

**APPLICATION FOR PERMISSION  
 UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE**

**APPLICATION NO. A/HSK/452**

**Applicant** Civil Engineering and Development Department (CEDD), HKSAR Government represented by Ove Arup & Partners Hong Kong Limited

**Sites** Various Lots in D.D. 124 and D.D. 125 and Adjoining Government Land (GL) in Yuen Long, and Various Lots in D.D. 130 and Adjoining GL in Tuen Mun, New Territories

*Note: Lists of lots in the Sites is at **Appendix II**, and lot index plans at **Appendix Ic***

**Site Area** About 214,789m<sup>2</sup> (including about 25,281m<sup>2</sup> of GL)

**Lease/  
Land Status** (i) Private lots (about 88.2% of the site area); and  
 (ii) GL (about 11.8% of the site area)

**Plan** Approved Hung Shui Kiu and Ha Tsuen Outline Zoning Plan (HSK and HT OZP) No. S/HSK/2

**Zoning**

| <b>Site</b>                 | <b>Zoning</b>       | <b>Area (ha) (about)</b><br>[area shown as 'Road'] | <b>Development Restrictions</b> |
|-----------------------------|---------------------|--|---------------------------------|
| <b>Public Housing Sites</b> |                     |  |                                 |
| 1                           | R(A)3               | 0.9  | Max. PR 5.5<br>Max. BH 160mPD   |
| 2                           | R(A)2               | 2.5  | Max. PR 6<br>Max. BH 160mPD     |
| 3                           | R(A)2 and<br>'Road' | 2.5<br>[including 0.2 of area<br>shown as 'Road']  | Max. PR 6<br>Max. BH 180mPD     |
| 4                           | R(A)3               | 1.4  | Max. PR 5.5<br>Max. BH 160mPD   |
| 5                           | R(A)2 and<br>'Road' | 2.8<br>[including 0.1 of area<br>shown as 'Road']  | Max. PR 6<br>Max. BH 130mPD     |
| 6                           | R(A)3               | 2.1  | Max. PR 5.5<br>Max. BH 160mPD   |
| 7                           | R(A)2               | 2.7  | Max. PR 6<br>Max. BH 160mPD     |

| Site                         | Zoning              | Area (ha) (about)<br>[area shown as 'Road']       | Development Restrictions      |
|------------------------------|---------------------|---|-------------------------------|
| 8                            | R(A)3 and<br>'Road' | 1.7<br>[including 0.2 of area<br>shown as 'Road'] | Max. PR 5.5<br>Max. BH 120mPD |
| 9                            | R(A)2               | 2.0   | Max. PR 6<br>Max. BH 120mPD   |
| <b>Private Housing Sites</b> |                     |   |                               |
| 10                           | R(A)2               | 1.5   | Max. PR 6<br>Max. BH 180mPD   |
| 11                           | R(A)2               | 1.3   | Max. PR 6<br>Max. BH 160mPD   |

Remarks:

- R(A)2: “Residential (Group A)2”
- R(A)3: “Residential (Group A)3”
- Max. PR – Maximum Plot Ratio; Max. BH – Maximum Building Height

**Application**

Proposed Minor Relaxation of Plot Ratio (PR) and/or Building Height (BH) Restrictions for Proposed/Permitted Public and Private Housing Developments; and Proposed Social Welfare Facilities, and Proposed Shop and Services, Eating Place, School, Office, Educational Institution, Institutional Use, Off-Course Betting Centre, Place of Entertainment, Private Club, Public Convenience, Recyclable Collection Centre and Training Centre at Non-Domestic Podium within Public Housing Developments

**1. The Proposal**

- 1.1 The applicant seeks planning permission for (i) minor relaxation of PR and/or BH restrictions for 11 application sites (the Sites) including Sites 1 to 9 for public housing developments and Sites 10 and 11 for private housing developments; (ii) proposed shop and services, eating place, school, office, educational institution, institutional use, place of entertainment, private club, public convenience and training centre on the third floor of a building (excluding basement) for Sites 1 to 9; and (iii) proposed flat, social welfare facilities, off-course betting centre<sup>1</sup>, recyclable collection centre<sup>1</sup> and other non-domestic uses in the portions shown as ‘Road’ for Sites 3, 5 and 8.
- 1.2 The Sites fall mainly within areas zoned “R(A)2”, “R(A)3” with minor encroachment onto areas shown as ‘Road’ on the approved HSK and HT OZP (**Plan A-1**). According to the Notes of the OZPs, shop and services, eating place, school, office, educational institution, institutional use, place of entertainment, private club, public convenience and training centre uses other than on the lowest two floors of a building (excluding basements) or in a free-standing purpose-designed non-domestic building up to five storeys require planning permission from the Town Planning Board (the Board). In area shown as ‘Road’, all uses or developments except those specified in the Covering Notes of the OZP require planning permission from the Board. Based on the individual merits of a development or redevelopment proposal, minor relaxation of PR

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<sup>1</sup> Only in non-domestic podium within the public housing developments and to be provided on the lowest two floors of a building excluding basement, or in a free-standing purpose-designed non-domestic building up to five storeys.

and/or BH restrictions may be considered by the Board.

