

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

**APPLICATION NO. A/YL-TYST/1155**

- Applicant** : Civil Engineering and Development Department (CEDD) represented by Binnies Hong Kong Limited
- Site** : Government Land adjacent to Tan Kwai Tsuen South Fresh Water Service Reservoir (TKTSFWSR)
- Site Area** : 29,900m<sup>2</sup> (about)
- Land Status** : Government Land (GL)
- Plan** : Approved Tong Yan San Tsuen Outline Zoning Plan (OZP) No. S/YL-TYST/14
- Zonings** : “Green Belt” (“GB”) (about 62.2%); and  
“Government, Institution or Community” (“G/IC”) (about 37.8%)
- Application** : Proposed Service Reservoirs and Public Utility Installation (Pumping Station) with Associated Excavation and Filling of Land

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed service reservoirs and public utility installation (pumping station) with associated excavation and filling of land at the application site (the Site) (**Plan A-1**). The Site falls mainly within an area zoned “GB” (about 62.2%) and partly within an area zoned “G/IC” (about 37.8%). The proposed service reservoirs would straddle the “GB” and “G/IC” zones, while the proposed pumping station falls within the “GB” zone. According to the Notes of the OZP, ‘Public Utility Installation’ and ‘Service Reservoir’ are Column 2 uses within the “GB” zone which require planning permission from the Town Planning Board (the Board), while ‘Service Reservoir’ is always permitted within the “G/IC” zone. Any excavation or filling of land within the “GB” zone also requires planning permission from the Board. The Site is currently mainly vacant, on hilly terrain/man-made slopes and largely covered by vegetation (**Plans A-2 to A-4c**).
- 1.2 The Site is accessible via Shui Fu Road (**Plan A-2**). The proposal is for a freshwater service reservoir (FWSR), a flushing water service reservoir (FLWSR) and a booster pumping station to serve the water demands of the planned public

housing development near Tan Kwai Tsuen (the TKT Project, **Drawing A-1**), which is located at the adjoining “Residential (Group A)2” (“R(A)2”) zone (**Plans A-1 and A-2**). The proposed FWSR will measure about 56m x 33m with a height of about 6.4m (excluding roof-top structure) and design capacity of about 8,100m<sup>3</sup>, while the proposed FLWSR will measure about 20m x 16m with a height of about 4.9m (excluding roof-top structure) and a design capacity of about 1,000m<sup>3</sup> (**Drawings A-2, A-5 and A-6**). The proposed pumping station will measure about 39m x 21m with a height of about 10m (**Drawing A-4**). About 10%, 5% and 55% of the Site will be occupied by the proposed service reservoirs, pumping station and retaining slopes respectively, while the remaining 30% will be set aside for associated access.

- 1.3 To facilitate the proposed service reservoirs, some 6,600m<sup>2</sup> and 5,100m<sup>2</sup> of land are tentatively proposed to be excavated and filled respectively for site formation purpose. The site formation levels of the service reservoirs and pumping station will be approximately 110-115mPD and 52.5mPD respectively. Retaining slopes and walls will be formed around the service reservoirs.
- 1.4 The proposed retaining slopes will be hydroseeded and roof-top greenery will be provided atop the proposed service reservoirs. Other visual and landscape mitigation measures have been identified and will be considered further at the detailed design stage, including vertical/façade greening and off-site compensatory tree planting at a rate of not less than 1:1, etc. (**Drawing A-10**). About 220 trees will be retained as part of the proposed works. Although some 510 trees will be felled as part of the proposed development, they are all of common species.
- 1.5 The proposal will tentatively be completed by 2028 in time for the first population intake of the TKT Project in 2030/31. Plans showing the full extent of the works pertaining to the planned TKT Project, schematic layout plans, elevations, photomontages and landscape proposal submitted by the applicant are at **Drawings A-1 to A-10** respectively.
- 1.6 In support of the application, the applicant has submitted the following documents:
  - (a) Application Form received on 1.4.2022 (**Appendix I**)
  - (b) Supplementary Planning Statement (**Appendix Ia**)
  - (c) Supplementary Information dated 18.3.2022 (**Appendix Ib**)
  - (d) Further Information (FI) dated 6.5.2022 (**Appendix Ic**)
  - (e) FI dated 13.5.2022 (**Appendix Id**)
  - (f) FI dated 16.5.2022 (**Appendix Ie**)

