

RNTPC Paper No. A/SK-SKT/21C  
for Consideration by the  
Rural and New Town  
Planning Committee  
on 13.12.2019

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

**APPLICATION NO. A/SK-SKT/21**

**Applicants** : Boxwin Limited, Jade Spirit Limited, New Hope Limited, Regenteam Investments Limited, Shingo Development Limited and Tenswin Limited represented by Ove Arup & Partners Hong Kong Limited

**Site** : Various Lots and Adjoining Government Land in D.D. 221, Sha Ha, Sai Kung, New Territories

**Site Area** : About 59,262m<sup>2</sup> (including about 7,000m<sup>2</sup> of Government Land)

**Land Status** : (a) Private lots (about 88%)  
All private lots are:  
(i) held under Block Government Lease;  
(ii) restricted to agricultural purposes; and  
(iii) to be expired on 30.6.2047  
(b) Government Land (about 12%)

**Plan** : Approved Sai Kung Town Outline Zoning Plan (OZP) No. S/SK-SKT/6

**Zoning** : “Comprehensive Development Area (1)” (“CDA(1)”) with development restrictions:  
(a) maximum plot ratio (PR) of 1.5; and  
(b) maximum building height (BH) of 8 storeys (excluding basements), or the PR and BH of the existing building, whichever is the greater

**Application** : Proposed Comprehensive Residential Development

**1. The Proposal**

1.1 The applicants seek planning permission for proposed comprehensive residential development at the application site (the Site), which is zoned “CDA(1)” on the approved Sai Kung Town OZP No. S/SK-SKT/6. Pursuant to section 4A(1) of the Town Planning Ordinance (the Ordinance), development/redevelopment proposal within the “CDA(1)” zone is subject to the approval of the Town Planning Board (Board) by way of a planning application. A Master Layout Plan (MLP) should be submitted together with the relevant assessment reports for the approval of the Board under section 4A(2) of the Ordinance. In addition, ‘Flat’, ‘House’ and ‘Public Vehicle Park (excluding container vehicle)’ are column 2 uses of the zone.

1.2 A planning brief (PB) to guide the development of the subject “CDA(1)” site was

endorsed by the Rural and New Town Planning Committee (the Committee) on 14.12.2007. It sets out the planning parameters, the special design requirements to integrate the development with the character of the area, the stepped height concept, requirement on the provision of green planting along site boundary and other technical requirements including breezeway and non-excavation area (NEA). The endorsed PB is at **Appendix II**.

- 1.3 According to the submitted MLP (**Drawing A-3**), the proposed development consists of 14 residential towers (6-8 storeys) and 72 villas (3 storeys) providing a total of 771 units (average flat size 113m<sup>2</sup>). The total PR and GFA are 1.467 and not more than 86,921m<sup>2</sup> respectively. A 2-storey clubhouse with GFA of about 3,000m<sup>2</sup> is proposed at the northern part of the Site. The basement level of the northern portion of the proposed development is for carpark ancillary to the residential development, a public car park of 50 parking spaces and E&M facilities (**Drawing A-4**).
- 1.4 The Site is the subject of a previous rejected application (No. A/SK-SKT/1) for proposed comprehensive residential development submitted by the same applicants. The application was rejected by the Committee on 24.10.2008. Comparison of the major development parameters between the previous rejected application (No. A/SK-SKT/1) and the current application are summarized as follows:

Development Parameters	Previous Rejected Application (A/SK-SKT/1) (a)	Current Application (A/SK-SKT/21) (b)	Difference (b) – (a)
Site Area	About 58,500 m <sup>2</sup>	About 59,262 m <sup>2</sup>	+762 m <sup>2</sup> (+1.3%)
Domestic GFA	About 87,750 m <sup>2</sup>	Not more than 86,921 m <sup>2</sup>	-829 m <sup>2</sup> (-0.94%)
PR	1.5	1.467*	-0.033 (-2.2%)
BH (No. of Storeys)	6 to 8 storeys (17 apartment towers) 3 storeys (24 villas)	6 to 8 storeys (14 residential towers) 3 storeys (72 villas)	--
Site Coverage	40%	Not more than 55%	+15%
No. of Blocks	41	86	+45 (+109.8%)
No. of Units	725	771	+46 (+6.3%)
Average Unit Size	90 to 230m <sup>2</sup> (apartments) 370m <sup>2</sup> (villa house)	About 113m <sup>2</sup>	--
Population	About 1,950	About 2,074	+124 (+6.4%)
Communal Open Space	6,000m <sup>2</sup>	Not less than 2,074m <sup>2</sup>	- 3,926m <sup>2</sup> (-65.4%)

Development Parameters	Previous Rejected Application (A/SK-SKT/1) (a)	Current Application (A/SK-SKT/21) (b)	Difference (b) – (a)
Car Parking Spaces			
Residential	339 to 498 (including 2-3 for disabled)	554 (including 6 for disabled)	56 to 215 (11.2% to 63.4%)
Visitor	49	39	-10 (-20.4%)
Motor cycles	19 to 55	8	-11 to -47 (-57.9% to -85.5%)
Public Vehicle Parking Spaces <sup>@</sup>	0	50	+50
Loading/ Unloading	10	11	+1 (+10%)
Residents' Clubhouse	4,388 m <sup>2</sup>	About 3,000 m <sup>2#</sup>	- 1,388 m <sup>2</sup> (-31.6%)

\* Private lots owned by others at Sites A and B with proposed GFA are included for PR calculation while no GFA has been proposed at Sites C and D

@ The public car park to be provided at basement level is not included in the GFA calculation

# GFA of proposed clubhouse is about 3.5% of the total domestic GFA and therefore is non-accountable

- 1.5 According to the applicants, to meet the requirement as set out in the endorsed PB, the proposed buildings are arranged with stepped building height descending from the north towards the future town square and Mei Yuen Street in the south. No podium structure is proposed. A 15m-wide breezeway, as required under the endorsed PB, is proposed in the east-to-west direction to link up Sha Ha Road and the proposed breezeway of the adjoining "CDA(2)" zone. Three visual corridors of 7.5m, 10m and 15m wide are proposed to enhance visual permeability to the waterfront and the future town square (MLP on **Drawing A-3**). The Urban Design Proposal, Visual Impact Assessment (VIA) and Air Ventilation Assessment (AVA) submitted by the applicants are at **Appendix Ib** and updated pages in **Appendix Ic**.
- 1.6 The endorsed PB recommends that existing trees in the Site should be preserved as far as practicable. There are groups of trees recommended to be retained mainly along the western boundary of the Site. Individual trees worthy of retention are also identified in the PB. According to the Tree Preservation Proposal (**Appendix Ia**) and Landscape Master Plan (LMP) (**Drawing A-6**) submitted, there are 227 existing trees within the Site. The applicants propose to retain 33 existing trees mainly along the western boundary and at the south-eastern corner of the Site. 8 existing trees are proposed to be transplanted. The remaining 186 existing trees (including 32 dead trees) are proposed to be felled due to their poor health form and possible conflict with the proposed layout. To compensate the loss of greenery, 493 compensatory

trees are proposed to be planted. The applicants have also proposed a 15m wide Green Buffer Zone (GBZ) for woodland planting along the entire site boundary to meet the requirement of the endorsed PB.

- 1.7 To meet the transport requirements as set out in the endorsed PB, the applicants propose a 6m wide public pedestrian walkway along the south-western boundary of the site to connect Tai Mong Tsai Road and Mei Fuk Street (MLP on **Drawing A-3 and Drawing A-7**). 50 public car parking spaces are proposed to meet the specific requirement from Commissioner for Transport (C for T) (**Drawing A-4**). Two lay-bys are proposed at Tai Mong Tsai Road for buses/green mini-buses and one lay-by of 25m length for general public use on Mei Yuen Street (**Drawing A-7**). An uncontrolled cautionary pedestrian crossing Tai Mong Tsai Road is also proposed (**Drawing A-7**). The applicants have submitted a TIA at **Appendix Ib**. The TIA reveals that the junction of Po Tung Road/Man Nin Street would be over capacity by year 2028, and junction improvement is suggested and to be implemented by applicants (**Plan A-2b and Drawing A-8**).
- 1.8 The Site is within the Sha Ha Archaeological Site of Interest (SHSAI) (**Plan A-1**). A NEA has been designated in the endorsed PB for 'in-situ' preservation of antiquities attributed to Neolithic Period and Bronze Period (**Plan A-2a**). According to the MLP on **Drawing A-3**, mainly villas, GBZ, courtyard and gardens and vehicular carriageways are proposed to be located within the NEA. These structures will be supported by shallow foundation to be built on top of the existing ground level of the NEA. According to the revised Preliminary Archaeological Review (**Appendix Ie**), no construction works shall commence for the NEA without the agreement from the Antiquities and Monuments Office (AMO).
- 1.9 The applicants indicate in the Environmental Assessment (EA) (**Appendix Ic**) that with implementation of environmental mitigation measures such as building set back and orientation, fixed glazing windows and acoustic balcony etc. the proposed development is acceptable from environmental, noise and air quality perspectives. The applicants also indicate in the Drainage Impact Assessment (DIA) (**Appendix Ic**) that there will be no adverse drainage impact with the proposed underground stormwater storage tank to be built at the south-eastern part of the Site and in the Sewerage Impact Assessment (SIA) (**Appendix Ic**) that connection to the public sewer is feasible to cater for the proposed development.
- 1.10 The Site consists of government land (about 7,000m<sup>2</sup> or about 11.8%) and private land (about 52,262m<sup>2</sup> or about 88.2%). Among the private land, about 3,435m<sup>2</sup> is not owned by the applicants (**Drawing A-2**). The applicants propose that development at the Site will be implemented in Phase 1 and other phases (i.e. Sites A, B, C, D and E) (Development Phasing Plan on **Drawing A-3**). Phase 1 of the development will cover slightly more than half of the Site (about 31,508m<sup>2</sup>) which is mainly proposed for residential towers, club house and open space. The other phases (Sites A, B, C and D) cover mainly the private lots owned by other land owners (about 4,112m<sup>2</sup>) and majority of the NEA mainly owned by the applicants is included as Site E (about 23,642m<sup>2</sup>). As shown in the submitted MLP (**Drawing A-3**), the private lots owned by other land owners fall within areas proposed for a 6-storey residential block (Site A), two 3-storey villas (Site B) and parts of the GBZ, open area and 7.5m wide visual corridor (Sites C and D) while Site E is mainly proposed for the villas and open space. According to information provided by the applicants (**Appendix Ig**), site areas, GFAs and respective PRs of the different phases are shown in the following table:



	Site Area	Proposed GFA	Plot Ratio
<b>Phase 1</b>	About 31,508m <sup>2</sup>	Not more than 68,752m <sup>2</sup>	2.182
<b>Other phase Site A</b>	About 2,283m <sup>2</sup>	About 3,424m <sup>2</sup>	1.499
<b>Other phase Site B</b>	About 516m <sup>2</sup>	About 772m <sup>2</sup>	1.496
<b>Other phase Site C</b>	About 313m <sup>2</sup>	N.A.	N.A.
<b>Other phase Site D</b>	About 1,000m <sup>2</sup>	N.A.	N.A.
<b>Other phase Site E</b>	About 23,642m <sup>2</sup>	Not more than 14,000m <sup>2</sup>	0.592

- 1.11 While according to the applicants (**Appendix Ig**), the development (Phase 1) is anticipated to be completed by year 2025, the implementation of Sites A, B, C and D will be subject to other third parties. For Site E, the applicants propose that without the agreement from AMO, no construction works shall commence for the NEA.
- 1.12 For easy reference, a comparison table of the requirements of the endorsed PB and the applicants' submission are highlighted in the table at **Appendix IIa**.
- 1.13 In support of the application, the applicants have submitted the following documents:
- (a) Application form dated 7.11.2018 (**Appendix I**)
  - (b) Supplementary planning statement with MLP (**Appendix Ia**)
  - (c) Further Information (FI) dated 30.1.2019 providing responses to comments and various revised technical assessments (*accepted and not exempted from publication and recounting requirements*) (**Appendix Ib**)
  - (d) FI dated 22.5.2019 providing responses to comments and various revised technical assessments (*accepted and not exempted from publication and recounting requirements*) (**Appendix Ic**)
  - (e) FI dated 19.9.2019 providing responses to comments and replacement pages of various technical assessments (*accepted and exempted from publication and recounting requirements*) (**Appendix Id**)
  - (f) FI dated 31.10.2019 providing responses to comments and a revised Preliminary Archaeological Review (*accepted and not exempted from publication and recounting requirements*) (**Appendix Ie**)
  - (g) FI dated 28.11.2019 providing revised development parameters of the development (*accepted and exempted from publication and recounting requirements*) (**Appendix If**)
  - (h) FI dated 9.12.2019 providing technical clarifications (*accepted and exempted from publication and recounting requirements*) (**Appendix Ig**)
- 1.14 The location plan, lot index plan, MLP, section plans, LMP, proposed traffic arrangement plans and phasing plan submitted by the applicants are at **Drawings A-1 to A-8**.

- 1.15 On 4.1.2019, 22.3.2019 and 19.7.2019, the Committee agreed to defer making a decision on the application for two months each, as requested by the applicants, to allow time for preparation of FIs in response to departmental comments. The applicants submitted FIs as detailed in paragraph 1.12 above. The application is scheduled for consideration by the Committee at this meeting.

## 2. Justifications from the Applicants

The justifications put forth by the applicants in support of the application are detailed in Section 5 of the supplementary planning statement at **Appendix Ia** and FI at **Appendix Ie**. They can be summarized as follows:

- (a) the Site has been zoned “CDA(1)” intended for comprehensive residential development since 2005. The Site has been left partly vacant and partly occupied by temporary open storage, it is ready for the intended residential development, which contributes to meeting with the shortfall in housing supply in Hong Kong;
- (b) the proposed development fully respects the planning intention and development restrictions of the “CDA(1)” zone. The proposed development has taken into full consideration of the design and technical submissions required in support of the MLP for consideration of the Board;
- (c) the key development parameters, planning and development requirements set out in the endorsed PB have been fully respected during the preparation of the MLP. These include the requirements pertaining to the development intensity, retail facilities, open space, urban design, landscape, transport aspects, pedestrian circulation, environmental impacts, air ventilation, preservation of archaeological heritage, utilities and services and implementation aspects. Special design considerations have been made to preserve the character of rural township and to avoid overtaxing the infrastructure. The proposed development has also responded to Transport Department’s request on the provision of an additional 50 public car parking spaces;
- (d) the proposed development fully respects the planning intention for “CDA” site mentioned in Town Planning Board Guidelines No. 17A, which provides incentives for phasing out of non-confirming uses, such as open storage uses in rural areas, provides means for achieving co-ordinated developments and is fully in line with the control on overall scale and design of development in areas of high landscape and amenity values and in locations with special design or historical significance;
- (e) the applicants have demonstrated genuine effort and sincerity to provide an enhanced living environment for future residents at the Site and the residents in the surroundings. A LMP for the proposed development is prepared to enhance the landscape amenity in the Site, by providing a wide variety of landscaped components. The proposed development has demonstrated a high quality environment with adequate local open space for the future residents;
- (f) various technical assessments have been carried out to ensure that no adverse impacts will be brought to the surrounding environment on landscape, archaeological, traffic, environmental, sewerage, drainage, air ventilation, visual and urban design perspectives. The overall environmental amenity of the area will be enhanced due to the removal of the existing incompatible open storage uses as

well as the introduction of comprehensively planned and designed living environment; and

- (g) the Site falls within the SHSAI, and the NEA (Plan A-2a) is identified as having archaeological potential while the remaining area has no/low potential. The applicants employ an archaeologist to prepare a report on the arrangement for accessibility for the NEA. For the area beyond the NEA, the Contractor shall employ an archaeologist to conduct an Archaeological Watching Brief. Noting AMO's concerns on construction of buildings within NEA, construction of villa houses under other phases is proposed. Without the agreement from AMO, no construction works shall commence for the NEA. The phasing plan of the proposed development is at Drawing A-3.

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

The applicants are one of the "current land owners" of the private lots. In respect of the other "current land owner(s)", the applicants have 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 giving them notifications. Detailed information would be deposited at the meeting for Members' inspection. The "owner's consent/notification" requirements is not applicable on the government land within the Site.

### 4. Town Planning Board Guidelines

The Site falls within the "CDA" zone. The Town Planning Board Guidelines for Designation of "CDA" Zones and Monitoring the Progress of "CDA" Developments (TPB-PG No. 17A) (**Appendix III**) are relevant to this application. The relevant guidelines are summarized as follows:

For "CDA" sites which are not under single ownership, if the developer can demonstrate with evidence that due effort has been made to acquire the remaining portion of the site for development but no agreement can be reached with the landowner(s), allowance for phased development could be considered. In deriving the phasing of the development, it should be demonstrated that:

- (a) the planning intention of the "CDA" zone will not be undermined;
- (b) the comprehensiveness of the proposed development will not be adversely affected;
- (c) the resultant development should be self-contained in terms of layout design and provision of open space and appropriate Government, institution or community, transport and other infrastructure facilities; and
- (d) the development potential of the unacquired lots should not be absorbed in the early phases of the development, access to these lots should be retained, and the individual lot owners' landed interest should not be adversely affected.

### 5. Background

- 5.1 The Site was zoned "CDA(1)" on the first statutory plan covering Sai Kung Town gazetted in 2005 with PR of 1.5 and BH of 8 storeys to ensure compatibility with the surrounding environment. In addition, a stepped height design should be adopted

for buildings within the Site.

- 5.2 In the two-month public exhibition period of the Sai Kung Town OZP No. S/SK-SKT/1, there were 6 objections (out of a total of 12 objections received) objecting to the PR/BH restrictions of the Site. Five of them objected to the PR/BH restrictions of the “CDA(1)” zoning and proposed a lower PR/BH restriction. The remaining one, lodged by the owners of the Site, objected to the splitting of the “CDA(1)” zone into two parts and the PR/BH restrictions. They proposed to relax the PR/BH restrictions of the Site to a PR of 2 and a BH of 10 storeys. Besides, they considered that a PB for the Site was not necessary. After giving consideration to the objections, the Board considered, amongst others, that the preparation of a PB was necessary to provide more detailed guidance for future development of the “CDA(1)” site; and also decided to partially meet one of the objections by realigning the proposed Tai Mong Tsai Road and combining the two portions of “CDA(1)” sites into a single site. On 6.1.2006, the proposed amendment to the OZP was gazetted under the Town Planning Ordinance and no further objection was received.
- 5.3 The “CDA(1)” zoning of the Site, together with its development restrictions, remain unchanged on the current OZP No. S/SK-SKT/6, which was gazetted on 19.1.2013.
- 5.4 On 24.8.2007, the Committee considered a draft PB for the Site. Amongst the requirements, the PB specified that in view of the existence of antiquities attributed to Neolithic Period and Bronze Period within the Site, which are worthy of in-situ preservation, a NEA (**Plan A-2a**) has been designated. No building works including site formation works and excavation in any form should be carried out in the NEA except with the prior written consent from AMO. In view of its prominent location and to minimize adverse impact on the surroundings, it was considered that a 15m wide GBZ should be provided along the entire boundary of the Site. In addition, the public pedestrian walkway connecting Tai Mong Tsai Road and Mei Fuk Street should not encroach onto the GBZ. The Committee agreed that the revised draft PB was suitable for submission to Sai Kung District Council (SKDC) for consultation. On 24.9.2007, the SKDC was consulted on the revised draft PB. No amendment to the draft PB had been proposed by the SKDC. The results on consultation with SKDC were reported to the Committee and the PB was endorsed by the Committee on 14.12.2007.

## 6. Previous Application

There is one rejected previous planning application (No. A/SK-SKT/1) at the Site, which was submitted by the same applicants seeking approval for a MLP for comprehensive residential development at the Site (**Plans A-1 and A-2a**). The previous application was rejected by the Committee on 24.10.2008 on the grounds that the submitted MLP was not acceptable as it did not fully fulfil the requirements of the endorsed PB for the “CDA(1)” site in terms of the design and layout including stepped height design, provision of breezeway, view corridors, GBZ and public pedestrian walkway and no podium structure, and there was insufficient information in the submission of assessments to demonstrate that the proposed development would not have adverse traffic, visual and landscape impacts on the surrounding areas. Another application (No. A/SK-SKT/9) for proposed comprehensive residential development with similar development parameters but different layout was submitted by same applicants on 21.10.2014 and subsequently withdrawn on 27.4.2017.

## 7. Similar Application

There is one similar application (No. A/SK-SKT/8) for comprehensive residential development at the “CDA(2)” zone to the southwest of the Site (Plans A-1 and A-2a). The similar application was approved with conditions by the Committee on 7.2.2014 as the MLP submitted generally followed the OZP and PB requirements and technical assessments had been submitted to demonstrate that the proposed development would not generate adverse impacts on the surrounding areas. Subsequently, application No. A/SK-SKT/8-1 for Class B amendments on the development proposal was approved by Director of Planning under authority of the Board on 13.1.2015. The development has been completed. Details of the similar application are at **Appendix IV**.

## 8. The Site and Its Surrounding Areas (Plans A-1, A-2a and A-2b, Aerial Photo on Plan A-3 and Site Photos on A-4a to 4d)

### 8.1 The Site is:

- (a) located at the northern fringe of Sai Kung Town;
- (b) currently a piece of vacant land with part of the Site being used for storage of building materials;
- (c) with some structures at the south-eastern corner of the Site;
- (d) accessible via Mei Fuk Street and Mei Yuen Street; and
- (e) falls within the SHSAI.

