

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

**APPLICATION NO. Y/SK-TMT/7**

<b><u>Applicant</u></b>	: Mr. POON Key Yuen Jenson
<b><u>Site</u></b>	: Lots 36 S.A, 36 S.B and 36 RP in D.D. 256, Tai Mong Tsai, Sai Kung, New Territories
<b><u>Site Area</u></b>	: About 1,996m <sup>2</sup>
<b><u>Lease</u></b>	: Old Schedule Agricultural Lots held under Block Government Lease - no structures are allowed to be erected without the prior approval of the Government
<b><u>Plan</u></b>	: Approved Tai Mong Tsai and Tsam Chuk Wan Outline Zoning Plan (OZP) No. S/SK-TMT/4
<b><u>Zoning</u></b>	: “Green Belt” (“GB”)
<b><u>Proposed Amendment</u></b>	: To rezone the application site from “GB” to “Residential (Group C)1” (“R(C)1”)

**1. The Proposal**

- 1.1 The applicant proposes to rezone the application site (the Site) (**Plan Z-1**) from “GB” to “R(C)1” (subject to a maximum plot ratio (PR) of 0.5, a maximum site coverage (SC) of 40% and a maximum building height (BH) of 9m and 3 storeys including 1 storey of carport) to facilitate development of seven houses at the Site.
- 1.2 The Site is mostly hard-paved and currently occupied by some temporary structures (**Plans Z-4a** and **4b**). According to the indicative scheme submitted by the applicant, the proposed development consists of seven 3-storey (9m) houses sitting on the northern platform of the Site and a sunken garden at the south (**Drawing Z-1**). The Site can be accessed via an existing paved track connected to Yan Yee Road at the northwest. The applicant proposes to upgrade the existing track in accordance with Transport Department’s (TD’s) requirements upon approval of the current application. The major development parameters of the indicative scheme are summarised in the table below. The plans and sections submitted by the applicant are at **Drawings Z-1** to **Z-4**.

Development Parameters	Indicative Scheme
Site Area	About 1,996m <sup>2</sup>
Total Gross Floor Area (GFA)	998m <sup>2</sup>
<i>House 1</i>	<i>158m<sup>2</sup></i>
<i>Houses 2 to 7</i>	<i>840m<sup>2</sup> (140m<sup>2</sup> x 6)</i>
Site Coverage (SC)	33%
Plot Ratio (PR)	0.5
No. of Blocks	7
No. of Storeys	3 storeys including 1 storey of carport
Building Height (BH)	9m
No. of Vehicle Parking Spaces	29
<i>Private Car</i>	<i>15</i>
<i>Motorcycle</i>	<i>14</i>
Private Open Space	Not less than 1,340.2m <sup>2</sup>
<i>Sunken Garden</i>	<i>598m<sup>2</sup></i>
<i>Shared open space and internal access</i>	<i>742.2m<sup>2</sup></i>

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

- (a) Application Form received on 28.10.2022 (Appendix I)
- (b) Planning Statement (Appendix Ia)
- (c) Further information (FI) received on 30.5.2023 (Appendix Ib)  
*[accepted and exempted from publication and recounting requirements]*

1.4 On 13.1.2023 and 31.3.2023, the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) agreed to defer making a decision on the application each for two months as requested by the applicant.

## 2. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in the planning statement and FI at **Appendices Ia** and **Ib**. They are summarised as follows:

- (a) the Site is suitable for residential development in terms of its accessibility and infrastructural provisions. The Site is connected to Yan Yee Road via a village track on government land and is about five-minutes' walk from Tai Mong Tsai Road, which is well served by public transport including buses, minibuses and taxi. There are existing water supplies, electricity, and tele-communication networks in the area;
- (b) the Site is considered to have similar conditions as the three "R(C)1" sites within the same OZP (two sites at Fung Sau Road and one site to the south of the junction of

Yan Yee Road and Tai Mong Tsai Road) (**Plan Z-1**). Therefore, it is proposed to rezone the Site as “R(C)1” zone for better use of land resources;

