

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

APPLICATION NO. Y/TM-LTTY/11

- Applicant** : Wing Mau Tea House Limited represented by KTA Planning Limited
- Site** : Lots 523RP, 714RP, 718RP, 719RP, 721RP, 722RP, 723RP, 724RP and 725 in D.D.130 and Adjoining Government Land (GL), Lam Tei, Tuen Mun, New Territories
- Site Area** : About 9,261m² (including GL of about 2,928m² or 31.6%)
- Lease** : (a) Lot 725 in D.D. 130: New Grant No. 293
(*restricted to agricultural use*)

(b) Remaining lots: Block Government Lease
(*demised for agricultural purposes*)
- Plan** : Approved Lam Tei and Yick Yuen Outline Zoning Plan (OZP) No. S/TM-LTTY/12
- Zoning** : “Residential (Group B) 1” (“R(B)1”)
[*restricted to a maximum plot ratio (PR) of 1.0, a maximum site coverage (SC) of 40% and a maximum building height (BH) of 4 storeys over single-storey car park (15m)*]
- Proposed Amendment** : To rezone the application site from “R(B)1” to “R(B)4” with a maximum PR of 5, a maximum SC of 40% and a maximum BH of 27 storeys excluding car park levels (107.8mPD)

1. The Proposal

- 1.1 The applicant proposes to rezone the application site (the Site) (**Plan Z-1**) from “R(B)1” to “R(B)4” (i.e. a new sub-area of the “R(B)” zone) with a maximum PR of 5, maximum SC of 40% and a maximum BH of 27 storeys excluding car park levels (107.8mPD) to facilitate a medium-density residential development at the Site. The proposed amended Notes and Explanatory Statement (ES) of the OZP for the “R(B)4” zone are attached at **Appendix II**. Below is a comparison of the key development parameters stipulated on the existing OZP and the proposed under the current application:

	Existing OZP (S/TM-LTYT/12)	Current Application (Y/TM-LTYT/11)
Zoning	“R(B)1”	“R(B)4”
Maximum PR	1	5
Maximum SC	40%	40%
Maximum BH	4 storeys over single-storey car park (15m)	27 storeys excluding car park levels (107.8mPD)

- 1.2 According to the indicative scheme submitted by the applicant, the proposed development comprises five residential blocks ranging from 14 to 27 storeys (excluding two levels of basement car park) (maximum 107.8mPD). Based on a development site area of about 8,896m², the proposed PR and gross floor area (GFA) are 5 and 44,480m² respectively. The master layout plan (MLP), floor plans, section plans, Landscape Master Plan (LMP), plans showing the proposed road improvement works and environmental mitigation measures, and photomontages of the indicative scheme submitted by the applicant are at **Drawings Z-1 to Z-10g**.
- 1.3 Majority of the Site was the subject of a previous s.12A application No. Y/TM-LTYT/9 (**Plans Z-1 and Z-2**) submitted by the same applicant for rezoning the site from “R(B)1” to “R(B)4” with a maximum PR of 2.5, a maximum SC of 40% and a maximum BH of 8 storeys excluding car park (35mPD) to facilitate a medium-density residential development, which was agreed by the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) on 24.9.2021.
- 1.4 Compared with the previous application, the current application involves a larger site area (+1,096m² or +13.4%) for inclusion of additional GL along the western and eastern boundaries of the Site, an increase in the proposed PR from 2.5 to 5 and an increase in the proposed maximum BH from 8 storeys (35mPD) to 27 storeys (107.8mPD). A comparison of the key development parameters of the indicative scheme in the current submission and the previous application is given in the following table:

	Previous Application (Y/TM-LTYT/9) (a)	Current Application (Y/TM-LTYT/11) (b)	Difference (b)-(a) (%)
Application Site Area (about)	8,165m ² (including GL of about 1,164m ² (14.3%))	About 9,261m ² (including GL of about 2,928m ² (31.6%))	+1,096 m ² (+13.4%) (GL +1,764m ²)
Development Site Area (about)		8,896m ² [a] (including GL of about 2,563m ² (28.8%))	+731m ² (+9.0%) (GL +1,399m ²)
Domestic GFA (about)	19,650m ² [b]	44,480m ² [c]	+24,830m ² (+126.4%)
Domestic PR (about)	2.5 [b]	5 [c]	+2.5 (+100%)
SC	About 33%	Not more than 33.3%	N.A.
No. of Blocks	9	5	-4 (-44.4%)

