

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

**APPLICATION NO. Y/TP/28**

<b><u>Applicant</u></b>	: Ford World Development Limited represented by Townland Consultants Limited
<b><u>Plan</u></b>	: Approved Tai Po Outline Zoning Plan (OZP) No. S/TP/28
<b><u>Site</u></b>	: Various lots in D.D. 34 and D.D.36 and adjoining Government Land, Tsiu Hang, Tai Po, New Territories
<b><u>Site Area</u></b>	: About 3.64 ha (including Government land of about 21,840m <sup>2</sup> or 60% of the Site)
<b><u>Lease</u></b>	: Block Government Lease (demised for agricultural/house use) (about 14,604m <sup>2</sup> or 40% of the Site)
<b><u>Zoning</u></b>	: “Residential (Group C)10” (“R(C)10”) [restricted to a maximum plot ratio (PR) of 1.2 and a maximum building height (BH) of 55mPD in the northern portion and 65mPD in the southern portion]
<b><u>Proposed Amendment</u></b>	: Rezoning from “R(C)10” to “Residential (Group B)11” (“R(B)11”) [proposed to be restricted to a maximum PR of 3.6 and a maximum BH of 55mPD in the northern portion and 65mPD in the southern portion]

**1. The Proposal**

- 1.1 The applicant proposes to rezone the application site (the Site) (**Plan Z-1a**) from “R(C)10” to “R(B)11” to relax its maximum PR restriction from 1.2 to 3.6, without changing the current BH restrictions (BHRs) as delineated on the OZP, i.e. a maximum BH of 55mPD in the northern portion (Site A) and 65mPD in the southern portion (Site B). According to the applicant, Site A is proposed for Government’s disposal, while Site B would be for the applicant’s own residential development. The proposed revision to the Notes of the “R(B)” zone submitted by the applicant is at **Appendix II**, in which ‘Public Vehicle Park’ and ‘Social Welfare Facility’ uses are proposed to be under Column 1 as always permitted uses for the proposed “R(B)11” zone. The applicant also proposes that the provision of social welfare facilities (SWFs) should be exempted from PR/GFA calculation.
- 1.2 The Site is located in Tsiu Hang, Tai Po and abutting Yau King Lane. According to the indicative development scheme submitted by the applicant, Site A would comprise three residential towers ranging from 14 to 15 storeys (maximum BH of 55mPD) and providing 912 units, and Site B would comprise six residential towers ranging from 10 to 18 storeys (maximum BH of 65mPD) and providing 1,286 units. There would be two separate vehicular accesses from Yau King Lane for Site A and Site B respectively. The Master

Layout Plan (MLP), Landscape Master Plan (LMP), floor plans, section plans, urban design considerations and photomontages for the indicative development scheme proposed by the applicant are shown on **Drawings Z-1 to Z-18**. Major development parameters of the proposed residential developments are as follows:

<b>Residential Developments</b>	<b>Overall</b>	<b>Site A (for Government's Disposal)</b>	<b>Site B (for Applicant's Development )</b>
Site Area (about)	36,444m <sup>2</sup>	14,161m <sup>2</sup> (about 39% of total site area)	22,283m <sup>2</sup> (about 61% of total site area)
Plot Ratio (PR) <sup>@</sup>	3.6		
Gross Floor Area (GFA) (about)	131,198m <sup>2</sup>	50,981m <sup>2</sup>	80,217m <sup>2</sup>
Site Coverage (about)	27.6%	26.6%	28.2%
No. of Blocks	9	3	6
No. of Flats	2,198	912	1,286
Average Flat Size (about)	58.1m <sup>2</sup>	55.2m <sup>2</sup>	61.2m <sup>2</sup>
Building Height (BH)	55mPD / 65mPD	Not more than 55mPD	Not more than 65mPD
No. of Storeys	10 – 18	14 – 15	10 – 18
Design Population <sup>#</sup>	6,155	2,554	3,601
<i><u>Ancillary Parking Spaces</u></i>			
Residents	258	107	151
Visitors	45	15	30
Motorcycle	23	10	13
Bicycle	74	31	43
Loading/ Unloading Bays	9	3	6
Private Open Space	Not less than 6,180m <sup>2</sup>	Not less than 2,576m <sup>2</sup>	Not less than 3,604m <sup>2</sup>

<sup>@</sup> PR 3.6 is derived based on the GFA divided by site area

<sup>#</sup> Assumes 2.8 persons per flat

- 1.3 The applicant has also proposed to provide SWFs and basement public vehicle parks (PVPs) within Site A and Site B as the planning gains for the rezoning application, and has undertaken to construct the proposed SWFs in both Sites A and B which would be handed over to the Government upon completion. Details of the proposed SWFs and PVPs are as follows:

<b>Social Welfare Facilities</b>	<b>Site A</b>	<b>Site B</b>
Types of SWFs	(i) 60-place Hostel for Severely Mentally Handicapped Persons (HSMH)  (ii) 60-place Day Activity Centre (DAC)	(i) 160-place Residential Care Home for the Elderly (RCHE)  (ii) 30-place Day Care Unit (DCU)
GFA <sup>@</sup>	2,761m <sup>2</sup>	4,011m <sup>2</sup>

<b>Social Welfare Facilities</b>	<b>Site A</b>	<b>Site B</b>
<u>Ancillary Parking Spaces</u>		
Private Light Bus	0	2
Staff	5	6
Visitors	1	2
Light Goods Vehicle	1	0
Loading/Unloading Bays	1	1

@ According to the applicant's proposal, the proposed SWFs at Site A and Site B, which amount to 5% of the total GFA of respective sites, are not accountable for GFA calculation.

