RNTPC Paper No. A/ST/1008B
for Consideration by the Rural
and New Town Planning
Committee on 5.5.2023

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/ST/1008

Applicant	:	Max Wealth Development Limited represented by Vision Planning Consultants Limited
Site	:	Lot 479 S.X in D.D. 189 and adjoining Government Land (GL), south of Hin Keng Street, Tai Wai, New Territories
Site Area	:	About 2,673m^2 (including GL of about 133m^2 or about 5% of the Site)
Lease	:	Block Government Lease (demised for agricultural use)
Plan	:	Draft Sha Tin Outline Zoning Plan (OZP) No. S/ST/35 (at the time of submission) Approved Sha Tin OZP No. S/ST/36 (currently in force)
Zoning	:	"Village Type Development" ("V") (no change to the subject "V" zone on the current OZP) *[restricted to a maximum building height (BH) of 3 storeys (8.23m) (applicable to 'Public Vehicle Park' (PVP) use but not applicable to 'Social Welfare Facility' use]*
Application	:	Proposed PVP (excluding container vehicle) cum Social Welfare Facility (Residential Care Home for the Elderly (RCHE)) Development, and Proposed Minor Relaxation of BH Restriction

1. The Proposal

1.1 The applicant seeks planning permission for the proposed PVP (excluding container vehicle) cum social welfare facility (RCHE) development, and proposed minor relaxation of BH restriction from a maximum of 3 storeys (8.23m) to 4 storeys (including a 1-storey basement) (about 16.5m) for the proposed PVP use; and to 7 storeys (including a 1-storey basement) (about 27m) for the whole PVP cum RCHE development at the subject site (the Site).

1.2 According to the Notes of the OZP, 'PVP (excluding container vehicle)' and 'Social Welfare Facility' are Column 2 uses within "V" zone requiring planning permission from the Town Planning Board (the Board). While the BH restriction of 3 storeys (8.23m) within the "V" zone is applicable to 'PVP' use,

it is not applicable to 'Social Welfare Facility' use. Minor relaxation of the BH restriction may be considered by the Board on application.

1.3 The Site is currently used as a PVP with a total of 76 vehicle parking spaces operated by the applicant without any valid planning permission (**Plan A-3**). The proposed PVP from B1/F to 2/F will provide 242 vehicle parking spaces and RCHE from 3/F to 5/F will provide 236 beds. As PVP is subject to BH restriction of 3 storeys (8.23m), the proposed PVP with 4 storeys and 16.5m in absolute height will exceed the restriction by 1 storey (+33%) or 8.27m (+100%) respectively. With the proposed 3-storey (10.5m in absolute height) RCHE on top of the PVP, the whole development comprising 7 storeys (27m in absolute height) will exceed the BH restriction by 4 storeys (+133%) or 18.77m (+228%). The development is targeted to be completed by 2027. The proposed floor plans, elevation plans and section plans are as shown in **Drawings A-2** to **A-12**.

1.4 Major development parameters of the proposed development are as follows:

Major Development Parameters	**Current Application(A/ST/1008)**
Total Site Area	About 2,673m^2
Total PR / GFA PVP RCHE	About 4.6 / 12,256m^2 About 5,713m^2 About 6,543m^2
BH - No. of Storeys (Total) PVP RCHE - Absolute Height (Total) PVP RCHE	 7 (including 1-storey basement) 4 (B1/F to 2/F) 3 (3/F to 5/F) About 27m (including 4m below ground) 16.5m (including 4m below ground) 10.5m
Site Coverage - Above 15m - Under 15m	 75% 87%
Number of - Block - RCHE Beds - Vehicle Parking Spaces	 1 236 242 (including 84 Electric Vehicles (EV) charging spaces to be provided on the 1/F and 2/F)
Major Floor Uses - B1/F to 2/F (4 storeys) - 3/F to 5/F (3 storeys)	 PVP RCHE

1.5 The Site is located on Hin Keng Street, Tai Wai. An ingress/egress is proposed at the northwestern part of the Site (**Drawing A-1**). The applicant has submitted various technical assessments including traffic impact assessment (TIA), environmental assessment (EA), drainage impact assessment (DIA), sewerage impact assessment (SIA), visual impact assessment (VIA) and landscape proposal to demonstrate the feasibility of the proposal.

