

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

APPLICATION NO. Y/NE-KTS/13

- Applicant** : Fannie Holdings Limited represented by Pro Plan Asia Limited
- Site** : Lots 1124 RP, 1125 RP, 1126 and 1127 RP (Part) in D.D. 92 and Lots 343 RP, 344A S.1 RP (Part), 402 S.A RP, 404 RP, 407 S.A RP, 407 S.A ss.1 RP, 408 S.A RP, 408 S.C ss.2 RP, 408 S.D ss.1, 408 S.D RP and 408 RP in D.D. 94 and Adjoining Government Land, Hang Tau Tai Po, Kwu Tung South, New Territories
- Site Area** : 18,723.9 m² (about) (including about 467.6 m² of Government Land (GL), 2%)
- Lease** : (a) Block Government Lease (demised for agricultural purposes) (including Lots 1127 RP in D.D. 92 and Lots 343 RP, 402 S.A RP, 407 S.A RP, 407 S.A ss.1 RP in D.D. 94)
- (b) New Grant Lots
(including Lots 1124 RP, 1125 RP and 1126 in D.D. 92 and Lots 344A S.1 RP, 404 RP, 408 S.A RP, 408 S.C ss.2 RP, 408 S.D ss.1, 408 S.D RP, 408 RP in D.D. 94)
- Plan** : Approved Kwu Tung South Outline Zoning Plan (OZP) No. S/NE-KTS/16 at the time of submission of the application
- Draft Kwu Tung South OZP No. S/NE-KTS/17 currently in force [the zoning and development restrictions of the application site remain unchanged]
- Zoning** : “Comprehensive Development Area” (“CDA”) restricted to a maximum plot ratio (PR) of 0.4, a maximum site coverage (SC) of 20%, and a maximum building height (BH) of 3 storeys including car park
- Proposed Amendment** : Amendment to the “CDA” zone by dividing it into Area (a) and Area (b), and amendments to the Notes for the “CDA” zone to revise the Maximum PR, BH and SC Restrictions

1. The Proposal

- 1.1 The applicant proposes to divide the “CDA” site (the Site) into Area (a) and Area (b) (**Plan Z-2**), and to relax their PR, BH and SC restrictions. Area (a) with an area of 17,990.9m² consists of private lots owned by the applicant (about 17,701.2m²) and adjoining government land (about 289.7m²). It is proposed to increase the maximum PR from 0.4 to 1.41 (including domestic PR of 1.23 and non-domestic (retail and residential care home for the elderly (RCHE)) PR 0.18) to facilitate a proposed residential development with retail facility and a 100-place RCHE. The applicant indicates that the RCHE will be under private operation rather than a subvention facility as a form of Government, institution or community (G/IC) use. The gross floor area (GFA) of the RCHE is accountable in GFA calculation. Area (b) with an area of 733m² consists of land owned by a Tso Tong (about 555.1m²) and adjoining government land (about 177.9m²). It is proposed to increase the maximum PR from 0.4 to 1.23 to facilitate a separate residential development. The BH restriction for the whole Site is proposed to be relaxed from 3 storeys to 40.3mPD (maximum 8 storeys). The SC restriction is proposed to be relaxed from 20% to 28%.
- 1.2 According to the submitted indicative scheme, development at Area (a) comprises three 7-8 storeys residential towers (maximum 40.3mPD), one 1-storey retail block and one RCHE of 2 storeys (**Drawings Z-1 and Z-2**) with a 2-storey basement car park. For Area (b), one 6-storey residential tower is proposed in the indicative scheme (**Drawings Z-1 and Z-2**).
- 1.3 The ground floor plan, typical floor plan, traffic arrangement plan, section plan, Landscape Master Plan (LMP) and photomontages of the indicative scheme submitted by the applicant are at **Drawings Z-1 to Z-9** respectively. The major development parameters of the indicative scheme are as follows:

	Area (a)	Area (b)	Total
Site Area (m ²)	17,990.9	733	18,723.9
PR	1.41	1.23	1.4
- Domestic	1.23	1.23	1.23
- Non-domestic	0.18 (including retail and RCHE)	-	0.17
GFA (m ²)	25,270	900	26,170
- Domestic	22,087	900	22,987
- Non-domestic			
Retail (m ²)	406	-	406
RCHE (100 places)	2,777	-	2,777