<b>Public Vehicle Park</b>	<b>Site A</b>	<b>Site B</b>
Private Car Parking Spaces	150	150
Commercial Vehicle Parking Spaces	7	8
<b>Total</b>	<b>157</b>	<b>158</b>

- 1.4 According to the applicant, all the private lots within Site A are under his ownership which are proposed to be surrendered to the Government for the regrant of Site B for his private residential development. A breakdown of the land ownership of the Site is provided in the following table<sup>1</sup> and shown on **Plan Z-2**:

<b>Land Ownership</b>	<b>Site A</b>	<b>Site B</b>
Private land wholly/partially owned by the applicant	2,021m <sup>2</sup> (14%)	12,205m <sup>2</sup> (55%)
Private land owned by others	Nil	378m <sup>2</sup> (2%)
Government land	12,140m <sup>2</sup> (86%)	9,700m <sup>2</sup> (44%)
<b>Total</b>	<b>14,161m<sup>2</sup> (100%)</b>	<b>22,283m<sup>2</sup> (100%)</b>

### *Traffic Aspect*

- 1.5 The submitted Traffic Impact Assessment (TIA) has reviewed potential traffic impact arising from the rezoning proposal, and proposed some traffic mitigation measures (**Plan Z-1c**) to cope with additional traffic demand, including a public transport terminus (PTT) and two bus laybys along Yau King Lane, a bus turn-around facility at the northern tip of Site A, and junction improvement works along Chong San Road (J5, J6, J8 and J9)<sup>2</sup> and at the Chak Cheung Street roundabout (J10). The applicant undertakes to implement all the proposed traffic mitigation measures before population intake of the proposed developments so as to ensure no adverse traffic impact on surrounding areas. Moreover, in order to address the shortage of parking spaces in this locality, the applicant proposes two basement PVPs providing a total of 315 parking spaces at Site A and Site B respectively. The proposed PVPs would be constructed, managed, operated and maintained by future developers of the respective sites.

<sup>1</sup> As advised by the District Lands Officer/Tai Po, Lands Department (DLO/TP, LandsD), the areas concerned would be subject to detailed survey at later stage.

<sup>2</sup> The four junctions along Chong San Road are Chong San Road/Fo Chun Road (J5), Chong San Road/Fo Shing Road (J6), Chong San Road/Fo Yin Road (J8) and Chong San Road/Science Park Road (J9).

### *Visual and Air Ventilation Aspects*

- 1.6 In order to avoid adverse visual and air ventilation impacts on surrounding areas, the applicant proposes to maintain the existing BHRs of 55mPD and 65mPD under the proposed “R(B)11” zone and to adopt some design measures, such as six building separations serving as visual/wind corridors (ranging from 15m to 43m in width) and setback at the southern-end of Site B (**Drawing Z-13**). Photomontages on the potential visual impact submitted by the applicant are at **Drawings Z-14 to Z-18**.

### *Landscape Aspect*

- 1.7 According to the applicant’s submission, a total of 537 trees of common native and exotic species affected by the proposed development would be felled, and 544 new trees (at a compensatory ratio in terms of number of trees not less than 1:1) in heavy or light standard size would be planted forming part of the landscape proposal of the Site. The proposed greenery area would be not less than 30% of the site area. Also, the proposed private open space would be about 6,180m<sup>2</sup> (i.e. Site A: 2,576m<sup>2</sup> and Site B: 3,604m<sup>2</sup>) which complies with the relevant requirements of the Hong Kong Planning Standards and Guidelines (HKPSG).
- 1.8 The applicant has also conducted other technical assessments, including Environmental Assessment (EA), Sewerage Impact Assessment (SIA) and Drainage Impact Assessment (DIA) to demonstrate that with the implementation of proposed mitigation measures, the rezoning proposal would not cause insurmountable adverse impacts on surrounding areas.
- 1.9 The Site is the subject of a previous rezoning application No. Y/TP/24 submitted by the same applicant for rezoning the same site from “R(C)” to “R(C)10”. The previous application was agreed by the Rural and New Town Planning Committee (the Committee) of the Town Planning Board (the Board) on 28.10.2016 and the zoning amendment was subsequently incorporated into the currently approved OZP. Details of the previous application is set out in paragraph 5 below.
- 1.10 In support of the application, the applicant has submitted the following documents:
- (a) Application form (Appendix I)
  - (b) Further information (FI) received on 2.6.2021 providing a consolidated report (volumes 1 and 2) which supersedes all previous FI submissions<sup>3</sup> and the original supplementary planning statement (accepted and exempted from publication and recounting requirements) (Appendix Ia)
- 1.11 On 2.8.2019, 3.1.2020, 29.5.2020 and 22.1.2021, the Committee agreed to the applicant’s request to defer a decision on the application each for two months respectively to allow more time for the applicant to prepare FI to support the application. The last FI providing a consolidated report (volumes 1 and 2) was received on 2.6.2021, and the application is scheduled for consideration at this meeting.

---

<sup>3</sup> A total of nine previous FIs (received on 4.10.2019, 28.2.2020, 3.8.2020, 17.8.2020, 9.10.2020, 24.3.2021, 20.4.2021, 13.5.2021 and 20.5.2021 respectively) have been made to respond to departmental comments and to revise relevant technical assessments, among which five submissions were accepted but not exempted from publication and recounting requirements whilst four submissions were accepted and exempted from the said requirements.

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

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

### *Maximizing Housing Supply*

- (a) the current application for rezoning the Site to “R(B)11” with higher development intensity is in line with changes in the planning character of Pak Shek Kok (PSK) and Tsiu Hang areas and provides an opportunity to maximize land utilization. The rezoning proposal could help unleash development potential of the Site and make better use of land resources to alleviate the pressing housing demand. The current scheme would generate additional 1,403 flats. Similar to the previous application No. Y/TP/24, upon completion of land exchange application, Site A is proposed for Government’s disposal and Site B for the applicant’s private residential development;

### *Maintaining Stepped Height Profile Design*

- (b) the existing BHRs of 55mPD/65mPD will be maintained so as to minimize visual obstruction and to remain visually compatible with surrounding BH profiles. The stepped height profile descending from Deerhill Bay to Tolo Highway will be maintained;

### *Immediate Implementation*

- (c) majority of the private lots within the Site have already been assembled by the applicant and implementation of the development could commence once the current application is approved by the Board and other relevant approvals are obtained from the Government;

### *Provision of Community Facilities*

- (d) to address demand for elderly and rehabilitation service in Tai Po District, the applicant proposes a 60-place HSMH and a 60-place DAC at Site A as well as a 160-place RCHE cum 30-place DCU at Site B. The proposed HSMH and DAC would be accommodated in a standalone social welfare block located at the northern-end of Site A whereas the proposed RCHE cum DCU would be located at the lower floors of Tower 1 in Site B. The applicant undertakes to take up the construction of all the proposed SWFs which would be handed over to the Government upon completion. Moreover, to address the shortage of parking spaces in the locality and illegal parking problem along Yau King Lane, two basement PVPs are proposed at Site A and Site B respectively providing a total of 315 parking spaces for private and commercial vehicles;
- (e) compared with the previous scheme, the current proposal would bring an additional population of 3,929 persons, generating a demand for 9 secondary school classrooms, 13 primary school classrooms and 8 kindergarten/nursery classrooms. It is anticipated that the needs of additional population generated by the rezoning proposal could be met by the existing/planned GIC and open space provisions in Tai Po District;