- 1.3 According to the submission, a minor relaxation of the total PR restriction from 5.5 and 6 up to 6.8 is proposed for the nine public housing sites (i.e. +23.6% for Sites 1, 4, 6 and 8; and +13.3% for Sites 2, 3, 5, 7 and 9); whilst a relaxation of PR restriction from 6 to 6.5 is proposed for the two private housing sites (i.e. +8.3% for Sites 10 and 11). Consequential relaxation of the BH restrictions for five of the Sites is also proposed to accommodate the additional PR/GFA sought. A comparison of the proposed PR and BH restrictions of various sites are shown on **Drawings A-3 to A-6** and detailed below :

| Site                         | Site Area (ha) (about) | PR  |          |            | BH (mPD) |                  |            |
|------------------------------|------------------------|-----|----------|------------|----------|------------------|------------|
|                              |                        | OZP | Proposed | Change (+) | OZP      | Proposed         | Change (+) |
| <b>Public Housing Sites</b>  |                        |     |          |            |          |                  |            |
| 1                            | 0.9                    | 5.5 | 6.8      | 23.6%      | 160      | 160              | --         |
| 2                            | 2.5                    | 6   | 6.8      | 13.3%      | 160      | 160              | --         |
| 3                            | 2.5                    | 6   | 6.8      | 13.3%      | 180      | 180 <sup>2</sup> | --         |
| 4                            | 1.4                    | 5.5 | 6.8      | 23.6%      | 160      | 160              | --         |
| 5                            | 2.8                    | 6   | 6.8      | 13.3%      | 130      | 175              | 34.6%      |
| 6                            | 2.1                    | 5.5 | 6.8      | 23.6%      | 160      | 160              | --         |
| 7                            | 2.7                    | 6   | 6.8      | 13.3%      | 160      | 175              | 9.4%       |
| 8                            | 1.7                    | 5.5 | 6.8      | 23.6%      | 120      | 135              | 12.5%      |
| 9                            | 2.0                    | 6   | 6.8      | 13.3%      | 120      | 145              | 20.8%      |
| <b>Private Housing Sites</b> |                        |     |          |            |          |                  |            |
| 10                           | 1.5                    | 6   | 6.5      | 8.3%       | 180      | 180              | --         |
| 11                           | 1.3                    | 6   | 6.5      | 8.3%       | 160      | 165              | 3.1%       |

- 1.4 For the public housing sites 1 to 9, the applicant seeks planning permission to relax the total PR restriction to 6.8 to accommodate a domestic PR (DPR) of 6.5 and non-domestic PR (NDPR) of 0.3 respectively. To cater for the additional PR/Gross Floor Area (GFA) and to accommodate the GFA concession for adoption of Modular Integrated Construction (MiC), compliance with design requirements on prescribed windows and building separation, and provision of social welfare facilities as detailed in paragraph 1.6 below, the BH restrictions for public housing developments at Sites 5, 7, 8 and 9 are also proposed to be relaxed. For private housing sites 10 and 11, the applicant proposes to relax the total PR restriction to 6.5<sup>3</sup>. The BH restriction of Site 11 is also proposed to be relaxed to accommodate the proposed increase in development intensity.
- 1.5 The proposed relaxation of total PR restriction will provide about 5,210 additional flats (4,970 flats in public housing sites and 240 flats in private housing sites) (+24%), accommodating an additional population of about 7,130 persons.
- 1.6 The implementation of the Hung Shui Kiu/Ha Tsuen New Development Area (HSK/HT NDA) will be completed in phases. The Sites fall with the Second Phase development

<sup>2</sup> Due to change in road layout and expanded site area, a minor portion of Site 3 falls within an area with a maximum BH restriction of 160mPD in the OZP. Thus, it is proposed a minor relaxation of BH restriction from 160mPD to 180mPD so that the whole Site 3 would carry a maximum BH restriction of 180mPD.

<sup>3</sup> It includes a DPR of 6 and NDPR of 0.5.

of the NDA. Site formation and infrastructural works of the Second Phase development is scheduled to commence in 2024 till 2032.