	Area (a)	Area (b)	Total
BH			
- Residential Blocks	7 to 8 storeys (maximum 40.3mPD)	6 storeys (33.55mPD)	6 to 8 storeys (maximum 40.3mPD)
- Retail	1 storey	-	-
- RCHE	2 storeys	-	-
Maximum SC	28%	20.42%	Not more than 28%
Number of Flats	302	18	320
Average Flat Size (m ²)	73.14	50	71.83
Designed Population	846	51	897
Private open space (m ²)	1,340	54	1,394
Parking and Loading/Unloading (U/UL)			
<u>Residential</u>			
Car park	147	6	153
L/UL	4	1	5
<u>Commercial</u>			
Retail	3	-	3
L/UL	1	-	1
<u>RCHE</u>			
Parking	2	-	2
L/UL	1	-	1

- 1.4 Separate vehicular ingress/egress is proposed for Areas (a) and (b). Access for Area (a) is at the eastern tip of the Site connecting Hang Tau Road directly. The one for Area (b) is at the northeast part of the Site connecting Hang Tau Road via a local track (**Drawing Z-1** and **Plan Z-2**). A boundary wall with 2.5m high is proposed at Area (a). The portions of existing tracks serving nearby residents along the north-western and southern boundary of the Site will be retained as right-of-way (i.e. the strips of land outside the boundary wall at north-western and southern edges of the Site as shown on **Drawing Z-3**).

Landscape and Visual

- 1.5 According to the submitted LMP (**Drawing Z-5**) and Tree Preservation Proposal, there are 60 trees within the Site and its immediate surrounding. Amongst them, 11 trees would be retained and 49, including 8 dead trees, would be felled. A total of 106 new heavy standard trees would be planted at Area (a) for compensation. A green buffer for tree planting would be provided along the site boundary. Private open space is proposed in Area (a) and Area (b).

- 1.6 As stated in the submitted Visual Impact Assessment (VIA), the disposition of the proposed residential towers at Area (a) is designed to maximize the setback distance from Hang Tau Road to the west and the sensitive receivers from this direction. The orientation and disposition of the towers with 15m separation between T1 and T2 will form a staggered pattern to avoid potential wall effect. The photomontages Submitted are at **Drawings Z-6 to Z-9**.

Traffic

- 1.7 According to the Traffic Impact Assessment (TIA), the eastern boundary of Area (a) along Hang Tau Road (**Drawing Z-3**) will be set back for widening of Hang Tau Road with provision of footpath, roundabout and pedestrian crossing. A GMB lay-by is proposed to the north of the Site along Hang Tau Road. The applicant will hand over the setback area to Government upon request by the Government.

Environment

- 1.8 According to the Environmental Assessment (EA), a 5m buffer between the proposed residential developments at Areas (a) and (b) and the adjoining roads, i.e. Hang Tau Road to the east and the local track to the north of the Site, is proposed to serve as air-quality buffer. No adverse air quality impact on the proposed development is anticipated. No adverse noise impact on or arising from the proposed development is anticipated. If necessary, mitigation measures will be applied.
- 1.9 The Sewerage Impact Assessment (SIA) shows that upgrading of two existing sewers would be required.
- 1.10 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 6.5.2020 (Appendix I)
 - (b) Further Information (FI) dated 1.12.2021 providing (Appendix Ia)
a Consolidated Planning Report
(Exempted from publication and recounting requirements)
- [Supporting Planning Statement as well as Supplementary Information of 28.4.2020 and FIs received on 2.11.2020, 17.6.2021, 6.7.2021, 14.9.2021 and 17.9.2021 were superseded and not attached]
- 1.11 The application was originally scheduled for consideration by the Committee on 24.7.2020. Upon requested by the applicant, the Committee agreed on 1.9.2020, 22.1.2021 and 16.4.2021 to defer making a decision on the application for two months respectively in order to allow time for the applicant to prepare FI to address departmental comments received. With the FIs submitted on 14.9.2021 and 17.9.2021, the application is scheduled for consideration by the Committee at this meeting.