## *No Adverse Impacts on Surrounding Areas*

### Traffic Impact

- (f) the submitted TIA has reviewed the potential traffic impact on key roads, junctions and public transport services arising from the proposed development. It concludes that some road junctions in PSK area would be approaching or over the capacity even without the rezoning proposal, and with the implementation of proposed junction improvements works, local road networks would be able to accommodate the additional traffic flow generated by the proposed development. The proposed PTT and bus laybys along Yau King Lane could facilitate the provision of new public transport services and future residents' drop-off/ pick-up activities. Besides, the proposed bus turn-around facility at the northern tip of Site A would allow the operation of buses to serve the proposed development and meet the public transport demand of the future residents. As all these traffic mitigation measures identified in the TIA are crucial to accommodate the traffic and transport demand of proposed residential development and to ensure no adverse traffic impact caused, the applicant has undertaken to implement these traffic mitigation measures before any population intake of the Site;

### Visual and Air Ventilation Impacts

- (g) the applicant has conducted VIA and AVA to assess potential impact of increasing development intensity at the Site. Some design measures, such as maintaining existing BHRs of 55mPD and 65mPD, six building separations serving as visual/wind corridors ranging from 15m to 43m in width and setback at the southern-end of Site B are proposed to minimize and mitigate such impacts (**Drawing Z-13**). Only slight visual impact is found at vantage points located at the cycle track along Pok Yin Road (VP1), bus stop (VP2) and open space (VP7) along Chong San Road (**Drawings Z-15, Z-16 and Z-18**), and moderate visual impact at the sports ground of the Education University of Hong Kong (EdUHK) (VP4) (**Drawing Z-17**). The applicant considers that the proposed development is still visually compatible with the existing and future developments in the vicinity and is able to preserve existing views of Tolo Harbour from Deerhill Bay. Regarding air ventilation impact, the AVA concludes that the overall air ventilation performance of the current scheme is comparable to that under the previous application. For the standalone social welfare block situated at a previously proposed setback area in Site A for enhancing air ventilation, the applicant has proposed a permeable ground floor with headroom of about 8m and maximum BH of 24m to mitigate potential air ventilation impact to the immediate leeward area. To ensure no adverse air ventilation impact on surrounding areas, the applicant proposes to incorporate the provision of said building separations and the requirement of further assessment into the land lease;

### Landscape Impact

- (h) according to the tree survey conducted by the applicant, there are 611 trees within the Site and 117 trees located at the fringe outside the Site. Except two small and five undersized *Aquilaria sinensis* (土沉香) identified within the Site, all the existing trees on the Site are common native and exotic species in fair to poor condition. It is proposed to retain 190 trees, transplant one tree and fell 537 trees, and all *Aquilaria sinensis* would be either retained or transplanted. To compensate for the loss of existing trees, a total of 544 new trees would be planted and would be in heavy or light standard sizes. The new planted trees would form part of the landscape proposal of the Site. The applicant also proposes to incorporate various landscape design components in the submitted LMP (**Drawing Z-2**) including the retention of existing slopes and woodland trees, buffer tree

planting, greening of engineered slopes, screening of vertical retaining walls and roadside landscape frontage; and

### Environmental, Sewerage and Drainage Impacts

- (i) the submitted EA has demonstrated that there would be no adverse air and water quality impacts caused by the rezoning proposal. With the implementation of single aspect design for residential towers in Site A and vertical fins for Tower 1 in Site B, future residents would not be subject to adverse road traffic and railway noise impacts generated by Tolo Highway and the East Rail. The submitted DIA and SIA also conclude that with the proposed detention tanks at Site A and Site B as well as sewerage upgrading works, there would be no adverse drainage and sewerage impacts on the surrounding areas. To alleviate possible natural terrain issues, the applicant also commits to submit a Natural Terrain Hazard Study during detailed design stage and carry out mitigation measures, if necessary.

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

The applicant is one of the “current land owners”. For the private lots partially owned or not owned by the applicant, 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 publishing newspaper notices and posting notices. Detailed information would be deposited at the meeting for Members’ inspection. As for the Government land, the “owner’s consent/notification” requirements are not applicable.

### **4. Background**

- 4.1 The Site was designated as “R(C)” zone for residential use subject to a maximum PR of 0.6 on the draft Tai Po OZP No. LTP/47B gazetted in 1983. In 2010, the Site was imposed with a BHR of four storeys on the draft Tai Po OZP No. S/TP/22 to accord with other “R(C)” sites such as Villa Costa and Villa Castell.
- 4.2 A rezoning application No. Y/TP/24 for rezoning the Site from “R(C)” to “R(C)10” with a maximum PR of 1.2 and maximum BHs of 55mPD/65mPD submitted by the same applicant of the current application was agreed by the Committee on 28.10.2016. Details of the approved rezoning application are set out in paragraph 5 below.
- 4.3 On 4.8.2017, the draft Tai Po OZP No. S/TP/27, incorporated with an amendment to reflect the approved application No. Y/TP/24 together with other amendments (including the rezoning of a “Government, Institution or Community” (“G/IC”) site at Yau King Lane to “R(B)9” subject to a maximum GFA of 88,200m<sup>2</sup> (equivalent to a PR of 3.6)), was gazetted for public inspection. The applicant of the current application submitted a representation proposing to rezone the Site to “R(B)” with a higher PR of 2.1 and BHRs of 70mPD/100mPD. After deliberation, the Board on 11.5.2018 decided not to uphold the applicant’s representation as no technical assessments were submitted to substantiate the higher PR and BH sought. Subsequently, the approved Tai Po OZP No. S/TP/28 (i.e. the prevailing OZP) was gazetted on 31.8.2018.

## 5. Previous Rezoning Application

5.1 The whole site was the subject of a previous rezoning application (No. Y/TP/24) (**Plan Z-1a**). Details of the previous application are at **Appendix III**.

5.2 On 28.10.2016, application No. Y/TP/24 submitted by the current applicant to rezone the Site from “R(C)” with a maximum PR of 0.6 and a maximum BH of 4 storeys to “R(C)10” with a maximum PR of 1.2 and maximum BHs of 55mPD and 65mPD was agreed by the Committee mainly on considerations that the proposed increase in development intensity to a PR of 1.2 was in line with the Policy Address and the Government’s initiative to increase housing supply; the proposed BH of 9 to 14 storeys was compatible with surrounding residential developments ranging from 4 to 12 storeys; the slight adverse visual impact arising from the rezoning was tolerable; and the proposed development with proposed mitigation and design measures implemented would not cause adverse traffic, environmental, drainage, sewerage, landscape and air ventilation impacts on surrounding areas.