	Previous Application (Y/TM-LTYT/9) (a)	Current Application (Y/TM-LTYT/11) (b)	Difference (b)-(a) (%)
BH No. of Storey	8 (excluding one level of basement car park)	Towers 1 & 2 : 27 Tower 3 : 16 Tower 4 : 14 Tower 5 : 24 (excluding two levels of basement car park)	+6 to 19 storeys (+one level of basement car park)
mPD	35	Towers 1 & 2 : 107.8 Tower 3 : 66.8 Tower 4 : 59.8 Tower 5 : 94.8	+24.8 to 72.8m
No. of Flats	307	1,385	+1,078 (+351.1%)
Average Flat Size	64m ²	32.1m ²	-31.9m ² (-49.8%)
Estimated Population	828	3,740 ^[d]	+2,912 (+351.7%)
Car Parking Spaces <i>For residents</i> <i>For visitors</i>	74 69 5	247 222 25	+173 +153 +20
Motorcycle Parking Spaces	3	18	+15
Loading/Unloading Spaces (L/UL)	2	5	+3
Bicycle Parking Spaces	15	277	+262
Private Open Space (not less than)	839m ²	3,740m ²	+2,901m ²

Remarks:

^[a] According to the applicant, some GL for road access which is not accountable for GFA calculation has been excluded from the Development Site (**Drawing Z-1** and **Plan Z-2**).

^[b] For the previous application, the proposed replacement footpath at the northern fringe of the Site for public use was excluded from PR and GFA calculation and the clubhouse (not exceeding 5% of domestic GFA) was exempted from GFA calculation.

^[c] For the current application, the proposed replacement footpath at the northern fringe of the Site for public use is included in PR and GFA calculation while the clubhouse (not exceeding 5% of domestic GFA) is exempted from GFA calculation.

^[d] The applicant assumes 2.7 persons per flat for the indicative scheme.

- 1.5 In support of the application, the applicant has submitted various technical assessment reports, including Traffic Impact Assessment (TIA), Environmental Assessment (EA), Sewerage Impact Assessment (SIA), Drainage Impact Assessment (DIA), Water Supply Impact Assessment (WSIA), Visual Impact Assessment (VIA) and Landscape, Tree Preservation and Removal Proposal. According to the applicant, the proposed residential development will be completed by 2030.

Access and Transport Arrangement

- 1.6 The Site is currently served by public transport, such as Light Rail Transit (LRT), franchised buses and green mini buses. The existing road access to the Site is from an unnamed road (at present of about 6m) connecting to Ng Lau Road from the south. The applicant proposes to upgrade portion of the unnamed road between the Site and Ng Lau Road (**Drawing Z-8**), to a 7.3m-wide road carriageway together with a 2m-wide footpath and a 2m-wide cycle track for access to the proposed development. Besides, there is an existing footpath (**Plans Z-2, Z-4a and Z-4b**) traversing the Site. The applicant also proposes to provide a 3m-wide footpath along the northern boundary of the Site⁽¹⁾ to continue to facilitate pedestrian movement for the surrounding areas (**Drawing Z-1**). The proposed road improvement works and footpath will be constructed by the applicant at its own cost. The management and maintenance of the road works will be borne by the applicant while the footpath will be managed and maintained by the future residential development.
- 1.7 For the internal transport facilities, car parking spaces and L/UL spaces will be provided in accordance with the requirements of the Hong Kong Planning Standards and Guidelines (HKPSG) with a high-end provision of private car parking space adopted.

Environmental

- 1.8 The applicant has submitted an EA to support the application. With the implementation of mitigation measures (**Drawing Z-9**) including acoustic window/balcony for Towers 1 and 2 at the northern boundary and single aspect tower design along the eastern boundary to mitigate noise impact from the LRT and Tuen Ma Line, the proposed development would comply with the relevant noise criteria stipulated in the HKPSG. According to the EA, the proposed development would not be subject to adverse impact from fixed and industrial noise as well as air quality aspects. The EA confirms that the proposed development is environmental acceptable.

Sewerage

- 1.9 As there is currently no public sewer network serving the Site and its surrounding areas, the applicant proposes an on-site sewage treatment plant (STP) with Membrane Bioreactor (MBR)⁽²⁾ at basement levels at the southern tip of the Site (**Drawings Z-4 and Z-5**). The sewage flow can be discharged to the public sewerage system once connected to the Site.

⁽¹⁾ The existing footpath, traversing the Site in east-west direction, connects the footpath along the nullah to the west and provides pedestrian movement of the nearby village settlements (such as Tuen Tze Wai) with Castle Peak Road – Lam Tei to the east. The proposed new footpath will be open for 24 hours daily with ancillary facilities (e.g. lighting and planters) in order to improve the amenity and walking environment.