*[(d) to (f) exempted from publication and recounting requirements]*

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

The justifications put forth by the applicant in support of the application are detailed in the Supplementary Planning Statement and FI (**Appendices Ia and Id**). They can be summarised as follows:

- (a) The planned TKT Project will provide about 7,420 public housing flats, which will help meet the increasing housing demand in Hong Kong. As early as the engineering feasibility study (EFS) stage<sup>1</sup>, it was found that due to the relatively high platform levels for the TKT Project, there would be insufficient hydraulic head from the existing TKTSFWSR and TKT Salt Water Service Reservoir (TKTSWSR) to serve the public housing development. A new FWSR and FLWSR located on high ground, as well as a booster pumping station would therefore be required to provide steady water supply to the TKT Project. While the proposed service reservoirs and pumping station are integral and essential infrastructure for the planned TKT Project, they were not rezoned together with the proposed public housing development site of the TKT Project at the time as the exact details of the proposed works were still being formulated.
- (b) The TKT Project is now at the investigation, design and construction (IDC) stage for the associated site formation and infrastructure works<sup>2</sup>. A more definitive works boundary for the proposed FWSR, FLWSR and pumping station have been formulated. While every effort has been made to confine the works within the “G/IC” zone, inevitably some works had to encroach eastwards into the “GB” zone and hence the current application is submitted. As compared with the extent of works originally identified at the EFS stage, the current proposed works would reduce encroachment into the “GB” zone (**Drawing A-3**).
- (c) The proposal had undergone a site-selection process with due regard to the design capacity of the service reservoirs and the existing site constraints. Overall, there is a need to position the proposed service reservoirs in proximity to existing water supply facilities and the water supply zone (i.e. the TKT Project); be positioned at an altitude above 110mPD to maintain steady water pressure in the supply zone; and be sited away from the nearby “Conservation Area” (“CA”) zone as far as possible. The Site is the only suitable location for the proposal and no better alternatives could be found.
- (d) The proposal is compatible with the three existing service reservoirs nearby and is considered in line with the Town Planning Board Guidelines for “Application Development within “GB” Zone under Section 16 of the Town Planning Ordinance” (TPB PG-No. 10).
- (e) While the proposed development does not constitute Designated Project under the Environmental Impact Assessment Ordinance, various technical assessments, including environmental review (ER), traffic impact assessment (TIA), geotechnical assessment (GA), drainage impact assessment (DIA) and visual impact assessment (VIA) have demonstrated that with the imposition of mitigation measures there will be minimal environmental, ecological, cultural heritage, traffic, geotechnical, drainage, visual and landscape impacts arising from the proposal.

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<sup>1</sup> Agreement No. CE 31/2015 (CE) ‘Site Formation and Infrastructural Works for the Development near Tan Kwai Tsuen, Yuen Long – Feasibility Study’.

<sup>2</sup> Agreement No. CE 92/2017 (CE) ‘Site Formation and Infrastructure Works for Public Housing Development near Tan Kwai Tsuen, Yuen Long – Investigation, Design and Construction’.

- (f) The proposed service reservoirs will be managed and maintained by the Water Supplies Department (WSD). Should gainful uses (such as recreational and associated uses) be planned atop the service reservoirs, the project proponent will suitably cater for this at the detailed design stage to facilitate any such proposals.

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

As the Site involves GL only, the “owner’s consent/notification” 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. 31A) are not applicable to the application.

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

TPB PG-No. 10 are relevant to this application. The relevant assessment criteria are at **Appendix II**.

### **5. Background**

5.1 The need for new service reservoirs and pumping station to support the TKT Project, as well as their general location at and near the Site, were identified in the associated EFS as early as 2017 (**Drawing A-3**). The proposed service reservoirs and pumping station were not incorporated in the amended statutory town plan at the time as the exact details of the proposed works were still being formulated. The statutory planning procedures pertaining to the public housing development site for the TKT Project were completed in September 2018.

5.2 The Site is currently not subject to planning enforcement action.

### **6. Previous Application**

A small portion of the Site was involved in a previous application for temporary firing range use (No. A/YL-TYST/224), which is not relevant to the current application. Details of the previous application are summarised in **Appendix III** and the boundary of the site is shown on **Plan A-1**.