5.3 A comparison of key development parameters of the indicative development schemes under the approved application No. Y/TP/24 and the current application is shown as below:

	<b>Approved Application No. Y/TP/24 (a)</b>	<b>Current Application No. Y/TP/28 (b)</b>	<b>Difference (b) – (a) (%)</b>
Site Area	About 36,444 m <sup>2</sup>	About 36,444 m <sup>2</sup>	No change
PR	1.2	3.6	+ 2.4 (+200%)
GFA	About 43,733m <sup>2</sup>	About 131,198m <sup>2</sup>	+ 87,465m <sup>2</sup> (+200%)
Site Coverage (SC)	About 14.9%	About 27.6%	+12.7% (+85%)
<b>No. of Blocks</b>	<b>9</b>	<b>9</b>	<b>No change</b>
Site A	4	3	-1 (-25%)
Site B	5	6	+1 (+20%)
<b>No. of Flats</b>	<b>795</b>	<b>2,198</b>	<b>+1,403 (+177%)</b>
Site A	289	912	+623 (+216%)
Site B	506	1,286	+780 (+154%)
<b>Maximum BH</b>			
Site A	53.95mPD	55mPD	+1.05mPD (+1.9%)
Site B	64mPD	65mPD	+1mPD (+1.6%)
<b>Design Population</b>	<b>2,226</b>	<b>6,155</b>	<b>+3,929 (+177%)</b>
Site A	809	2,554	+1,745 (+216%)
Site B	1,417	3,601	+2,184 (+154%)

5.4 Compared with the previous application No. Y/TP/24, the current application has also included proposed SWFs (amounting to about 5% of the GFA of each site) and proposed PVPs with 315 parking spaces serving the public as planning gains. In addition, the applicant undertakes to implement all proposed traffic mitigation measures identified in the submitted TIA, including a bus turn-around facility in Site A, two bus laybys and a PTT along Yau King Lane, and all five junction improvement works, to ensure no

insurmountable traffic impact as well as to construct the proposed social welfare block at Site A which will be handed back to Government after completion.

## **6. Similar Application**

There is no similar rezoning application within the “R(C)” zone on the Tai Po OZP.

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

### **7.1 The Site is:**

- (a) currently vacant and covered with grass and trees;
- (b) elongated and irregular in shape at the toe of a small hillside to the east of Deerhill Bay, with the northern portion (Site A) gently sloping down eastwards from about 10mPD to 4mPD and the southern portion (Site B) sloping down northeastwards from about 60mPD to 7mPD; and
- (c) accessible via Yau King Lane directly connecting with Tai Po Road – Tai Po Kau Section and Pok Yin Road leading to PSK area.

### **7.2 The surrounding areas have the following characteristics:**

- (a) to the immediate east across Yau King Lane is the sports centre of the EdUHK and a site zoned “G/IC” reserved for school development;
- (b) to the southeast across Yau King Lane is a private residential development (TPTL 244) zoned “R(B)9” with a maximum GFA of 88,200m<sup>2</sup> (equivalent to PR of 3.6 based on net site area) and BHR of 50mPD. To the further south is Cheung Shue Tan Village;
- (c) to the west and further west are low-density residential developments including Deerhill Bay (PR of 0.32 and BH of 12 storeys over 3 storeys of car park), Villa Castell (PR of 0.6 and BH of 4 storeys) and Villa Costa (PR of 0.6 and BH of 4 storeys); and
- (d) medium-density residential developments are located to the further east on the opposite side of Tolo Highway and the East Rail in PSK area with PR ranging from 3.0 to 3.6 and BHs ranging from 36mPD to 65mPD.

## **8. Planning Intention**

The planning intention of the “R(C)” zone is primarily for low-rise, low-density residential development where commercial uses serving the residential neighbourhood may be permitted on application to the Board.

## **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/Tai Po, Lands Department (DLO/TP, LandsD):

- (a) no objection to the rezoning application;
- (b) the Site comprises private lots, Government land and two Modification of Tenancies for erection of temporary structures. The private lots involved are governed by Block Government Lease (demised for agricultural/house use). The southern boundary of the Site marginally encroaches upon a fung shui area;
- (c) according to the applicant, Site A would be disposed by the Government upon surrender of all the private lots therein and all these lots are owned by the applicant; while Site B would be for private development upon land exchange. Government land may be included as part of the land exchange only on condition that the Government land involved in a land exchange is incapable of reasonable separate alienation or development, has no foreseeable public use, and requires the payment of a premium at full market price;
- (d) he has no objection to the applicant's proposal on the provision of SWFs and PVPs within the Site on the condition that these facilities will be taken over by the Social Welfare Departments (SWD) or managed by respective developers of the sites;
- (e) should the application be approved, the applicant is required to submit an application for a land exchange which may involve the Government land within Site B. However, there is no guarantee that such land exchange will be approved by LandsD. If it is approved by LandsD acting in its capacity as the landlord at its absolute discretion, it will be subject to such terms and conditions, including but not limited to payment of premium and administrative fee as may be imposed; and
- (f) the area of the Site and other details submitted by the applicant have not been verified and the applicant is required to demonstrate the dimensions and calculation of the area when the land exchange application is submitted.

9.1.2 Comments of the Secretary for Development (SDEV):

- should the application be approved and upon completion of land exchange with the applicant as proposed, Site A and the housing type to be developed thereon will be at the Government's disposal.

## **Traffic**

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

- (a) she has no in-principle objection to the application from traffic engineering viewpoint subject to the satisfactory implementation of the proposed traffic mitigation measures as identified in the TIA before any population intake of the Site;
- (b) it is noted that the TIA has adopted a number of assumptions, including the Site is for private housing development, full population intake of the housing development is in 2026 and using conservative traffic growth rates in the area concerned. Should the application be approved, there are still some time before commencement of the proposed developments (e.g. subsequent amendment of the OZP and processing of land exchange application). On this basis, she agrees with the applicant's proposal that a further traffic review should be carried out at the own cost of the applicant based on the latest traffic condition and available planning data at the time of the land administration process of any development to ascertain the scope of the traffic improvement works which have to be completed before any population intake;
- (c) given the need for public transport services arising from the proposed development, a PTT on Yau King Lane will be required. Besides, u-turning facility along Yau King Lane is required to allow bus routes servicing Yau King Lane to head back to Chong San Road or the Tolo Highway. She has no objection to the applicant's proposal to implement the proposed PTT and bus turn-around facility, and hand over them to TD for traffic management if they are constructed in open air unleased unallocated government land, subject to satisfactory design of the facility to relevant standards upon completion; and
- (d) she has no comment on the provision of two PVPs at Sites A and B respectively which could help alleviate the shortage of public parking spaces at this locality. As the PVPs would form part of the future developments, they should be constructed, managed, operated and maintained by future developers of respective sites.