### 8.2 The surrounding areas have the following characteristics:

- (a) to its immediate southwest is the “CDA(2)” site, occupied by a comprehensive residential development named ‘the Mediterranean’ approved under planning application No. A/SK-SKT/8. The development comprises four residential blocks with PR of 1.5 and BH not exceeding 8 storeys;
- (b) to its immediate north is area designated as “Road” which is reserved for the proposed realignment of Tai Mong Tsai Road and an undesignated “G/IC” site;
- (c) to its southeast across Mei Yuen Street is the “G/IC(4)” site currently occupied by a 5-storey school namely Hong Kong Academy. To its south is the proposed Sai Kung Complex and reprovisioning of Wai Man Road Playground project which is under planning by Leisure and Cultural Service Department in the “OU” annotated “Town Square with Recreational, Community and Commercial Uses” and “Open Space” zones;
- (d) to its east across Wai Man Road is the “OU” annotated “Commercial and Tourism Related Uses (Including Hotel) (1)” site. Construction is in progress at this site for three 6-storeys hotel blocks; and

- (e) to its further east and southeast is the waterfront promenade.

## 9. Planning Intention

The planning intention of the "CDA(1)" zone is for comprehensive development/redevelopment of the area for commercial and residential uses with the provision of open space and other supporting facilities. The zoning is to facilitate appropriate planning control over the development mix, scale, design and layout of development, taking account of various environmental, traffic, infrastructure and other constraints.

## 10. Comments from Relevant Government Departments

- 10.1 The following government departments have been consulted and their views on the application and public comments are summarized as follows:

### Land Administration

#### 10.1.1 Comments of the District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD):

- (a) according to the planning application, the Site comprises 219 private lots and adjoining unleased government land. The applicants should make sure that the site data quoted in the submission is correct as no verification of such site data is made;
- (b) according to his file records, the concerned private lots, except Lot No. 1616 in D.D. 221, are old scheduled agricultural lots held under the Block Government Lease. No copy of land grant document of Lot No. 1616 in D.D. 221 can be traced in his office or available at the Land Registry. Small northern portions of the Site falls within the Sha Ha village environs ('VE') boundary;
- (c) the applicants should demonstrate that private lots within the Site which are not owned by the applicants would not be adversely affected by the MLP and adequate access would be allowed to all such private lots;
- (d) as the Site mainly falls within the SHSAI, comments from AMO should be sought;
- (e) the proposed extension of the 6m wide pedestrian walkway along western boundary of the Site to connect with the existing footpath at Tai Mong Tsai Road involves government land. Transport Department should be consulted on the proposal; and
- (f) if the planning application is approved by the Board, the lot owners will need to apply to DLO/SK for a land exchange to effect the proposed comprehensive development. However, there is no guarantee that such land exchange application, with or without government land, would be approved by the Government. Such application, if eventually

approved, would be subject to such terms and conditions including payment of a premium and an administrative fee, as the Government considers appropriate.

### **Archaeological and Heritage Aspects**

#### **10.1.2 Comments of the Executive Secretary (Antiquities and Monuments), AMO, Development Bureau (DEVB):**

- (a) regarding the proposed development within the NEA, AMO would like to reiterate that preservation of the site in-situ is required, no building works including site formation and excavation in any form should be carried out except with the prior written consent from AMO as stipulated in Section 7.7 of the PB (**Appendix II**). In this connection, the consultant's suggestion to impose an approval condition such as "the submission of Archaeological Impact Assessment Report prior to the commencement of any works and implementation of the mitigation measures identified therein to the satisfaction of the Antiquities and Monuments Office or of the Town Planning Board" for the proposed development in NEA is not in line with the PB and the preservation requirement for the NEA; and
- (b) AMO has no further comment on the proposed Archaeological Watching Brief in the area outside the NEA but within SHSAI.

### **Traffic**

#### **10.1.3 Comments of the Project Manager/Major Works, HyD (PM/Major Works, HyD):**

based on the latest programme, the tentative gazette time of the Hiram's Highway Improvement Stage 2 (HH2) project is anticipated in January 2020 and then HyD will seek authorization to execute the works in accordance with the statutory requirements. If the relevant statutory procedures can be completed smoothly by end 2020, he anticipates that the detailed design of the Project can commence in 2021. However, the completion date of the HH2 project is still uncertain at this moment and it is subject to the progress of Public Works Programme procedures.

#### **10.1.4 Comments of the C for T:**

- (a) in the submitted TIA report (**Appendix Ib**), it is noted that the traffic impact arising from the development is minimal assuming that the HH2 project will be implemented and open before the population intake of the development by 2028. However, HyD has mentioned clearly that the implementation programme of the HH2 project is still uncertain at this stage. If the HH2 project is not taken forward, the fundamental infrastructure assumption of the current TIA Report would become invalid and the findings of the current TIA Report would be invalid as well. Therefore, if there is no HH2 project, C for T would not support the application as the submitted TIA report is made under an invalid assumption;

- (b) on the assumption that the HH2 project would be completed before the population intake, C for T would have no in-principle objection to the planning application. To eliminate the scenario that the development has been completed but the HH2 project is not taken forward, C for T will have no in-principle objection to the application subject to the condition that “no population intake of the proposed development shall be taken place before the completion of the Hiram's Highway Improvement Stage 2 project”; and
- (c) the applicant should be advised that the construction of the proposed development should not be commenced unless the road scheme of the Hiram's Highway Improvement Stage 2 project has been authorized under Roads (Works, Use and Compensation) Ordinance (Cap 370).

### **Environment**

#### 10.1.5 Comments of the Director of Environmental Protection (DEP):

- (a) it is noted that the proposed development would not be subject to adverse traffic noise impact exceeding the Hong Kong Planning Standards and Guidelines (HKPSG) criteria, with the implementation of noise mitigation measure recommended, including the provision of fixed glazing, utility platform with auto-closing mechanism, acoustic windows and acoustic balcony. An undertaking letter of implementation of the proposed noise mitigation measures has been provided by the applicants. In the light of this, he has no further comment on the application; and
- (b) having reviewed the EA report and the amended pages provided in the FI (**Appendix Id**), it is noted that the potential land contamination areas were identified as per the EA report dated May 2019 (**Appendix Ic**). He has no objection to applicant's suggestion on incorporating the approval condition below to the application:

“the submission of a land contamination assessment and the implementation of the land contamination remediation measures proposed therein prior to the commencement of construction works to the satisfaction of the Director of Environmental Protection or of the Town Planning Board”.

### **Urban Design and Visual**

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

- (a) the development at the Site is guided by a PB endorsed by the Board in December 2007. According to the PB and the Explanatory Statement (ES) of the OZP, the subject “CDA(1)” zone is primarily for residential use with the provision of open space and other supporting facilities to complement the role of Sai Kung as the Leisure Garden of Hong Kong. The key design concept is to develop the Sai Kung Town north as part of a rural town in keeping with the character of Sai Kung old town to the further south and the rural settlements to the west;



- (b) the proposed MLP has incorporated various design measures specified in the OZP and the PB including stepped height building profile with building heights descending from 8 storeys at the north/west towards 3 storeys at the south/east, provision of a 15m-wide breezeway running in east to west direction, 15m GBZ along the Site boundary and disposition of buildings around open spaces;
- (c) having reviewed the submission including the FI (**Appendix Ic**), it is noted that efforts have been made in the current scheme for compliance with the design guidelines stipulated in the adopted PB except for enhancing visual permeability to the town square that the two proposed “auxiliary visual corridors” (10 and 15m) could only provide penetrable views from Tai Mong Tsai Road to the proposed development as there are 3-storey villa houses within the visual corridors. In this regard, the applicant is advised to explore further measures in enhancing visual permeability to the town square and the waterfront should the application be approved;
- (d) considering the natural and rural characters of the site comprising low-rise residential developments with BHs ranging from 8.3mPD to 32.8mPD, the scale of the proposed development with BH ranging from 3 to 8 storeys/18.5mPD to 39mPD, as well as the proposed mitigation measures including roadside and buffer planting, stepped BH profile and provision of a 15m wide breezeway, the overall visual impact of the proposed development upon mitigation is considered slightly to moderately adverse;

*Air Ventilation Assessment (AVA)*

- (e) an AVA Initial Study (IS) using computational fluid dynamic modelling has been carried out to support the s.16 planning application of the captioned development. As set out in the AVA IS report, various wind and visual corridors (may consider as localised air paths) have been incorporated in the proposed scheme; and
- (f) based on the simulation results, she considers that the proposed development would not result in significant adverse impact on pedestrian wind environment under both annual and summer conditions.

**Landscape**

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

- (a) no objection to the application from the landscape planning perspective;
- (b) according to the tree survey submitted, there are 227 existing trees identified within the site, mainly clustering along the southwestern boundary, while 33 trees are proposed to be retained, including 4 nos. of *Ficus elastica* with diameter at breast height of 900-1500mm. To minimise visual impacts to the surroundings, 15m wide tree buffer

planting of mostly native species is proposed along the Site boundary. Communal open space of about 2,074m<sup>2</sup> is proposed in the middle of the development. The proposed development is generally in-line with the PB;

- (c) should the Board approve the application, she would recommend the following landscape condition to be included in the planning approval:

the submission and implementation of a Landscape Master Plan to the satisfaction of the Director of Planning or of the Town Planning Board

*Advisory comments to be addressed in the Landscape Master Plan:*

- (d) the alignment of the proposed 6m wide pedestrian walkway connecting Tai Mong Tsai Road and Mei Fuk Street seems to have too many twists and turns, which is not pedestrian friendly and it also leads to unnecessary removal of trees due to excessive walkway provision. The abutting boundary treatment along this meandering pedestrian walkway should also be demonstrated;
- (e) the proposed communal open space is separated by a vehicular road, and the pedestrian connection among the fragmented open space should be indicated. Apparently a loading/unloading space blocking the connection between the open spaces should be reviewed;
- (f) only area where its primary function is for public enjoyment is accountable as open space. Circulation space between T4 and T1 should not be accountable as open space for active or passive recreation; and

*Other Advisory Comments:*

- (g) the applicants are reminded to approach relevant authority/government department(s) direct to obtain the necessary approval on tree works such as felling, transplanting or pruning under lease.

### **Sewerage**

#### **10.1.8 Comments of the DEP:**

he has no comment on the SIA.

#### **10.1.9 Comments of the Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD):**

he have no comments on the applicant's FI on the SIA as detailed in **Appendix Ic.**

### **Drainage**

#### 10.1.10 Comments of the CE/MS, DSD:

- (a) there is no insurmountable drainage problem for the Site and the following approval condition is suggested:

the submission and implementation of a revised Drainage Impact Assessment to the satisfaction of the Director of Drainage Services or of the Town Planning Board

- (b) his office has no comment on other assessment reports enclosed in **Appendix Ia** from drainage maintenance viewpoint.

### **Nature Conservation**

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

the Site has been partly paved and with trees of common native and exotic species. He has no comment on the application.

### **Fire Safety**

#### 10.1.12 Comments of the Director of Fire Services (D of FS):

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

### **Gas and Electrical Safety**

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

he has no comment on the FI (**Appendix Ib**) and agrees that the Quantitative Risk Assessment to be carried out by the applicant during the detailed design stage of the proposed development

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

#### 10.1.14 Comments of the District Officer (Sai Kung), Home Affairs Department (DO(Sai Kung), HAD):

- (a) he has no comment on the application;
- (b) it is noted that Chairman of SKDC, Chairman of Sai Kung Rural Committee and general locals of Sai Kung objected to the application. Their main concern is that the proposed development will increase the

population and add to the heavy traffic in Sai Kung Town. Large scale residential development will not be supported by the local community until the improvement work of Hiram's Highway is completed; and

- (c) the local views should be fully considered.

10.2 Other detailed comments from the following government departments are listed at **Appendix V**:

- (a) Chief Building Surveyor/New Territories East 2 & Rail, Buildings Department;
- (b) Chief Engineer/Construction(2), Water Supplies Department (CE/Construction(2), WSD); and
- (c) Director of Electrical and Mechanical Services (DEMS).

10.3 The following government departments have no comment on the application:

- (a) Chief Engineer (Works), Home Affairs Department (CE(Works), HAD);
- (b) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
- (c) Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD); and
- (d) Project Manager/New Territories East, CEDD.

## **11. Public Comments Received during the Statutory Publication Periods**

11.1 The application and the FIs were published for public inspection on 16.11.2018, 12.2.2019, 31.5.2019 and 8.11.2019, a total of 443 public comments were received (**Appendix VI**) with three comments from the individuals support the application, one comment with no content, one comment not related to the application, and 438 comments object to /raise concerns which include the following:

- (a) 8 comments from the Chairman, members and members (designate) of SKDC;
- (b) 7 comments from Sai Kung Rural Committee and member, Village Representatives of Sha Kok Mei Village and Sha Ha Village;
- (c) 2 comments from Hong Kong Academy;
- (d) 3 comments from Sai Kung Planning Concern Front;
- (e) 1 comment from Friends of Sai Kung;
- (f) 2 comments from Owners' Committee of the Mediterranean;
- (g) 1 comment from Hong Kong and China Gas Co Ltd.; and
- (h) 414 comments from individuals.

11.2 The comments in support of the application is mainly on the ground that speeding up the development can resolve the housing supply problem.

11.3 The major grounds of objection and the concerns on the application are similar, and the gist of the comments is summarised as follows:

- (a) Sai Kung is overpopulated and the infrastructures are saturated;
- (b) the proposed development is not compatible with the local character of Sai Kung and would deteriorate the overall living quality;
- (c) the traffic capacity in the area is overloaded, in particular, the Hiram's Highway;

- (d) there are insufficient community and transport facilities to support additional population;
- (e) it is doubtful if the site phasing plan is practicable to be commenced;
- (f) the proposed development would bring adverse visual, air ventilation, environmental and ecological impacts to the surrounding environment;
- (g) the arrangement of road works and traffic during the construction period should ensure pedestrian safety of students of the nearby school;
- (h) the government land within the Site should be reserved for community facilities, e.g. car park and social welfare facilities;
- (i) the proposed layout of the villa houses is suggested to be located to the north/northwest of the Site along Tai Mong Tsai Road to enhance the visual and air ventilation of the development;
- (j) the proposed development is in close vicinity to an existing high-pressure pipeline along Wai Man Road and Mei Yuen Road, and a Quantitative Risk Assessment should be conducted to evaluate the potential risk;
- (k) it is suggested to include an additional storey of underground public carpark to serve the community; and
- (l) Tai Wong Ye shrine of Sha Kok Mei Village (**Plan A-2a**) and the fung shui will be affected.

## 12. Planning Consideration and Assessments

### Planning Intention

12.1 The application is for comprehensive residential development within the Site which is zoned "CDA(1)" on the OZP. The planning intention of the "CDA(1)" zone is for comprehensive development/ redevelopment of the Site for commercial and residential uses with the provision of open space and other supporting facilities. It is subject to a maximum PR of 1.5 and a maximum BH of 8 storeys (excluding basements). The Site is sizable and prominently located at the northern gateway into Sai Kung Town. It is therefore necessary to control the development mix, scale, design and layout of development, with due regard to the various environmental, traffic, infrastructure and other constraints. The proposed comprehensive residential development at a PR of 1.467 and a BH of 8 storeys over 1 storey of basement generally conform to the development restrictions of the OZP. In response to TD's request, a public car park of 50 spaces has been included in basement of the proposed development. Such provision will serve to meet the parking demand in the area.

### Phased Development

12.2 The applicants propose to develop the Site in phases. According to the phasing plan (**Drawing A-3**), the proposed development will be implemented in Phase 1 and other phases (i.e. Sites A, B, C, D and E). Phase 1 of the development would cover slightly more than half of the Site which is mainly owned by the applicants with some government land. Sites A, B, C and D of the development would cover mainly the land parcels owned by others. In addition, Sites C and D wholly owned by others have been designated for provision of the proposed GBZ and view corridor on the MLP to meet the urban design and landscape requirement under the PB. Site E is only proposed at a late stage of the submission (**Appendix Ie**) in response to comments from AMO which covers majority of the NEA (**Plan A-2a**). According to the MLP (**Drawing A-3**), the layout of development for Phase 1 and other phases are

not self-contained in terms of provision of separate access to serve different phases. The open space /recreational facilities provisions are not clearly separable for different phases of the development. Furthermore, as indicated in the table in paragraph 1.10 above, the resultant PR of Phase 1, if calculated based on its own area, would be 2.182 which has exceeded the maximum PR permissible under the "CDA" zone, while that for Site E is only 0.592 and no GFA is proposed for Sites C and D at all. The PRs for different phases of the development are not allocated on a pro-rata basis, and Phase 1 has in effect taken up the development potential of other phases. The proposed phasing is considered not in line with TPB-PG No. 17A in that the applicants fail to demonstrate the comprehensiveness of the proposed development will not be adversely affected; the resultant development be self-contained in terms of layout design and provision of open space; and the development potential of the unacquired lots not be absorbed in the early phases of the development.

#### Compliance with PB

- 12.3 A PB (**Appendix II**) has been prepared to guide the development of the Site and it was endorsed by the Committee on 14.12.2007. A comparison table of the requirements of the endorsed PB and current submission is at **Appendix IIa**. The proposed layout with stepped building height, GBZ, breezeway, visual corridor and pedestrian walkway generally comply with requirements set out in the PB on these aspects.

#### Non-excavation Area

- 12.4 However, according to the PB, the NEA is designated in view of the existence of antiquities attributed to Neolithic Period and Bronze Period within the Site, which are worthy of in-situ preservation. AMO comments that no building works including site formation and excavation in any form should be carried out in the NEA and considers that the applicants' suggestion to impose an approval condition on Archaeological Impact Assessment Report for the proposed development in NEA is not in line with the PB and the preservation requirement for the subject NEA. In this connection, implementation of Site E is in doubt. The area of Site E is about 23,642m<sup>2</sup> (70 villa houses), which occupies almost half of the Site. There is also no interim proposal on the treatment of the NEA before Site E could be developed. The phasing plan as proposed by the applicants is impracticable and the applicants fail to demonstrate that the proposed development could be implemented in a comprehensive manner or means have been provided for a coordinated development. Also, it does not comply with the PB requirement related to preservation of archaeological heritage.

#### Traffic Impact

- 12.5 According to the application, the occupation of the residential development is assumed for TIA by the design year of 2028 to tie in with the target completion date of the HH2 project. However, the HH2 project has yet been gazetted, PM/Major Works, HyD advises that the completion date of the HH2 project is still uncertain at this moment. C for T comments that if the HH2 project is not taken forward, the fundamental infrastructure assumption and the findings of the current TIA Report would become invalid, and they would not support the application. In this connection, the applicants fail to demonstrate that the proposed development would not generate adverse traffic impact to the area.

### Visual Impact

- 12.6 The proposed medium-rise residential development is considered not incompatible with the surrounding areas which are mainly sites for residential development, hotel and GIC clusters. The proposed MLP has incorporated various design measures specified in the OZP and the PB including stepped height building profile with BHs descending from 8 storeys at the north/west towards 3 storeys at the south/east, provision of a 15m-wide breezeway running in east to west direction, 15m GBZ along the Site boundary and disposition of buildings around open spaces (**Drawing A-3**). CTP/UD&L, PlanD comments that efforts have been made in the current scheme for compliance with the design guidelines stipulated in the adopted PB except for the visual permeability to the town square and considers that the overall visual impact of the proposed development upon mitigation is considered slightly to moderately adverse.

### Air Ventilation

- 12.7 The applicants have submitted an AVA (**Appendices Ib and Ic**) to demonstrate that no significant impact on the surrounding pedestrian wind environment would be induced by proposed development, CTP/UD&L, PlanD has no comment on the AVA and considers that the proposed scheme would not result in significant adverse air ventilation impact when compared with the baseline scheme.

### Tree Preservation

- 12.8 According to the endorsed PB, the existing trees mainly clustering along the western boundary should be retained as far as practicable. The applicants proposes to retain 33 existing trees mainly along the western boundary of the Site while transplanting 8 existing trees. The remaining 186 existing trees (including 32 dead trees) which are mostly exotic, weedy or very common species are proposed to be felled. To compensate the loss of greenery, 493 compensatory trees are proposed to be planted. A 15m wide GBZ for woodland planting along the entire site boundary has been incorporated in the layout (**Drawing A-6**). CTP/UD&L considers that the landscape submission is largely in-line with the endorsed PB and has no objection to the application from the landscape planning perspective. DAFC also has no comment on the application. An approval condition on the submission and implementation of a Landscape Master Plan is recommended should the Committee decide to approve the application.

### Environmental Impact

- 12.9 The applicants have submitted an EA to support the application. Taking into account the distance from Tai Mong Tsai Road, various noise mitigation measures such as building set back and orientation, fixed glazing windows and acoustic balcony etc. are proposed to address the potential road traffic noise impact. DEP considers that with these mitigation measures, the proposed development would not be subject to adverse traffic noise impact exceeding the HKPSG criteria.

### Other Technical Aspects

- 12.10 The applicants have submitted SIA and DIA to support the application. DEP and CE/MS, DSD have no comment on the SIA. CE/MS, DSD comments that there is no insurmountable drainage problem for the Site.

- 12.11 There is a high pressure underground town gas transmission pipeline (running along Mei Yuen Street and Wai Man Road) in the vicinity of the Site. As it is anticipated that the Site will result in a significant increase in population in the vicinity of the above gas installation, DEMS advises that a Quantitative Risk Assessment would be required from the project proponent of the Site to assess the potential risks associated with the gas installation during the detailed design stage of the proposed development.

