ecological value as identified in the submitted EcoIA. According to the applicant, the once degraded/overgrown ponds at the Site have been restored with proper management, and the scale and footprint of the proposed SPV system has been minimised. Mitigation measures have also been proposed to minimise the potential impacts on the surrounding areas (as mentioned in paragraph 13.6 below). The proposed use with installation of SPV system on two properly-managed ponds is therefore considered not entirely incompatible with the surrounding area. CTP/UD&L of PlanD has no adverse comment on the application and considers that the proposed use would not induce significant adverse visual impact due to its small scale and that significant adverse landscape impact arising from the proposed use is not anticipated.

Ecological Aspect

- 13.5 With reference to the habitat map (**Drawing A-4**) in the submitted EcoIA, the Site located within the WBA of the Deep Bay Area, comprises two ponds of low ecological value and a minor portion of developed area (i.e. the pond bund) of very low ecological value. According to the applicant, the ponds were once degraded and nearly dried out, and efforts have recently been made by the applicant to restore and manage ponds through which the ecological conditions of the ponds are being restored.
- 13.6 According to the submitted EcoIA, no significant adverse impact on the flora and fauna species identified within and around the Site would be resulted as mentioned in paragraph 1.4 above. Nevertheless, the applicant proposes mitigation measures such as retaining flora species of conservation importance within the Site and the use of floating platforms made of hazardous-free materials and non-reflective solar panels to minimise the potential impacts on flora and fauna, as well as other mitigation measures including carrying out M&M works to maintain the pond habitat and water quality with reference to the proposed Management Protocol, conducting ecological monitoring to evaluate the level of ecological enhancement, adopting good site practices such as avoiding the use of excessive lighting during the construction and operation phases as detailed in paragraphs 1.4 to 1.6 above. Considering that the restored ponds can potentially provide suitable habitat for waterbirds with no less in wetland function upon proper implementation of the proposed Management Protocol and other ecological mitigation measures as detailed in paragraphs 1.6 to 1.9 above, DAFC has no objection to the application from nature

conservation and fisheries perspectives and no adverse comment on the submitted EcoIA. An approval condition on the implementation of the mitigation measures identified in the submitted EcoIA will also be imposed at the request of DAFC to ensure the implementation of the above mitigation measures. In this regard, the proposed use is considered generally in line with the TPB PG-No. 12C.

Other Technical Aspects

- 13.7 Other concerned departments consulted including DEMS, DEP, C for T and D of FS have no objection to or no comment on the proposed installation and filling and excavation of land from electricity supply, environmental, traffic and fire safety perspectives respectively. To address the technical requirements of the concerned departments, relevant approval conditions are recommended in paragraph 14.2 below.

The Assessment Criteria

- 13.8 In light of the above, the proposed use is generally in line with the Assessment Criteria (**Appendix IV**) for considering applications for SPV system in that the applicant has obtained CLP's Acknowledgement Letter; the height of the structures of installation (i.e. not more than 2.05m) is in keeping with the surrounding areas and commensurate with the function it performs; SEE supports the proposed use of the SPV system; the long-term planning intention of "CA" zone would not be frustrated with the implementation of proper measures to mitigate the potential ecological impacts and enhance the ecological condition and value of the ponds at the Site; and relevant government departments including DAFC consulted in general have no objection to or no adverse comments on the application from various technical perspectives.
- 13.9 Regarding the public comments as stated in paragraph 12 above, the applicant's justifications, planning considerations and departmental comments above are relevant. Besides, property price of the residential developments is not a material planning consideration of the Committee. Concerning the request for direct communication with the Board on the application, while there is no provision for attendance at Committee's meeting in person under the Town Planning Ordinance, all public comments received have been summarized and duly attached to the RNTPC Paper for the Committee's consideration.

14. Planning Department's Views

- 14.1 Based on the assessments made in paragraph 13 above and having taken into account the public comments mentioned in paragraph 12 above, PlanD has no objection to the application.
- 14.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 26.6.2030 and after the said date, the use permitted shall cease to have effect unless before the said date, the use 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 implementation of the mitigation measures identified in the submitted Ecological

Impact Assessment to the satisfaction of the Director of Agriculture, Fisheries and Conservation or of the Town Planning Board; and

- (b) the design and provision of water supplies for fire-fighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board.

Advisory Clauses

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

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

the proposed use is not in line with the planning intentions of the "Conservation Area" and "Residential (Group C)" zones which are to conserve the ecological value of wetland and fish ponds which form an integral part of the wetland ecosystem in the Deep Bay Area and for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Town Planning Board respectively. There is no strong planning justification in the submission for a departure from the planning intentions.

15. Decision Sought

- 15.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 15.2 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.
- 15.3 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.

16. Attachments

Appendix I	Application Form with attachments received on 3.3.2026
Appendix Ia	FI received on 29.4.2026
Appendix Ib	FI received on 16.6.2026
Appendix II	Previous Application
Appendix III	Relevant Extracts of TPB PG-No. 12C
Appendix IV	Assessment Criteria for Considering Applications for SPV System made under Section 16 of the Town Planning Ordinance
Appendix V	Recommended Advisory Clauses
Appendix VI	Public Comments
Drawing A-1	Site Layout Plan
Drawings A-2 and 3	Dimension Plans for SPV installation

Drawing A-4	Habitat Map
Plan A-1	Location Plan with Previous Application
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
JUNE 2026**