

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

APPLICATION NO. Y/YL-NSW/8

<u>Applicant</u>	: King Garden Limited ¹ represented Llwewlyn-Davies Hong Kong Limited
<u>Application Site</u>	: Lots 8 RP (Part), 8 S.A RP, 12, 13, 14 S.B ss.2, 14 S.B RP, 14 S.C RP, 16, 17, 31 S.B RP, 33 RP, 36 RP, 45, 55 S.A and 1740 S.A RP in D.D.107 and Adjoining Government Land (GL), West of Castle Peak Road – Tam Mi, Yuen Long
<u>Site Area</u>	: About 116,231m ² (including about 23,864m ² of GL (about 20.5% of the Site))
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	Draft Nam Sang Wai Outline Zoning Plan (OZP) No. S/YL-NSW/9 (currently in force) Approved Nam Sang Wai Outline Zoning Plan No. S/YL-NSW/8 (at the time of submission)
<u>Zoning</u>	: “Other Specified Uses” annotated “Comprehensive Development to include Wetland Restoration Area” (“OU(CDWRA)”) <i>[Restricted to a maximum plot ratio (PR) of 0.4 and a maximum building height (BH) of 6 storeys including car park]</i> <i>[no change on the current OZP]</i>
<u>Proposed Amendment</u>	: To rezone the application site from “OU(CDWRA)” to “OU(CDWRA)1” <i>[Restricted to a maximum PR of 2.3 and a maximum BH of 115mPD]</i>

1. The Proposal

- 1.1 The applicant proposes to rezone the application site (the Site) (**Plan Z-1**) from “OU(CDWRA)” to a new sub-zone “OU(CDWRA)1”² subject to a maximum PR of 2.3 and a maximum BH of 115mPD to facilitate a proposed comprehensive residential development with Government, Institution and Community (GIC) and retail facilities, as well as a wetland restoration area (WRA) at the Site. Except for incorporating the development restrictions in respect of PR and BH for the proposed “OU(CDWRA)1” sub-zone, no change is proposed to the planning intention, the general development

¹ Sun Hung Kai Properties Limited is the parent company of the applicant.

² There is currently a sub-zone “OU(CDWRA)(1)” subject to a maximum PR of 1.55 and a maximum BH of 54mPD on the Nam Sang Wai OZP (**Plan Z-1**). Should the application be agreed by the Board, a suitable sub-zone for the Site will be worked out.

requirements in the Remarks, and the Column 1 and Column 2 uses of the Notes for the “OU(CDWRA)” zone. With ‘Flat’, ‘Social Welfare Facility’, ‘School’, ‘Shop and Services’, ‘Eating Place’, ‘Place of Entertainment’, ‘Place of Recreation, Sports or Culture’ and ‘Wetland Habitat’ remain as Column 2 uses, planning permission from the Town Planning Board (the Board) is required for the future development at the Site. The proposed revisions to the Notes of the OZP are at **Appendix II**.

- 1.2 Currently, the Site is mainly occupied by the temporary centralised quarter for imported labour in construction sector with valid planning permission until 31.10.2025 under application No. A/YL-NSW/319 (**Plans Z-1 to Z-4c**) (with a minor portion being occupied by a sawmill, nullahs and abandoned ponds). The Site is also subject to a previous application (No. A/YL-NSW/241) for proposed comprehensive development of an outlet mall with commercial uses and commercial fish ponds approved with conditions by the Rural and New Town Planning Committee (the Committee) of the Board in 2017 (details at paragraph 5 below). There is another Section 12A (S12A) application (No. Y/YL-NSW/9) submitted by the same applicant to rezone a site (**Plan Z-1**) located to the immediate south of the Site mainly from “Industrial (Group D)” and “Open Storage” to “Residential (Group E)” for a proposed comprehensive residential development, a proposed school and a relocated soy sauce factory³ (the Adjacent Proposed Development). This S12A application will be considered at the same meeting.
- 1.3 The applicant has submitted an indicative development scheme to support the proposed rezoning for comprehensive residential development with GIC and retail facilities and a WRA (the Proposed Development). The Proposed Development comprises 24 residential towers of not more than 29 storeys (with BH ranging from 61.5mPD to 115mPD) with some of the towers on top of a 3-storey GIC podium/ a single-storey retail cum clubhouse podium, one 2-storey GIC block, two 3-storey clubhouse blocks, and a basement carpark/E&M floor. GIC facilities to be accommodated at the GIC podium/block include a Neighbourhood Elderly Centre (NEC) and a Residential Care Homes for the Elderly (RCHE) and there will be a 8-classroom kindergarten at the retail podium. Besides, a WRA of about 2.8ha is proposed at the northwestern part of the Site. The indicative Master Layout Plan (MLP) and associated section and floor plans, indicative Landscape Master Plan (LMP) and the associated landscape section plans, as well as the photomontages of the Proposed Development are at **Drawings Z-1 to Z-16**, and the major development parameters are as follows:

Major Development Parameters	
Total Site Area (about)	116,231m ² (including GL of about 23,864m ²)
PR (not more than)	2.3
Domestic PR	2.2
Non-domestic PR (Commercial)	0.05
Non-domestic PR (RCHE)	0.05
Gross Floor Area (GFA) (about)	266,058m ²
Domestic GFA	255,708m ²
Non-domestic GFA (Commercial)	4,950m ²
Non-domestic GFA (RCHE)	5,400m ²

³ Under application No. Y/YL-NSW/9, the residential portion of the proposed development is subject to a maximum PR of 2.73 and a maximum BH of 115mPD with about 3,115 units, and the relocated soy sauce factory is subject to a maximum non-domestic GFA of 13,700m² and a maximum BH of 15mPD.

Major Development Parameters	
Site Coverage (SC) (Domestic)	Not more than 33.33%
No. of Blocks	
Residential towers	24
Retail/Clubhouse podium	1
GIC podium	1
GIC block	1
Clubhouse blocks	2
BH	
Residential towers	15 to 29 storeys (+61.5mPD to +115mPD)
Retail/Clubhouse podium (under T1 to T3 & T5)	1 storey (+15mPD)
GIC Podium (under T9 & T10)	3 storeys (+17.5mPD)
G/IC block	2 (+14.7mPD)
Clubhouse	3 storeys (+18.5mPD)
No. of units	6,825
Designed Population	17,745
Private Open Space	Not less than 17,745m ²
WRA	28,000m ²
Parking Spaces	711
Private car (Resident)	512
Private car (Visitor)	120
Private car (Retail)	18
Private car (Kindergarten)	2
Private car (RCHE)	2
Motorcycle (Residential and Retail)	57
Bicycle (Residential)	455
Loading/Unloading Bays and lay-bys	
Goods vehicle	28
Taxi/Private vehicles (Kindergarten)	2
Small coach (Kindergarten)	5
Private light bus/Ambulance (RCHE)	1
GIC facilities	NEC # 100-p RCHE (privately-operated)
Tentative Completion Year	2031

Note:

GFA of the NEC (with NOFA of about 328m² or GFA of about 722m²) to be provided at the GIC podium/block as required by the Government is disregarded from GFA calculation.