⁽²⁾ The treated effluent would temporarily be stored in the stormwater storage tank before discharging into the existing nullah. The exact location and pipe design will be subject to further study and agreement of the Drainage Services Department during detailed design stage. Besides, the applicant will liaise with the Environmental Protection Department regarding the detailed design and size of the STP.

Drainage

- 1.10 A new drainage system will be provided for the proposed development. The DIA concludes that the proposed development would not result in insurmountable impact on the drainage system in the vicinity upon implementation of the proposed drainage system.

Water Supply

- 1.11 The proposed fresh water and salt water mains will be provided along the improved access road connecting to the Site. With the proposed fresh water and salt water systems and proper maintenance in place, the WSIA concludes that the proposed development would not result in insurmountable impacts on the surrounding water supply system.

Urban Design and Building Form

- 1.12 To enhance the built-environment and provide a sustainable residential development, Towers 1 and 4 fronting the nullah in the west are proposed to setback for at least 7m from the western boundary while Tower 2 will be setback for about 15m from the northern boundary (**Drawing Z-1**). A varying BH design from 14 to 27 storeys is adopted to add visual interest to the area. Besides, building gaps/separations of not less than 15m wide will be provided between Towers 1 and 4 and Towers 2 and 3 as air and view corridor for east-west wind penetration.
- 1.13 According to the applicant, the proposed development intensity (i.e. a maximum PR of 5 and a maximum BH of 107.8mPD) would be compatible with the sub-urban character in the locality. According to the VIA, the overall visual impact of the proposed development ranges from slightly adverse (Viewpoint 4) to significantly adverse (Viewpoint 3) (**Drawings Z-10a to 10g**). With the proposed mitigation measures including carefully tower disposition, tower setbacks along the nullah, varying BH design and provision of air and visual corridor, the VIA concludes that the proposed development will not result in insurmountable visual impact.

Landscape

- 1.14 The LMP submitted by the applicant is at **Drawing Z-7**. A private open space of not less than 3,740m² will be provided, and the greenery coverage for the proposed development will be not less than 20% in accordance with the Sustainable Building Design Guidelines. According to the Tree Preservation and Removal Proposal (**Appendix Ia**), a total of 224 trees⁽³⁾ are identified within the Site and there is no endangered tree species nor champion/old and valuable tree identified. 83 trees to be felled will be compensated at a ratio of 1:1 in quantity.
- 1.15 In support of the application, the applicant has submitted the following documents:

- (a) Application Form received on 1.2.2024 (Appendix I)

⁽³⁾ 141 *Leucaena leucocaphala* (銀合歡), an undesirable species, are also found within the Site. According to the Development Bureau Technical Circular (Works) (DEVB TC(W)) No. 4/2020, it is not necessary to include them in the compensatory tree planting proposal.

- (b) Consolidated Supporting Planning Statement (SPS) with (Appendix Ia) various technical assessments received on 20.12.2024⁽⁴⁾

1.16 On 24.5.2024 and 20.9.2024, the Committee agreed to defer making a decision on the application for two months each 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 consolidated SPS (Appendix Ia), which are summarised as follows:

- (a) the Board has previously agreed to a s.12A application No. Y/TM-LTYYY/9 to enable a proposed residential development of PR 2.5 and to provide 307 units at the Site. Upon reviewing the planned public and private residential developments nearby as well as the capacity of the major infrastructure, it is considered feasible to further increase the PR from 2.5 to 5 so as to better utilise scarce land resources and to boost housing supply;
- (b) the proposed increase in development intensity of the Site is in line with the Government's policy to provide more housing supply;
- (c) strips of GL have been included into the Site to optimise land resources in a comprehensive manner and such arrangement aligns with the latest draft lease plan issued by the Lands Department (LandsD);
- (d) the proposed PR and BH restrictions are within the range of medium-density development that is compatible with the urban developments in Lam Tei and the surrounding areas;
- (e) being one of the two sites in the subject "R(B)1" zone that has vehicular access, the Site is distinguished from other landlocked sites in the zone and justified for a higher density development;
- (f) the Site is separated from the main "R(B)1" sub-area by a Government, Institution or Community site and a housing development namely Lingrade Garden (Plan Z-2). Hence the proposed "R(B)4" zoning would not affect the remaining "R(B)1" sub-area nor set an undesirable precedent; and
- (g) the proposed development is technically feasible in terms of traffic, environmental, sewerage, drainage, water supply, visual and landscape aspects.

