

Submission Number:

TPB/R/S/I-DB/5- S1

Representation Number:

TPB/R/S/I-DB/5- R1

就圖則作出申述

## Representation Relating to Plan

參考編號

Reference Number:

240419-112514-95591

提交限期

Deadline for submission:

12/06/2024

提交日期及時間

Date and time of submission:

19/04/2024 11:25:14

「申述人」全名

Full Name of "Representer":

女士 Ms. Jinglin Wang

「獲授權代理人」全名

Full Name of "Authorized Agent" :

與申述相關的圖則

Plan to which the representation relates:

S/I-DB/5

申述的性質及理由

Nature of and reasons for the representation:

有關事項 Subject Matters	性質 Nature	理由 Reason
Adding taxi ranks in Discovery Bay	反對 Oppose	<p>I am opposing to adding taxi ranks in Discovery Bay, because:</p> <ol style="list-style-type: none"> <li>1. DB has been "PRIMARILY CAR FREE" in its original terms. HKR changing to "generally car free" in the draft note is a distortion from original terms and is unlawful.</li> <li>2. DB's infrastructure does not support more taxi ranks. There is not a single traffic light, no traffic police in DB. Having taxis speeding on the roads in DB will cause grave danger to DB residents.</li> <li>3. The road in DB is private, and cost of repairing and maintenance comes from management fees paid by DB residents. It is unfair to have the residents pay for wear and tear on the road by taxis.</li> </ol> <p>My main objection to adding taxi stands in DB is for safety. As you know, one woman died from a bus accident in DB outside the club house this week. If more taxis were allowed to DB, I am afraid there would be more such tragic accidents.</p>

對圖則的建議修訂(如有的話)

**Proposed Amendments to Plan(if any):**

I am opposing to adding taxi ranks in Discovery Bay, because:

1. DB has been "PRIMARILY CAR FREE" in its original terms. HKR changing to "generally car free" in the draft note is a distortion from original terms and is unlawful.
2. DB's infrastructure does not support more taxi ranks. There is not a single traffic light, no traffic police in DB. Having taxis speeding on the roads in DB will cause grave danger to DB residents.
3. The road in DB is private, and cost of repairing and maintenance comes from management fees paid by DB residents. It is unfair to have the residents pay for wear and tear on the road by taxis.

My main objection to adding taxi stands in DB is for safety. As you know, one woman died from a bus accident in DB outside the club house this week. If more taxis were allowed to DB, I am afraid there would be more such tragic accidents.

就圖則作出申述

## Representation Relating to Plan

Submission Number:

TPB/R/S/I-DB/5- S2

Representation Number:

TPB/R/S/I-DB/5- R2

參考編號

Reference Number:

240419-162521-56239

提交限期

Deadline for submission:

12/06/2024

提交日期及時間

Date and time of submission:

19/04/2024 16:25:21

「申述人」全名

Full Name of "Representer":

先生 Mr. Michael Gordon Palmer

「獲授權代理人」全名

Full Name of "Authorized Agent" :

與申述相關的圖則

Plan to which the representation relates:

S/I-DB/5

申述的性質及理由

Nature of and reasons for the representation:

有關事項 Subject Matters	性質 Nature	理由 Reason
Taxi Rank installation and any plan to expand access for taxis beyond Auberge hotel.	反對 Oppose	Such a plan is not in keeping with the, "generally car free" status of the area, which should not change for reasons primarily associated with safety. Due to the increased population, and significant increase in vehicle traffic within an area that has remained little changed in size, road safety is currently barely acceptable. This is aggravated by the fact there remains no, effective traffic safety enforcement. Expanding access for taxis would push the community over the edge with respect to road safety - our roads and adjacent areas would become very dangerous indeed. Indeed a pedestrian was struck and died just two days ago on Sienna Ave. Expanded taxi access is a very bad idea.

對圖則的建議修訂(如有的話)

Proposed Amendments to Plan(if any):

Improved, bookable hire car (internal vehicles) service.



☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy

**Submission Number:**

TPB/R/S/I-DB/5- S3

**From:** Peter Crush [REDACTED]  
**Sent:** 2024-05-20 星期一 13:16:34  
**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>  
**Subject:** DRAFT DISCOVERY BAY OUTLINE ZONING PLAN NO. S/I-DB/5  
**Attachment:** Covering-Letter-Submission-TPB-20.05.24.docx; Draft Submission to TPB-May-2024-vs.9.docx

**Representation Number:**

TPB/R/S/I-DB/5- R3

Please see the attached document files containing my Representations concerning the above-captioned Outline Zoning Plan for Discovery Bay

P. A. Crush (Mr. )

[ name on HKID Card : CRUSH, PETER ALAN ]

A hard copy of these documents will also be posted to the Secretary, TPB)



[REDACTED] urt  
[REDACTED]  
Tel (H) [REDACTED]  
(M) [REDACTED]

20<sup>th</sup>. May 2024

Secretary,  
Town Planning Board,  
15/F, North Point Government Offices,  
333 Java Road,  
North Point,  
Hong Kong

**DRAFT DISCOVERY BAY OUTLINE ZONING PLAN NO. S/I-DB/5**  
(Being a Draft Plan for the Purposes of the Town Planning Ordinance)

Dear Sir

I enclose my representations in respect the proposed draft plan S/I-DB/5 and the "NOTES" which form part of the plan.

I oppose some of the wording in several different paragraphs within these NOTES as explained in the attached paper consisting of three pages.

In conformance with the requirement to provide information concerning my identity ,

I herewith declare that I am : CRUSH PETER ALAN holder of HK ID card No [REDACTED]  
My home address is as above stated but I may also be contacted on email address  
[REDACTED]

Yours sincerely,



Peter A. Crush ( Mr,)

P. S.

A hard copy of this letter and submission will also be sent by post to the Town Planning Board to ensure its receipt.

**DRAFT DISCOVERY BAY OUTLINE ZONING PLAN NO. S/I-DB/5**

(Being a Draft Plan for the Purposes of the Town Planning Ordinance)

I have objections to the some of the text (highlighted in yellow) in the proposed amendments to the “**NOTES**” (N.B. These form part of the Plan)

1. Paragraph 7 “*The following uses or developments are always permitted on land falling within the boundaries of the Plan .....*”

(a) provision, maintenance or repair of plant nursery, amenity planting, open space,  
(b) rain shelter, refreshment kiosk, road, bus stop or lay-by, cycle track, **taxi rank**,  
nullah, public utility pipeline, electricity mast, lamp pole, telephone booth,  
telecommunications radio base station, automatic teller machine and shrine;

I object to the inclusion of “taxi rank” in this paragraph. Since the first Outlining Zoning Plan for Discovery Bay and subsequent amendments were approved, “taxi rank” was previously not included within those uses “*which are always permitted*”. To introduce “taxi rank” in the proposed amended plan is beyond the legal authority of the Town Planning Board. The Road Traffic Ordinance (Cap 374) promulgates legislation concerning Taxi Stands (& Taxi Stopping Places). Specifically, Section 30 of the Road Traffic ( Public Service Vehicles) Regulations authorizes only the Commissioner for Transport to designate the road or area within a road which a taxi may ply for hire and the locations where taxi stands or stopping places may be positioned.

Furthermore, under Section 11 of the Road Traffic Ordinance the Commissioner for Transport is granted the power to impose controls on any class of vehicle in respect of which roads they may use or are prohibited from using. In exercise of this authority, the Commissioner has prohibited taxis from using all roads with Discovery with the exception of a specified direct route to a single authorized taxi drop-off point within the vicinity of the Auberge Hotel. The restricted roads and zones for Taxis are promulgated in Government Gazette Notice G.N.6095 of 26 October 2014.

Sections 117 and 118 of the Road Traffic Ordinance specify that all provisions and regulations in the ordinance shall apply private roads with the exception of Section 12. ( Note : This section relates to the regulation and control of the parking of vehicles which are the responsibility of the land owner.)

It is, therefore, inappropriate for the inclusion of “taxi rank” within the NOTES to the OZP ( including the Town Planning Board’s promulgated “*Standard Master Schedule*”) because the entire zone is designated as primarily car-free. To include wording suggesting that the leaseholder may designate taxis access on prohibited roads or taxi stands, drop-off, pick-up or stopping places is not within the power of the Town Planning Board to grant and the inclusion thereof would be ultra vires. I therefore oppose paragraph 7 (b).

/ continued on page 2



## Paragraph 9 **COMMUNICATIONS**

### 9.1 Land Transport

9.1.1 The Area enjoys a **generally car-free environment**. Except residents' services buses and goods vehicles serving the Discovery Bay development and village vehicles serving the Trappist Haven Monastery and taxis (other than New Territories taxis) **serving Discovery Bay North**, there is no land transport for the rest of the Area.

9.1.2 Internally, the Discovery Bay development is served by residents' services buses and other vehicles subject to advance bookings. An interchange for residents' services buses is located near the existing ferry pier, providing easy access to the housing at the upland area. Externally, Discovery Bay is linked to Cheung Tung Road in North Lantau via Discovery Bay Tunnel. This tunnel is restricted to public and private buses (such as residents' services buses connecting Tung Chung, Sunny Bay and the airport), private light buses, **goods vehicles**, government vehicles, emergency vehicles, special purpose vehicles and taxis (other than New Territories taxis).

I have the following objections to the highlighted text :-

Re : 9.1.1 "The area enjoys a generally car free environment".

In Chapter 6 of the Audit Commissions Report dated 23.10.2004 under the title "Land Grant for Discovery Bay and Yi Long Wan" Paragraph 2.24 (c) states that the planning intention is to maintain a **car-free** environment.

In the "**Explanatory Statement**" forming part of the draft OZP S/I-DB/5 , paragraph 5.4 states : "It is primarily a car-free development evolved from the original concept of a holiday resort approved in 1973. This intention is still maintained....". However, Paragraph 9. sub-paragraph 9.1.1 states "the area is "**generally car-free**" amounting to a small but subtle change in meaning which conflicts with paragraph 5.4's reference to a "primarily a car-free development". This is terminology mission creep, slowly eroding the original "car-free" concept which was the reason that thousands of residents of Discovery Bay deliberately chose to buy their homes for the enjoyment of the quiet and peaceful environment with little or no traffic noise or vehicle exhausts fumes polluting the atmosphere.

The developer attempts repeatedly to erode this car-free concept to benefit profit-driven commercial interests including encouraging as many vehicle movements as possible through the Discovery Bay Tunnel Link. The developer has also recently applied for extended taxi access to the restricted roads withing Discovery Bay which would further undermine the stated intention of maintaining the car-free principle. It is recommended that the Notes to the draft OZP S/I-DB/5 should retain the existing words "primarily car free" and remove conflicting references to "generally car-free

Re :9.1.1 (continued) "and taxis (other than New Territories taxis) serving Discovery Bay North"

/ continued on page 3



The term "Discovery Bay North" is undefined in any legislation or authorized plan of the leased area. This could give rise to a false misunderstanding concerning which areas and roads that taxis are permitted to enter. There is only one authorized taxi stand and drop-off/pick-up point and also the route which must be followed by taxi drivers to enter or leave this location has been specified by the Commissioner for Transport. This is the taxi stand in the vicinity of the Auberge Hotel. To avoid any misunderstandings the words "*serving the authorized Taxi Stand in the vicinity of the Auberge Hotel*" should replace the proposed words "*Discovery Bay North*". I therefore oppose paragraph 9.1.1.

Re: 9.1.2 "*Externally, Discovery Bay is linked to Cheung Tung Road in North Lantau via Discovery Bay Tunnel. This tunnel is restricted to public and private buses (such as residents' services buses connecting Tung Chung, Sunny Bay and the airport), private light buses, goods vehicles, government vehicles, emergency vehicles, special purpose vehicles and taxis (other than New Territories taxis).*"

Under the Discovery Bay Tunnel Link Ordinance ( Cap 520) the '**Specification of Vehicles**' (Government Gazette Notice GN 6093 of 26.10.2014) lists the class of vehicles which may make use of the tunnel but limits these to specific purposes and circumstances. Paragraph (d) includes various categories of Goods Vehicle but the use of such vehicles is confined to only those engaged in the delivery of goods and provision of service functions such as maintenance, construction and facility improvements etc. The use of Goods Vehicles primarily for the carriage of passengers in and out of Discovery Bay is an abuse and contravention of the specified circumstances under which these vehicles may use the tunnel. Hundreds of cases have, however, been witnessed in recent years where the drivers of Goods Vehicles (commonly known as 'Go-Go' vans) are permitted access into Discovery Bay providing de facto taxi services for passengers and not for the carriage of cargo or goods. There is little evidence to suggest that the tunnel company or the Discovery Bay vehicle permit control office is making any serious attempt to stop this abuse.

It is, therefore, inappropriate that only the words "goods vehicles" are listed in paragraph 9.1.2 without qualifying this with the additional words "limited to the uses specified by the Commissioner for Transport in Gazette Notice GN 6093". I therefore oppose paragraph 9.1.2.

Submission Number:

TPB/R/S/I-DB/5- S8

Representation Number:

TPB/R/S/I-DB/5- R4

3<sup>rd</sup> June 2024

Secretary,  
Town Planning Board,  
15/F, North Point Government Offices,  
333 Java Road,  
North Point,  
Hong Kong

Dear Sir

I enclose my representations in respect the proposed draft plan S/I-DB/5 and the "NOTES" which form part of the plan

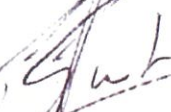
I oppose some of the wording in several different paragraphs within these NOTES as explained in the attached paper consisting of three pages

In conformance with the requirement to provide information concerning my identity

I herewith declare that I am: **Rainbow, Edwin George** Holder of HKID [REDACTED]

Resident at the above address:  
[REDACTED]

Yours sincerely



Edwin G Rainbow

Secretary,  
Town Planning Board,  
15/F, North Point Government Offices,  
333 Java Road,  
North Point,  
Hong Kong

2<sup>nd</sup> June 2024

Dear Sir

On behalf of the Hillgrove Village Owners, I confidently support the technical objections drawn to my attention by a Discovery Bay Owner to be found in the proposed amendments to the "NOTES" forming part of the Plan):

**DRAFT DISCOVERY BAY OUTLINE ZONING PLAN NO. S/I-DB/5**

(Being a Draft Plan for the Purposes of the Town Planning Ordinance)

I have objections to the some of the text (highlighted in yellow) in the proposed amendments to the "NOTES" (N.B. These form part of the Plan)

1. Paragraph 7 "The following uses or developments are always permitted on land falling within the boundaries of the Plan .....

(a) provision, maintenance or repair of plant nursery, amenity planting, open space,  
(b) rain shelter, refreshment kiosk, road, bus stop or lay-by, cycle track, **taxi rank**,  
nullah, public utility pipeline, electricity mast, lamp pole, telephone booth,  
telecommunications radio base station, automatic teller machine and shrine;

I note that "taxi rank" was previously not included within uses "which are always permitted" in the first Outlining Zoning Plan for Discovery Bay nor approved in subsequent

I also note also that to introduce "taxi rank" in the proposed amended plan is beyond the legal authority of the Town Planning Board. The Road Traffic Ordinance (Cap 374). Legislation concerning Taxi Stands & [Taxi Stopping Places] Specifically, Section 30 of the Road Traffic Regulations (Public Service Vehicles) authorizes only the Commissioner for Transport to designate the road or area within a road which a taxi may ply for hire and the locations where taxi stands or stopping places may be positioned.

Furthermore, under Section 1 of the Road Traffic Ordinance the Commissioner for Transport is granted the power to impose controls on any class of vehicle in respect of which roads they may use or are prohibited from using. At present there is a



single authorized taxi drop-off point within the vicinity of the Auberge Hotel and no intrusion on the residential areas of Discovery.

To include wording suggestive the notion that the leaseholder may designate taxis access on prohibited roads or taxi stands, drop-off, pick-up or stopping places is not within the power of the Town Planning Board to grant and the inclusion thereof would be ultra vires. I therefore oppose paragraph 7 (b) above.

Regarding Paragraph 9, the yellow highlighted words draw attention to the points dealt with by the same Discovery Bay Owner.

*Paragraph 9 COMMUNICATIONS*

*9.1 Land Transport*

*9.1.1 The Area enjoys a generally car-free environment. Except residents' services buses and goods vehicles serving the Discovery Bay development and village vehicles serving the Trappist Haven Monastery and taxis (other than New Territories taxis) serving Discovery Bay North, there is no land transport for the rest of the Area.*

*9.1.2 Internally, the Discovery Bay development is served by residents' services buses and other vehicles subject to advance bookings. An interchange for residents' services buses is located near the existing ferry pier, providing easy access to the housing at the upland area. Externally, Discovery Bay is linked to Cheung Tung Road in North Lantau via Discovery Bay Tunnel. This tunnel is restricted to public and private buses (such as residents' services buses connecting Tung Chung, Sunny Bay and the airport), private light buses, goods vehicles, government vehicles, emergency vehicles, special purpose vehicles and taxis (other than New Territories taxis).*

In Chapter 6 of the Audit Commissions Report dated 23.10.2004 under the title "Land Grant for Discovery Bay and YI Long Wan" Paragraph 2.24 (c) states that the planning intention is to maintain a car-free environment.