- 1.4 In support of the rezoning application, the applicant has submitted Supplementary Planning Statement (SPS) and technical assessments including Traffic Impact Assessment (TIA), Ecological Impact Assessment (EcoIA) including a Wetland Restoration and Creation Scheme (WRCS), Environmental Assessment (EA), Air Ventilation Assessment (AVA), Visual Impact Assessment (VIA), Landscape Design Proposal (LP) with Tree Assessment, Drainage Impact Assessment (DIA), Sewerage Impact Assessment (SIA) and Water Supply Impact Assessment (WSIA). According to the applicant, the technical assessments have taken into account the Adjacent Proposed Development under application No. Y/YL-NSW/9 to be considered at the same meeting, and some of the mitigation measures/improvement works will serve both the Proposed Development and the Adjacent Proposed Development.

Transport and Traffic

- 1.5 The Site is accessible from Castle Peak Road – Tam Mi through two vehicular accesses (one roundabout and one priority junction) to serve the residential development and the GIC facilities respectively (**Drawing Z-18**). The applicant proposes to widen a section of Castle Peak Road – Tam Mi abutting the eastern boundary of the Site to a 10.3m-wide single carriageway (**Drawing Z-18**). Along the widened road section, a minimum footpath of 2.75m wide would be provided. A subway (**Drawing Z-19**) is also proposed to connect the Proposed Development and the future Au Tau Station of the planned MTR Northern Link (NOL) to the east of the Site across San Tin Highway. A 3.5m-wide cycle track is also proposed along the eastern and southeastern boundaries of the Adjacent Proposed Development to connect the existing cycle track at Pok Wai South Road with the future Au Tau Station (**Plan Z-1** and **Drawing Z-19**). To address the potential demand of public transport services arising from both the Proposed Development and the Adjacent Proposed Development, a covered public transport interchange (PTI) with five bus bays and two general lay-bys is proposed at the Adjacent Proposed Development (**Drawing Z-20**). The applicant also proposes a circular bus service connecting with the Yuen Long Station PTI and long-haul bus services during peak hours which will be subject to the agreement of the relevant government departments in the implementation stage.
- 1.6 Taking into account the proposed junction improvement works under other planned developments, other planned road and junction improvement works⁴, as well as additional junction improvement works at the Fairview Park Interchange and three junctions along Castle Peak Road – Tam Mi proposed under the Proposed Development and Adjacent Proposed Development (**Drawings Z-21 to Z-24**), the TIA concludes that all critical junctions and road links will operate within capacity with the Proposed Development in place, except San Tin Highway and Tai Lam Tunnel. For the years between the completion of the Proposed Development in 2031 and the commissioning of Route 11 anticipated in 2033, the traffic speed of the two said road links would be reduced but still be manageable. With the commissioning of Route 11, it is anticipated that the traffic condition of the road networks in the vicinity of the Site can be significantly improved. Cumulative impacts taking into account the Adjacent Proposed Development have been assessed via a sensitivity test and it is concluded that all the assessed junctions would be able to cope with the future traffic demand.

Ecology

- 1.7 The Site falls within wetland buffer area (WBA) of the Deep Bay area, but as shown in the Habitat Map under the EcoIA, it is mainly wasteland and developed area (with minor portion being occupied by nullahs and abandoned ponds) without significant area of wetland (**Drawing Z-25, Plans Z-2 and Z-3**). The habitats within the Site are of very low ecological value. To ensure the Proposed Development is in-line with the planning intention of the “OU(CDWRA)” zone, which includes, amongst others, the restoration of degraded wetlands adjoining existing fish ponds, a WRA with a total area of not less than 2.8ha (about 24% of the site area), comprising a pond, two marshes and one reedbed, is proposed at the northwestern part of the Site (**Drawing**

⁴ Including proposed junction improvement works under approved planning application No. A/YL-NSW/241 at the same site, approved planning applications No. A/YL-NSW/274, No. A/YL-KTN/604, No. A/YL-KTN/663, Land Sharing Pilot Scheme at Ho Chau Road and Sha Po public housing development, and other planned improvement works to be carried out by the Government.

Z-26). There will be a net increase of 2.48ha of wetland and overall gain of ecological functions upon implementation of the WRA. The WRA can also serve the functions of buffering the adjacent Wetland Conservation Area (WCA) in the north from disturbance from the developments in the south and enhancing the linkage between the nearby meanders and marshes with the wetlands in Deep Bay (**Drawing Z-27**). The pond within the WRA can also provide water storage and filtering function and serve as additional buffer for the marsh and reedbed. Buffer planting and fence walls at the periphery of the Site and buffer planting between the residential portion and the WRA will be provided to minimise human disturbance to the WRA (**Drawing Z-8**). According to the EcoIA submitted by the applicant, the potential impacts on the loss of habitats are considered minor and the Proposed Development would not have significant disturbances on the surrounding habitats, including wetlands within the WCA. In addition, various measures and good site practices will be adopted to minimise the ecological impacts of the Proposed Development during the construction and operation phases, including quieter piling methods and setting up of temporary noise barrier during construction, and avoidance of unnecessary external lighting during operation phase.

- 1.8 A WRCS is submitted under the EcoIA to outline the design and major operation procedures for the construction and daily operations of the WRA, including implementation programme, water level management, vegetation maintenance, and monitoring. Construction of the WRA will be conducted between April and September to avoid potential disturbance to migratory waterbirds during dry season. During operation, there will be a platform for guided visitors to observe wetlands and the waterbirds at designated locations without disturbing waterbirds within the WRA (**Drawing Z-26**). In addition, space will be provided for displaying conservation education materials on wetland ecology in Hong Kong. The WRA will be constructed by the applicant and will be maintained and managed together with the future residential portion. A Habitat Creation and Management Plan (HCMP) will be prepared during the detailed design stage.

Environment, Sewerage and Drainage

- 1.9 According to the EA submitted by the applicant, potential air quality, noise, water quality, construction waste and land contamination aspects of the Proposed Development have been assessed and no adverse impacts are anticipated. On the potential air quality, noise and odour impacts on the Proposed Development, with appropriate mitigation measures proposed in the indicative scheme, including adequate separation distance with carriageways, orientation of future building blocks, fixed glazing, self-protecting building design, acoustic fins, architectural windows/doors, auto-closing door system and fixed glazings, as well as the relocation and modernization of the soy sauce factory with mitigation measures proposed in the Adjacent Proposed Development under application No. Y/YL-NSW/9 to be considered by the Committee (**Drawing Z-28**), no significant adverse impacts on the Proposed Development are anticipated. Since the Proposed Development constitutes a designated project under the Environmental Impact Assessment Ordinance⁵ (EIAO), an Air Quality Impact Assessment (AQIA) including a detailed odour impact assessment (OIA) will be conducted during the Environmental Impact Assessment (EIA) stage. Potential environmental impacts arising from the construction of the Proposed Development are anticipated to be insignificant with implementation of

⁵ The Site falls within the boundary of Deep Bay Buffer Zone 2, the future residential development at the Site will constitute a designated project under Item P.1, Part 1, Schedule 2 of the EIAO.

effective mitigation measures such as good site management, use of movable noise barrier, good management on noisy equipment and activities, and adoption of quitter piling method as far as practicable, etc. Risk of land contamination at the Site is unlikely and further investigation is considered unnecessary. A DIA and SIA have also been submitted to demonstrate that no adverse drainage and sewerage impacts are anticipated from the Proposed Development. Sewage generated by the Proposed Development will be conveyed to the existing public sewers via the proposed sewers which will further connect to the Nam Sang Wai Sewerage Pumping Station adjacent to Kam Tin River (**Drawing Z-29**).