- 1.7 For Sites 1 to 9 which are designated for public housing development, Planning Briefs setting out the requirements of concerned government departments will be prepared to guide future development on the Sites. Besides, the HD or future project proponent (for Sites 10 and 11) will conduct relevant technical assessments as required by concerned departments at detailed design stage.
- 1.8 To allow flexibility for detailed design, some of the non-domestic uses as stated in paragraph 1.2 are therefore proposed to be located on the third floor within the non-domestic portion of a building in the public housing development at Sites 1 to 9, so as to free up the lower floors for the provision of social welfare facilities.
- 1.9 Detailed road design has been conducted for the HSK/HT NDA. To optimise the use of the 'Road' areas near Sites 3, 5 and 8 which are no longer required under the revised road layout<sup>4</sup>, these areas are proposed to be integrated into the adjoining public housing developments.
- 1.10 Indicative building block layouts (**Drawings A-7 to A-9**) based on the proposed development parameters for the Sites have been prepared for various technical assessments (**Appendices Ib and Ic**). The Traffic and Transport Impact Assessment (TTIA) demonstrates that with the planned improvement schemes to relevant road junctions and the proposed public transport facilities, including the Mass Transit Railway (MTR) Tuen Ma Line, planned Environmentally Friendly Transport Services (EFTS) and public transport interchanges (PTIs), there will be no insurmountable traffic and transport impact induced by the proposed relaxation of PR restrictions. The overall traffic condition will be operated with sufficient capacity in Design Year 2036 and under manageable degree of congestion for Yuen Long Highway and Route 11 in Design Year 2041. The full TTIA report would be deposited at the meeting for Members' inspection.
- 1.11 As shown in the Preliminary Environmental Assessment (PEA), with the adoption of mitigation measures, such as building set back and non-sensitive use at façade design, no adverse air quality and traffic noise impact are anticipated.
- 1.12 Photomontages have been prepared to demonstrate the possible visual impacts (**Drawings A-10 to A-17**). There would not be any discernible adverse change in landscape and visual impacts due to the proposed relaxation of development restrictions. Landscape mitigation measures such as vertical greening, sensitive design of above-ground structures and architectural façades, are also proposed to be adopted in future development. As demonstrated in Air Ventilation Assessment Expert Evaluation (AVA EE), significant impact on air ventilation performance on the surrounding areas is not anticipated.
- 1.13 The location plans, plans showing the proposed minor relaxation of PR and/or BH restrictions, indicative building block layouts, and photomontages submitted by the applicant are at **Drawings A-1 to A-17**.

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<sup>4</sup> The revised road scheme related to the Sites was published in the Gazette under the Roads (Works, Use and Compensation) Ordinance (Cap. 370) on 30.9.2022.

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

- |   |                                 |
|---|---------------------------------|
| (i) Application form received on 2.5.2023   | <b>Appendix I</b>               |
| (ii) Further Information (FI) received on 16.6.2023 enclosing Consolidated Supporting Planning Statement (SPS) Volume I and Volume II<br><i>(exempted from publication and recounting requirements)</i> | <b>Appendices Ia, Ib and Ic</b> |

*[Attachments to Application Form, SPS, Supplementary Information and FIs received on 28.4.2023, 2.5.2023, 5.5.2023, 9.6.2023 and 12.6.2023 were superseded and not attached]*

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

The justifications put forth by the applicant in support of the application are detailed in **Appendix Ib**. They are summarized as follows:

### *In line with government's policy to increase public and private residential development intensity as appropriate*

- (a) As stated in the 2014 Policy Address that the maximum DPR for housing sites in the New Towns could be raised generally by up to 20% where infrastructural capacity permits. Subsequent refinements were made in late 2018 by the Chief Executive (CE) to allow the DPRs of public housing sites in the New Towns to increase by up to 30% subject to technical feasibility. In response to this policy initiative, it is proposed to increase the total PR of various public housing sites from 5.5/6 to 6.8. Higher BH restrictions are required to accommodate the increase in DPR, additional floor space for social welfare facilities<sup>5</sup>, higher car parking provision standard and design flexibility for compliance with the latest regulations and guidance, e.g. JPN-8 on additional GFA concession due to adoption of MiC, requirements on prescribed window under Building (Planning) Regulations, and Sustainable Building Design Guidelines and Emergency Vehicular Access requiring more building separations. Specifically, the maximum BH of Site 5 has to be further increased to 175mPD due to adoption of necessary mitigation measures (e.g. single aspect block) to address site constraints on building block footprints and requirements on railway noise mitigation measures.
- (b) To echo with the 2018 Policy Address that 70% of the housing units on Government's newly developed land will be for public housing, it is proposed to adjust public and private housing split in HSK/HT NDA Second Phase development to 7:3. The total PR for private housing development at Sites 10 and 11 is proposed to be increased from 6 to 6.5, with the BH restriction of Site 11 also proposed to be relaxed to accommodate the increase in PR.

### *In line with government's policy to address the space shortfall of the welfare sector*

- (c) Under the 2020 Policy Address, floor area for social welfare facilities equivalent to 5% of the attainable domestic GFA in public housing developments shall be reserved. Thus, higher BH restrictions are required in the public housing sites 5, 7, 8 and 9 to accommodate the social welfare facilities. Moreover, in order to accommodate the

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<sup>5</sup> According to the Note for "R(A)" zone, any floor space that is constructed and intended for use solely on Government, institution or community facilities as required by the Government may be disregarded.

additional floor space reserved for social welfare facilities at lower floors due to operational needs, other non-domestic uses within public housing developments are proposed to be located at the third floor of a building to allow more flexibility during detailed design stage.

Respecting established planning and design framework of HSK/HT NDA and ensuring compatibility with the surroundings

- (d) The proposed developments broadly respect the established land use and urban design framework of the HSK and HT OZP and no rezoning is involved. The proposal is in line with the rail-based planning concept as stated in the Explanatory Statement of the OZP by having higher development density cluster near the planned HSK MTR Station and the existing Tin Shui Wai (TSW) MTR Station.
- (e) The proposed minor relaxation of BH restrictions has retained the graduated BH profile, descending from the area near planned/existing railway station. Apart from Sites 8 and 9, all sites are situated within the residential cluster in the HSK/HT NDA near the town centre and are adjacent to the planned high density commercial developments of 200mPD. For Sites 8 and 9, the proposed BH restrictions are comparable or lower than that of the future commercial developments in the vicinity (160mPD) near the existing TSW Station. The proposed BHs are therefore compatible with the surrounding future developments.

