

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

APPLICATION NO. Y/YL/19

- Applicant** : Giant Star International Limited represented by Arup Hong Kong Limited
- Site** : Lots 1391 S.A, 1391 S.C, 1391 S.D, 1392 S.A, 1392 S.C, 1392 S.D, 1865 S.C, 1865 RP, 1868 RP, 1869 S.C, 1869 RP, 1870 S.C and 1870 RP in D.D. 120 and adjoining Government Land (GL), Yuen Long, New Territories
- Site Area** : About 6,290 m² (including GL of about 2,968 m² or 47.2%)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Yuen Long Outline Zoning Plan (OZP) No. S/YL/27
(currently in force)

Draft Yuen Long OZP No. S/YL/26
(in force at the time of submission)

[no change to the zoning and development restrictions for the site]
- Zoning** : “Village Type Development” (“V”)

[restricted to a maximum building height (BH) of 3 storeys (8.23m) except for those developments/uses specified in the Notes]
- Proposed Amendment** : To rezone the application site from “V” to “Residential (Group A) 9” (“R(A)9”)

1. The Proposal

- 1.1 The applicant proposes to rezone the application site (the Site) from “V” to “R(A)9” (i.e. a new sub-area of the “R(A)” zone) to facilitate a proposed high-density private residential development (**Plan Z-1a**). According to the applicant, the proposed “R(A)9” zone is subject to a maximum domestic plot ratio (PR) of 6 and a maximum BH of 120 metres above Principal Datum (mPD). The proposed amendments to be made to the OZP and the Notes of the “R(A)” zone submitted by the applicant are at **Appendix II**.
- 1.2 The applicant has submitted an indicative scheme to support the proposed rezoning for high-density private residential development. According to the indicative scheme, the proposed development comprises two phases, each with a residential block with proposed BH ranging from 29 storeys (99.4mPD) to 35 storeys (118.3mPD) above one level of basement car park, providing a total number of 1,116 flats (**Drawings Z-1 to Z-5**).

- 1.3 The vehicular access to the Site is proposed to be via Shap Pat Heung Road (SPHR) with the shared access which bifurcates to the Site and to the planned Residential Care Home for the Elderly (RCHE) development to its east under an approved planning application No. A/YL/263 respectively (**Drawings Z-1 and Z-12**). Regarding the opening of the shared vehicular access abutting SPHR, the applicant proposes to shift the access opening slightly westward so as to preserve two mature Ficus trees and to ensure timely completion of the access (**Drawing Z-6**). According to the applicant, issues related to the exact alignment of the shared access and the management and maintenance (M&M) responsibility of the shared access, which mainly falls within the GL, will be dealt with during the land exchange application stage.
- 1.4 The major development parameters of the indicative scheme are summarised as follows:

Major Development Parameters of the Indicative Scheme			
	Phase 1	Phase 2	Total
Site Area (About)	3,722 m ² ^(a)	2,568 m ² ^(b)	6,290 m ²
Domestic PR (About)	6		
Domestic GFA (About)	22,332 m ²	15,408 m ²	37,740 m ²
Site Coverage	Not more than 33.33%		
BH (Main Roof) (About)	99.4/118.3 mPD	99.4 mPD	118.3mPD
No. of Storeys	29 - 35 storeys (above 1 level of basement)	29 storeys (above 1 level of basement)	29 - 35 storeys (above 1 level of basement)
No. of Blocks	1	1	2
No. of Flats (About)	616	500	1,116
Anticipated Population ^(c) (About)	1,725	1,400	3,125
Private Open Space (Not less than)	1,725 m ²	1,400 m ²	3,125 m ²
Greenery Provision ^(d) (Not less than)	744 m ²	514 m ²	1,258 m ²
Car Parking Provision			
- Private Car (Residents)	70	57	127
- Private Car (Visitor)	5	5	10
- Motorcycle	8	7	15
- Bicycle	83	67	150
Loading/Unloading Bays	1	1	2
Tentative Completion Year	2030		

Remarks:

- ^(a) Those private lots within Phase 1 (i.e. about 2547.5 m²) are owned by the applicant.
- ^(b) Those private lots within Phase 2 (i.e. about 773.7 m²) are not owned by the applicant, which are about 12% of the entire Site.
- ^(c) A Person per Occupied Flat (PPOF) of 2.8 is adopted with reference to the PPOF of Yuen Long District Council District as reported in the 2021 Population Census.
- ^(d) The proposed overall Greenery Provision of not less than 1,258m² is equivalent to not less than 20% greenery ratio of the overall site area.