Air Ventilation, Visual and Landscape

- 1.10 According to the submitted AVA, the overall ventilation performance is comparable between the baseline scheme (i.e. the approved scheme under application No. A/YL-NSW/241) and the Proposed Scheme with the proposed mitigation measures, i.e. building separations (including mainly a 38m-wide east-west (E-W) aligned one between T3 and T12 and a 28m-wide E-W aligned one between T11 & T20) and various building setbacks (**Drawing Z-30**). The scenario with both the Proposed Development and Adjacent Proposed Development has also been assessed and the overall ventilation performance is still comparable with the baseline scheme with planned developments⁶. It is concluded that the Proposed Development will not impose significant adverse air ventilation impacts on the surrounding environment.
- 1.11 A VIA has been conducted to assess the visual impact of the Proposed Development against the baseline scenario (i.e. the existing condition) (**Drawings Z-10 to Z-16**). According to the VIA, the Proposed Development will induce negligible/slightly adverse visual impacts on the visual context, and the visual impacts will be mitigated to an acceptable level through incorporation of mitigation measures such as stepped BH profile, sensitive façade treatment, sensible building disposition and building separations (**Drawing Z-17**). It is concluded that with the mitigation measures implemented, the Proposed Development, and together with the Adjacent Proposed Development, is acceptable from urban design and visual perspectives.
- 1.12 According to the LP, all 425 existing trees within the Site are proposed to be felled. The existing trees are mostly undesirable invasive species and of poor form and quality in general. A minimum of 425 new trees will be planted within the Site for compensation purpose. As shown on the LMP (**Drawing Z-8**), trees will be planted along the perimeter of the Proposed Development to provide buffer with the adjacent areas, in particular the wetlands to the north, and to minimise the potential visual impact. Private open space of not less than 17,745m² with recreational facilities, landscaped garden, children's playground and inter-generational play areas will be provided. A minimum greening ratio of 30% will be achieved.
- 1.13 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 21.4.2022 **(Appendix I)**

⁶ Including planned developments under approved applications No. A/YL-NSW/241 (for comprehensive Development of an Outlet Mall with Commercial Uses) and No. Y/YL-NSW/3 (for shopping mall cum hotel development) that covering the application site of application No. Y/YL-NSW/9.

(b) Consolidated SPS received on 21.2.2025⁷

(Appendix Ia)

- 1.14 On 14.2.2025, the Committee of the Board agreed to the applicant's requests to defer making a decision on the application for two months.

2. Justifications from the Applicant

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

- (a) The application is complementary to the strategic planning framework of the Northern Metropolis by formulating a technically feasible development proposal that can contribute to the housing supply in the short run and realise the Government's long-term planning framework for the area.
- (b) The planned Au Tau Station of the MTR NOL is located about 800m from the Site. The application can harness the enhanced infrastructural capacity brought by the planned NOL and unleash the development potential of the Site. The Proposed Development will also become a key driver in catalysing the developments along the NOL.
- (c) The application is in line with Government's recent endeavours in enhancing housing land supply and serves as an anchor housing development to alleviate the acute housing shortage. In addition, the Proposed Development can serve the rising needs of people working in the Northern Metropolis and play a vital role in the region to achieve home-job balance. The rezoning application is also in line with the recent call for releasing development potential in the WBA.
- (d) The area is a logical urban extension of the Yuen Long Town and the Site is located in a transitional zone between the high-density public housing at Sha Po and ponds in the WCA. The Site is a roadside vacant site with previous planning approval for commercial development. The development intensity of the proposed development is considered compatible with the changing land use planning context in the vicinity.
- (e) The Proposed Development is in line with the planning intention of the existing "OU(CDWRA)" zone and the requirements under the Town Planning Board Guidelines No. 12C on 'Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance' (TPB PG-No. 12C)⁸ by promoting a comprehensive residential development with creation of a sizable wetland which serves as an ecological enhancement measure and a buffer to minimise potential impacts to the adjacent wetland habitats and fish ponds in the WCA. The Proposed Development will not cause net loss in wetland nor negative off-site disturbance impact to the existing wetlands.

⁷ There are a total of 18 submissions of Further Information (FI) received on 4.7.2022, 13.9.2022, 28.11.2022, 21.12.2022, 31.1.2023[#], 6.3.2023, 9.5.2023, 29.5.2023, 11.8.2023, 30.10.2023, 19.1.2024, 14.2.2024, 26.4.2024&3.5.2024, 3.6.2024, 18.6.2024, 23.8.2024, 18.11.2024 and 21.2.2025[#]. The consolidated SPS in **Appendix Ia** supersedes the original SPS and all FIs and hence they are not attached to this paper. ([#]exempted from publication requirement)

⁸ TPB PG-No. 12C only applies to s.16 applications falling within the WCA and WBA and is not applicable for the current application.

- (f) The application is carefully formulated with planning gains and design merits. Stepped building height profile, building setbacks and separations are incorporated in the Proposed Scheme to promote wind penetration and enhance visual permeability. Various social welfare facilities will be provided to serve the local community.
- (g) Majority of the private land within the Site is owned by the applicant while remaining lot is under active negotiation for acquisition. Largely secured land holding status can warrant timely implementation of the Proposed Development and the Proposed Development can serve as a catalyst for other developments to phase out the existing open storage and port back-up uses in the surrounding area.
- (h) In support of the current application, the applicant has submitted various technical assessments including TIA, EcoIA, EA, AVA, VIA, LP, DIA, SIA and WSIA. Concerned technical aspects have been duly considered and there is no insurmountable problem due to the Proposed Development. In particular, with the provision of the WRA, the ecological impacts arising from the Proposed Development will be insignificant.

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

The applicant is one of the “current land owner” and 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 notifying the current land owners. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion of the Site, the “Owner’s Consent/Notification” Requirements are not applicable.

4. Background

4.1 According to the aerial photo back in 1990, the Site was already filled before the gazettal of the first Nam Sang Wai Interim Development Permission Area Plan No. IDPA/YL-NSW/1 (the IDPA Plan) on 17.8.1990. The Site was zoned “REC” on the Nam Sang Wai OZP No. S/YL-NSW/1 gazetted on 6.3.1994 and subsequently rezoned to “OU(CDWRA)” on the Nam Sang Wai OZP No. S/YL-NSW/2 on 27.10.2000.

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

5 Previous Applications

5.1 The Site is not involved in any previous rezoning request/rezoning application.

Section 16 applications

5.2 The Site is involved in five previous applications (No. A/YL-NSW/23, 166, 169, 241 and 319). Details of the previous applications are at **Appendix III**. Except application No. A/YL-NSW/241, other previous applications are for various temporary uses which considerations are not relevant to the current application.

5.3 The previous application No. A/YL-NSW/241 covering majority of the Site for proposed comprehensive development of an outlet mall with commercial uses

(including ‘shop and services’ and ‘eating place’), ‘agricultural use’ (commercial fish ponds), ‘excavation of land’ and ‘filling of land’ was approved with conditions by the Committee in 2017. The application was approved mainly on the considerations that the proposed development was generally in line with the planning intention and development parameters of the “OU(CDWRA)” zone; the proposed development was considered not incompatible with the surrounding areas; it was generally in line with the TPB PG-No. 12C; and the concerned government departments had no adverse comments on the proposed development. A s.16A application for extension of time for commencement of development until 13.10.2025 was approved by the Director of Planning under the delegated authority of the Town Planning Board on 15.7.2021. Subsequently, the applicant has submitted the current application and thus, the proposed development under application No. A/YL-NSW/241 has not yet been pursued by the applicant.