Public Comment

- 12.12 There were 438 public comments objecting/raising concerns mainly on phasing of the development, possible overloading of the traffic capacity at Hiram's Highway, lack of parking facilities to support a substantial increase in population, urban design and environmental aspect and Quantitative Risk Assessment. The planning assessments as detailed in paragraphs 12.5 to 12.11 above are relevant. For the Tai Wong Ye shrine within the Site, the applicants indicate that the shrine is located at the 6m pedestrian walkway of the MLP and it is proposed to be retained in-situ (Appendix Ig).

**13. Planning Department's Views**

- 13.1 Based on the assessment made in paragraph 12 above and having taken into account the public comments mentioned in paragraph 11, the Planning Department does not support the application for the following reasons:
- (a) the proposed phasing of the residential development is not in line with TPB-PG No. 17A in that the applicants fail to demonstrate the comprehensiveness of the proposed development will not be adversely affected; the resultant development would be self-contained in terms of layout design and provision of open space; and the development potential of the unacquired lots would not be absorbed in the early phases of the development;
  - (b) the Master Layout Plan for the proposed residential development encroaches onto the non-excavation area (NEA) specified in the Planning Brief, the applicants fail to demonstrate that the proposed house development on top of the NEA is implementable and would not have adverse impacts on the Sha Ha Archaeological Site of Interest; and
  - (c) the applicants fail to demonstrate that the proposed development would not generate adverse traffic impact on the surrounding area.
- 13.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid until 13.12.2023, 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. Should the application be approved, the following approval condition and advisory clauses are suggested for Members' reference:



### Approval Conditions

- (a) the submission and implementation of a revised Master Layout Plan to take into account conditions (b) to (j) below, to the satisfaction of the Director of Planning or of the Town Planning Board;
- (b) no population intake of the proposed development shall be taken place before the completion of the Hiram's Highway Improvement Stage 2 project;
- (c) the submission and implementation of a Landscape Master Plan to the satisfaction of the Director of Planning or of the Town Planning Board;
- (d) the implementation of traffic improvement measures proposed in the Traffic Impact Assessment at the cost of the applicants to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (e) the design and provision of the vehicular access/internal driveway/pedestrian access to Tai Mong Tsai Road, public and ancillary car parking and loading/unloading facilities and public bus lay bys to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (f) the submission of a land contamination assessment and the implementation of the land contamination remediation measures proposed therein prior to the commencement of construction works to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (g) the submission and implementation of a revised Drainage Impact Assessment to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (h) the submission of a Quantitative Risk Assessment related to the high pressure town gas pipeline in the vicinity and implementation of the mitigation measures identified therein to the satisfaction of the Director of Electrical and Mechanical Services or of the Town Planning Board;
- (i) the submission of an Archaeology Impact Assessment and implementation of the mitigation measures identified therein to the satisfaction of the Antiquities and Monuments Office of Development Bureau or of the Town Planning Board; and
- (j) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board.

13.3 The advisory clauses at **Appendix VII** are suggested for Members' reference.

### **14. Decision Sought**

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

14.2 Should the Committee decide to reject the application, Members are invited to

advise what reasons for rejection should be given to the applicants.

- 14.3 Alternatively, should the Committee decide to approve the application, members are invited to consider the approval conditions and advisory clauses to be attached to the permission, and the date when the validity of the permission should expire.

## 15. Attachments

<b>Appendix I</b>	Application Form dated 21.10.2014
<b>Appendix Ia</b>	Supplementary planning statement with MLP
<b>Appendix Ib</b>	FI dated 30.1.2019
<b>Appendix Ic</b>	FI dated 22.5.2019
<b>Appendix Id</b>	FI dated 19.9.2019
<b>Appendix Ie</b>	FI dated 31.10.2019
<b>Appendix If</b>	FI dated 28.11.2019
<b>Appendix Ig</b>	FI dated 9.12.2019
<b>Appendix II</b>	Endorsed Planning Brief
<b>Appendix IIa</b>	Comparison table of the requirements of the endorsed PB and current submission
<b>Appendix III</b>	Town Planning Board Guidelines for Designation of "CDA" Zones and Monitoring the Progress of "CDA" Developments (TPB-PG No. 17A)
<b>Appendix IV</b>	Similar Application
<b>Appendix V</b>	Detailed comments from relevant government departments
<b>Appendix VI</b>	Public Comments
<b>Appendix VII</b>	Advisory Clauses
<b>Drawing A-1</b>	Location Plan
<b>Drawing A-2</b>	Land Status Plan
<b>Drawing A-3</b>	Comparison of Master Layout Plan, and Development Phasing Plan
<b>Drawing A-4</b>	Basement Plan
<b>Drawing A-5</b>	Section Plan
<b>Drawing A-6</b>	Landscape Master Plan
<b>Drawing A-7</b>	Proposed Traffic Arrangements
<b>Drawing A-8</b>	Proposed Junction Improvement for Junction of Po Tung Road/Man Nin Street
<b>Plan A-1</b>	Location Plan
<b>Plans A-2a and 2b</b>	Site Plans
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a and A-4d</b>	Site Photos

APPROVED PLANNING BRIEF FOR  
THE "COMPREHENSIVE DEVELOPMENT AREA (1)" SITE  
ON THE APPROVED SAI KUNG TOWN  
OUTLINE ZONING PLAN NO. S/SK-SKT/4

1. Purpose

- 1.1 The purpose of this Planning Brief (PB) is to set out the planning parameters and design requirements for the "Comprehensive Development Area (1)" ("CDA(1)") site (the Site) (Plan 1) in Sai Kung Town North (the Area).
- 1.2 This PB serves to provide guidance to facilitate the landowner in the preparation of a Master Layout Plan (MLP) to be submitted to the Town Planning Board (the Board) in the manner as required under the Notes of the Sai Kung Town Outline Zoning Plan (OZP) for the Site.

2. The Site and Its Surroundings

The Site (Plans 2 to 5)

- 2.1 With an area of about 5.93 ha, the Site comprises mainly private land (about 94%), with some Government land (about 6%). It is generally flat and currently used as a plant nursery and temporary recreational use.

Surroundings Land Uses

- 2.2 The Area comprises a number of vacant development sites subdivided by the recently completed road networks. To the east of the Site is a piece of land zoned "Other Specified Uses (OU) (Commercial and Tourism Related Uses (Including Hotel)(1))" ("OU/Hotel(1)") whereas to the west are two pieces of land reserved for comprehensive residential and commercial/cultural/recreational uses with a public carpark. To the south are land reserved for the development of a school and a proposed town square.
- 2.3 To the immediate north is the land reserved for the proposed realigned Tai Mong Tsai Road (TMT Road) and "Government" reserve, with no designated use. To the further north across the existing TMT Road is the hilly landform of Sha Kok Mei comprising a number of low-rise residential developments and the Sha Kok Mei Village to the further west.

- 2.4 To the northeast is area reserved for the Sha Ha village, beyond which is the former Beach Resort Hotel.

### 3. Planning Context

#### Planning Framework

- 3.1 The overall planning intention for the Area is to complement the role of Sai Kung Town as a central area for the provision of tourism, commercial, GIC and residential uses for the Sai Kung district. To preserve the character of rural township and to avoid overtaxing the infrastructures, the intensity and height of new developments in the Area are duly controlled to ensure that they are compatible with the surroundings areas. In this regard, the existing development bulk in the town centre (with a maximum PR of 5 and a maximum BH of 12 storeys) is taken as a benchmark, and the development intensity of new developments at the inland part of the Area is recommended to be restricted to a maximum PR of 1.5 and a maximum BH of 8 storeys.
- 3.2 The general design principle is to develop the Area as part of a rural town in keeping with the character of Sai Kung old town to the further south and the rural settlements to the west. Low to medium-rise developments with a gradation of descending building heights from 8-storeys at the inland area toward maximum 3-storey along the waterfront are planned.
- 3.3 Located at the northern fringe of the Area, development at the Site should serve as a transition and buffer from the more densely developed Sai Kung Town and commercial and tourism uses along the waterfront to the low-rise and low density village and residential developments at Pak Kong and Sha Kok Mei.

#### Development Constraints

- 3.4 Development at the Site is subject to the following constraints:
- the existing TMT Road, which is located about 10-22m to the north of Site, would be upgraded and re-aligned. Such upgrading works would not be completed before 2014. The developer should provide justifications for any population in-take before completion of the road upgrading works. In addition, the Site may be affected by the upgrading works of TMT Road during construction;
  - upon completion of the upgrading of TMT Road which is under study, the re-aligned TMT Road would be adjoining the northern boundary of the Site. The residential blocks along the northern boundary of the Site may be subject to

traffic noise and emission from the upgraded TMT Road;  
and

- the Site falls within the Sha Ha Archaeological Site. In view of the existence of underground antiquities which are worthy of in-situ preservation, a 'non-excavation area' (NEA) (Plan 8) of 1.56 ha (or 26% of site area) has been proposed by the Antiquities and Monuments Office (AMO) of the Leisure and Cultural Services Department (LCSD).

#### 4. Development Parameters

##### Development Intensity

- 4.1 To ensure compatibility with the surroundings environment, development/redevelopment of the Site should be subject to a maximum plot ratio (PR) of 1.5 and building height (BH) of 8 storeys (excluding basements). Ancillary car park, loading/unloading bay, plant room, caretaker's office and caretaker's quarters, or recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be excluded from the PR/GFA calculation for the purpose of the above restrictions.
- 4.2 To provide flexibility for innovative design adapted to the characteristics of the Site and its surroundings, minor relaxation of the PR/BH restrictions may be considered by the Board through the planning permission system.

##### Population

- 4.3 Based on an average flat size of 90m<sup>2</sup> (assumed for medium density development in Sai Kung Town in the South East New Territories Development Strategy Review) and a person-per-flat of 2.69<sup>1</sup>, the population at the Site upon development is estimated to be about 2,657. The actual population, however, will depend on the actual flat size and number of flats to be developed.

##### Retail Facilities

- 4.4 As retail and commercial facilities are planned to be provided at the nearby "OU" annotated 'Commercial, Cultural and Recreational Related Uses (with Public Vehicle Park)'

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<sup>1</sup> Data for 2016 person-per-flat ratio - 2003 based Territorial Population and Employment Data Matrix Scenario II, Planning Department.

("OU/CCR") and "OU" annotated 'Town Square with Recreational, Community and Commercial' ("OU/TS") sites to the west, no retail GFA is proposed for the Site. Justifications should be provided should the developer wish to provide retail facilities within the Site. Any proposed retail GFA will be accountable as part of the total GFA permissible under the Notes of the "CDA(1)" zone.

#### GIC Facilities

- 4.5 According to Hong Kong Planning Standards and Guidelines (HKPSG) and based on an estimated population of 2,657, one secondary school classroom, one primary school classroom and 14 day nursery places would be required for the proposed development. However, since such facilities have been planned in the neighbouring areas, they would not be required to be provided within the Site.

#### Open Space

- 4.6 According to the HKPSG, a minimum local open space provision of  $1\text{m}^2$  per person should be provided within the Site. Based on an estimated population of 2,657, there should be a minimum of  $2,657\text{m}^2$  open space to serve the residents of the development. The actual provision, however, will depend on the detailed proposal submitted by the developer.

### 5. Design Requirements

#### Urban Design

- 5.1 The general design principle of the Site is to maintain a building free mountain backdrop as viewed from Sai Kung Hoi. As the Site is located at a visually prominent location, the developer should pay due consideration to ensure that the resultant development is compatible with the surroundings rural setting and aesthetically attractive to commensurate with the role of Sai Kung as the Leisure Garden of Hong Kong. The arrangement of buildings, open space and tree planting in the Site should make a significant contribution to enhancing this very important approach to the Sai Kung Town.
- 5.2 To enhance visual permeability to the waterfront and the town square, view corridor(s) and gaps between building blocks should be created. A 'stepped height' building profile should be adopted, with building heights descending from maximum 8 storeys in the north to not more than 3 storeys in the south, towards Mei Yuen Street and the proposed town square (Plan 7). To minimize possible visual intrusion, no podium structure should be erected within the Site.

- 5.3 Careful consideration should be given to avoid monotonous and wall effect due to massing and building disposition of housing blocks, particular for those fronting Mei Yuen Street and Mei Fuk Street to the south and TMT Road to the north. As Mei Yuen Street is a major thoroughfare linking up future developments along the waterfront, the boundary treatment of the Site along Mei Yuen Street should be conducive to the pedestrian environment.
- 5.4 The design of the main entrance to the development at Mei Fuk Street should be harmonious with the proposed town square on the opposite side of Mei Yuen Street. Consideration should be given to provide open fence, rather than boundary walls, along the common boundary of the CDA sites. Should any boundary wall be provided, its height should be kept to the minimum and should be constructed with transparent materials. Avenue planting should be provided along the pedestrian walkways to give shade and pleasant micro-climate to the pedestrians.
- 5.5 In the MLP submission, an urban design proposal should be provided to explain the development concept giving due regard to the Urban Design Guidelines of the HKPSG. A Visual Impact Assessment (VIA), supported by adequate graphical presentations including photomontages, should also be included.

#### Landscape

- 5.6 There are about 350 existing trees in the Site, mainly clustering along the western boundary, all of which should be preserved as far as practicable. The trees, which are proposed to be retained based on their condition, size, species and location, are indicated on Plan 6. For replanting purposes, priority should be given to native tree species so as to compensate for loss of secondary woodland in the past and to integrate with the existing tree profile of the area.
- 5.7 Building blocks should be planned around open space and amenity areas. Open space and landscape areas should be provided at grade as far as possible and linked up by comprehensive walkways with landscape treatments. Landscaped area, including roof tops, should be maximized to reduce the apparent scale of the development and to enhance the local landscape, in addition to providing a comfortable and relaxing environment for residents. Consideration should be given to incorporating green roof and vertical greening designs, where appropriate, to maximize the greening of the development. For tree planting, sufficient soil depth, width and volume to allow healthy and vigorous growth of vegetation must be allowed. Tree species should be catered for with a minimum soil depth of 1.2m.

- 5.8 To minimize visual impacts on the surroundings, a woodland planting area of about 15m should be provided along the entire site boundary (Plan 8).
- 5.9 In the MLP submission, a Landscape Master Plan (LMP) and Tree Preservation Proposal should be submitted to illustrate the detailed landscaping and tree preservation proposals.

## 6. Transport Requirements

### Vehicular Ingress/Egress

- 6.1 Whilst vehicular access should be prohibited from the future re-aligned TMT Road, two vehicular ingress/egress points would be allowed at Mei Fuk Street and Wai Man Road respectively. To enhance vehicular accessibility of the Site, the two ingress/egress points should be connected internally within the Site.

### Pedestrian Circulation

- 6.2 Pedestrian walkways should be provided to connect different parts of the Site as well as to integrate the Site with the surroundings developments. Two pedestrian ingress/egress points for the Site should be provided at Mei Fuk Street and Wai Man Road adjacent to the existing subway respectively. A 6m wide public pedestrian walkway should be provided to connect the re-aligned TMT Road and Mei Fuk Street directly (Plan 8) and should not encroach upon the GBZ within the site. Besides, the proposed part-time pedestrianisation of Mei Yuen Street and the proposed public passageway at the "OU/Hotel(1)" site should be taken into account in the planning of the pedestrian walkways. All pedestrian walkways and crossing facilities should be planned comprehensively to provide a safe, uninterrupted, convenient and pleasant passageway for pedestrian movements. Where possible, the routes of the walkways should be co-ordinated with open space and open corridors to enhance pedestrian movement.

### Parking and Loading/Unloading

- 6.3 The provisions of vehicle parking spaces (including private car, small/medium goods vehicles, motor cycle and bicycle) and loading/unloading bays/lay-bys should be in accordance with the standards as set out in the HKPSG and given in the Schedule of Open Space, Parking and Loading/unloading Requirements at Annex and to the satisfaction of Commissioner for Transport. In addition, two lay-bys, each at minimum 25m in length



(accommodating at least two 12m long buses/coaches), should be provided at the realigned TMT Road and Mei Yuen Street.

#### Traffic Impact Assessment

- 6.4 There is at present no definite programme for the Hiram's Highway Improvement Stage 2 (from Marina Cove to Sai Kung Town). It would therefore be prudent to assume that the Hiram's Highway upgrading works would not be completed before 2014. Thus a Traffic Impacts Assessment (TIA) is required for any population in-take before and during the construction stage of the Hiram's Highway widening project, in particular on the interim traffic arrangements and provision of pedestrian walkways connecting with adjacent developments.

### 7. Environmental Requirements

#### Environmental Impacts

- 7.1 Upon completion of the re-aligned TMT Road, residential development at the Site would be subject to noise and air quality impacts arising from the vehicular traffic. The building blocks should be carefully designed to protect the sensitive receivers. To address the potential environmental/sewerage/drainage impacts on the development, an Environmental Assessment (EA) and Sewerage/Drainage Impact Assessments (SIA and DIA) should be prepared, with proposed mitigation measures, including any set back requirements, incorporated as part of the MLP submission.
- 7.2 If car parking spaces and loading/unloading bays are located in semi-confined/confined area, adequate ventilation should be provided such that Environmental Protection Department's recommended air quality guidelines are met. If mechanical ventilation is required, the ventilation exhaust should be designed to avoid causing air and noise nuisance to the surroundings environment.
- 7.3 The applicant shall also assess emission/pollutants dispersion in the area, including identifying whether there are any chimneys within 500m from the Site and carry out detailed chimney emission impact assessments, to demonstrate the acceptability of air quality impact at the proposed development.

#### Air Ventilation

- 7.4 Breezeway(s) should be provided to enhance air ventilation and improve micro-climate within and around the Site. Proposed breezeway(s) should be aligned taking into account different

prevailing wind directions, and as far as possible, to preserve and funnel other natural air flows including sea and land breezes, to the Site. The NEA could serve as a broad breeze-way with generous landscaping.

- 7.5 To aid planning and design for better air ventilation through the Site, a Air Ventilation Assessment (AVA) should be submitted together with the MLP to ensure that air ventilation of the Site and its surroundings would not be adversely affected by the proposed development.

#### Preservation of Archaeological Heritage

- 7.6 In view of the existence of antiquities attributed to Neolithic Period and Bronze Period within the Site, which are worthy of in-situ preservation, a NEA has been designated (Plan 8). While the boundary shown on the plan is indicative only, AMO should be consulted on the exact boundary of the NEA during the detailed planning of the site.
- 7.7 To preserve the antiquities in-situ, no building works including site formation works and excavation in any form should be carried out in the NEA except with the prior written consent from AMO.
- 7.8 The developer should integrate the NEA into the design of the development scheme. In so doing, an engineering proposal prepared by a team of experts in engineering, conservation and archaeology regarding the preservation and maintenance of the NEA should be submitted to the satisfaction of AMO. The engineering proposal should cover, amongst other things, an access allowing future rescue excavation, if required by the Government. In this connection, the developer should note that the NEA should be properly maintained and managed; and AMO, LCSD or its agents/contractors shall have the right-of-access to enter the NEA to conduct site inspection and excavation as when necessary.
- 7.9 Notwithstanding, in the event that the engineering proposal is considered unacceptable by the Government and in-situ preservation of the NEA is proven impracticable, mitigation measures should be proposed and implemented by the developer at his own cost, and prior agreement should be obtained from AMO.
- 7.10 Measures to preserve the antiquities by record (i.e. rescue excavation) should only be considered as the last resort; and should be conducted by a qualified archaeologist who shall obtain a licence to search for antiquities under the Antiquities and Monuments Ordinance (Cap. 53). In case the antiquities

discovered by rescue excavation are worthy of in-situ preservation, consideration will be given to declare them as monument under the Antiquities and Monuments Ordinance.

#### Utilities and Services

- 7.11 New utility system and any diversions of or new connections to an existing system should be agreed with the relevant Government departments and in consultation with the concerned public utility organizations.
- 7.12 Any new drains and sewers from the Site should be connected to Government storm-water drains and sewers at the developer's costs and to a standard to the satisfaction of the Director of Drainage Services.

#### Refuse Collection

- 7.13 Facilities for a comprehensive refuse collection system should be provided and maintained within the Site to the satisfaction of the Director of Food and Environmental Hygiene. Sufficient refuse collection facilities should be provided as part of the proposed comprehensive development. Vehicular access to refuse storage chamber will be required with adequate ingress and egress for refuse collection vehicle(s) customarily used by the collection authority to facilitate refuse collection to be carried out within the development to minimize environmental nuisance.

### 8. Implementation

An implementation programme together with a phasing plan is required to indicate the timing for the construction of the proposed residential development, the open space and landscape treatment, vehicle parking and loading/unloading area, other transport/pedestrian facilities, associated facilities and other necessary infrastructures.

### 9. Master Layout Plan Submission

- 9.1 A MLP should be prepared in accordance with the "Town Planning Board Guidelines for Submission of Master Layout Plan under Section 4A(2) of the Town Planning Ordinance" and submitted to the Board for approval under the Ordinance.
- 9.2 The MLP should contain all the information as required under the Notes for the "CDA(1)" zone of the OZP, including also VIA, tree preservation proposal and LMP, TIA, AVA, EA, SIA, DIA, engineering proposals regarding the NEA and other impact

assessments and to demonstrate clearly how the requirements stated in this PB will be complied with.