2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the Consolidated Planning Report at **Appendix Ia**. They are summarised as follows:

- (i) The proposed intensification of the “CDA” development intensity is in line with the Government policy to increase housing supply. The rezoning application could contribute to additional private housing supply to meet the needs in the New Territories.
- (ii) Future plans for Kwu Tung have undergone rapid change, led mainly by the Government initiatives to increase housing supply on committed housing sites within the Kwu Tung North New Development Area (KTN NDA). The rezoning application is consistent with recent changes in local planning aspiration to intensify housing supply potential.
- (iii) The proposed relaxation of development intensity offers a number of planning gains to the local community. The planning and design benefits include provision of a 100 places RCHE, setting back of the Site to allow future widening of Hang Tau Road, retention of existing informal access tracks between Hang Tau Road and the eastern portion of the adjoining “Residential (Group D)” (“R(D)”) zone as right-of-way, provision of a new pedestrian crossing at Hang Tau Road and provision of a 1-storey commercial shop to serve local residents.
- (iv) Technical assessments in terms of traffic, landscape, sewerage, drainage, visual and environment have concluded that, with the proposed mitigation and improvement measures, there would be no insurmountable problems to the proposed intensification.

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

The applicant is the current land owner of the private lots at Area (a). For the only private lot No. 1127 RP, at Area (b) (**Plan Z-2**), the applicant 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. 31A) by giving notification to the other current land owner via registered mail. Detailed information would be deposited at the meeting for Members’ inspection. For the government land (about 2% of the Site), the “owner’s consent/notification” requirements as set out in TPB PG-No. 31A are not applicable.

4. Background

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

5. Previous Applications

- 5.1 The Site is involved in a previous s.12A application, and a previous s.16 application under the current “CDA” zoning. Details of the previous applications are summarized at **Appendix II** and their location is shown on **Plan Z-1**.

s.12A application

- 5.2 The Site and its vicinity areas were zoned “Recreation” (“REC”) on the previous Kwu Tung South OZPs. On 7.12.2012, s.12A application No. Y/NE-KTS/5, submitted by the same applicant, for rezoning Area (a) from “REC” to “CDA” with a maximum PR of 0.4, SC of 20% and BH of 3 storeys was agreed by the Committee mainly on the considerations that the proposed residential use was compatible with the surrounding land uses and the proposed residential use and development intensity were consistent with the character of the neighbourhood. In agreeing the application, the Committee requested Planning Department (PlanD) to carry out a review for the whole “REC” zone to identify suitable land uses. On 23.5.2014, the Committee considered the recommendations of the review conducted by PlanD and agreed to rezone the “REC” site to appropriate zonings (including rezoning the Areas (a) and (b), from “REC” to “CDA” with a maximum PR of 0.4, a maximum SC of 20%, and a maximum BH of 3 storeys). On 24.3.2017, the draft Kwu Tung South OZP No. S/NE-KTS/15 incorporating the amendments was gazetted.

- 5.3 For the OZP amendments, the applicant submitted a representation objecting to inclusion of the Area (b) into the “CDA” zone mainly due to the difficulty in obtaining agreement from the land owner of Area (b) to form a single comprehensive development. On 6.10.2017, the Board decided not to uphold the concerned representation for the reasons that the “CDA” zone would facilitate a comprehensive development and facilitate appropriate control on the layout having regard to the environmental and traffic constraints; and phased development could be proposed in accordance with TPB PG-No. 17A and there is no strong justification for the proposal to exclude the ‘Tso’ land on the “CDA” zone. On 30.1.2018, the draft OZP was approved and subsequently renumbered as S/NE-KTS/16.

s.16 application

- 5.4 The previous s.16 application No. A/NE-KTS/465 submitted by the same applicant under the current “CDA” zoning for a proposed low-rise low-density residential development with minor relaxation of PR from 0.4 to 0.48 and SC from 20% to 22%, and a BH of 3 storeys was approved by the Committee on 19.7.2019. Similar to the subject application, setback for road widening, landscaping buffer and retention of right-of-way were proposed, less the RCHE or retail shop.

6. **Similar Applications**

- 6.1 There are four similar s.12A applications mainly involving two sites currently zoned “CDA(1)” and “CDA(2)” in the northern part of Kwu Tung South. Details of the similar applications are summarized at **Appendix III** and their locations are shown on **Plan Z-1**.