- 1.5 Various design measures, including a stepped BH profile (BH gradually descends from 118.3mPD to 99.4mPD towards the western boundary for capturing high-level wind flow and promoting visual interests), building setback (about 20m) from SPHR to the south, building separation (about 20m) between two towers and a podium-free design (**Drawing Z-1**), are proposed. The applicant also proposes to retain eight trees and plant 40 heavy standard new trees to compensate for the 40 trees proposed to be felled within the Site according to the Landscape Proposal submitted by the applicant (**Drawing Z-6**).
- 1.6 The applicant has submitted various technical assessment reports including Traffic Impact Assessment (TIA), Environmental Assessment, Drainage Impact Assessment (DIA), Sewerage Impact Assessment (SIA), Water Supply Impact Assessment and Visual Impact Assessment (VIA) in support of the application (**Appendix Ia**).
- 1.7 The indicative layout plan, floor plans, section plans, landscape master plan, landscape sections, photomontages and proposed access arrangement plan submitted by the applicant are at **Drawings Z-1 to Z-12**.
- 1.8 In support of the application, the applicant has submitted the following documents:
 - (a) Application Form received on 17.2.2023 (**Appendix I**)
 - (b) Further Information (FI) received on 2.1.2025 enclosing a Consolidated Report (**Appendix Ia**)

[Previous Supporting Planning Statement and FIs received on 21.4.2023, 30.6.2023*, 11.9.2023*, 24.11.2023*, 2.2.2024*, 5.4.2024*, 21.6.2024*, 2.7.2024#, 29.7.2024*, 20.8.2024#, 15.10.2024*, 27.11.2024# and 24.12.2024# were superseded and therefore not attached]*
 - (c) FI received on 3.1.2025 after receiving the consolidated report# (**Appendix Ib**)
** accepted but not exempted from publication and recounting requirements*
accepted and exempted from publication and recounting requirements

2. Justifications from the Applicant

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

In line with Government Policy on Meeting Housing Demand

- (a) In response to the Government's initiatives and prevailing policy for increasing housing supply with private initiative, the proposed development will consolidate and strengthen the land resources provide about 1,116 private housing units (i.e. about 9% of the Government's annual private housing supply target) without the need to mobilise public resources.

Respecting the Planning Intention of "V" zone for Residential Purpose

- (b) The Site has continuously been occupied by temporary structures and brownfield uses (**Plans Z-2a, Z-4a to Z-4c**) which has not reflected the planning intention of "V" zone

for residential purpose. The proposed amendment, which will deliver a total of 1,116 flats for accommodating about 3,125 persons, is generally in line with the residential nature of the original “V” zone and acts as a catalyst in phasing out existing temporary uses to achieve a quality living environment for future residents in the area.

Not Compromising the Land Reserve for Small House Development

- (c) The applicant has reviewed the supply and demand for Small Houses (SHs) development within the three “V” zones of Ma Tin Tsuen. Even after excluding the land area of the Site, there is about 3.77 ha available land (i.e. equivalent to about 151 SH sites) within the three “V” zones encircling Ma Tin Tsuen, which is about 1.4 times more than the outstanding SH applications and 10-year demand forecast (i.e. 107) for Ma Tin Tsuen.

Adopting Phasing Approach to Spearhead High-Density Residential Development

- (d) The applicant, who owns a consolidated piece of land within the Site, intends to develop Phase 1 with a high probability and certainty of an implementation programme with a definitive timeframe, which is expected to provide incentive for spearheading the development of Phase 2 (**Drawing Z-1**). The two phases are designed with appropriate architectural layout while each phase is self-contained in terms of layout design, open space and car parking provision.

Compatibility with the Surroundings

- (e) The proposed scale of development has taken the surrounding context into account, with proposed domestic PR of 6 being generally in line with the two planned public housing developments at Tai Kei Leng (TKL) and along SPHR to the southeast and southwest of the Site with maximum PRs of 6.7 and 7.2 respectively, as well as the planned public housing sites within the Yuen Long South Development Area (YLSDA) with PR restriction of 7 (**Plan Z-1b**).
- (f) The proposed BH of the development, ranging from 99.4mPD to 118.3mPD, also demonstrates visual compatibility with the surrounding context, taken the Po Leung Kuk Lee Shau Kee Youth Oasis (Youth Oasis) (94.7mPD) (**Plan Z-1a**) and planned public housing development at TKL (185mPD) into consideration (**Plan Z-1b**). The VIA (**Appendix Ia**) has also demonstrated that the proposed development will not create significant adverse visual impacts to the surroundings and is considered compatible with the high-density residential setting (**Drawings Z-9 to Z-11**).
- (g) Sensitive building design and disposition, including building separation, stepped BH profile and building setback, have been incorporated in the indicative scheme (**Drawings Z-1, Z-4 and Z-5**) to ensure that the proposed development will not be susceptible to adverse environmental, visual and air ventilation impacts.