- 9.3 The MLP should be supported by an explanatory statement containing an adequate explanation of the development proposal, including such basic information as land tenure, relevant lease/land allocation conditions, existing condition of the Site, the character of the Site in relation to the surroundings areas, principles of layout design, major development parameters, visual, landscape and air ventilation considerations, recreational and open space facilities.
- 9.4 A copy of the MLP, if approved by the Board, shall be deposited in the Land Registry and shall be available for free public inspection in accordance with section 4A(3) of the Ordinance.

10. Attachments

Annex	Schedule of Open Space, Parking and Loading/unloading Requirements
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Plan 1-8	Plans
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PLANNING DEPARTMENT  
DECEMBER 2007

Schedule of Open Space and Parking Requirements

Development Site Area: 5.93 ha

Domestic GFA: 88,893 m<sup>2</sup>

Design Population: 2,657

Facilities	HKPSG Requirements	Requirements on site	Remarks
<u>1. Open space &amp; Recreation facilities</u>			
(a) Local open space	10ha per 100,000 persons	2,657 m <sup>2</sup> or the actual provision based on the actual flat size and total no. of flats proposed by the developer	Minimum provision
<u>2. Parking &amp; Loading/unloading facilities</u>			
(a) public car parking	-	-	Subject to C for T's agreement
(b) car parking for the development			
* residents	{refers to Table 1}	{refers to Table 1}	Subject to C for T's agreement
* visitors	5 spaces per block	5 times the no. of blocks	Subject to C for T's agreement
* retail	1 space per 200-300m <sup>2</sup>	1-2 spaces + 5% of total provision for private cars	Additional parking spaces of 5% of the total provision should be provided for small/medium goods vehicles
* disabled persons	N.A.	-	1 designated space per every 200 ordinary car parking spaces or part thereof over 100 spaces in the residential component
* motorcycle parking spaces	5-10% of the total provision for private cars	-	10% of the total provision for private cars in the residential development
* bicycle parking	N.A.	-	Subject to C for T's agreement

(c) Loading/unloading bays/laybys for the development * residential	1 bay for every 800 flats or part thereof, subject to a minimum of 1 bay for each housing block	To accord with total no. of flats/blocks	Subject to C for T's agreement
	* retail 1 bay for every 800m <sup>2</sup> to 1,200m <sup>2</sup> or part thereof of GFA	-	Subject to C for T's agreement
(d) lay-by for buses/coaches	-	2 (each of minimum 25m in length, to be provided one at Tai Mong Tsai Road and one at Mei Yuen Street)	The site boundary would be locally setback to provide rooms for the two lay-bys and footpaths along Tai Mong Tsai Road and Mei Yuen Street. The provisions of the lay-bys would be implemented by the applicant and handed over to the Government upon completion.

Table 1 Parking Standards for Residential Developments

Global Parking Standards (GPS)			1 car space per 6-9 flats
Demand Adjustment Ratio (R1)	Average Flat Size (GFA)	< 40m <sup>2</sup>	0.6
		40 – 69.9m <sup>2</sup>	1
		70 – 99.9m <sup>2</sup>	2.5
		100-159.9m <sup>2</sup>	5
		> 160m <sup>2</sup>	9
Accessibility	Within a 500m-radius of rail station <sup>(see Note (2))</sup>		0.85
Adjustment Ratio (R2)	Outside a 500m-radius of rail station <sup>(see Note (2))</sup>		1
Parking requirement = GPS x R1 x R2			

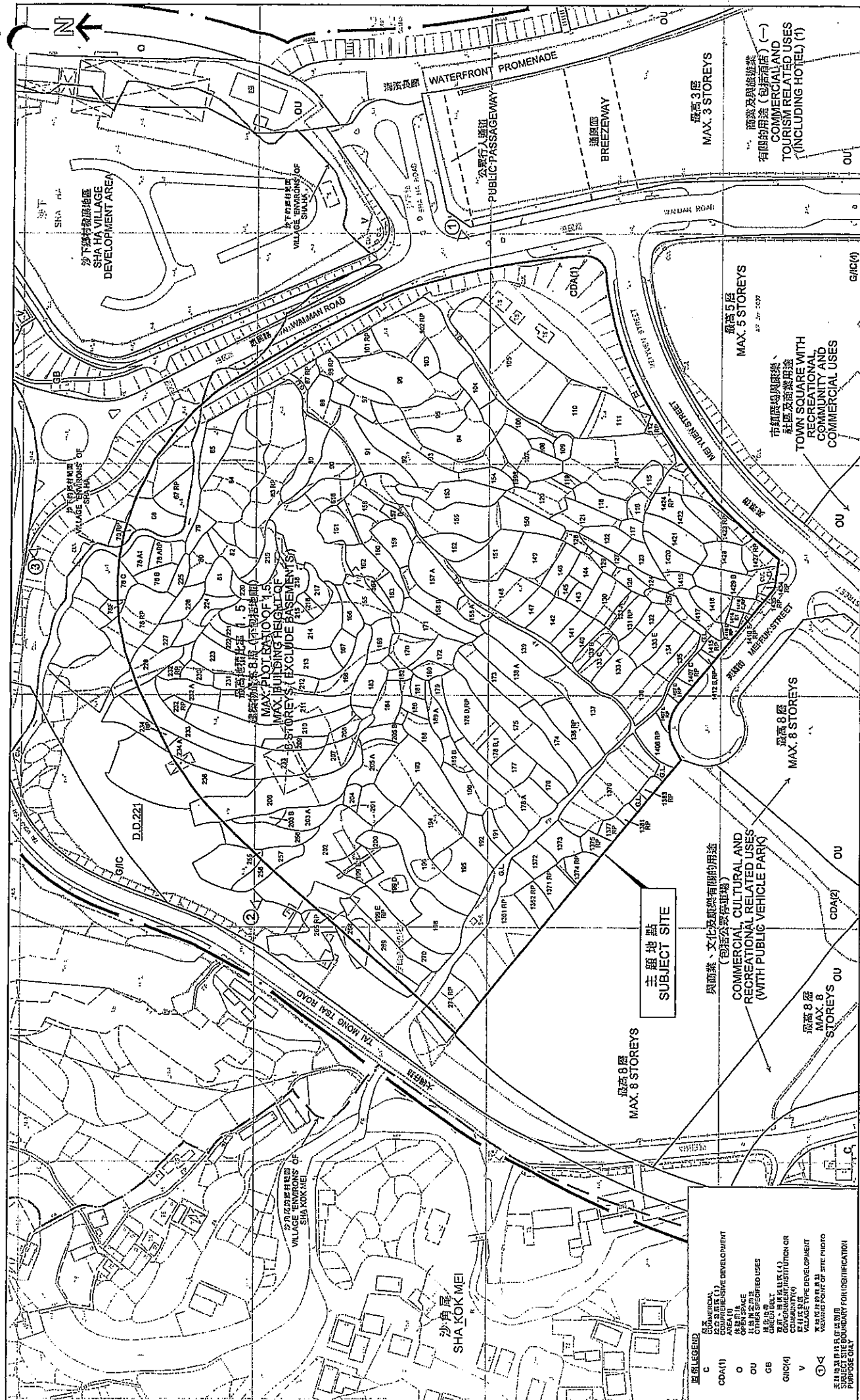
Note:

1. Within the limits of the Global Parking Standards, Transport Department will establish district-based parking standards for each district according to the prevailing demands/supply conditions in respective districts. The district-based parking standards are subject to periodical review.

2. A 15% discount should be applied to the provision of residential car parking spaces where over 50% of the site area of the development fall within a 500m radius of rail stations. The 500m-radius catchment area of a rail station should be drawn from the center of the station disregard of topographic undulation.
3. The average flat size of a development shall be calculated by dividing the total domestic gross floor area by the total number of the development.
4. The standard for the developments of an average flats size greater than  $159.9\text{m}^2$  is a minimum requirement. Request for provision beyond the standard will be considered by Transport Department on a case-by-case basis.
5. Visitor car parking for private residential developments with more than 75 units per block should include 5 visitor spaces per block in addition to the recommendations, or as determined by the Authority. For other private residential developments, the visitor car parking provision will be advised by Transport Department on a case-by-case basis.







土地類別圖 LAND STATUS PLAN

在西貢市北的 "綜合發展區(1)"  
"COMPREHENSIVE DEVELOPMENT AREA (1)"  
SITE IN SAI KUNG TOWN NORTH

規劃署  
PLANNING  
DEPARTMENT

M/SK-07/28

北 東  
SCALE 1:1500 比例尺  
SITE IN SAI KUNG TOWN NORTH

本摘要圖於2007年11月29日製備，所根據的資料為測量圖編號 8-SW-6D和11B  
EXTRACT PLAN PREPARED ON 29.11.2007 BASED ON S  
SHEETS No. 8-SW-6D AND 11B



主題地點  
SUBJECT SITE

主題地點界線只作識別用  
SUBJECT SITE BOUNDARY  
FOR IDENTIFICATION PURPOSE ONLY

本摘要圖於2007年11月29日擬備，所根據  
的資料為地政總署於2007年1月6日拍得  
的航攝照片編號CS05612

EXTRACT PLAN PREPARED ON 29.11.2007  
BASED ON AERIAL PHOTO No.  
CS05612 TAKEN ON 6.1.2007  
BY LANDS DEPARTMENT

航攝照片 AERIAL PHOTO

在西貢市北的 "綜合發展區(1)"  
"COMPREHENSIVE DEVELOPMENT AREA (1)"  
SITE IN SAI KUNG TOWN NORTH

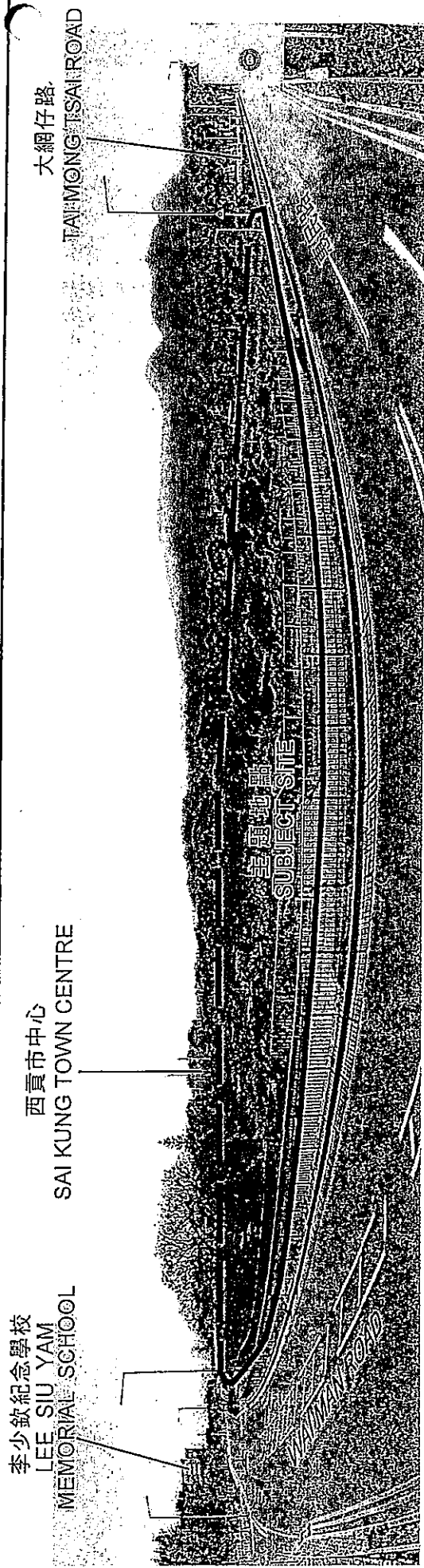
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PLANNING  
DEPARTMENT



M/SK-07/28

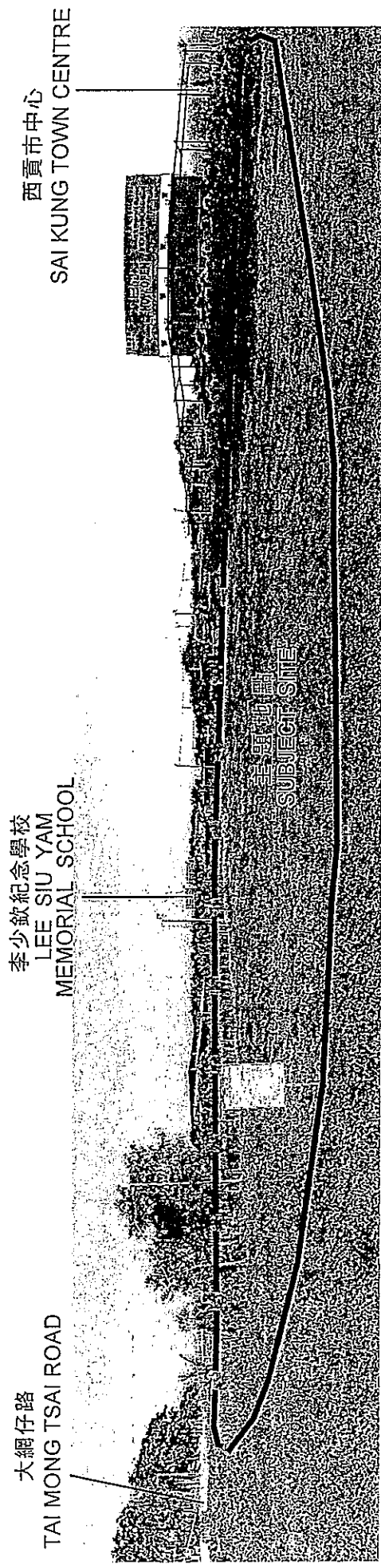
圖 PLAN  
3

①



由東面拍攝 VIEWED FROM EAST

②



由西面拍攝 VIEWED FROM WEST

實地照片 SITE PHOTO

在西貢市北的 "綜合發展區(1)"  
"COMPREHENSIVE DEVELOPMENT AREA (1)"  
SITE IN SAI KUNG TOWN NORTH

本圖於2007年11月29日擬備，所根據的資料為  
攝於2007年1月29日的實地照片  
PLAN PREPARED ON 29.11.2007  
BASED ON SITE PHOTO TAKEN ON 29.1.2007

規劃署  
PLANNING  
DEPARTMENT

M/SK-07/28

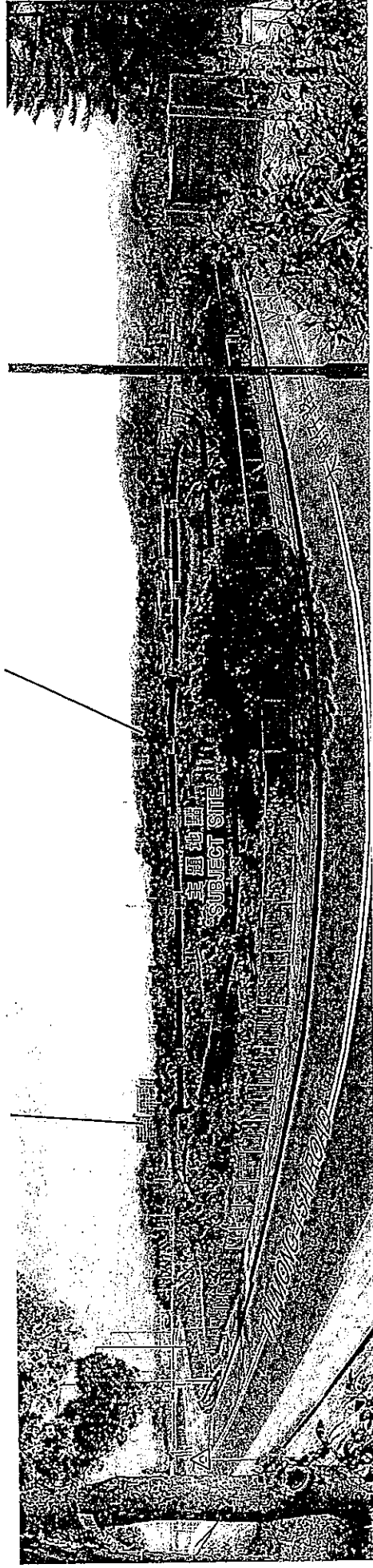
圖 PLAN  
4



3

李少欽紀念學校  
LEE SIU YAM  
MEMORIAL SCHOOL

西貢市中心  
SAI KUNG TOWN CENTRE



由北面拍攝 VIEWED FROM NORTH

實地照片 SITE PHOTO

在西貢市北的 "綜合發展區(1)"  
"COMPREHENSIVE DEVELOPMENT AREA (1)"  
SITE IN SAI KUNG TOWN NORTH

規劃署

PLANNING  
DEPARTMENT

M/SK-07/28



本圖於2007年11月29日擬備，所根據的資料為  
攝於2007年1月29日的實地照片  
PLAN PREPARED ON 29.11.2007  
BASED ON SITE PHOTO TAKEN ON 29.1.2007





主 題 地 點  
SUBJECT SITE

- 圖例 LEGEND**
- 應保留的樹木  
GROUP OF TREES TO BE RETAINED
  - 應予保留的樹木  
GROUP OF TREES TO BE RETAINED AS FAR AS PRACTICAL
  - 應予保留的樹木  
INDIVIDUAL TREES WORTHY OF RETENTION

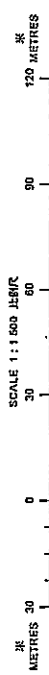
建議保留的現有樹木  
EXISTING TREES TO BE PRESERVED

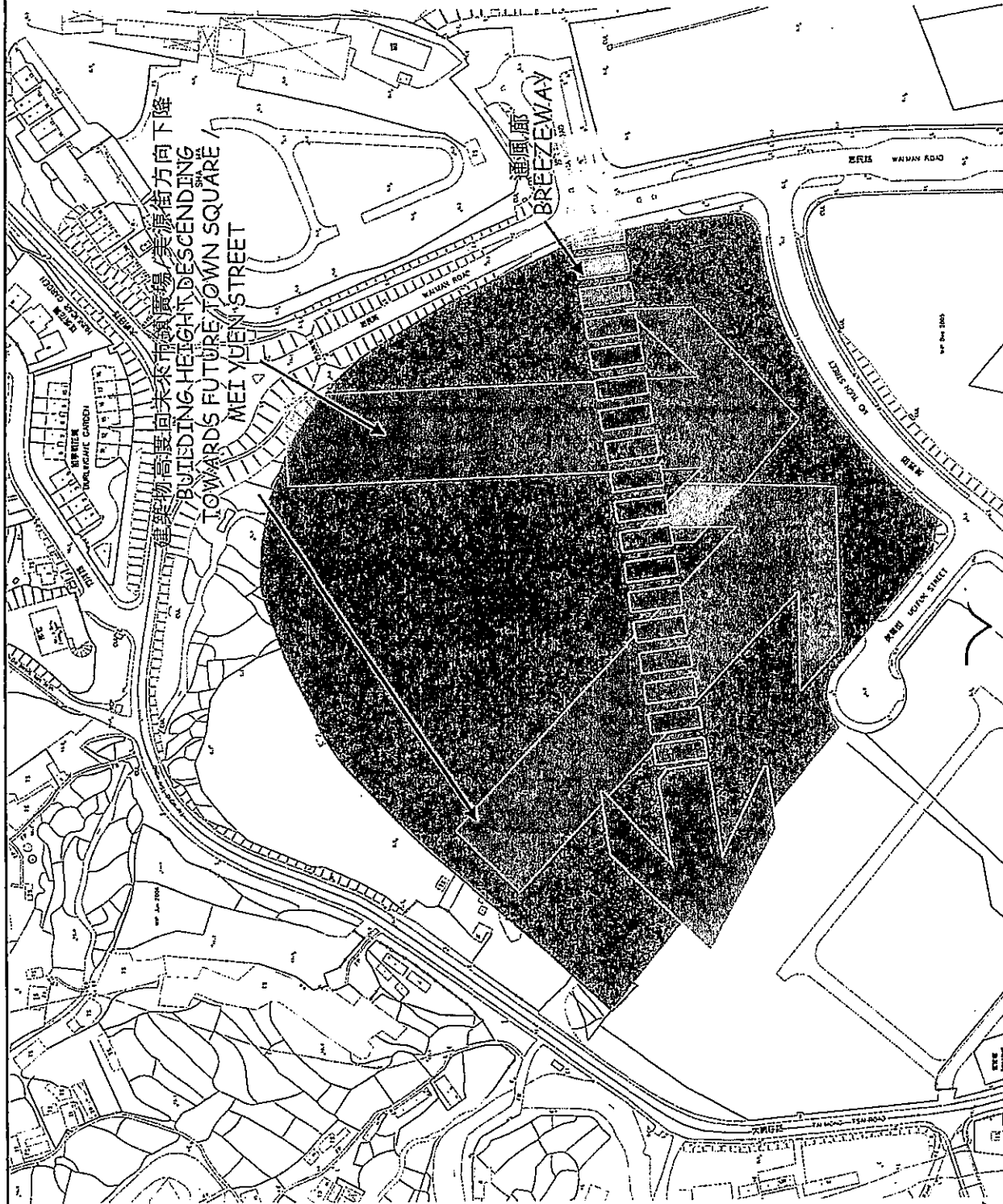
規 劃 署  
PLANNING  
DEPARTMENT

M/SK-07/28

圖 PLAN  
6

本圖係根據2007年11月29日或前，  
所提交的資料為調查樹木  
8-SW-6D、7C、11B和12A  
EXTRACT PLAN PREPARED ON 28.11.2007  
BASED ON SURVEY SHEETS NO.  
8-SW-6D, 7C, 11B & 12A