“CDA(1)” site

- 6.2 Application No. Y/NE-KTS/6 for rezoning the site from “CDA” to “CDA(1)” for increasing the PR from 0.4 to 2.1 and BH from 3 storeys to 60mPD (14 storeys) to facilitate a proposed residential development was not agreed by the Committee in 2016 mainly for reasons that the proposed development parameters were significantly higher than the surrounding areas and incompatible with the low-rise and low-density character of the area; the applicant failed to demonstrate that the proposed rezoning was acceptable from the perspective of traffic, drainage, sewerage, environmental, geotechnical, landscape and risk impacts; and approval of the rezoning application would set an undesirable precedent.
- 6.3 Application No. Y/NE-KTS/12 for rezoning the “CDA” site to “CDA(1)” for increasing PR from 0.4 to 3 and BH from 3 storeys to 75mPD (19 storeys) to facilitate a proposed residential development (1,573 flats) was agreed by the Committee in September 2019 mainly on the considerations that the proposed residential use was compatible with the surrounding land uses; the proposed development intensity was not entirely incompatible with the developments in KTN NDA; and the proposed rezoning was considered acceptable due to changes in the planning context.

“CDA(2)” site

- 6.4 Application No. Y/NE-KTS/9 for rezoning of the site from “REC” and “CDA” to “Other Specified Uses” (“OU”) annotated “Integrated Development with Residential, Farming and Community Facilities” with a maximum PR of 3.6, BH of 16 storeys above ground (63.5mPD) and 538 flats to facilitate a proposed integrated development with residential, farming and community facilities was not agreed by the Committee in 2016 mainly for reasons similar to those for Y/NE-KTS/6 mentioned in paragraph 6.2 above.
- 6.5 Application No. Y/NE-KTS/14 for rezoning of two sites (the current “CDA(2)” site and a site to its south) from mainly “REC” and “AGR” to “CDA” with a max. PR of 3 and BH of 75mPD was partially agreed by the Committee on 18.12.2020 for rezoning the northern site to “CDA(2)” and not to rezone the southern site. Members had reservation on the proposed development parameters of the southern site and decided that suitable development parameters for it should be further reviewed together with its adjoining area.

7. **The Site and Its Surrounding Areas** (Plan Z-2, aerial photo and site photo on Plan Z-3 and Plan Z-4)

7.1 The Site is:

- (a) fenced off, flat and partly paved;
- (b) for Area (a), occupied by 1 to 2-storey houses/structures, active agricultural land, vacant land with scattered containers and construction materials; and directly accessible via Hang Tau Road; and
- (c) for Area (b), occupied by some domestic structures; and accessible via local track connecting Hang Tau Road.

7.2 The surrounding areas are mainly rural in nature with the following characteristics:

- (a) to the north across the local track are mainly domestic structures, active agricultural land and storages;
- (b) to the immediate east is Hang Tau Road and the DSD Hang Tau Sewage Pumping Station; to the further east across Hang Tau Road are domestic structures and Beas River Country Club; and
- (c) to the immediate south and west are domestic structures, village houses and open storage yard; to the further south and west are mainly car parks, open storages, workshops and warehouses with scattered domestic use.

8. **Planning Intention**

- 8.1 The planning intention of the “CDA” zone is for comprehensive development of the area for residential uses with the provision of open space and other supporting facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.
- 8.2 The Explanatory Statement (ES) of the OZP for the “CDA” zone states that future developments in the “CDA” site should be set back to make allowance for future widening of Hang Tau Road. To provide flexibility for innovative design, minor relaxation of the PR, SC and/or BH restrictions may be considered by the Board, and each proposal will be considered on its individual planning merits.

9. Comments from Relevant Government Departments

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

Land Administration

- 9.1.1 Comments of the District Lands Officer/North, Lands Department (DLO/N, LandsD):

- (a) The Site consists of private lots in D.D. 92 and D.D. 94 and the adjoining Government land. The private lots concerned (i.e. Lots 1127 RP in D.D. 92, Lots 343 RP, 402 S.A RP, 407 S.A RP, 407 S.A ss.1 RP, all in D.D. 94) are held under Block Government Lease demised for agricultural purposes. The leases for other New Grant lots (i.e. Lots 1124 RP, 1125 RP and 1126, all in D.D. 92 and Lots 344A S.1 RP, 404 RP, 408 S.A RP, 408 S.C ss.2 RP, 408 S.D ss.1, 408 S.D RP, 408 RP, all in D.D. 94) are not available in Land Registry.
- (b) For any proposed additional lease conditions for roadworks, passageway, etc., the responsibility for the management and maintenance of such additional lease requirements should not be borne by the future individual flat owners if such access/areas will be accessible by the public.
- (c) Other comments to be considered at detailed design and lease modification stage are at **Appendix IV**.