1.6 ~~7~~ ***5*** existing trees of common species within the Site are proposed to be felled, and ~~13~~ ***10*** compensatory trees within the Site are proposed. Peripheral building setback of about 1m to 5.5m for landscaping treatments including widening of the existing pavement along Hin Keng Street and provision of planting strips (edge planting, creeping plants and peripheral strip planting), and recession of building edge are proposed by the applicant to enhance the visual amenity of the proposed development (**Drawings A-13** to **A-15**).

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

(a)	Application Form received on 28.9.2022	(**Appendix I**)
(b)	Supporting Planning Statement, TIA, EA, DIA, SIA, VIA and Landscape Proposal	(**Appendix Ia**)
(c)	Further information (FI) received on 19.12.2022	(**Appendix Ib**)
(c)	FIs received on 30.1.2023 and 1.2.2023	(**Appendix Ic**)
(e)	FI received on 17.3.2023	(**Appendix Id**)
(f)	FI received on 23.3.2023	(**Appendix Ie**)
(g)	FI received on 20.4.2023	(**Appendix If**)

1.8 On 25.11.2022 and 17.2.2023, the Committee agreed to defer consideration of the application for two months, upon request of the applicant, to allow time for preparation of FI to address departmental comments.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the supplementary planning statement (**Appendix Ia)**. They can be summarized as follows:

(a) the proposed development, providing a total of 242 parking spaces (including 84 EV charging spaces) could mitigate parking shortage and illegal parking issues in the Tai Wai area. The proposed 236 RCHE beds could meet the shortfall in RCHE bed spaces provision in the Sha Tin Planning Area;

(b) all vehicle parking spaces in the proposed development could be converted into EV charging spaces when necessary to meet the demand of the community. It is in line with the Government's promulgation of "Popularization of Electric Vehicles" in 2021;

(c) the proposed RCHE development is in line with the Government's policy objective to support and encourage the provision of RCHE to meet community demand in a timely manner;

(d) the proposed development is a purpose-designed building which combines PVP and RCHE via the adoption of 'single site, multiple use' principle as promulgated by the Government. It represents efficient use of land resources for medium-term supply of community facilities on a single site;

(e) the Site falls within a 'frozen' Village Expansion Area (VEA), implying that the proposed development would not result in any impact on the supply of land for Small Houses in the area;

(f) the proposed development would become an extension of the GIC cluster on both sides of Hin Keng Street, and is compatible with the surroundings in terms of land use and BH. The proposed increase in BH is minor in nature;

(g) the VIA (**Drawings 16a** to **16c**) has demonstrated that the proposed development blends well with the surroundings and would enhance the visual quality of the building; and

(h) other technical assessments including TIA, EA, DIA, SIA and landscape proposal have demonstrated that the proposed development would not generate adverse traffic, environmental, drainage, sewerage, and landscape impacts on the surrounding areas.

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

The applicant is the sole "current land owner" of all private lots within the Site. Detailed information would be deposited at the meeting for Members' inspection. For the GL portion, the "Owner's Consent/Notification" requirements are not applicable.

4. Previous Application

The Site is not the subject of any previous application.

5. Similar Application (Appendix II and Plan A-1)

5.1 There is a similar application (No. A/ST/617) for proposed Social Welfare Facility (Home for the Aged) in another "V" zone on the Sha Tin OZP, covering the village environs ('VE') of Pai Tau, Tin Liu, Sheung Wo Che and Ha Wo Che. The application was approved with conditions by the Board upon review on 22.4.2005 mainly on consideration that the proposed 3-storey development is compatible with the surrounding village setting; and no adverse impacts from the proposed development based on the technical assessments submitted by the applicant. Details of the application are summarized at **Appendix II** and its location is shown on **Plan A-1**.

5.2 There is no similar application on proposed PVP nor minor relaxation of BH within the "V" zone of the Sha Tin OZP.

6. The Site and its Surrounding Areas (Plans A-1 to A-4)

6.1 The Site is:

(a) paved and currently used as a PVP operated by the applicant without any valid planning permission;

(b) accessible via an ingress/egress connected to Hin Keng Street to its northwest;

(c) located at the northeastern fringe of the "V" zone; and is largely located (about 95%) within the 'VE' and VEA of Sheung Keng Hau, Ha Keng Hau and Hin Tin (**Plans A-2a** and **A-2b**); and

(d) largely designated as 'Village Type Development' and partly as 'Amenity' under the Sha Tin New Town Areas 2F, 2G & 31C Layout Plan - Sheung Keng Hau, Ha Keng Kau & Hin Tin (Plan No. L/ST2F/1G).