## **Social Welfare Facilities**

### 9.1.4 Comments of the Director of Social Welfare (DSW):

- noting that SWFs serving the Tai Po District would be provided in both Sites A and B, he supports the application from social welfare point of view.

## **Urban Design, Visual, Landscape and Air Ventilation Impacts**

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

#### **Urban Design and Visual**

- (a) whilst the applicant states that the proposed PR of 3.6 is comparable to the adjoining residential sites in PSK area with PRs ranging from 3 to 3.6, the Site is unique in context in that it is highly constrained by its elongated and irregular site configuration and sits on an existing hillslope with a relatively vegetated backdrop. From the urban design and visual perspectives, the proposed residential development would bring forth a change to the visual character of this residential enclave with some loss of visual openness for adjacent residential developments and create disturbance to the visual reliefs caused by the loss of the natural wooded hillslopes below Deerhill Bay. Notwithstanding the above, with the proposed six building separations ranging from 15m to 43m in width, proposed 80m setback from the southern-end of Site B and maintaining the existing BHR of 55mPD/65mPD, the overall visual impact can be tolerated;

#### Air Ventilation

- (b) according to the AVA submitted, a slight decrease in wind performance is found in the indicative development scheme when compared with that under the previous application No. Y/TP/24. As the Site is elongated, perpendicular to the prevailing wind directions and located at the upwind location of most of the surrounding developments, the proposed six building separations and setback from the southern-end of Site B are crucial for the wind performance of the proposed development;
- (c) with the provision of mitigation measures, the slight decrease in wind velocity could be tolerated. Therefore, she has no adverse comment on the AVA report and advises that the proposed air ventilation mitigation measures should be incorporated in the Explanatory Statement of the OZP to ensure their implementation. If the future developments cannot provide any of these measures, a quantitative AVA should be carried out to prove that the air ventilation performance of the future scheme is no worse off when compared to the current indicative scheme as shown in the AVA report submitted;

#### Landscape

- (d) the Site is covered with grasses and trees. Site A is relatively flat while most of Site B is occupied by abandoned agricultural land with an area of undisturbed hillslope. The adjacent residential developments are predominately low-rise buildings with a maximum BH of 12 storeys to its west. Village houses can be found to the further south of the Site. The proposed development is considered not incompatible with the surrounding landscape context; and
- (e) with reference to the submitted tree preservation proposal, 190 trees are proposed to be retained, one tree to be transplanted and 537 trees to be felled. To compensate the loss of trees, a total of 544 trees in heavy or light standard sizes are proposed to be planted, at a compensatory planting ratio (i.e. number of newly planted trees: number of trees felled) not less than 1:1. Having considered that further significant adverse impact is not envisaged and landscape impact due to the proposed development can be sufficiently mitigated by the proposed landscape treatments, she has no objection to the

application from landscape planning perspective.

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

- based on the applicant's submission, it is noted that the proposed development consists of three tower blocks for Site A and six tower blocks for Site B with height ranging from 55mPD to 65mPD which complies with the BHR as permitted on the current OZP. Also, potential glare impact arising from the EdUHK's sports centre could be addressed by appropriate building design measures. In this regard, he has no comment on the application from architectural and visual impact points of view.

**Nature Conservation**

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

- (a) he has no comment on the application; and
- (b) it is noted that the application involves an increase in the development intensity of an existing "Residential" zone, and individuals of *Aguilaria sinensis* (土沉香) identified within the Site are proposed to be preserved or transplanted. Regarding the concerns of potential ecological impact, Deerhill Bay and Tai Po Road separate the Site from the nearest "Conservation Area" zone and Tai Po Kau Nature Reserve, and the streams within the Site are small watercourses receiving water from an upstream culvert.

**Environment**

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

- (a) no objection to the application as the submitted EA has demonstrated no insurmountable air and water quality impacts arising from the rezoning proposal, and the proposed development would not be susceptible to adverse noise impact generated from the East Rail and Tolo Highway with the implementation of proposed mitigation measures; and
- (b) noting that the submitted indicative scheme is for reference, requirements on detailed Noise Impact Assessment (NIA) conducted by future developer of Site A and Site B and implementation of mitigation measures identified therein should be imposed in the land lease to address any potential environmental issues.

**Drainage and Sewerage**

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

- he has no in-principle objection to the application. Detailed DIA and drainage design shall be conducted by future developer of Site A and Site B, and associated drainage mitigation measures identified therein should be fully implemented to his satisfaction.

9.1.10 Comments of the DEP:

- the submitted SIA report is acceptable and he has no in-principle objection to the application from sewerage design point of view. Detailed SIA shall be conducted by future developer of Site A and Site B and mitigation measures identified therein should be fully implemented.

**Water Supply**

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

- (a) no objection to the application;
- (b) existing fresh water and salt water mains will be affected by the proposed development. If diversion of water mains is required, the developer shall bear the cost of diversion; and
- (c) his detailed comments are set out in **Appendix IV**.

**Fire Safety**

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

- (a) no in-principle objection to the application subject to water supplies for firefighting and fire service installations being provided to his satisfaction;
- (b) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans; and
- (c) emergency vehicular access provision shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 administered by the Buildings Department.

**Geotechnical**

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

- noting that the applicant has committed to submit a Natural Terrain Hazard Study (NTHS) and carry out mitigation measures, if found necessary, he has no comment on the application.

**Building Matters**

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

- his detailed comments under the Buildings Ordinance are set out in **Appendix IV**.

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

9.1.15 Comments of the District Officer (Tai Po), Home Affairs Department (DO(TP), HAD):

- the incumbent District Council (DC) member and residents of Deerhill Bay have raised concerns and objections to the application. Major concerns including a majority of the Site is owned by the Government, there are inadequate community facilities in the vicinity and it will cause potential traffic, visual, air ventilation and ecological impacts.

9.2 The following Government departments have no comment on the application:

- (a) Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD);
- (b) Chief Highways Engineer/New Territories East, Highways Department (CHE/NTE, HyD); and
- (c) Director of Electrical and Mechanical Services (DEMS).