只作參考用途

FOR REFERENCE ONLY

# 城市設計概念 URBAN DESIGN CONCEPT

本圖於2007年11月29日製備  
PLAN PREPARED ON 29.11.2007

在西貢市北的 "綜合發展區 (1)"  
"COMPREHENSIVE DEVELOPMENT AREA (1)"  
SITE IN SAI KUNG TOWN NORTH

規劃署  
PLANNING  
DEPARTMENT



M/SK-07/28

圖 PLAN



**Appendix IIa of RNTPC**  
**Paper No. A/SK-SKT/21**

**Comparison table of the requirements of the PB and the current submission**

	Requirements of the PB	Current submission
<b><i>Development Parameters</i></b>		
(a) Development Intensity	<ul style="list-style-type: none"> <li>- Maximum PR of 1.5</li> <li>- Maximum BH of 8 storeys (excluding basements)</li> </ul>	<ul style="list-style-type: none"> <li>- PR of 1.467</li> <li>- 14 blocks of 6-8 storeys</li> <li>- 72 villas of 3 storeys</li> </ul>
(b) Population	<ul style="list-style-type: none"> <li>- Based on an average flat size of 90m<sup>2</sup> and person-per-flat of 2.69, the population at the Site upon development is estimated to be about 2,657. The actual population will depend on the actual flat size and number of flats to be developed</li> </ul>	<ul style="list-style-type: none"> <li>- Based on an average flat size of about 113m<sup>2</sup> and person-per-flat of 2.69, the estimated population for the proposed development is about 2,074</li> </ul>
(c) Retail Facilities	<ul style="list-style-type: none"> <li>- As retail and commercial facilities are planned to be provided at nearby sites to the west, no retail GFA is proposed for the Site</li> </ul>	<ul style="list-style-type: none"> <li>- No retail GFA is proposed for the Site</li> </ul>
(d) GIC Facilities	<ul style="list-style-type: none"> <li>- Since GIC facilities have been planned in the neighbouring areas, they would not be required to be provided within the Site</li> </ul>	<ul style="list-style-type: none"> <li>- No GIC facilities is proposed within the Site</li> </ul>
(e) Open Space	<ul style="list-style-type: none"> <li>- 2,657m<sup>2</sup> for estimated 2,657 persons (or 1m<sup>2</sup> per person)</li> </ul>	<ul style="list-style-type: none"> <li>- Based on the estimated population of 2,074, not less than 2,074m<sup>2</sup> of local open space will be provided (1m<sup>2</sup> per person)</li> </ul>
(f) Implementation	<ul style="list-style-type: none"> <li>- Implementation programme together with a phasing plan to indicate the timing of construction</li> </ul>	<ul style="list-style-type: none"> <li>- Implementation and phasing plan submitted with proposed population intake of phase 1 in 2025 but no clear timeframe for other phases</li> </ul>
<b><i>Design Requirements</i></b>		
(g) Urban Design	<ul style="list-style-type: none"> <li>- View corridor(s) and gaps between building blocks to enhance visual permeability to the waterfront and future town square</li> </ul>	<ul style="list-style-type: none"> <li>- Three visual corridors of 7.5m, 10m and 15m wide are proposed</li> </ul>
	<ul style="list-style-type: none"> <li>- Breezeway (<b>Plan 7</b> of PB at <b>Appendix II</b>)</li> </ul>	<ul style="list-style-type: none"> <li>- A 15m-wide breezeway is proposed along the centre of the</li> </ul>



	Requirements of the PB	Current submission
		Site
	- Stepped height building profile descending from north towards future town square/Mei Yuen Street in the south ( <b>Plan 7</b> of PB at <b>Appendix II</b> )	- Stepped building profile descending from residential towers to the north, with a maximum building height of 6-8 storeys, to 3 storeys in the south, towards Mei Yuen Street and the proposed town square
	- No podium structure should be erected	- No podium structure is proposed
	- The boundary treatment of the Site along Mei Yuen Street should be conducive to the pedestrian environment - Consideration should be given to provide open fence, rather than boundary wall, along the common boundary of the CDA sites. Should any boundary wall be provided, its height should be kept to be minimum and should be constructed with transparent materials	- Boundary treatment at the corners of Mei Yuen Street and Mei Fuk Street would be constructed by transparent materials
	- Avenue planting should be provided along the pedestrian walkways to give shade and pleasant micro-climate to the pedestrian	- A combination of specimen trees and shrub planting will be provided along the pedestrian walkway
	- An urban design proposal should be provided to explain the development concept giving in due regard to the Urban Design Guidelines of the Hong Kong Planning Standards and Guidelines (HKPSGs)	- Submitted with an urban design proposal
	- Visual Impact Assessment (VIA) with adequate graphical presentations is required	- Submitted the VIA, the overall visual impact of the proposed development upon mitigation is considered slightly to moderately adverse
(h) Landscape	- Landscape Master Plan (LMP) is required to illustrate detail landscaping proposals	- Submitted with tree protection measures and tree planting proposal
	- Tree Preservation Proposal to preserve existing trees in	- Submitted with proposed 33 trees (14.5%) to be retained, 8

	Requirements of the PB	Current submission
	accordance with <b>Plan 6</b> of PB at <b>Appendix II</b>	(3.5%) trees to be transplanted and remaining 186 trees (81.9%) to be felled
	- 15m Green Buffer Zone (GBZ) for woodland planting around entire site boundary	- 15m-wide GBZ for woodland planting along the entire site boundary is proposed with part of it comprise lots not owned by the applicant
	- Building blocks should be planned around open space and amenity areas. Open spaces and landscape areas should be provided at grade as far as possible and linked up by comprehensive walkways with landscape treatments	- Open space and amenity areas are provided throughout the proposed development and designed in the form of central open space supplemented by courtyard gardens and pocket open space/multi-purpose lawn. They are designed to be interconnected and are situated at grade for enjoyment
<b>Transport Requirements</b>		
(i) Vehicular Ingress/Egress	<ul style="list-style-type: none"> <li>- Whilst vehicular access should be prohibited from the future re-aligned Tai Mong Tsai Road, two vehicular ingress/egress points would be allowed at Mei Fuk Street and Wai Man Road</li> <li>- The two ingress/egress points should be connected internally within the Site</li> </ul>	- Provided
(j) Pedestrian Circulation	- Two pedestrian access points at Mei Fuk Street and Wai Man Road adjacent to the existing subway respectively	- Provided
	- Provision of a 6m wide public pedestrian walkway to connect the realigned Tai Mong Tsai Road and Mei Fuk Street directly and should not encroach upon the GBZ within the Site	- Provision of 6m wide public pedestrian walkway to connect TMT Road and Mei Fuk Street with part of it comprise lots not owned by the applicant
(k) Parking and Loading/Unloading	- Proposed parking provisions in accordance with the prevailing HKPSG	<ul style="list-style-type: none"> <li>- Proposed parking provisions in accordance with the prevailing HKPSG and acceptable by C for T</li> <li>- An additional 50 public car parking spaces are provided at the proposed development as</li> </ul>

	Requirements of the PB	Current submission
		per the request from C for T
	<ul style="list-style-type: none"> <li>- Two lay-bys, each at minimum 25m in length should be provided at the realigned Tai Mong Tsai Road and Mei Yuen Street</li> </ul>	<ul style="list-style-type: none"> <li>- Provided</li> </ul>
(l) Traffic Impact Assessment (TIA)	<ul style="list-style-type: none"> <li>- TIA is required for any population in-take before and during the construction stage of Hiram's Highway widening project, in particular on the interim traffic arrangements and provision of pedestrian walkways connecting with adjacent developments</li> </ul>	<ul style="list-style-type: none"> <li>- C for T comments that if the Hiram's Highway Stage 2 project is not taken forward, the fundamental infrastructure assumption and findings of the TIA Report would become invalid. In this connection, there is insufficient information in the submission to demonstrate that the proposed development would not generate adverse traffic impact to the area</li> </ul>
<b>Environmental Requirements</b>		
(m) Environment Impacts	<ul style="list-style-type: none"> <li>- Environmental Assessment (EA) should be prepared with proposed mitigation measures</li> <li>- If car-parking spaces and loading/unloading bays are located in semi-confined/confined area, adequate ventilation should be provided. If mechanical ventilation is required, the ventilation exhaust should be designed to avoid causing air and noise nuisance to the surrounding environment</li> <li>- Chimney Emission Impact Assessment to demonstrate acceptability of air quality at the proposed development</li> <li>- Sewerage Impact Assessment (SIA) / Drainage Impact Assessment (DIA) are required</li> </ul>	<ul style="list-style-type: none"> <li>- DEP has no comment on the EA submitted</li> <li>- DEP and CE/MN, DSD have no comment on the submitted SIA</li> </ul>
(n) Air Ventilation	<ul style="list-style-type: none"> <li>- Air Ventilation Assessment (AVA) is required to ensure that air ventilation of the Site and its surroundings would not be adversely affected by the proposed development</li> </ul>	<ul style="list-style-type: none"> <li>- CTP/UD&amp;L considers that the proposed scheme would not result in significant adverse air ventilation impact when compared with the baseline scheme</li> </ul>

	Requirements of the PB	Current submission
	<ul style="list-style-type: none"> <li>- Breezeways(s) should be provided and aligned taking into account different prevailing wind direction, and as far as possible. The Non-excavation Area (NEA) could serve as a broad breezeway with generous landscape</li> </ul>	<ul style="list-style-type: none"> <li>- A 15m-wide breezeway aligning with Sha Ha Road and linking up the proposed breezeway of adjacent "CDA" site will be provided</li> </ul>
(o) Preservation of Archaeological Heritage	<ul style="list-style-type: none"> <li>- NEA for in-situ preservation underground archaeological heritage</li> </ul>	<ul style="list-style-type: none"> <li>- AMO, DEVB commented that the proposed development in NEA is not in line with the Planning Brief and the preservation requirement for the NEA</li> </ul>
(p) Utilities and Services	<ul style="list-style-type: none"> <li>- New utility system and any diversions of or new connection to and existing system should be agreed with relevant government departments and in consultation with the concerned public utility organisations</li> <li>- Any new drains and sewers from the Site should be connected to government storm-water drains and sewers at the developer's cost</li> </ul>	<ul style="list-style-type: none"> <li>- Fulfilled</li> </ul>
(q) Refuse Collection	<ul style="list-style-type: none"> <li>- Facilities for a comprehensive refuse collection system should be provided and maintained at the Site</li> <li>- Vehicular access to refuse storage chamber will be required with adequate ingress and egress for refuse collection vehicle(s) customarily used by the collection authority to facilitate refuse collection to be carried out within the development to minimize environmental nuisance</li> </ul>	<ul style="list-style-type: none"> <li>- Fulfilled</li> </ul>

TPB PG-NO. 17A

**TOWN PLANNING BOARD GUIDELINES FOR  
DESIGNATION OF “COMPREHENSIVE DEVELOPMENT AREA” (“CDA”) ZONES  
AND MONITORING THE PROGRESS OF “CDA” DEVELOPMENTS**

(Important Note :

The Guidelines are intended for general reference only.

Any enquiry on this pamphlet should be directed to the Secretariat of the Town Planning Board (15th Floor, North Point Government Offices (NPGO), 333 Java Road, North Point, Hong Kong – Tel. No. 2231 4810 or 2231 4835) or the Planning Enquiry Counters of the Planning Department (Hotline : 2231 5000) (17th Floor, NPGO and 14th Floor, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin).

The Guidelines are subject to revision without prior notice.)

**1. Introduction**

- 1.1 The “Comprehensive Development Area” (“CDA”) zoning (or the previous “Other Specified Uses” annotated “Comprehensive Development/Redevelopment Area” zoning) was first introduced in Outline Zoning Plans (OZPs) in 1976 with the key objective to facilitate urban restructuring and to phase out incompatible development and non-conforming uses. The Town Planning Board (the Board) is empowered to designate an area as “CDA” under section 4(1)(f) of the Town Planning Ordinance (the Ordinance).
- 1.2 In general, “CDAs” are designated in the interest of the wider public although individual property owner’s right would be taken into consideration. They are designated after careful consideration of such factors as the planning intention for the area, land status, ownership and other development constraints, including the likely prospect for implementation. They will only be designated where there are no better alternative zoning mechanisms to achieve the desired planning objectives specified in Section 3.1 below.
- 1.3 To avoid planning blight caused by the withholding of piecemeal individual developments within a “CDA” zone, the Board recognizes that there is a need for close monitoring of the progress of “CDA” development. A proactive approach

is taken to facilitate development and to keep track on the progress of implementation of “CDA” sites.

## **2. Scope and Application**

This set of Guidelines is adopted as reference for the designation of “CDAs” on statutory plans, as initiated by the Government, quasi-Government bodies as well as private development agencies, and for the subsequent monitoring of the progress of “CDA” developments.

## **3. Planning Intention**

3.1 “CDAs” are intended to achieve such objectives as to :

- a. facilitate urban renewal and restructuring of land uses in the old urban areas;
- b. provide incentives for the restructuring of obsolete areas, including old industrial areas, and the phasing out of non-conforming uses, such as open storage and container back-up uses in the rural areas;
- c. provide opportunities for site amalgamation and restructuring of road patterns and ensure integration of various land-uses and infrastructure development, thereby optimizing the development potential of the site;
- d. provide a means for achieving co-ordinated development in areas subject to traffic, environmental and infrastructure capacity constraints, and in areas with interface problems of incompatible land-uses;
- e. ensure adequate as well as timely provision of Government, institution or community (GIC), transport and public transport facilities and open space for the development and where possible, to address the shortfall in the district; and
- f. ensure appropriate control on the overall scale and design of development in areas of high landscape and amenity values and in locations with special design or historical significance.

#### Land Status/Ownership/Tenure

- 3.2 Unallocated Government sites subject to modern land grant conditions, including those intended for public housing development to be implemented by the Housing Authority, would only be designated as "CDA" in special circumstances, where control on the design and layout of development is necessary because of special site constraints or the special character of the area.
- 3.3 Sites covered by an Urban Renewal Authority (URA) Development Scheme or an urban improvement scheme of the Hong Kong Housing Society (HKHS) are normally designated "CDAs" to, inter alia, prevent piecemeal development/redevelopment which would pre-empt optimum comprehensive redevelopment and urban restructuring.
- 3.4 Since fragmented land ownership will affect the prospect of implementation of "CDAs", CDA sites involving private land, other than those of URA or HKHS, are normally expected to have a major portion of the private land under single ownership at the time of designation but each site will be considered on its individual merits. Since the designation may affect third party development/redevelopment right, the proponent would be required to indicate the land under his ownership and that he has plans to acquire the remaining portion for comprehensive development.
- 3.5 In the designation of "CDA" zoning land ownership should only be one of the considerations weighed against many other factors, such as, the need to facilitate urban renewal and restructuring of land uses in the old urban areas and to provide incentives for phasing out of incompatible and non-conforming uses. Particularly, in the case of the URA development schemes and the urban improvement schemes of HKHS, where the mechanisms for land acquisition are available, land ownership will not be an overriding factor.

#### Prospect for Implementation

- 3.6 There should be an indication on the likely prospect for implementation before a site is designated as "CDA". Information on land status and provision of supporting infrastructure should be provided, and preliminary assessments should be carried out to demonstrate the technical feasibility of the proposed development. If the designation is proposed by a development agency, the likely development programme should be indicated in the proposal for consideration by the Board.

Size

- 3.7 Obviously, the larger the site, the better the opportunity for incorporating public facilities in the development, restructuring of land uses including changes to road patterns, and optimization of development potential. There is, however, no hard and fast rule to determine whether a site is sizable enough to warrant comprehensive development or redevelopment. Each site should be considered on its individual merits taking into account the planning intention for the area and the special characteristics of the site.

**4. Development Parameters**

- 4.1 In determining the boundary and development intensity of a "CDA" site, the existing land use pattern, the latest development requirements and the infrastructural capacity constraints in the area should be taken into account. Opportunities should be taken to incorporate, where appropriate, GIC facilities, open space, road widening, public transport and parking facilities and the provision of pedestrian linkages in the development.
- 4.2 Appropriate development mix and intensities would be specified in the Notes of the OZPs if the site is subject to various constraints, such as traffic and infrastructure capacities and environmental constraints. A Planning Brief would usually be prepared by the Planning Department to guide the development of the "CDA" site. Detailed planning requirements, including the provision of appropriate traffic and environmental mitigation measures, GIC, transport and public transport facilities and open space would be specified in the Planning Brief.

**5. Mechanism for Monitoring**

- 5.1 Frequent reviews of "CDA" zones would be required in order to achieve a close monitoring of the progress of development. The first review of each "CDA" site would be conducted at the end of the third year after its designation and subsequent reviews would be made on a biennial basis.

"CDA" with no Approved Master Layout Plan (MLP)/Implementation Agency

- 5.2 At the end of the third year after the designation, priority would be given to review those "CDA" sites with no approved MLP or for which no implementation agency can be identified. The following possible actions would be considered



by the Board after the review to respond to changing circumstances :

- a. to rezone to other uses the “CDA” sites which have significant implementation difficulties and slim chances of successful implementation;
- b. to revise the planning and development parameters of the “CDA” sites, where appropriate, to improve the incentives for redevelopment and hence the chance for implementation;
- c. to revise the zoning boundary in line with updated information on land status or ownership, or to subdivide the “CDA” into smaller “CDA” sites for development in phases to facilitate early implementation, where justified; and
- d. to revise and update the planning briefs for “CDA” sites to reflect the changing requirements and circumstances.

#### “CDA” with Approved MLP

5.3 In order to keep track on the progress of implementation, the following monitoring mechanism is adopted by the Board :

- a. should there be disagreements with the developer/agent on issues related to compliance with approval conditions, the relevant Government departments will be requested to report the issues to the Board; and
- b. a proforma would be issued to and completed by the developer/agent on a biennial basis to keep track on the progress of implementation.

#### Allowance for Phased Development

5.4 For “CDA” sites which are not under single ownership, if the developer can demonstrate with evidence that due effort has been made to acquire the remaining portion of the site for development but no agreement can be reached with the landowner(s), allowance for phased development could be considered. In deriving the phasing of the development, it should be demonstrated that :

- a. the planning intention of the “CDA” zone will not be undermined;
- b. the comprehensiveness of the proposed development will not be adversely affected as a result of the revised phasing;

- c. the resultant development should be self-contained in terms of layout design and provision of open space and appropriate GIC, transport and other infrastructure facilities; and
- d. the development potential of the unacquired lots within the "CDA" zone should not be absorbed in the early phases of the development, access to these lots should be retained, and the individual lot owners' landed interest should not be adversely affected.

## 6. Re-designating "CDA" Sites

- 6.1 In some cases, there may be merits to rezone "CDA" sites upon completion of development to other uses such as "Residential (Group A)" or "Commercial", to provide flexibility in subsequent modification of uses within the development without the need for submission of a revised MLP. Through regular review of "CDA" sites, the Board would, taking the specific circumstances pertaining to each "CDA" site into account, give consideration to the case of re-designating completed "CDA" developments to other land use zoning.
- 6.2 In general, the consideration for re-designation would include the following aspects :
  - a. the planning intention of maintaining comprehensive control on the overall development of the area should not be undermined. For instance, if a "CDA" site is subject to environmental constraints and the layout of the development has to allow for the provision of a buffer against the environmental nuisances, the removal of the buffer will not be desirable;
  - b. in the case of mixed developments especially for a variety of uses sharing a common podium, a re-designation of different parts of the "CDA" site to various discrete land-use zonings may only be possible provided that the planning intention of each zone could be clearly reflected; and
  - c. if part of the site is excluded from the development zone and rezoned to, say "Open Space" or "Government, Institution or Community", it should be ensured that the resultant development intensities of the site will not be higher than those permitted under the Notes of the OZP or in the Building

(Planning) Regulations.

- 6.3 In considering the re-designation of "CDA" sites, local views should also be taken into account in order to avoid, as far as possible, unnecessary misunderstanding of the planning intention.
- 6.4 For "CDA" sites which cannot be re-designated, other measures are available to streamline the procedures for modification of uses within the completed development. For instance, some minor amendments to the approved MLP submitted under section 16A(2) of the Ordinance can be considered by the Director of Planning, the Deputy Director of Planning and the Assistant Directors of Planning of the Planning Department under delegated authority of the Board on a fast-track basis. Reference should be made to the relevant Town Planning Board Guidelines.

**Town Planning Board**

**April 2016**

**Similar Application**

Application No.	Location	Zoning	Date of Consideration	Decision of the RNTPC	Approval Conditions
A/SK-SKT/8 Proposed Comprehensive Residential Development	Lot 1949 and Adjoining Government Land in D.D. 221, Sai Kung	"CDA(2)"	7.2.2014	Approved with conditions	(a) to (f)

**Approval Conditions:**

- (a) the submission and implementation of a revised Master Layout Plan to take into account conditions (b) to (e) below;
- (b) the submission and implementation of a revised Landscape Master Plan, including a tree preservation proposal;
- (c) the setting back of private gardens away from the Non-building Area;
- (d) the implementation of the mitigation measures identified in the Visual Impact Assessment;
- (e) the design and construction of the proposed vehicular access/internal driveway/pedestrian access to Tai Mong Tsai Road, and the provision of car parking and loading/unloading facilities; and
- (f) the provision of fire service installations and water supplies for fire fighting.