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

For the private land portion, the applicant is the sole 'current land owner' for the private

⁽⁴⁾ A total of six previous Further Information (FI) submissions (received on 28.2.2024, 28.3.2024, 11.6.2024, 24.7.2024, 9.10.2024 and 20.11.2024) were received in responding to departmental comments with relevant technical assessments. All FIs submitted were accepted but not exempted from recounting and publication requirements. The consolidated SPS in Appendix Ia supersedes the original SPS and all FIs and hence they are not attached to this paper.

lots of the Site. Detailed information would be deposited at the meeting for Members' inspection. For the GL portion, the requirements as set out in the Town Planning Board Guidelines on Satisfying the 'Owner's Consent/Notification' Requirements under Sections 12A and 16 of the Town Planning Ordinance' (TPB PG-No. 31B) are not applicable.

4. Background

4.1 The Site was first included in the draft Lam Tei and Yick Yuen Development Permission Area Plan No. DPA/TM-LTYYY/1 (the DPA Plan) gazetted on 18.6.1993 as mainly "R(B)2" zone subject to a maximum PR of 1, a maximum SC of 25% and a maximum BH of 4 storeys over single-storey carport (15m). It was then rezoned to mainly "R(B)1" on the draft Lam Tei and Yick Yuen OZP No. S/TM-LTYYY/1 gazetted on 7.6.1996 (with no change in development parameters compared with the "R(B)2" sub-area on the DPA Plan). The maximum SC restriction for the "R(B)1" sub-area was subsequently relaxed to 40% to offer design flexibility for future development on the draft Lam Tei and Yick Yuen OZP No. S/TM-LTYYY/4 gazetted on 4.6.2004. There has been no change in the zoning and development restrictions of the Site since then.

4.2 The Site is not subject to any planning enforcement action.

5. Previous Applications (Plans Z-1 and Z-2)

Section 12A application

5.1 Majority of the Site was the subject of a previous s.12A application No. Y/TM-LTYYY/9 submitted by the same applicant for proposed rezoning of the site from "R(B)1" to "R(B)4" with a maximum PR of 2.5 and a maximum BH of 8 storeys excluding carpark (35mPD) to facilitate a medium-density residential development which would provide 307 units. This application was agreed by the Committee on 24.9.2021 on the considerations that the site was generally compatible with the surrounding areas and the proposed development was technically feasible.

Section 16 applications

5.2 Part of the Site was involved in two previous s.16 applications (No. A/TM-LTYYY/111 and 120) for temporary car park and proposed temporary outdoor cafe/restaurant with ancillary car park respectively. The considerations of these applications are not relevant to the current application which involves a different use.

5.3 Details of the previous applications are shown at **Appendix III** and their locations are shown on **Plan Z-1**.

6. Similar Application

There is no similar application within the "R(B)" zone on the OZP.

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

7.1 The Site is:

- (a) mostly fenced-off and largely vacant;
- (b) adjoining the LRT Lam Tei Station and intersected by an existing footpath connecting the nearby village settlements (such as Tuen Tsz Wai) to the LRT Lam Tei Station (**Plans Z-2, Z-3 and Z-4b**); and
- (c) accessible from an unnamed road at the southern tip of the Site connecting to Ng Lau Road (**Plan Z-2**).

7.2 The surrounding areas are predominantly sub-urban in nature which include low-density residential development (i.e. Lingrade Garden), village houses and rural settlements intermixed with commercial facilities (e.g. Lam Tei Vegetable Depot), petrol filling station, parking of vehicles, open storage, temporary structures for vehicle repair workshops or storage uses, orchard and unused land.

7.3 To the south of the Site is a site zoned “Commercial” (“C”) with two development schemes (No. A/TM-LTY Y/290 and No. A/TM-LTY Y/426⁽⁵⁾), both for residential developments, approved with conditions by the Committee on 27.3.2015 and 19.5.2023 respectively. The latter application was approved with a PR of 5, SC of 35% and BH of 19 storeys (64.65mPD). To the further southwest across San Hing Tsuen is the planned public housing site in San Hing Road (SHR) and Hong Po Road (HPR)⁽⁶⁾ zoned “Residential (Group A)” (“R(A)”) on the OZP with a maximum PR of 6.5 and BH of 43 to 46 storeys (maximum 160mPD) and a planned private residential development (s.12A application No. Y/TM-LTY Y/10)⁽⁷⁾ with a maximum PR of 5 and a maximum BH of 29 storeys (100mPD) which was agreed by the Committee on 14.7.2023. Details of these planned residential developments and their locations are shown on **Plans Z-1 and Z-5**.

8. **Planning Intention**

The “R(B)” zone is intended primarily for sub-urban medium-density residential developments in rural areas where commercial uses serving the residential neighbourhood may be permitted on application to the Board.

⁽⁵⁾ The s.16 application No. A/TM-LTY Y/426 is for proposed residential development with shop and services use and minor relaxation of PR restriction from 3.6 to 5 and BH restriction from 12 storeys including car park (36m) to 19 storeys including one level of basement car park (64.45mPD). The site area is about 1,569m². The proposed development will provide 184 units for about 378 persons and is anticipated for completion in 2026.