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

10.1 The application and FIs submitted by the applicant were published for public inspection. During the statutory public inspection periods, a total of 7,253 public comments were received. All public comments received are deposited at the meeting for Members' inspection and samples of the comments are attached at **Appendix V**.

10.2 A brief summary of the public comments received are as follow:

	<b>Publication Period</b>	<b>Opposing</b>	<b>Supporting</b>	<b>Providing Views</b>	<b>Total</b>
1	14.6.2019 to 5.7.2019	912	56	7	975
2	18.10.2019 to 8.11.2019	965	102	0	1,067
3.	13.3.2020 to 2.4.2020	1,168	1	1	1,170
4.	7.8.2020 to 28.8.2020	1,254	1	13	1,268
5.	30.10.2020 to 20.11.2020	1,318	0	0	1,318
6	9.4.2021 to 30.4.2021	1,453	0	2	1,455
	<b>Total</b>	<b>7,070</b>	<b>160</b>	<b>23</b>	<b>7,253</b>

10.3 The 7,070 opposing public comments were received from the Tai Po Rural Committee (TPRC) (**Appendix V-1**); the Vice-chairman of TPRC (**Appendix V-2**); Indigenous Inhabitant Representative of Tai Po Mei (**Appendix V-3**); the incumbent Tai Po District Council Member (**Appendix V-4**), Green Sense (**Appendix V-5**); EduHK (**Appendix V-6**); the Incorporated Owners of Deerhill Bay (**Appendix V-7**); the Owners' Committees of Providence Bay, Providence Peak and the Graces · Providence Bay

(**Appendix V-8**); and other individuals (**Appendices V-12 to V-18**). Amongst the opposing public comments, 6,437 public comments were submitted in the form of three types of standard letters, the samples of which are at **Appendices V-9, V-10 and V-11**. They object to the application mainly on the following grounds:

- (a) the Site is intended for low-density residential development which was agreed by the Board under previous application No. Y/TP/24. The proposed PR of 3.6 is excessive which is triple to the existing maximum PR of 1.2 for the “R(C)10” zone and much higher than that of surrounding residential developments. The applicant has not provided strong justifications to support the increase in maximum PR for the Site. The applicant’s claim of planning gain in terms of additional flat production is not justified. Approval of the application would deviate from the Board’s decision on the previous application No. Y/TP/24 in 2016;
- (b) the rezoning proposal is not compatible with the surrounding rural and village settings and would inevitably create adverse visual and air ventilation impacts on Deerhill Bay and neighbouring village clusters. Particularly, the proposed BHs is similar to the ground level/platform of Deer hill Bay failing to form a stepped BH profile with neighbouring residential developments. Besides, the proposed development would create wall effect which would affect air ventilation of Deerhill Bay and village settlements. The VIA and AVA submitted by the applicant fail to demonstrate that there would be no visual and air ventilation impacts on surrounding areas;
- (c) the submitted TIA has underestimated the potential traffic impact arising from the rezoning proposal and failed to review the existing traffic condition in PSK area. Tai Po Road and Tolo Highway are already congested during peak hours, and Yau King Lane cannot accommodate the traffic generated by the proposed development. Together with the new private residential development at Tai Po Area 39, the local road network is expected to be severely overloaded. Besides, Yau King Lane is often used by cyclists, and additional traffic flow thereat would threaten their safety;
- (d) the Site is located far away from the MTR University Station and there is only limited public transport services available. Although the applicant has suggested to enhance public transport services to address the traffic need of future residents, Yau King Lane cannot cope with additional traffic flow, in particular double-deck buses. In the interim, new bus stops should be provided along Tolo Highway whereas a new PSK MTR station should be developed to address the increasing demand on public transport services in the long run;
- (e) there are insufficient parking spaces in PSK and Tsiu Hang areas, and illegal parking is often observed along Yau King Lane. Besides, the provision of community facilities and retail shops in PSK area are insufficient to serve the existing population. Approval of the application would aggravate the shortage of the above facilities in the areas concerned;
- (f) the Site is occupied by natural woodland with species of conservation interest. Large number of trees within the Site would be felled to make way for the proposed development. The extensive tree felling would not only generate adverse ecological impact on existing natural habitat of high ecological value, but also severely alter the rural landscape character of the surrounding areas predominated by natural hill slopes and result in the loss of a large piece of amenity area. The tree

compensatory proposal is inadequate to mitigate the adverse landscape impact. Moreover, there is a natural stream within the Site. Proposed building blocks and internal road layout should be adjusted to avoid encroachment onto and cause pollution to the natural stream. The applicant has not submitted any ecological survey nor ecological impact assessment to examine the potential ecological impact caused by the rezoning proposal;

- (g) the proposed development would be subject to adverse road traffic and railway noise impacts from Tolo Highway and East Rail respectively. Besides, as the Site is located in proximity to the sports ground of EdUHK, the proposed development would also be subject to glare impact from the night-time operation of EdUHK's sports ground;
- (h) SWFs proposed by the applicant should not be exempted from GFA calculation as it would result in an increase of the overall development intensity of the Site, and the applicant should shoulder the cost for providing SWFs as planning gains;
- (i) there is no consultation with local villagers and key stakeholders;
- (j) approval of the application would set an undesirable precedent for other similar applications seeking intensification of development intensity in Tsiu Hang and PSK areas. The cumulative impact of which would result in adverse impact on local road network and infrastructure provision as well as the rural character of surrounding areas; and
- (k) the Site involves about 60% of government land, while the applicant only holds about 40% of land scattered within the Site. The proposed land exchange with the Government for granting Site B to the applicant for private residential development would induce suspicion on collusion and transfer of benefits between the Government and property developer due to lack of public auction and transparency on the terms of the proposed land exchange and land premium. The Government should plan and develop Site A on its own.

10.4 The 160 supporting comments were received from individuals (samples are at **Appendices V-19 to V-21**). They support the application mainly on the grounds of unleashing development potential of unused land for housing supply; providing small to medium flats to address keen housing demand; and no adverse visual, landscape and ecological impacts are anticipated.

10.5 The 23 comments expressing views are submitted by Mass Transit Railway Corporation Limited (MTRCL) and individuals. Their views are summarised as follows:

- (a) MTRCL (**Appendix V-22**) pointed out that in view of the proximity of the railway track of East Rail, the proposed development may be subject to adverse railway noise impact. Mitigation measures identified in the NIA should be properly implemented at the cost of the future developers of the Site; and
- (b) Other comments from individuals suggest to develop PSK MTR station, to provide some retail shops as well as to increase frequency of buses and GMB to meet the additional traffic demand and daily needs of future and nearby residents.