**Detailed Comments from Relevant Government Departments**

**1. Building Matters**

Comments of the Chief Building Surveyor/New Territories East 2 & Rail, Buildings Department (CBS/NTE2 & Rail, BD):

- (a) no in-principle objection under the Building Ordinances (BO) on the application;
- (b) it is noted that the proposed SC of not more than 55% may exceed the permissible SC under 1<sup>st</sup> Schedule of the Building (Planning) Regulations (B(P)R) subject to the site classification and the building height. As such, the applicants are reminded to strictly adhere to the SC's requirements under the BO;
- (c) emergency vehicular access (EVA) complying with B(P)R 41D shall be provided for all the buildings;
- (d) carparking spaces for persons with a disability should be provided in accordance with the Design Manual: Barrier Free Access 2008, Division 3, Para. 8 and 9;
- (e) PNAP APP-2, HKPSG and the advice of C for T will be referred to when determining exemption of GFA calculation for aboveground or underground carparking spaces;
- (f) attention is also drawn to the policy on GFA concessions under PNAP APP-151 in particular the 10% overall cap on GFA concessions and, where appropriate, the SBD requirements under PNAP APP-152;
- (g) according to the MLP (**Drawing A-3**), parts of the footprints of towers in 6-storey and 8-storey high fall within the NEA zone in which its technical assessment of the structural system had not been provided;
- (h) detailed comments will be given during general building plans submission stage; and
- (i) in accordance with the Government's committed policy to implement building design to foster a quality and sustainable built environment, the sustainable building design requirements (including building separation, building setback and greenery coverage) should be included, where possible, in the conditions in the s.16 planning approvals.

**2. Water Supply**

Comments of the Chief Engineer/Construction(2), Water Supplies Department (CE/Construction(2), WSD):

- (a) no objection to the application;
- (b) existing water mains are affected. The applicants are required to either divert or protect the water mains found on Site;

- (c) if diversion is required, existing water mains inside the Site are needed to be diverted outside the site boundary of the proposed development to lie in government land. A strip of land of minimum 1.5m in width should be provided for the diversion of existing water main(s). The cost of diversion of existing water main(s) upon request will have to be borne by the applicants; and the applicants shall submit all relevant proposal to WSD for consideration and agreement before the works commence;
- (d) if diversion is not required, the following conditions shall apply:
  - (i) existing water main(s) are affected and no development which requires resiting of water main(s) will be allowed;
  - (ii) details of site formation works shall be submitted to Director of Water Supplies (DWS) for approval prior to commencement of works;
  - (iii) no structures shall be built or materials stored within 1.5 meters from the centre line(s) of water main(s). Free access shall be made available at all times for staff of DWS or their contractor to carry out construction, inspection, operation, maintenance and repair works;
  - (iv) no trees or shrubs with penetrating roots may be planted within the Water Reserve or in the vicinity of the water main(s). No change or existing site condition may be undertaken within the aforesaid area without the prior agreement of the DWS. Rigid root barriers may be required if the clear distance between the proposed tree and the pipe is 2.5m or less, and the barrier must extend below the invert level of the pipe;
  - (v) no planting or obstruction of any kind except turfing shall be permitted within the spec of 1.5m around the cover of any valve or within a distance of 1m from any hydrant outlet;
  - (vi) tree planting may be prohibited in the event that the DWS considers that there is any likelihood of damage being caused to water main(s); and
- (e) for provision of water supply to the development, the applicants may need to extend his/her inside services to the nearest suitable government water mains for connection. The applicants shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards.

### **3. Gas and Electrical Safety**

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

- (a) there is a high pressure underground town gas transmission pipeline (running along Mei Yuen Street and Wai Man Road) in the vicinity of the Site. It is anticipated that the Site will result in a significant increase in population in the vicinity of the above gas installation. A risk assessment would be required from the project proponent of the Site to assess the potential risks associated with the gas installation, having considered the proposed development at the Site;

- (b) the project proponent/consultant/work contractor shall liaise with the Hong Kong and China Gas Company Limited in respect of the exact locations of existing and planned gas pipes/gas installations in the vicinity of the Site and any required minimum set back distance away from them during the design and construction stages of development; and
- (c) the project proponent/consultant/works contractor is required to observe the Electrical and Mechanical Services Department's requirements on the "Avoidance of Damage to Gas Pipes 2<sup>nd</sup> Edition" for reference.

**Advisory Clauses**

- (a) to note the comments of the District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD) that if the planning application is approved by the Board, the lot owners will need to apply to DLO/SK for a land exchange to effect the proposed comprehensive development. However, there is no guarantee that such land exchange application, with or without government land, would be approved by the Government. Such application, if eventually approved, would be subject to such terms and conditions including payment of a premium and an administration fee, as the Government considers appropriate;
- (b) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that:
  - (i) the applicant should explore further measures in enhancing visual permeability to the town square and the waterfront;
  - (ii) the alignment of the proposed 6m wide pedestrian walkway connecting Tai Mong Tsai Road and Mei Fyk Street seems to have too many twists and turns, which is not pedestrian friendly and it also leads to unnecessary removal of trees due to excessive walkway provision. The abutting boundary treatment along this meandering pedestrian walkway should also be demonstrated;
  - (iii) the proposed communal open space is separated by a vehicular road, and the pedestrian connection among the fragmented open space should be indicated. Apparently a loading/unloading space blocking the connection between the open spaces should be reviewed;
  - (iv) only area where its primary function is for public enjoyment is accountable as open space. Circulation space between T4 and T1 should not be accountable as open space for active or passive recreation; and
  - (v) the applicants are reminded to approach relevant authority/government department(s) direct to obtain the necessary approval on tree works such as felling, transplanting or pruning under lease.
- (c) to note the following comments of the Chief Building Surveyor/New Territories East 2 & Rail, Buildings Department (CBS/NTE2 & Rail, BD):
  - (i) it is noted that the proposed SC of not more than 55% may exceed the permissible SC under 1<sup>st</sup> Schedule of the Building (Planning) Regulations (B(P)R) subject to the site classification and the building height. As such, the applicants are reminded to strictly adhere to the SC's requirements under the BO;
  - (ii) emergency vehicular access (EVA) complying with B(P)R 41D shall be provided for all the buildings;
  - (iii) carparking spaces for persons with a disability should be provided in accordance with

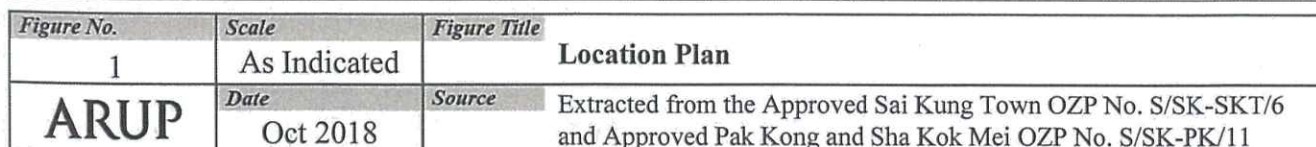


the Design Manual: Barrier Free Access 2008, Division 3, Para. 8 and 9;

- (iv) PNAP APP-2, HKPSG and the advice of C for T will be referred to when determining exemption of GFA calculation for aboveground or underground carparking spaces;
- (v) attention is also drawn to the policy on GFA concessions under PNAP APP-151 in particular the 10% overall cap on GFA concessions and, where appropriate, the SBD requirements under PNAP APP-152;
- (vi) detailed comments will be given during general building plans submission stage;
- (d) to note the comments of the Director of Fire Services (D of FS) that EVA shall comply with Section 6, Part D of the 'Code of Practice for Fire Safety in Buildings 2011' administered by the Buildings Department. Detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans;
- (e) to note the following comments of the Chief Engineer/Construction(2), Water Supplies Department (CE/Construction(2), WSD):
  - (i) existing water mains are affected. The applicants are required to either divert or protect the water mains found on Site;
  - (ii) if diversion is required, existing water mains inside the Site are needed to be diverted outside the site boundary of the proposed development to lie in government land. A strip of land of minimum 1.5 m in width should be provided for the diversion of existing water main(s). The cost of diversion of existing water main(s) upon request will have to be borne by the applicants; and the applicants shall submit all relevant proposal to WSD for consideration and agreement before the works commence;
  - (iii) if diversion is not required, the following conditions shall apply:
    - existing water main(s) are affected and no development which requires resting of water main(s) will be allowed;
    - details of site formation works shall be submitted to Director of Water Supplies (DWS) for approval prior to commencement of works;
    - no structures shall be built or materials stored within 1.5 meters from the centre line(s) of water main(s). Free access shall be made available at all times for staff of DWS or their contractor to carry out construction, inspection, operation, maintenance and repair works;
    - no trees or shrubs with penetrating roots may be planted within the Water Reserve or in the vicinity of the water main(s). No change or existing site condition may be undertaken within the aforesaid area without the prior agreement of the DWS. Rigid root barriers may be required if the clear distance between the proposed tree and the pipe is 2.5m or less, and the barrier must extend below the invert level of the pipe;

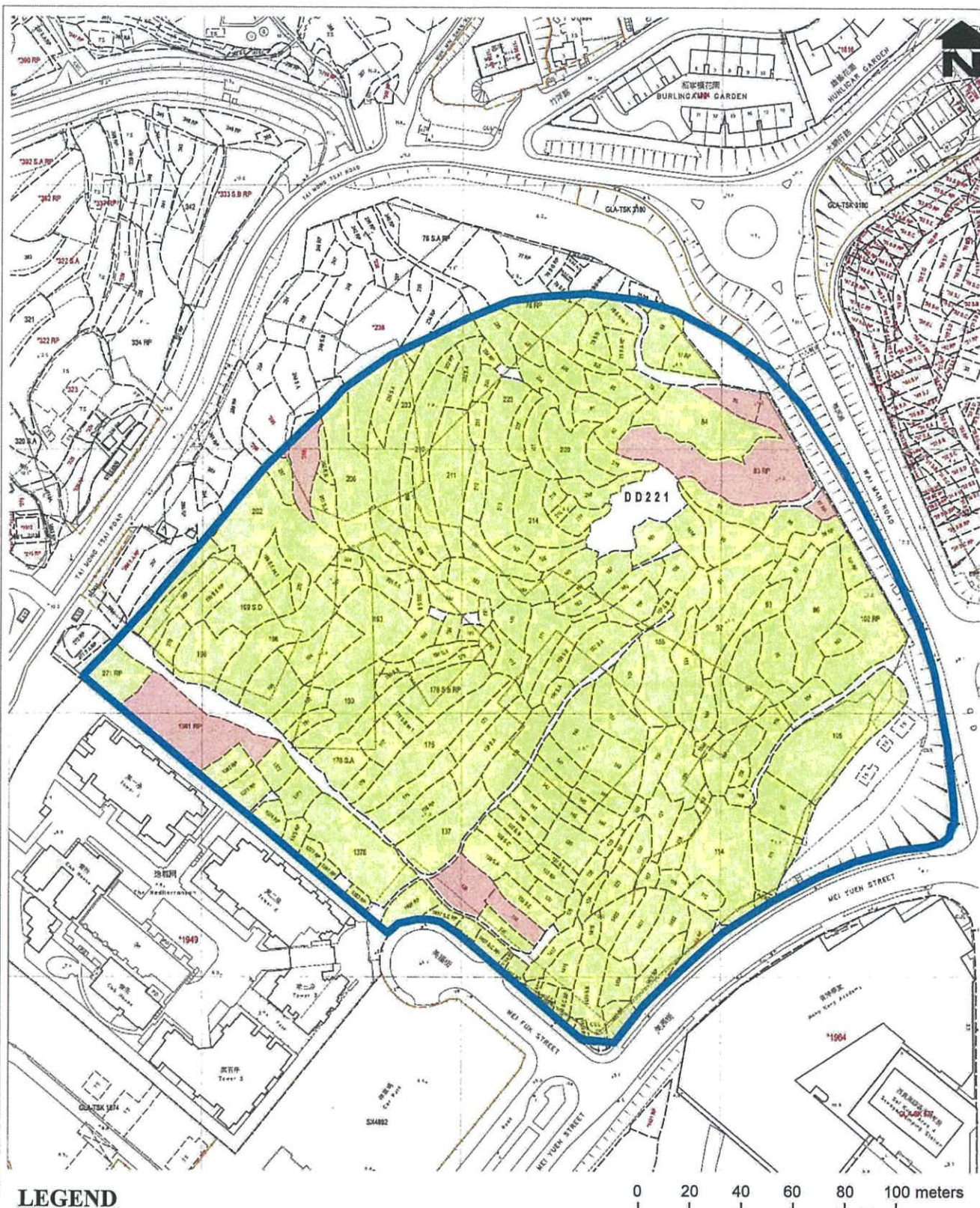
- no planting or obstruction of any kind except turfing shall be permitted within the spec of 1.5m around the cover of any valve or within a distance of 1m from any hydrant outlet;
  - tree planting may be prohibited in the event that the DWS considers that there is any likelihood of damage being caused to water main(s); and
- (iv) for provision of water supply to the development, the applicants may need to extend his/her inside services to the nearest suitable government water mains for connection. The applicants shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards;
- (f) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that the project proponent/consultant/work contractor shall liaise with the Hong Kong and China Gas Company Limited in respect of the exact locations of existing and planned gas pipes/gas installations in the vicinity of the Site and any required minimum set back distance away from them during the design and construction stages of development. The project proponent/consultant/works contractor is required to observe the Electrical and Mechanical Services Department's requirements on the "Avoidance of Damage to Gas Pipes 2<sup>nd</sup> Edition" for reference; and
- (g) to note the comments of the Commissioner for Transport that the construction of the proposed development should not be commenced unless the road scheme of the Hiram's Highway Improvement Stage 2 project has been authorized under Roads (Works, Use and Compensation) Ordinance (Cap 370).





繪圖  
DRAWING  
A-1





# **LEGEND**

- Application Site
- Lots owned by Applicant
- Lots owned by Third Parties
- Government Land

0 20 40 60 80 100 meters

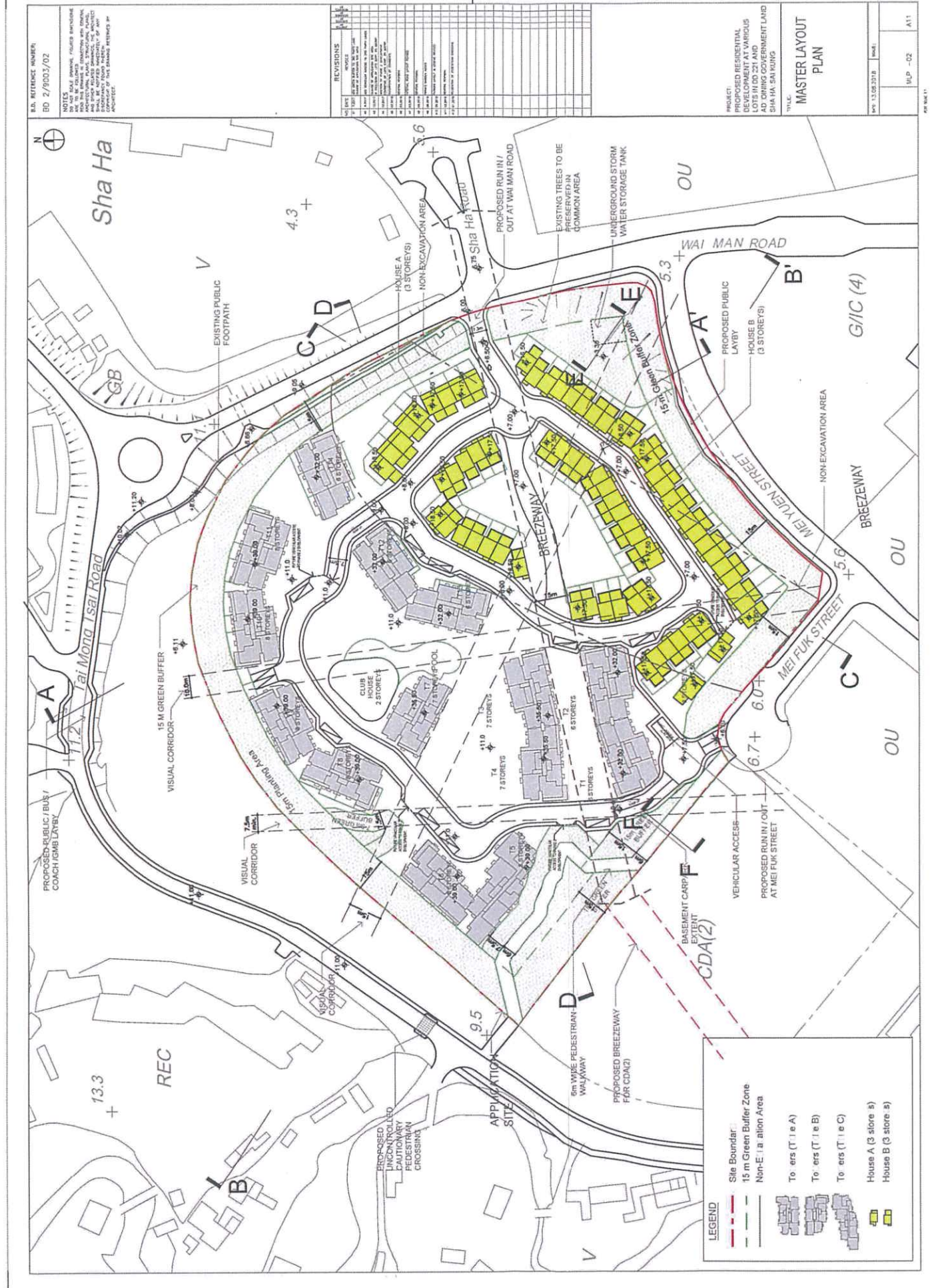
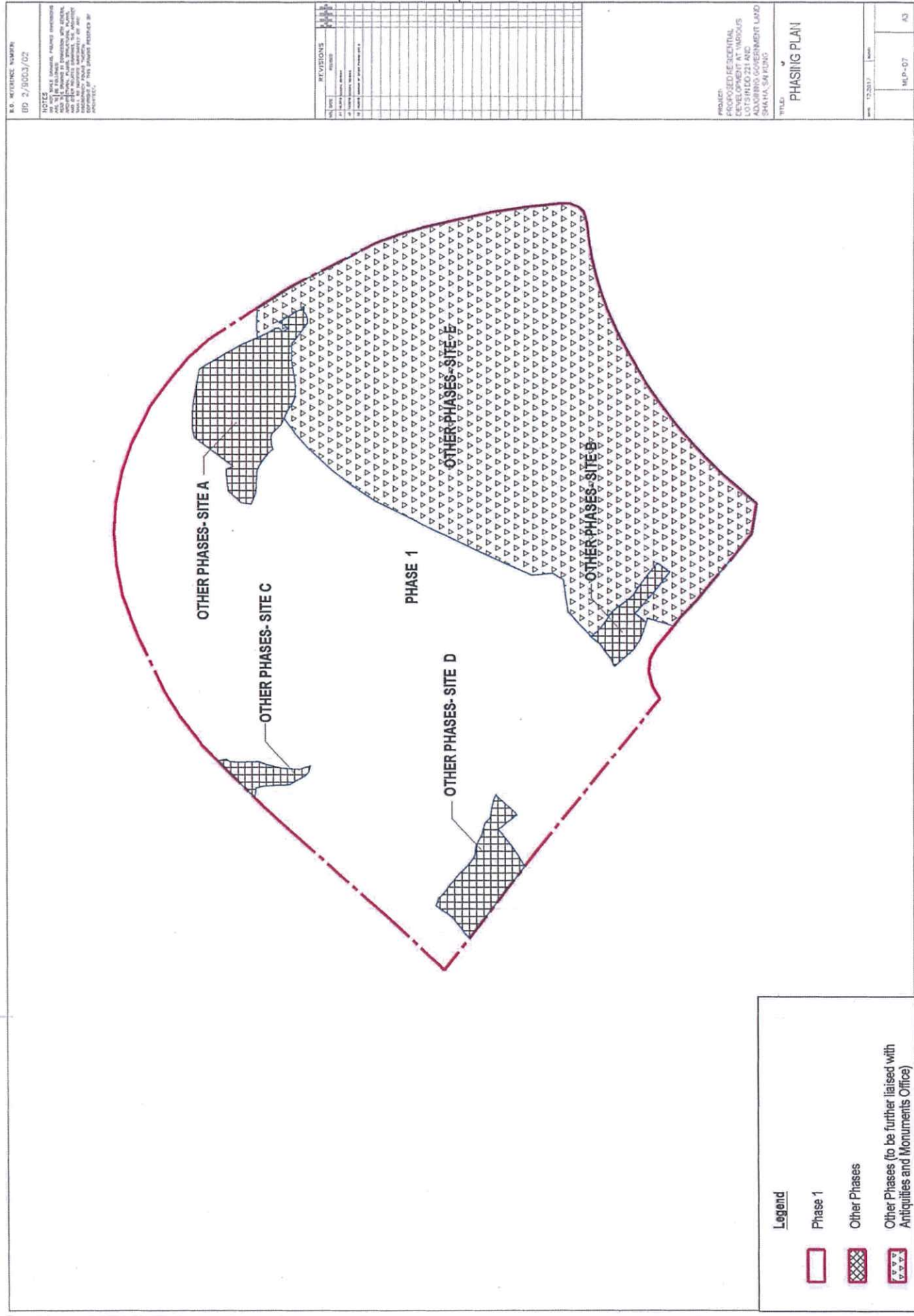
Figure No.	Scale	Figure Title
2	As Indicated	Lot Index Plan
<b>ARUP</b>	Date	Source
	Oct 2018	Extracted from the Lot Index Plan No. MH0045082018

