

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

APPLICATION NO. Y/TP/40

- Applicant** : Fantastic State Limited represented by KTA Planning Limited
- Site** : Tai Po Town Lot (TPTL) 183 s.A ss.1 (Part), 183 s.A ss.2 (Part), 183 s.A RP (Part), 183 RP (Part), Various Lots in D.D. 11 and Adjoining Government Land (GL), Fung Yuen, Tai Po, New Territories
- Site Area** : About 187,075m² (including about 24,451m² of GL or 13.1% of the site area)
- Lease** : (a) TPTL 183 held under New Grant No. 20412 (for private residential development of maximum gross floor area (GFA) of 87,356m² and agricultural uses)
(b) Remaining Lots: Block Government Lease (demised for agricultural use)
- Plan** : Draft Tai Po Outline Zoning Plan (OZP) No. S/TP/31 (at the time of submission)
Approved Tai Po OZP No. S/TP/32 (currently in force)
- Zonings** : (i) “Comprehensive Development Area (1)” (“CDA(1)”) (about 183,728m² or 98.2%)
[restricted to a maximum domestic plot ratio (PR) of 0.64 and maximum building heights (BHs) of one storey and ranging from 17 storeys to 28 storeys]
(ii) “Government, Institution or Community” (“G/IC”) (about 3,347m² or 1.8%)
[restricted to a maximum BH of 2 storeys]
- Proposed Amendments** : (i) To rezone the application site from “CDA(1)” to “Residential (Group B)13” (“R(B)13”), “R(B)14” and “Recreation” (“REC”)
(ii) To amend the BH restriction (BHR) of “G/IC” zone from two to eight storeys

1. The Proposal

- 1.1 The applicant proposes to rezone the application site (the Site) from “CDA(1)” to “R(B)13”, “R(B)14” and “REC” and amend the BHR of “G/IC” zone on the approved Tai Po OZP No. S/TP/32 to facilitate the proposed residential and social welfare facility (SWF) developments; and to reflect the as-built condition at the Site (**Plans Z-1a and Z-1b**).
- 1.2 According to the applicant, the Site comprises four portions, namely Western, Northern, Eastern Portions covering the “CDA(1)” zone, and Southern Portion covering the “G/IC” zone (**Plan Z-1b**). Details of the rezoning proposal for each portion are shown below:

- (i) to rezone the Western Portion (also known as Area A) with an area of about 3.19 ha from “CDA(1)” to “R(B)13” to facilitate a proposed residential development with retail facilities and public vehicle park (PVP). The proposed “R(B)13” is divided into two sub-areas: (a) Phase I development subject to maximum domestic PR of 3.44 and maximum non-domestic GFA of 800m² (equivalent to PR of 0.03) and a maximum BH of 102mPD; and (b) Phase II development subject to maximum domestic PR of 3.44 and a maximum BH of 99mPD;
- (ii) to rezone the Northern Portion with an area of about 6.45 ha from “CDA(1)” to “R(B)14” to reflect the as-built condition of a residential development, namely Mont Vert (嵐山) and existing houses, and to take into account the development potential of third party lots (which are currently left vacant), subject to maximum domestic PR of 1.57 and non-domestic GFA of 376m² (equivalent to PR of 0.006) and a maximum BH of 102mPD;
- (iii) to rezone the Eastern Portion with an area of about 8.74 ha from “CDA(1)” to “REC” to reflect the as-built condition of the agricultural portion (AGR portion)¹, subject to maximum non-domestic GFA of 600m² (equivalent to PR of 0.007) and a maximum BH of 1 storey; and
- (iv) to amend the BHR for the Southern Portion (also known as Area B) with an area of about 0.34 ha zoned “G/IC” from two to eight storeys to facilitate the development of a 150-place residential care home for the elderly (RCHE) cum 30-place day care unit (DCU).

1.3 The development restrictions of the current “CDA(1)” zone and proposed “R(B)13”, “R(B)14” and “REC” zones mentioned in paragraph 1.2 above are summarised as below:

	“CDA(1)” Zone on the Tai Po OZP No. S/TP/32	Proposed Zonings under Current Application No. Y/TP/40		
		“R(B)13” (Western Portion)	“R(B)14” (Northern Portion)	“REC” (Eastern Portion)
Site Area (m ²)	183,728	31,854	64,486	87,388
Maximum PR/GFA Domestic Non-domestic	0.64 -	3.44 800m ² (equivalent to PR of 0.03)	1.57 376m ² (equivalent to PR of 0.006)	- 600m ² (equivalent to PR of 0.007)
Maximum BH	1 storey and 17-28 storeys	102mPD (Phase 1) and 99mPD (Phase 2)	102mPD	1 storey

1.4 A proposed set of Notes for the “R(B)13”, “R(B)14” and “REC” zones is at **Appendix II** and plans showing the proposed zonings and indicative layout submitted by the applicant are shown in **Plan Z-1b** and **Drawing Z-2a**.

¹ According to the last approved application No. A/TP/333 at the Site, an area of about 10.69 ha is designated as AGR portion (**Plan Z-2a**). Details of the application are set out in paragraph 4.

Western and Southern Portions

- 1.5 According to the indicative scheme submitted by the applicant (**Drawings Z-1 and Z-2a**), the proposed development comprises a two-phased residential development in the Western Portion. The major development parameters are summarised as follows:

	Western Portion		Total
	Phase I	Phase II	
Site Area (about) (m²)	26,567	5,287	31,854
Total PR	3.47	3.44	3.47
- Domestic PR	3.44	3.44	3.44
- Non-domestic PR	0.03	-	0.03
Total GFA (not more than m²)	92,190	18,187	110,377
- Domestic GFA	91,390	18,187	109,577
- Non-domestic GFA for Retail Facilities	800	-	800
BH (mPD)	102	99	102
- Residential Tower	85 to 102	99	85 to 102
- Clubhouse	22	-	22
- Retail Facilities cum PVP	21	-	21
No. of Storeys			
- Residential Tower	24 to 29 ⁽¹⁾	30	24 to 30
- Clubhouse	3	-	3
- Retail Facilities cum PVP	2 ⁽²⁾	-	2
No. of Blocks	8	1	9
- Residential Tower	6	1	7
- Retail Facilities cum PVP	1	-	1
- Clubhouse	1	-	1
No. of Units	1,718	270	1,988
Average Flat Size (m²)	53.2	67.4	55.1
Anticipated Population ⁽³⁾	4,467	702	5,169
Parking Provision ⁽⁴⁾			
- PVP	30	-	30
- Ancillary to Residential Development			
Private Car	406	64	470
Visitor	30	5	35
Motorcycle	18	3	21
Bicycle	58	9	67
- Retail Facilities ⁽⁵⁾			
Private Car	6	-	6
Motorcycle	1	-	1
Loading/ Unloading (L/UL) Bays / Lay-bys ⁽³⁾			
- Residential Development			
Heavy Goods Vehicle	6	1	7
- Retail Facilities			
Light Goods Vehicle	1	-	1
Heavy Goods Vehicle	1	-	1
Open Space (Not less than m²)	4,467	702	5,169
- For Exclusive Use of Residents	3,467	702	4,169
- For Public and Residents	1,000	-	1,000

- (1) Three levels of basement ancillary car park and underground sewage treatment plant (STP) are excluded.
- (2) Three levels of basement car park are excluded.
- (3) Assuming persons per occupied flat ratio of 2.6.
- (4) According to the applicant, the PVP and ancillary car parking and L/UL facilities for the retail facilities are proposed to be exempted from GFA/PR calculation.
- (5) Six car parking spaces and one motorcycle parking space will be made available for public night time parking outside the operation hours of the retail facilities.
- (6) The tentative completion year for the proposed development is 2030.

1.6 For Southern Portion, an eight-storey SWF block accommodating private or self-financing 150-place RCHE cum 30-place DCU is proposed. The major development parameters are summarised as follows:

	Southern Portion
Development Site Area (about) (m²)	918
Total PR	5.21
Total GFA (about) (m²)	4,782
Maximum BH	
- Main Roof (mPD)	36
- No. of Storeys	8
No. of Block	1
No. of Places	
- RCHE	150
- DCU	30

1.7 In support of the rezoning application, the applicant has submitted Traffic Impact Assessment (TIA), Noise Impact Assessment (NIA), Air Quality Impact Assessment (AQIA), Waste Assessment, Land Contamination Assessment (LCA), Ecological Impact Assessment (EcoIA), Drainage Impact Assessment (DIA), Sewerage Impact Assessment (SIA), Water Supply Impact Assessment (WSIA), Visual Impact Assessment (VIA), Landscape Proposal and Tree Survey Report (LPTSR), and Air Ventilation Assessment – Expert Evaluation (AVA-EE).