Improving the Overall Landscape Amenity

- (h) The proposed landscaping design, including preservation of the eight existing trees, open space provision of at least 3,125m² and greenery coverage of not less than 20% (**Drawing Z-6**), will transform the Site from the existing brownfield site (**Plans Z-4a to Z-4c**) into a liveable environment with enhanced landscape amenity and high-quality open spaces, which will not only benefit the future residents but also uplift the quality of the surrounding neighbourhoods.

Technical Feasibility

- (i) Various technical assessments on traffic, air ventilation, environmental, visual, landscape and tree preservation, drainage, sewerage and water supply aspects have been carried out to examine the feasibility of the proposed rezoning based on the indicative scheme. With the implementation of appropriate mitigation measures and improvement works, the proposed development will not cause any adverse impact or insurmountable problems.

Setting a Desirable Precedent

- (j) The proposed amendment, which intends to optimise the development potential for a high-density residential development in response to changing planning circumstances and the societal need for housing, will set a desirable precedent to realise development opportunities in the area to form an extension of the Yuen Long New Town (YLNT) and to synergise with future developments.

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

For the private land portion, the applicant is one of the “current land owners” of some of the private lots within the Site. In respect of other private lots, 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 Section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by posting notices in local newspapers and posting site notice. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, requirements under TPB PG-No. 31A are not applicable.

4. Background

The northern part of the Site was zoned “V” while the southern part of the Site was shown as ‘Road’ with a very small portion zoned “Open Space” (“O”) on the first draft Yuen Long OZP No. S/YL/1 gazetted on 12.4.1991. Consequential to the change in alignment of SPHR upon construction according to the gazetted scheme under the Roads (Works, Use and Compensation) Ordinance (Cap. 370) on 25.9.2001, the southern part of Site was rezoned from “O” and area shown as ‘Road’ to “V” on the draft OZP No. S/YL/11 published on 8.3.2002. The zoning of the Site has remained unchanged since then (**Plan Z-1a**).

5. Previous Application

Part of the Site is the subject of a previous application No. Z/YL/6 submitted by the same applicant alongside with other applicants for rezoning from “V” to “Residential (Group B)” (“R(B)”) (**Plan Z-1a**) with proposed development of seven 25-storey buildings with a PR of 3, which was rejected by the Committee on 13.4.2007 mainly on the grounds that the proposed rezoning would reduce the amount of land reserved for SH development which was in great demand in the Yuen Long area; there was insufficient information to demonstrate that the proposed rezoning would not have adverse infrastructural, traffic, drainage, sewerage, environmental and landscaping impacts on the surrounding areas; the proposed 25-storey development was considered not compatible with the surrounding low-

rise low-density residential developments in terms of scale, intensity and nature; and setting of an undesirable precedent. Details of this previous application are summarised at **Appendix III** and its location is shown on **Plan Z-1a**.

6. Similar Application

There is no similar s.12A application within the subject “V” zone on the OZP.

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

7.1 The Site is:

- (a) mostly paved and currently occupied by some temporary structures, open-air car parks, a car servicing workshop, a refuse collection point and some vacant/unused land (**Plans Z-2a, Z-4a to Z-4c**);
- (b) the Site is outside the ‘Village Environ’; and
- (c) accessible from SPHR to its south (**Plans Z-2a and Z-4a**).

7.2 The Site abuts SPHR and is mainly surrounded by low-rise village settlements of Ma Tin Tsuen, the vacant Hang Heung Bakery Workshop¹, the vacant Grade 3 historic building ‘Siu Lo’², the Yuen Long Baptist Church³ and intermixed with some temporary structures, open-air car parks, office and some vacant/unused land (**Plans Z-2a and Z-2b**). It is also located within a neighbourhood of medium to high-density residential developments, with the developed YLNT located to its north, some medium to high-density developments to its west and southeast (i.e. Park Signature, La Grove, La Pradera, Sereno Verde and The Reach) with BHs ranging from 47.8mPD to 89.7mPD, and a youth hostel (i.e. Youth Oasis) with a BH of 94.7mPD to its southwest across SPHR and the nullah (**Plan Z-1a**).