As Chairman of the Hillgrove Village Owners Committee, I inform you that the last time the question was asked in Committee, there was strong and unanimous opposition to taxis entering the residential areas of Discovery Bay and this will be reflective of the view of most Hillgrove owners. Hillgrove has a large number of young children (owner occupiers and renters) and the children's playground is immediately adjacent to Discovery Bay Road. A resident, possibly renting short term, expressed interest that a taxi stop at Hillgrove should be added!! This is not representative of Hillgrove and reference to many past meeting minutes show requests to slow down golf carts on the forecourt (a speed pump was installed) and there was concern that the hedge separating the playground from the road had a gap (a temporary fence was installed – more needs to be done. I doubt you will receive many approvals for the taxi proposal from Hillgrove?

As Chairman of the Hillgrove Village Owners Committee, I sit with other village owners Chairpersons and the Registered Owner's representatives on the City Owners Committee. In the COC Meeting of 17<sup>th</sup> January 2024, the taxi proposal was discussed and frankly the minutes do not reflect the position of most of the village owners. It does however promote the business objectives of the Registered Owner HKRI. In my opinion the latter's supporters were very well prepared to produce a minute expressing an "overwhelming" support for the present taxi proposal and this I understand is a record you will receive.

One of the points made **against** the taxi proposal at the January 17<sup>th</sup> COC meeting was the absolute certainty that the circulation and stopping places for taxis can be controlled by DBSML. They fail to stop taxis entering the residential areas now. DBSML are completely failing to control the EV cycles and scooters. Rules are too all too easily abused. We must do everything to preserve the quiet attraction of living in Discovery Bay and residence gave up the convenience of taxis and private cars to *enjoy a car-free environment*. Re 9.1.1



There is clearly a business advantage for HKRI to bring taxis into Discovery Bay. Restrictions of taxis once inside the residential area seems to me to be *Mission Impossible*. Would HKRI and DBSML have the incentive to even try? Taxi drivers are likely to be confused and easily abuse any rules.

Yours sincerely

  
Edwin Rainbow



就圖則作出申述

## Representation Relating to Plan

Submission Number:

TPB/R/S/I-DB/5- S4

參考編號

Reference Number:

240529-095145-02283

Representation Number:

TPB/R/S/I-DB/5- R5

提交限期

Deadline for submission:

12/06/2024

提交日期及時間

Date and time of submission:

29/05/2024 09:51:45

「申述人」全名

Full Name of "Representer":

先生 Mr. Robert Morland Smith

「獲授權代理人」全名

Full Name of "Authorized Agent":

與申述相關的圖則

Plan to which the representation relates:

S/I-DB/5

申述的性質及理由

Nature of and reasons for the representation:

有關事項 Subject Matters	性質 Nature	理由 Reason
Further Taxi Access to Discovery Bay	反對 Oppose	1)InsufficientInfrastructure 2)No Parking 3)Major Safety Issues 4)Private Road Damage /Cost to Owners 5)A step Back for a Car Free Purpose Built Development

對圖則的建議修訂(如有的話)

Proposed Amendments to Plan(if any):

Present Taxi arrangements are acceptable.



## 就圖則作出申述

## Representation Relating to Plan

Submission Number:  
TPB/R/S/I-DB/5- S5

參考編號

Reference Number:

240529-094701-19145

Representation Number:  
TPB/R/S/I-DB/5- R6

提交限期

Deadline for submission:

12/06/2024

提交日期及時間

Date and time of submission:

29/05/2024 09:47:01

「申述人」全名

Full Name of "Representer":

先生 Mr. JUDD, Gregory Allan

「獲授權代理人」全名

Full Name of "Authorized Agent" :

與申述相關的圖則

Plan to which the representation relates:

S/I-DB/5

申述的性質及理由

Nature of and reasons for the representation:

有關事項 Subject Matters	性質 Nature	理由 Reason
Further Taxi Access to Discovery Bay	反對 Oppose	1. Safety will be compromised due to lack of Police traffic control presence. 2. Insufficient infrastructure for taxi ranks and parking 3. As the roads are under private control the costs of wear and tear will fall on Discovery Bay residents entirely.

對圖則的建議修訂(如有的話)

Proposed Amendments to Plan(if any):

The plan for further taxi access to Discovery Bay should be cancelled in it's entirety.

就圖則作出申述

## Representation Relating to Plan

Submission Number:

TPB/R/S/I-DB/5- S6

參考編號

Reference Number:

240529-122921-50825

Representation Number:

TPB/R/S/I-DB/5- R7

提交限期

Deadline for submission:

12/06/2024

提交日期及時間

Date and time of submission:

29/05/2024 12:29:21

「申述人」全名

Full Name of "Representer":

先生 Mr. Dylan Gregory Judd

「獲授權代理人」全名

Full Name of "Authorized Agent" :

與申述相關的圖則

Plan to which the representation relates:

S/I-DB/5

申述的性質及理由

Nature of and reasons for the representation:

有關事項 Subject Matters	性質 Nature	理由 Reason
Further taxi access to discovery bay	反對 Oppose	1: Increased noise pollution and congestion will greatly inconvenience residents. 2: Safety risk from extra vehicles on a single two lane road with insufficient police presence to prevent speeding or reckless driving. 3: Cost of extra wear and tear of an already poorly maintained road will inevitably fall upon residents. 4: Insufficient space for taxi stands. Space which will inevitably be taken away from residents in the form of reduced open green spaces and reduced golf cart parking.

對圖則的建議修訂(如有的話)

Proposed Amendments to Plan(if any):

Do NOT allow access to taxis any further into Discovery Bay than they have currently. Place extra taxi stand at the tunnel entrance area within Discovery Bay. This space is under utilised and on the main road closer to more existing transport than the current taxi stand in north plaza area.



就圖則作出申述

## Representation Relating to Plan

Submission Number:

TPB/R/S/I-DB/5- S7

參考編號

Reference Number:

240529-161248-70542

Representation Number:

TPB/R/S/I-DB/5- R8

提交限期

Deadline for submission:

12/06/2024

提交日期及時間

Date and time of submission:

29/05/2024 16:12:48

「申述人」全名

Full Name of "Representer":

先生 Mr. HARDING, Russell John Challoner

「獲授權代理人」全名

Full Name of "Authorized Agent" :

與申述相關的圖則

Plan to which the representation relates:

S/I-DB/5

申述的性質及理由

Nature of and reasons for the representation:

有關事項 Subject Matters	性質 Nature	理由 Reason
S/I-DB/5 Adding taxi ranks to Discovery Bay and allowing taxis access into Discovery Bay beyond the already approved taxi rank in the North Plaza / Auberge Hotel area	反對 Oppose	<p>1). Safety. Discovery Bay was developed as, and is supposed to be, as far as possible, a car free location for residents safety reasons. It is accepted that practically a bus service and some goods vehicles and support vehicles need access to Discovery Bay, but adding taxis will greatly increase traffic, and compromise road safety.</p> <p>2). Lack of infrastructure. Discovery Bay does not have the transport infrastructure to support more cars in the area. It lacks, by design, things like traffic lights, speed cameras, is mostly roundabout free, does not have designated traffic police patrols, there are no parking, pick-up, drop off etc areas.</p> <p>3). The cost to residents. The roads are private in Discovery Bay, paid for directly by the residents. Increase in traffic means increased wear and tear and repair costs, plus all the other infrastructure support costs, such as adding traffic lights, roundabouts, traffic islands etc that would be needed to support the increase in traffic. They are not needed if taxis are not allowed, and need not therefore be paid for.</p> <p>4). Environmental damage. The environment generally, and the residents' living environment, is damaged by an increase in traffic. That is in terms of pollution, noise levels, general disturbance, danger etc.</p>



		5). Change of use. Most people moved to Discovery Bay because they were attracted by the car-free environment. Changing the car free environment is a change of use foisted on residents which is against one of the main reasons they chose to move here. There are other places they could have moved to, and would have moved to, if they were happy to have a lot of traffic around them.
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對圖則的建議修訂(如有的話)

**Proposed Amendments to Plan(if any):**

No new taxi ranks in Discovery Bay. No access to Discovery Bay for taxis beyond that which is currently allowed to reach the Auberge Hotel area taxi rank.
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就圖則作出申述

**Representation Relating to Plan****Submission Number:**  
TPB/R/S/I-DB/5- S38**Representation Number:**  
TPB/R/S/I-DB/5- R9

參考編號

**Reference Number:**

240611-160332-50480

提交限期

**Deadline for submission:**

12/06/2024

提交日期及時間

**Date and time of submission:**

11/06/2024 16:03:32

「申述人」全名

**Full Name of "Representer":**

先生 Mr. Burns Andrew Thomas

「獲授權代理人」全名

**Full Name of "Authorized Agent" :**

與申述相關的圖則

**Plan to which the representation relates:**

S/I-DB/5

申述的性質及理由

**Nature of and reasons for the representation:**

有關事項 Subject Matters	性質 Nature	理由 Reason
Draft Discovery Bay Outline Zoning Plan No. S/I-DB/5	反對 Oppose	Please see the submission below under Proposed Amendments to Plan.

對圖則的建議修訂(如有的話)

**Proposed Amendments to Plan(if any):**

Dear Sirs,

Re: Draft Discovery Bay Outline Zoning Plan No. S/I-DB/5

My submission relates to "II. Amendments to the Notes of the Plan, (o) Revision to the covering Notes in accordance with the Revised Master Schedule of Notes to Statutory Plans and to reflect the latest situation."

1. Draft Discovery Bay Outline Zoning Plan No. S/I-DB/5 proposes to modify the Notes to the approved Plan No. S/I-DB/4 to include "taxi rank" as a use that is always permitted on land falling within the boundaries of the plan (paragraph 7(a)). Although this use is included in the current Master Schedule of Notes, I submit that such change is inappropriate in light of the unique nature of Discovery Bay. Discovery Bay is "primarily a car-free development" (Explanatory Notes, paragraph 5.4), and "[r]esidents' services buses and golf carts serve as the major transport modes within Discovery Bay" (Explanatory Notes, paragraph 5.5). Adding "taxi rank" to the list of always permitted uses would facilitate regular use of taxis for point-to-point travel within Discovery Bay, which would be incompatible with the stated planning intent at paragraphs 5.4 and 5.5. It would also bring taxis onto the same internal road network as golf carts. At present, by design, tax



is and golf carts are kept separate.

2. Further, paragraph 7.2 of the Explanatory Notes states “In particular, the unique sub-urban low-density and car-free character of the development should be maintained in keeping with the surrounding natural setting.” Paragraph 7.3 goes on to state “The general urban design concept is to maintain a car-free and low-density environment and to concentrate commercial and major community and open space facilities at more accessible locations in Discovery Bay.” Taxis are a form of private-car transport, and allowing taxi ranks anywhere within Discovery Bay is incompatible with the planning intent at paragraphs 7.2 and 7.3 that Discovery Bay remain a primarily car-free area.

3. Section 9.1 of the Explanatory Notes deals with Land Transport. The proposed paragraph 9.1.1 states “Except residents’ services buses and goods vehicles serving the Discovery Bay development and village vehicles serving the Trappist Haven Monastery and taxis (other than New Territories taxis) serving Discovery Bay North, there is no land transport for the rest of the Area.” This statement misrepresents the status of taxis that enter Discovery Bay at present. In fact, taxis serve all of Discovery Bay. However, their movement is highly restricted. They may only travel direct through the Discovery Bay Tunnel Link to the area designated “Commercial and Public Recreation Development cum Transport Interchange” on Plan No. S/I-DB/4 (Area N2 on Master Plan 7.0E). Taxis may not enter anywhere else within Discovery Bay. Adoption of the vague term “Discovery Bay North” at paragraph 9.1.1 may be misused in future to circumvent the existing restrictions imposed by Transport Department on taxi access to Discovery Bay. Note in particular the Gazette Notice G.N. 6095 dated 24 October 2014 issued under the Road Traffic (Traffic Control) Regulations (Chapter 374) “Prohibited Zones for Taxis and Buses at Discovery Bay, Lantau Island”. Paragraph 9.1.1 should be revised to reflect the actual areas where taxis are permitted. Supplementing points (1) and (2) above, given the extensive prohibited zones, it would be contrary to the Gazette Notice issued by Transport Department to include “taxi rank” as a use that is always permitted on land falling within the boundaries of the plan (paragraph 7(a) of the Notes).

4. Paragraph 8.1.2 of the Explanatory Notes presents a confusing view of the developments within Discovery Bay, as it mixes developments that are “Villages” and those that are part of Villages. The term “Village” is a defined term under the Discovery Bay Deed of Mutual Covenant (“DMC”), and use of the term absent the context is inappropriate. For example, the developments Crestmont Villa and Coastline Villa are part of Peninsula Village. La Serene is part of La Vista Village. Positano and Poggibonsi are part of Amalfi Village. The list does not include the Villages Il Picco and Phase 17, which were completed several years ago. Chianti is spelled incorrectly as “Chainti”. Siena is actually two Villages: Siena 1 and Siena 2b. Further, the designation “Siena” on the draft plan S/I-DB/5 is written over the area of the Siena 2a development, which is in fact part of Greenvale Village. There is also new development under way at N1 North on the Master Plan 7.0E, which is not referenced at paragraph 8.1.2.

5. Please justify the renaming of Discovery Bay Tunnel Link to Discovery Bay Tunnel within the Explanatory Notes. Discovery Bay Tunnel Link is the official name of the tunnel under the Discovery Bay Tunnel Link Ordinance.

6. Regarding the population of Discovery Bay, paragraph 5.4 of the Explanatory Notes has not been updated to reflect the revision to the planned population. Section 6 does not specify whether the planned population includes temporary residents at the hotel. With 261 rooms and two persons per room, the hotel’s contribution to the population of Discovery Bay forms a significant portion of the estimated increase in planned population from 25,000 to 28,300. Further, given the planning intent that the area should serve as a leisure place for both local residents and visitors (paragraph 5.4 of the Explanatory Notes), an estimate of the day-visitor population capacity should also



Also be provided.


7. Section 10 of the Explanatory Notes, Utility Services, does not reflect the concerns raised by Water Supplies Department and Drainage Services Department prior to the approval of the Area 6f development by the Town Planning Board. It does not appear as though these concerns have been resolved. Note that the original grant of land at Discovery Bay includes a provision that "Government does not undertake to supply water to the lot."

8. Paragraph 12.2 of the Explanatory Notes advises that development is subject to a Master Plan under the lease. This is misleading. The Master Plan is not static; it may be revised from time to time, subject to approval by the Director of Lands. Further, it is inappropriate to delete the phrase "and development programme" at paragraph 12.2, as approval of a Master Plan is always accompanied by an Approval Letter setting out a development programme. I should also point out that at several changes to the boundaries of the development areas under the Master Plans have been adopted since the approval of Plan No. S/I-DB/4, in particular around the Yi Pak area. These have not been reflected in Draft Plan No. S/I-DB/5. For information, the Master Plan in effect when Plan No. S/I-DB/4 was adopted was MP 6.0E1. Since then, two Master Plans have been approved, each superseding the previous Master Plan, MP 6.0E7h(a) on 24 March 2016, and MP 7.0E on 17 August 2021. Draft Plan No. S/I-DB/5 should be updated to reflect the development boundaries shown on the most recent Master Plan.

9. Given the general nature of Section 12 of the Explanatory Notes, it should also be recorded that at Discovery Bay is under a Deed of Mutual Covenant, and that development is limited by the remaining number of undivided shares held by the developer and available for allocation to any new development.

Thank you for your consideration of these points. Should there be any questions, I will be pleased to assist.

Regards,



11 June 2024

☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy

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From: Andrew Burns [REDACTED]  
Sent: 2024-06-12 星期三 09:28:13  
To: tpbpd/PLAND <tpbpd@pland.gov.hk>  
Subject: Draft Discovery Bay Outline Zoning Plan No. S/I-DB/5

Dear Sirs,

As I did not receive an automatic acknowledgement via the PEMS system, I re-submit my comment direct through email.

Further, noting the justification for amending the Notes to the plan to include "taxi rank" as an always permitted use in the planning scheme area, stated in the paper prepared for the Rural and New Town Planning Committee meeting held on 15 March 2024: "*As taxi access has been allowed to DB North since 2011, taxi rank is proposed to be added in the covering Notes of the OZP as an always permitted use within the planning scheme area*", I refer the Board to my paragraph 3 below for a discussion of the term "Discovery Bay North".