Traffic Aspect

1.8 The proposed developments at the Western and Southern Portions will be served by Fung Yuen Road (single two-lane carriageway) connecting Ting Kok Road (dual two-lane carriageway). Junction improvement works at five junctions (including Ting Kok Road /Dai Fai Street; Ting Kok Road / Fung Yuen Road, Ting Kok Road /Dai Fuk Road/Yuen Shin Road; Yuen Shin Road/Dai Fat Street; and Tai Po Tai Wo Road/Yuen Shin Road) are proposed to handle future traffic demand (**Drawings Z-10a to Z-10e**), which involve addition/modification of carriageway lane along Ting Kok Road, Yuen Shin Road, Dai Fat Street and Tai Po Tai Wo Road; realignment of footpaths and cycle tracks along Ting Kok Road and Yuen Shin Road; modification of pedestrian crossings at Fung Yuen Road and Ting Kok Road; relocation of a bus stop on Ting Kok Road; and modification of road markings and cycle time of traffic lights.

1.9 For public transport facility, a new bus lay-by with bus turn-around facility underneath residential tower T6 at the Western Portion abutting Fung Yuen Road is proposed (**Drawing Z-11**). The Site is served by public transport services within walking distances including a number of existing bus and green mini-bus (GMB) routes along Fung Yuen Road and Ting Kok Road, providing connections to other areas in Tai Po, Wu Kai Sha, Kwun Tong, Tsuen Wan and Tuen Mun (**Drawing Z-12**). The applicant will liaise with the Transport Department (TD) to enhance the existing public transport services by

strengthening the frequency. The TIA also concludes that the pedestrian network could cater for the additional traffic arising from the proposed developments.

Environmental Aspect

- 1.10 According to the NIA, noise mitigation measures including provision of acoustic window (baffle type), building setback, building block orientation and internal design are proposed to mitigate traffic noise impact from Fung Yuen Road and Ting Kok Road. The Site will not be subject to fixed noise source impact. According to the AQIA, the major air pollution sources are the industrial chimney emissions from the Tai Po InnoPark and Alice Ho Miu Ling Nethersole Hospital and vehicular emissions in the neighbourhood. The AQIA concludes that cumulative concentrations of gaseous air pollutants are within the stipulated Hong Kong Air Quality Objectives limits. During construction phase, the applicant will comply with control requirements under relevant regulations and implement relevant mitigation measures accordingly, thus, no adverse air quality impacts are anticipated.

Ecological Aspect

- 1.11 The EcoIA concludes that the scattered woodland, grassland, shrubland-grassland, abandoned orchard, developed area and watercourse to be lost² within the Site have low or low-to-moderate ecological values. Species of conservation importance recorded at the Site includes *Mucuna championii* (港油麻藤) (climber species); *Japanese Pipistrelle* (東亞家蝠) and *Lesser Yellow Bat* (中黃蝠) (bat species); and *Chinese Pond Heron* (池鷺), *Greater Coucal* (褐翅鴉鵂) and *Little Egret* (小白鷺) (bird species) (**Drawing Z-15**). The potential ecological impacts on the species of conservation importance during construction and operational phases are not considered significant as the climber species will be preserved in situ as part of the landscaped area and the fauna species are highly mobile. Mitigation measures during construction e.g. proper control of construction runoff and good construction practices are recommended to minimise the disturbances to habitats in the vicinity. Loss of trees in the habitats will be compensated in the development site as detailed in paragraph 1.17 below.
- 1.12 With the implementation of proper control of construction runoff, good construction practice and setback of at least 3m from the semi-natural Fung Yuen Stream, potential disturbance to the existing habitats including those within the Site and the proximity will be minimized.
- 1.13 The nearest recognized sites of conservation importance are the Fung Yuen Valley Site of Special Scientific Interest (SSSI) for Fung Yuen Butterfly Reserve, which is separated from the Western Portion by the existing Mont Vert and situated about 300m at the shortest distance from the northern boundary of the Western Portion. Disturbance to such SSSI due to the proposed developments is not anticipated.

Sewerage and Drainage Aspects

- 1.14 In view of insufficient capacity of the existing public sewerage system for the proposed Phase I residential development, an on-site underground STP under Tower 2 is proposed to treat the sewage generated thereat (**Drawing Z-3**). The sewage generated from the proposed Phase II residential development and SWF block would be discharged to the

² A section of Fung Yuen Stream (less than 100m²) will be diverted to the proposed box culvert to prevent flooding in the upstream and mid-stream section of the existing watercourse under extreme flooding events (**Drawing Z-13**).

existing public sewerage system.

- 1.15 The DIA has examined the drainage impact for up to 1 in 200 years flood events. To mitigate the flood condition at the localised area near the Site, a 3m buffer area from building area has been reserved; runoff generated from the proposed Phase I residential development will be discharged to the new box culvert via connecting pipes while runoff from the developments at Phase II residential development and SWF block will be discharged to existing stream course; and boundary channels with covers and associated pipes along the western fringe of Western Portion will be provided to intercept runoff from nearby villages to the existing watercourse and/or the proposed box culvert, subject to detailed design. To tackle the backwater effect under extreme weather condition, local emergency pumping, flap valve at the downstream and flood walls surrounding the proposed SWF block at the Southern Portion will be provided. With the provision of the proposed drainage mitigation measures, the drainage condition at upstream and mid-stream of the stream course will be greatly improved (**Drawing Z-13**).

Visual, Air Ventilation and Landscape Aspects

- 1.16 According to the applicant, the design and layout of the proposed residential development have incorporated (i) the stepped BH profile with four height bands descending from the north at 102mPD to the south at 85mPD in response to the established descending BH profile from the proposed development in the north to the Tai Po InnoPark and waterfront promenade in the south to preserve the view towards the ridgelines; (ii) curvilinear configuration and building disposition compatible with Mont Vert in north-south direction to minimize visual disturbance; (iii) tree and hedge planting along site boundary to soften the development edge; (iv) residential towers positioned away whenever possible that the minimum distance between the proposed residential towers and the nearest low-rise village houses would be ranging from 14m to 30m to minimise the interface issue (**Drawing Z-2b**); (v) four building separations (one not less than 30m, one not less than 20m and two not less than 15m) (**Drawing Z-14**); and (vi) podium-free design with underground parking facilities and STP to minimize building bulk. Given the design/ mitigation measures, the VIA concludes that the visual impact of the proposed development at the selected public viewing points ranges from “negligible” to “slightly adverse” (**Drawings Z-7a to 7f**). As the BH of the SWF block at the Southern Portion is similar to the surrounding BH profile in the Tai Po InnoPark, no unacceptable visual impact is envisaged. With the design measures proposed to facilitate air penetration, impact in terms of the wind environment on the surrounding areas is minimized.
- 1.17 According to the LPTSR, there are 684 existing trees and no registered Old and Valuable Tree (OVT) and Champion Tree are surveyed within the Site. It is proposed to retain 60 trees in-situ, transplant 10 trees, and fell a total of 614 trees, of which 496 trees (including three *Dalbergia odorifera* (降香黃檀) and seven *Lagerstroemia speciosa* (大花紫薇)) are in conflict with the proposed developments (over half of them have unrecoverable defects) and 118 trees are undesirable species. A total of 502 new heavy standard/standard trees and whip planting would be planted for compensation achieving a replanting ratio of 1:1 (**Drawing Z-4**). Not less than 5,169m² and 150m² of private open space with recreational areas will be provided within the Western and Southern Portions respectively. Among the aforementioned private open space, not less than 1,000m² private open space will be provided on various levels within and near the retail facilities and PVP for the enjoyment of public and residents (**Drawing Z-6**). A minimum green coverage of 30%, 20% and 20% would be accommodated at ground level within Phase I and Phase II of the Western and Southern Portions respectively to comply with the greenery requirement stipulated in the Sustainable Building Design Guidelines (SBDG).

- 1.18 The indicative layout plan, section plans, indicative landscape proposal, open space plan and photomontages of the proposed developments at the Western and Southern Portions are shown in **Drawings Z-2a to Z-7f**.