⁽⁶⁾ The SHR and HPR public housing site has an area of over 20 hectares. According to the latest proposal, the proposed public housing development comprises 24 residential blocks with a BH of 43 to 46 storeys (maximum 160mPD). The development will provide about 20,400 public housing units for about 57,120 persons. It is targeted for completion from 2031/32 to 2033/34.

⁽⁷⁾ The s.12A application No. Y/TM-LTY Y/10 is for rezoning a site from “Residential (Group E)” and “Village Type Development” (“V”) zones to “R(A)1” zone. The site area is about 2,255m². The proposed PR is 5 and the maximum BH is 29 storeys (100mPD). The proposed development will provide 288 units for about 778 persons and is anticipated for completion in 2026.

9. Comments from Relevant Government Bureau/Departments

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

Land Administration

- 9.1.1 Comments of the District Lands Officer/Tuen Mun, LandsD (DLO/TM, LandsD):

- (a) no adverse comment on the application;
- (b) the Site comprises nine private lots (including Lots 523RP, 714RP, 718RP, 719RP, 721RP, 722RP, 723RP, 724RP and 725 all in D.D.130) one temporary government land allocation to the Highways Department (HyD), an unnamed road and a section of footpath along the nullah both over GL, a section of nullah bank and adjoining unleased and unallocated GL. All private lots, except Lot 725 in D.D.130 held under New Grant No. 293 dated 1.2.1954 for agricultural use, are old schedule lots held under Block Government Lease which contains the restriction that no structures is allowed to be erected without the prior approval of the Government;
- (c) the proposed development at the Site comprising five residential blocks ranging from 14 to 27 storeys above two levels of basement car park with a maximum BH of 107.8mPD would be in conflict with the lease governing those private lots;
- (d) in the event the application is agreed or partially agreed by the Board with a set of clear development parameters (including but not limited to the proposed user, GFA and car parking provisions, as appropriate) defined/firmed up and further submission to the Board (including application(s) for permission under s.16 of the Town Planning Ordinance (TPO) after the corresponding amendment to the OZP has been made) is not required, the land owner may submit request for streamlined processing of land exchange application. Depending on the circumstances of each case, LandsD at its sole and absolute discretion may, upon receipt of such valid request and subject to payment of the administrative fee(s) (including fee payment to the Legal Advisory and Conveyancing Office, if required) by the land owner, commence the streamlined processing of the land exchange application on a without prejudice and non-committal basis;
- (e) the land owner is reminded that once the accepted or partially accepted proposal is reflected on the OZP and approved under s.9 of the TPO, a formal application for land exchange by land owner to LandsD is still required. Every application submitted to LandsD will be considered on his own merits by LandsD at its absolute discretion acting in its capacity as the landlord and there is no guarantee that land exchange application will eventually be approved by LandsD. If the application for land exchange is approved by LandsD, it will

be subject to such terms and conditions as may be imposed by LandsD at its absolute discretion, including payment of premium and administrative fee(s); and

- (f) his other detailed comments are at **Appendix IV**.

Traffic

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

she has no in-principle objection to the TIA (**Appendix Ia**) from traffic point of view and no adverse comment on the application subject to the provision of car parking spaces in compliance with the latest requirements set out under the HKPSG.

9.1.3 Comments of the Chief Highway Engineer/New Territories West, HyD (CHE/NTW, HyD):

he has no adverse comment on the application from highways maintenance point of view. His other detailed comments are at **Appendix IV**.

9.1.4 Comments of the Chief Engineer/Railway Development 1-1, Railway Development Office, HyD (CE/RD 1-1, RDO, HyD):

he has no comment on the application from railway development viewpoint. His other detailed comments are at **Appendix IV**.

Environment

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

- (a) the applicant has submitted an EA and SIA (**Appendix Ia**) to support the application and he has no objection to the subject application;
- (b) it is noted the applicant has undertaken in the EA to conduct a quantitative railway noise assessment that would take into account the future layout design during detailed design stage to verify the required noise reduction measures for the proposed development; and
- (c) his other detailed comments are at **Appendix IV**.

Urban Design and Landscape

9.1.6 Comments of the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD):

- (a) it is noted that the applicant proposes to rezone the Site from “R(B)1” to “R(B)4” with the maximum BH increased from the previously agreed s.12A application of 35mPD to 107.8mPD. According to the photomontages in the VIA (**Appendix Ia**), there may be some visual impacts to the nearby existing low to medium-rise buildings; and

- (b) to avoid adverse impact on ventilation and air permeability, the applicant is reminded to avoid screen wall design and comply with the building separation requirements and the Sustainable Building Design Guidelines promulgated under Practice Note for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-152.