Discovery Bay North is a vague, undefined term. In fact, taxis are only allowed within the area zoned "Commercial and Public Recreation Development cum Transport Interchange". There is no need to add the use "taxi rank" to accommodate taxis in this area. There is in particular no need and no justification to make "taxi rank" an always permitted use throughout the planning area including the residential areas, given the unique nature of Discovery Bay described in the Explanatory Notes and highlighted in my paragraphs 1, 2 and 3 below.

Further, the residential areas are all under sub-deeds of mutual covenant and are not solely-owned by the developer. Hence, the legal status of these areas is different from the new development areas that were the subject of Section 12a applications earlier (Y/I-DB/2 and Y/I-DB/4). It is questionable whether the developer or the Town Planning Board can initiate a change to the zoning of the residential areas to include "taxi rank" without the approval of owners who own the majority of undivided shares under the sub-DMCs.

Regards,

[REDACTED]

[REDACTED]

12 June 2024

Dear Sirs,



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Re: Draft Discovery Bay Outline Zoning Plan No. S/I-DB/5

My submission relates to "II. Amendments to the Notes of the Plan, (o) Revision to the covering Notes in accordance with the Revised Master Schedule of Notes to Statutory Plans and to reflect the latest situation."

1. Draft Discovery Bay Outline Zoning Plan No. S/I-DB/5 proposes to modify the Notes to the approved Plan No. S/I-DB/4 to include "taxi rank" as a use that is always permitted on land falling within the boundaries of the plan (paragraph 7(a)). Although this use is included in the current Master Schedule of Notes, I submit that such change is inappropriate in light of the unique nature of Discovery Bay. Discovery Bay is "*primarily a car-free development*" (Explanatory Notes, paragraph 5.4), and "*[r]esidents' services buses and golf carts serve as the major transport modes within Discovery Bay*" (Explanatory Notes, paragraph 5.5). Adding "taxi rank" to the list of always permitted uses would facilitate regular use of taxis for point-to-point travel within Discovery Bay, which would be incompatible with the stated planning intent at paragraphs 5.4 and 5.5. It would also bring taxis onto the same internal road network as golf carts. At present, by design, taxis and golf carts are kept separate.

2. Further, paragraph 7.2 of the Explanatory Notes states "*In particular, the unique sub-urban low-density and car-free character of the development should be maintained in keeping with the surrounding natural setting.*" Paragraph 7.3 goes on to state "*The general urban design concept is to maintain a car-free and low-density environment and to concentrate commercial and major community and open space facilities at more accessible locations in Discovery Bay.*" Taxis are a form of private-car transport, and allowing taxi ranks anywhere within Discovery Bay is incompatible with the planning intent at paragraphs 7.2 and 7.3 that Discovery Bay remain a primarily car-free area.

3. Section 9.1 of the Explanatory Notes deals with Land Transport. The proposed paragraph 9.1.1 states "*Except residents' services buses and goods vehicles serving the Discovery Bay development and village vehicles serving the Trappist Haven Monastery and taxis (other than New Territories taxis) serving Discovery Bay North, there is no land transport for the rest of the Area.*" This statement misrepresents the status of taxis that enter Discovery Bay at present. In fact, taxis serve all of Discovery Bay. However, their movement is highly restricted. They may only travel direct through the Discovery Bay Tunnel Link to the area designated "Commercial and Public Recreation Development cum Transport Interchange" on Plan No. S/I-DB/4 (Area N2 on Master Plan 7.0E). Taxis may not enter anywhere else within Discovery Bay. Adoption of the vague term "Discovery Bay North" at paragraph 9.1.1 may be misused in future to circumvent the existing restrictions imposed by Transport Department on taxi access to Discovery Bay. Note in particular the Gazette Notice G.N. 6095 dated 24 October 2014 issued under the Road Traffic (Traffic Control) Regulations (Chapter 374) "Prohibited Zones for Taxis and Buses at Discovery Bay, Lantau Island". Paragraph 9.1.1 should be revised to reflect the actual areas where taxis are permitted. Supplementing points (1) and (2) above, given the extensive prohibited zones, it would be contrary to the Gazette Notice issued by Transport Department to include "taxi rank" as a use that is always permitted on land falling within the boundaries of the plan (paragraph 7(a) of the Notes).

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include the Villages Il Picco and Phase 17, which were completed several years ago. Chianti is spelled incorrectly as "Chainti". Siena is actually two Villages: Siena 1 and Siena 2b. Further, the designation "Siena" on the draft plan S/I-DB/5 is written over the area of the Siena 2a development, which is in fact part of Greenvale Village. There is also new development under way at N1 North on the Master Plan 7.0E, which is not referenced at paragraph 8.1.2.

5. Please justify the renaming of Discovery Bay Tunnel Link to Discovery Bay Tunnel within the Explanatory Notes. Discovery Bay Tunnel Link is the official name of the tunnel under the Discovery Bay Tunnel Link Ordinance.

6. Regarding the population of Discovery Bay, paragraph 5.4 of the Explanatory Notes has not been updated to reflect the revision to the planned population. Section 6 does not specify whether the planned population includes temporary residents at the hotel. With 261 rooms and two persons per room, the hotel's contribution to the population of Discovery Bay forms a significant portion of the estimated increase in planned population from 25,000 to 28,300. Further, given the planning intent that the area should serve as a leisure place for both local residents and visitors (paragraph 5.4 of the Explanatory Notes), an estimate of the day-visitor population capacity should also be provided.

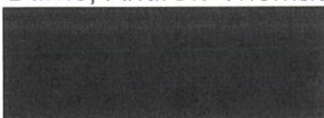
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9. Given the general nature of Section 12 of the Explanatory Notes, it should also be recorded that Discovery Bay is under a Deed of Mutual Covenant, and that development is limited by the remaining number of undivided shares held by the developer and available for allocation to any new development.

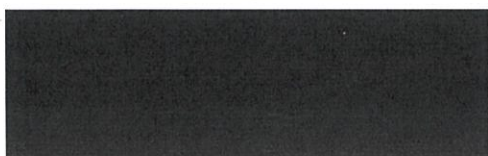
Thank you for your consideration of these points. Should there be any questions, I will be pleased to assist.

Regards,  
Burns, Andrew Thomas



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11 June 2024



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Submission Number:

TPB/R/S/I-DB/5- S51

From:

Shalom [REDACTED]

Sent:

2024-06-12 星期三 23:12:34

To:

tpbpd/PLAND <tpbpd@pland.gov.hk>

Subject:

Draft Discovery Bay Outline Zoning Plan No. S/I-DB/5 -  
OBJECTION

Representation Number:

TPB/R/S/I-DB/5- R10

## To the TOWN PLANNING BOARD

12 June 2024

Dear Sirs,

Thank you for holding the TOWN HALL meeting in Discovery Bay on 10th June. I unfortunately could not attend (In the past I have received a flyer in the mailbox in time to prepare), however my husband attended the meeting and was positively impressed to see an encouraging number in attendance- given that many owners had not been informed. He reports that there was unanimous disapproval for the project from the attendees, and **I to also wish to register my disapproval.**

I am an apartment owner who hopefully may not be greatly affected by the loss of our view should this Zoning Plan go ahead but there are clearly many other more impacting reasons being put forward for disapproval.

**One of the highly contentious issues is the access to taxis, for which I am opposed.**

I have lived very well without taxis in DB for the last 25 years, we are served by ferries and outside buses providing easy access to the city and around Lantau. **The wide circulation of taxis here would significantly increase traffic, disrupting the special relaxed lifestyle which is characteristic of this unique place and sought after by people who choose to live here and it needs to be preserved. Not to mention *that this place cannot house so many more people without adding considerable stress to its existing infrastructure nor have its few roads packed with more vehicles.***

**Discovery Bay must remain taxi free and construction free. Disregard for that will undoubtedly ruin it.**

Discovery Bay is very special: We value our chosen easy, relaxed lifestyle when not at work. The actress Stephenie Powers said it well, when she became one of the first owners in Discovery Bay: *"A peaceful enclave with all the facilities"*.

**Hong Kong should have more places like this and must not destroy the one it has.**



The red taxis will inevitably push beyond the limits on speed and, if they are caught, they will apologise for breaking the rules on pick-up and drop-off which will be impossible to enforce. Visitors who cannot be expected to know rules will dispute what they will feel is an unacceptable service; if there is no language problem unregulated arrangements will occur.

On a general level, I want to say that the proposal is a bad planning decision.

I am no expert but I understand that it is a matter of Public Record that the Government only sees the urgent need for residential property in the public sector and minimal, if any, urgency for new residential property in the private sector. HKRI already struggles to sell its latest private property. IL PICCO is the obvious example. THERE IS LITTLE OR NO EVIDENT DEMAND FOR PRIVATE HOUSING in DB.

Building the proposed development, even the smaller units, will draw the labour force needed to build the urgently needed public housing elsewhere.

We see that DB is attractive to mainlanders - why? Could it be our tranquility and unobstructed sea views? They are filling our existing supply on the first and secondary residential property markets, but China has a problem in the opposite direction.

The massive oversupply of residential property in China is well known. Private property in Hong Kong is available but not yet oversupplied. We cannot be certain that DB North development will have better occupancy than *Il Picco (which is a disaster)*

in the short term, even if appealing to lower budget buyers.

Hong Kong's birth rate is in decline and the population is falling, which is a global trend. (see below).

**There is no good reason to approve this development on its merit and certainly not at this time.**

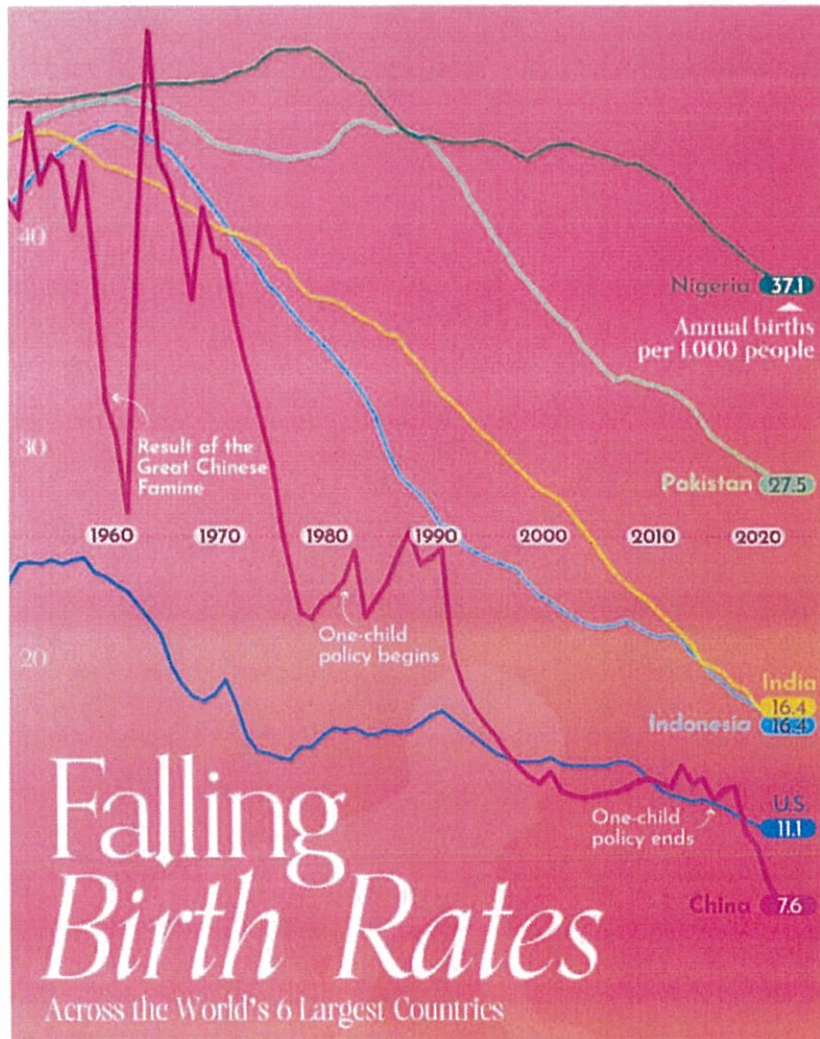
Best Regards,

Iza M.M. Rainbow



Email:







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Submission Number:

TPB/R/S/I-DB/5- S19

From: John Rempel [REDACTED]  
Sent: 2024-06-11 星期二 13:40:32  
To: tpbpd/PLAND <tpbpd@pland.gov.hk>  
Cc: [REDACTED]

Representation Number:

TPB/R/S/I-DB/5- R11

Subject: DB Development - many flaws in the plan

I am very concerned about the following issues:

1, Traffic concerns. The busses are already overloaded at peak times. Doubling the population of Peninsula Will put an even bigger strain on the transport and make a terrible situation even worse. Before this is even considered HKRI should address the current shortcomings of the existing transport situation. I have brought this issue up numerous times and have said the ONLY solution is to restrict the Speed in DB to 30KPH. And the only effective way to police this would be to install speed cameras that would automatically issue speeding tickets to violators. At the very least the school zones should have speed limits restricted from 7 AM to 5PM and speed cameras installed. This was made clear by the fatal accident at DC a couple of months ago.

2.The current plan calls for a "WALL" of buildings to be constructed. AS mentioned at the meeting one of the TP's senior executives criticized the plan as being not in keeping with the DB environment and there should be breaks between the building and a promenade along the waterfront. Will this be addressed and will HKRI be held to account?

3. Poor planning and execution on the part of HKRI. There was a height restriction on the school (DC) and it was promised that it would not obstruct the view of the residential development behind. It seems the Architect did not know the meaning of "mPD" and the building ended up 10 M higher than promised completely obscuring the view of those behind. Nothing was done to address this. Will a similar situation occur in the new developments? I believe the buildings should be limited to a level that will not obstruct the view of ANY building behind the new buildings. The new bus depo is another example of not building for the people who will live there. There was no protection from the rain in the original plan and what was built after is pretty hopeless.

4. I was brought up that 178 mature trees will be destroyed because of this development. Plain and simple, this is NOT acceptable. Where will the trees be relocated to?

5. There was a mention of taxi ranks in the new development. As already mentioned the traffic situation particularly at school opening and closing are well BEYOND capacity. Allowing taxis into DB would completely defeat the whole purpose of DB. This should NOT be allowed as it would cause total chaos on the roads and undoubtedly result in more fatalities - for which HKRI should be held responsible.

Respectfully  
John Rempel  
Resident of DB since 2003  
Visitor in DB since 1983

就圖則作出申述

## Representation Relating to Plan

Submission Number:

TPB/R/S/I-DB/5- S37

Representation Number:

TPB/R/S/I-DB/5- R12

參考編號

Reference Number:

240612-202337-70574

提交限期

Deadline for submission:

12/06/2024

提交日期及時間

Date and time of submission:

12/06/2024 20:23:37

「申述人」全名

Full Name of "Representer":

先生 Mr. SCHNEID, Christian

「獲授權代理人」全名

Full Name of "Authorized Agent" :

與申述相關的圖則

Plan to which the representation relates:

S/I-DB/5

申述的性質及理由

Nature of and reasons for the representation:

有關事項 Subject Matters	性質 Nature	理由 Reason
Item B1 – Incorporation of a sea area in Nim Shue Wan into the planning scheme area and zoning it to “R(C)13”, and rezoning of a site to the south of Discovery Bay Road from “Government, Institution or Community” ( “G/I C”), “OU” annotated “Staff Quarters (1)”, “Residential (Group D)” and “Green Belt” to “R(C)13”.	反對 Oppose	the incorporation of sea area is unnecessary. it will impact the ferries to Peng Chau and Mui Wo and inconvenience DB residents and people coming from those areas to DB for work.
Item B2 – Incorporation of a sea area in Nim Shue Wan into the planning scheme area and zoning it to “R(C)14”, and rezoning of a site	反對 Oppose	the incorporation of sea area is unnecessary. it will impact the ferries to Peng Chau and Mui Wo and inconvenience DB residents and people coming from those areas to DB for work.



e near Nim Shue Wan from m “OU” annotated “Staff Quarters (1)”, “Service Area”, “Pier (3)” and “Petrol Filling Station” to “R(C)14”.		
Item B3 – Rezoning of a site to the north west of the marina from “OU” annotated “Sports and Recreation Club (4)” and “R(C)7” to “R(C)15”.	反對 Oppose	the rezoning is unnecessary. the developer has enough options to expand the marina club or the recreational / sports club under the existing zoning. the rezoning and therefore erection of residential building will impact the view of LC residents towards the marina and the open sea. resulting in reduced value of the property.

對圖則的建議修訂(如有的話)

**Proposed Amendments to Plan(if any):**

1. if B3 is rezoned, reduce the max building height to 15 m.