No significant adverse impacts

- (f) Technical assessments (**Appendices Ib and Ic**) including TTIA, PEA, Sewerage Impact Assessment (SIA), Drainage Impact Assessment, Water Supply Impact Assessment, Visual Impact Assessment, Landscape Impact Assessment and AVA EE have been conducted on the proposals under this application. No adverse traffic, environmental, water supply, drainage, sewerage, air ventilation, visual and landscape impacts are anticipated.

In line with previous decision by the Board

- (g) There is a planning application (No. A/HSK/253) for proposed minor relaxation of PR restriction from 5.5/6 to 6.5/7 for the public housing sites (Dedicated Rehousing Estate) near Hung Fuk Estate approved by the Rural and New Town Planning Committee (the Committee) of the Board on 6.11.2020. Thus, approval for the current application is in line with the previous decision.

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

The applicant is not the current land owner but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No.31A) by publishing notices of the application on local newspapers specified by the Board and posting site notices at/near the Sites. Detailed information would be deposited at the meeting for Members’ inspection. For the GL, the “Owner’s Consent/Notification” Requirements as set out in TPB PG-No.31A are not applicable.

#### **4. Background**

- 4.1 The HSK/HT NDA Planning and Engineering Study (HSK/HT NDA Study) was completed in 2017. A comprehensive planning and urban design framework (including rail-based planning, stepped BH profile, major breezeways, view corridors, regional plaza, open space/pedestrian/cycle track systems, etc.) was established under the HSK/HT NDA Study for the HSK/HT NDA and subsequently incorporated onto the HSK and HT OZP.
- 4.2 In the 2014 Policy Address, the CE announced that in order to address the continued shortage of land supply for housing development, the maximum DPR for housing sites outside the north of Hong Kong Island and Kowloon Peninsula could be generally increased by around 20%, subject to availability of infrastructural capacities (such as traffic and sewerage capacities), environmental and other technical constraints as well as urban design considerations. Subsequently, the policy was refined by the CE in end 2018 by further intensifying the PRs of public housing sites in the Main Urban Areas (except Density Zone 1) and New Towns by up to 30% where feasible. Moreover, in the 2018 Policy Address, the CE suggested that 70% of the housing units on Government's newly developed land will be for public housing. In the 2020 Policy Address, the CE proposed to increase the intensity of future public housing projects so that 5% of the attainable domestic GFA would be set aside for social welfare facilities without compromising flat production.

#### **5. Previous Applications**

There are about 20 previous applications involving various extents of the sites for temporary uses. The considerations of these applications are not relevant to the current application.

#### **6. Similar Application**

There is a similar application No. A/HSK/253 within another "R(A)2" and "R(A)3" zones in Areas 8 and 10 of HSK/HT NDA (near Hung Fuk Estate) for minor relaxation of PR restriction from 5.5/6 to 6.5/7 for the permitted Dedicated Rehousing Estate approved by the Committee on 6.11.2020 on the considerations that the proposal was in line with the Government's policy; in line with the planning intention; compatible with the surrounding areas; and no major adverse impact. Details of the application are at **Appendix III** and its location is shown on **Plan A-1**.

#### **7. The Sites and Its Surrounding Areas (Plan A-2a and A-2b, aerial photo on A-3, site photos on A-4a to A-4d)**

- 7.1 The Sites comprises a total of 11 sites. Sites 1 to 7 located at the southern portion of the HSK/HT NDA and Sites 8 and 9 located to the west of Tin Shing Court in Tin Shui Wai are designated for public housing developments. Sites 10 and 11 also located at the southern portion of the NDA are designated for private housing developments. All

sites will be developed under the Enhanced Conventional New Town Approach<sup>6</sup>.

- 7.2 Sites 1 to 4 and 10 are located to the north of the future town centre of HSK/HT NDA, while Sites 5 to 7 and 11 are located at the eastern part of the town centre. The town centre will accommodate a mix of offices, commercial facilities, various Government, Institution or Community (GIC) facilities, PTIs and regional plaza around the future HSK railway station which will form the Regional Economic and Civic Hub in the Northwest New Territories.
- 7.3 Sites 8 and 9 are located at the western part of the District Commercial Node around the existing MTR Tuen Ma Line TSW Station, which will be the secondary node of the NDA to provide higher order retail, services and entertainment and also help relieve the already congested town centres of nearby Yuen Long and Tuen Mun New Towns. The Regional Economic and Civic Hub and District Commercial Node are well connected by a Green Transit Corridor (GTC) comprising the planned EFTS to provide rapid intra-district transport service, pedestrian walkways and cycling tracks.
- 7.4 The surrounding areas are planned for the following uses (**Plan A-2a and A-2b**):
- (a) Sites 1 to 4 and 10 are within a future residential cluster bounded by an area zoned “Other Specified Uses” (“OU”) annotated “Enterprise and Technology Park” to provide development space for innovation and technology uses and planned sports centre and community hall to the north; existing Kong Sham Western Highway to the west; planned commercial developments and the regional plaza to the south; and planned open spaces, schools and other residential development to the east;
  - (b) Sites 6, 7 and 11 form a future residential cluster adjoining a commercial/residential core while Site 5 is located at the southern tip of the NDA, all abutting Castle Peak Road – Lam Tei/Hung Shui Kiu. To the northwest and west are the future town centre and the HSK Station. To the north is the village cluster of Tin Sam Village. To the east are some existing residential developments including Parkview Garden and Casa De Oro. To the south and southeast across Castle Peak Road – Lam Tei/Hung Shui Kiu are the village clusters of Chung Uk Tsuen and Shun Fung Wai; and
  - (c) Sites 8 and 9 are surrounded by existing/planned public utility installations including sewage pumping station, planned district cooling system plant and gas offtake and pigging station to the north; planned commercial development to the south and east; and an existing residential care home for the elderly, village cluster of Sha Chau Lei Village and a planned open space to the west across the nullah.