Traffic

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

- (a) The proposed GMB layby, turnaround and road widening works (including carriageway and footpath) on Hang Tau Road should be carried out by the applicant making reference to the Highways standard and surrender to the Government upon completion.
- (b) The GMB layby should be 26m long to accommodate 3 GMBs at a time.

Environment

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

Having reviewed the revised EA (including Noise Impact

Assessment (NIA)) and SIA, we consider that there is no insurmountable environmental problem from the proposed rezoning application. He has no objection to the rezoning application.

Drainage

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

Given that the applicant shall review the proposal to upgrade some existing sections of stormwater drainage during the design stage to incorporate the latest drainage condition in the vicinity, he has no comment on the Drainage Impact Assessment (DIA).

Urban Design and Visual

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

The proposed development would introduce low to medium-rise buildings in Hang Tau Tai Po at the upper portion of Kwu Tung South area, with development intensity and BH descending from the “CDA(1)” and “CDA(2)” zones along the Fanling Highway in the north to the south. Judging from the photomontages, the proposed development will slightly block the sky view and reduce visual openness when viewed from Hang Tau Road (VP6) (**Drawing Z-7**), minibus stop adjacent to Golf View Garden (VP7) (**Drawing Z-8**) and Hadden Hill (VP10) (**Drawing Z-9**). With incorporation of design and mitigation measures such as a 15m building separation between T2 and T3, building disposition to maximize the setback distance from Hang Tau Road and landscape buffer planting etc., the overall visual impact of the proposed development is considered slightly adverse.

Landscape

9.1.6 Comments of CTP/UD&L, PlanD:

According to the applicant's submission, a total of approximate 1,394m² open space will be provided and 106 numbers of new trees are proposed for compensation of 49 numbers of the tree loss. Significant impacts on the existing landscape resources and characters are not anticipated. As such, she has no objection to the rezoning application from the landscape planning perspective.

Social Welfare Facilities

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

In view of the aging population and ongoing demand for residential care services for the elderly, he has no in-principle objection for the development of the proposed privately-operated RCHE from the service perspective for providing an alternative choice for the elderly with caring need in the community who could afford the market price. The applicant should ensure that (a) the design and construction of the RCHE shall comply with all relevant licensing and statutory requirements including but not limited to the (i) Residential care Homes (Elderly Persons) Ordinance (Cap. 459) and its subsidiary legislation, and (ii) the latest version of the Code of Practice for Residential Care Homes (Elderly Persons); and (b) there should have no financial implication, both capital and recurrent, to the Government for the setting up of the proposed RCHE.

District Officer's Comments

9.1.8 Comments of the District Officer (North), Home Affairs Department (DO(N), HAD):

- (a) She has consulted the locals on the application and the applicant's FIs. The Chairman of Sheung Shui District Rural Committee, the incumbent North District Council member of the subject constituency and the Resident Representative (PR) of Kwu Tung (South) object to the application mainly on the grounds that the Hang Tau Road is with heavy traffic and overloaded at present; and the proposed development would further deteriorate the traffic congestion in the area. There is also concern on the impact to drainage system; and
- (b) the RR of Kwu Tung (North) and the Chairman of Fung Shui Area Committee have no comment on the application.

9.2 The following government departments have no adverse comment on the application:

- (a) Chief Architect/CMD2, Architectural Services Department (CA/CMD2, ArchSD);
- (b) Project Manager (North), Civil Engineering and Development Department;
- (c) Chief Highway Engineer/New Territories East, Highways Department;
- (d) Director of Agriculture, Fisheries and Conservation;
- (e) Chief Building Surveyor/New Territories West, Buildings Department;
- (f) Director of Fire Services; and

(g) Chief Engineer/Construction, Water Supplies Department.