Northern Portion (Mont Vert)

- 1.19 According to the applicant, no new development will be initiated by the applicant within the Northern Portion and the proposed rezoning mainly aims at reflecting the as-built condition of Mont Vert and the existing houses/structures. Nevertheless, since there are some third party lots scattered within the proposed “R(B)14” zone, which may have development potential after rezoning (**Drawing Z-9**), the applicant has submitted a sensitivity test for the Northern Portion³ to evaluate the infrastructural impact (traffic, drainage, sewerage and water supply) of future potential developments of the third party lots. In this regard, a maximum domestic PR of 1.57 is proposed to accommodate the abovementioned developments based on the development potential of all private lots within the Northern Portion⁴. Besides, the maximum non-domestic GFA of 376m² is proposed based on the floor area of a former kindergarten at Mont Vert, which has now been vacated. While the concerned premises is currently vacant, in future, the non-domestic portion will be for commercial uses including but not limited to kindergarten and shop and services.

Eastern Portion

- 1.20 According to the applicant, additional land of 9,600m² at the Eastern Portion has been acquired since the last planning approval granted in 2004 (**Drawing Z-8 and Plan Z-2b**), which has been integrated, formed, landscaped and operated as the eastern part of AGR portion, constituting a more contiguous, comprehensive and functional agricultural use. Active recreational farming activities are taking place and no new development is proposed within the Eastern Portion. The proposed maximum non-domestic GFA of 600m² is to reflect the current Management Office and covered walkway within the eastern part of AGR portion.
- 1.21 The “CDA(1)” zone is the subject of five previous s.16 planning applications (No. A/TP/256, 267, 318, 319 and 333) for proposed residential development and agricultural use which were approved by the Rural and New Town Planning Committee (the Committee), Director of Planning under the delegated authority of the Town Planning Board (the Board) between 2000 and 2004 (**Plan Z-1a**). Phase 1 residential development of the “CDA(1)” zone (i.e. Mont Vert) was completed in 2015 while the Subsequent Phase at the site involving multiple ownership has not been implemented. The zoning history of “CDA(1)” and previous applications are detailed in paragraph 4 below.
- 1.22 The land ownership of the current “CDA(1)” and “G/IC” zones as well as various portions under the proposed rezoning is set out in the table below:

³ According to the applicant, the developable land area currently owned by third parties (excluding graves/urns) is estimated to be about 3,000m² based on location, size, topography and existing use within the proposed “R(B)14” zone. With adoption of the standard land estimation of 250m² per NTEH, it is assumed that no more than 12 NTEHs would be developed within the third party lots with an additional population of about 95 persons. As such, the sensitivity test concludes that the anticipated impact arising from such developments is minimal and significant adverse impact to the local infrastructure is not expected.

⁴ GL within the Northern Portion mainly consists of Fung Yuen Road and small parcels of land in irregular shape, and their development potentials are assumed to be minimal.

Land Ownership	“CDA(1)”					“G/IC”
	Western Portion		Northern Portion	Eastern Portion	Total	Southern Portion ⁽¹⁾
	Phase I	Phase II				
Lots Owned by the Applicant (m²)	16,016 (60%)	505 (10%)	51,404 ⁽²⁾ (80%)	70,033 (80%)	137,958 (75%)	918 (27%)
Lots Owned by Third Parties (m²)	2,333 (9%)	2,499 (47%)	7,143 (11%)	11,744 (13%)	23,719 (13%)	29 (1%)
GL (m²)	8,218 (31%)	2,283 (43%)	5,939 (9%)	5,611 (7%)	22,051 (12%)	2,400 (72%)
Total (m²)	26,567	5,287	64,486	87,388	183,728	3,347

⁽¹⁾ According to the applicant, only the private lots owned by the applicant will be used for accommodating the proposed SWF block.

⁽²⁾ Including Mont Vert (TPTL 183RP) which was developed by the applicant and subsequently sold to individual owners.

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

- (a) Application Form received on 13.10.2025 **(Appendix I)**
- (b) Consolidated Planning Statement (CPS) received on 5.8.2026⁵ **(Appendix Ia)**

1.24 On 23.1.2026 and 17.4.2026, the Committee agreed to the applicant’s request to defer making a decision on the application for two months each.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the CPS at **Appendix Ia**. They can be summarized as follows:

Timely Development of the Area for Optimal Uses without Compromising Development Right of Other Owners within “CDA(1)” Zone

- (a) the applicant⁶ had assembled the private lots and cleared the environmentally undesirable uses e.g. open storage and car-repairing workshop uses within the area since 1987. Further to the planning approvals granted between 2000 and 2004, Phase 1 development of the “CDA(1)” zone comprising the Mont Vert and the AGR portion for recreational were executed. While Subsequent Phase was reserved for future implementation by the applicant upon unification of remaining land titles within the “CDA(1)” zone according to the approved scheme, the possibility of land acquisition is extremely remote due to absentee ownership, too long and land title problems despite continuous efforts made in land assembling⁷ since the completion of land exchange application for Phase 1 development in 2007. The rezoning application will facilitate timely development of the area for optimal uses in meeting urgent housing demand without jeopardising the development potential of the unacquired lots within the “CDA(1)” zone;

⁵ Supporting Planning Statement (SPS) and Supplementary Information (SI) received on 13.10.2025 as well as Further Information (FI) received on 28.11.2025, 10.12.2025[#], 6.3.2026[#] and 17.6.2026[#] were superseded and are attached at **Appendices Ib to If** respectively.

[#]exempted from recounting requirement

⁶ Including the applicant’s parent company, Cheung Kong Holdings Limited (CKH).

⁷ According to the applicant, over 9,600m², 1,100m² and 1,600m² of private land have been acquired in the Eastern, Northern and Western Portions respectively (**Plan Z-2b**).

Site Constraints of the AGR Portion at Western Portion

- (b) due to the comparatively lower topography, the northwestern part of Western Portion designated as woodland/meadows/nurseries in accordance with the Detailed Maintenance and Management Plan (DMMP) under the previously approved s.16 applications has been unintentionally served as a temporary flood pond and flow path for collecting runoff from the villages to its west (such as Lau Hang (流坑) at about +11mPD to +15mPD to the existing stream at 7mPD to 8.5mPD) over the years (**Plan Z-7**). The health condition of the vegetation and trees in this part of AGR Portion has been poor due to excessive flood water/rainwater overland flow from nearby villages. Trees could hardly survive in this area. For the farmers' enclave under DMMP which is located at the southern part of the Western Portion, the applicant claims that with the development restrictions imposed under the "CDA(1)" zone, it is hesitant to have structures erected on it, the space is therefore not widely popular or attractive to users or operators. However, the applicant has been carrying out regular maintenance including weed clearance in the area;

Enhancement of the AGR Portion at Eastern Portion

- (c) with the applicant's continuous effort in assembling more private lots after the land exchange for Phase 1 development, an additional area of over 9,600m² has been acquired in the eastern part of AGR portion. Such area, being more than the land area of TPTL 183 s.A ss.1 (about 8,900m²) in the western part of AGR portion, has been well integrated and consolidated as more contiguous agricultural uses in the eastern part of AGR portion to fully realise the intention of the DMMP (**Drawing Z-8**);

In line with the Government Policy of Boosting Housing Supply

- (d) the Government acts proactively to increase housing land supply by conducting land use reviews among other measures. The rezoning proposal is in line with the Government's policy to unleash the development potential of private agricultural land for providing residential development with essential community uses and SWFs expeditiously. The Site which is close to the developed areas and readily available for development will help hasten housing supply in a much shorter time frame by 2030;

Suitable Location for Residential Use and Compatible with the Neighbourhood

- (e) the Site is located at the northeastern fringe of the Tai Po New Town expansion. Fu Tip Estate (total PR of 6.15) completed in recent years and planned public housing development (PHD) in Chung Nga Road West (total PR of 6.9) are located only about 170m and 750m away from the Western Portion respectively. Together with the existing Mont Vert completed in 2015, the Site is a logical and appropriate location for residential development;
- (f) the proposed development scale is considered appropriate in that the proposed BH ranging from 85mPD to 102mPD is compatible with the maximum BH of Mont Vert (about 102mPD) to the north, and lower than high-rise Fu Tip Estate and Chung Nga Road West development to the west. Under the rezoning proposal, a stepped BH profile descending from the proposed residential development to the waterfront promenade will be created to preserve public views to the ridgeline of Cloudy Hill. As demonstrated in the VIA, the proposed residential development is fully compatible and largely blend in with the existing high-rise developments;