## **8. Planning Intentions**

- 8.1 The “R(A)” zone is intended primarily for high-density residential developments. Commercial uses are always permitted on the lowest two floors of a building excluding

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<sup>6</sup> Under the “Enhanced Conventional New Town Approach” (“ECNTA”), the Government will resume and clear all private land planned for developments, and carry out site formation works and provide infrastructure before allocating the land for various purposes including disposal of land for private developments.



basements, or in a free-standing purpose-designed non-domestic building up to five storeys. Minor relaxation of the PR and/or BH restrictions may be considered by the Board through the planning permission system and each proposal will be considered on its individual merits.

- 8.2 In any area shown as 'Road', all uses or development except those specified in the Notes of the OZP require permission from the Board.

## **9. Comments from Relevant Government Departments**

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

### **Land Administration**

- 9.1.1 Comments of the Chief Estate Surveyor/New Development Area, LandsD (CES/NDA, LandsD):

He has no comment on the application from land resumption point of view.

### **Traffic**

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

She has no adverse comment on the application from traffic engineering point of view. Her detailed advisory comments are at **Appendix V**.

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

He has no comment on the application from the highways maintenance viewpoint. His detailed advisory comments are at **Appendix V**.

### **Environment**

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

#### **Air Quality and Sewerage**

- (a) He has no adverse comment on the application.

#### **Noise**

- (b) Noise Impact Assessment (NIA) report should be required for private housing sites 10 and 11 in the future so as to address the relevant noise impact and to demonstrate noise compliance. Relevant authorities should establish a proper mechanism for the submission of NIA reports and implementation of noise mitigation measures to ensure noise compliance for these private housing developments.

## **Urban Design, Visual, 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 Aspect

- (a) Being located within the HSK/HT NDA, the Sites are located in/adjoining the Regional Economic and Civic Hub around the future HSK Station or the District Commercial Node around the existing TSW Station. Although the proposed minor relaxation of PR and/or BH restrictions would lead to increases in building footprint (for some of the Sites) and height, it is considered not incompatible in scale and height with the planned high-density and high-rise commercial/residential developments around the railway stations in the Regional Economic and Civic Hub (with BH restrictions ranging from 130mPD to 200mPD) and the District Commercial Node (with BH restrictions ranging from 120mPD to 160mPD) of the NDA (**Plans A-2a and A-2b**).
- (b) With reference to the ES of the OZP (in particular Figure 6 – BH Concept), the proposed increases in BH restrictions from 130mPD to 175mPD in Site 5 and from 160mPD to 175mPD in Site 7 would reduce the height gradation originally intended for the southern and southeastern fringes of the NDA flanking the villages in its surrounding areas, while the proposed increase in BH restrictions from 120mPD to 135mPD in Site 8 and to 145mPD in Site 9 would be the same and even taller than those of 135mPD and 140mPD for the two commercial zones near the TSW Station. Notwithstanding the above, in a wider context, the higher BH profiles around the railway stations in the Regional Economic and Civic Hub and District Commercial Node descending towards their fringe areas can still be broadly maintained.
- (c) Compared with the Conforming Scheme (i.e. in compliance to the OZP restriction), the overall visual impacts of the proposed minor relaxation of PR and/or BH restrictions for the public and private housing developments in the planned urbanised townscape would range from negligible to slightly adverse to the selected public viewing points.

#### Landscape Aspect

- (d) Majority of the sites are situated in an area of miscellaneous rural fringe landscape, except Sites 8 and 9 are situated in an area of miscellaneous urban fringe landscape character, and both landscape characters are predominated by open storage, workshop, village houses, open car park and tree groups. In accordance with the planned land uses for the HSK/HT NDA as mentioned in Section 2 of the SPS (**Appendix Ib**), majority of the Sites (i.e. Sites 1 to 7 and 10 to 11) are in proximity to the planned Regional Economic and Civic Hub, while Sites 8 and 9 are located in proximity to existing TSW Station and high-density residential development. The proposed scheme is considered not incompatible with the existing and planned surrounding context.

- (e) With reference to the provided landscape information in Indicative Landscape Master Plan and Landscape Impact Assessment (**Appendix Ic**), approximate 467 existing common trees are surveyed in the Sites, and one tree of particular interest (TPI) (*Ficus elastica* 印度榕) with Diameter at Breast Height >1m is found within Site 6. All existing trees (i.e. 467+1 TPI assessed with “*poor form & structure*”) will be removed by the site formation works, while new trees will be compensated in accordance with Development Bureau Technical Circular (Works) No.4/2020 and requirements of the provision on greenery as well as open space will be met and provided in later stage of the developments subject to detailed design.