10. **Public Comments**

The application and the FIs were published for public inspection on 13.11.2020, 16.7.2021 and 24.9.2021. A total of 10 public comments from 6 individuals were received (**Appendix V**). Of which, two individuals each submitted 3 comments. All public comments object to the application mainly on the following grounds:

- (a) The Site was rezoned from “Unspecified Use” to “REC” in early years, which was intended for recreational use. It should be retained for active recreational purpose.
- (b) The area is frequently affected by traffic congestion, especially at Hang Tau Road and Kam Hang Road. The existing public transport service is unstable and insufficient. Both the existing road capacity and public transport service cannot cater for the proposed development. The proposed development would further intensify the traffic congestion and cause adverse traffic impact to the area.
- (c) The proposed development would cause adverse impact on both the drainage and sewerage system and further worsen the flooding situation in the area during rainstorm.
- (d) There is insufficient information on the preservation of mature trees and the watercourse located outside the northeastern portion of the Site.
- (e) No mitigation measures were proposed to reduce the impact to the surrounding housing structure during site formation period.
- (f) The Site should be designated for public carpark. The proposed development would cause adverse impact on Feng Shui and its related issues.

11. **Planning Considerations and Assessments**

11.1 The application applies for amendment of the “CDA” zone by dividing it into Area (a) and Area (b); and amendments to the Notes for the “CDA” zone to revise the PR restriction from 0.4 to 1.41 for Area (a) and to 1.23 for Area (b), and relax BH restriction for both areas from 3 storeys to 40.3mPD and SC restriction from 20% to 28% to facilitate a residential development with retail and private RCHE on Area (a) and a residential development on Area (b). According to the indicative scheme submitted by the applicant, Area (a) comprises 3 residential blocks of 7/8 storeys (maximum 40.3mPD), a 2-storey block for private RCHE and a one story retail block (**Drawings Z-1 and Z-4**). Area (b) comprise a 6-storey residential block.

11.2 To facilitate separate development of Area (a) and Area (b), each of which is

served by separate vehicular access to the two areas; the domestic PR, SC and BH restrictions for the two areas will be identical; and the proposed development on Area (a) would not adversely affect the future development on Area (b) as shown on the indicative scheme. In view of the above, it is considered that sub-dividing the “CDA” zone to Area (a) and Area (b) could still render it possible to achieve the planning intention of the “CDA” zone for comprehensive development.

Land Use Compatibility, Development Intensity and Urban Design

- 11.3 The Site is located in the southern part of Kwu Tung South which is only served by a single carriageway (Hang Tau Road). The immediate areas to the south are already zoned for “R(D)” for low-density residential development. The areas are predominantly rural in nature, with low-rise low-density domestic structures, village houses, car parks and vacant land in the vicinity. The proposed residential development is compatible with the surrounding developments and is in line with the planning intention of “CDA” for comprehensive development for residential development with provision of open space and supporting facilities. Although Area (b) is not owned by the applicant, the application has demonstrated that separate development by phase is technically feasible.
- 11.4 The application is about 1.2km from Kwu Tung Station at Kwu Tung North New Development Area (KTN NDA) to the north (**Plan Z-1**). The site and the areas are served by the single carriageway (i.e. Hang Tau Road). The development intensity at KTS is generally stepping down from the north at sites closer to the KTN NDA (PR around 4 to 6 and BH over 100mPD). Two proposed private residential developments at the northern part of KTS abutting Fanling Highway are to be developed with a PR 3 and BH 75mPD (“CDA(1)” and “CDA(2)” zones on **Plan Z-1**). Given the intended stepped PR/BH profile descending from the KTN NDA town centre towards the rural setting in the KTS area, the proposed PR of 1.4, BH of 6 to 8 storeys (maximum 40.3mPD) and SC of 28% is considered in line with this regional context while providing comprehensive development and providing local road and public transport improvement.
- 11.5 CTP/UD&L, PlanD considers that the proposed development with incorporation of design and mitigation measures such as building separation, setback from Hang Tau Road and landscape buffer planting etc. will still generate slightly adverse visual impact. The design and mitigation measures could be further considered at the subsequent s.16 planning application stage should this application be agreed. CA/CMD2, ArchSD has no comment from visual impact point of view.

Land Utilization

- 11.6 The proposed increase in development intensity could optimize the use of

scarce land resources to meet the pressing housing demand of the community while the development scale is not unacceptable from urban design and infrastructural capacity (as stated below) aspects. It is estimated that the flat increase will be about 213 units. Besides, a RCHE and retail shop are proposed at Area (a) to serve the community.