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

Urban Design

- (a) the Site is located to the north of Tuen Mun New Town, and sandwiched between the elevated Tuen Ma Line and at grade LRT track on the east and a nullah on the west. It is mainly surrounded by village type developments, existing/planned private residential developments (including the agreed s.12A Application No. Y/TM-LTY/10 with a maximum BH of 100mPD to its west, the approved s.16 Application No. A/TM-LTY/426 with a maximum BH of 64.45mPD, the Sherwood and Botania Villa with existing BHs up to about 60mPD to its east) and planned public housing developments subject to a BHR of 160mPD to its southwest. In this connection, the proposed development with a maximum BH of 107.8mPD, though would be taller than its existing immediate neighborhood, is considered not incompatible with the planned surrounding environment;
- (b) according to the submitted VIA, most of the seven selected public viewpoints are in close proximity to the Site. As compared with the agreed planning application (No. Y/TM-LTY/9), the indicative scheme in the current application would inevitably have additional visual impacts ranging from slightly to moderately adverse to most of the viewpoints and significantly adverse to the remaining one viewpoint;
- (c) various design/mitigation measures including tower setbacks, BH variation, building separation, provision of replacement footpath for public use, minimised ground floor footprint, peripheral landscaping, etc. are proposed. According to the applicant, the proposed development will comply with the requirements under the Sustainable Building Design Guidelines;

Air Ventilation

- (d) the Site does not fall within any major breezeways based on the available information of relevant Air Ventilation Assessment (AVA)-Expert Evaluations for Tuen Mun New Town conducted in 2009 and 2014. According to the Technical Circular No. 1/06 on AVA, the proposed development does not fall within the categories of the projects requiring AVA;

Landscape

- (e) according to the Tree Preservation and Removal Proposal (**Appendix Ia**), there is no endangered tree species nor champion/old and valuable tree identified within the Site. Noting that 83 new trees will be planted with 1:1 compensation ratio in quantity achieved, and “opportunity of planting more trees would be further explored at detailed stage”, she has no comment on the application from landscape planning perspective;
- (f) the applicant is reminded that approval of the s.12A application by the Board does not imply approval of the site coverage of greenery requirements under PNAP APP-152 and/or under the lease. The SC of greenery calculation should be submitted separately to the Buildings Department for approval; and
- (g) similarly for any proposed tree preservation/removal scheme and compensatory proposal, the applicant should approach relevant authority direct to obtain necessary approval as appropriate.

Nature Conservation

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

noting that the trees proposed to be felled are common species and will be compensated by heavy standard trees in a ratio of 1:1 in quantity, he has no comment on the application from nature conservation perspective.

Drainage

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

she has no comment on the DIA and SIA for the application. Her other detailed comments are at **Appendix IV**.

Water Supply

- 9.1.10 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/C, WSD):

he has no objection to the application. His other detailed comments are at **Appendix IV**.

Fire Safety

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

he has no comment on the application. His other detailed comments are at **Appendix IV**.

Building Matters

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

he has no objection to the application. His other detailed comments are at **Appendix IV**.

Electricity and Risk Aspects

- 9.1.13 Comments of the Director of Electrical and Mechanical Services (DEMS):

he has no comment from regulatory services perspective. His other detailed comments are at **Appendix IV**.

Archaeological and Heritage Aspects

- 9.1.14 Comments of Head of the Executive Secretary (Antiquities and Monuments), AMO (ES(AM), AMO), Development Bureau:

she has no objection to the application from both archaeological and built heritage conservation perspectives. Her other detailed comments are at **Appendix IV**.

District Officer's Comments

- 9.1.15 Comments of the District Officer (Tuen Mun), Home Affairs Department (DO(TM), HAD):

he states that the proposed footpath should be barrier-free, wheelchair friendly and should be maintained 24-7 open to the public and provide basic facilities, including but not limited to surface channel and light poles. He would also like to point out that residents living in the vicinity may raise concerns about the potential adverse impacts brought about by the housing development, particularly on the traffic front.

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

- (a) Director of Leisure and Cultural Services (DLCS);
- (b) Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD);
- (c) Chief Engineer/Housing Project 2, CEDD (CE/HP2, CEDD); and
- (d) Commissioner of Police (C of P).