7.3 In terms of a wider context, the Site is located in the southern part of YLNT with some planned public housing developments (i.e. total PR ranging from 6.7 to 7.2) in its further southeast, south and northwest, including the proposed public housing development at TKL subject to a building height restriction (BHR) of 185mPD, the planned public housing sites within YLSDA with a BHR of 160mPD, the public housing development at SPHR with a maximum of 40 storeys (about 130mPD) as approved under application No. A/YL/316, the public housing development at Long Bin currently under construction with a maximum BH of 170mPD as approved under application No. A/YL-TYST/1074 and the proposed private residential development with a maximum domestic PR of 6, a maximum non-domestic PR of 0.5 and a maximum BH of 25 storeys (excluding basement(s)) (about 90mPD) as recently approved under application No. Y/YL/20 (**Plan Z-1b**).

¹ Part of the vacant Hang Heung Bakery Workshop is the subject of an application No. A/YL/263 for a planned RCHE development approved with conditions by the Committee on 5.2.2021. Subsequently, a Class B amendment application No. A/YL/263-1 for a revised scheme was approved by the Director of Planning under the delegated authority on 16.3.2023.

² The vacant Grade 3 historic building ‘Siu Lo’ is the subject of an application No. A/YL/302 for a proposed RCHE development and proposed ‘House’ use with conservation proposal approved with conditions by the Committee on 11.9.2023.

³ The Yuen Long Baptist Church is the subject of an approved application No. A/YL/252 for a proposed composite School and Religious Institution (Church) development approved with conditions by the Committee on 3.5.2019, and the validity of the planning permission was subsequently extended to 3.5.2027.

8. Planning Intention

The planning intention of the “V” zone is to reflect existing recognised and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within the “V” zone is primarily intended for development of SHs by indigenous villagers, and is intended to concentrate village type development within the “V” zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a New Territories Exempted House (NTEH). Other commercial, community and recreational uses 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 and the public comments, where relevant, are summarised as follows:

Land Administration

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

- (a) The Site comprises various private lots all in D.D. 120 (the Lots) and the adjoining GL. The Lots are agricultural lots held under Block Government Lease. No structure is allowed to be erected on the Lots without prior approval of the Government.
- (b) There is currently no SH application approved or under processing within the Site.
- (c) In the event that the rezoning application is approved by the Board for the proposal, the applicant, being one of the “current land owners” as claimed, should be reminded that land exchange application to the LandsD would be required to effect the proposed development. Every application will be considered on its own merits by LandsD at its sole discretion acting in its capacity as a landlord and there is no guarantee that the land exchange, including the grant of additional GL, for the proposed development will be approved. If the land exchange application is approved, it would be subject to such terms and conditions as may be imposed by LandsD at its sole discretion, including the payment of premium and administrative fee. His other detailed comments on the application are at **Appendix IV**.

Traffic

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

She has no objection in principle from traffic engineering perspective. Her detailed comments on the application are at **Appendix IV**.

9.1.3 Comments of the Chief Highway Engineer/New Territories West, Highways

Department (CHE/NTW, HyD):

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

Environment

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

He has no objection to the application from the environmental planning perspective. He advises to incorporate the requirement on the submission of the Noise Impact Assessment (NIA) and SIA and the implementation of mitigation measures in the land document as appropriate during the land exchange application stage.

Fire Safety

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

He has no objection in-principle on the rezoning application subject to water supplies for firefighting and fire service installations being provided to his satisfaction. His other detailed comments are at **Appendix IV**.

Drainage

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

- (a) He has no comment on the revised DIA from the public drainage point of view.
- (b) He has no comment on the revised SIA on the sewerage aspect subject to the views and agreement of the Environmental Protection Department as the planning authority of the sewerage infrastructure.

Urban Design, Visual and Landscape

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

Based on the provided photomontages, it is noted that the proposed development would create some adverse visual impact to the surrounding environment despite the proposed provision of design mitigation measures. As such, she opines that the proposed development may be incompatible with the surrounding environment, subject to Planning Department (PlanD)'s view.

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

Urban Design and Visual

- (a) Being located in the southern part of YLNT, the Site is bounded by SPHR to the south and Tai Shu Ha Road East to the west. There are mainly existing low-rise village houses/residential dwellings and

temporary structures, with several planned government, institution or community (GIC) facilities (with BHs ranging from about 28.4mPD to 37.9mPD) in its immediate neighbourhood to the north of SPHR (**Plans Z-2a and Z-2b**). The area to the south of the Site across SPHR comprises medium to high-rise private residential developments (with BHs ranging from 47.8mPD to 89.7mPD) intermixed with some village houses/low-rise settlements (**Plan Z-1a**). There are also a youth hostel (i.e. Youth Oasis) with a BH of 94.7mPD to the southwest of the Site just across SPHR and a planned public housing development at TKL subject to a BHR of 185mPD to the further southeast in a wider context (**Plans Z-1a and Z-1b**). Although the proposed development with a BHR of 120mPD would alter the existing predominantly low-rise character of its immediate neighbourhood to the north of SPHR, it is not considered as out of context with the high-rise youth hostel (i.e. Youth Oasis) to its southwest just across SPHR and the existing and planned developments of its wider surrounding areas (**Plans Z-1a and Z-1b**).