6 Similar Application

There is one similar rezoning application (No. Y/YL-NSW/7) submitted by another applicant to rezone a site (**Plan Z-1**) located to the north of the Site from “OU(CDWRA)” to “OU(CDWRA)(1)” for a proposed comprehensive residential development with a maximum PR of 1.55 and a maximum BH of 54mPD. The application was agreed by the Committee in 2023 mainly on the considerations that the proposed comprehensive residential development was in line with the planning intention of the “OU(CDWRA)” zone in phasing out existing brownfield uses at the site; the proposed development could restore the wetland function with provision of wetland restoration area and improve the existing degraded environment; the proposed development was considered not out of context with the planned land uses in the area benefited from improved accessibility; no significant adverse traffic, environmental and ecological impacts were envisaged with appropriate mitigation measures implemented; and the concerned government B/Ds had no objection to or no adverse comment on the application. The concerned site has been rezoned to “OU(CDWRA)(1)” under the current OZP. Details of the application are at **Appendix III**.

7 The Site and Its Surrounding Areas (Plans Z-1 to Z-4c)

7.1 The Site is:

- (a) accessible from Castle Peak Road-Tam Mi; and
- (b) mainly occupied by the temporary centralised quarters for imported labour in construction sector with valid planning permission until 31.10.2025 with a minor portion being occupied by a sawmill, nullahs and abandoned ponds. There are overhead lines within the Site;
- (c) located within WBA of the Deep Bay Area[^].

7.2 The surrounding areas have the following characteristics:

- (a) to its north are ponds, workshops, various open storage and warehouse uses, and residential dwellings, and a proposed comprehensive residential development under “OU(CDWRA)(1)” zone (as mentioned in paragraph 6 above);

[^] a very minor portion (about 370m² or 0.3% of the Site) falls within the WCA

- (b) to its east across Castle Peak Road – Tam Mi, San Tin Highway and San Tam Road are existing residential developments intermixed with sporadic open storage uses at Mo Fan Heung and Sha Po at the “Residential (Group A)”, “G/IC” and “OU(Railway Reserve)” zones on the Kam Tin North OZP which are intended for planned high-rise and high-density public housing development with a PR of 6.7 and a maximum BH of 185mPD and the future Au Tau Station of NOL. Comprehensive development of Park YOHO with a PR of 1.024 and a maximum BH of 62.2mPD is located to the further south of Au Tau Station;
- (c) to its west are the Pok Wai South Road with cycle track, Kam Tin River and existing ponds within the WCA; and
- (d) to its immediate south are an existing soy sauce factory, grass land, residential dwellings within the “Industrial (Group D)” zone and an temporary container storage yard with valid planning permission until 20.3.2025 under application No. A/YL-NSW/276⁹ within the “Open Storage” zone, and an area zoned “Open Space” (“O”) with wetlands at the bank of the old meander of Kam Tin River. The soy sauce factory and temporary container storage yards are proposed to be relocated/redeveloped and phased out respectively under the Adjacent Proposed Development.

8 Planning Intention

- 8.1 The “OU(CDWRA)” zone is intended to provide incentive for the restoration of degraded wetlands adjoining existing fish ponds through comprehensive residential and/or recreational development to include wetland restoration area. It is also intended to phase out existing sporadic open storage and port back-up uses on degraded wetlands. Any new building should be located farthest away from Deep Bay.
- 8.2 To ensure that development and/or redevelopment would be developed in a comprehensive manner, an applicant should submit to the Board a development and/or redevelopment proposal in the form of a comprehensive development scheme to include a layout plan with supporting documents, including an environmental impact study which should include, inter alia, an EcoIA and a visual impact assessment; and traffic impact, drainage and sewerage impacts assessments as well as information on programming, phasing and implementation schedule of the development. The applicant should also submit a wetland restoration and/or creation scheme, including its detailed design, wetland buffer proposals to mitigate the potential impact on the nearby existing wetland, a maintenance and management plan with implementation details, arrangement of funding and monitoring programme to ensure the long-term management of the restored wetland. The EcoIA should demonstrate that any negative ecological impacts on the area could be fully mitigated through positive measures. The submission should demonstrate that the development and/or redevelopment would not cause a net increase of pollution load into Deep Bay.

9 Comments from Relevant Government Bureau/Departments

- 9.1 The following Government bureau/departments have been consulted and their views

⁹ A renewal application (No. A/YL-NSW/338) for a temporary container storage yard for a period of five years in relation to this application will be considered at the same meeting.

are summarized as follows:

Land Administration

9.1.1 Comments of the District Lands Officer/Yuen Long, Lands Department (DLO/YL, LandsD):

- (a) The Site involves various private lots in D.D. 107, which are all old scheduled agricultural lots held under Block Government Lease, and adjoining GL. The ownership details will be checked upon receipt of formal land application.
- (b) As quoted by the applicant, the Site has an area of about 116,231m² (including about 23,864m² of GL), which should be subject to further verification and survey. In case of any discrepancy in site area found, the proposed development parameters will have to be revised accordingly.
- (c) As per para. 4.2.3 and 4.2.4 of the SPS, the applicant proposed to create a WRA of about 28,000m² at the northwestern portion of the Site. According to the WRCS in the EcoIA, the applicant has proposed that the WRA will be maintained and managed together with the future residential portion, with reference to Sha Po Marsh in Park YOHO, Yuen Long. However, the applicant has not provided any details regarding the funding arrangement and whether the future individual owners of the residential portion would be liable to manage and maintain the WRA.
- (d) The WRA forms an integral part of the Proposed Development. The applicant and future individual owners of the Proposed Development are obliged to comply with all requirements under the land exchange, among others, the operation, management and maintenance of the WRA to the satisfaction of relevant departments. The applicant should be requested to clarify whether there is any funding arrangement so as to ensure that upon implementation of the whole development, the lease conditions could be complied with and the management and maintenance responsibilities of the WRA would not be in default and the future individual owners of the residential portion would not be affected. Comments from the Environmental Protection Department (EPD) and the Agriculture, Fisheries and Conservation Department (AFCD) should be sought
- (e) Should the Board decide to approve the application, the registered owner has to apply for a land exchange/lease modification to implement the scheme. However, there is no guarantee at this stage that the land exchange/lease modification application (including the granting of additional GL) would be approved. Such application will be dealt with by LandsD acting in the capacity of the landlord at his discretion, and if it is approved under such discretion, the approval would be subject to such terms and conditions including amongst others, the payment of premium and administrative fee and funding arrangement as appropriate as may be imposed by LandsD.

Traffic

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

- (a) No objection to the application from traffic engineering point of view.
- (b) Based on the TIA, it is observed that the traffic impact arising from the Proposed Development to the adjacent road network within the Area of Influence would be acceptable except Tai Lam Tunnel and San Tin Highway. The TIA also indicated that the Proposed Development would provide parking and loading/unloading facilities within the Site in accordance with the Hong Kong Planning Standards and Guidelines.
- (c) The proposed PTI located at the Adjacent Proposed Development under application No. Y/YL-NSW/9 (**Drawing Z-20**) is proposed to serve the public transport need of both the current application and application No. Y/YL-NSW/9. The road and junction improvement works proposed under the application would also serve both planning applications. In view of the above, the PTI and the road improvement works shall be completed and commissioned before population intake of the current application or application No. Y/YL-NSW/9, whichever is earlier.
- (d) Detailed comments are at **Appendix IV**.