10. Planning Considerations and Assessments

- 10.1 The applicant proposes to rezone the Site from "R(B)1" to "R(B)4" with a maximum PR of 5 and a maximum BH of 27 storeys excluding car park (107.8mPD) to facilitate a medium-density residential development at the Site. According to the indicative scheme submitted by the applicant, the proposed

development comprises five residential blocks ranging from 14 to 27 storeys (BHs of 59.8 to 107.8mPD) above two levels of basement car park (**Drawings Z-6a and Z-6b**), providing 1,385 flats for about 3,740 persons. According to the applicant, the proposed development is expected to be completed in 2030. The proposed Notes and ES for the “R(B)4” zone submitted by the applicant are at **Appendix II**.

Planning Intention

- 10.2 The planning intention of the “R(B)” zone⁽⁸⁾ is primarily for sub-urban medium-density residential developments in rural areas. The “R(B)1” sub-area of the Site is subject to a maximum PR of 1.0, a maximum SC of 40% and a maximum BH of 4 storeys over single-storey car park (15m).

Land Use Compatibility and Development Intensity

- 10.3 The Site is located to the north of Tuen Mun New Town and adjacent to the LRT Lam Tei Station and Castle Peak Road – Lam Tei (**Plan Z-1**). It is currently surrounded by a low-rise and low-density residential development namely Lingrade Garden (PR of 0.82 and BH of 3 storeys (21mPD)) to its immediate north and village settlements to the west across the nullah (**Plans Z-2 and Z-3**). Nevertheless, in the wider geographical context, there are several planned medium to high-density residential developments including public housing developments in areas zoned “R(A)” at SHR and HPR to the further southwest of the Site subject to a maximum PR of 6.5 and a maximum BH of 160mPD. Adjacent to the SHR and HPR public housing site is a planned private residential development (s.12A application No. Y/TM-LTYT/10) with a maximum PR of 5 and a maximum BH of 29 storeys (100mPD) which was agreed by the Committee on 14.7.2023. To the southeast of the Site is a private residential development which is zoned “C” (s.16 application No. A/TM-LTYT/426) with a maximum PR of 5, a maximum SC of 36% and a maximum BH of 19 storeys (64.45mPD) which was approved by the Committee on 19.5.2023. Details of these planned residential sites and their locations are shown at **Plan Z-5**. Overall, the proposed residential development is considered not incompatible with the existing and planned developments in surroundings in terms of land use and development intensity.

Visual and Urban Design

- 10.4 The Site is situated in an urban fringe setting which is experiencing a transformation of development density from sub-urban area to urban area (i.e. Tuen Mun New Town), and creating a stepped BH profile along Castle Peak Road – Lam Tei from north to south. While the VIA (**Appendix Ia**) submitted by the applicant concludes that compared with the agreed s.12A application No. Y/TM-LTYT/9, the visual impact of the proposed development ranges from slightly adverse (Viewpoint 4) to significantly adverse (Viewpoint 3), the visual impact is mainly moderately adverse at most of the viewpoints (**Drawings Z-10a to 10g**). Various design/mitigation measures including tower setbacks, BH variation,

⁽⁸⁾ “R(B)2” and “R(B)3” sub-areas under the OZP are subject to a maximum PR of 1.26 and 2.1, a maximum SC of 40% (both) and a maximum BH of 6 storeys over single-storey car park (21m) and 12 storeys excluding car park (36m) respectively.

building separation, façade treatment and peripheral landscaping are proposed. In this regard, CTP/UD&L, PlanD considers that the proposed development is not incompatible with the planned surrounding environment. The proposed development would become part of the high-rise building clusters and create a stepped BH profile along Castle Peak Road – Lam Tei allowing gradual transition from the high-rise public housing developments in the west to the low to medium-rise housing and village settlements in the north and east (**Plan Z-5**).

Open Space and Landscape

- 10.5 According to the indicative LMP (**Drawing Z-7**), not less than 3,740m² private open space and not less than 20% greenery coverage will be provided within the Site. Besides, a total of 83 compensatory trees will be planted at 1:1 compensatory ratio in quantity. In this regard, CTP/UD&L, PlanD has no adverse comment on the application from landscape planning perspective.