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Submission Number:

TPB/R/S/I-DB/5- S23

From: Chris Fraser  
Sent: 2024-06-11 星期二 11:12:26  
To: tpbpd/PLAND <tpbpd@pland.gov.hk>  
Cc:

Representation Number:

TPB/R/S/I-DB/5- R13

Subject: Opposition to plan S/I-DB/5

Dear Town Planning Board (cc to Jonathan Chow, DC representative),

I write to oppose the proposed plan to build residential housing in Discovery Bay in areas B1-B2-B3-B4 in the plan S/I-DB/5, along the coast adjacent to Nim Shue Wan and the Discovery Bay Marina, for the following reasons:

**Population, services, and infrastructure.** Because of its limited transport routes, schools, and retail services, Discovery Bay cannot sustain a population much larger than it already has. Discovery Bay has no direct access to the MTR, no private cars, and no access to bus services other than the limited routes of DB transport. Access to Tung Chung, Sunny Bay, and the airport is by crowded buses with limited schedules. Discovery Bay has only three large schools, all of which are full and have wait lists for enrolment. The internal bus routes (4 and 9) at peak hours are already inadequate to handle passenger loads from Peninsula Village (phase 4), which the proposed housing would be located. Peninsula Village has also recently had sewage and water supply problems, which would be compounded by the increased population.

The proposal would increase the population of Discovery Bay by an estimated 2145 persons, approximately 10% of the present population. Construction already underway in Discovery Bay Phase 19 will add 1400 housing units, increasing the population by approximately 3500. Combined with the ongoing phase 19, the proposed plan would increase the population by a total of 25% or more. The project would create a significant new burden on services that Discovery Bay is not prepared to handle. Discovery Bay is simply not prepared for such a high increase in population.

It appears that the Town Planning Board has neglected to consider how the proposed plan will combine with other recent development plans to negatively affect the quality of life in Discovery Bay.

**Public safety, sanitation, and hygiene.** The location of the proposed development is effectively a "brownfield" site, which is currently used for services and utilities, including bus parking, bus repair and maintenance, golf cart repair and maintenance, waste management, a vehicle fueling station, and a marine fueling station. These services create noise, odors, and hazardous waste. They were segregated from the residential areas of Discovery Bay for good reason. The proposed housing development will be built above the sanitation and vehicle maintenance services and immediately adjacent to vehicle and marine fueling depots. This concentration of hazardous service and maintenance sites should not be located under and adjacent to residential buildings.

**Environmental impact.** The proposal will completely destroy an extensive green area currently containing hundreds of trees. Replanting elsewhere cannot compensate for turning a forested area into a massive block of concrete and pavement.

**Impact on residents of nearby communities.** The plan would seriously inconvenience residents of Nim Shue Wan and passengers of the DB-Peng Chau-Mui Wo ferries, who need to travel through the proposed development area to reach their homes.



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**Road safety and noise pollution.** The only access to the planned site is via Discovery Bay Road, a narrow two-lane road that runs through residential neighbourhoods, past children's playgrounds and schools. The plan will entail a huge volume of heavy vehicle traffic traveling along DB Road for several years, creating a safety hazard and noise pollution for residents and schools.

The plan would reduce the quality of life in Discovery Bay and create many more new town management problems. It should be rejected.

Sincerely

Chris Fraser  


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**From:** Chris Fraser <[REDACTED]>  
**Sent:** 2024-06-11 星期二 11:06:17  
**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>  
**Subject:** Opposition to plan S/I-DB/5

I write to oppose the proposed plan to build residential housing in Discovery Bay in areas B1-B2-B3-B4 in the plan S/I-DB/5, along the coast adjacent to Nim Shue Wan and the Discovery Bay Marina, for the following reasons:

**Population, services, and infrastructure.** Because of its limited transport routes, schools, and retail services, Discovery Bay cannot sustain a population much larger than it already has. Discovery Bay has no direct access to the MTR, no private cars, and no access to bus services other than the limited routes of DB transport. Access to Tung Chung, Sunny Bay, and the airport is by crowded buses with limited schedules. Discovery Bay has only three large schools, all of which are full and have wait lists for enrolment. The internal bus routes (4 and 9) at peak hours are already inadequate to handle passenger loads from Peninsula Village (phase 4), which the proposed housing would be located. Peninsula Village has also recently had sewage and water supply problems, which would be compounded by the increased population.

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**Environmental impact.** The proposal will completely destroy an extensive green area currently containing hundreds of trees. Replanting elsewhere cannot compensate for turning a forested area into a massive block of concrete and pavement.

**Impact on residents of nearby communities.** The plan would seriously inconvenience residents of Nim Shue Wan and passengers of the DB-Peng Chau-Mui Wo ferries, who need to travel through the proposed development area to reach their homes.

**Road safety and noise pollution.** The only access to the planned site is via Discovery Bay Road, a narrow two-lane road that runs through residential neighbourhoods, past children’s playgrounds and schools. The plan will entail a huge volume of heavy vehicle traffic traveling along DB Road for several years, creating a safety hazard and noise pollution for residents and schools.



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The plan would reduce the quality of life in Discovery Bay and create many more new town management problems. It should be rejected.

Sincerely

Chris Fraser



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**Submission Number:**

TPB/R/S/I-DB/5- S9

**From:** brian bunker [REDACTED]  
**Sent:** 2024-06-10 星期一 21:12:48  
**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>  
**Cc:** [REDACTED]  
**Subject:** Discovery Bay Amendment B1-B6

**Representation Number:**

TPB/R/S/I-DB/5- R14

Dear Sir/Madam,

As an owner and resident of a property in [REDACTED] Discovery Bay, I attended the public consultation on 10 June 2024 attended by your staff.

I would hereby like to object to the proposed development by HKRI for the following reasons:

1. An increase of 3-4,000 residents will profoundly affect the quality of life of existing residents and will entail issues of noise, overcrowding of leisure facilities and congestion of schools.
2. The current transport services are at or near full capacity, such an increase will greatly erode their operability and fitness for purpose.
3. Construction is planned to end in 2034, thus residents will be subjected to 10 years of noise and environmental pollution.
4. Large numbers of itinerant construction workers may give rise to an increase in the crime rate.
5. Construction will entail the cutting of 150 trees which will have an adverse impact on the environment.
6. Many residents have invested in buying their properties and now face loss of views and a drop in prices.

I have expressed my opposition to this project twice in the last few years without result. I would urge Walter and his colleagues at the Town Planning Board to take the views of Discovery Bay residents into consideration.

Yours faithfully,  
Brian Bunker



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**Submission Number:**

TPB/R/S/I-DB/5- S14

**From:** Itb Tham [REDACTED]  
**Sent:** 2024-06-11 星期二 00:19:14  
**To:** tpbbpd/PLAND <tpbbpd@pland.gov.hk>  
**Cc:** [REDACTED]  
**Subject:** Fwd: Discovery Bay Amendment B1-B6

**Representation Number:**

TPB/R/S/I-DB/5- R15

>  
>  
> Dear Sir/Madam,  
> As an owner and resident of a property in [REDACTED] Discovery Bay, I attended the public consultation on 10 June 2024 attended by your staff.  
> I would hereby like to object to the proposed development by HKRI for the following reasons:  
> 1. An increase of 3-4,000 residents will profoundly affect the quality of life of existing residents and will entail issues of noise, overcrowding of leisure facilities and congestion of schools.  
> 2. The current transport services are at or near full capacity, such an increase will greatly erode their operability and fitness for purpose.  
> 3. Construction is planned to end in 2034, thus residents will be subjected to 10 years of noise and environmental pollution.  
> 4. Large numbers of itinerant construction workers may give rise to an increase in the crime rate.  
> 5. Construction will entail the cutting of 150 trees which will have an adverse impact on the environment.  
> 6. Many residents have invested in buying their properties and now face loss of views and a drop in prices.  
>  
> I have expressed my opposition to this project twice in the last few years without result. I would urge Walter and his colleagues at the Town Planning Board to take the views of Discovery Bay residents into consideration.  
> Yours faithfully,  
> Tham Moo Cheng  
>

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Submission Number:

TPB/R/S/I-DB/5- S13

From: Renu Malani [REDACTED]  
Sent: 2024-06-10 星期一 23:07:09  
To: tpbpd/PLAND <tpbpd@pland.gov.hk>  
Subject: S/I-DB/5

Representation Number:

TPB/R/S/I-DB/5- R16

Dear Sirs

I would like to add my voice to the growing number of concerned residents regarding the proposed development of Nim Shue Wan in Discovery Bay.

Please, we beg you to reconsider your approval of this project. There is an oversupply of property already in Discovery Bay and we do not have the infrastructure to support the residents that already live in the area. There are many problems that exist with transportation links and services available. It is impossible to see how this project will do anything but add strain to our already failing services. It is terrifying to think of the noise and other types of pollution this project will create. The crime rate is already increasing every time scaffolding is even erected around any of the buildings. The height of the buildings proposed will block out so many existing residents' views as well. It will destroy our peaceful and tranquil environment which is the reason most of us chose to live here in the first place. Please don't approve a request to make it like any other mainland city. Most of the current residents I have spoken with say they will leave Discovery Bay if the project is approved, there is no point in being here if there are thousands more people, failing services and total disregard for the environment we live in.

Please reconsider.

Yours faithfully

Renu Malani



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Submission Number:  
TPB/R/S/I-DB/5- S24

From: Yasmin Jiwa [REDACTED]  
Sent: 2024-06-11 星期二 16:57:58  
To: tpbpd/PLAND <tpbpd@pland.gov.hk>  
Subject: Fwd: Discovery Bay new building S/I-DB/5

Representation Number:  
TPB/R/S/I-DB/5- R17

>  
>  
> Dear Sirs /Madam  
>  
>  
> I am opposed to the planned new building site at Nim Shue Wan for the following reasons :  
>  
> A lack of space  
>  
> B noise pollution  
>  
> C reclaiming land  
>  
> D lack of sewage pipelines  
>  
> E poor current infrastructure  
>  
> F of people /land ratio  
>  
> G lacking green  
>  
> H plaza bus terminal already way poorly developed and planned for current population of 25 k .  
>  
> I Where are playground areas for children planned no space for those ?  
>

J no more cars please Db should remain car free and not have taxi ' s coming in to have more traffic

>  
> Please consider my objections and try to improve current situation in Discovery bay  
>  
> Thank you ,  
>  
> Kind regards ,  
>  
> Dr Jiwa  
>  
>  
>  
> Hk ID [REDACTED]  
Yasmin Susan Jiwa

>  
>  
>

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**From:** Yasmin Jiwa [REDACTED]  
**Sent:** 2024-06-11 星期二 16:36:08  
**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>  
**Subject:** Discovery Bay new building S/I-DB/5

Dear Sirs /Madam

I am opposed to the planned new building site at Nim Shue Wan for the following reasons :

A lack of space

B noise pollution

C reclaiming land

D lack of sewage pipelines

E poor current infrastructure

F of people /land ratio

G lacking green

H plaza bus terminal already way poorly developed and planned for current population of 25 k .

I Where are playground areas for children planned no space for those ?

Please consider my objections and try to improve current situation in Discovery bay

Thank you ,

Kind regards ,

Dr Jiwa

Regards,  
Yasmin Jiwa



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Submission Number:

TPB/R/S/I-DB/5- S33

From: Florence Tso [REDACTED]  
Sent: 2024-06-11 星期二 23:25:24  
To: tpbpd/PLAND <tpbpd@pland.gov.hk>  
Subject: Discovery Bay - Nim Shu Wan Development Project

Representation Number:

TPB/R/S/I-DB/5- R18

Dear Sir/Madam,

I moved to Discovery Bay in 1992. To me, Discovery Bay is a paradise where I can live peacefully, breathe fresh air, enjoy beautiful nature, hike on the hills just at the backyard... and at the same time can reach office at Central within an hour. I really enjoyed my life here and love this place very much.

During the past 31+ years I have witnessed many developments in DB and did not have any concerns. But this Nim Shu Wan Development Project does make me feel uncomfortable. I understand that Hong Kong Resort needs to find a way to fill up the vacant seats on the ferry and feed the empty restaurants with more customers, but this time Hong Kong Resort has become too aggressive in the Nim Shu Wan Development Project - planning to build 54 residential blocks including five 18-storey ones at this small waterfront area to accommodate 3000 residents. Worst come to worst is that this new residential development is located right in front of existing residential buildings, blocking not just the view but also the flow of air of these older buildings. I have never imagined this kind of things can happen in Discovery Bay.

After reviewing the tentative plan and attending the presentation by Town Planning Board on June 20, I want to voice out my concerns regarding this huge Nim Shu Wan Development Project and hope Hong Kong Resort can improve the plan:

1. The location of the two 18-storey blocks at Zone B1 is inappropriate because they are situated right at the water front and are significantly blocking the flow of northerly air stream from the Tsoi Yuen Wan and the Southerly air stream from Nim Shu Wan. Hong Kong Resort should cancel these two 18-storey blocks or at least reduce the height of the blocks to 10 storeys.
2. At present, Bus #4/4A running between DB North Plaza and Coastline as well as Bus #9/9A running between Upper Siena and Crestmont are always overloaded during busy hours. I really cannot imagine how these two bus routes can meet the local transportation needs of the additional 3000 residents. At first glance, people may think that Nim Shu Wan is quite close to the ferry pier so residents living there will walk instead of taking bus; but residents may prefer taking DB01R and DB03R buses instead of the ferry, on the way home they will get down at earlier stops after the tunnel to transfer to Bus #4A and Bus #9A to get home. In this way the demand for local bus services to Peninsula Village will jump significantly. Roads of Peninsula Village are winding, undulating, narrow and with a few roundabouts making it not quite feasible to operate bus service using larger bus or double deckers. Therefore, Hong Kong Resort must have a well-thought, practical and executable local transportation plan in place to solve this potential problem, without penalising existing Peninsula Village residents.
3. Existing bus terminus is already fully utilised. Hong Kong Resort needs to find new places to accommodate more bus routes.

I sincerely hope that Town Planning Board can maintain the uniqueness of this special place, NOT trying to convert Discovery Bay to a place like Tung Chung or Park Island.

Yours sincerely,  
Florence Tso Chui Han  
A Discovery Bay Resident for 31+ years

Sent from my iPhone

就圖則作出申述

## Representation Relating to Plan

Submission Number:

TPB/R/S/I-DB/5- S35

Representation Number:

TPB/R/S/I-DB/5- R19

參考編號

Reference Number:

240612-164722-16971

提交限期

Deadline for submission:

12/06/2024

提交日期及時間

Date and time of submission:

12/06/2024 16:47:22

「申述人」全名

Full Name of "Representer":

女士 Ms. Lele Wang

「獲授權代理人」全名

Full Name of "Authorized Agent":

與申述相關的圖則

Plan to which the representation relates:

S/I-DB/5

申述的性質及理由

Nature of and reasons for the representation:

有關事項 Subject Matters	性質 Nature	理由 Reason
Size of 10b development and the impact on local transport and public services	反對 Oppose	<p>I am writing to object to the latest draft plans for the Discovery Bay Plan number S/I-DB/5. My objections focus on three main issues:</p> <ol style="list-style-type: none"> <li>1) the safety of local residents given the projected population increase;</li> <li>2) insufficient local Discovery Bay transport</li> <li>3) inadequate provision of public services such as additional school places and public recreational areas</li> </ol> <p>In the consultation meeting organised by Jonathan Chow – DB district representative – on June 10th, the TPB representative paid no consideration to the fact that:</p> <ol style="list-style-type: none"> <li>i) The current population according to the 2021 census is around 19,400 persons – as stated in the S/I-DB/5 documentation. The full 25,000 population capacity will not be fulfilled until the North Discovery Bay development – currently under construction – is completed.</li> <li>ii) The addition of the planned developments at Coral Court and Nim Shue Wan will take the projected DB population capacity up to 28,300 persons – according to the S/I-DB/5 documentation.</li> </ol> <p>This means the projected population increase from current levels is 8,900 persons or a 46% increase – not as the TPB representative emphasised around 3,300 (ie from 25k to 28.3k) or 13%.</p>



This difference has enormous consequences for DB residents for the following reasons.

1) Bus transport in DB is already inadequate even at current population levels. Buses already run frequently at rush hour times but it is still difficult to get on a bus during these times when kids are going to and from school and people are going to and from work.

- A population increase of 8,900 persons will require substantially more buses to cope with the demand from new residents.

- More buses would require more capacity for overnight parking and maintenance currently undertaken in the area planned for the 10b development. The underground podium appears too small to accommodate an increase in bus numbers especially when compared to the current area.

2) More buses will make DB roads unsafe. Given the closed-loop design of DB's road network, adding bus numbers will make the roads overcrowded and dangerous especially at rush hour times when kids go to and from school. A local resident was sadly killed by a DB bus recently. Additional buses would bring additional dangers and more frequent accidents are inevitable in a district mainly made up of families with young kids and elderly residents.

- A number of kids go to schools outside DB such as in Tung Chung. These schools provide bus services that come into DB to pick up kids. A large increase in population will increase demand for these schools and therefore a likely increase in school buses would add further to DB road traffic and the associated road safety dangers.