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

- (a) No objection to the application.
- (b) If any proposed road improvements (including but not limited to works for road widening, junction improvements, transport lay-by, etc.) in the TIA are considered necessary by TD due to the subject development, they shall be implemented by the applicant to the satisfaction of TD and HyD at the applicant's own cost. The management and maintenance schedule of the proposed road works should be submitted for review.

Environment

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

- (a) No in-principle objection to the application from environmental planning perspective.
- (b) Having reviewed the FIs, no insurmountable environmental and sewerage impact is anticipated. It is our understanding that if the application is approved, "Flat" will still be a Column 2 use under the proposed zoning "OU(CDWRA)1", and planning permission is required from the Board for the proposed residential development under the application.
- (c) The Site falls within the boundary of Deep Bay Buffer Zone 2, the Proposed Development at the Site will constitute a designated project under Item P.1, Part 1, Schedule 2 of the EIAO. Also, for sewage

treatment for the Proposed Development, it is proposed to lay a sewer to connect the Site to the nearby public sewerage system. As the proposed alignment of the sewer will fall within the conservation area, it will also constitute a designated project under Item Q.1, Schedule 2 of the EIAO. Therefore, an environmental permit under the EIAO is required before the commencement of construction of the Proposed Development (including the proposed sewer).

- (d) Detailed comments for the SIA are included at **Appendix IV**.

Urban Design, Air Ventilation and Landscape

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

Urban Design and Visual

- (a) No objection to the application from urban design and visual perspectives.
- (b) The Site, bounded by Kam Tin River/Pok Wai South Road and Castle Peak Road-Tam Mi/San Tin Highway, is currently occupied by temporary centralized quarter for imported labour in construction sector under application No. A/YL-NSW/319. The immediate surroundings are mainly occupied by fishponds, village settlements up to three storeys and industrial uses of one to three storeys. Some medium to high-density existing and planned residential developments are located near the Site, such as the proposed comprehensive development under the “OU(CDWRA)1” zone with a maximum BH of 53.95mPD to the north, the proposed public housing development in Sha Po with a maximum BH of 185mPD to the further east under the “R(A)” zone of KTN OZP, the proposed public and private housing development under Land Sharing Pilot Scheme (LSPS) application No. LSPS/002 with a BH of about 100mPD to the further southwest in Ho Chau Road under the “R(A)1” and “R(A)2” on the same OZP, and the existing residential development namely Park YOHO with a BH of about 62mPD to the further southeast (**Drawings Z-31 and Z-32**).
- (c) As illustrated in the photomontages prepared under the VIA, the overall visual impacts at selected viewpoints (VPs) were mainly negligible to slightly adverse, except the VP at Nam Sang Wai River Education Trail with slightly adverse/moderately adverse visual impact. It is noted that several planning and design merits are proposed by the applicant, such as stepped BH profile descending towards its proposed WRA and Kam Tin River, sensible building disposition and building separations of not less than 28m between three east to west running building clusters to facilitate visual and wind penetration (as in Figure A of VIA in **Appendix Ia**) and landscape treatment.

Air Ventilation

- (d) According to the AVA, the applicant compares the pedestrian-level air ventilation performance of the baseline scheme (the approved scheme

under application No. A/YL-NSW/241) and the Proposed Scheme. As set out in the AVA, mitigation measures including mainly (i) 38m-wide E-W aligned building separation between T3 & T12 and (ii) 28m-wide E-W aligned building separation between T11 & T20, have been incorporated in the Proposed Scheme. According to the findings of the AVA, the Proposed Scheme would have comparable wind velocity ratio at the site boundary and overall surrounding areas when compared with the baseline scenario.

- (e) In addition, the applicant has conducted CFD modelling to assess the potential cumulative impact arising from the Proposed Scheme and the Adjacent Proposed Development under a separate Planning Application No. Y/YL-NSW/9. The simulation results show that the two developments together will have comparable wind velocity ratio at the site boundary and overall surrounding areas when compared with the baseline scenario.
- (f) In view of the above, it is not anticipated that the Proposed Development with mitigation measures described above would generate significant adverse air ventilation impact on the overall pedestrian wind environment as compared with the baseline scenario.

Landscape

- (g) No objection to the application from landscape planning perspective.
- (h) The Site is situated in an area of miscellaneous rural fringe landscape character comprising vacant lands, temporary structures, village houses, scattered tree groups, and ponds within a “CA” zone to the north of the Site. Low-rise buildings within industrial zone (i.e. (“Industrial (Group D)”) and “OU(CDWRA)” zone are observed in the south and the north of the Site respectively. The Proposed Development with 17 domestic blocks and 7 composite blocks (both 29 storeys) would bring forth noticeable changes to the landscape character of the surrounding area which is mainly low to medium-rise buildings and village houses.
- (i) A WRA of about 2.8 ha (about 24% of the development site area) at the north-western portion of the Site adjoining the existing ponds is proposed (**Drawing Z-8**). According to the LP, existing trees of common species and undesirable invasive species within the Site are observed. No rare/protected tree species, OVT, champion trees and tree of particular interest are found. All 425 existing trees within the application site boundary are proposed to be felled, and minimum replanting ratio of 1:1 within the development will be provided to compensate the loss of existing trees. Within reference to the LP, not less than 17,745m² of private open space will be provided for the design population of 17,745. Not less than 30% of green coverage will be provided within the Site. According to the LMP, landscape provisions with hard and soft landscape treatments are proposed on G/F and podium level of the Site, including landscape garden, play area, timber deck, lawn, etc.
- (j) The applicant is advised that approval of the application does not imply

approval of tree works such as pruning, transplanting and felling under lease. The applicant is reminded to seek approval for any proposed tree works from relevant departments prior to commencement of the works.

9.1.6 Comments of the Chief Architect/Advisory and Statutory Compliance, Architectural Services Department (CA/ASC, ArchSD):

It is noted that the Proposed Development consists of 24 towers with BH of 29 storeys and maximum BH of 115mPD. The location of the Site is in vicinity of the proposed Sha Po public housing development with a maximum BH of 185mPD which has been gazetted in the approved Kam Tin North OZP No. S/YL-KTN/11. It appears that a stepped BH profile is proposed from the higher Sha Po public housing development side towards the Proposed Development, and then to the lower WRA. Based on the VIA, it appears that the Proposed Development may not be incompatible with the future surrounding environment based on the gazetted OZPs. He has no particular comment from architectural and visual impact point of view.

Ecological

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

- (a) No objection to the application from nature conservation point of view and has no adverse comment on the EcoIA and the proposed WRA.
- (b) Based on the EcoIA, the Site, which major part has been formed and paved with concrete and occupied by the temporary centralised quarter, consists of habitats of very low ecological value. The Proposed Development will provide a WRA with a total area of not less than 2.8 ha which will comprise a pond, two marshes and one reedbed at the northwestern part of the Site. Since major part of the Site has been filled, there will be a net increase of 2.48ha of wetland and overall gain of ecological functions upon the WRA is implemented. The WRA with landscape planting can also serve as a buffer between the residential towers and the adjacent fish ponds in the “CA” zone to the immediate north of the Site, and enhance the linkage between the nearby meanders and marshes with the wetlands in Deep Bay.
- (c) The submitted WRCS has provided information on the wetland creation and long-term management of the WRA. The WRA will be constructed by the applicant and will be maintained and managed together with the future residential portion. A HCMP will be prepared during the detailed design stage.