Technical Aspects

- 10.6 The applicant has submitted various technical assessments to demonstrate that the proposed rezoning is technically feasible from traffic, environmental, sewerage, drainage and water supply perspectives. Relevant concerned departments, including C for T, CHE/NTW of HyD, CE/RD 1-1 of HyD, DEP, CE/MN of DSD and CE/C of WSD have no in-principle objection to/no adverse comments on the application.
- 10.7 The Site is currently accessible from an unnamed road at the southern tip of the Site connecting to Ng Lau Road (**Plan Z-2**) and is bisected by an existing local footpath connecting the “V” zone to the west of the Site to the Castle Peak Road – Lam Tei and LRT Lam Tei Station (**Plan Z-3**). The applicant proposes to widen the access road to a 7.3m-wide road carriageway with a 2m-wide footpath and a 2m-wide cycle track to provide access to the proposed development (**Drawing Z-8**). Moreover, the applicant has undertaken to reprovide, manage and maintain a 3m-wide footpath (**Drawing Z-1**) as well as ancillary facilities (including a 35m² planter and lighting) along the northern boundary of the Site for public use for 24 hours daily, which would enhance pedestrian connectivity and walking environment. In this regard, C for T has no in-principle objection to the application from traffic engineering viewpoint.
- 10.8 As the EA identifies that railway noise from the operation of Tuen Ma Line and LRT would be a source of noise impact, the applicant has proposed mitigation measures (**Drawing Z-9**) such as the use of acoustic window/balcony and single aspect tower design to comply with relevant requirements as stipulated in the HKPSG. The applicant also undertakes to conduct a quantitative railway noise assessment that would take into account the future layout design during detailed design stage to verify the required noise reduction measures for the proposed development and implement the proposed noise mitigation measures. In this regard, DEP has no objection to the application from environmental protection perspective. Besides, a new on-site STP with MBR will be constructed to treat the effluents from the proposed development before discharging into the nearby nullah. In this regard, both DEP and CE/MN of DSD have no adverse comment on the application from sewerage infrastructure planning perspective.

Previous Application

- 10.9 The Committee had previously agreed to a s.12A application No. Y/TM-LTTY/9 for a proposed medium-density residential development at the Site on 24.9.2021. The previous scheme is also for a proposed “R(B)4” sub-area with a maximum PR of 2.5 and a maximum BH of 8 storeys excluding basement (35mPD). Compared with the previous application, the proposed number of flats will increase from 307 to 1,385 (+1,078 units or +351.1%) under the current application to better utilise the scarce land resources and meet the acute housing demand. Approval of the current application is generally in line with the previous decision of the Committee.

Development Restrictions to be stipulated on the OZP

- 10.10 According to the streamlined measures under Joint Practice Note (JPN) No. 7 issued in August 2021, since the maximum SC permissible has been stipulated under the Building (Planning) Regulations (B(P)R), only a more stringent SC restriction than that stipulated in the B(P)R for specific planning purposes⁽⁹⁾ in selected sites will be imposed in the OZP. In this regard, CTP/UD&L, PlanD has no comment on not imposing SC restriction in the OZP in accordance with the streamlined arrangement. As such, should the application be agreed by the Committee, a maximum PR of 5 and a maximum BH of 27 storeys (107.8mPD) will be recommended for statutory planning control purpose. PlanD will work out the details of the appropriate zoning with development restrictions to be set out in the Notes for the Committee’s consideration prior to gazetting of the proposed amendments to the OZP under Section 5 of the Town Planning Ordinance (the Ordinance).

11. Planning Department’s Views

- 11.1 Based on the assessments made in paragraph 10 above, PlanD has no in-principle objection to the application.
- 11.2 Should the Committee decide to agree/partially agree to the application, PlanD would work out the appropriate amendments to the OZP, including zoning and development restrictions to be set out in the Notes and the revised ES, for consideration of Committee prior to gazetting under section 5 of the Ordinance upon reference back of the OZP.
- 11.3 Alternatively, should the Committee decide not to agree to the application, the following reason is suggested for Members’ reference:

the Site forms an integral part of the “Residential (Group B)1” sub-area, which is primarily for sub-urban medium-density residential developments. There is no strong justification to rezone the Site for a higher development intensity and building height.

⁽⁹⁾ Examples include preserving local character, enhancing air ventilation, visual quality as well as permeability.

12. Decision Sought

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

13. Attachments

Appendix I	Application form received on 1.2.2024
Appendix Ia	Consolidated SPS received on 20.12.2024
Appendix II	Proposed Notes and ES for the “R(B)4” zone
Appendix III	Previous Applications
Appendix IV	Government Bureau/Departments’ Detailed Comments
Drawing Z-1	Master Layout Plan
Drawings Z-2 to Z-5	Floor Plans
Drawings Z-6a and Z-6b	Schematic Section Plans (A-A and B-B)
Drawing Z-7	Landscape Master Plan
Drawing Z-8	Proposed Road Improvement Works
Drawing Z-9	Proposed Environmental Mitigation Measures
Drawings Z-10a to Z-10g	Photomontages (Viewpoints 1 to 7)
Plan Z-1	Location Plan with Related Applications
Plan Z-2	Site Plan
Plan Z-3	Aerial Photo
Plans Z-4a and Z-4b	Site Photos
Plan Z-5	Development Parameters for Residential Sites in the Vicinity of the Site

**PLANNING DEPARTMENT
JANUARY 2025**