Traffic, Environmental and Other Technical Aspects

- 11.7 The applicant has submitted technical assessments, including TIA, EA, SIA, and DIA. For transport facilities, the applicant has proposed to set back the proposed development for widening of Hang Tau Road with provision of GMB lay-by and pedestrian crossing outside the Site (**Drawing Z-3**), as requested by TD. These measures could help improve the traffic manoeuvring and improvement to public transport services. C for T's comments on implementation of the proposed road widening and related facilities as well as the width of the GMB layby could be further considered at the subsequent s.16 planning application stage should this application be agreed. Besides, the applicant has proposed to retain the existing local tracks within the Site along the boundary (**Drawing Z-3**) as right-of-way for public use.
- 11.8 For environmental aspect, DEP has no comment on the EA and SIA, and he has no objection to the application. For drainage aspect, CE/MS, DSD has no objection to the application. As requested by relevant departments, various technical assessments should be submitted at s.16 planning application stage, e.g. NIA, SIA, DIA and TIA.

Landscape and Tree Preservation

- 11.9 The applicant has submitted LMP and Tree Proposal to support the application. CTP/UD&L, PlanD has no objection to the application.

Provision of Open Space and GIC Facilities

- 11.10 The proposed development will provide about 320 flats accommodating about 897 population. Private local open space of about 1,394m², above the HKPSG requirement, is proposed to serve the residents. Besides, there is generally sufficient provision of district open space in the KTS area to meet the new demand. A 100-place privately-operated RCHE will be provided in Area (a). DSW supports the provision and consider that it could provide an alternative choice for the elderly who could afford the market price.
- 11.11 The planned provision of GIC facilities in the KTS area or North District are generally adequate to meet the demand of the planned future population, except for hospital bed, child care centre, community care services facilities for elderly and RCHE. The provision of GIC facilities are long-term target and the actual provision would be subject to the consideration of the relevant departments during the planning and development process. PlanD and concerned departments will work closely together to ensure that additional GIC

facilities will be included in new development proposals in KTS and the North District.

Previous and similar applications

- 11.12 There is one previous s.12A application, and one s.16 previous application under the current “CDA” zoning, as stated in paragraph 5. Besides, there are 4 similar applications for residential development and increase in development intensity in two sites at the northern part of KTS. Two of them were approved as stated in paragraph 6.

Public comments

- 11.13 There are local objections as conveyed by DO(N), HAD as stated in paragraph 9.1.8. All the 10 public comments received object to the application as stated in paragraph 10. In this regard, relevant government departments’ comments and planning assessments as stated above are relevant.

12. Planning Department’s Views

- 12.1 Based on the assessment made in paragraph 11 and having taken into account the local views and public comments mentioned in paragraphs 9.1.8 and 10, the Planning Department has no in-principle objection to the proposed amendments to the “CDA” zone by dividing it into Area (a) and Area (b), and to amend the Notes for the “CDA” zone to revise development restrictions as proposed by the applicant to facilitate the proposed residential developments.
- 12.2 Should the Committee decide to agree/partially agree to the application for amendment to the “CDA” zone and its Notes, PlanD would work out the appropriate amendments to the OZP including zoning boundaries, as well as the development restrictions and requirements to be set out in the Notes and/or Explanatory Statement for Committee’s agreement prior to gazetting under Section 5 of the Town Planning Ordinance.
- 12.3 Alternatively, should the Committee decide not to agree the subject application, the following reason is suggested for Members’ reference:

there is no strong justification in the submission to justify the proposed increase in development intensity for the “CDA” zone.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to

agree, partially agree, or not to agree the application.

- 13.2 Should the Committee decide not to agree to the application, Members are invited to advise what reason(s) for the decision should be given to the applicant.

14. Attachments

Appendix I	Application Form received on 6.5.2020
Appendix Ia	Further Information dated 1.12.2021
Appendix II	Previous Applications
Appendix III	Similar Applications
Appendix IV	Detailed Departmental Comments
Appendices V	Public comments
Drawing Z-1	Ground Floor Plan
Drawing Z-2	Typical Floor Plan
Drawing Z-3	Traffic Arrangement Plan
Drawing Z-4	Section Plan
Drawing Z-5	Landscape Master Plan
Drawing Z-6 to 9	Photomontages
Plan Z-1	Location Plan
Plan Z-2	Site Plan
Plan Z-3	Aerial Photo
Plan Z-4	Site Photo

**PLANNING DEPARTMENT
DECEMBER 2021**