- (c) there are existing low-rise residential developments in the vicinity such as Floral Villas, Green Villas, the Capri, and along Fung Sau Road. As compared to these developments, the proposed development is of much smaller scale and will not induce any impact to the natural environment. Also, as there are already existing developments including an open storage site and several licensed structures and village houses surrounding the Site (**Drawing Z-5**), there is no reason for maintaining the Site as a buffer for any conservation area or Country Park in the area;
- (d) the Site is situated at a lower terrain than its surroundings, including Yan Yee Road to the west, some existing village houses to the southeast and north, and the open storage site to the southwest. Given that the Site is also surrounded by trees of over 15m tall, there will be no visual impact arising from the proposed development. As the Site was once a deserted farmland, there are no valuable trees within the Site. All existing trees within the Site are planted by the applicant and he intends to transplant these trees within the Site upon development. Therefore, no landscape impact is anticipated;
- (e) an underground on-site sewage treatment plant (STP) (5m x 4m x 3m(H)) is proposed at the Site for treating waste water generated by the proposed development. The treated effluent will be discharged directly to the nearby stream, and/or reused on-site for flushing and irrigation purposes, subject to permission by the Environmental Protection Department (EPD). Adverse impact on water quality arising from the proposed development is not anticipated;
- (f) the proposed development is small in scale and is about 200m away from the nearby village houses. Therefore, environmental impacts in terms of noise and air are not anticipated;
- (g) the existing paved track connected between the Site and Yan Yee Road will be upgraded in accordance to TD’s requirement upon approval of the current application. The applicant will be responsible for the future maintenance and management of the access road. While parking spaces for 15 private cars and 14 motorcycles are proposed at the Site, it is estimated that only about six to seven vehicles will be travelling to and from the Site during morning peak hours. Residents of the Site will also be able to use public transport at Tai Mong Tsai Road, which is about five to eight minutes’ walk from the Site. Hence, no adverse traffic impact is anticipated; and
- (h) the registered owner of the Site “Key Fortune Development Limited” purchased the Site in 2003 but failed to look after the Site. The Site has been occupied by the applicant for over 12 years and he is taking adverse possession of the Site. As regards the unauthorized structures at the Site subject to lease enforcement action, about 80% of the unauthorized structures had already been demolished and the remaining demolition works will be completed in one month’s time<sup>1</sup>.

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<sup>1</sup> Site photos taken on 26.7.2023 (**Plans Z-4a and 4b**) show that temporary structures still exist at the Site.

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

The applicant is not a “current land owner” but 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 obtaining consent of the “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection.

### 4. **Background**

- 4.1 The Site was zoned “GB” on the first statutory OZP No. S/SK-TMT/1 gazetted on 26.9.2003. Since then, the zoning of the Site has remained unchanged. According to the aerial photo in 2007, the Site was mainly covered by trees and vegetation. In 2008, majority of the trees and vegetation at the Site were cleared and a few minor structures were observed. Since 2016, a large portion of the Site is occupied by several structures (**Plan Z-3b**). Lease enforcement actions against the unauthorized building works and/or uses at the Site has been undertaken by the Lands Department (LandsD) (details in paragraph 9.1.1 below).
- 4.2 The Site is currently not subject to any active planning enforcement action. The Planning Department (PlanD) will continue to monitor the situation and take appropriate action.

### 5. **Previous Application**

There is no previous application in respect of the Site.

### 6. **Similar Application**

There is no similar application within the “GB” zone in the OZP.

### 7. **The Site and Its Surrounding Areas** (**Plans Z-1 and Z-2**, aerial photo on **Plan Z-3a**, and photos on **Plans Z-4a and 4b**)

- 7.1 The Site is:
- (a) mostly hard-paved and occupied by several single-storey temporary structures with existing trees and vegetation;
  - (b) within lower indirect water gathering grounds (WGGs); and
  - (c) connected to Yan Yee Road to the north via a village track.
- 7.2 The surrounding areas have the following characteristics:
- (a) the area is of settled valleys landscape character predominated by woodlands and segmented village houses at the “V” zones of Tai Po Tsai and Tai Mong Tsai in the vicinity;

- (b) to the immediate east and south of the Site is a natural stream;
- (c) to the south is Tai Mong Tsai Lowland Raw Water Pumping Station;
- (d) to the southwest is an open storage site<sup>2</sup>; and
- (e) low-rise residential developments such as the Capri, Forest Hill Villa and Green Villas are located to the further south and southwest of the Site respectively.