- (b) According to the submitted VIA (**Appendix Ia**), the proposed development would cause negligible to moderately adverse visual impacts to the selected public viewing points (**Drawings Z-9 to Z-11**). However, various design measures, including the stepped BH profile, building separation between two residential towers, setback from SPHR and podium-free structure etc., are proposed to minimise the potential visual impact (**Drawings Z-1**).

Air Ventilation

- (c) Based on the available information of the Consultancy Study of Expert Evaluation on the Air Ventilation Assessment (AVA) of Yuen Long Town conducted in 2008, the Site does not fall within any major breezeways. According to the Technical Circular No. 1/06 on AVA, the proposed development does not fall within the categories of project requiring AVA. Significant adverse air ventilation impact on the surrounding pedestrian wind environment is not anticipated.

Landscape

- (d) According to the revised landscape proposal, it is noted that the applicant proposes to remove 40 trees and retain eight trees within the Site. A total number of 40 trees in heavy standard is proposed to be planted within the Site. No significant change on the landscape quality and setting of the revised landscape proposal is observed. She has no comment on the application from landscape planning perspective. Her detailed comments on the application are at **Appendix IV**.

Building Matters

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

Detailed checking under the Buildings Ordinance will be carried out at building plan submission stage. His other detailed comments on the

application are at **Appendix IV**.

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

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

Local Views

9.1.11 Comments of the District Officer (Yuen Long), Home Affairs Department (DO(YL), HAD):

His office has received a joint letter from the villagers of Tai Kei Leng against the application (**Appendix Va**) and another joint letter from the land owners of nearby lots providing views on the application (**Appendix Vb**). The same letters were provided in the public comments received during the statutory public inspection periods and are summarised in paragraph 10 below.

9.2 The following Government departments have no objection to or no comment on the application, and their advisory comments, if any, are at **Appendix IV**:

- (a) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (b) Project Manager/West, Civil Engineering and Development Department (PM(W), CEDD);
- (c) Director of Social Welfare (DSW);
- (d) Director of Leisure and Cultural Services (DLCS);
- (e) Director of Electrical and Mechanical Services (DEMS); and
- (f) Commissioner of Police (C of P).

10. Public Comments Received During Statutory Publication Period

The application and relevant FIs were published for public inspection. During the statutory publication periods, a total of 159 public comments were received including 149 objecting comments/expressing adverse comments (**Appendix VIa**) from a representative of the Hang Heung Hop Kee Investment Company Limited, the owner of adjoining land, nearby residents and other individuals; and ten providing views from a Yuen Long District Council member, the chairman of the Yuen Long Town Centre and Rural East Area Committee, nearby land owners and other individuals (**Appendix VIb**). The comments/views are summarised as follows:

Objections/Adverse Comments (149 comments)

- (a) the traffic capacities and public transport services of nearby areas (e.g. SPHR, Tai Shu Ha Road and Tai Tong Road) have been overloaded, with traffic congestion often occurs during peak hours;
- (b) the current infrastructure support is insufficient to cater for the increase in population caused by the proposed development and planned housing developments in YLSDA;
- (c) the proposed development will pose adverse impacts on air, noise and dust pollution, which could induce long-term impacts on the health and wellbeing of nearby residents, particularly to the elderly and children, during the construction stage;

- (d) the proposed building blocks, together with the existing high-rise developments nearby, will cause wall effect and heat island effect. The proposed high-rise buildings will intrude existing skyline, block the sky views and bring about adverse landscape impact to the nearby area of low-rise village settlements;
- (e) the proposed development is not compatible with the existing settlements within nearby “V” zones, the vacant Hang Heung Bakery Workshop and the RCHE development approved under Application No. A/YL/263 to the east of the Site (**Plan Z-2b**). The proposed high-rise building blocks are incompatible with the surrounding low-rise villages and uses, and would cause visual disharmony and substantially change the local character;
- (f) it is more appropriate to retain the Site as “V” zone because there is a need to reserve adequate land within “V” zone for the development of SHs in the future;
- (g) the proposed development, together with the planned housing developments along SPHR and within YLSDA (**Plan Z-1b**), would result in an oversupply of housing in the surrounding area;
- (h) there are concerns regarding the potential impact on the business operations of the Hang Heung Bakery Workshop (**Plan Z-2a**), including the vehicular access and waste disposal facilities, brought about by the proposed development;
- (i) the proposed development encroaches onto a large portion of GL (**Plan Z-2a**), which may not be well justified from the public interest point of view;
- (j) there is a lack of consultation between the applicant and nearby residents before the submission of the rezoning application; and
- (k) approval of the application would set an undesirable precedent which would encourage the proposed rezoning of other areas within “V” zones.