Provision of Community and Supporting Facilities

- (g) the applicant will take up the construction of the proposed RCHE cum DCU and set up a private or self-financing RCHE to alleviate the surging demand for RCHE, thereby serving the needs of the ageing population in Hong Kong;
- (h) to meet the needs for retail facilities and public vehicle parking in the locality, opportunity is taken to provide floor space for shops and services as well as PVP at the northern part of Western Portion. In addition, a landscaped open space of not less than 1,000m² on top of/adjoining to the retail facilities will be provided for the enjoyment of public and surrounding residents (**Drawing Z-6**). These facilities forming a neighbourhood activity node would benefit the whole Fung Yuen community;

Access to Third Party Lots

- (i) the proposed layout has been carefully designed to avoid any land locking issues of the adjacent third party lots. While there is no existing vehicular access to the third party lots within Area A, appropriate internal footpaths will be provided for pedestrian access to these lots (**Drawing Z-16**). In case of emergency situations, the applicant will discretionarily permit/allow emergency vehicles to the adjacent private lots;

Appropriate Zonings Proposed for Northern and Eastern Portions of the “CDA(1)” zone to reflect the Long Established “As-built” Conditions

- (j) since Mont Vert at the Northern Portion and the eastern part of AGR portion have been completed for more than 10 years, opportunity is taken to rezone these portions of the “CDA(1)” zone to appropriate zonings to reflect their existing “as-built” conditions. As such, the land falling within these portions could have greater flexibility to utilise their land and avoid planning blight while clear planning intention and development restrictions still apply;

Technically Feasible and No Insurmountable Impacts

- (k) technical assessments, including TIA, NIA, AQIA, Waste Assessment, LCA, EcoIA, DIA, SIA, VIA, WSIA, VIA, LPTPR and AVA, have been conducted and confirmed the technical feasibility of the proposed developments at the Western and Southern Portions. It is concluded that there would be no insurmountable problem to rezone the Site given the incorporation of mitigation and improvement measures proposed. The undeveloped potential within the Northern Portion (i.e. proposed “R(B)14” zone) is demonstrated to be technically feasible; and

Feasible Implementation Mechanism of Proposed Facilities

- (l) the abovementioned facilities including provision of PVP, retail facilities, open space for public enjoyment, bus layby with bus turn-around facility and SWFs could be incorporated into the relevant land grant documents to ensure they can be materialised.

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

The applicant is one of the “current land owners” of the Site and has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/ Notification” Requirements under Sections 12A and 16 of the Town Planning

Ordinance (TPB PG-No. 31B) by publishing notices in local newspapers and site notice. Detailed information would be deposited at the meeting for Members' inspection. For the GL portion within the Site, TPB PG-No. 31B is not applicable.

4. **Background**

- 4.1 The Site (currently zoned "CDA(1)" and "G/IC") and the wider area of Fung Yuen Valley were zoned "Green Belt" ("GB") and "Village Type Development" ("V") on the draft OZP No. LTP/47 gazetted on 12.12.1980 (**Plan Z-5a**). These areas were then rezoned to "Other Specified Uses" annotated "Comprehensive Redevelopment Area" ("OU(CRA)") (about 28.8 ha) without specifying development restriction on the draft OZP No. LTP/47A gazetted on 30.4.1982 to facilitate private low density residential and village type developments. No redevelopment proposal on the "OU(CRA)" zone had been received and the Site remained under active cultivation on the eastern part of Fung Yuen Valley while the rest of the agricultural land was mostly fallow and covered with grass and shrubs, together with some areas along Fung Yuen Road being occupied by open storage and car repairing workshop uses. On the draft OZP No. S/TP/7 gazetted on 11.11.1994, a land area of about 1.8 ha in the "OU(CRA)" zone was rezoned to "CDA" (with PR restriction of 0.4 and BHR of 4 storeys) to provide incentive to discontinue the undesirable open storage use and that developments therein should be undertaken in a comprehensive manner while majority of the "OU(CRA)" zone was rezoned to "GB" to accord with the planning intention of 'Rural Activity Area' ('RAA') zone on the Tai Po Area 32 Layout Plan No. L/TP32/1 for rural type development (agricultural and recreational uses). The southern fringe of the "OU(CRA)" was rezoned to "G/IC" to cater for future GIC facility demand while remaining area was rezoned "V" for village expansion to cater for increased small house demand (**Plan Z-5b**).
- 4.2 CKH, the parent company of the applicant of the current rezoning application, raised objection to the "GB", "V" and "G/IC" zonings and proposed to rezone part of these areas to "CDA" (about 20.4 ha). Proposals for a comprehensive residential development in the northwestern part, and open space and agricultural use in the southern part of "CDA" were submitted by CKH to substantiate its objection. After giving preliminary and further considerations to the objection on 19.4.1996⁸ and 15.8.1997 respectively taking into account land use review undertaken by the Planning Department (PlanD), the Board decided to amend the OZP by rezoning an area of about 18.4 ha in Fung Yuen from "CDA", "GB" and "V" to "CDA(1)" with a maximum PR of 0.64⁹ with a view to eliminating undesirable uses and to promoting agricultural development. The Board also agreed that residential development should be confined within the development area as shown in the scheme submitted by CKH and the remaining non-development area should be reserved for agricultural use. The amendments were incorporated on the Tai Po OZP No. S/TP/10, which was gazetted on 23.3.1999.
- 4.3 Since then, the land use zoning, PR restriction and planning intention of the "CDA(1)" zone remain unchanged, except for minor zoning boundary adjustment and the imposition of BHRs in 2010, which was mainly descending from 28 storeys to 17 storeys from north to south for the development portions and restricted to one storey for AGR

⁸ The Board gave preliminary consideration to the objection on 19.4.1996 and decided to amend the plan by rezoning land area of 7.8 ha (including "GB" zone) to "CDA" (with no imposition of PR restriction as the scale and intensity should be subject to further study) and the remaining "GB" to "Agriculture" ("AGR") to provide more incentive for comprehensive development and to preserve the prime agricultural land and active agricultural activities thereon respectively.

⁹ The PR of 0.64 was derived based on the total GFA of about 117,000m² proposed in the scheme submitted by CKH and the "CDA(1)" zone of about 18.4 ha.

portion to tally with the approved Master Layout Plan (MLP) (**Plan Z-5c**).

Previous s.16 Applications

- 4.4 Part of the Site falling within the “CDA(1)” zone is the subject of five previous s.16 planning applications (No. A/TP/256, 267, 318, 319 and 333), which were all submitted by CKH (**Plan Z-1**). Application No. A/TP/256 for proposed residential development cum agricultural use¹⁰ was approved with conditions by the Committee on 11.8.2000 mainly on considerations that the proposed development would unlikely pose additional burden on the existing and planned infrastructure and local road network; the proposed MLP largely followed the agreed development concept, viz low-density residential development portion located in the northwest of Fung Yuen Valley and remaining area preserved for agricultural use; and the proposed development would not adversely affect environmental and landscape quality of the area.
- 4.5 The approved MLP was then amended four times under applications No. A/TP/267, 318, 319 and 333, including adjustment of the boundaries of Phase 1 and Subsequent Phase development sites and corresponding redistribution of GFA between the two phases, incorporation of drainage outlets into the approved MLP and reduction in site area for PR calculation due to setting out of site boundary during the process of land grant. The last application No. A/TP/333 was approved on 17.8.2004. The last approved MLP in 2015 is shown on **Plan Z-6**.
- 4.6 According to the last approved MLP under application No. A/TP/333 (**Plan Z-6**), the proposed development consists of two phases with Phase 1 development comprising eight residential towers ranging from 19 to 26¹¹ storeys (about 78 to 102mPD) with a GFA of about 87,356m² together with the AGR portion, and Subsequent Phase development comprising four residential towers of 17 storeys (58 to 63mPD) with a GFA of about 24,761m². The Phase 1 residential development (i.e. Mont Vert) was completed in 2015. The AGR portion, currently named as Le Jardin (芊色花園), is owned by the applicant and should be maintained in accordance with the DMMP¹² approved under application No. A/TP/333 (**Plan Z-7**). The eastern part of AGR portion to the east of Fung Yuen Road (i.e. the Eastern Portion) is currently in operation under the name of Butterfly Valley (蝶豆花園) and Cinderella Farm (童話世界農莊) for agricultural and recreational uses (**Plans Z-3 and Z-4e**), and the western part of AGR portion to the west of Fung Yuen Road (i.e. the Western Portion) is currently covered by woodlands and meadows (**Plans Z-4a and Z-4c**).
- 4.7 According to the approved scheme under application No. A/TP/333, Subsequent Phase could be implemented by the applicant after acquiring remaining private land of about 38,689m² within the “CDA(1)” zone. The development potential of those acquired lots (i.e. PR of 0.64) would be transferred to Subsequent Phase for implementation of residential development. The Subsequent Phase development site currently comprising applicant’s owned lots, unacquired private lots and GL, remains undeveloped. The proposed residential development in the Western Portion under the current rezoning application would take up the western part of AGR portion to the west of Fung Yuen Road mentioned above and the Subsequent Phase development site under application No.