### **7. Similar Application**

There is one similar application for proposed service reservoirs with associated excavation and filling of land (No. A/YL-TYST/1146) within the subject “GB” zone, which was approved with condition by the Rural and New Town Planning Committee (the Committee) of the Board on 4.3.2022, mainly on the considerations that the development was in line with the relevant criteria of TPB PG-No. 10, in particular, that the proposal was essential and no alternative sites were available; the proposal was not incompatible with the surrounding area; there were no adverse comments from concerned departments; and the concerns of relevant departments could be addressed by imposing

approval condition. Details of the application are summarised at **Appendix IV** and its location is shown on **Plan A-1**.

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

### **8.1 The Site is:**

- (a) currently mainly vacant, on hilly terrain/man-made slopes and largely covered with vegetation;
- (b) traversed by a local road at the northern portion of the Site connecting Shui Fu Road with the existing TKTSFWSR and TKTSWSR; and
- (c) abutting Shui Fu Road to the north.

### **8.2 The surrounding areas have the following characteristics (**Plans A-2 to A-4c**):**

- (a) countryside in character, predominated by woodland and shrubland on hillside slopes with some scattered residential structures;
- (b) to the immediate southwest and about 40m to the east of the Site are areas zoned “R(A)2” (the public housing development site of the TKT Project) and “CA” respectively; and
- (c) the existing Tan Kwai Tsuen North FWSR (TKTNFWSR), TKTSFWSR and TKTSWSR are located to the immediate north and west of the Site within two separate “G/IC” zones on the OZP.

## **9. Planning Intentions**

- 9.1 The planning intention of the “GB” zone is primarily for defining the limits of urban and sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone.
- 9.2 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, organisations providing social services to meet community needs, and other institutional establishments.

## **10. Comments from Relevant Government Departments**

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

### **Land Administration**

- 10.1.1 Comments of the Chief Estate Surveyor/Acquisition and District Lands Officer/Yuen Long, Lands Department (CES/A and DLO/YL, LandsD):
- (a) From his desktop checking, the proposal would affect three GL allocations, two clearance limits and 17 registered slopes managed and maintained by various government departments.
  - (b) On those slopes under his department's purview, his Slope Maintenance Section (SMS) has no information on the stability status of the affected items. Also, some slope improvement works comprising soil nails and rock slope stabilisation measures were carried out for one of the affected items in 2019 by SMS.
  - (c) Should the planning application be approved by the Board, the applicant must submit a land allocation application to his department. However, there is no guarantee at this stage that the application would be approved. If the application is approved by his department acting in the capacity as landlord at its sole discretion, such approval will be subject to such terms and conditions as may be imposed by his department.

### **Traffic**

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

She has no adverse comment on the application from traffic engineering point of view.

- 10.1.3 Comments of the Chief Highway Engineer/New Territories West, Highways Department (CHE/NTW, HyD):

The applicant should note the detailed comments at **Appendix VI**.

### **Environment**

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

Having considered the FI (**Appendices Ic and Ie**), he has no further comment on the application. Should the application be approved, the applicant should note the detailed comments at **Appendix VI**.

### **Visual and Landscape**

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

#### **Visual Aspect**

- (a) The proposed service reservoirs and pumping station with building heights ranging from 4.9m to 10m are located at largely

vegetated man-made slopes to the east of Yuen Long Highway. The proposed development will be surrounded by the existing TKTNFWSR, TKTSFWSR and TKTSWSR with some single-storey structures, vegetated hill slopes and the planned high-rise, high-density TKT Project.

- (b) The proposed development would inevitably require removal of existing greenery, which is a visual resource in the area. However, according to the VIA and FI (**Appendix Id**), mitigation measures such as roof-top greenery will be provided, and façade greening and off-site compensatory tree planting (**Drawing A-10**) will be considered at the detailed design stage to mitigate any potential visual impact. Taking into consideration the existing service reservoirs and the planned high-rise, high-density public housing development in the vicinity, the proposed service reservoirs and pumping station with its low-rise nature are considered not incompatible with the surrounding area.