## 8. **Planning Intention**

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. **Comments from Relevant Government Departments**

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

### **Land Administration**

#### 9.1.1 Comments of the District Lands Officer/Sai Kung (DLO/SK), LandsD:

- (a) in view of (d) below, his office has reservation on the current application;
- (b) prior to the Site was re-entered by the Government, the subject lots were Old Schedule agricultural lots held under Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. It is not situated within any known village environ. According to record, the respective site areas of the subject lots are set out as follows:

<u>D.D. 256 Lot No. 36</u>	<u>Site Area</u>	
s.A	0.06 acre	
s.B	0.06 acre	
RP	<u>0.31 acre</u>	
	0.43 acre	(1,740.14m <sup>2</sup> )

- (c) as stated in the Planning Statement (**Appendix Ia**), the Site is of about 1,996m<sup>2</sup>. His office cannot verify the site area at the moment. The applicant should make sure that the site data quoted in the submission is correct; and

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<sup>2</sup> According to records, the concerned open storage site of construction materials and metal goods was in existence before the first publication in the Gazette of the notice of the draft Tai Mong Tsai and Tsam Chuk Wan Development Permission Area Plan No. DPA/SK-TMT/1 (i.e. 29.9.2000), and has continued since it came into existence, which can be considered as an existing use.

- (d) LandsD has taken lease enforcement actions against the unauthorized building works and/or uses at the subject lots. Final warning letter was issued to the lot owner on 4.5.2023 but the concerned unauthorized structures remained un-purged. LandsD has, subsequently, invoked Government Rights (Re-entry and Vesting Remedies) Ordinance (Chapter 126), to re-enter the subject lots by registration of memorials for three instruments of re-entry against the subject lots all dated 29.6.2023 in the Land Registry on 10.7.2023. The relevant land interests of the Site were re-vested in the Government and the lot owner ceased to have any interest in the land since 10.7.2023.

### **Traffic**

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

- (a) the current access to the Site is a substandard village track. There is no information in the submission on the design of the proposed access road leading to the Site and its junction to Yan Yee Road;
- (b) the proposed parking provision, in particular the motorcycle parking spaces, substantially exceeds the relevant requirements as stipulated in Hong Kong Planning Standards and Guidelines (HKPSG)<sup>3</sup>;
- (c) there are no loading/unloading facilities for the proposed development<sup>4</sup>;
- (d) a layout plan indicating the locations of the proposed parking spaces, loading/unloading facilities, and the access arrangement to them accordingly has not been provided in the submission; and
- (e) given that information on (a) to (d) above are not adequately provided in the application, there is insufficient information to demonstrate that the proposed development would not generate adverse traffic impact on the area.

#### 9.1.3 Comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD):

he has no comment on the application from highways maintenance point of view.

### **Water Supply**

#### 9.1.4 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/Construction, WSD):

- (a) he objects to the application;

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<sup>3</sup> The applicant proposes 15 private car and 14 motorcycle parking spaces. According to the HKPSG, the provisions of parking spaces for private car for the subject development shall be based on a standard of 7 parking spaces per 4 to 7 flats; while that for motorcycle shall be based on 1 motorcycle parking space per 100-150 flats.

<sup>4</sup> According to the HKPSG, minimum of 1 loading/ unloading bay for goods vehicles within a site for every 800 flats or part thereof, subject to a minimum of 1 bay for each housing block or as determined by the Authority.

- (b) the Site is located within lower indirect WGGs and abuts a stream course, whose water is received by the Tai Mong Tsai Lowland Raw Water Pumping Station at about 80 meters downstream. According to the application, the proposed residential development involves an on-site STP for sewage disposal (whose treated effluents will be discharged within WGGs) and other ancillary facilities such as parking spaces and garden; and
- (c) it is considered that residential development will cast foreseeable significant material increase in pollution effect to the lower indirect WGGs, and shall not be permitted according to the prevailing WSD's policy.