¹⁰Realignment and upgrade of Fung Yuen Road were also included in the proposal.

¹¹The maximum no. of storeys as shown on the last approved MLP was changed from 28 to 26 subsequent to imposition of BHR of 28 storeys on the “CDA(1)” zone in 2010, while the maximum BH of 102mPD of Phase 1 development (i.e. Mont Vert) remained unchanged.

¹²The DMMP comprises four functional areas including Farmers’ Enclave, Homestead Orchard, Aquacultural Precinct and Nectar Paradise.

A/TP/333.

- 4.8 A comparison of the major development parameters of Phase 1 (i.e. Mont Vert) and Subsequent Phase under application No. A/TP/333, and the proposed development at the Western Portion under the current application is appended below:

	Previous Application No. A/TP/333		Current s.12A Application No. Y/TP/40	
	Phase 1 (Mont Vert, TPTL 183RP) (a)	Subsequent Phase (b)	Western Portion (Phases I and II) (c)	Changes (c) – (b)
Site Area (about) (m²)	50,246	13,003	31,854	+18,851 (+145.0%)
Total PR	1.75	1.90	3.47	+1.57 (+82.6%)
- Domestic PR	1.74	1.90	3.44	+1.54 (+81.1%)
- Non-domestic PR	0.007	-	0.03	+0.03
Total GFA (not more than m²)	87, 732	24,761	110,377	+85,616 (+345.8%)
- Domestic GFA	87,356	24,761	109,577	+84,816 (+342.5%)
- Non-domestic GFA for Retail Facilities	376	-	800	+800
Maximum BH (mPD)	102	63	102	+39 (+61.9%)
Maximum BH (No. of Storeys)	26	17	30	+13 (+76.5%)
No. of Blocks (Residential Tower)	8	4	7	+3 (+75%)
No. of Units	1,350	422	1,988	+1,566 (+371.1%)
Average Flat Size (m²)	63.29	63.29	55.1	-8.19 (-12.9%)
Anticipated Population	3,240	1,013	5,169	+4,156 (+410.3%)

5. Previous Application

There is no previous rezoning application within the same “CDA(1)” or “G/IC” zone on the OZP.

6. Similar Application

There is no similar rezoning application within the same “CDA(1)” or “G/IC” zone on the OZP.

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

7.1 The Site:

- (a) is accessible via Fung Yuen Road branching off from Ting Kok Road;
- (b) partly falls within village ‘environs’ (‘VE’) boundary of Fung Yuen Village including (i) Lau Hang & Kau Shi Wai (流坑及狗屎圍); (ii) Tin Sam (田心); and (iii) Lo Tsuen & Mak Uk (老村及麥屋);
- (c) partly encroaches on a potentially hazardous installation (PHI) 1,000m consultation zone of Tai Po Gas Production Plant;

Western Portion

- (d) comprises Subsequent Phase for residential development and western part of the AGR portion under application No. A/TP/333. For the lots owned and GL managed by the applicant, they are largely covered with vegetation and trees. For the third party lots, two domestic structures and a farmland are found at the southern part and hard-paved parking areas of vehicles are located along its northwestern and eastern fringes;

Northern Portion

- (e) is mainly occupied by the residential development (i.e. Mont Vert), which was completed in 2015, with BH descending from the north at 101.4mPD (26 storeys) to the south at 77.4mPD (19 storeys). A non-building area serving as a buffer area is located at the northern boundary between Mont Vert and Fung Yuen Valley SSSI. Third party lots are mainly scattered at the northern and southern fringes which are currently occupied by village houses, temporary structures, graves or being vacant. The northern section of Fung Yuen Road is located along its eastern fringe (**Plans Z-2a to 2c**);

Eastern Portion

- (f) comprises the eastern part of AGR portion under application No. A/TP/333 currently operated as Butterfly Valley and Cinderella Farm for agriculture and recreation uses with BHR of one storey. Most of the third party lots within the Eastern Portion are vacant except an ancestral hall enclaved within Butterfly Valley, two farmlands near Tin Sum Village and few open storage and recyclable collection centre located at the southeastern fringe. The southern section of Fung Yuen Road is located along its western fringe (**Plan Z-2b**); and

Southern Portion

- (g) is partly occupied by Tin Sam Sewage Pumping Station and partly vegetated.

7.2 The surrounding areas are of urban fringe character comprising village houses, medium to high-rise residential developments, GIC facilities and woodland:

- (a) to the immediate west are the village clusters of Lau Hang & Fung Mei Wai “V” zone and a low-rise residential development zoned “Residential (Group C)1”. Another “V” zone of Tin Sam is enclaved within the Eastern Portion of the Site.

These areas are subject to a maximum BH of three storeys;

- (b) about 170m to the further west uphill is a high-rise PHD of Fu Tip Estate zoned “Residential (Group A)9” (“R(A)9”) subject to PR of 6.15 and BHR of 143mPD¹³. To the further southwest is Alice Ho Miu Ling Nethersole Hospital zoned “G/IC” subject to BHR of 70mPD;
- (c) to the immediate north and northeast are Fung Yuen Valley SSSI and Fung Yuen Lo Tsuen “V” zone respectively;
- (d) to the immediate east are extensive vegetated hill slopes zoned “GB”. About 1km to the further east near The Education University of Hong Kong is a low to medium density residential clusters zoned “R(B)” and “R(C)” subject to PR ranging from 0.8 to 1.8 and planned high density residential developments zoned “R(A)11” and “R(A)12” subject to maximum GFA of 65,522m² (equivalent to PR of 3.23) and BH of 83mPD, and maximum GFA of 23,000m² (equivalent to PR of 4.04) and BH of 80mPD respectively (**Plan Z-1c**); and
- (e) to the immediate south is Fung Yuen Playground and Society of Horticulture under short-term tenancy (STT) zoned “G/IC” with BHR of one storey. To the further south across Ting Kok Road are the government departments’ works areas, vehicle repair workshops and brownfield operations under STTs (**Plan Z-2b**), and Hong Kong Institute of Construction Tai Po Training Ground, which are zoned “G/IC” with BHRs ranging from one to eight storeys, as well as a bus depot zoned “OU” annotated “Bus Depot” with BHR of 2 storeys. To the further southeast is the Tai Po InnoPark zoned “OU” annotated “Industrial Estate” subject to BHR of 40mPD (**Plan Z-1c**).

8. Planning Intentions

- 8.1 The planning intention of the “CDA(1)” zone is for comprehensive development/redevelopment of the area for low-density residential and agricultural uses with the provision of open spaces 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.
- 8.2 The planning intention of the “G/IC” zone is primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.

9. Comments from Relevant Government Departments

- 9.1 The following government departments have been consulted and their views are summarised as follows:

¹³ Fu Tip Estate (also known as Tai Po Area 9 and Chung Nga Road East) is the subject of an application No. A/TP/672 for minor relaxation of PR restriction from 6.0 to 6.15 and BHR from 140mPD to 143mPD which was approved by the Committee on 22.1.2021.