3) Public services are already stretched. Schools in DB already have waiting lists and as mentioned in 2) a number of parents send kids to other parts of HK. A 46% increase in population from current levels requires a substantial increase in school places, that does not appear to have been considered by TPB or HKRI.

4) Recreational space in Peninsula Village is limited.

- Existing playgrounds are small and rundown.

- There are no outdoor sports facilities. Even the most densely populated neighbourhoods of HK have at least a basketball court. In the area south of the DB Plaza there's nothing like this.

- The only additional recreational space included in the S/I-DB/5 plan is within the Lantau Yacht Club but this is an exclusive private club with few if any DB residents as members.

#### 對圖則的建議修訂(如有的話)

#### Proposed Amendments to Plan(if any):

Proposed amendments:

- Reduce the size of the current development plan S/I-DB/5. The current plan envisages housing for around an additional 2,145 people in Peninsula Village - this is a 60% increase on the current Peninsula Village population capacity. This should be significantly cut in size. The low-rise buildings should be reduced by at least one storey, more space between the new buildings should be added and the high rise buildings lowered.

This would:

- 1) Keep road traffic at a more manageable level and within more reasonable capacity limits.
- 2) Support road safety.
- 3) Limit the demand/supply imbalance for schools.
- 4) Create space for more outdoor public recreational areas such as a Peninsula Village football pitch or basketball court.
- 5) Address other complaints that the proposed development is excessively overbearing on residents in existing buildings such as Twilight, Jovial, Haven and Verdant Courts.



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Submission Number:

TPB/R/S/I-DB/5- S55

From: Karine Latieze [REDACTED]  
Sent: 2024-06-12 星期三 11:46:09  
To: tpbpd/PLAND <tpbpd@pland.gov.hk>  
Subject: Project Nim Shui Wan

Representation Number:

TPB/R/S/I-DB/5- R20

Dear Sir/Madam,

I am a flat owner in [REDACTED] and would like to provide my feedback to the new project in Nim Shui Wan ferry Pier.

While I think the project might bring new expansion opportunities if nature and spirit of DB is respected I believe a high rise building might not be aesthetically pleasing.

We need to be very careful not to end up with another not good looking building like Twilight Court which is really unpleasant to look at and impact our landscape significantly. Urbanisation should be thought very carefully.

I am however supporting low rise and recreational club for Peninsula village residents. A well designed and maintained club would bring great value to Peninsula Village residents who will spend more time and money in the club and enjoy food and other activities.

Please contact me anytime to get some ideas of developments in our village. I will be more than happy to support you but keep in mind people won't come to live in DB if it is over crowded, nature is taken away and not convenient for them with difficult transportation.

The best investment is to get a compromise between nature and human expansion.

Regards,  
Karine

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**Submission Number:**

TPB/R/S/I-DB/5- S28

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**From:** chim [REDACTED]  
**Sent:** 2024-06-11 星期二 13:09:25  
**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>  
**Subject:** Objection to Y/I-DB/4  
**Attachment:** Objection.pdf

**Representation Number:**

TPB/R/S/I-DB/5- R21

Dear Sir:

Objection has been submitted numerous time, and Master plan stays no changes, herewith would like to submit again for your consideration.

Regards,

Chim Lim



Meeting dated 10<sup>th</sup> of June at 1900 hr was held and hosted by Jonathan Chow of Island District Council Member at Discovery Bay Community Hall (DB North) with regards to the planning application Y/I-DB/4.

**Discovery Bay as a Special Area:**

The Town Planning Board representative acknowledges that Discovery Bay is a unique location. However, there seems to be a missed opportunity for design innovation.

The current approved scheme concept is outdated and lacks the potential for sustainable development as a model village.

**Zoning and Massing Issues:**

Although the area is zoned for low density (1:1), the massing of the buildings appears more like densely packed blocks.

The design fails to consider spatial dimensions and lacks integration with the waterfront.

The master plan lacks urban design considerations beyond interpreting planning data.

**Concerns About Slab Blocks:**

A significant issue arises with the two 18-story slab blocks located in the North-West corner.

These blocks obstruct the waterfront skyline, creating a wall-like effect.

As a result, prevailing winds are blocked, affecting the microenvironment of the area. Refer attached Appendices 1 - 5

In summary, there are opportunities for improvement in the design and planning of Discovery Bay, especially regarding sustainability, urban design, and venturi wind flow considerations.

Yours faithfully,

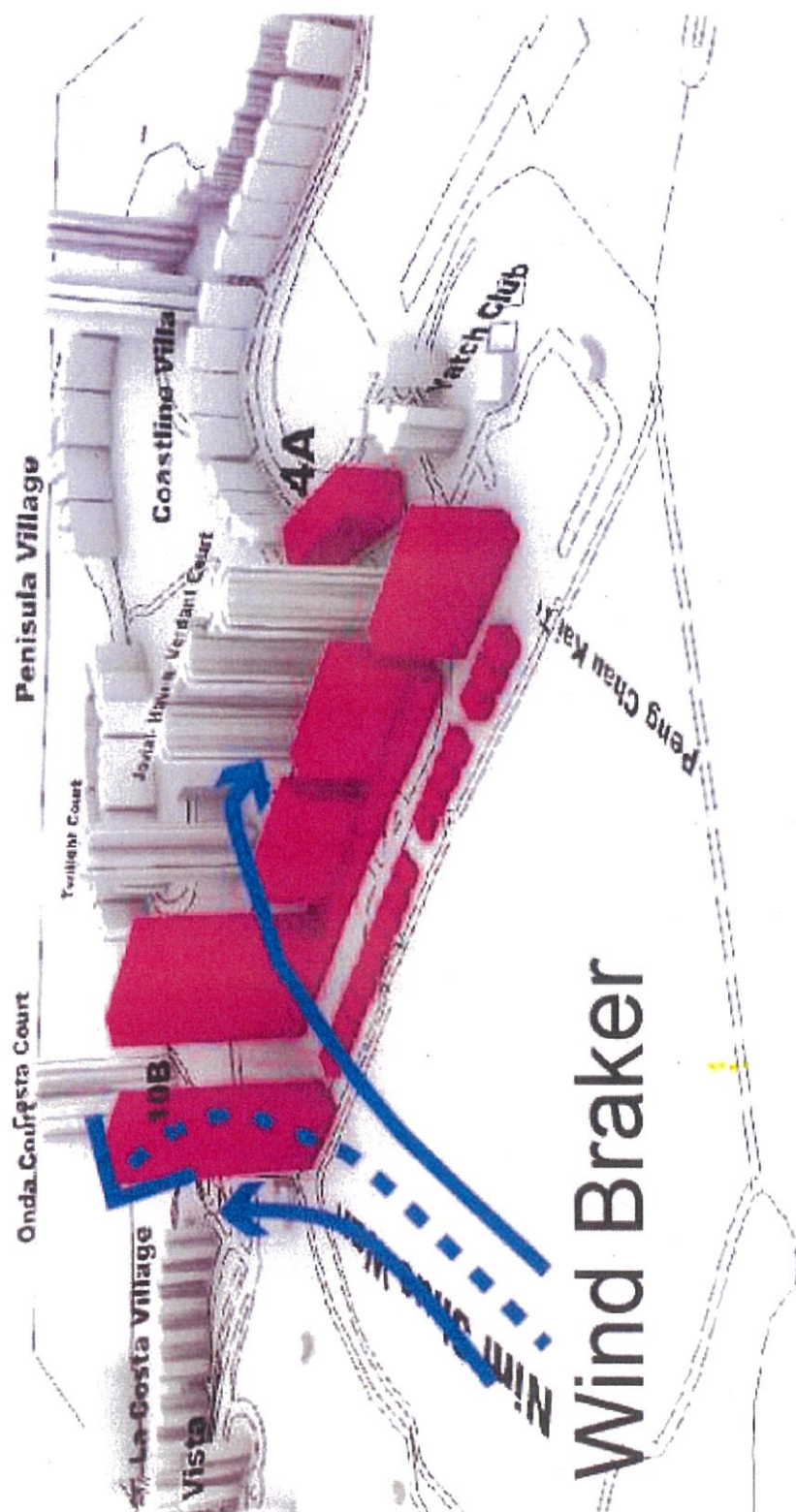


Lim Chim Meng

Resident of DB

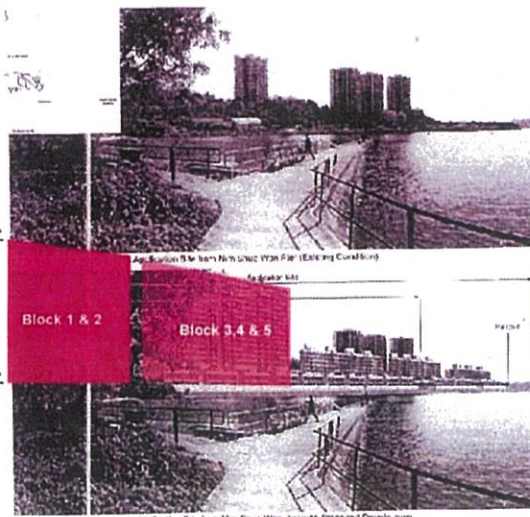
11<sup>th</sup>, June., 2024

Appendix 1 :





88.2 m height  
20 storeys walled  
building blocks



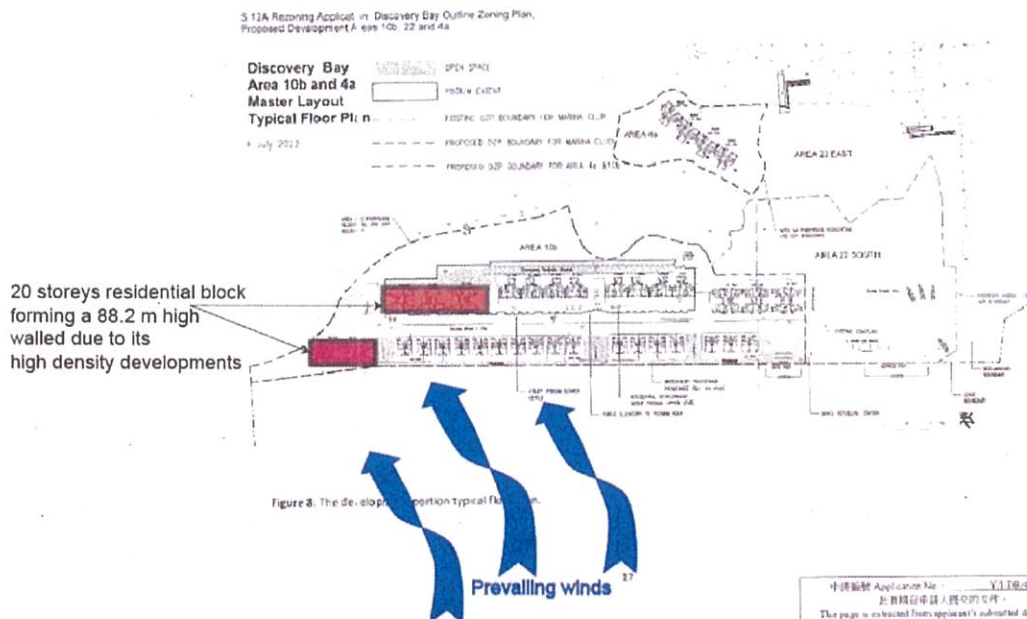
Photomontage - VP1 (VSR REC4) from Nim Shue Wan Pier

10b zone

1/ 20 storeys blocks that defy planning principle of gradual descends to the water front

2/ It further breaks out the skyline silhouettes of the coastal environment

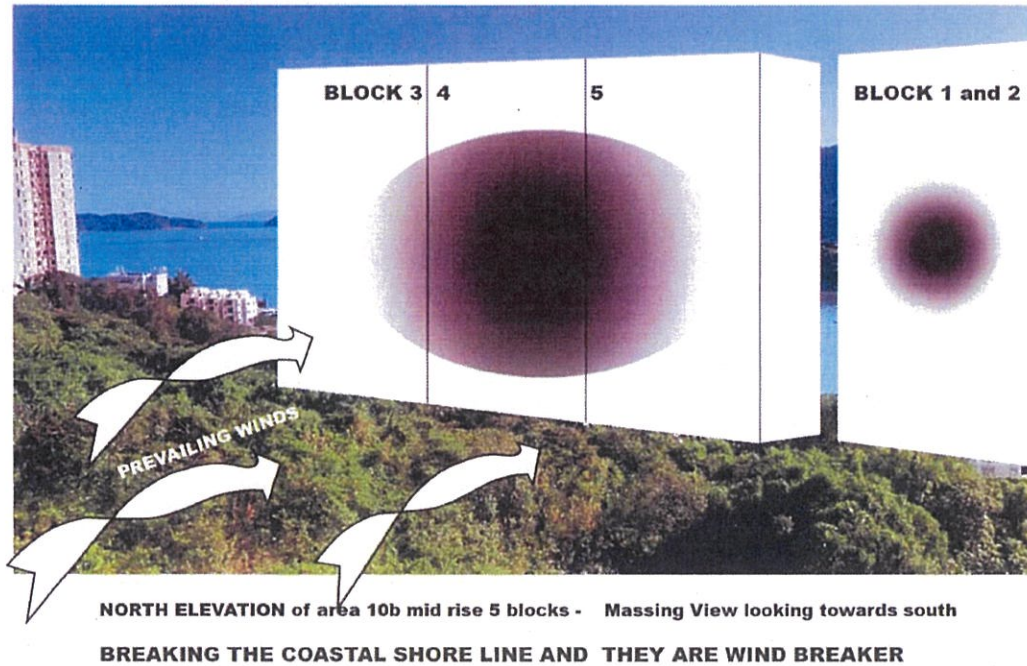
## Appendix 2 Elevations



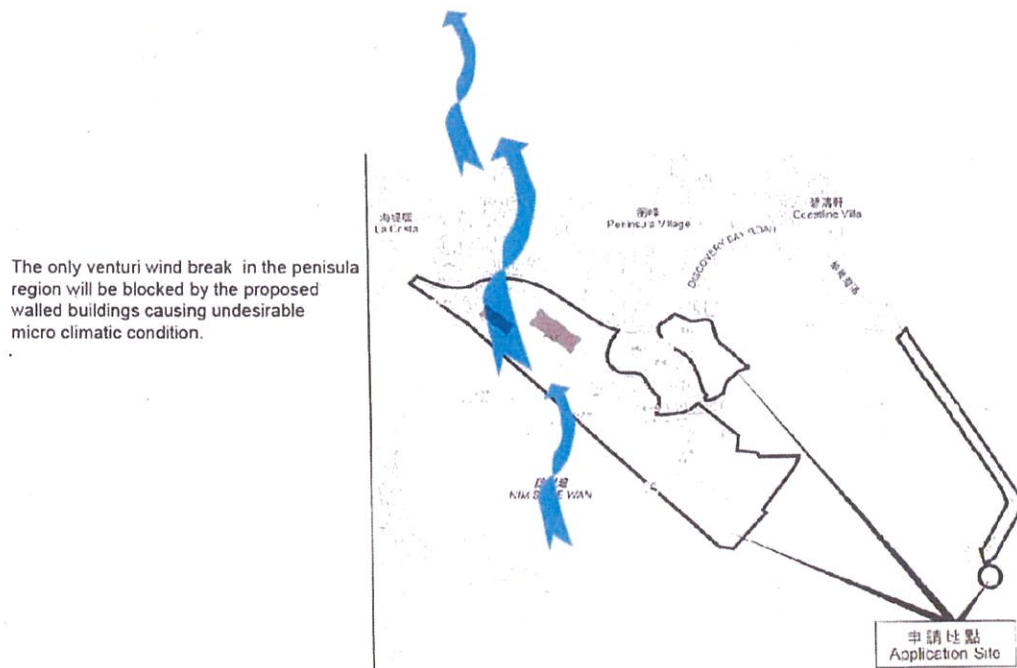
5 Blocks Mid Rise of 20 storeys 88.2 mPD that forms a specific Walled Building that will block prevailing winds and affected ventilation of micro environment to the surrounding neighborhood

## Appendix 3 Plan

## Mid rise Residential Block



Appendix 4 Looking from North West Corner



Appendix 5 Master Plan



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Submission Number:

TPB/R/S/I-DB/5- S47

From: Sik lap Wu  
Sent: 2024-06-12 星期三 09:16:56  
To: tpbpd/PLAND <tpbpd@pland.gov.hk>  
Subject: Y/I/DB4 申請反斥

Representation Number:

TPB/R/S/I-DB/5- R22

教啟者,

愉景灣作為特殊區域：

城市規劃委員會代表承認愉景灣是一個獨特的地理位置。

然而，設計創新的機會似乎被錯過了。

目前核准的方案概錯失機會，缺乏作為模範村莊永續發展的潛力。

分區和量問題：

儘管該地區的分區是低密度(1:1)，但建築物的體積看起來更像密集的建築塊。

設計未考慮空間尺寸，缺乏與海濱的整合。

總體規劃缺乏超越規劃數據解讀的城市設計考量。

高層板塊的問題：

兩座位於西北角的 18 層板塊有重大問題。

這些建築阻擋了海濱天際線，形成了類似屏風樓的效果。

結果，順風被阻擋，影響了該地區的微環境。

總之，稔樹灣灣的設計和規劃有改進的機會，特別是在永續性、城市空間整合和風流考量方面。

申訴人 胡適存

Yahoo Mail: Search, Organize, Conquer

**Submission Number:**

**TPB/R/S/I-DB/5- S40A**

**Submission Number:**

**TPB/R/S/I-DB/5- S40**

☐Urgent ☐Return receipt ☐Expand Group ☐Restricted ☐Prevent Copy

**From:**

**Sent:**

2024-06-12 星期三 12:17:58

**To:**

tpbpd/PLAND <tpbpd@pland.gov.hk>

**Subject:**

Nim Shue Wan building project in Discovery Bay

**Representation Number:**

**TPB/R/S/I-DB/5- R23**

**Representation Number:**

**TPB/R/S/I-DB/5- R24**

Dear Sir,

We are writing to offer feedback on the proposed building project due to start in Discovery Bay.