(資料來源：由申請人提供的土地類別圖)  
(Source : Land Status Plan Supplied by the Applicant)

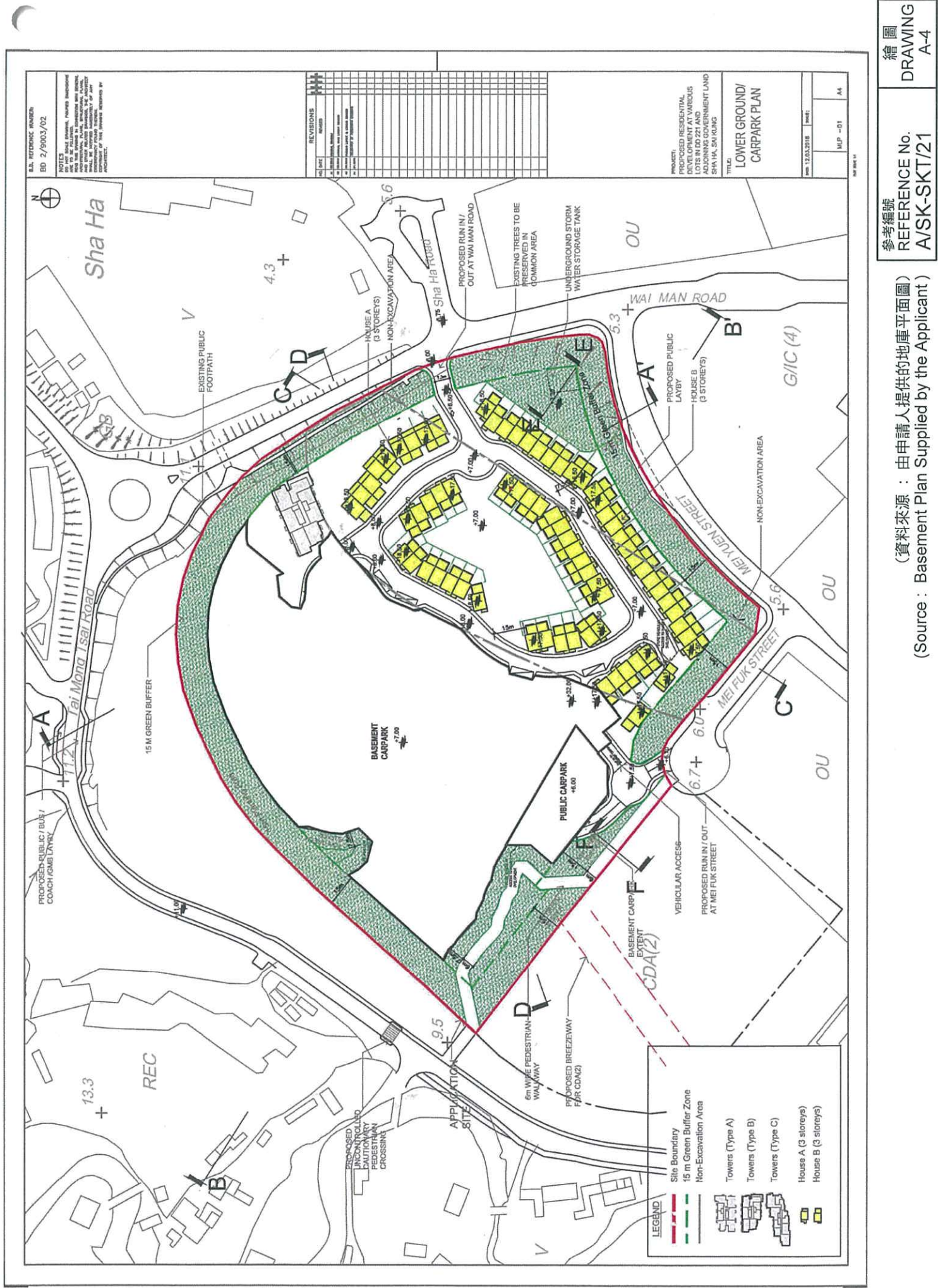
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REFERENCE No.  
A/SK-SKT/21

繪圖  
DRAWING  
A-2









參考編號  
REFERENCE No.  
A/SK-SKT/21

(資料來源：由申請人提供的地庫平面圖)  
(Source: Basement Plan Supplied by the Applicant)

繪圖  
DRAWING  
A-4

**NOTE'S**  
DO NOT TALK SMILING, POLICED SMILING)  
ARE TO BE FOLLOWED.  
PLAN THE SMILING IN CONNECTION WITH GENERAL  
ARCHITECTURAL PLANS, STRUCTURAL PLANS,  
AND OTHER RELATED DOCUMENTS. THE ARCHITECT  
SHALL BE ASKED ANIMATELY, IF AN  
EXPLANATION ABOUT THE  
CORRECTION OF THE SMILING RECEIVED BY  
THE CLIENT.

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56	56/10/10	56/10/10	56/10/10	56/10/10
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PROPOSED RESIDENTIAL  
DEVELOPMENT AT VARIOUS  
LOTS IN DD 221 AND  
ADJOINING GOVERNMENT LAND  
SHA HA; SAI KUNG.

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TE SECTION  
A-A B-B

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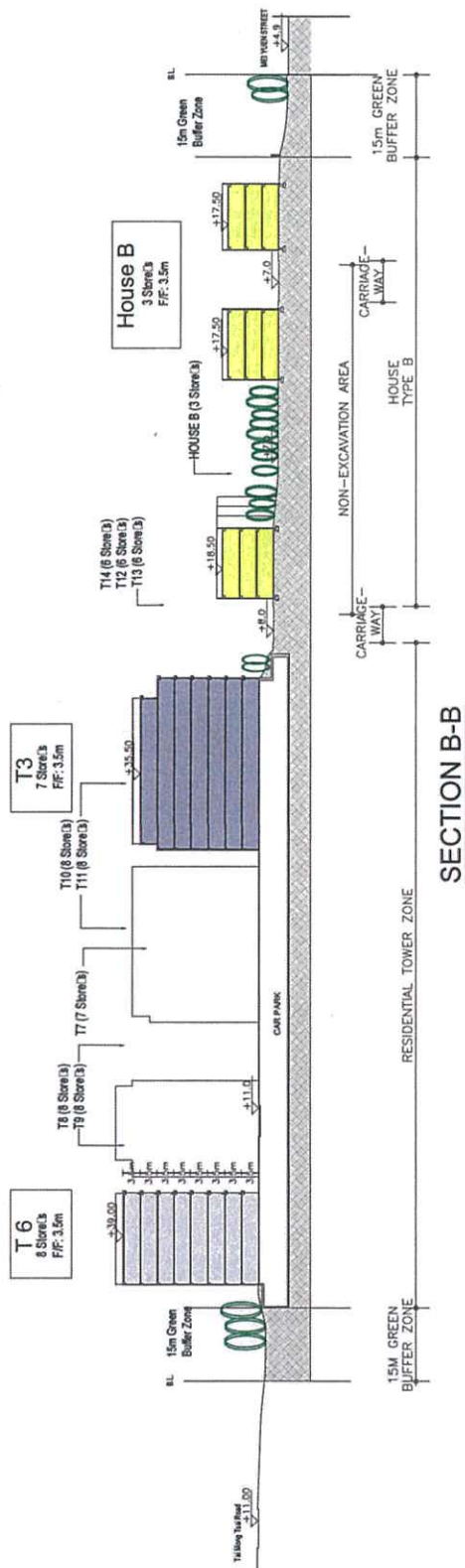
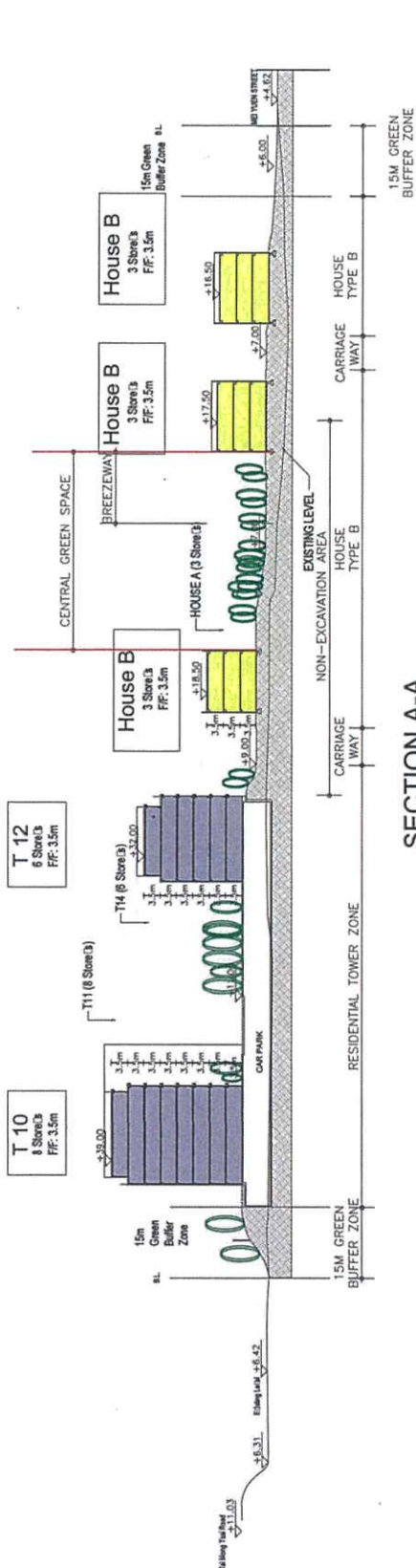
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參考編號

REFERENCE No.

A/SK-SKT/21

(資料來源：由申請人提供的剖視圖)  
(Source: Section Plan Supplied by the Applicant)







# PROPOSED RESIDENTIAL DEVELOPMENT AT VARIOUS LOTS IN DD 221 AND ADJOINING GOVERNMENT LAND, SHA HA, SAI KUNG

Landscape Master Plan  
Dwg. No. : 2011216-NS16-LMP-01

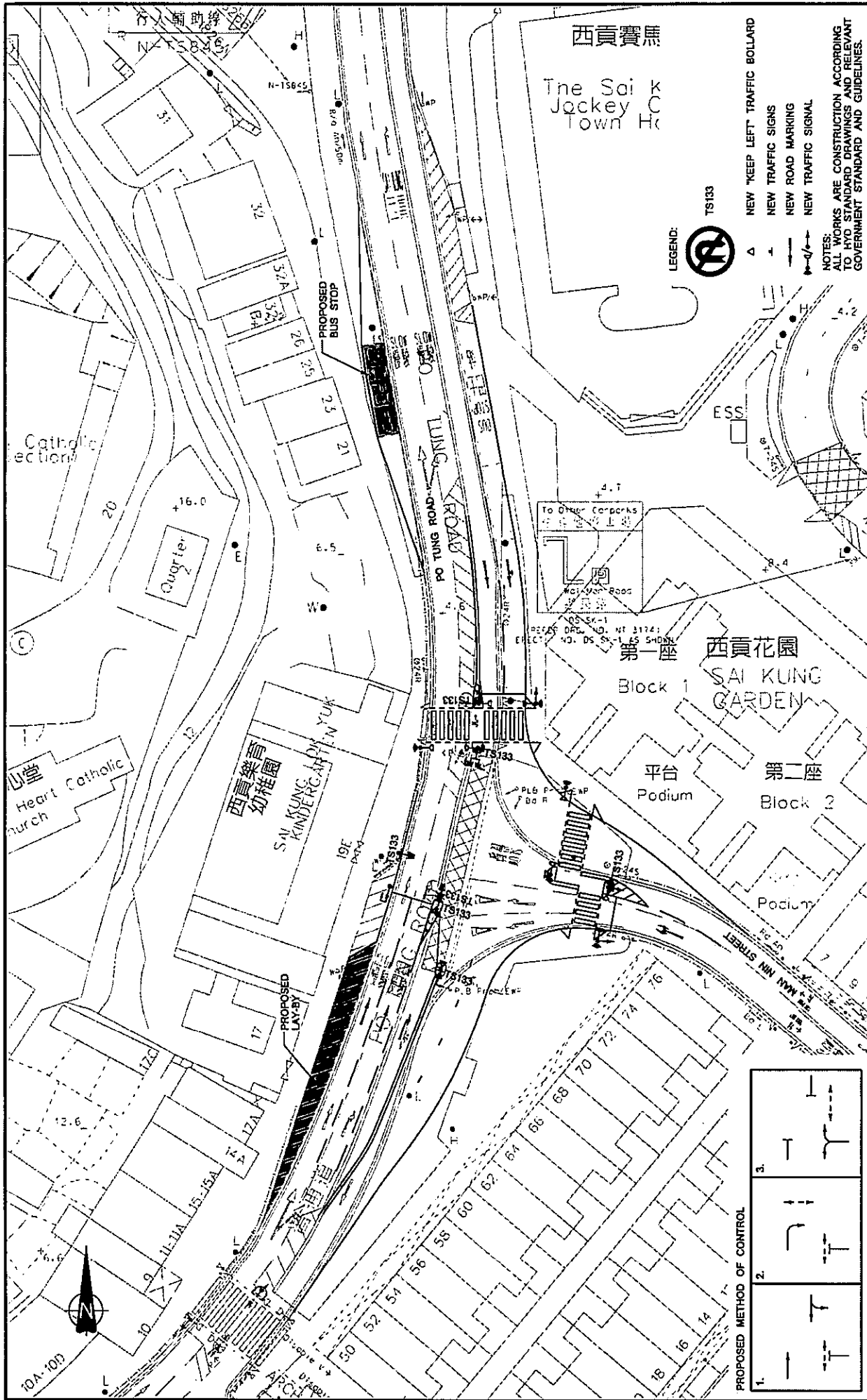
參考編號  
REFERENCE No.  
A/SK-SKT/21

(資料來源：由申請人提供的園境設計總圖)  
(Source: Landscape Master Plan Supplied by the Applicant)

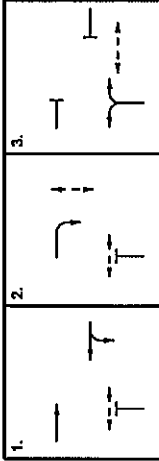
繪圖  
DRAWING  
A-6







PROPOSED METHOD OF CONTROL



LEGEND:



- NEW "KEEP LEFT" TRAFFIC BOLLARD
- NEW TRAFFIC SIGNS
- NEW ROAD MARKING
- NEW TRAFFIC SIGNAL

NOTES:  
ALL WORKS ARE CONSTRUCTION ACCORDING TO HYD STANDARD DRAWINGS AND RELEVANT TO GOVERNMENT STANDARD AND GUIDELINES.

# PROPOSED JUNCTION IMPROVEMENT FOR JUNCTION OF PO TUNG ROAD / MAN NIN STREET (E)



PROPOSED RESIDENTIAL DEVELOPMENT AT VARIOUS LOTS IN DD221 AND ADJOINING GOVERNMENT LAND, SHA HA, SAI KUNG

Designed	LLW	Checked	WLP	Scale	Date	Rev.
					OCT 2018	5:1

Rev.	Description	Checked	Date

圖

繪

參考編號

REFERENCE No.

A/SK-SKT/21

繪圖

DRAWING

A-8

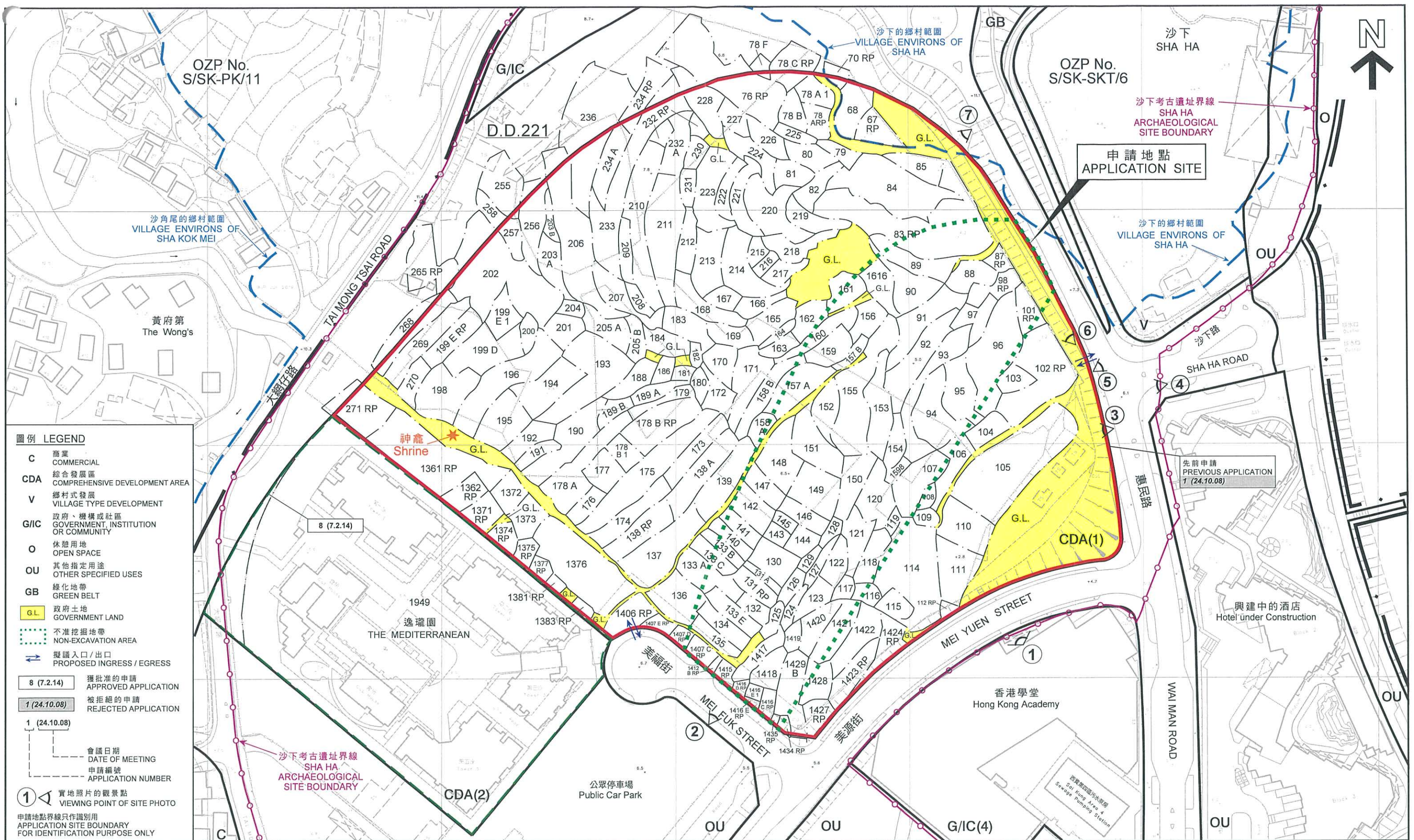
(資料來源：由申請人提供的普通道/萬年街交界處擬議改善工程)  
(Source : Proposed Junction Improvement for Junction of Po Tung Road / Man Nin Street Supplied by the Applicant)

CH053136101049151000004/200718









# 平面圖 SITE PLAN

擬議綜合住宅發展  
西貢沙下丈量約份第221約多個地段及毗連政府土地  
PROPOSED COMPREHENSIVE RESIDENTIAL DEVELOPMENT  
VARIOUS LOTS IN D.D. 221 AND ADJOINING GOVERNMENT LAND,  
SHA HA, SAI KUNG