6.2 The surrounding areas have the following characteristics (**Plan A-2a**):

(a) to the north and northwest across Hin Keng Street are clusters of Government, Institution or Community (GIC) facilities including Tin Sum Police Station, Tim Sum Fire Station, Hin Keng Neighbourhood Community Centre and Carmel Alison Lam Primary School with BH ranging from 5 to 8 storeys;

(b) to the immediate east are an amenity area and a PVP managed and maintained by Leisure and Cultural Services Department (LCSD) and Transport Department (TD) respectively. To the further east across Fu Kin Street are clusters of public housing developments comprising Lung Hang Estate and King Tin Court with BH ranging from 20 to 30 storeys;

(c) to the south and southwest are low-rise (1 to 3 storeys) village settlements of the recognized village of Sheung Keng Hau, Ha Keng Hau and Hin Tin;

(d) to the west and northwest are Hin Keng Estate, Hin Yiu Estate, and Ka Keng Court with BH ranging from 35 to 40 storeys; and

(e) East Rail Line Tai Wai Station is about 1,200m to the northeast of the Site; and Tuen Ma Line Hin Keng Station is about 750m to the west of the Site.

7. Planning Intention

The planning intention of "V" zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures

and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House. Other commercial, community and recreational uses may be permitted on application to the Board.

8. Comments from Relevant Government Departments

8.1 The following Government departments have been consulted and their views on the application are summarized as follows:

Land Administration

8.1.1 Comments of the Secretary for Development (SDEV):

(a) the Site falls within the proposed Sheung/Ha Keng Hau and Hin Tin VEA. Under the VEA Scheme introduced in 1981, through resuming private land and assembling government land within an area proposed for implementation of a VEA, and thereafter conducting site formation and other infrastructure works therein, the Government would provide land within the VEA for indigenous villagers to build small houses in a more orderly manner. Since 1999, the Government has suspended the implementation of proposed VEA projects for which the related public works had not commenced, due to policy reviews mooted in the past and legal proceedings on the small house policy. The proposed VEA in Sheung/Ha Keng Hau and Hin Tin is one of the projects so suspended;

(b) starting from 2018, the Development Bureau (DEVB) has been considering proposals from HYK to de-freeze proposed VEAs with land not yet resumed (i.e. allowing land applications therein to be processed, unlike in the past where the applications were frozen and not processed) on a case-by-case basis, on the understanding that any developments therein should be in compliance with the applicable policies on planning and land administration, and the HYK and the concerned village communities should accept that the original planned VEA projects will no longer be applicable. The proposed VEA in Sheung/Ha Keng Hau and Hin Tin is one of the proposed VEAs with land not yet resumed. So far, the HYK has not brought up this proposed VEA for discussion on de-freezing;

(c) has no objection to consider the application based on its merits from planning point of view. If planning approval is given by the Board, the applicant is required to apply with the Lands Department (LandsD) for a land exchange to implement the proposed development. Whether the land exchange application can be processed will depend on the way forward of the proposed VEA, subject to further discussion between DEVB and

HYK for de-freezing or otherwise in accordance with the mechanism above; and

(d) for avoidance of doubt, the applicant should be reminded that the Board's approval, if given, should not be taken to mean any commitment or agreement on the part of the Government to approve his subsequent land exchange application. The land exchange application will be processed separately by LandsD's in accordance with the applicable policies and mechanism.

8.1.2 Comments of the District Lands Officer/Sha Tin, Lands Department (DLO/ST, LandsD):

(a) the Site comprises the whole portion of Lot 479 S.X in D.D. 189 which is an Old Schedule Lot demised for agriculture use under Block Government Lease and a piece of GL of about 133m^2;

(b) according to LandsD's guidelines, land in either 'VE's or "V" zones is primarily reserved for small house development by indigenous villagers under the Small House Policy. Non-Small House land exchange within defined 'VE's or "V" zones will be critically considered by LandsD if planning permission is given by the Board;

(c) the number of outstanding Small House applications as at 28.4.2023 and the 10-year forecast as at 1.1.2020 for Sheung/Ha Keng Hau and Hin Tin are 2 and 387 respectively; and

(d) advisory comments are at **Appendix V**.