Fire Safety

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

- (a) No objection in principle to the application provided that fire service installations and water supplies for firefighting being provided to his satisfaction.

- (b) Detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans.
- (c) The emergency vehicle access (EVA) provision in the Site shall comply with the standard as stipulated in Section 6, Part D of Code of Practice for Fire Safety in Buildings 2011 under the Building (Planning) Regulation (B(P)R) 41D which is administered by the Buildings Department.

Building Matters

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

- (a) If the existing structures (not being a New Territories Exempted House) are erected on leased land without the approval of the Building Authority (BA), they are unauthorized building works (UBW) under the BO and should not be designated for any proposed use under the captioned application.
- (b) Before any new building works (including containers/open sheds as temporary buildings, demolition and land filling) are to be carried out on the Site, prior approval and consent of the BA should be obtained, otherwise they are UBW under BO. An Authorized Person should be appointed as the co-ordinator for the proposed building works in accordance with the BO.
- (c) For UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with the prevailing enforcement policy against UBW as and when necessary. The granting of any planning approval should not be considered as an acceptance of any existing building works or UBW on the Site under the BO.
- (d) The Site shall be provided with means of obtaining access from a street and emergency vehicular access in accordance with Regulations 5 and 41D of the Building (Planning) Regulation (B(P)R) respectively.
- (e) If the Site does not abut on a specified street with a minimum width of 4.5m, its permitted development intensity shall be determined under Regulation 19(3) of the B(P)R at the building plan submission stage.
- (f) For features applied to be excluded from the calculation of the total GFA, it shall be subject to compliance with the requirements laid down in the relevant Joint Practice Notes and Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP). For example, the requirements of building set back, building separation and site coverage of greenery as stipulated in PNAP APP-152.
- (g) If the proposed use under application is subject to the issue of a license, the applicant should be reminded that any existing structures on the Site intended to be used for such purposes are required to comply with the building safety and other relevant requirements as may be imposed by

the licensing authority.

- (h) Detailed checking will be carried out during building plan submission stage.

Other Aspects

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

- (a) No comment on the proposed RCHE as it is private-operated as confirmed by the applicant and on conditions that (i) the design and construction of RCHE are in full compliance with all relevant prevailing ordinances, regulation and code of practices and licensing requirements issued by the Social Welfare Department (SWD); and (ii) there shall have no financial implication, both capital and recurrent, to the Government.
- (b) No comment on the proposed NEC.

9.1.11 Comments of the Secretary for Education (SEd):

- (a) It is noted that no public housing development is involved in the said development. There is no view on the planned provision of kindergarten for private housing developments. The developer is advised to follow the Hong Kong Planning Standards and Guidelines on the requirement of provision of kindergarten.
- (b) Detailed comments are at **Appendix IV**.

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

- (c) No adverse comment on the rezoning application from regulatory services perspective, town gas safety and electricity safety point of view.
- (d) There is a high-pressure town gas pipeline (HP pipeline) running along San Tin Highway in close vicinity of the Site. A Quantitative Risk Assessment (QRA) conducted by the project proponent is required to assess the potential risks associated with HP pipeline, having considered the Proposed Development and mitigation measures if necessary for compliance with the risk guidelines of the Hong Kong Planning Standards and Guidelines.
- (e) Detailed comments are at **Appendix IV**.

9.1.13 Comments of the Director of Leisure and Cultural Services (DLCS):

- (a) No specific comment on the rezoning application.
- (b) The applicant should observe DEVB TC(W) No. 4/2020 on tree preservation matters.

9.2 The following Government departments have no objection to or comment on the

application and their detailed comments, if any, are in **Appendix IV**:

- (a) Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD);
- (b) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (c) Director of Leisure and Cultural Services;
- (d) Director of Food and Environmental Hygiene;
- (e) Project Manager (West), Civil Engineering and Development Department (PM(W), CEDD);
- (f) Head (Geotechnical Engineering Office), Civil Engineering and Development Department (H(GEO), CEDD);
- (g) Chief Engineer/1-1, Railway Development Office, CEDD;
- (h) Commissioner of Police; and
- (i) District Officer/Yuen Long, Home Affairs Department.

10 Public Comments Received During the Statutory Publication Periods

10.1 The application was published for public inspection on 6.5.2022, and the subsequent FIs submitted by the applicant were published 16 times for public inspection. During the statutory publication periods, a total of 272 public comments were received, including 189 supporting, 62 objecting to and 21 providing views on the application. Full set of comments are at **Appendices Va to Vc**. Their major views are summarised as follows:

Supporting Comments (Appendix Va)

10.2 189 supporting comments were received from individuals and some local residents. The main supporting reasons are summarised as follows:

- (a) the Proposed Development is in line with the government policy on Northern Metropolis development and increasing housing provision. It will better utilize scarce land resource;
- (b) the proposed medium-rise residential development is in line with the planning intention of the existing “OU(CDWRA)” zone and compatible with the surrounding land uses and development density;
- (c) the Proposed Development would provide an addition of 6,800 housing units, retail and community facilities of elderly home and open space for the public, which will create more job opportunities and improve the visual amenity, environmental hygiene and overall environmental quality of the local areas;
- (d) the Proposed Development is in line with government’s transport policy. The Proposed Development is near the proposed Northern Link which will be highly accessible in the future; and
- (e) the Proposed Development will not cause adverse impacts on environment, infrastructure, ecology, air ventilation and visual aspects.

Objecting Comments (Appendix Vb)

10.3 62 objecting comments were submitted by a Yuen Long District Council Member, Village Representatives of Pok Wai Village, Owners’ Committee of nearby residential developments, Green Sense, Green Power, the Conservancy Association, Hong Kong

Bird Watching Society, 香港野生雀鳥保育關注組, villagers/nearby residents and individuals. Their major views are summarised as follows :

- (a) the rezoning proposal is piecemeal without an overall study and review of the other zones on the OZP would jeopardize the long term planning intention and land uses of the OZP;
- (b) the Proposed Development with significant increase in PR is excessive and incompatible with the surrounding area which is a low-rise and low-density neighbourhood and will result in adverse visual and air ventilation impacts to the surrounding;
- (c) the Proposed Development is located within the WBA and close to the WCA and in conflict with the conservation policy. It is not in line with TPB PG-No. 12C. It also falls within the proposed NSW Wetland Conservation Park (WCP) under the Northern Metropolis Development Strategy. The Proposed Development would increase human disturbance and adversely affect the habitats of wild animals and birds in the wetland area of Deep Bay. The Proposed Development would have adverse impacts on the flight line, noise, glare, human disturbance, etc., to the wetland species, nearby fish ponds, water birds and other wetland habitat. There is insufficient details on the long-term management of the proposed WCA;
- (d) the proposed residential development would bring adverse impacts on local ecosystem and biodiversity. There will be cumulative impacts on the environment and ecosystem arising from all the new applications and developments in the area;
- (e) the Proposed Development would increase the traffic flows along Castle Peak Road – Tam Mi, San Tam Road and roundabout at Fairview Park and Au Tau. Given the design of existing roads, additional traffic brought by the development would exceed the capacity of existing road network and intensify the traffic congestion;
- (f) the domestic sewage generated by the Proposed Development would pollute the environment and streams nearby due to the absence of centralized sewerage treatment. It would adversely impact the environmental hygiene in the vicinity;
- (g) there is no overall assessments on the cumulative environmental impacts arising from the application and other on-going applications, and the other submitted technical assessments are insufficient to demonstrate that the Proposed Development will not impose adverse impacts on the surrounding areas; and
- (h) approval of this application would set an undesirable precedent to concurrent and future similar applications in the same neighbourhood.