## 11. Planning Considerations and Assessments

### The Proposal

- 11.1 The applicant proposes to rezone the Site from “R(C)10” with a maximum PR of 1.2 to “R(B)11” with a maximum PR of 3.6 while maintaining the existing BHR of 55mPD for the northern portion (Site A) and 65mPD for the southern portion (Site B). The Site has a total site area of about 3.64 ha, comprising private lots (about 1.46 ha, 40% of site area) and government land (about 2.18 ha, 60% of site area). According to the indicative development scheme submitted by the applicant (**Drawing Z-1**), Site A has a site area of about 14,161m<sup>2</sup> and domestic GFA of about 50,981m<sup>2</sup> providing 912 flats accommodated in three residential towers ranging from 14 to 15 storeys high (maximum BH of 55mPD). Site B has a site area of about 22,283m<sup>2</sup> and domestic GFA of about 80,217m<sup>2</sup> providing 1,286 flats accommodated in six residential towers ranging from 10 to 18 storeys high (maximum BH of 65mPD). Ancillary parking spaces would be provided at the basement floors of both Sites A and B to serve future residents. Similar to the previously approved application No. Y/TP/24, the applicant proposes Site A for Government’s disposal and Site B for private residential development after completion of land exchange.
- 11.2 To address the needs of community, the applicant proposes a 60-place HSMH, a 60-place DAC and a PVP of 157 parking spaces at Site A. As for Site B, a 160-place RCHE cum 30-place DCU and a PVP of 158 parking spaces are proposed. The applicant proposes to put ‘Public Vehicle Park’ and ‘Social Welfare Facility’ uses under Column 1 (i.e. always permitted uses) of the Notes for the “R(B)11” zone (**Appendix II**). Moreover, the provision of SWFs is proposed to be exempted from PR/GFA calculation.

### Land Use Compatibility

- 11.3 The Site is situated in an area dominated by residential developments and village houses. Deerhill Bay and Cheung Shue Tan Village are located to the immediate west and south respectively. The sports centre of EdUHK and the “G/IC” site reserved for school development are located to the immediate east across Yau King Lane. Residential use at the Site is not incompatible with the surrounding land uses.
- 11.4 In terms of development intensity, developments to the west of Yau King Lane are mainly low-density residential developments zoned “R(C)” or its sub-zones with PR ranging from 0.32 to 1.5, and those located to the east in PSK area are medium-density developments zoned “R(B)1” to “R(B)6” with PR ranging from 3 to 3.6. Moreover, a site located at Pok Yin Road/Yau King Lane sharing the same access road to the Site was rezoned to “R(B)9” in 2017 subject to a maximum GFA of 88,200m<sup>2</sup> (equivalent to a PR of 3.6). The proposed PR of 3.6 under application is considered comparable to this nearby “R(B)9” site as well as those medium-density residential developments in PSK area.
- 11.5 In terms of BH, the applicant proposes to maintain the existing BHRs of 55mPD and 65mPD within the proposed “R(B)11” zone, which could continue to maintain a stepped height profile descending from Tai Po Road to the west of Tolo Highway.

## Technical Assessments

- 11.6 The applicant has submitted various technical assessments, including TIA, EA, SIA, DIA, VIA and AVA in support of the application. Relevant departments including C for T, DEP, CE/MN of DSD and CTP/UD&L of PlanD have no objection to or no adverse comment on the application and the submitted technical assessments.

### *Traffic Impact*

- 11.7 On traffic aspect, traffic mitigation measures (**Plan Z-1c**) including a bus turn-around facility at Site A, junction improvement works along Chong San Road<sup>4</sup> and Chak Cheung Street roundabout, and implementation of a planned PTT and two bus laybys along Yau King Lane are proposed to accommodate the additional traffic and transport demand arising from the rezoning proposal. The applicant undertakes to implement all these traffic mitigation measures before any population intake so as to ensure no adverse traffic impact on surrounding areas and will hand over these facilities to the Government for future maintenance and management. Moreover, in order to address local demand on parking spaces, two PVPs providing a total of 315 parking spaces for private and commercial vehicles are proposed at the basement of Site A and Site B. C for T has no in-principle objection to the application from traffic engineering viewpoint subject to the satisfactory implementation of the proposed traffic mitigation measures as identified in the TIA before any population intake of the Site.

### *Visual and Air Ventilation Impacts*

- 11.8 CTP/UD&L of PlanD considered that the proposed increase in development intensity at the Site would inevitably cause visual change to the neighbourhood in some extent. Nevertheless, the applicant's proposal to maintain the existing BHR of 55mPD and 65mPD for the Site could minimize the visual impact on the surrounding areas. The applicant has also proposed six building separations ranging from 15m to 43m wide and setback from the southern-end of Site B which will serve as visual corridor and wind enhancement features to mitigate potential visual and air ventilation impacts (**Drawing Z-13**). As the overall visual impact can be tolerated with the above mitigation measures, and the overall air ventilation performance of the current scheme is comparable to that under the previous application, CTP/UD&L of PlanD and CA/CMD2 of ArchSD have no adverse comments on the application from urban design, air ventilation and visual impact perspectives. Notwithstanding, if the future development cannot provide any of the above mitigation measures, a further quantitative AVA should be carried out to prove that the air ventilation performance of the future scheme is no worse off when compared to the current indicative scheme.

### *Landscape Impact*

- 11.9 According to the submitted tree survey, existing trees on the Site are mainly common species, except two small and five undersized *Aquilaria sinensis* (土沉香) which are proposed to be preserved or transplanted. To compensate the loss of 537 trees, a total of 544 new trees in heavy or light standard sizes would be planted. CTP/UD&L of PlanD considers the compensatory planting ratio generally acceptable, and potential landscape

---

<sup>4</sup> See footnote 2

impact could be sufficiently mitigated. DAFC has no comment on the application as *Aquilaria sinensis* identified within the Site would be preserved or transplanted.

#### *Environmental Impact and Infrastructure Provision*

- 11.10 DEP and CE/MN of DSD have no objection to or adverse comment on the application as the submitted EA, DIA and SIA have demonstrated no insurmountable air quality, water quality, drainage and sewerage impacts arising from the rezoning proposal, and the proposed development would not be susceptible to adverse noise impact generated from the East Rail and Tolo Highway with the implementation of proposed noise mitigation measures. Noting that the submitted development scheme is for indicative purpose, DEP and CE/MN of DSD advise that proper mechanism (e.g. lease conditions) should be in place to ensure that detailed NIA, DIA and SIA would be conducted by future developers of respective sites and mitigation measures identified therein would be fully implemented. Other concerned departments, such as CE/C of WSD and H(GEO) of CEDD, have no adverse comment on the application.