Providing Views (Ten comments)

- (a) rezoning from “V” zone to “R(A)9” zone should be considered in a holistic, continuous and efficient manner. The proposal should include the development of GIC facilities and the nearby lots to the immediate north of the Site;
- (b) the developer should be required to include relevant measures to reduce traffic flow and improve pedestrian safety in the area before any construction works;
- (c) it is recommended that the Government should observe whether the existing traffic improvements near the Shap Pat Heung Interchange can effectively address the traffic congestion problems in the surrounding neighbourhood before putting forward the long-term development proposal in the YLSDA (**Plan Z-1b**);
- (d) the proposed development of 35-storey tower may not be in line with the BHs of the existing buildings in the area (which are mostly of 25 storeys) (**Plan Z-1a**) and would adversely affect air ventilation and cause the air pollution problem, thus appropriate measures in relieving the concerns of nearby residents should be proposed;
- (e) a suitable buffer distance or other boundary treatments should be provided between the proposed development and the adjacent site (i.e. the vacant Hang Heung Bakery

Workshop) (**Plan Z-2a**);

- (f) the proposed residential development is anticipated to use the proposed shared access more frequently than the adjoining RCHE development approved under application No. A/YL/263 (**Drawings Z-1 and Z-12**), thus the applicant should be required to clarify on the M&M responsibility of such proposed shared vehicular access; and
- (g) a quantitative AVA is considered necessary as the proposed development may not meet the relevant requirements and guidelines of the Government regarding the air ventilation within the built environment; and
- (h) two comments indicating no views.

11. Planning Considerations and Assessments

11.1 The applicant proposes to rezone the Site (with the site area of about 6,290m²) from “V” to “R(A)9” (i.e. a new subzone under “R(A)” zone) to facilitate a proposed high-density private residential development (**Plan Z-1**). According to the applicant, the proposed “R(A)9” zone, which is primarily intended for high-density residential development, is subject to a maximum domestic PR of 6 and a maximum BH of 120mPD as stipulated in the tailor-made Remarks under the Notes for the proposed “R(A)9” zone and on the OZP (**Appendix II**).

The “V” Zone

11.2 The Site is located within one of the three “V” zones encircling the recognised village of Ma Tin Tsuen (which has a total area of about 18.9 ha). Though the total number of outstanding SH applications and 10-year SH demand forecast for Ma Tin Tsuen is 135, there is still sufficient land within the three “V” zones for Ma Tin Tsuen to meet the SH demand⁴. DLO/YL of LandsD also advises that there is currently no SH application approved or under processing within the Site, the Site falls outside the ‘Village Environ’ and he has no adverse comment on the rezoning proposal. Although land within “V” zone encircling a recognised village is intended primarily for the development of NTEH by indigenous villagers under the New Territories SH Policy, majority part of the Site has long been occupied by temporary uses, such as open-air car parks, car servicing workshop, instead of being used for SH development (**Plans Z-2a, Z-4a to Z-4c**). In this regard, the proposed private housing development could utilise the available land resources via phasing out existing temporary structures and brownfield operations at the Site with a view to improving the existing degraded environment for residents living within the “V” zone.

Land Use Compatibility, Development Intensity and Phasing

11.3 The Site is located to the south of the developed area of YLNT (**Plan Z-1a**). The Site abuts SPHR and is mainly surrounded by medium to high-density residential developments in the west and southeast (i.e. Park Signature, La Grove, La Pradera, Sereno Verde and The Reach), the Po Leung Kuk Lee Shau Kee Youth Oasis to its southwest across the nullah, low-rise village settlements of Ma Tin Tsuen to its

⁴ According to DLO/YL, LandsD’s record, the numbers of outstanding SH applications and 10-year SH demand forecast for Ma Tin Tsuen are 30 and 105 respectively, which sums up the total number to 135. Based on the latest estimate by PlanD, about 3.72 ha (equivalent to 148 SH sites) of land is available within the three “V” zones encircling the recognised village of Ma Tin Tsuen. Thus, the land available can meet the outstanding and 10-year demand of SH for Ma Tin Tsuen.

immediate north and the vacant Hang Heung Bakery Workshop to its immediate east, intermixed with the existing and planned GIC facilities, some temporary structures, open-air vehicle parks, office and vacant/unused land in the vicinity (**Plans Z-1a and Z-2a**). The proposed development is considered not incompatible with the existing and planned developments in the surroundings in terms of land use and development intensity.