Landscape Aspect

- (c) She has no comment from landscape planning perspective.
- (d) According to the aerial photo of 2021 (**Plan A-3**), the Site is situated in an area of rural landscape predominated by woodland, service facilities and a major highway in the vicinity. With the presence of three existing service reservoirs adjacent to the Site, the proposed development is considered not incompatible with the landscape character of the surrounding area.
- (e) With reference to the submission, about 510 existing trees are identified and proposed to be felled. Regarding the proposed mitigation measures as shown on the landscape plan (**Drawing A-10**), as the slope angle of the proposed new formed slopes exceed 55 degrees, which are not suitable for tree planting, hydroseeding is proposed with the grass species of *Axonopus compressus* to maintain the landscape features and biodiversity of the existing environment. Roof-top greenery is also proposed for the service reservoirs to help blend in with the green backdrop. According to the submitted supplementary compensatory planting plan (**Appendix Id**), about 570 new trees will be planted at the roadside landscape areas along the proposed public roads under the TKT Project. The design and implementation of all landscape works would be under the supervision and monitoring of the project proponent's in-house expertise. Overall, the associated landscape impact on existing landscape resources would be mitigated and the landscape provisions proposed by the applicant would improve the landscape quality of the proposed development and the area adjacent to the Site.
- (f) Should the application be approved, the applicant should note the detailed comments at **Appendix VI**.

### **Drainage**

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

- (a) He has no objection in principle to the proposed development from the public drainage point of view and no adverse comment on the submitted DIA.
- (b) Should the Board consider that the application is acceptable from the planning point of view, approval conditions requiring the implementation and maintenance of the agreed measures in the DIA to the satisfaction of the Director of Drainage Services or of the Board should be stipulated. The applicant should also be reminded of the detailed comments at **Appendix VI**.

### **Water Supplies**

10.1.7 Comments of the Chief Engineer/Construction, WSD (CE/C, WSD):

- (a) He has no objection to the application.
- (b) Existing water mains will be affected (**Plan A-2**). In case it is not feasible to divert the affected water mains, a waterworks reserve within 1.5m from the centerline of the water mains shall be provided. The applicant should also be reminded of the detailed comments at **Appendix VI**.

### **Fire Safety**

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

He has no objection in principle to the proposal subject to water supplies for firefighting and fire service installations being provided to his satisfaction. Should the application be approved, the applicant should note the detailed comments at **Appendix VI**.

### **Geotechnical**

10.1.9 Comments of the Head of Geotechnical Engineering Office, CEDD (H(GEO), CEDD):

He has no adverse geotechnical comment on the application. Should the application be approved, the applicant should note the detailed comments at **Appendix VI**.

### **District Officer's Comments**

10.1.10 Comments of the District Officer (Yuen Long), Home Affairs Department (DO(YL), HAD):



His office has not received any comments from the locals.

10.2 The following government departments have no comment on the application:

- (a) Director of Agriculture, Fisheries and Conservation (DAFC);
- (b) Antiquities and Monuments Office, Development Bureau (AMO, DEVB);
- (c) Chief Building Surveyor/New Territories West, Buildings Department (CES/NTW, BD);
- (d) Project Manager (West), CEDD (PM(W), CEDD); and
- (e) Commissioner of Police (C of P).

## **11. Public Comment Received During the Statutory Publication Periods**

On 8.4.2022, the application was published for public inspection. During the first three weeks of the statutory public inspection period, one public comment from an individual was received objecting to the application mainly on the grounds that there are insufficient information concerning the visual, landscape and ecological impacts of the proposal, while raising concerns over the eventual implementation of the proposed landscape and visual mitigation measures. The individual also suggested that rain harvesting measures should be incorporated as part of the proposal (**Appendix V**).

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

12.1 The application is for proposed service reservoirs and public utility installation (pumping station) with associated excavation and filling of land at the Site mainly zoned “GB” (about 62.2%) and partly zoned “G/IC” (about 37.8%) on the OZP. The planning intention of the “GB” zone is to define the limits of urban and sub-urban development areas by natural features and to contain urban sprawl, as well as to provide passive recreational outlets. Although there is a general presumption against development within this zone, TPB PG-No. 10 allows for applications for public utility installations within the “GB” zone provided that the proposed development is essential and that no alternative sites are available. The current siting of the proposed service reservoirs is the result of a site-selection process carried out at the EFS stage of the planned TKT Project, in which there is an operational prerequisite to site the service reservoirs at a high altitude so as to maintain steady and sufficient water pressure to serve the aforesaid public housing development. The need and general location of the proposed service reservoirs and pumping station were established as early as 2017, though not rezoned together with the proposed public housing development site of the TKT Project at the time as the exact details of which were still being formulated. Having further developed the details of the service reservoirs at the subsequent IDC stage, the scale and extent of the proposed service reservoirs and pumping station have now been determined and reflected in the current application. As compared with the extent of works originally identified at the EFS stage, the current proposed works would reduce encroachment into the “GB” zone (**Drawing A-3**).