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

- (a) It is noted that Site 5 with proposed BH of 175mPD is 34.6% higher than the maximum BH of 130mPD permitted in the OZP which may have a bigger visual impact as shown on the submitted photomontage (**Drawing A-12**), and the original stepped BH profile as stipulated in the OZP might not be apparent.
- (b) To avoid adverse impact on the ventilation and air permeability, the applicant is reminded to comply with the building separation requirements and the sustainable building design guidelines promulgated under Practice Note for Authorised Persons, Registered Structural Engineers and Registered Geotechnical Engineers APP-152.

**Air Ventilation**

9.1.7 Comments of the CTP/UD&L, PlanD:

- (a) According to the AVA EE, breezeways in the HSK/HT NDA have been preserved. As compared with the Conforming Scheme, no significant air ventilation impacts would be expected in some Sites (including Sites 1 to 3, 10 and 11) with similar BHs and indicative layouts or with enhanced permeability in the proposed scheme, while the proposed minor relaxation of PR and/or BH restrictions in other sites (including Sites 4 to 9) would result in some air ventilation impacts on their respective downwind areas, which could however be alleviated by mitigation measures such as building separation and setback incorporated in the proposed scheme.
- (b) For Sites 1 to 9, it is recommended in the AVA EE to conduct quantitative AVA as appropriate at detailed design stage to ascertain the air ventilation impacts of the proposed public housing development for scheme optimization.

**Building Matters**

9.1.8 Comments of the Chief Building Surveyor/New Territories West, Buildings

Department:

- (a) He has no comment in principle under the Buildings Ordinance (BO) for Sites 1 to 9 as the application is related to public housing development.
- (b) For Sites 10 and 11, there is no specified BH restriction under the BO. Based on the limited information provided, presumably the two sites will abut at least one specified street not less than 4.5m wide. Detailed comments under the BO will be provided at the building plan submission stage.
- (c) His detailed advisory comments are at **Appendix V**. The applicant's attention is drawn that the development intensity shall not exceed the permissible under the First Schedule of the Building (Planning) Regulations.

### **Local Views**

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

She has no comment from departmental point of view.

9.1.10 Comments of the District Officer/Yuen Long, HAD (DO/YL, HAD):

- (a) He has no comment from departmental point of view; and
- (b) His office has not received any comment from the locals on the application.

9.2 The following government bureau and departments have no objection to/adverse comment on the application. Their advisory comments, if any, are at **Appendix V**.

- (a) Secretary for Education
- (b) Chief Engineer/Mainland North, Drainage Services Department
- (c) Chief Engineer/Construction, Water Supplies Department
- (d) Commissioner of Police
- (e) Director of Fire Services
- (f) Director of Food and Environmental Hygiene
- (g) Director of Housing
- (h) Director of Leisure and Cultural Services
- (i) Director of Social Welfare

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

10.1 On 9.5.2023, the application was published for public inspection. During the three weeks of the statutory public inspection period, a total of 13 public comments were received, including five commenters raising objection/express adverse comments on the application, two commenters supporting the application/express positive comments and six commenters providing other views.

### *Objections/Adverse Comments (5 Comments)*

- 10.2 Five individuals object or provide adverse comments on the application on the grounds that the further population increase in HSK/HT NDA will strain the capacity of existing roads and railway; imbalance ratio of public housing to private housing; insufficient employment opportunities within HSK/HT NDA; and lack of community facilities to meet the increased population. From urban design perspective, the proposal mainly consists of podium which will affect the quality of the open space. The proposal will create “wall effect” resulting in adverse air ventilation impacts (**Appendix IV-1 to IV-5**).

### *Supporting/Positive Comments (2 Comments)*

- 10.3 Supporting/positive comments are received from an individual (**Appendix IV-6**) and the Village Representative of Chung Uk Tsuen (**Appendix IV-7**). They support the overall proposal and welcome the provision of social welfare facilities, but express concerns on land resumption and compensation matters, implementation schedule and traffic impact on the surroundings.

### *Providing Views (6 Comments)*

- 10.4 The Hong Kong and China Gas Company Limited (HKCG) opines that the applicant would need to conduct a Quantitative Risk Assessment to evaluate the potential risk and determine necessary mitigation measures in view of the close vicinity of Site 8 to the planned HSK Offtake Station and the future developer should consult and coordinate with HKCG in detailed design stage and construction stage (**Appendix IV-8**). The MTR Corporation Limited opines that a Railway Noise Impact Assessment should be conducted in detailed design stage (**Appendix IV-9**). The individuals opine that the land resumption and construction process should be speeded up, and express concerns on the imbalance ratio of public housing to private housing (**Appendix IV-10 to 13**).