### **Environment**

#### 9.1.5 Comments from the Director of Environmental Protection (DEP):

- (a) in view of (b) to (d) below, there is insufficient information to demonstrate the environmental acceptability of the proposed development. He cannot render support to the application at this stage;

#### *Sewerage*

- (b) the Site is located within lower indirect WGGs with a natural stream at the east and south. While the applicant has proposed to provide a STP to treat the surface run-off and sewage arising from the proposed development, the applicant has not provided sufficient information to demonstrate that the STP is designed with sufficient capacity and able to meet the claimed discharge standard for Group A inland waters as specified in the Technical Memorandum on Effluent Standard;

#### *Water Quality*

- (c) there is no information in the submission to demonstrate that the surface run-off from the construction of the proposed development would not cause adverse impact on water quality to the lower indirect WGGs and the natural stream in the area; and

#### *Land Contamination*

- (d) there are some existing structures at the Site. However, there is no information in the submission to demonstrate that the Site would not be subject to any potential land contamination issue arising from the past and present land uses.

### **Drainage**

#### 9.1.6 Comments of Chief Engineer/Mainland South, Drainage Services Department (CE/Mainland South, DSD):

- (a) the Site is not served by public stormwater drainage system. Given that the Site is located in close proximity of a river stream and the proposed

development will be largely paved, a project profile or a drainage impact assessment (DIA) study should be submitted to address the potential drainage impacts arising from the proposed development for consideration in accordance with DSD's Advice Note No. 1 – 'Application of the Drainage Impact Assessment Process to Private Sector Projects'; and

- (b) as the drainage issue arising from the current application is not covered in the submission, there is no information to demonstrate that the proposed development would not be subject to flooding risk or cause any adverse drainage impact on the area.

### **Urban Design and Visual**

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

there is insufficient information and visualisation materials provided in the submission to demonstrate the potential visual impact from the proposed development with reference to the 'Town Planning Board Guideline on Submission of Visual Impact Assessment for Planning Application to the Town Planning Board' (TPB PG-No. 41). Without the aforesaid information and visualisation materials, the potential visual impact from the proposed development cannot be ascertained.

### **Landscape**

#### **9.1.8 Comments of the CTP/UD&L, PlanD:**

- (a) based on the aerial photo of 2022, the Site is situated in an area of settled valleys landscape character predominated by woodlands and segmented village houses at the "V" zones in the vicinity. Given that the Site is surrounded by dense vegetation and woodland, the proposed rezoning is considered not entirely compatible with the landscape character of the adjacent environment;
- (b) with reference to the site photo record and the submitted information by the applicant, it is noted that majority of the Site is hard-paved and is currently occupied by several temporary structures and some vegetation. Ornamental trees are observed within the Site. According to the applicant, most of the existing landscape resources observed within the Site are planted and maintained by himself; and
- (c) the landscape information provided is considered insufficient to facilitate the subsequent rezoning exercise. In particular, a broad landscape impact assessment, proposed landscape treatments, and a conceptual landscape plan to illustrate the overall landscape design are not provided by the applicant. In this regard, the landscape impact arising from the proposed development cannot be ascertained.



### **Nature Conservation**

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

the Site is partially developed and partially covered with common trees and shrubs. He has no comment on the application from nature conservation perspective.

### **Building Matters**

#### 9.1.10 Comments of the Chief Building Surveyor/New Territories East 2 and Rail, Buildings Department (CBS/NTE2 & Rail, BD):

no in-principle objection to the application under the Buildings Ordinance (BO). Detailed comments are at **Appendix II**.

### **Fire Safety**

#### 9.1.11 Comments of the Director of Fire Services (D of FS):

no in-principle objection to the proposal subject to water supplies for firefighting and fire service installations being provided to the satisfaction of D of FS. Detailed comments are at **Appendix II**.

### **Geotechnical**

#### 9.1.12 Comments of the Head of the Geotechnical Engineering Office, the Civil Engineering and Development Department (H(GEO), CEDD):

(a) no comment on the application; and

(b) the applicant is reminded to make necessary submission to BD according to the provisions of the BO at a later stage.

#### 9.2 The following government departments have no objection to or no comment on the application:

- (a) Chief Engineer (Works), Home Affairs Department (CE(Works), HAD);
- (b) District Officer/Sai Kung, HAD (DO/SK, HAD);
- (c) Executive Secretary (Antiquities & Monuments), Antiquities and Monuments Office; and
- (d) Electrical and Mechanical Services Department.