12.2 The Site is located on hilly terrain/man-made slopes and generally covered with vegetation. There are three existing service reservoirs built on open-air cut slopes

to the north and west of the Site (**Plans A-1 to A-3**). Overall, the proposed development is considered generally not incompatible with the surrounding area.

- 12.3 Various technical assessments (such as ER, TIA, GA, DIA and VIA) have been submitted in support of the application and there are no adverse comments from concerned departments, including DEP, C for T, H(GEO), CEDD, CE/MN, DSD and CTP/UD&L, PlanD. Adverse environmental, traffic, slope stability, drainage and visual impacts arising from the proposal at both the construction and operational stages are not anticipated. According to the submitted ER, about 510 trees of common species will be affected by the proposal but no Old and Valuable Trees are involved. Off-site compensatory planting at a rate of not less than 1:1 will be provided as part of the TKT Project. Moreover, to ameliorate the potential landscape and visual impacts, hydroseeding of the retaining slopes and roof-top greenery atop the service reservoirs are proposed (**Drawing A-10**), while other mitigation measures, including façade/vertical greening will be considered at the detailed design stage, which would help the proposal to blend in with the surrounding landscape and visual setting.
- 12.4 Overall, the proposed development is generally in line with the relevant criteria of TPB PG-No. 10 in that the proposed service reservoirs and pumping station are essential to cope with the water demand of the TKT Project, a site-selection process had been undertaken and no better alternative sites are available, the proposal would not cause adverse environmental, traffic, drainage, landscape and visual impacts, and would not adversely affect slope stability.
- 12.5 Given that one similar application within the subject “GB” zone has been approved, approval of the current application is generally in line with the Committee’s previous decision.
- 12.6 There was one public comment objecting to the application as summarised in paragraph 11 above. The planning considerations and assessments in paragraphs 12.1 to 12.5 above are relevant.

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

- 13.1 Based on the assessments made in paragraph 12, and having taken into account the public comment as summarised in paragraph 11 above, the Planning Department has no objection to the application.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 20.5.2026, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are also suggested for Members’ reference:

#### Approval conditions

- (a) the implementation of the agreed measures in the accepted Drainage Impact Assessment for the proposed development to the satisfaction of the Director of Drainage Services or of the Town Planning Board; and

- (b) the submission and implementation of a proposal for water supply for firefighting and fire service installations to the satisfaction of the Director of Fire Services or of the Town Planning Board.

Advisory clauses

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

- 13.3 There is no strong planning reason to recommend rejection of the application.

**14. Decision Sought**

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 14.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the period of which the permission should be valid.
- 14.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

**15. Attachments**

<b>Appendix I</b>	Application Form received on 1.4.2022
<b>Appendix Ia</b>	Supplementary Planning Statement
<b>Appendix Ib</b>	Supplementary Information received on 18.3.2022
<b>Appendix Ic</b>	FI received on 6.5.2022
<b>Appendix Id</b>	FI received on 13.5.2022
<b>Appendix Ie</b>	FI received on 16.5.2022
<b>Appendix II</b>	Relevant Extract of TPB PG-No. 10
<b>Appendix III</b>	Previous Application covering the Site
<b>Appendix IV</b>	Similar Application within the Subject “GB” Zone on the OZP
<b>Appendix V</b>	Public Comment Received During the Statutory Publication Period
<b>Appendix VI</b>	Recommended Advisory Clauses
<b>Drawing A-1</b>	Extent of the Planned TKT Project
<b>Drawings A-2 to A-4</b>	Schematic Layout Plans
<b>Drawings A-5 to A-6</b>	Elevations for the Service Reservoirs
<b>Drawings A-7 to A-9</b>	Photomontages
<b>Drawing A-10</b>	Landscape Proposal
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a to A-4c</b>	Site Photos

**PLANNING DEPARTMENT  
MAY 2022**