Providing Views (Appendix Vc)

- 10.4 21 comments were submitted by the Kadoorie Farm and Botanic Garden, The Hong Kong and China Gas Company Limited and individuals providing views that the applicant is required to conduct QRA to evaluate the potential risk and determine/implement the necessary mitigation measures; the Proposed Development would have potential traffic, environmental and ecological impacts on the local areas,

WBA, adjoining WCA and Kam Tin River and proper mitigation measures should be provided to minimize flooding risk and illegal dumping of wastes during the construction phase of the Proposed Development; and the Board shall consider whether the Proposed Development will affect the WCPs.

11 Planning Considerations and Assessments

The Proposal

- 11.1 The application is for rezoning the Site from “OU(CDWRA)” to “OU(CDWRA)1” subject to a maximum PR of 2.3 and a maximum BH of 115mPD to facilitate a comprehensive residential development with GIC and retail facilities as well as a WRA. According to the Proposed Scheme in support of the application, the Proposed Development comprises 24 residential towers of not more than 29 storeys (with BH ranging from 61.5mPD to 115mPD), amongst which two towers are on top of a three-storey GIC podium and four towers are on top of a single-storey retail cum clubhouse podium, one 2-storey GIC block, two 3-storey club house blocks and a basement carpark/E&M floor (**Drawings Z-1 to Z-7**). GIC facilities to be accommodated at the GIC podium/block include a NEC and a RCHE and there will be a 8-classroom kindergarten at the retail podium. Besides, a WRA with a total area of about 2.8ha is proposed at the northwestern part of the Site (**Drawing Z-8**).
- 11.2 As shown in the proposed revisions to the Notes of the OZP at **Appendix II**, the applicant has not proposed any change to the planning intention, the general development requirements in the Remarks and the Column 1 and Column 2 uses in the Notes of the “OU(CDWRA)” zone, such that all proposed uses under the application remain to be Column 2 uses for the proposed “OU(CDWRA)1” zone. Upon rezoning, the applicant is required to submit a detailed development scheme with appropriate technical assessments at the section 16 application stage to demonstrate in detail the technical feasibility of Proposed Development and the adequacy of the infrastructural capacity to effectuate the Proposed Development.

Planning Intention and Land Use Compatibility

- 11.3 The Site has been zoned “OU(CDWRA)” on the Nam Sang Wai OZP No. S/YL-NSW/2 since 2000 (**Plan Z-1**). The “OU(CDWRA)” zone is intended to provide incentive for the restoration of degraded wetlands adjoining existing fish ponds through comprehensive residential and/or recreational development to include wetland restoration area, and to phase out existing sporadic open storage and port back-up uses on degraded wetlands. Under the current application, as mentioned above, except for relaxing the restrictions in PR and BH, there will be no change to the planning intention, the general development requirements in the Remarks and the Column 1 and Column 2 uses of the “OU(CDWRA)” zone under the proposed “OU(CDWRA)1” zone. Though the Site is currently mainly occupied by the temporary centralised quarters, the Proposed Development can achieve the planning intention of the “OU(CDWRA)” zone for restoration of wetland adjoining existing fish ponds through comprehensive residential development with retail/GIC facilities and improve the existing degraded environment at the Site with the provision of a WRA (**Drawings Z-1, Z-8, Plans Z-2 and Z-3**).
- 11.4 Bounded by Castle Peak Road-Tam Mi/San Tin Highway to its east and the Kam Tin River to its west, the Site is currently mainly occupied by the temporary centralised

quarter for imported labour in construction sector with planning permission until 31.10.2025 under application No. A/YL-NSW/319. The Proposed Development is considered not incompatible with its surrounding land uses (**Plans Z-2 and Z-3**), which are predominated by ponds, residential dwellings and low-rise residential development, and grassland, whereas the soy sauce factory and open storage yard of containers to the immediate south of the Site are proposed to be relocated/redeveloped and phased out under the application No. Y/YL-NSW/9 submitted by the same applicant for a proposed comprehensive residential development with a total maximum PR of 2.73 and a maximum BH of 115mPD (i.e. the Adjacent Proposed Development).

Development Intensity, Urban Design and Air Ventilation Aspects

- 11.5 The Site is located at the fringe of the sub-urban neighbourhood in Nam Sang Wai. While the immediate surroundings of the Site are of rural character with low-rise structures up to three storeys, there is a planned private comprehensive development with a maximum PR of 1.55 and a maximum BH of 54mPD in “OU(CDWRA)1” site at Wing Kei Tsuen to the north of the Site. The Adjacent Proposed Development pursued by the same applicant as the current application is located to the immediate south with a maximum PR of 2.73 and a maximum BH of 115mPD (**Plan Z-1 and Drawing Z-33**). The Site is also in the proximity of the development cluster of high to medium-density, including the planned high-rise public housing development at Sha Po (PR of 6.5 and BH of 185mPD), in Kam Tin North around the planned Au Tau Station of NOL in the east (**Plan Z-1, Drawings Z-31 and Z-32**).
- 11.6 Upon commissioning of Au Tau Station of NOL (completion in 2034 tentatively), the accessibility of the area around will be enhanced, which will facilitate the transformation of this part of Nam Sang Wai area into a medium-density and medium-rise residential neighbourhood. The proposed development intensity, i.e. a maximum PR of 2.3 and maximum BH of 115mPD, of the Proposed Development is also considered not out of keeping with the land use character of the existing sub-urban neighbourhood and the planned development context of the area benefited from the enhanced accessibility. The Proposed Development of medium-rise and medium-density at the Site can form a gradual transition from the planned high-rise and high-density public housing development at Sha Po around Au Tau Station to the WCA to the north and west and Kam Tin River to the west of the Site.
- 11.7 The applicant has submitted a VIA to illustrate the visual compatibility of the Proposed Development with the surrounding areas. The stepped BH profile descending from the East to West within the Site, sensible building disposition and building separations between the three building clusters of proposed development will help alleviate the visual impact, improve visual permeability and wind penetration (**Drawing Z-30**). The AVA submitted by the applicant also demonstrates that the Proposed Development with the proposed mitigation measures will unlikely impose significant adverse air ventilation impact on the surrounding environment. CTP/UD&L, PlanD has no objection to the application and considers that the Proposed Development is not incompatible with the planned/approved developments near the Site alongside of San Tin Highway and is considered acceptable from urban design, visual and air ventilation perspectives. CA/ASC, ArchSD also has no adverse comment from architectural and visual impact point of view.