- 11.4 The Po Leung Kuk Lee Shau Kee Youth Oasis, which was completed in 2023 and located to the southwest of the Site across the nullah, has a total PR of about 5.53 while developments within the “R(A)1” zone to the further southwest are restricted to a maximum domestic/non-domestic PR of 5/9.5 (**Plan Z-1a**). In a wider context, the proposed public housing development at SPHR⁵ to the further southwest is of a maximum PR of 7.2 while the proposed public housing development at TKL to the further southeast is subject to a PR restriction of 6.7 (**Plan Z-1b**). In view of the changing land use and development contexts in the southern part of YLNT, the proposed maximum PR of 6 for “R(A)9” zone is considered compatible with surroundings developments.
- 11.5 Regarding the phasing arrangement, the private lots within Phase 1 are owned by the applicant. As such, the applicant indicated that there is a high probability and certainty of implementing the Phase 1 development within a definitive timeframe, which is expected to provide incentive for spearheading the development of Phase 2. According to the applicant, about 12% of private land within the Site, which falls within Phase 2 development, is currently under third-party ownership but under active progress of land acquisition. Based on the indicative design, each phase is self-contained in terms of layout design, open space and car parking provision (**Appendix Ib**).

Visual and Urban Design Aspects

- 11.6 In its immediate neighbourhood, the Site is mainly surrounded by medium to high-rise residential developments with BHs ranging from 47.8mPD to 89.7mPD, the Youth Oasis with BH of 94.7mPD (**Plan Z-1a**), and other low to medium-rise developments including the village settlements of Ma Tin Tsuen (**Plan Z-2a**). Though the BHR of 120mPD for the proposed “R(A)9” zone is slightly higher than those of the existing developments in the close proximity, it is considered not incompatible with the surrounding areas taken into consideration of the planned developments in a wider context, which include the planned public housing developments at TKL (BHR of 185mPD) in the southeast, SPHR in the southwest (BHR of 40 storeys (i.e. about 130mPD)), Long Bin in the further northwest (BHR of 170mPD) and within YLSDA (BHR of 160mPD) in the further south (**Plan Z-1b**).
- 11.7 According to the submitted VIA, the proposed development would only cause negligible to moderately adverse visual impacts to the selected public viewing points. CA/ASC of ArchSD opines that the proposed development may be incompatible with the surrounding environment from architectural and visual impact points of view. Nevertheless, with various measures proposed to minimise the potential visual impact, including stepped BH profile, building separation between the residential towers, setback from SPHR and a podium-free design (**Drawing Z-1**), CTP/UD&L

⁵ The proposed public housing development at SPHR under planning application No. A/YL/316 was approved by the Committee on 24.5.2024.

of PlanD considers that the proposed development is not out of context with the high-rise youth hostel development (i.e. the Youth Oasis) to its immediate southwest (**Plan Z-1a**) and the existing and planned developments in the wider surrounding areas (**Plan Z-1b**). Those design measures would be considered to be incorporated in the OZP as appropriate at the later stage for OZP amendment should the Committee decide to approve the application.

Open Space Provision and Landscape Aspects

11.8 According to the applicant's proposal, there will be not less than 3,125m² of private open space (i.e. not less than 1m² per person) and a minimum of 1,258m² greenery area (i.e. not less than 20% of the area of the Site) to be provided within the proposed development. The applicant also proposes to retain eight trees and remove 40 trees within the Site. In respect of tree compensation, a total number of 40 trees in heavy standard (i.e. compensatory ratio of 1:1) is proposed to be planted within the Site (**Drawing Z-6**). Considering that no significant change on the landscape quality and setting of the landscape proposal is observed, CTP/UD&L of PlanD has no comment on the application from landscape planning perspective.

Technical Aspects

11.9 The applicant has also submitted various assessments to demonstrate that the proposed rezoning is technically feasible from the traffic, environmental, drainage, sewerage, water supply and air ventilation perspectives (**Appendix Ia**). Relevant departments, including C for T, CHE/NTW of HyD, DEP, CE/MN of DSD, CE/C of WSD and CTP/UD&L of PlanD have no in-principle objection to or no adverse comments on the application. In particular, C for T has no adverse comment on the TIA and the proposed access arrangement. Should the application be agreed by the Committee, DEP requires the special clauses requiring the submission of NIA and SIA and the implementation of relevant mitigation measures to be incorporated in the land document at the land administrative stage.