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

- 11.1 The application involves 11 housing sites in HSK/HT NDA including nine sites (i.e. Sites 1 to 9) for public housing and two sites (i.e. Sites 10 and 11) for private housing. These sites fall either within the “R(A)3” zone (Sites 1, 4, 6, 8) or “R(A)2” zone (Sites 2, 3, 5, 7, 9, 10 and 11) with minor encroachment onto areas shown as ‘Road’ on the OZP (Sites 3, 5 and 8). The applicant applies for minor relaxation of total PR restrictions (from 5.5 - 6 to 6.5 - 6.8 for all sites) and/or BH restrictions (from 120 to 180mPD to 135 to 180mPD for five of the sites) so as to optimise the use of scarce land resources and to address pressing demand for housing in the territory. According to the applicant’s proposal, for Sites 1 to 9 for public housing development, the total PR restrictions would be relaxed from 5.5/6 to 6.8<sup>7</sup> (+13.3%/+23.6%) and the BH restrictions are to be relaxed by 15m to 35m (+9.4% to +34.6%) at Sites 5, 7, 8 and 9. For the two private housing sites, an increase in PR from 6 to 6.5 (+8.3%) at Sites 10 and 11, and a relaxation of BH restriction from 160mPD to 165mPD (+3.1%) at Site 11 are proposed. The applicant also applies for the provision of non-domestic uses on the third floor of a building (excluding basement) of the public housing developments at

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<sup>7</sup> The proposed PR of 6.8 would accommodate a DPR of 6.5 and a NDPR of 0.3.

Sites 1 to 9, and flats, social welfare facilities and other non-domestic uses in the portions of area shown as 'Road' at Sites 3, 5 and 8.

#### Policy Aspect and Planning Merits

- 11.2 HSK/HT NDA project is an important source of Hong Kong's housing and land supply in the medium and long term. With the proposed minor relaxation of PR restrictions, there will be an increase of about 5,210 housing units<sup>8</sup>, adjusting the public/private housing split of HSK/HT NDA Second Phase development to 7:3. As such, the current application dovetails with the Government's overall policy of increasing both public and private housing supply. Social welfare facilities<sup>9</sup> equivalent to about 5% of the domestic GFA in public housing sites (Sites 1 to 9) could also be accommodated with the proposed relaxation of BH restrictions for five of the sites. This is in line with the Government's policy mentioned in paragraph 4.2 for the provision of social welfare facilities to serve the additional residents and the district without affecting flat supply. The proposal therefore has strong planning merits to meet the imminent needs of the community.

#### Planning and Development Framework and Urban Design Concepts

- 11.3 The current application involves minor increase in PR restrictions by 8.3% to 23.6% for all sites and/or BH restrictions by 3.1% to 20.8% at five of the sites except that Site 5, which is located to the immediate south of the existing Tuen Ma Line viaduct, has an increase in BH by 34.6% due to site constraints. In order to address the possible railway noise impact, single aspect building design has to be adopted for some of the building blocks resulting in a higher BH in Site 5.
- 11.4 In HSK/HT NDA, housing sites of higher intensity and BH are concentrated at around the planned and existing railway stations, decreasing towards the fringe areas (**Plans A-2a and A-2b**). The proposed development would not result in major change to the land use zonings and the established land use planning and development framework of the NDA. Upon approval of the application, sites with higher development intensity would still be located within/around the Regional Economic and Civic Hub or the District Commercial Node of the NDA so as to exemplify the concept of rail-based planning and minimise the need for road transportation. Moreover, the Sites would be well connected by a GTC comprising EFTS, pedestrian walkways and cycling tracks with the future town centre, HSK Station and other major activity nodes within the NDA. Also, the proposed increase in BH for the five of the sites generally respects the overall established BH profile stepping down from the town centre in order to enhance variety in height and massing, and to ensure a better integration with the surrounding areas. As such, the established PR and BH profile for the HSK/HT NDA would be maintained under this proposal. The overall townscape and neighbourhood environment of the NDA could also be maintained.

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<sup>8</sup> It is estimated that the additional 5,210 units could accommodate about 7,130 persons. Together with the approved application for minor relaxation of PR restriction for the dedicated rehousing estate (No. A/HSK/253), the total number of flat for the NDA is estimated to increase to about 66,600 flats (including public and private flats) accommodating about 184,400 population.

<sup>9</sup> Under the provision of the OZP, any floor space within the "R(A)" zone that is constructed or intended for use solely as GIC facilities as required by the Government would be disregarded for PR calculation.

- 11.5 As for the proposal to allow provision of non-domestic uses on the third floor of a building for public housing sites 1 to 9, it is considered appropriate so as to allow flexibility for detailed design given the lower floors would be taken up for provision of social welfare facilities. With regard to the portions of area shown as 'Road' at Sites 3, 5 and 8, they would be integrated into the sites concerned for better utilisation of land resources due to a revised road alignment formulated during the detailed design stage. Both C for T and CHE/NTW, HyD have no adverse comment on the application.