We have serious concerns regarding the environmental and social impact these residences will have on the DB community. There is already a problem with adequate public transport in the area, and a shortage of school places. Are there also plans in place to increase the provision of public services in the area?

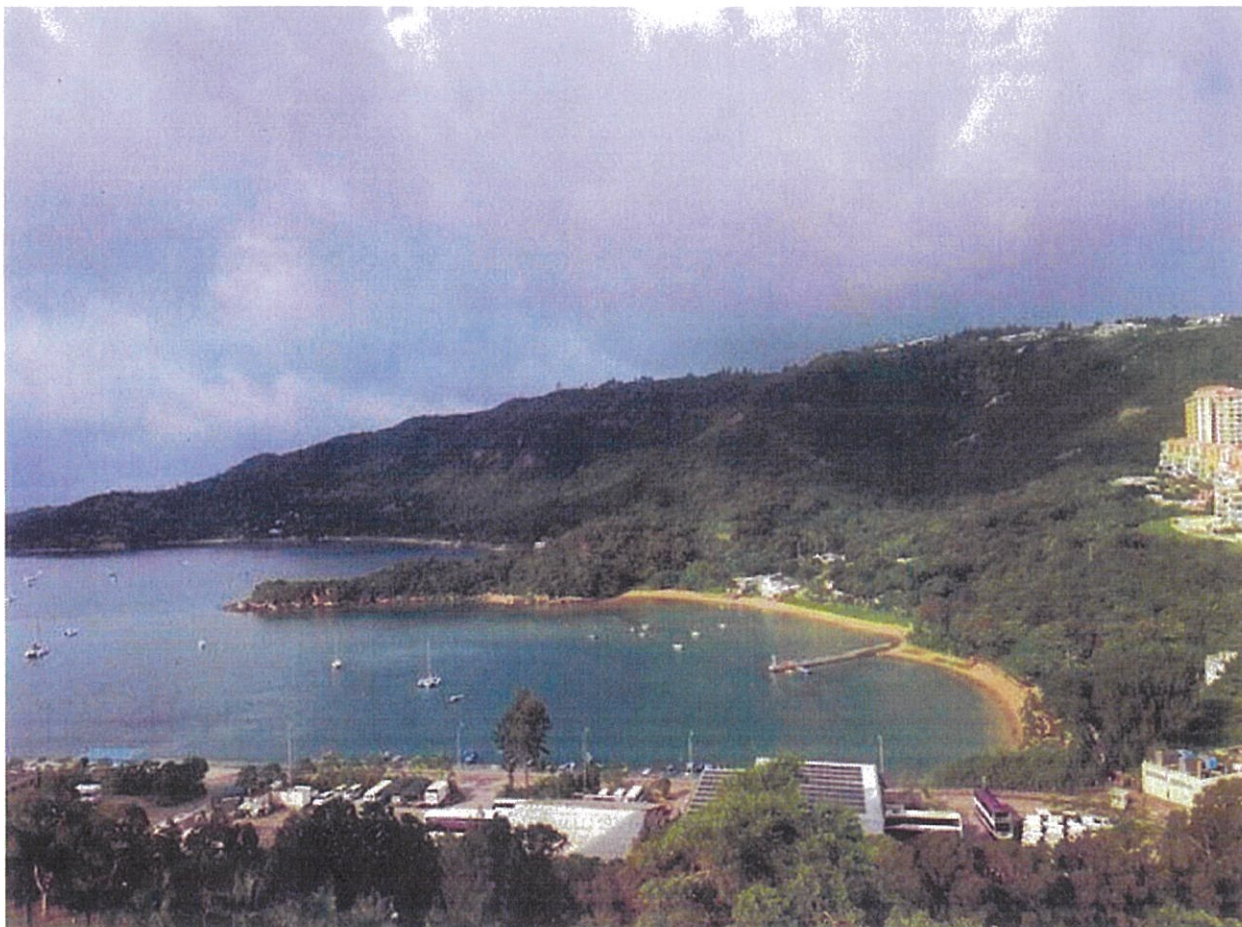
Furthermore, as homeowners on [REDACTED], the photo below is our current view of the bay. The proposed buildings will completely obliterate this view for residents on Caperidge Drive. We recently moved to DB from Ap Lei Chau to escape the HK high rises, and now we are going to have them again surrounding us.

As an alternative, would the developers consider building all the buildings as low-rise, and avoid adding the 18-floor buildings right by the waterfront? This would help to minimise the impact on existing local residents.

Thank you for your attention.

Kind regards,

Andrei and Gemma Soklakov  
[REDACTED]



Sent from my iPhone



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**Submission Number:**

TPB/R/S/I-DB/5- S56

**From:** Chris Telford [REDACTED]  
**Sent:** 2024-06-12 星期三 16:06:40  
**To:** tpbpd/PLAND <tpbpd@pland.gov.hk>  
**Cc:** Walter Wang Ngai KWONG/PLAND  
[REDACTED]

**Representation Number:**

TPB/R/S/I-DB/5- R25

**Subject:** Objection to Planning Application S/I-DB/5  
**Attachment:** Planning Objection\_YI-DB4.pdf; Objection to Planning Application YI-DB4 (June 2023).pdf; m738rnt\_e.pdf

Dear Sir

I welcome the opportunity to object to the subject application. I attended the Town Hall Meeting at Discovery Bay with your departments representatives on Monday evening where the proposed developments in Discovery Bay were presented and discussed. I made a number of observations at the meeting, including the visual impact of the proposal and in particular the 5 high-rise buildings at the northern part of the developers proposal, blocking views and light.

I previously objected to the application (Y/I-DB/4) last year. I have attached those letters of objection for your easy reference as these comments are still relevant and haven't been adequately addressed by the latest submissions of the developer. In reading these submissions, hopefully you can understand my frustrations and those of many DB residents.

I note the proposal was also discussed at meeting 738 of the Rural and New Town Planning Committee in March (minutes attached).

Agenda item 5 point 15 particularly mentions the concerns with building height, with a comment that appears to be a "work around" of overcoming height guidelines on behalf of the developer? Correct me if I am wrong.

Simply by walking along Discovery Bay Road and looking at the plans, the huge impact of the developers proposal is clear to see.

In addition, with reference to point 16 and 17 of meeting 738 on reclamation concerns and how the deck for the waterfront houses will be formed, I have lived in [REDACTED] for many years and the risk of Typhoon damage to the waterfront could also be significant, with swells overtopping the Nim Shu Wan pier and the sea wall, and vessels breaking loose and making landfall.

I would also concur with the concerns voiced at Monday's meeting, including but not limited to increased traffic, inadequate infrastructure and construction impacts and duration.

In addition, I note the eight representations already available on your website, all of which are valid concerns of residents.

I would welcome the opportunity to discuss my concerns with you further.

Yours faithfully,


Christopher Telford ([REDACTED])

**Previous letters of objection**

**Meeting 738 Minutes**



Christopher Telford

e-mail: 

To: Secretary Town Planning Board, Government of HKSAR  
e-mail: tpbpd@pland.gov.hk

## **Objection to Planning Application Y/I-DB/4**

Dear Sir/Madam

I am writing to object to the subject Planning Application made by the developer. I am a Hong Kong resident and have resided in Discovery Bay since 1995. I visited your office in North Point on 23 March 2023 to gather further information that was not available through the Internet and took many photos of the submissions, resubmissions, government department comments and the developer's answers.

There are many areas of concern. These include significant visual impact, scale of development, population growth, obstruction of daylight, lack of ventilation, contaminated land, marine impacts, traffic (both during construction and after occupation), utilities capacity, construction impacts and duration.

Rather than meticulously addressing each point in the application one-by-one, I soon realized that the application was seriously flawed. I will leave it to others to do this, as they have already done in the first round of submissions. I scanned through the over 1400 comments available during my visit, most of which were objecting to the planning application.

In many cases the answers to government departments' comments, amounting to 12 sections and 16 pages did not, in my opinion, fully address the department's concern, often citing an interpretation of a practice note or other such guide or were simply "noted".

I read the Visual Impact Assessment with interest and a smile! The development comprises low and medium rise buildings (that in the case of "medium rise" extend to a level of almost 90m above datum! Also, the sensitive receivers include the poor souls of Peng Chau, Disney visitors and hikers on the mountain, I'm surprised the consultant did not consider Central office workers as well for good measure! These recreational and transportation users are thankfully going to be OK; impact is insignificant. However, the recreational and transport users of Discovery Bay Road and in its vicinity are not so lucky when it comes to visual impact. In fact, they are not even considered, even though there are many of them. The terms "smoke and mirrors" and "having a different agenda" come to mind!

I started preparing my own photomontages of visual impact by taking photographs and overlaying the buildings, but to be honest, life is too short, you only need to read the planning application and visit Discovery Bay to know the proposal must be a nonstarter.

The subject Planning Application should be withdrawn by the developer, and I suggest two alternatives be considered instead, as I propose below.

**Option 1 (preferred)**

- Move the existing bus maintenance, bus parking and waste management facilities to the other side of the Discovery Bay Tunnel, next to existing utilities such as the Sewage Treatment Plant and bus depots. I believe that the current facilities were situated where they are now before the tunnel was built due to the requirement for sea frontage for access to landfill.  
**Note** the existing maintenance and waste facilities have been largely neglected by the developer with little investment apart from a recent attempt to beautify the road to the yacht club with some tree screening.
- Remediate any existing contaminated land (there is likely to be some contamination hotspots from previous industrial usage, e.g. fuel storage and vehicle maintenance)
- Provide parkland and recreational amenities (some low rise housing (2 storeys) could also be incorporated.
- Provide access road to yacht club and boatyard and Kaito pier
- Boat yard can be maintained at Area 22.

**Option 2 (if locating on the other side of DB Tunnel is not deemed possible, although that seems to be the most sensible solution)**

- Remediate any existing contaminated land (there is likely to be some contamination hotspots from previous industrial usage, e.g. fuel storage and vehicle maintenance)
- Build a “green design” covered maintenance depot and waste management facility, largely in line with the developer’s proposal with maximum height to be level with ground level outside Jovial, Haven and Verdant Court.
- Provide parkland and recreational amenities on the roof of the maintenance depot.
- Some low density housing (2 storeys) could also be incorporated at ground level.
- Provide access road to yacht club and boatyard and Kaito pier
- Boat yard can be maintained at Area 22.

Should you require any further information on my comments, please do not hesitate to contact me.

Yours faithfully,

Christopher Telford



Christopher Telford

e-mail: 

To: Secretary Town Planning Board, Government of HKSAR  
e-mail: tpbpd@pland.gov.hk

## Objection to Planning Application Y/I-DB/4

Dear Sir/Madam

Further to my earlier letter of objection, I am writing again to object to the subject Planning Application made by the developer. I visited your office in North Point earlier this week to review the further information provided by the developer and their consultants. I also reviewed a selection of comments made by fellow Discovery Bay residents/property owners and those supporting the development.

I won't repeat my previous comments verbatim although many are still relevant (refer hand-written comments # 7016).

I found that the comments that I reviewed in your office objecting to the planned development were sensible, objective and supported by fact. On the contrary, the comments of those supporting the development were largely subjective, not supported by facts or by real objective evidence. I noted that some commentators were concerned that those supportive comments had been fabricated or coerced through the developer themselves.

I will focus on the additional information provided by the developer/consultants and in particular the amendments relating to "visual impact" (Refer Visual Impact Assessment (Rev B) (VIA). I was not surprised that the consultants would avoid naming parts of Discovery Bay as visual sensitive receivers (VSRs) in the earlier submissions, because they knew that by doing so, they would make the inclusion along the waterfront of the five "medium" rise blocks in the development (~18 floors extending to over ~80m above datum) impossible to support or defend. It is also interesting to note that Section 4.3 of the VIA entitled "Assessment Area" states that potential sources of visual impact were identified by discussions with the project proponent, hence the earlier exclusion?

They have now been forced to include these VSRs in this further submission but have not provided any meaningful evidence to support their conclusions that the visual impact is "moderate" (see highlighted extract from their submission below (7.4.2), which quite frankly is not factual. Please also refer to the Sections 6.4.14 and 6.4.15 of Visual Impact Assessment (Rev. B), which states that the "effect on Public Viewers" is **Large** but the VSRs are considered to have a **Low** sensitivity, thus overall impact significance is **Moderate**. I would recommend that you consult with the VSRs on site that are using the roads and the villages for traveling and recreation (and not just those in Peninsular Village and Lower Caperidge, but also Twilight Court, Onda Court and Costa Court amongst others).

7.4.2 Seven of the fourteen public VSR groups identified (VS REG3 - Hikers at Lo Fu Tau Lookout and Hiking Trail, VSR REC5 - Hikers at Cheung Sha Lan, REC7 - Visitors at Peng Chau Promenade, REC8 - Visitors to Peng Yu Path Beach, REC10 - Visitors to Tai Lei Turtle Rock, Tai Lei, **VSR T2 - Travelers on Discovery Bay Road and VS T3 - Travelers on Caperidge Road**) are assessed as experiencing **Moderate** residual visual impact following construction and implementation of visual mitigation measures. These comprise recreational VSRs who experience a lower degree of impact due to their increased distance from the proposed development and are able to perceive

it in a broader context and traveling VSRs who, whilst they might have relatively close viewpoints, have a lower sensitivity due to the transient and short-lived nature of their views.

The impact on VSRs is anything but “moderate” and as I stated in my previous letter (paragraphs extracted below in blue for your easy reference), a site visit by the relevant authorities would confirm that the impact is both **severe** and **permanent**.

*“I read the Visual Impact Assessment with interest and a smile! The development comprises low and medium rise buildings (that in the case of “medium rise” extend to a level of almost 90m above datum! Also, the sensitive receivers include the poor souls of Peng Chau, Disney visitors and hikers on the mountain, I’m surprised the consultant did not consider Central office workers as well for good measure! These recreational and transportation users are thankfully going to be OK; impact is insignificant. However, the recreational and transport users of Discovery Bay Road and in its vicinity are not so lucky when it comes to visual impact. In fact, they are not even considered, even though there are many of them. The terms “smoke and mirrors” and “having a different agenda” come to mind!*

*I started preparing my own photomontages of visual impact by taking photographs and overlaying the buildings, but to be honest, life is too short, you only need to read the planning application and visit Discovery Bay to know the proposal must be a nonstarter.”*

I reiterate my objection to the development as set out in this letter and my previous letter of 11 April 2023.

Should you require any further information on my comments, or wish to visit the sites with me to understand my concerns, please do not hesitate to contact me.

Yours faithfully,

Christopher Telford



## TOWN PLANNING BOARD

### Minutes of 738<sup>th</sup> Meeting of the Rural and New Town Planning Committee held at 2:30 p.m. on 15.3.2024

#### Present

Director of Planning  
Mr Ivan M.K. Chung

Chairman

Mr Stephen L.H. Liu

Vice-chairman

Dr C.H. Hau

Miss Winnie W.M. Ng

Mr K.W. Leung

Dr Venus Y.H. Lun

Dr Conrad T.C. Wong

Mrs Vivian K.F. Cheung

Mr Vincent K.Y. Ho

Chief Traffic Engineer/New Territories East,  
Transport Department  
Mr K.L. Wong

Principal Environmental Protection Officer (Territory North),  
Environmental Protection Department  
Ms Clara K.W. U

Assistant Director/Regional 3,  
Lands Department  
Mr Lawrance S.C. Chan

Deputy Director of Planning/District  
Mr C.K. Yip

Secretary

**Absent with Apologies**

Professor John C.Y. Ng

Mr K.L. Wong

Chief Engineer (Works),  
Home Affairs Department  
Mr Paul Y.K. Au

**In Attendance**

Assistant Director of Planning/Board  
Ms Caroline T.Y. Tang

Chief Town Planner/Town Planning Board  
Miss Josephine Y.M. Lo

Town Planner/Town Planning Board  
Mr Timothy T.C. Kau



1. The Vice-chairman said that as the Chairman was engaged in another official duty, he would take up the Chairmanship of the meeting until the Chairman returned to join the meeting.