米 METRES 30 0 30 60 90 120 米  
SCALE 1 : 1 500 比例尺

規劃署  
PLANNING  
DEPARTMENT

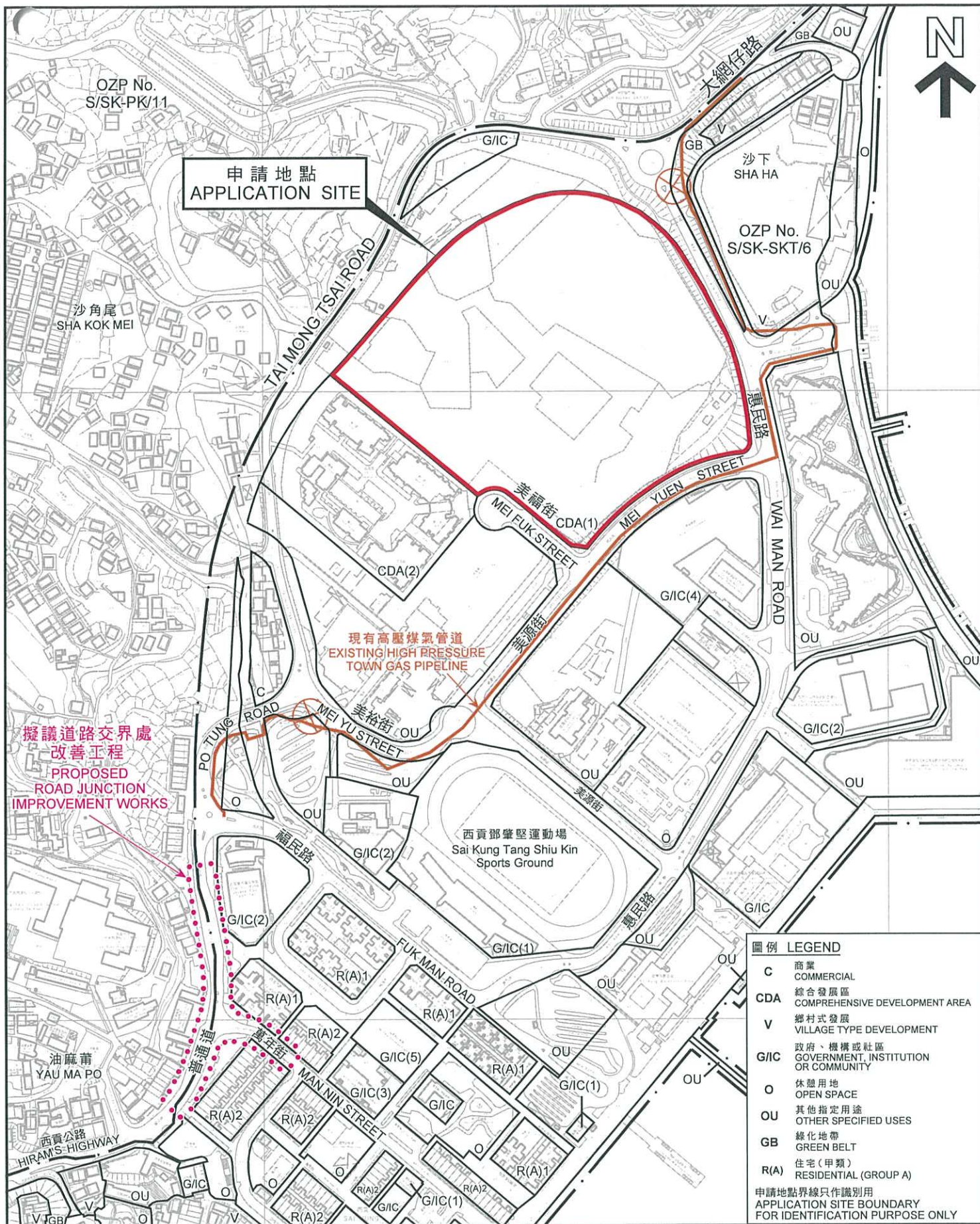


參考編號  
REFERENCE No.  
A/SK-SKT/21

圖 PLAN  
A-2a

本摘要圖於2019年11月25日擬備，所根據的資料為測量圖編號  
8-SW-6D、7C、11B和12A  
EXTRACT PLAN PREPARED ON 25.11.2019  
BASED ON SURVEY SHEETS No. 8-SW-6D, 7C, 11B & 12A





### 平面圖 SITE PLAN

本摘要圖於2019年11月25日擬備，  
所根據的資料為測量圖編號  
8-SW-6D、7C、11B、11D和12A  
EXTRACT PLAN PREPARED ON 25.11.2019  
BASED ON SURVEY SHEETS No.  
8-SW-6D, 7C, 11B, 11D & 12A

擬議綜合住宅發展  
西貢沙下丈量約份第221約多個地段及毗連政府土地  
PROPOSED COMPREHENSIVE RESIDENTIAL DEVELOPMENT  
VARIOUS LOTS IN D.D. 221 AND ADJOINING GOVERNMENT LAND,  
SHA HA, SAI KUNG

SCALE 1 : 4 000 比例尺  
米 80 0 80 160 米  
METRES

規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
A/SK-SKT/21

圖 PLAN  
A-2b





### 航攝照片 AERIAL PHOTO

本摘要圖於2019年11月25日擬備，所根據的資料為地政總署於2019年9月9日拍得的航攝照片編號E062387C

EXTRACT PLAN PREPARED ON 25.11.2019  
BASED ON AERIAL PHOTO No.  
E062387C TAKEN ON 9.9.2019  
BY LANDS DEPARTMENT

擬議綜合住宅發展  
西貢沙下丈量約份第221約多個地段及毗連政府土地  
PROPOSED COMPREHENSIVE RESIDENTIAL DEVELOPMENT  
VARIOUS LOTS IN D.D. 221 AND ADJOINING GOVERNMENT LAND,  
SHA HA, SAI KUNG

申請地點界線只作識別用  
APPLICATION SITE BOUNDARY  
FOR IDENTIFICATION PURPOSE ONLY

規 劃 署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
A/SK-SKT/21

圖 PLAN  
A-3



1



申請地點界線只作識別用  
APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

## 實地照片 SITE PHOTO

本圖於2019年11月25日擬備，所根據的資料為攝於2019年11月8日的實地照片  
PLAN PREPARED ON 25.11.2019  
BASED ON SITE PHOTO TAKEN ON 8.11.2019

擬議綜合住宅發展  
西貢沙下丈量約份第221約多個地段及毗連政府土地  
PROPOSED COMPREHENSIVE RESIDENTIAL DEVELOPMENT  
VARIOUS LOTS IN D.D. 221 AND ADJOINING GOVERNMENT LAND,  
SHA HA, SAI KUNG

規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
A/SK-SKT/21

圖 PLAN  
A-4a



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逸瓏園  
THE MEDITERRANEAN



攝於2019年11月8日的實地照片 SITE PHOTO TAKEN ON 8.11.2019

③

香港學堂  
HONG KONG ACADEMY



攝於2019年11月12日的實地照片 SITE PHOTO TAKEN ON 12.11.2019

申請地點界線只作識別用  
APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

## 實地照片 SITE PHOTO

本圖於2019年11月25日擬備  
PLAN PREPARED ON 25.11.2019

擬議綜合住宅發展  
西貢沙下丈量約份第221約多個地段及毗連政府土地  
PROPOSED COMPREHENSIVE RESIDENTIAL DEVELOPMENT  
VARIOUS LOTS IN D.D. 221 AND ADJOINING GOVERNMENT LAND,  
SHA HA, SAI KUNG

規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
A/SK-SKT/21

圖 PLAN  
A-4b



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5



申請地點界線只作識別用  
APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

## 實地照片 SITE PHOTO

本圖於2019年11月25日擬備，所根據的資料為攝於2019年11月12日的實地照片  
PLAN PREPARED ON 25.11.2019  
BASED ON SITE PHOTOS TAKEN ON 12.11.2019

擬議綜合住宅發展  
西貢沙下丈量約份第221約多個地段及毗連政府土地  
PROPOSED COMPREHENSIVE RESIDENTIAL DEVELOPMENT  
VARIOUS LOTS IN D.D. 221 AND ADJOINING GOVERNMENT LAND,  
SHA HA, SAI KUNG

規劃署  
PLANNING  
DEPARTMENT

參考編號  
REFERENCE No.  
A/SK-SKT/21



圖 PLAN  
A-4c



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申請地點界線只作識別用  
APPLICATION SITE BOUNDARY FOR IDENTIFICATION PURPOSE ONLY

## 實地照片 SITE PHOTO

本圖於2019年11月25日擬備，所根據的資料為攝於2019年11月12日的實地照片  
PLAN PREPARED ON 25.11.2019  
BASED ON SITE PHOTOS TAKEN ON 12.11.2019

擬議綜合住宅發展  
西貢沙下丈量約份第221約多個地段及毗連政府土地  
PROPOSED COMPREHENSIVE RESIDENTIAL DEVELOPMENT  
VARIOUS LOTS IN D.D. 221 AND ADJOINING GOVERNMENT LAND,  
SHA HA, SAI KUNG

規劃署  
PLANNING  
DEPARTMENT



參考編號  
REFERENCE No.  
A/SK-SKT/21

圖 PLAN  
A-4d

**Agenda Item 7**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-SKT/21                      Proposed Comprehensive Residential Development in “Comprehensive Development Area (1)” Zone, Various Lots in D.D.221 and Adjoining Government Land, Sha Ha, Sai Kung  
(RNTPC Paper No. A/SK-SKT/21C)

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33.            The Secretary reported that the application was submitted by Boxwin Limited, which was a subsidiary of New World Development Company Limited (NWD), and others. Ove Arup & Partners Hong Kong Ltd. (Arup), MVA Hong Kong Limited (MVA) and Ramboll Hong Kong Limited (Ramboll) were three of the consultants of the applicants. The following Members had declared interests on the item :

- |                     |   |   |
|---------------------|---|---|
| Mr Ivan C.S. Fu     | - | having current business dealings with NWD, Arup, MVA and Ramboll;   |
| Mr K.K. Cheung      | - | having past business dealings with Automall Limited, which was a subsidiary of NWD, and his firm having current business dealings with NWD and Arup;  |
| Mr Stephen L.H. Liu | - | having past business dealings with NWD;   |
| Dr C.H. Hau         | - | being a principal lecturer and programme director of the University of Hong Kong (HKU). K11 Concept Limited of NWD had been sponsoring his student learning projects in HKU since 2009; and |
| Mr Ricky W.Y. Yu    | - | being the Director and Chief Executive Officer of Light Be which had received donations from Chow Tai Fook Charity Foundation (related to NWD).   |

34.            The Committee noted that Messrs Ivan C.S. Fu, K.K. Cheung and Stephen L.H. Liu, and Dr C.H. Hau had tendered apologies for being unable to attend the meeting, and Mr Ricky W.Y. Yu had already left the meeting.

### Presentation and Question Sessions

35. With the aid of a PowerPoint presentation, Ms Jane W.L. Kwan, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed comprehensive residential development;
- (c) departmental comments – departmental comments were set out in paragraph 10 of the Paper. The Executive Secretary (Antiquities and Monuments), Antiquities Monument Office (AMO), Development Bureau commented that the applicants' suggestion of imposing an approval condition relating to the proposed development in the non-excavation area (NEA) was not in line with the Planning Brief (PB) and the preservation requirement for the NEA. The Project Manager/Major Works, Highways Department (PM/Major Works, HyD) advised that the completion date of the Hiram's Highway Improvement Stage 2 (HH2) project was still uncertain at the moment and was subject to the progress of Public Works Programme Procedures. The Commissioner for Transport (C for T) commented that if the HH2 project was not taken forward, the fundamental infrastructure assumption and findings of the submitted Traffic Impact Assessment (TIA) would become invalid, and he would not support the application. However, C for T would have no in-principle objection subject to no population intake of the proposed development to be taken place before the completion of HH2 project. Other concerned government departments had no objection to or no adverse comment on the application. Local views conveyed by the District Officer (Sai Kung), Home Affairs Department were set out in paragraph 10.1.14 of the Paper;
- (d) during the first three weeks of the statutory publication periods, a total of 443 public comments were received, including three supportive comments from individuals, two comments with no content or not related to the

application, and 438 objecting comments from the Chairman, members and members (designate) of the Sai Kung District Council, Sai Kung Rural Committee and its member, village representatives, Hong Kong Academy, Sai Kung Planning Concern Front, Friends of Sai Kung, Owners' Committee of the Mediterranean, Hong Kong and China Gas Company Limited, and individuals. Major views were set out in paragraph 11 of the Paper;

- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 12 of the Paper. The proposed comprehensive residential development generally conformed to the development restrictions of the Outline Zoning Plan (OZP). The applicants proposed to develop the site in phases (i.e. Phase 1 and other phases comprising Sites A to E). The proposed phasing was considered not in line with the Town Planning Board Guidelines No. 17A in that the applicants failed to demonstrate that the comprehensiveness of the proposed development would not be adversely affected, the resultant development would be self-contained in terms of layout design and provision of open space, and the development potential of the unacquired lots would not be absorbed in the early phases of the development. AMO had adverse comment on the application and considered that the application did not comply with the PB requirements related to preservation of archaeological heritage in the NEA. As the completion of the HH2 project was still uncertain at the moment and if there was no HH2 project, C for T commented that the assumption and findings of the submitted TIA would become invalid and he would not support the application. In that regard, the applicants failed to demonstrate that the proposed development would not generate adverse traffic impact on the area. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

36. Noting the proposed phasing of the residential development, a Member enquired how the applicants could ensure that an agreement on the implementation of the other phases by other land owners as proposed could be reached. Ms Jane W.L. Kwan, STP/SKIs, replied that

only the private land under Phase 1 and Site E of other phases were owned by the applicants. There was no information in the submission regarding other land owners' commitment or agreement on the proposed phasing or development scheme for the remaining sites (i.e. Sites A to D) under other phases. Regarding another question from the same Member, Ms Kwan said that the layout of the development for Phase 1 and other phases were not self-contained in terms of provision of separate access to serve different phases.

### Deliberation Session

37. The Chairman said that, in general, phased development could be considered for "CDA" sites which were not under single ownership. In formulating the phasing of the development, the applicant(s) should demonstrate, inter alia, that the resultant development on each phase should be self-contained in terms of layout design and provision of appropriate facilities, and the development potential of the unacquired lots within the "CDA" site should not be absorbed in the early phases of the development. For the current application, Members noted that the plot ratios for the different phases were not allocated on a pro-rata basis, and Phase 1 had in effect taken up the development potential of other phases.

38. After deliberation, the Committee decided to reject the application. The reasons were :

- “(a) the proposed phasing of the residential development is not in line with Town Planning Board Guidelines No. 17A in that the applicants fail to demonstrate that the comprehensiveness of the proposed development will not be adversely affected; the resultant development would be self-contained in terms of layout design and provision of open space; and the development potential of the unacquired lots would not be absorbed in the early phases of the development;
- (b) the Master Layout Plan for the proposed residential development encroaches onto the non-excavation area (NEA) specified in the Planning Brief, the applicants fail to demonstrate that the proposed house development on top of the NEA is implementable and would not have adverse impacts on the Sha Ha Archaeological Site of Interest; and

- (c) the applicants fail to demonstrate that the proposed development would not generate adverse traffic impact on the surrounding area.”

城市規劃委員會

香港北角渣華道三百三十三號  
北角政府合署十五樓

Annex C of TPB

Paper No. 10641

TOWN PLANNING BOARD

15/F., North Point Government Offices  
333 Java Road, North Point,  
Hong Kong.

傳真 Fax: 2877 0245 / 2522 8426

電話 Tel: 2231 4810

來函檔號 Your Reference:

覆函請註明本會檔號

In reply please quote this ref.: TPB/A/SK-SKT/21

By Post & Fax (2779 8428)

3 January 2020

Ove Arup & Partners Hong Kong Ltd.  
Level 5, Festival Walk  
80 Tat Chee Avenue  
Kowloon Tong, Kowloon  
(Attn.: Yeung Wing Shan, Theresa)

Dear Sir/Madam,

**Proposed Comprehensive Residential Development  
in "Comprehensive Development Area (1)" Zone, Various  
Lots in D.D.221 and Adjoining Government Land, Sha Ha, Sai Kung**

I refer to my letter to you dated 5.12.2019.

After giving consideration to the application, the Town Planning Board (TPB) decided to reject the application and the reasons are :

- (a) the proposed phasing of the residential development is not in line with TPB Guidelines No. 17A in that you fail to demonstrate that the comprehensiveness of the proposed development will not be adversely affected; the resultant development would be self-contained in terms of layout design and provision of open space; and the development potential of the unacquired lots would not be absorbed in the early phases of the development;
- (b) the Master Layout Plan for the proposed residential development encroaches onto the non-excavation area (NEA) specified in the Planning Brief, you fail to demonstrate that the proposed house development on top of the NEA is implementable and would not have adverse impacts on the Sha Ha Archaeological Site of Interest; and
- (c) you fail to demonstrate that the proposed development would not generate adverse traffic impact on the surrounding area.

A copy of the TPB Paper in respect of the application (except the supplementary planning statement/technical report(s), if any) and the relevant extract of minutes of the TPB meeting held on 13.12.2019 are enclosed herewith for your reference.

Under section 17(1) of the Town Planning Ordinance, an applicant aggrieved by a decision of the TPB may apply to the TPB for a review of the decision. If you wish to seek a review, you should inform me within 21 days from the date of this letter (on or before



24.1.2020). I will then contact you to arrange a hearing before the TPB which you and/or your authorized representative will be invited to attend. The TPB is required to consider a review application within three months of receipt of the application for review. Please note that any review application will be published for three weeks for public comments.

Under the Town Planning Ordinance, the TPB can only reconsider at the review hearing the original application in the light of further written and/or oral representations. Should you decide at this stage to materially modify the original proposal, such proposal should be submitted to the TPB in the form of a fresh application under section 16 of the Town Planning Ordinance.

If you wish to seek further clarifications/information on matters relating to the above decision, please feel free to contact Ms. Jane Kwan of Sai Kung & Islands District Planning Office at 2158 6162.

Yours faithfully,



( Raymond KAN )  
for Secretary, Town Planning Board

**Advisory Clauses**

- (a) to note the comments of the District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD) that if the planning application is approved by the Board, the lot owners will need to apply to DLO/SK for a land exchange to effect the proposed comprehensive development. However, there is no guarantee that such land exchange application, with or without government land, would be approved by the Government. Such application, if eventually approved, would be subject to such terms and conditions including payment of a premium and an administration fee, as the Government considers appropriate;
- (b) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that:
  - (i) the applicant should explore further measures in enhancing visual permeability to the town square and the waterfront;
  - (ii) the alignment of the proposed 6m wide pedestrian walkway connecting Tai Mong Tsai Road and Mei Fuk Street seems to have too many twists and turns, which is not pedestrian friendly and it also leads to unnecessary removal of trees due to excessive walkway provision. The abutting boundary treatment along this meandering pedestrian walkway should also be demonstrated;
  - (iii) the proposed communal open space is separated by a vehicular road, and the pedestrian connection among the fragmented open space should be indicated. Apparently a loading/unloading space blocking the connection between the open spaces should be reviewed;
  - (iv) only area where its primary function is for public enjoyment is accountable as open space. Circulation space between T4 and T1 should not be accountable as open space for active or passive recreation; and
  - (v) the applicants are reminded to approach relevant authority/government department(s) direct to obtain the necessary approval on tree works such as felling, transplanting or pruning under lease;
- (c) to note the following comments of the Chief Building Surveyor/New Territories East 2 & Rail, Buildings Department (CBS/NTE2 & Rail, BD):
  - (i) it is noted that the proposed site coverage (SC) of not more than 55% may exceed the permissible SC under 1<sup>st</sup> Schedule of the Building (Planning) Regulations (B(P)R) subject to the site classification and the building height. As such, the applicants are reminded to strictly adhere to the SC's requirements under the Buildings Ordinance;
  - (ii) emergency vehicular access (EVA) complying with B(P)R 41D shall be provided for all the buildings;
  - (iii) carparking spaces for persons with a disability should be provided in accordance with

the Design Manual: Barrier Free Access 2008, Division 3, Para. 8 and 9;

- (iv) PNAP APP-2, Hong Kong Planning Standards and Guidelines (HKPSG) and the advice of Commissioner for Transport will be referred to when determining exemption of gross floor area (GFA) calculation for aboveground or underground carparking spaces;
- (v) attention is also drawn to the policy on GFA concessions under PNAP APP-151 in particular the 10% overall cap on GFA concessions and, where appropriate, the Sustainable Building Design requirements under PNAP APP-152;
- (vi) detailed comments will be given during general building plans submission stage;
- (d) to note the comments of the Director of Fire Services (D of FS) that EVA shall comply with Section 6, Part D of the 'Code of Practice for Fire Safety in Buildings 2011' administered by the Buildings Department. Detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans;
- (e) to note the following comments of the Chief Engineer/Construction(2), Water Supplies Department (CE/Construction(2), WSD):
  - (i) existing water mains are affected. The applicants are required to either divert or protect the water mains found on Site;
  - (ii) if diversion is required, existing water mains insider the Site are needed to be diverted outside the site boundary of the proposed development to lie in government land. A strip of land of minimum 1.5 m in width should be provided for the diversion of existing water main(s). The cost of diversion of existing water main(s) upon request will have to be borne by the applicants; and thee applicants shall submit all relevant proposal to WSD for consideration and agreement before the works commence;
  - (iii) if diversion is not required, the following conditions shall apply:
    - existing water main(s) are affected and no development which requires resting of water main(s) will be allowed;
    - details of site formation works shall be submitted to Director of Water Supplies (DWS) for approval prior to commencement of works;
    - no structures shall be built or materials stored within 1.5 meters from the centre line(s) of water main(s). Free access shall be made available at all times for staff of DWS or their contractor to carry out construction, inspection, operation, maintenance and repair works;
    - no trees or shrubs with penetrating roots may be planted within the Water Reserve or in the vicinity of the water main(s). No change or existing site condition may be undertaken within the aforesaid area without the prior agreement of the DWS. Rigid root barriers may be required if the clear distance between the proposed tree and the pipe is 2.5m or less, and the barrier must extend below the invert level of the pipe;

- no planting or obstruction of any kind except turfing shall be permitted within the spec of 1.5m around the cover of any valve or within a distance of 1m from any hydrant outlet;
  - tree planting may be prohibited in the event that the DWS considers that there is any likelihood of damage being caused to water main(s); and
- (iv) for provision of water supply to the development, the applicants may need to extend his/her inside services to the nearest suitable government water mains for connection. The applicants shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards;
- (f) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that the project proponent/consultant/work contractor shall liaise with the Hong Kong and China Gas Company Limited in respect of the exact locations of existing and planned gas pipes/gas installations in the vicinity of the Site and any required minimum set back distance away from them during the design and construction stages of development. The project proponent/consultant/works contractor is required to observe the Electrical and Mechanical Services Department's requirements on the "Avoidance of Damage to Gas Pipes 2<sup>nd</sup> Edition" for reference; and
- (g) to note the comments of the Commissioner for Transport that the construction of the proposed development should not be commenced unless the road scheme of the Hiram's Highway Improvement Stage 2 project has been authorized under Roads (Works, Use and Compensation) Ordinance (Cap 370).