## **10. Public Comments Received During Statutory Publication Period**

The application was published for public inspection on 11.11.2022. During the statutory public inspection period, nine comments were received from the Hong Kong Bird Watching Society, World Wide Fund for Nature Hong Kong, Kadoorie Farm & Botanic Garden Corporation, the Conservancy Association and individuals (**Appendix III**). They all object to the application mainly on the following grounds:

- (a) the rezoning application is not in line with the planning intention of the “GB” zone. The Site is surrounded by dense vegetation and mature trees, and next to a natural watercourse. The Site and its surroundings are still performing good buffer function of “GB”. The current “GB” zoning of the Site is considered appropriate;
- (b) the proposal is a suspected ‘destroy first, build later’ development. According to the satellite image in 2008, the Site was covered with dense vegetation and mature trees. It was not until 2010 that the Site was partially cleared and erected with several structures. Further expansion of the site formation works and enlargement of structures were observed between 2014 and 2016;
- (c) the application lacks detailed technical assessments to demonstrate that the proposed development would not cause adverse environmental, sewerage, water quality, and landscape impacts on the area;
- (d) approval of the proposal would set an undesirable precedent for other similar rezoning applications, the cumulative effect of which would adversely impact the surrounding areas and the integrity of habitats in different districts; and
- (e) the proposed rezoning for private residential development without any public gain is considered not justified.

## **11. Planning Considerations and Assessments**

- 11.1 The application is to rezone the Site from “GB” to “R(C)1” subject to a maximum PR of 0.5, a maximum SC of 40% and a maximum BH of 9m and 3 storeys including 1 storey of carport. According to the indicative scheme submitted by the applicant, the proposed development consists of seven houses (3-storey including one storey of carport and 9m), and parking spaces for 15 private cars and 14 motorcycles (**Drawing Z-1**). The applicant proposes to upgrade the existing paved track connecting the Site to Yan Yee Road in accordance with TD’s requirements to support the proposed development.

### Zoning of the Site

- 11.2 The Site is located within a large “GB” zone and the existing “GB” zoning is considered appropriate. 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. The Site forms an integral part of the “GB” zone, which is generally covered by dense vegetation and woodland, and provides a buffer between the development and conservation areas or the Sai Kung West Country Park (**Plan Z-1**). It is observed that majority of the trees and vegetation at the Site were cleared in 2008 and the Site was subsequently paved and occupied by temporary structures (**Plan Z-3b**). While the Site is mostly hard-paved and occupied by temporary structures, and DAFC has no comment on the proposed rezoning from nature conservation perspective considering that the Site is partially developed and partially covered with common trees and shrubs, the applicant fails to provide strong justifications for rezoning the Site from “GB” to “R(C)1” for residential development.

### Land Use Compatibility

- 11.3 The Site is situated in an area of settled valleys landscape character predominated by woodlands and segmented village houses at the “V” zones in the vicinity. Given that the Site is surrounded by dense vegetation and woodland, CTP/UD&L advises that the proposed rezoning is considered not entirely compatible with the landscape character of the adjacent environment. The Site is partially hard-paved and partially occupied by several temporary structures and some vegetation. Nevertheless, there is lack of landscape information provided to illustrate the overall landscape design. In this regard, CTP/UD&L considers that the landscape impact arising from the proposed development cannot be ascertained. In addition, there is insufficient information and visualisation materials provided in the submission to demonstrate the potential visual impact from the proposed development. The applicant therefore fails to demonstrate that the proposed development would have no adverse visual and landscape impacts on the surrounding areas.