**Agenda Item 1**

Confirmation of the Draft Minutes of the 737<sup>th</sup> RNTPC Meeting held on 1.3.2024

[Open Meeting]

2. The draft minutes of the 737<sup>th</sup> RNTPC meeting held on 1.3.2024 were confirmed without amendment.

**Agenda Item 2**

Matters Arising

[Open Meeting]

3. The Secretary reported that there were no matters arising.

### Deferral Cases

#### Sections 12A and 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

#### Presentation and Question Sessions

4. The Secretary reported that there were 34 cases requesting the Town Planning Board to defer consideration of the applications. Details of those requests for deferral, Members' declaration of interests for individual cases and the Committee's views on the declared interests were in **Annex 1**.

5. The Secretary reported that a letter from a Legislative Council Member, Honorary Michael Tien Puk-sun, was received on 8.3.2024. The letter raised an objection to the application No. A/YL/316 mainly on the grounds that the proposed development would overload the existing transport infrastructure and social welfare facilities. According to the Town Planning Ordinance, as the letter was submitted outside the first three-week of the statutory public inspection period of the application, it should be treated as not having been made and would not be considered. The Committee noted that the applicant had requested deferment of consideration of the application.

#### Deliberation Session

6. After deliberation, the Committee decided to defer decisions on the applications as requested by the applicants pending submission of further information, as recommended in the Papers.

[Dr Conrad T.C. Wong joined the meeting at this point.]

## **Renewal Cases**

### Section 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

#### Presentation and Question Sessions

7. The Secretary reported that there were eight cases for renewal of temporary planning approval and the Planning Department had no objection to the applications or considered that the temporary uses could be tolerated for the further periods as applied for. Details of those planning applications, Members' declaration of interests for individual cases and the Committee's views on the declared interests were in **Annex 2**.

#### Deliberation Session

8. After deliberation, the Committee decided to approve the applications on a temporary basis for the applied renewal periods on the terms of the applications as submitted to the Town Planning Board subject to the approval conditions, if any, stated in the Papers. The Committee also agreed to advise the applicants to note the advisory clauses as set out in the appendix of the Papers.

## **Cases for Streamlining Arrangement**

### Section 16 Applications

[Open Meeting (Presentation and Question Sessions only)]

#### Presentation and Question Sessions

9. The Committee noted that there were 21 cases selected for streamlining arrangement and the Planning Department had no objection to the applications for temporary uses or considered that the temporary uses could be tolerated on a temporary basis for the



applied periods. Details of those planning applications, a Member's declaration of interests for individual cases and the Committee's view on the declared interests were in **Annex 3**.

Deliberation Session

10. After deliberation, the Committee decided to approve the applications on a temporary basis for the applied periods on the terms of the applications as submitted to the Town Planning Board subject to the approval conditions stated in the Papers. The Committee also agreed to advise the applicants to note the advisory clauses as set out in the appendix of the Papers.

**Fanling, Sheung Shui and Yuen Long East District**

**Agenda Item 3**

Section 12A Application

[Open Meeting]

Y/YL-PH/6	Application for Amendment to the Approved Pat Heung Outline Zoning Plan No. S/YL-PH/11, To rezone the application site from "Open Storage" to "Other Specified Uses" annotated "Columbarium (1)", Lot 403 (Part) in D.D. 114, Sheung Tsuen, Pat Heung, Yuen Long
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11. The Secretary reported that the application was withdrawn by the applicant.

**Sai Kung and Islands District**

**Agenda Item 5**

[Open Meeting]

Proposed Amendments to the Approved Discovery Bay Outline Zoning Plan No. S/I-DB/4  
(RNTPC Paper No. 1/24)

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Presentation and Question Sessions

12. The following representatives from the Planning Department (PlanD) were invited to the meeting at this point:

PlanD

Mr Walter W.N. Kwong	- District Planning Officer/Sai Kung and Islands (DPO/SKIs)
Mr Sunny K.Y. Tang	- Senior Town Planner/Sai Kung and Islands
Ms Kennie M.F. Liu	- Town Planner/Sai Kung and Islands (TP/SKIs)

13. With the aid of a PowerPoint presentation, Ms Kennie M.F. Liu, TP/SKIs, briefed Members on the background of the proposed amendments to the Outline Zoning Plan (OZP), technical considerations, consultation conducted and departmental comments as detailed in the Paper. The proposed amendments included:

- (a) Amendment Item A – rezoning a site to the north of Discovery Valley Road from “Other Specified Uses” annotated “Staff Quarters (5)” to “Residential (Group C) 12” (“R(C)12”);
- (b) Amendment Item B1 – incorporating a sea area in Nim Shue Wan into the planning scheme area and zoning it as “R(C)13”, and rezoning a site to the south of Discovery Bay Road from “Government, Institution or Community” (“G/IC”), “Other Specified Uses” annotated “Staff Quarters (1)” (“OU(Staff Quarters)1”), “Residential (Group D)” and “Green Belt” to “R(C)13”;
- (c) Amendment Item B2 – incorporating a sea area in Nim Shue Wan into the planning scheme area and zoning it as “R(C)14”, and rezoning a site near Nim Shue Wan from “OU(Staff Quarters)1”, “Other Specified Uses” annotated “Service Area” (“OU(Service Area)”), “Other Specified Uses” annotated “Pier (3)” (“OU(Pier)3”) and “Other Specified Uses” annotated

“Petrol Filling Station” (“OU(PFS)”) to “R(C)14”;

- (d) Amendment Item B3 – rezoning a site to the northwest of the marina from “Other Specified Uses” annotated “Sports and Recreation Club (4)” (“OU(SRC)4”) and “R(C)7” to “R(C)15”;
- (e) Amendment Item B4 – rezoning a site to the south of Discovery Bay Road from “OU(Staff Quarters)1”, “OU(Service Area)”, “Other Specified Uses” annotated “Dangerous Goods Store/LPG Store”, “OU(Pier)3”, “OU(PFS)”, “G/IC” and “R(C)7” to “Other Specified Uses” annotated “Residential Development with Service Area Below” (“OU(RDSAB)”) and stipulating sub-areas for it;
- (f) Amendment Item B5 – incorporating a sea area in Nim Shue Wan into the planning scheme area and zoning it as “OU(SRC)4” and stipulating as Area B, and rezoning a site to the west of the marina from “OU(Service Area)”, “Other Specified Uses” annotated “Marina” and “OU(PFS)” to “OU(SRC)4” and stipulating it as Area B; and
- (g) Amendment Item B6 - incorporating a sea area in Nim Shue Wan into the planning scheme area and zoning it as “Other Specified Uses” annotated “Helicopter Landing Pad”.

14. As the presentation by PlanD’s representative had been completed, the Vice-chairman remarked that the amendment items were to take forward the Committee’s decisions to agree two section 12A applications (s.12A applications) No. Y/I-DB/2 and Y/I-DB/4. The Vice-chairman asked that as compared with the agreed s.12A applications, whether there were any changes in development controls under the current proposed amendments to take into account Members’ previous comments.

15. In response, Mr Walter W.N. Kwong, DPO/SKIs, said that to address some Members’ concerns on the building height along Nim Shue Wan during the consideration of the agreed s.12A application No. Y/I-DB/4, the proposed “OU(RDSAB)” zone under Amendment Item B4 was sub-divided into three sub-areas with building height restrictions



descending from the north towards the waterfront to provide statutory control on the stepped building height profile. Besides, suitable modifications had been made to the Notes of the "OU(RDSAB)" zone, where 'Bus Depot', 'Recyclable Collection Centre', 'Refuse Disposal Installation', 'Transport Terminus or Station', 'Vehicle and Golf Cart Depot' and 'Vehicle Repair Workshop' uses would be restricted at the lowest two floors of the future development to avoid possible conflict with/adverse impact on the proposed residential development above. Except for the above, the development controls under the current proposed amendments were generally in line with the agreed s.12A applications.

16. The Vice-chairman then invited questions from Members. Some Members raised the following questions on the proposed reclamation in relation to Amendment Items B1 to B6:

- (a) details of the proposed reclamation and whether the newly reclaimed land would be subject to a land premium;
- (b) whether there was any other reclamation project in Hong Kong adopting similar construction method;
- (c) whether the nearby Nim Shue Wan beach would be affected by the proposed reclamation;
- (d) noting from the section plans in Drawings 2c and 2d of the Paper that some portions of the existing/proposed seawalls fell outside the planning scheme boundary of the OZP, whether there would be any statutory control for the construction/reclamation works to be undertaken at these areas;
- (e) whether an Environmental Impact Assessment (EIA) would be required for the proposed reclamation; and
- (f) whether the helipad (Amendment Item B6) would be formed via reclamation, and the future operation of the reprovisioned helipad.

17. In response, Mr Walter W.N. Kwong, DPO/SKIs, with the aid of some PowerPoint slides and plans, made the following main points:

- (a) according to the applicant of the relevant s.12A application No. Y/I-DB/4, the reclamation would be carried out in the form of decking over piles, as the depth of the concerned water area was relatively shallow. However, excavation might still be required if there were large rocks within the reclamation area where metal pillars were required as supporting structures. The details of the proposed reclamation would be subject to detailed design at a later stage. As the proposed reclamation area fell within a private lot, the costs of the reclamation works would be borne by the lot owner. Before the implementation of the proposed developments under the amendment items (including the proposed reclamation), the lot owner was required to apply to the Lands Department for amendment to the Master Layout Plan (MLP) under the lease, which might be subject to premium consideration;
- (b) according to the applicant of the s.12A application, part of the shopping area near the existing DB Plaza was reclaimed by similar construction method;
- (c) Nim Shue Wan beach would not be affected by the proposed reclamation under the amendment items;
- (d) for the areas outside the planning scheme boundary of the OZP, the proposed developments/works would be governed by other relevant legislations, e.g. the Foreshore and Sea-bed (Reclamations) Ordinance for reclamation works and the Buildings Ordinance for building works;
- (e) the applicant had submitted an Environmental Study to support the relevant s.12A application. While the applicant claimed that the proposed reclamation should be exempted from the provisions of the Environmental Impact Assessment (EIA) Ordinance (EIAO) as the reclamation had been authorised under the Foreshore and Sea-bed

(Reclamations) Ordinance before EIAO came into effect in 1998, the Lands Department advised that the authorised reclamation was for a leisure and resort centre rather than residential development and hence, authorisation of the proposed reclamation might need to obtain subject to further legal advice. Therefore, the submission of an EIA for the proposed reclamation might still be required. The scope and details of the EIA submission would be confirmed at detailed design stage; and

- (f) the proposed helicopter landing pad under Amendment Item B6, which would be created through reclamation, was for reprovisioning the existing helipad near Lantau Yacht Club office within Amendment Item B5 site. The existing helipad was provided by the lot owner and was required to make available for Government use at all times under the lease. While no details were given by the applicant, it was envisaged that the operation of the reprovisioned helicopter landing pad under Amendment Item B6 would be similar to that of the existing helipad.

18. A Member asked about the details of the proposed tree compensation and considered that both the number and size of trees should be taken into account in the compensation proposal. In response, Mr Walter W.N. Kwong, DPO/SKIs, with the aid of some PowerPoint slides, said that according to the applicant of the relevant s.12A applications, the majority of the trees at the amendment sites would be either retained or transplanted whilst most of the mature trees would be preserved in-situ. The felled trees (118 out of 225 trees at Amendment Item A site and 178 out of 720 trees at Amendment Items B1 to B5 site) would be compensated within the amendment sites at a ratio exceeding 1:1 in terms of number. The applicant had also committed to exploring opportunities to provide additional compensatory trees at suitable locations outside the amendment sites.

19. The Secretary supplemented that according to the Development Bureau (DEVB) Technical Circular (Works) No. 4/2020 – Tree Preservation (the Technical Circular), compensatory tree planting should be of a ratio not less than 1:1 in terms of number as far as practicable. If sufficient growing space could be identified, the compensatory tree planting ratio of 1:1 in terms of aggregated diameter at breast height should be achieved. The Member further stated that while the requirements set out in the Technical Circular were well



noted, given the presence of ample space within Discovery Bay which was under the sole ownership of the applicant, there was potential for planting more compensatory trees. Another Member echoed, and they suggested that the applicant's commitment to explore opportunities for additional compensatory trees should be reflected in the OZP to ensure better tree compensation.

20. In response to a Member's query on the possibility of imposing such requirement in the OZP at the current proposed amendment stage, the Secretary said that it was feasible to incorporate such requirement in the Explanatory Statement (ES) of the OZP to clearly reflect the views of the Town Planning Board (the Board), which would serve as guidance for the relevant government departments when processing future land documents, MLP, etc. The Vice-chairman suggested and Members agreed that the relevant paragraph in the ES of the OZP at Attachment IV of the Paper should be revised to reflect Members' concerns. The Secretary remarked that the Secretariat of the Board would follow up on the revision to the ES to take into account Members' views on tree compensation.

21. After deliberation, subject to the revision of the ES to address Members' concerns on tree compensation, the Committee decided to:

- (a) agree to the proposed amendments to the approved Discovery Bay OZP No. S/I-DB/4 as shown on the draft Discovery Bay OZP No. S/I-DB/4A at Attachment II of the Paper (to be renumbered as S/I-DB/5 upon exhibition) and its Notes at Attachment III of the Paper were suitable for exhibition under section 5 of the Town Planning Ordinance (the Ordinance); and
- (b) adopt the revised Explanatory Statement (ES) at Attachment IV of the Paper with the revision on tree compensation for the draft Discovery Bay OZP No. S/I-DB/4A (to be renumbered as S/I-DB/5) as an expression of the planning intentions and objectives of the Board for the various land use zonings of the OZP and the revised ES would be published together with the OZP.

22. Members noted that as a general practice, the Secretariat of the Board would undertake detailed checking and refinement of the draft OZP including the Notes and ES, if

appropriate, before their publication under the Ordinance. Any major revisions would be submitted for the Board's consideration.

[Post-meeting Note: the following statement was added to the end of paragraph 7.3 of the ES: "To maintain and enhance the landscape quality of the area, the developer(s) should endeavour to achieve enhanced tree compensation arrangement, as far as practicable, for any tree felling due to new developments in Discovery Bay."]

[Ms Tammy S.N. Kong, Senior Town Planner/Sai Kung and Islands (STP/SKIs), and Mr Matthew L.M. Tai, Town Planner/Sai Kung and Islands (TP/SKIs), were invited to the meeting at this point.]

#### **Agenda Item 7**

##### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions only)]

A/SK-HC/348      Temporary Private Garden for a Period of 3 Years in "Village Type Development" Zone and area shown as 'Road', Lots 1067 S.D and 1074 S.B (Part) in D.D. 244 and Adjoining Government Land, Ho Chung New Village, Sai Kung  
(RNTPC Paper No. A/SK-HC/348)

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##### **Presentation and Question Sessions**

23.            With the aid of some plans, Mr Matthew L.M. Tai, TP/SKIs, briefed Members on the background of the application, the applied use, departmental comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department considered that the temporary use could be tolerated for a period of three years.

24.            Noting that part of the application site (the Site) was government land (GL), a Member enquired whether the GL could be used for Small House development by eligible indigenous villagers. In response, Mr Matthew L.M. Tai, TP/SKIs, said that the GL portion of the Site mainly fell within an area shown as 'Road' on the Outline Zoning Plan and Small House development was not in line with the planning intention of area shown as 'Road'.

### Deliberation Session

25. Noting that it was common for GL being granted to the owners of the adjoining Small Houses/Houses at low fees for private garden use, a Member opined that appropriate mechanism could be explored to discourage such similar cases in the future.

26. After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 15.3.2027, on the terms of the application as submitted to the Town Planning Board. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

### Agenda Item 9

#### Section 16 Application

[Open Meeting (Presentation and Question Sessions only)]

A/SK-PK/291      Proposed Minor Relaxation of Site Coverage and Plot Ratio Restrictions for Permitted House Development in “Residential (Group C)2” Zone, Lot 859 in D.D. 216, 101 Tai Mong Tsai Road, Sai Kung  
(RNTPC Paper No. A/SK-PK/291A)

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#### Presentation and Question Sessions

27. With the aid of some plans, Ms Tammy S.N. Kong, STP/SKIs, briefed Members on the background of the application, the proposed development, departmental comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

28. Members had no question on the application.

### Deliberation Session

29. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 15.3.2028, and after the said date, the permission should cease to have effect



unless before the said date, the development permitted was commenced or the permission was renewed. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

[The Vice-chairman thanked PlanD's representatives for attending the meeting. They left the meeting at this point.]