Land Administration

9.1.1 Comments of the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD):

Western and Southern Portions

- (a) TPTL 183 is governed by New Grant No. 20412 dated 9.8.2007 subject to Modification Letter dated 5.2.2009 (the Lease) granted by way of land exchange to the applicant to implement private residential development with maximum GFA of 87,356m² and agricultural uses under Phase 1 of planning application No. A/TP/333 as approved by the Board on 18.8.2004. TPTL 183 was later carved out into s.A and RP in 2013. TPTL 183 RP has been developed into private residential development now known as Mont Vert and falls into multiple ownership;
- (b) pursuant to Special Condition (SC)(11)(b) of the Lease, the AGR portion (i.e. TPTL 183 s.A) is restricted to agricultural uses or such other purposes as may be approved by the Director of Lands. TPTL 183 s.A, subsequently carved out into “TPTL 183 s.A ss.1”, “TPTL 183 s.A ss.2”, and “TPTL 183 s.A RP”, is still held by the applicant as required under SC(28)(b) of the Lease (**Plans Z-2b** and **Z-7**). The uses, development and details of the management and the maintenance of the AGR portion are governed by the DMMP approved under SC(15)(a)(i) of the Lease and the Grantee shall continue implementation of the approved DMMP;
- (c) as the AGR portion defined and controlled under the Lease have to reflect the planning intention of the MLP approved under planning regime, he would defer to PlanD and relevant departments including Agriculture, Fisheries and Conservation Department to consider whether the proposal to carve out TPTL 183 s.A ss.1 and TPTL 183 s.A ss.2 from the AGR portion for private residential development would be acceptable from the context of planning and agriculture conservation. Also, there would be concern as to whether the application would adversely affect the management and maintenance of the remaining AGR portion, i.e. TPTL 183 s.A RP. Apparently, modification of the Lease and consequential amendment to the approved DMMP relating to TPTL 183 s.A would be necessary if such carve out is acceptable;
- (d) the land status of Yellow Areas (**Plans Z-2b**) of TPTL 183 to its south is unleased GL being landscaped and managed by the Grantee until such area is re-delivered on demand under the Lease to the Government. As stated in SC(9)(k) of the Lease, ‘the Government may dispose of the Yellow Areas for such purposes (including private residential use) as the Government shall at its own absolute discretion determine’;
- (e) given that the Yellow Areas with an area of about 1ha is of reasonable size serving with vehicular access, this GL is considered as reasonably capable to be separately alienated;
- (f) in view the above, the Government reserves all rights to dispose the GL within the Site and should not in anyway be bound by the indicative development proposal;

- (g) there is a stream passing through the development site (Areas A and B). Comments from relevant departments, e.g. Drainage Services Department (DSD), Environmental Protection Department and Tai Po District Office, should be sought (i) for proper diversion of the stream; and (ii) to delineate the future management and maintenance responsibilities of the stream;

Northern and Eastern Portions

- (h) the Northern and Eastern Portions are proposed to be rezoned from “CDA(1)” to “R(B)14” and “REC” respectively to reflect the as-built situation. There is no comment on the proposed zoning from land administration point of view; and
- (i) should the application be approved by the Board, applications for land exchange and modification of lease would be required for implementation of the proposed developments. The land owner is reminded that every application submitted to LandsD will be considered on its own merits by LandsD at its absolute discretion acting in its capacity as a landlord and there is no guarantee that the land exchange and lease modification applications will eventually be approved. If the applications for land exchange and lease modification are approved, they will be subject to such terms and conditions as may be imposed by LandsD at its absolute discretion, including payment of premium and administrative fees.

Traffic

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

- (a) it is understood that the proposed road improvement works layout are preliminary and the detailed design will be further developed in the later stage (**Drawings Z-10a to Z-10e**). She reserves comments on the detailed design to be submitted by the applicant in the later stage. The proposed road improvement works involve the resumption of GL allocation and extensive engineering works including the slope works. The applicant shall ascertain the feasibility of the proposed improvement;
- (b) noting that the spare capacity of some of the existing public transport services in morning peak would be insufficient to cater to the future demand by Year 2033, she agrees to enhance the GMB and bus services by introducing additional trips during the morning peak subject to the resources deployed by public transport service provider. The applicant should keep close communication with TD and public transport service providers for the request on service enhancement; and
- (c) the applicant shall complete the road improvement works before population intake and issuance of Occupation Permit in order to alleviate traffic impact arising from the development. To ensure accountability and enforceability, should the current application be approved, traffic improvement measures as suggested under TIA should be incorporated into Explanatory Statement of the OZP, and submission and implementation of TIA should be incorporated as future land grant conditions.

Environment

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

- (a) he has no objection to the application; and
- (b) his detailed comments on the application are at **Appendix III**.

Agriculture and Nature Conservation

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

Agriculture

- (a) the AGR portion under application No. A/TP/333 possesses potential for agricultural rehabilitation as farming activities are very active in the vicinity and agricultural infrastructures such as road access and water source are also available. Thus, the AGR portion is worthy of preservation. The proposed private residential development within the AGR portion and the associated rezoning proposal are not supported from agricultural perspective. It is noted that the “CDA(1)” zone is intended for comprehensive development/redevelopment of the area for low-density residential and agricultural uses with the provision of open spaces and other supporting facilities; and

Nature Conservation

- (b) he has no comment from nature conservation perspective.

Urban Design and Landscape

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

Urban Design and Visual

- (a) the Site is situated in the northeastern urban fringe area of Tai Po New Town forming a transition between the urban core and the rural hinterland/upland hill areas. The as-built residential development Mont Vert is located in the northern portion of the Site. The surrounding areas are mainly characterised by vegetated hillslopes, village houses, low-rise government, institution and community uses (with BHs ranging from 6 to 32mPD / 1 to 3 storeys). Fung Yuen Valley SSSI is located to the north of the Site. In the wider context, Fu Tip Estate (with maximum BH of about 157mPD at top roof level) is located to its further west. Although the proposed BHs ranging from 99 to 102mPD in the Western Portion, and 8-storey in the Southern Portion of the development site will be taller than some of the existing rural developments, the proposed developments are not incompatible with the developments in the wider context;
- (b) according to the indicative scheme, various design/mitigation measures such as descending BH profile in response to the natural topography, building layout and disposition for visual interests, provision of building

setbacks/separations, and podium-free design are proposed. These measures are considered to have design merits;

Air Ventilation

- (c) the AVA-EE indicates that the proposed development would cause wind obstruction and reduce wind availability of downwind area. However, with the inclusion of the proposed mitigation measures such as building setbacks/separations, no significant adverse impact on the surrounding area is anticipated;

Landscape

- (d) based on the aerial photo of 2025, the Site was situated in an area of settled valley landscape character comprising woodlands, residential buildings, village houses, vegetated areas and scattered tree groups. The proposed development is not incompatible with the surrounding environment;
- (e) according to LPTSR, 684 existing trees were found within the Site. Among them, 60 trees were proposed to be retained, 10 trees to be transplanted, 614 trees to be felled, including 496 common tree species and 118 undesirable species. To mitigate the landscape impacts, 502 new trees (including 353 trees in heavy standard/ standard size and 149 whip plantings) were proposed to achieve a compensation ratio of not less than 1:1 in terms of number for all the sites. Landscape mitigation measures including Entrance Plaza, Evergreen Garden, Riverside Garden, sitting-out areas, transplantation of mature trees and new tree plantings were proposed; and
- (f) significant adverse landscape impact arising from this application is not anticipated.

Provision of Welfare Services

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

- (a) given the proposed 30-place DCU attaching to RCHE will be operated on private self-financing basis, he has no adverse comment on the application from a service perspective;
- (b) the proposed 150-place RCHE cum 30-place DCU is located in an 8-storey SWF block with a BH of 36mPD. As stipulated in Para 5.3.2 of the Code of Practice for Residential Care Homes (Elderly Persons) (June 2024 Revised Edition) (CoP), "...No part of an RCHE shall be situated at a height more than 24m above the ground floor...". In this regard, the applicant should ensure that the 24m height restriction as set out in the CoP is fully complied. While detailed layout plan of the proposed RCHE is not available and it is understood that detailed layout plan would be provided for comment in the later detailed design stage, he is unable to comment on the proposed RCHE design at this moment;
- (c) from service perspective, he has no objection-in-principle to the proposed RCHE on the conditions that (i) the subject RCHE shall incur no financial implication, both capital and recurrent, to the Government; and (ii) the

design and planning of the RCHE shall be in full compliance with relevant prevailing Ordinances, Regulations, and Codes of Practice enforcing in Hong Kong and any licensing requirement issued by SWD; and

- (d) Licensing Office of Residential Care Homes for the Elderly (LORCHE) has no comment on the application. However, the applicant is reminded that, for an RCHE licence to be issued, the intended RCHE has to comply with the licensing requirements as stipulated in the Residential Care Homes (Elderly Persons) Ordinance, Cap. 459, its subsidiary legislation and the latest version of the CoP.