Social Welfare

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

(a) in view of the ageing population and ongoing demand for residential care services for the elderly, she has no in-principle objection to the proposed RCHE development from the service perspective subject to views from other government departments on town planning and other development considerations;

(b) the proposed RCHE is assumed to be a non-subsidized RCHE with no financial implication, both capital nor recurrent to the Government. In addition, whether the adjoining GL could be included into the application is subject to the comments from LandsD and other concerned parties; and

(c) detailed comments are at **Appendix III**.

Fire Safety

8.1.4 Comments of the Director of Fire Services (D of FS):

(a) he has no in-principle objection to the application subject to fire service installations and water supplies for fire fighting being provided to the satisfaction of D of FS;

(b) detailed fire services requirements will be formulated upon receipt of formal submission of general building plans and/or referral of application via relevant licensing authority; and

(c) advisory comments are at **Appendix V**.

Traffic

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

(a) according to the traffic survey in the TIA, there is a shortage in parking spaces in the vicinity of the Site. The proposed development will replace the existing PVP of over 70 parking spaces by providing 242 car parking spaces. The provision of PVP under the application could relieve the shortage of parking spaces in the vicinity and is in line with the Government's 'single site, multiple use' development principle; and

(b) he supports the application from traffic engineering perspective.

Environment

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

- he has no objection to the application as the proposed development would not be subject to insurmountable environmental impact. An approval condition for submission of Noise Impact Assessment (NIA) report and implementation of noise mitigation measures (NMM) is recommended to ensure due implementation of the proposed NMM and to update the design of NMM.

Urban Design and Landscape

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

Urban Design and Visual Aspects

(a) the Site is located at the fringe of an existing village cluster in Tai Wai with 1 to 3-storey village type developments to its immediate south and southwest respectively. Across Hin Keng Street/ Fu Kin Street is a cluster of GIC facilities with BHs ranging from about 5 to 8 storeys to the north and northwest, and

high-rise public housing estates with BHs ranging from about 20 to 40 storeys to the east, west and northwest. The proposed scheme with a BH of 7 storeys including one level of basement (23m above ground) is considered not incompatible with the surrounding developments in the wider context; and

(b) according to the submitted VIA, the proposed development would not result in any significant adverse visual impact on the selected public viewing points. The development has incorporated various measures, including building setback from Hin Keng Street, building recesses between 3/F and R/F, and provision of landscaping treatment (edge planting, creeping plants and peripheral strip planting) on G/F to 3/F and R/F to minimize any potential visual impact.

Landscape Aspect

(c) according to the aerial photo of 2021, the Site is situated in an area of urban landscape character comprising of high-rise residential developments, village houses, GIC facilities, and scattered tree groups. The proposed development is not incompatible with the surrounding landscape character;

(d) the Site is occupied by a temporary hard paved car park with existing trees along the site boundary. ~~7~~ ***5*** existing trees of common species within the Site are identified and proposed to be felled, and ~~13~~ ***10*** new trees are proposed. Hard/soft landscape treatments, e.g. planting strip on G/F, edge planter with creeping plants, viewing platform, and Rockery Garden with skylight are proposed on 1/F to 4/F (**Drawings A-13** to **A-15**); and

(e) significant adverse landscape impact caused by the development is not anticipated and adequate landscape provisions are proposed to mitigate the landscape impact and improve the landscape quality of the development. She has no objection to the application from landscape planning point of view.

Leisure and Cultural Services

8.1.8 Comments of the Director of Leisure and Cultural Services (DLCS):

- noting that the applicant will follow the requirement of the DEVB TC(W) No. 4/2020 on Tree Preservation, she has no comment on the proposed development at this juncture. Comments from LCSD will be given at the subsequent detailed design stage as appropriate.

Building Matters

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

(a) he has no in-principle objection to the proposed use and the relaxation of BH restriction on the Site under the Buildings Ordinance (BO); and

(b) detailed comments are at **Appendix III**.

8.2 The following Government department has no objection to/comment on the application:

(a) Chief Engineer/Construction, Water Supplies Department;
(b) Chief Engineer/Mainland South, Drainage Service Department;;
(c) Chief Highway Engineer/New Territories East, Highways Department
(d) Project Manager/North, Civil Engineering Development Department; and
(e) District Officer/Sha Tin, Home Affairs Department (DO/ST, HAD).