#### Visual, Landscape and Air Ventilation

- 11.6 On visual aspect, although CA/ASC, ArchSD is of the view that the proposed BH of 175mPD at Site 5 may have a bigger visual impact, CTP/UD&L advises that the proposed minor relaxation of PR/BH restrictions incurring increases in BH for five of the sites would only result in negligible to slightly adverse visual impact at selected public viewing points when compared to the Conforming Scheme (**Drawings A-10 to A-17**). Overall, the BH profile is maintained as detailed in paragraph 11.4 above and the proposal would not result in significant adverse visual impact on the surroundings. On landscape aspect, the proposed developments remain within the planned housing development areas of the HSK/HT NDA under the OZP. Adverse impact on the landscaped resources resulting from the proposed minor relaxation of PR/BH restrictions is not anticipated and CTP/UD&L has no adverse comments on the application in this regard.
- 11.7 For air ventilation, the submitted AVA EE has demonstrated that the breezeways in the HSK/HT NDA are preserved and air ventilation impacts resulted from the proposed scheme and is generally comparable to the Conforming Scheme under similar BHs and indicative layouts. For Sites 4 to 9, though the proposed minor relaxation of PR and BH restrictions would result in some air ventilation impacts to the downwind area, design measures such as building separation and setback incorporated in the proposed scheme could alleviate the air ventilation impact. No significant adverse air ventilation impacts is anticipated as a result of current proposal and CTP/UD&L has no adverse comment on the application in this regard.

#### Technical Considerations

- 11.8 The applicant has conducted various technical assessments including traffic, environment, sewerage, drainage and water supply impact assessments to demonstrate the acceptability of the proposal (**Appendices Ib and Ic**). With the implementation of the proposed mitigation measures, the proposed relaxation of PR and BH restrictions is found acceptable from the technical point of view. In this regard, C for T, CHE/NTW, HyD, DEP, CE/MN, DSD and CE/C, WSD have no objection to or no adverse comment on to the application.

#### Sufficient Planned Provision of Open Space and Major GIC Facilities

- 11.9 In HSK/HT NDA, sufficient land has been reserved for open space and GIC facilities generally in accordance with the Hong Kong Planning Standards and Guidelines (HKPSG) and/or the requirements of concerned departments to meet the increased planned population in the NDA taking account of the proposed minor relaxation of development restrictions. Additional GFA for social welfare facilities is also reserved in public housing sites in accordance with the latest policy. The Housing Department

(HD) and Social Welfare Department would liaise further on the types and extent of various social welfare facilities to be provided at each public housing site during the detailed design state. Local open space will also be provided within each public housing site in accordance with HKPSG to serve the local residents.

#### Indicative Scheme

- 11.10 It should be noted that the building block layouts for the Sites submitted by the applicant is indicative and solely for technical assessments purpose. It is used to illustrate that the proposed increase in PRs and BHs would have no significant adverse impacts on the environmental, air ventilation and visual quality, etc. Should the Committee approve the application, the approval is for application as stated in paragraph 11.1 only and the layouts of the Sites do not form part of the approval. This is to allow flexibility to accommodate various types of public/private housing units and/or community facilities in individual site, which can only be finalised at detailed design stage. Besides, it should be noted that the actual site area are subject to detailed survey at a later stage.

#### Similar Application

- 11.11 As stated in paragraph 6 above, the Committee has approved a similar application (No. A/HSK/253) for minor relaxation of PR restriction for permitted Dedicated Rehousing Estate in Areas 8 and 10 of HSK/HT NDA on 6.11.2020. Approving the current application is generally in line with the Committee's previous decision.

#### Public Comments

- 11.12 There are 13 public comments received during the statutory publication period as summarised in paragraphs 10.1 to 10.4 above. The planning considerations and assessments in paragraphs 11.1 to 11.11 above are relevant.

### **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 objection to the application.
- 12.2 To cater for a longer development timeframe for the Sites in the context of NDA, a longer validity period of the planning permission of 6 years is suggested. Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 23.6.2029 and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The advisory clauses at **Appendix V** are suggested for Members' reference.
- 12.3 There is no strong reason to recommend rejection of the application.

### **13. Decision Sought**

- 13.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant the permission.



- 13.2 Should the Committee decide to approve the application, Members are invited to consider the approval condition(s) and advisory clause(s), if any, to be attached to the permission, and the date when the validity of the permission should expire.
- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

**14. Attachments**

|                              |  |
|------------------------------|--|
| <b>Appendix I</b>            | Application form received on 2.5.2023                  |
| <b>Appendix Ia</b>           | FI received on 16.6.2023                               |
| <b>Appendix Ib</b>           | FI received on 16.6.2023 (Consolidated SPS Volume I)   |
| <b>Appendix Ic</b>           | FI received on 16.6.2023 (Consolidated SPS Volume II)  |
| <b>Appendix II</b>           | Lots no. involved in the Application Sites             |
| <b>Appendix III</b>          | Similar Application                                    |
| <b>Appendix IV</b>           | Public Comments  |
| <b>Appendix V</b>            | Advisory Clauses                                       |
| <b>Drawings A-1 and A-2</b>  | Location Plans   |
| <b>Drawings A-3 to A-6</b>   | Proposed Minor Relaxation of PR and/or BH Restrictions |
| <b>Drawings A-7 to A-9</b>   | Indicative Building Block Layouts                      |
| <b>Drawings A-10 to A-17</b> | Photomontages  |
| <b>Plan A-1</b>              | Location Plan with Similar Application                 |
| <b>Plans A-2a and A-2b</b>   | Site Plans with BH of surrounding area                 |
| <b>Plan A-3</b>              | Aerial Photo   |
| <b>Plans A-4a to A-4d</b>    | Site Photos  |

**PLANNING DEPARTMENT  
JUNE 2023**