### Technical Aspects

- 11.4 The Site is located within lower indirect WGGs and abuts a stream course, whose water is received by the Tai Mong Tsai Lowland Raw Water Pumping Station at about 80 meters downstream. CE/Construction, WSD objects to the application as it is considered that residential development will cast foreseeable significant material increase in pollution effect to the lower indirect WGGs, and shall not be permitted according to the prevailing WSD’s policy.
- 11.5 On environmental aspect, while the applicant has proposed to provide a STP to treat the surface run-off and sewage arising from the proposed development, DEP comments that the applicant has not provided sufficient information to demonstrate that the STP is designed with sufficient capacity and able to meet the claimed discharge standard for Group A inland waters as specified in the Technical Memorandum on Effluent Standard. In addition, there is no information in the submission to demonstrate that the surface run-off from the construction of the proposed development would not cause adverse impact on water quality to the lower indirect WGGs and the natural stream in the area. Besides, there is no information to demonstrate that the Site would not be subject to any potential land contamination issue arising from the past and present land use. In this regard, he cannot render support to the application.
- 11.6 On drainage aspect, CE/Mainland South, DSD considers that as the Site is located in close proximity of the a river stream and the proposed development will be largely paved, a project profile or a DIA study should be submitted to address the potential drainage impacts. However, there is no information in the submission to demonstrate that the proposed development would not be subject to flooding risk or cause any adverse drainage impact on the area to support the application.
- 11.7 On traffic aspect, the applicant proposes to upgrade the existing paved track connecting the Site to Yan Yee Road, and to provide 15 private car and 14 motorcycle parking spaces at the Site. C for T points out that there is lack of information in the submission on the design of the proposed access road and that the proposed parking provision, in particular those for motorcycles, has substantially exceeds the relevant requirements as stipulated in the HKPSG, and no

loading/unloading facilities are proposed for the proposed development. In this regard, C for T considers that there is insufficient information to demonstrate that the proposed development would not generate adverse traffic impact on the area.

- 11.8 DLO/SK, LandsD has reservation on the application since the relevant land interests of the Site have already been re-vested in the Government.
- 11.9 Other relevant government departments consulted, including CHE/NTE, HyD, DAFC, CBS/NTE2 & Rail, BD, D of FS and H(GEO), CEDD have no adverse comment on/ no objection to the application on technical aspects.
- 11.10 In the absence of strong justifications and technical support, approval of the proposed rezoning from “GB” to “R(C)1” would set an undesirable precedent for other similar applications within the “GB” zone. The cumulative effect of approving similar applications would result in a general degradation of the natural environment and affect the intactness of the “GB” zone.

#### Public Comments

- 11.11 It is noted that public comments raise objection to the application. The departmental comments in paragraph 9 and the planning assessments in paragraphs 11.1 to 11.10 above are relevant.

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

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10 above, the Planning Department does not support the application.
- 12.2 Should the Committee decide not to agree to the application, the following reasons are suggested for Members’ reference:
  - (a) the application site forms an integral part of a larger “Green Belt” (“GB”) zone in Tai Mong Tsai Valley, which is densely vegetated and serves as a green buffer in the area. The applicant fails to provide strong justifications for rezoning the application site from “GB” to “Residential (Group C)1”. The current “GB” zoning for the application site is considered appropriate and should be retained; and
  - (b) the applicant fails to demonstrate that the proposal would not generate adverse water quality, traffic, landscape, visual, environmental, sewerage and drainage impacts on the area.
- 12.3 Alternatively, should the Committee decide to agree/partially agree to the application, the relevant proposed amendments to the approved Tai Mong Tsai and Tsam Chuk Wan OZP No. S/SK-TMT/4 will be submitted to the Committee for consideration prior to gazetting under the Town Planning Ordinance.

**13. Decision Sought**

- 13.1 The Committee is invited to consider the application and decide whether to agree, partially agree, or not to agree to 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**

<b>Appendix I</b>	Application Form received on 28.10.2022
<b>Appendix Ia</b>	Planning Statement
<b>Appendix Ib</b>	FI submitted by the applicant on 30.5.2023
<b>Appendix II</b>	Detailed Comments of Government's Departments
<b>Appendix III</b>	Public Comments
<b>Drawing Z-1</b>	Master Layout Plan
<b>Drawing Z-2</b>	Floor Plans for House 1
<b>Drawing Z-3</b>	Floor Plans for Houses 2 to 7
<b>Drawing Z-4</b>	Sections for House 1 and Houses 2 to 7
<b>Drawing Z-5</b>	Existing Developments Surrounding the Site
<b>Plan Z-1</b>	Location Plan
<b>Plan Z-2</b>	Site Plan
<b>Plan Z-3a</b>	Aerial Photo
<b>Plan Z-3b</b>	Historical Aerial Photos
<b>Plans Z-4a and 4b</b>	Site Photos

**PLANNING DEPARTMENT  
AUGUST 2023**