#### Provision of GIC facilities, PVPs and Open Space

- 11.11 To address the shortage of SWFs in Tai Po District and to serve as planning gains for the rezoning proposal, the applicant proposes to provide a 60-place HSMH and a 60-place DAC at Site A, and a 160-place RCHE cum 30-place DCU at Site B, and DSW supports the proposal from social welfare point of view. Besides, two PVPs providing a total of 315 parking spaces for private and commercial vehicles are proposed at the basement of Site A and Site B to be implemented by future developers of the respective sites. C for T has no comment on the proposed PVPs which could help alleviate the shortage of public parking spaces at this locality.
- 11.12 According to the applicant, the proposed development would generate a total of 2,198 flats with designed population of 6,155 persons. The overall planned provision of open space and GIC facilities will be generally adequate to serve the needs of the existing and new population in Tai Po District, except for the provision of SWFs including child care centre, community care services facilities (e.g. Day Care Centre/DCU for the elderly) and RCHE. In this regard, the proposed development will provide a 160-place RCHE cum 30-place DCU in Site B to address the shortfall in Tai Po District. It should be noted that the HKPSG requirements for these facilities are a long-term goal, and PlanD will work closely with SWD to incorporate SWFs in new/redevelopment proposals where suitable and feasible.

#### Previous Application

- 11.13 At the time of consideration of previous application No. Y/TP/24 in 2016, residential developments to the west of Tolo Highway were all low-density developments zoned “R(C)” or its sub-zones. As for today, there has been change in planning circumstances in this locality, viz. a site at Pok Yin Road/Yau King Lane has been rezoned to “R(B)9” in 2017 to allow medium-density residential development. In addition, planning gains, i.e. proposed SWFs and PVPs, are proposed under the current application to better serve the local needs. Various technical assessments including TIA, VIA, AVA, DIA, SIA and EA are submitted to demonstrate no insurmountable impacts on surrounding areas, and relevant departments consulted have no objection to or adverse comments on the application. In view of the above, the current application could warrant a favourable

consideration.

#### Development Control for Site A and Site B

- 11.14 It is noted that the applicant has owned all the private land within Site A which is proposed to be surrendered for Government's disposal upon completion of the land exchange. For Site B, about 55% and 2% of the Site are wholly/partially owned by the applicant and others respectively. DLO/TP of LandsD advises that Government land may be included as part of the land exchange on condition that the Government land involved in a land exchange is incapable of reasonable separate alienation or development, has no foreseeable public use, and requires the payment of a premium at full market price.
- 11.15 Noting DEP, CE/MN of DSD and CTP/UD&L of PlanD's comments above, the requirements of building separations, quantitative AVA, NIA, SIA, DIA and implementation of mitigation measures identified therein could be imposed in the lease conditions to ensure that the proposed development would be acceptable in terms of air ventilation, environmental, sewerage and drainage considerations. The provision of SWFs and PVPs would also be specified in the lease governing respective sites to ensure their implementation.
- 11.16 Since the applicant has demonstrated the technical feasibility to develop Site A and Site B up to a maximum GFA of 50,981 m<sup>2</sup> and 80,217 m<sup>2</sup> respectively, should the rezoning application be approved by the Committee, it is recommended that Sites A and B be subject to individual GFA and BH restrictions. For the proposed GFA exemption for the SWFs, it is considered in line with the latest Policy Address which advocates setting aside about 5% of the total residential GFA for SWFs and such provision could be exempted from GFA calculation in order not to affect housing supply.

#### Local Objections and Public Comments

- 11.17 Regarding the local objections to the application raised by the incumbent DC Member and residents of Deerhill Bay and the public comments objecting to the application on the grounds as detailed in paragraphs 9.1.15 and 10.3 respectively, Government departments' comments and the planning assessments above are relevant. For the objecting public comments on the grounds of no consultation with villagers and key stakeholders, it should be noted that the current application and relevant FIs submitted by the applicant have been published for public comments in accordance with the Town Planning Ordinance. Also, TPDC Members and TPRC were notified of the publication of the application and FIs following the established practice.

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

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the local objections conveyed by DO(TP) of HAD and public comments mentioned in paragraphs 9.1.15 and 10 respectively, PlanD has no in-principle objection to the application.
- 12.2 Should the Committee decide to agree/partially agree to the application, the relevant proposed amendments to the Tai Po OZP, together with the revised Notes and Explanatory Statement, will be submitted to the Committee for approval prior to

gazetting under section 5 of the Town Planning Ordinance.

12.3 Alternatively, should the Committee decide not to agree to the application, the following reason is suggested for Members' reference:

- the applicant fails to demonstrate that the proposed rezoning for increasing the development intensity of the Site is compatible with other residential developments to the west of Yau King Lane.

### **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 4.6.2019
<b>Appendix Ia</b>	Further Information received on 2.6.2021
<b>Appendix II</b>	Proposed Notes for the "R(B)" Zone submitted by the Applicant
<b>Appendix III</b>	Previous Rezoning Application
<b>Appendix IV</b>	Detailed Departmental Comments
<b>Appendix V</b>	Sample Public Comments
<b>Drawing Z-1</b>	Master Layout Plan
<b>Drawing Z-2</b>	Landscape Master Plan
<b>Drawings Z-3 and Z-8</b>	Floor Plans
<b>Drawings Z-9 and Z-12</b>	Section Plans
<b>Drawing Z-13</b>	Urban Design Considerations
<b>Drawings Z-14 to Z-18</b>	Location of Vantage Points and Photomontages
<b>Plan Z-1a</b>	Location Plan
<b>Plan Z-1b</b>	Development Intensity of Surrounding Developments
<b>Plan Z-1c</b>	Proposed Traffic Mitigation Measures
<b>Plan Z-2</b>	Site Plan
<b>Plan Z-3</b>	Aerial Photo
<b>Plans Z-4a and Z-4b</b>	Site Photos
<b>Plan Z-5</b>	Comparison of Master Layout Scheme with Application No. Y/TP/24
<b>Plan Z-6</b>	Comparison of Landscape Master Plan with Application No. Y/TP/24
<b>Plan Z-7</b>	Comparison of Building Separations with Application No. Y/TP/24

**PLANNING DEPARTMENT  
JUNE 2021**