9. Public Comment Received During Statutory Publication Period

9.1 On 11.10.2022 and 30.12.2022, the application and FI were published for public inspection. During the statutory publication period, a total of 309 public comments were received.

9.2 The 7 **supporting** comments from individuals are summarized as follows:

(a) the proposed development will meet the demand of RCHE beds, EV charging spaces and car parking spaces in the neighborhood;

(b) the proposed relaxation of BH restriction is minor in nature; and

(c) the proposed development is in line with the Government's 'Single Site Multiple Use' policy initiative and utilizes land in an efficient manner.

9.3 The 301 public comments **objecting** to the application are from the Village Representatives (VR) and Indigenous Inhabitant Representatives (IIR) of Ha Keng Hau Village, Sha Tin Rural Committee and other individuals. Their objecting views are summarized as follows:

(a) the Site is currently serving as a buffer between nearby development and the villages; and the proposed development is incompatible with the surrounding and will set an undesirable precedent for similar developments in the "V" zone;

(b) the proposed RCHE and PVP within the same building are not compatible with each other;

(c) the proposed development will further reduce the area of "V" zone amid a shortage of land for Small House development;

(d) the proposed development is not in line with the Layout Plan of the area in which the Site is reserved for Small House development;

(e) the proposed development will cause adverse traffic, environmental, ecological and visual impacts on the surroundings. Construction works associated with the proposed development will cause air and noise pollution to nearby village houses and affect the structural integrity of old buildings nearby; and

(f) there is a surplus supply of RCHE beds and vehicle parking spaces in the area.

9.4 One individual provided views on the application. His views are summarized as follows:

(a) clarification should be provided to confirm the proposed development will not involve columbarium uses; and

(b) further assessments on the traffic, landscape and environmental impacts of the proposed development should be carried out.

9.5 The whole set of public comments have been deposited at the meeting for Members' inspection. Samples of the public comments are at **Appendix IV** for Member's reference.

10. Planning Considerations and Assessments

10.1 The application is for the proposed PVP (excluding container vehicle) cum social welfare facility (RCHE) development with a total PR of about 4.6, and proposed minor relaxation of BH restriction from a maximum of 3 storeys (8.23m) to 4 storeys (including a 1-storey basement) (about 16.5m from B1/F to the 2/F) for the proposed PVP use; and to 7 storeys (about 27m including 4m below ground) for the whole PVP cum RCHE development at the Site providing 242 vehicle parking spaces and 236 RCHE beds. The BH of the PVP and the whole development will exceed the BH restriction by 1 storey (+33%) / 8.27m (+100%) and 4 storeys (+133%) / 18.77m (+228%) respectively. While PVP is subject to BH restriction under the subject "V" zone, social welfare facility is exempted from the restriction. In this regard, the proposed development will be assessed on the basis of the entire scheme taking into account its compatibility with the surrounding environment.

Planning Intention

10.2 The Site falls within the "V" zone of Sheung/Ha Keng Hau and Hin Tin which is intended primarily for designation of both existing recognized villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. Other commercial, community and recreational uses may be permitted on application to the Board. According to DLO/ST, LandsD, the total number of outstanding Small House applications and the 10-year demand forecast for Sheung/Ha Keng Hau and Hin Tin are 2 and 387 respectively. Based on the latest estimation by PlanD, about 0.68ha (equivalent to 27 Small House sites) of land is available within the subject "V" zone excluding the subject site. The land available is sufficient to meet the outstanding Small House applications.

10.3 The Site falls within the proposed Sheung/Ha Keng Hau and Hin Tin VEA. Since 1999, the Government has suspended the implementation of proposed VEA projects for which the related public works had not commenced, due to policy reviews mooted in the past and legal proceedings on the Small House policy. The proposed VEA in Sheung/Ha Keng Hau and Hin Tin is one of the projects so suspended. Starting from 2018, DEVB has been considering proposals from HYK to de-freeze proposed VEAs on a case-by-case basis. So far, HYK has not brought up the subject VEA for discussion on de-freezing. SDEV has no objection to consider the application based on its merits from planning point of view. If planning approval is given by the Board, the applicant is required to apply with LandsD for a land exchange to implement the proposed development. Since whether the land in the subject VEA (including the Site) could be de-frozen is subject to further discussion between DEVB and HYK, any land exchange application to implement the proposed development will in due course be scrutinized accordingly. It is considered that the assessment of the subject planning application should focus on planning consideration, while land administration matter can be dealt with separately.