District Officer's Comments

9.1.7 Comments of the District Officer (Tai Po), Home Affairs Department (DO(TP), HAD):

- (a) she has no adverse comment on the application from departmental facility maintenance point of view; and
- (b) objections from the Indigenous Inhabitant Representative of Fung Yuen Village and Fung Yuen Village Office have been received. The major concerns are summarised as follows:
 - (i) the proposed development is not in line with the planning intention of the current "CDA(1)" zone and there is insufficient private land within nearby "V" zones to meet the demand of small house development. Therefore, the GL within the Site should be reserved for small houses and local community facilities to serve nearby local villagers;
 - (ii) the proposed development will have adverse traffic impact to the surrounding area, and will block the accesses to the nearby villages as well as the third party lots within the Site, causing safety and landlocking issues;
 - (iii) the proposed development will have adverse drainage, sewerage, visual and air ventilation impacts to the surrounding area;
 - (iv) the proposed development will affect the fung shui of the nearby villages;
 - (v) the applicant poorly manages the outdoor area of Mont Vert which adversely affects the environment of surrounding area e.g. failure to clear large rocks and debris of the nullah under its management causing flooding problem;
 - (vi) the applicant owns a formidable size of private land within nearby "V" zones, but refuses to negotiate sales term with local villagers. The applicant should release his land in nearby "V" zones to local villagers to facilitate NTEH developments; and
 - (vii) GL within 'VE' should be reserved for serving local villagers. The applicant should set up a fund to provide community

services/facilities as compensation to villagers of nearby villages who will be suffered from the proposed development (e.g. RCHE places and vehicle parking area solely for villagers).

9.2 The following Government departments have no comment on the application. Their detailed comments on the application are at **Appendix III**.

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) Chief Engineer/Mainland North, DSD (CE/MN, DSD);
- (c) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
- (d) Chief Building Surveyor/New Territories West, Buildings Department (CBS/NTW, BD);
- (e) Director of Electrical and Mechanical Services (DEMS);
- (f) Director of Fire Services (D of FS);
- (g) Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD); and
- (h) Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD).

10. Planning Considerations and Assessments

- 10.1 The application is for rezoning the Site from “CDA(1)” to (i) “R(B)13” to facilitate the proposed residential development with retail facilities and PVP; (ii) “R(B)14” to reflect the as-built condition of the completed residential development and existing houses/structures, and to take into account the development potential of third party lots; and (iii) “REC” to reflect the as-built condition of the AGR portion under the previously approved planning application No. A/TP/333. The applicant also proposes to amend the BHR of the “G/IC” zone from 2 storeys to 8 storeys to facilitate a RCHE cum DCU development (**Plan Z-1a**) within the Site. In support of the application, the applicant has submitted an indicative scheme of proposed “R(B)13” and “G/IC” zones along with technical assessments (**Appendix 1a**) and tailor-made Notes for the proposed “R(B)13”, “R(B)14” and “REC” zones (**Appendix II**).
- 10.2 According to the applicant’s indicative scheme (**Drawings Z-1 to Z-6**), the proposed “R(B)13” zone at the Western Portion is primarily intended for medium-density residential developments in two phases. For Phase I, the proposed development is subject to a maximum domestic PR of 3.44, a maximum non-domestic GFA of 800m² (equivalent to PR of 0.03), and a maximum BH of 102mPD, while for Phase II, it is subject to maximum domestic PR of 3.44 and a maximum BH of 99mPD. The proposed Phase I development comprises six residential blocks ranging from 85mPD to 102mPD in height (24 to 29 storeys excluding 3 levels of basement carpark and underground STP) providing 1,718 flats, two-storey retail facilities cum PVP, and a 3-storey clubhouse. For Phase II development, a 30-storey residential block is proposed. A private or self-financed 150-place RCHE cum 30-place DCU with a GFA of about 4,782m² is proposed at the Southern Portion, which is zoned “G/IC” with proposed relaxation of BHR from two to eight storeys to meet the surging demand of RCHE in the next decades.
- 10.3 The Site falling within “CDA(1)” zone, which is intended for encouraging a comprehensive development/ redevelopment for low-density residential and agricultural uses with a view to eliminating undesirable uses that existed on the site, is the subject of five previously approved planning applications for residential development with portions

for agricultural use submitted by the same applicant as the current rezoning application between 2000 and 2004, as mentioned in paragraphs 4.4 to 4.7 above. According to the applicant, after the implementation of Phase 1 residential development (i.e. Mont Vert) and AGR portion as per the approved scheme of the last planning application No. A/TP/333, the planning intention of “CDA(1)” zone has largely been realised except that the Subsequent Phase development due to land ownership problem is not yet implemented. Taking into account the above and the planning assessments below, there is no in-principle objection to rezone the Site from “CDA(1)” to other appropriate zones and relax BHR for the “G/IC” zone.

Proposed “R(B)13” Zone and Relaxation of BHR for “G/IC” Zone

- 10.4 The majority of the Site currently zoned “CDA(1)” is subject to a maximum PR of 0.64 and BHRs ranging from 17 and 28 storeys for residential developments and of one storey for the remaining area (**Plans Z-1a and Z-1b**). Compared with the key development parameters for Subsequent Phase development under previously approved application No. A/TP/333 as mentioned in paragraph 4.8 above, the proposed development within the proposed “R(B)13” zone at the Western Portion would involve an increase in development site area (from 13,003m² to 31,854m², +145.0%), total PR (from 1.90 to 3.47, +82.6%) and maximum BH (from 63mPD to 102mPD, +61.9% or 17 storeys to 30 storeys, +76.5%) (**Plan Z-2a**).

Land Use Compatibility and Development Intensity

- 10.5 The Site is located in the northeastern urban fringe area of Tai Po New Town forming a transition between the urban core and the rural hinterland/upland hill areas. The surrounding areas are mainly characterised by a mixture of high-rise/ high-density residential developments, village houses, low-rise GIC uses and vegetated hillslopes. Since the approval of the last planning application No. A/TP/333 covering the whole “CDA(1)” in 2004, a high-rise PHD of Fu Tip Estate zoned “R(A)9” to the west has been completed, and there are two planned high-density residential developments along Ting Kok Road in the “R(A)11” and “R(A)12” zones to the east (**Plans Z-1c and Z-2c**).
- 10.6 CTP/UD&L, PlanD considers that although the proposed residential development with maximum BH of 102mPD and SWF block with eight storeys at the Site are taller than some of the existing rural settlements in the surroundings, the existing as-built residential development (i.e. Mont Vert) is located in the Northern Portion of the Site whereas high-rise residential development of Fu Tip Estate is located to its west. In this regard, the proposed developments are not incompatible with the surrounding developments in the wider context. For the proposed SWF block, DSW has no adverse comment from a service perspective on the condition that the design and planning of the RCHE shall be in full compliance with relevant prevailing Ordinances, Regulations, Codes of Practice and any licensing requirement issued by SWD.
- 10.7 As for the development intensity, the proposed total PR of 3.47 and 3.44 for Phases 1 and 2 residential developments respectively within proposed “R(B)13” zone are higher than that of Mont Vert (i.e. about 1.75). However, as compared with the adjacent “R(A)9” zone (i.e. Fu Tip Estate with PR of 6.15) to the west and the planned residential developments in the “R(A)11” and “R(A)12” zones with PRs of 3.23 and 4.04 respectively, the development intensity of “R(B)13” zone is considered not excessive and generally comparable to the surrounding developments.

Planning and Design Merits

- 10.8 According to the approved scheme of the last planning application No. A/TP/333, it was stated that the Subsequent Phase development, as part of the approved scheme, would be implemented by the applicant upon unification of remaining land titles within the “CDA(1)” zone. The applicant claims that while the possibility of land acquisition of the remaining private lots for the Subsequent Phase development is extremely remote despite continuous efforts made in land assembling since the completion of land exchange application for Phase 1 development in 2007, and the rezoning application will facilitate timely development of the area for optimal uses in meeting urgent housing demand. The proposed provision of retail facilities of not less than 800m², PVP of 30 parking spaces, open space of not less than 1,000m² for enjoyment of both residents and public in the Western Portion would also address the demand for such facilities from the local and the wider community. Relevant government departments, including C for T have no adverse comment on the provision of retail facilities, PVP and open space within the proposed “R(B)13” zone.
- 10.9 On urban design aspect, the applicant proposes various design/mitigation measures such as descending BH profile in response to the natural topography, building layout for visual interests, building setbacks from existing watercourse and site boundaries, buffer areas for tree and hedge planting along site boundary, provision of building separations with widths ranging from not less than 15 to 30m, and podium-free design, etc. CTP/UD&L, PlanD considers that such measures would have urban design merits.