Ecological Aspect

- 11.8 Based on the EcoIA, the Site, of which major part has been formed and paved with concrete and occupied by the temporary centralised quarter, consists of habitats of very low ecological value. The Proposed Development will provide a WRA with a total area of not less than 2.8 ha, which will comprise a pond, two marshes and one reedbed, at the northwestern part of the Site (**Drawings Z-8 and Z-26**). Since major part of the Site has been filled prior to the gazettal of the first Nam Sang Wai IDPA Plan in 1990, there will be a net increase of about 2.48 ha of wetland (after discounting 0.32 ha of abandoned ponds) and overall gain of ecological functions upon the WRA is implemented. The WRA with landscape planting can also serve as a buffer between the residential portion and the fish ponds in the “CA” zone to the immediate north of the Site, and enhance the linkage between the nearby meanders and marshes with the wetlands in Deep Bay (**Drawing Z-27**). Information on the wetland creation and long-term management of the WRA has been provided in the submitted WRCS. The WRA will be constructed by the applicant and will be maintained and managed together with the future residential portion. A HCMP will be prepared during the detailed design stage. Taking into account the above, DAFC has no objection to the application and has no adverse comment on the EcoIA, WRCS and the proposed WRA.

Environmental, Drainage and Sewerage Aspects

- 11.9 According to the EA submitted by the applicant, no adverse impacts on air quality, noise, water quality, construction waste and land contamination aspects arising from the Proposed Development are anticipated. Various mitigation measures, as mentioned in paragraph 1.8 above, are proposed to be incorporated as shown in the indicative layout to minimize the traffic noise and air quality impact on the Proposed Development. In particular, the existing soy sauce factory to the immediate south of the Site will be relocated further away from the Site with adequate mitigation measures under the proposal of Y/YL-NSW/9 for the Adjacent Proposed Development (**Drawing Z-28 and Plan Z-1**). DIA and SIA have been submitted which demonstrate no adverse drainage and sewerage impacts are anticipated from the Proposed Development. In light of the above, DEP and CE/MN of DSD have no objection to the application from environmental planning and public drainage perspectives. It is anticipated that the proposed development will not cause net increase in pollution in Deep Bay. DEP also noted that Section 16 application would still be required for the Proposed Development. In addition, the proposed development is a designated project under the EIAO and the applicant is required to obtain an EP for the construction and operation of the development following the EIAO process.

Landscape Aspects

- 11.10 According to the LMP (**Drawing Z-8**), landscape planting buffers and tree strips will be provided between the residential towers and the WRA within the Site. Private open space of not less than 17,745m² with landscaped area, children’s play area, elderly fitness court, sitting-out area will be provided. 425 new trees would be planted at the Site and not less than 30% of green coverage will be provided within the Site. The CTP/UD&L, PlanD has no objection to the application from landscape planning point of view.

Transport and Traffic Aspects

- 11.11 The applicant has submitted a TIA and proposed various traffic improvement works as mentioned in paragraph 1.5 above, including widening of Castle Peak Road – Tam Mi with footpath, provision of the proposed subway connecting with the proposed development and the future Au Tau Station of MTR NOL, a new covered PTI to be located within the application site of Y/YL-NSW/9 (**Drawings Z-18 to 20**), and the proposed junction improvement works. The TIA concludes that all critical junctions and road links will operate within capacity with the Proposed Development in place, except San Tin Highway and Tai Lam Tunnel. For the years between the completion of the proposed development in 2031 and the commissioning of Route 11 anticipated in 2033, the traffic speed of the two road links would be reduced but still be manageable. With the commissioning of Route 11, it is anticipated that the traffic condition of the road networks in vicinity of the Site can be significantly improved. The C for T has no adverse comment on the TIA and has no objection to the application. CHE/NTW of HyD also has no objection to the application from highway maintenance perspective.

Provision of GIC and Commercial Facilities

- 11.12 The Site is located in a rural area with no major retail or community facilities. The applicant proposes to provide GIC facilities, including a RCHE, NEC and a kindergarten, and retail facilities. This can serve the Proposed Development as well as the existing neighbourhood. DSW has no comment on the proposed RCHE and NEC which could enable market diversity with a range of child care options, and SED has no specific view on the provision of kindergarten within the Proposed Development.

Other Technical Aspects

- 11.13 The applicant has also submitted various technical assessments and all other relevant government departments including CE/C of WSD and H(GEO) of CEDD have no objection to or adverse comment on the application from water supply and geotechnical aspects.

Public Comments

- 11.14 For the public comments objecting to/raising concerns on the rezoning application as detailed in paragraph 10 above, the planning assessments and considerations set out in the above paragraphs are relevant. On the necessity in conducting a QRA associated with the HP pipeline, the applicant should observe the requirement of the Electrical and Mechanical Services Department's "Guidance Note on QRA Study for High Pressure Town Gas Installations in "Hong Kong" for conducting out the QRA at section 16 planning application stage. DEMS has no adverse comment on the application from town gas safety perspective.

12 Planning Department's Views

- 12.1 Based on the assessment made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10, the Planning Department has no in-principle objection to the application.

- 12.2 Should the Committee decide to agree/partially agree to the application, PlanD will work out the appropriate amendments to the OZP, including development restrictions to be set out in the Notes and Explanatory Statement, for the consideration of the Committee prior to gazetting under section 5 of the Town Planning Ordinance.
- 12.3 Alternatively, should the Committee decide not to agree to the subject application, the following reason is suggested for Members' reference:

the proposed development intensity and building height for the Site are considered excessive and incompatible with its surrounding environment. There is no strong planning justification in the submission for rezoning the Site for a development with the proposed higher development intensity.

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

Appendix I	Application Form received on 21.4.2022
Appendix Ia	Consolidated SPS
Appendix II	Proposed revisions to the Notes and Explanatory Statement of the OZP
Appendix III	Previous and similar applications
Appendix IV	Detailed departmental comments
Appendix Va	Public comments received (supporting)
Appendix Vb	Public comments received (objecting)
Appendix Vc	Public comments received (providing views)
Drawing Z-1	Indicative Master Layout Plan
Drawings Z-2 to Z-5	Indicative Floor Plans
Drawings Z-6 and Z-7	Indicative Sections
Drawing Z-8	Indicative Landscape Master Plan
Drawing Z-9	Indicative Landscape Sections
Drawings Z-10 to Z-16	Photomontages
Drawing Z-17	Planning Design Merits
Drawing Z-18	Proposed road widening and improvement works along Castle Peak Road – Tam Mi
Drawing Z-19	Proposed subway, PTI and cycling track
Drawing Z-20	Layout of Proposed PTI at the Adjacent Proposed Development
Drawings Z-21 to Z-24	Proposed Junction Improvement works
Drawing Z-25	Habitat Map
Drawing Z-26	Layout of Wetland Restoration Area
Drawing Z-27	Surrounding Habitats
Drawing Z-28	Location of the relocated soy sauce factory
Drawing Z-29	Proposed sewer

Drawing Z-30	Proposed Building Separations
Drawing Z-31	Planned Developments in the surrounding area
Drawing Z-32	Building Height Profile of the area
Drawing Z-33	Indicative Scheme of application No. Y/YL-NSW/8 and 9
Plan Z-1	Location Plan
Plan Z-2	Site Plan
Plan Z-3	Aerial Photo
Plans Z-4a to Z-4c	Site Photos

**PLANNING DEPARTMENT
FEBRUARY 2025**