10.4 The proposed PVP cum RCHE development is not entirely in line with the planning intention of the "V" zone. According to the Hong Kong Planning Standards and Guidelines, there is a deficit of about 1,215 RCHE subsidized beds in the Sha Tin Planning Area. The proposed RCHE could help address the shortfall for elderly facilities and meet the demand of ageing population in the community. DSW has indicated that in view of the ageing population and ongoing demand for residential care services for the elderly, she has no in-principle objection to the proposed RCHE development from the service perspective. As regards the PVP, the proposed development involving 242 parking spaces (of which 84 of them are EV charging spaces) could help alleviate on-street illegal parking in the vicinity of the Site according to the parking survey conducted by the applicant. TD supports the application from traffic engineering perspective as the proposed PVP could help address the parking demand in the area, and has no adverse comments on the TIA.

Land Use Compatibility and Development Scale

10.5 The Site is located at the northeastern fringe of the "V" zone and in the midst of the urban setting of Tai Wai. It is surrounded by the GIC cluster to its immediate north, high-rise residential clusters to its east and west, and village cluster to its south. Although the proposed 7-storey development (including one level basement) is higher than the 1 to 3-storey village houses to its south, it is lower than or comparable to the GIC facilities to its immediate north with BH ranging from 5 to 8 storeys. It is also lower than the high-rise residential development to its east, west and northwest with BH ranging from 20 to 40 storeys. CTP/UD&L, PlanD considers the character and scale of the proposed development at the Site is not incompatible with the surrounding developments in the wider context and has no adverse comment on the VIA and landscape proposal submitted by the applicant. With the proposed mitigation measures including building recesses between 3/F and R/F, landscape/planting treatments alongside Hin Keng Street, hanging planters and rooftop plantings, the potential visual impact could be minimized. In this regard, the proposed PVP cum

RCHE development is considered not incompatible with the urban residential setting in the surroundings.

Technical Aspects

10.6 DEP and CE/MN, DSD have no objection to the application and no adverse comments on the submitted EA, DIA and SIA respectively. Other technical departments including FSD, BD, WSD, LCSD, HyD, CEDD also have no objection to or adverse comments on the application.

Local Views and Public Comments

10.7 There are public comments supporting and objecting the application as detailed in paragraph 9. For the concerns regarding the compatibility of the proposed RCHE and PVP, SWD and TD have no adverse comment on the co-location. The applicant has also confirmed that no columbarium use is involved in the proposed development. As for other issues, relevant government departments' comments in paragraph 8 and planning assessments above are relevant.

11. Planning Department's Views

11.1 Based on the assessments made in paragraph 10 and taking into account public comments in paragraph 9 above, the Planning Department has no objection to the application.

11.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 5.5.2027, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following approval conditions and advisory clauses are suggested for Members' reference:

Approval Conditions

(a) the submission and implementation of fire safety measures to the satisfaction of the Director of Fire Services or of the Board; and

(b) the submission of Noise Impact Assessment Report and implementation of necessary noise mitigation measures to the satisfaction of the Director of Environmental Protection or of the Board.

Advisory Clauses

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

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

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

12. Decision Sought

12.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.

12.2 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.

12.3 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.

13. Attachments

Appendix I	Application Form received on 28.9.2022
Appendix Ia	Planning Statement received on 28.9.2022
Appendix Ib	FI received on 19.12.2022
Appendix Ic	FIs received on 30.1.2023 and 1.2.2023
Appendix Id	FI received on 17.3.2023
Appendix Ie	FI received on 23.3.2023
Appendix If	FI received on 20.4.2023
Appendix II	Similar Application
Appendix III	Detailed Departmental Comments
Appendix IV	Sample of Public Comments
Appendix V	Recommended Advisory Clauses
Drawing A-1	Master Layout Plan
Drawings A-2 to A-9	Floor Plans
Drawing A-10	Section Plan
Drawings A-11 to A-12	Elevation Plans
Drawings A-13 to A-15	Landscape Section and Landscape Master Plan
Drawings A-16a to A-16c	Selected Photomontages
Plan A-1	Location Plan
Plans A-2a and 2b	Site Plans
Plan A-3	Aerial Photo
Plans A-4 and 4b	Site Photos

PLANNING DEPARTMENT
MAY 2023