Technical Aspects

- 10.10 To support the application, the applicant has submitted relevant technical assessments including TIA, NIA, AQA, Waste Assessment, LCA, EcoIA, DIA, SIA, WSIA, VIA, LPTPR and AVA-EE to demonstrate that the proposed rezoning is technically feasible from traffic, environmental, ecological, drainage, sewerage, water supplies, visual, landscape and air ventilation aspects. According to TIA, various road junction improvement works have been proposed to address the traffic demand arising from the rezoning proposal and the existing public transport services would be enhanced by strengthening their frequency. On ecological aspect, mitigation measures during construction e.g. proper control of construction runoff and good construction practices are recommended to minimise the disturbances to habitats in the vicinity. According to the applicant, while there is no registered OVT and Champion Tree are surveyed within the Site, a total of 502 new heavy standard/standard trees and whip planting would be planted for compensation achieving a replanting ratio of 1:1. To mitigate the potential flooding problem in the Site and its immediate surroundings, new box culvert and boundary channels are proposed to intercept runoff from nearby villages, subject to detailed design. The design measures such as building separations, podium free design and setbacks from site boundary as mentioned in paragraph 10.9 above are proposed to mitigate the air ventilation impact arising from the proposed developments. Relevant government departments, including CE/MN of DSD, DEP, CE/C of WSD and CTP/UD&L, PlanD have no in-principle objection to/ no adverse comment on the application. Technical concerns of relevant departments can be addressed at the detailed design stage through incorporation of appropriate controls under lease.
- 10.11 Whilst DAFC does not support the proposed private residential development within the western part of AGR portion and the associated rezoning proposal from agricultural perspective on the consideration that the AGR portion possesses potential for agricultural rehabilitation, it is noted that the applicant proposes to rezone the Eastern Portion of

“CDA(1)” zone to “REC” for agricultural and recreational use. Since the approval of the previous planning application No. A/TP/333, the applicant has endeavoured to acquire third party lots within the AGR portion and the newly acquired land of about 9,600m² has been integrated, formed, landscaped and operated as part of the agricultural and recreational use in the eastern part of AGR portion to the east of Fung Yuen Road. The applicant also proposes not less than 1,000m² private open space on various levels within and near the retail facilities for the enjoyment of public and residents. A minimum green coverage of 30% and 20% would be accommodated at ground level within Phase 1 and Phase 2 of the Western Portion respectively to comply with the greenery requirement stipulated in the SBDG.

- 10.12 Regarding DLO/TP, LandsD’s comment on the inclusion of GL for the proposed residential development within the Western Portion, the applicant should liaise with LandsD on the land administrative matters should the Committee agree the rezoning application.

Proposed “R(B)14” and “REC” Zones

- 10.13 According to the applicant, the proposed “R(B)14” zone intends to reflect the as-built condition of Mont Vert and other existing houses as well as the development potential of the third party lots, while the proposed “REC” zone intends to reflect the as-built recreational and farming uses within the eastern part of AGR portion to the east of Fung Yuen Road. No new development is proposed by the applicant within these zones. For the proposed “R(B)14” zone, the applicant has submitted a sensitivity test to ascertain the technical feasibility for potential developments of the third party lots in respect of infrastructural capacity. Relevant government departments consulted have no adverse comments on the proposed “R(B)14” and “REC” zones.

Local Objection/Concerns

- 10.14 Regarding the local objection/concerns conveyed by DO(TP), HAD as detailed in paragraph 9.1.7 above, the government departments’ comments and planning assessment above are relevant. For the concern on blocking of access to the third party lots, according to the applicant, the layout of the proposed development would be carefully designed to allow emergency vehicles to reach the third party lots and to provide appropriate internal footpath for pedestrian access to avoid land locking issue. For the concern on affecting the fung shui of nearby villages, land ownership of the adjacent “V” zones and setting up of a fund for provision of local welfare, they are not the material considerations of the current rezoning application.

Proposed Notes and Schedule of Uses

- 10.15 Taking into account the above planning assessments, it is considered that rezoning the “CDA(1)” to “R(B)13”, “R(B)14” and “REC” to facilitate the proposed residential developments and to reflect existing “as-built” condition, and proposed amendment to the BHR of the “G/IC” zone are generally acceptable from land use, technical and implementation perspectives. To ensure proper planning control over the proposed developments, further consultation with the relevant B/Ds is required on how the development restrictions including PR/GFA and BH for sub-zones, associated PR/GFA exemption clauses, schedule of Column 1 and 2 uses, and design and mitigation measures, shall be translated or incorporated in the OZP and its Notes and/or ES to reflect the proposed development under current application. Should the application be agreed by the Committee, PlanD will review and formulate appropriate zoning amendments including

details of the development restrictions to be set out in the Notes and/or ES and the land use zoning boundary, for the Committee's consideration prior to gazetting of the proposed amendments to the OZP under the Town Planning Ordinance (the Ordinance).

11. Planning Department's Views

- 11.1 Based on the assessments made in paragraph 10 above, PlanD has no in-principle objection to the application and recommends the Committee to partially agree to the application to rezone the "CDA(1)" part of the Site to appropriate zone/sub-zones with stipulation of appropriate development restrictions, other requirements and schedule of uses in the Notes, and to amend the BHR of the "G/IC" zone, taking into account the considerations in paragraph 10.15 above.
- 11.2 Should the Committee decide to agree/partially agree to the application, PlanD would work out the appropriate amendments to the OZP, including development restrictions to be set out in the Notes and the Explanatory Statement, for the consideration of the Committee prior to gazetting under Section 5 of the Ordinance upon reference back of the OZP.
- 11.3 Alternatively, should the Committee decide not to agree to the application, the following reason is suggested for Members' reference:

the Site falls within areas zoned "CDA(1)" for comprehensive development/redevelopment of the area for low-density residential and agricultural uses with the provision of open spaces and other supporting facilities, and "G/IC" with the building height restriction of two storeys. The development intensity and building height for the proposed development at the Site are considered excessive and incompatible with its surrounding environment. There is no strong planning justification for rezoning the Site from "CDA(1)" to "R(B)13", "R(B)14" and "REC", and amending the building height restriction of 'G/IC' zone to facilitate the proposed developments. The current "CDA(1)" zone and the building height restriction of "G/IC" zone for the Site are considered appropriate.

12. Decision Sought

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

Attachments

Appendix I	Application Form received on 13.10.2025
Appendix Ia	CPS with Technical Assessments received on 5.8.2026
Appendices Ib to If	SPS and SI received on 13.10.2025 and Various FIs received from 28.11.2025 to 17.6.2026
Appendix II	A Set of Notes for “R(B)13”, “R(B)14” and “REC” Zones Proposed by the Applicant
Appendix III	Detailed Departmental Comments
Drawing Z-1	Proposed Amendments to the Approved Tai Po OZP
Drawings Z-2a to Z-2b	Indicative Layout Plans
Drawing Z-3	Section Plans
Drawing Z-4	Landscape Proposal
Drawings Z-5a to Z-5c	Landscape Section Plans
Drawing Z-6	Open Space Plan
Drawings Z-7a to Z-7f	Photomontages
Drawing Z-8	Additional Land Acquisition Plan
Drawing Z-9	Potential Sites for NTEH Development within Proposed “R(B)14” Zone
Drawings Z-10a to Z-10e	Proposed Junction Improvement Works
Drawing Z-11	Proposed Bus-layby with Turn-around Facility
Drawing Z-12	Existing Public Transport Services
Drawing Z-13	Proposed Drainage System
Drawing Z-14	Proposed Building Separations and Setbacks
Drawing Z-15	Habitat Map and Species of Conservation Importance Recorded
Drawing Z-16	Existing and Proposed Pedestrian Connections
Plan Z-1a	Location Plan
Plan Z-1b	Site Plan
Plan Z-1c	Residential Clusters in the Proximity
Plan Z-2a	Phasing Plan under Application No. A/TP/333
Plan Z-2b	Land Ownership
Plan Z-2c	Existing Development Intensity and Building Height in Fung Yuen
Plan Z-3	Aerial Photo
Plans Z-4a to Z-4h	Site Photos
Plans Z-5a to Z-5c	Change of Land Use Zoning in Fung Yuen Valley
Plan Z-6	Approved Master Layout Plan under Application No. A/TP/333
Plan Z-7	Approved Detailed Maintenance and Management Plan under Application No. A/TP/333

PLANNING DEPARTMENT
AUGUST 2026