Previous Application and Changing Planning Circumstances

11.10 Part of the Site was involved in a previous application No. Z/YL/6 (**Plan Z-1a**) for rezoning the site from "V" to "R(B)" to develop a total number of seven 25-storey blocks with a proposed PR of 3, which was rejected by the Committee in 2007. Subsequently, there has been a change in planning circumstances due to the approval of planning application (No. A/YL/263) for a proposed RCHE development by the Committee on 5.2.2021 at the currently vacant Hang Heung Bakery Workshop in the immediate east of the Site (**Plan Z-2b**) and the efforts driven by the Government's policy of increasing development intensity and raising maximum domestic PR for housing sites in New Towns generally by about 20% where technically feasible. With the planned public housing developments at TKL, SPHR, Long Bin and within YLSDA as well as the recently approved Section 12A application under application No. Y/YL/20 for the proposed private residential development at SPHR (**Plan Z-1b**), the wider planning and development contexts of the area have become essentially different from that in 2007 when the previous application No. Z/YL/6 was considered. Moreover, there is sufficient land in the concerned "V" zones in Ma Tin Tsuen to meet the SHs demand as highlighted in paragraph 11.2 above. Also, for the current application according to the submitted technical assessments there are no insurmountable impacts to be induced by the proposed development, and the relevant Government departments have no objection to or no adverse comment on the application. In view of the above, approval of this application would not be in

conflict with the previous decision of the Committee.

Local Views and Public Comments

- 11.11 There were a total number of 159 public comments, including the two public comments conveyed by DO(YL), HAD, received during the statutory publication periods as summarised in paragraph 10 above. Regarding the concerns on the GL portion and future M&M responsibility of the shared access with the approved RCHE development under application No. A/YL/263 (**Drawings Z-1 and Z-12**), the applicant will be advised to liaise with LandsD on these land administration matters should the application be approved by the Committee. As for the concerns related to the lack of consultation between the applicant and nearby residents before submission of this application, this is an application submitted under the pre-amended Town Planning Ordinance (the Ordinance) and there was provision for the public to provide comments on the application during the statutory publication period(s). For other issues raised in the public comments, the departmental comments in paragraph 9 and planning considerations and assessments in paragraphs 11.1 to 11.9 above are relevant.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comments as mentioned in paragraphs 9.1.11 and 10 above, 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 would 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 Ordinance upon reference back of the OZP.
- 12.3 Alternatively, should the Committee decide not to agree to the application, the following reason is suggested for Members' reference:

the Site falls within an area zoned "Village Type Development" ("V") with the planning intention primarily for the development of Small Houses by indigenous villagers, reflecting the existing recognised and other villages, as well as providing land suitable for village expansion and reprovisioning village houses affected by Government projects. The proposed high-density residential development is considered not compatible with the existing village setting of the area, particularly the low-rise village settlements of Ma Tin Tsuen to its immediate north and west. There is no strong planning justification for rezoning the Site from "V" to "Residential (Group A) 9" for proposed high-density residential use. The current "V" zone for the Site is considered appropriate and should be retained.

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 17.2.2023
Appendix Ia	FI received on 2.1.2025
Appendix Ib	FI received after receiving the consolidated report on 3.1.2025
Appendix II	Proposed OZP and Notes of “R(A)9” zone submitted by applicant
Appendix III	Previous Application
Appendix IV	Detailed Comments of Relevant Government Departments
Appendices Va to Vb	Local Views conveyed by DO(YL), HAD
Appendices VIa to VIb	Public Comments
Drawing Z-1	Indicative Layout Plan
Drawings Z-2 and Z-3	Floor Plans
Drawings Z-4 and Z-5	Section Plans
Drawings Z-6 to Z-8	Landscape Master Plan and Sections
Drawings Z-9 to Z-11	Photomontages
Drawing Z-12	Proposed Access Arrangement Plan
Plan Z-1a	Location Plan with Previous Application
Plan Z-1b	Location Plan in a Wider Surrounding Context
Plan Z-2a	Site Plan
Plan Z-2b	Approved Applications for Permanent Use(s) in the Vicinity
Plan Z-3	Aerial Photo
Plans Z-4a to Z-4c	Site Photos

**PLANNING DEPARTMENT
JANUARY 2025**