### **Sha Tin, Tai Po and North District**

[Messers Kevin K.W. Lau, Jeffrey P.K. Wong and Tim T.Y. Fung, Senior Town Planners/Shan Tin, Tai Po and North (STPs/STN), and Mr Nicol W.K. Yu, Town Planner/Shan Tin, Tai Po and North (TP/STN), were invited to the meeting at this point.]

### **Agenda Item 10**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/TP/693                      Proposed Public Utility Installation (Stormwater Storage Facility) in "Open Space" Zone, Government Land at Tai Po Old Market Playground (Part) and a registered slope No. 7NW-B/F 193, Tai Po  
(RNTPC Paper No. A/TP/693)

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30.            The Secretary reported that the application site (the Site) was located in Tai Po. The application was submitted by the Drainage Services Department (DSD) and AECOM Asia Company Limited (AECOM) was the consultant of the applicant. The following Members had declared interests on the item:

- |                     |  |
|---------------------|--|
| Dr Venus Y.H. Lun   | - co-owning with spouse a property in Tai Po;              |
| Dr Conrad T.C. Wong | - having current business dealings with DSD and AECOM; and |
| Mr Vincent K.Y. Ho  | - having current business dealings with AECOM.             |

31. As the property co-owned by Dr Venus Y.H. Lun with her spouse had no direct view of the Site, and Dr Conrad T.C. Wong and Mr Vincent K.Y. Ho had no involvement in the application, the Committee agreed that they could stay in the meeting.

#### Presentation and Question Sessions

32. With the aid of some plans, Mr Kevin K.W. Lau, STP/STN, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

33. Members had no question on the application.

#### Deliberation Session

34. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 15.3.2028, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

### **Agenda Item 11**

#### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LT/765      Proposed House (New Territories Exempted House - Small House) in  
"Agriculture" Zone, Lots 567 S.D and 573 S.G in D.D. 8, Sha Pa, Lam  
Tsuen, Tai Po  
(RNTPC Paper No. A/NE-LT/765)

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#### Presentation and Question Sessions

35. With the aid of some plans, Mr Kevin K.W. Lau, STP/STN, briefed Members on

the background of the application, the proposed development, departmental comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department (PlanD) did not support the application.

36. Noting that the application site (the Site) was the subject of a previous application (No. A/NE-LT/758) submitted by the same applicant for the same proposed development which was rejected by the Committee in October 2023, a Member asked whether the previous and current applications were submitted by the same authorised agent and the applicant had provided any new justifications for the current application. In response, Mr Kevin K.W. Lau, STP/STN, said that the previous and current applications were submitted by the same authorised agent and supported by largely similar justifications.

37. The Secretary remarked that under the Town Planning Ordinance, there was no provision for the Town Planning Board (the Board) not to consider applications for the sites that were the subject of previously rejected application(s), even if the applications were submitted by the same applicant with similar proposals. Besides, there might be change in planning circumstances and new justifications from the applicant for such repeated applications.

38. A Member noted that there was a number of Small House grants approved by the Lands Department in the vicinity of the Site, with some of them approved more than 20 years ago but yet to be executed, and enquired about the reason for such a delay in implementation. In response, Mr Kevin K.W. Lau, STP/STN, said that the implementation of the proposed Small House developments was subject to the specific circumstances of individual cases, such as certain technical considerations.

39. In response to a Member's query on whether the proposed Small House could be considered as an "infill" development warranting sympathetic consideration, the Secretary said that according to the 'Interim Criteria for Consideration of Application for New Territories Exempted House/Small House in New Territories' (the Interim Criteria), sympathetic consideration might be given to a New Territories Exempted House (NETH)/Small House application if there were specific circumstances to justify the case, such as the Site being an infill site among existing NTEHs/Small Houses. However, for the current application, most of the proposed NTEH/Small House developments in its vicinity



were yet to be implemented and hence the cluster of NTEHs/Small Houses was not yet established. As such, sympathetic consideration could not be given in accordance with the Interim Criteria.

#### Deliberation Session

40. A Member observed that for applications with very slim chance of approval under the prevailing assessment criteria of the Board, some applicants still made repeated submissions without any new justifications, and, as a result, the relevant government bureaux/departments and the Board had to devote considerable effort to process those applications. The Member suggested that PlanD could explore to promulgate more information in respect of the assessment criteria of the Board, with a view to minimising the number of such applications. In response, the Secretary said that in formulating the Interim Criteria, the locals had been consulted and the Interim Criteria had been promulgated and exercised effectively for a long time. With years of implementation, the locals were well aware of the assessment criteria as detailed in the Interim Criteria. Besides, the Interim Criteria were available to the public from the Board's website and members of the public could always seek advice from the District Planning Offices of PlanD before submitting a formal application if needed. After discussion, Members generally considered that the current practice in promulgating the relevant assessment criteria for public information was adequate.

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

- “(a) the proposed development is not in line with the planning intention of the “Agriculture” zone which is primarily to retain and safeguard good quality agricultural land/farm/fish ponds for agricultural purposes. It is also intended to retain fallow arable land with good potential for rehabilitation for cultivation and other agricultural purposes. There is no strong planning justification in the submission for a departure from the planning intention; and
- (b) land is still available within the “Village Type Development” (“V”) zones

of Shui Wo and Sha Pa which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zones for more orderly development pattern, efficient use of land and provision of infrastructures and services.”

## **Agenda Item 12**

### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-KLH/639      Proposed Public Utility Installation (Solar Photovoltaic System) in  
“Village Type Development” Zone, Lot 1005 in D.D. 7, Wai Tau  
Tsuen, Tai Po  
(RNTPC Paper No. A/NE-KLH/639)

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### **Presentation and Question Sessions**

42.      With the aid of some plans, Mr Jeffrey P.K. Wong, STP/STN, briefed Members on the background of the application, the proposed use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

43.      Two Members raised the following questions:

- (a)      whether installation of solar panels at the rooftop of a New Territories Exempted House (NTEH) or a temporary structure required planning permission from the Town Planning Board (the Board); and
- (b)      whether the two temporary structures at the application site (the Site) were authorised by relevant government department(s).

44.      In response, Mr Jeffrey P.K. Wong, STP/STN, made the following main points:

- (a)      according to the Notes of the Outline Zoning Plan, ‘Public Utility

Installation' was a Column 2 use which required planning permission from the Board within the subject "Village Type Development" zone. However, for the solar panels installed at the rooftop of NTEHs, if the electricity generated was for the use of the NTEH, it could be regarded as an ancillary use and no planning permission was required. As the proposed solar photovoltaic system under the application would be installed at two temporary structures and connected to the existing electrical power network under the 'Renewable Energy Feed-in Tariff Scheme', it would be regarded as 'Public Utility Installation' and planning permission from the Board was required; and

- (b) according to the Lands Department, the two temporary structures at the Site were surveyed squatter structures which were tolerated to remain on a temporary basis. According to the applicant, both structures were recently rebuilt.

#### Deliberation Session

45. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 15.3.2028, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the approval conditions stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.



**Agenda Items 15 and 16**

**Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

- |             |   |
|-------------|---|
| A/NE-TK/792 | Proposed House (New Territories Exempted House - Small House) in<br>“Green Belt” Zone, Government Land near Lot 840 in D.D.28, Lung<br>Mei, Tai Po<br>(RNTPC Paper No. A/NE-TK/792) |
| <br>        |   |
| A/NE-TK/793 | Proposed House (New Territories Exempted House - Small House) in<br>“Green Belt” Zone, Lot 391 S.A in D.D. 28, Lung Mei, Tai Po<br>(RNTPC Paper No. A/NE-TK/793)                    |
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46. The Committee agreed that as the two s.16 applications for proposed house (New Territories Exempted House – Small House) were similar in nature and the application sites were located in close proximity to each other within the same “Green Belt” zone, they could be considered together.

**Presentation and Question Sessions**

47. With the aid of some plans, Mr Jeffrey P.K. Wong, STP/STN, briefed Members on the background of the applications, the proposed developments, departmental and public comments, and the planning considerations and assessments as detailed in the Papers. The Planning Department did not support the applications.

48. Members had no question on the applications.

**Deliberation Session**

49. After deliberation, the Committee decided to reject the applications. The reasons for each of the applications were:

- “(a) the proposed development is not in line with the planning intention of the “Green Belt” zone which is primarily for defining the limits of urban and

sub-urban development areas by natural features and to contain urban sprawl as well as to provide passive recreational outlets. There is a general presumption against development within this zone. There is no strong planning justification in the submission for a departure from this planning intention; and

- (b) land is still available within the “Village Type Development” (“V”) zone of Lung Mei and Tai Mei Tuk which is primarily intended for Small House development. It is considered more appropriate to concentrate the proposed Small House development within the “V” zone for more orderly development pattern, efficient use of land and provision of infrastructure and services.”

#### **Agenda Items 18 to 20**

##### **Section 16 Applications**

[Open Meeting (Presentation and Question Sessions Only)]

A/NE-LK/156      Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 1396 S.B and 1397 S.B in D.D. 39, Ma Tseuk Leng, Sha Tau Kok

A/NE-LK/157      Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 1396 S.C and 1397 S.C in D.D. 39, Ma Tseuk Leng, Sha Tau Kok

A/NE-LK/158      Proposed House (New Territories Exempted House - Small House) in “Agriculture” Zone, Lots 1396 S.D and 1397 S.D in D.D. 39, Ma Tseuk Leng, Sha Tau Kok

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(RNTPC Paper No. A/NE-LK/156, 157 and 158)

50.      The Committee agreed that as the three s.16 applications for proposed house (New Territories Exempted House – Small House) were similar in nature and the application sites were located in close proximity to one another within the same “Agriculture” zone, they could be considered together.

### Presentation and Question Sessions

51. With the aid of some plans, Mr Tim T.Y. Fung, STP/STN, briefed Members on the background of the applications, the proposed developments, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the applications.

52. In response to a Member's query on the status of the Small House grants in relation to the applications, Mr Tim T.Y. Fung, STP/STN, said that as advised by the Lands Department, the relevant Small House grants were still under processing. Since the previous planning approvals had already lapsed, the applicants had to submit fresh s.16 applications for the proposed developments.

### Deliberation Session

53. After deliberation, the Committee decided to approve the applications, on the terms of the applications as submitted to the Town Planning Board. Each of the permissions should be valid until 15.3.2028, and after the said date, the permissions should cease to have effect unless before the said date, the developments permitted were commenced or the permissions were renewed. The Committee also agreed to advise the applicants to note the advisory clauses as set out in the appendix of the Paper.

### Agenda Item 36

#### Section 16 Application

[Open Meeting]

A/NE-TKLN/81	Proposed Temporary Public Vehicle Park (Private Car Only) for a Period of Three Years in "Recreation" Zone, Lots 1479 S.B ss.3 and 1480 S.B RP in D.D. 78, Ta Kwu Ling North
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54. The Secretary reported that the application was withdrawn by the applicant.



[The Vice-chairman thanked PlanD's representatives for attending the meeting. They left the meeting at this point.]

[Dr Venus Y.H. Lun left the meeting temporarily at this point.]

**Fanling, Sheung Shui and Yuen Long East District**

[Ms Lucille L.S. Leung and Mr C.K. Fung, Senior Town Planners/Fanling, Sheung Shui and Yuen Long East (STPs/FSYLE), and Ms Andrea W.Y. Yan, Town Planner/Fanling, Sheung Shui and Yuen Long East (TP/FSYLE), were invited to the meeting at this point.]

**Agenda Item 39**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/KTN/101	Temporary Warehouse and Vehicle Repair Workshop with Ancillary Office and Staff Rest Room for a Period of 3 Years in "Open Space" and "Other Specified Uses" annotated "Business and Technology Park" Zones and area shown as 'Road', Lots 736 RP, 738 RP (Part) and 739 RP in D.D. 95 and Adjoining Government Land, Kwu Tung North (RNTPC Paper No. A/KTN/101)
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55. The Secretary reported that the application site (the Site) was located in Kwu Tung and Dr C.H. Hau had declared an interest on the item for owning a property in Kwu Tung. As the property owned by Dr C.H. Hau had no direct view of the Site, the Committee agreed that he could stay in the meeting.

**Presentation and Question Sessions**

56. With the aid of some plans, Ms Lucille L.S. Leung, STP/FSYLE, briefed Members on the background of the application, the applied uses, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department did not support the application.

57. Members had no question on the application.

Deliberation Session

58. After deliberation, the Committee decided to reject the application. The reason was:

“the application site (the Site) falls with the Remaining Phase of the Kwu Tung North/Fanling North New Development Area (KTN/FLN NDA) with imminent land resumption and development programme. Approval of the application would jeopardise the planned developments of the Site under the KTN/FLN NDA. There is no strong planning justifications in the submission for a departure from the planning intentions.”

**Agenda Item 41**

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/964      Proposed Flats with Minor Relaxation of Plot Ratio and Building Height Restrictions in “Residential (Group E)” Zone, Lot 1071 in D.D. 103 and Adjoining Government Land, Ha Ko Po Tsuen, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/964A)

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59. The Secretary reported that the application was submitted by Ease Gold Development Limited, which was a subsidiary of Sun Hung Kai Properties Limited (SHK). The following Members had declared interests on the item:

Miss Winnie W.M. Ng	-	for being a director of the Kowloon Motor Bus Company (1933) Limited (KMB) and Long Win Company Limited (Long Win), and SHK was having shareholding interests
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of KMB and Long Win;

Dr Conrad T.C. Wong - having current business dealings with SHK;  
and

Mr Vincent K.Y. Ho - having current business dealings with SHK.

60. As the interest of Miss Winnie W.M. Ng was direct, the Committee agreed that she should refrain from discussion for the item and be invited to leave the meeting temporarily for the deliberation session. As Dr Conrad T.C. Wong and Mr Vincent K.Y. Ho had no involvement in the application, the Committee agreed that they could stay in the meeting.

61. With the aid of a PowerPoint presentation, Mr C.K. Fung, STP/FSYLE, briefed Members on the background of the application, the proposed development, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

62. Members had no question on the application.

[Miss Winnie W.M. Ng left the meeting temporarily at this point.]

#### Deliberation Session

63. After deliberation, the Committee decided to approve the application, on the terms of the application as submitted to the Town Planning Board. The permission should be valid until 15.3.2028, and after the said date, the permission should cease to have effect unless before the said date, the development permitted was commenced or the permission was renewed. The permission was subject to the approval conditions stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

[Miss Winnie W.M. Ng rejoined the meeting at this point.]



**Agenda Item 46**

**Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-KTN/984      Proposed Temporary Private Club for a Period of 3 Years in  
“Residential (Group C) 2” Zone, Lot 130 RP in D.D.110 and Adjoining  
Government Land, Kam Tin, Yuen Long  
(RNTPC Paper No. A/YL-KTN/984)

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**Presentation and Question Sessions**

64.            With the aid of some plans, Ms Andrea W.Y. Yan, TP/FSYLE, briefed Members on the background of the application, the proposed use, departmental comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department had no objection to the application.

65.            Members had no question on the application.

**Deliberation Session**

66.            After deliberation, the Committee decided to approve the application on a temporary basis for a period of 3 years until 15.3.2027, on the terms of the application as submitted to the Town Planning Board and subject to the approval conditions stated in the Paper. The Committee also agreed to advise the applicant to note the advisory clauses as set out in the appendix of the Paper.

[The Vice-chairman thanked PlanD’s representatives for attending the meeting. They left the meeting at this point.]

[Dr Venus Y.H. Lun rejoined the meeting at this point.]

**Tuen Mun and Yuen Long West District**

**Agenda Item 61**

[Open Meeting]

Proposed Amendments to the Approved Tin Shui Wai Outline Zoning Plan No. S/TSW/16  
(RNTPC Paper No. 2/24)

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67. The Secretary reported that Amendment Item A involved rezoning of a site at Tin Shui Wai Area 14 to facilitate a proposed private residential development, which was supported by an engineering feasibility study (EFS) conducted by the Civil Engineering and Development Department (CEDD), and Amendment Item A site was mainly occupied by the Tin Shui Wai Bus Depot of the Kowloon Motor Bus Company (1933) Limited (KMB) under Short Term Tenancies. The following Members had declared interests on the item:

- |                     |   |  |
|---------------------|---|--|
| Miss Winnie W.M. Ng | - | for being a director of KMB; and   |
| Dr C.H. Hau         | - | for being a member of a focus group of CEDD on the study related to the Kau Yi Chau Artificial Islands, an adviser to CEDD on the development of New Territories North, and conducting contract research projects with CEDD. |

68. As the interest of Miss Winnie W.M. Ng was direct, the Committee agreed that she should be invited to leave the meeting temporarily for the item. As Dr C.H. Hau had no involvement in Amendment Item A, the Committee agreed that he could stay in the meeting.

[Miss Winnie W.M. Ng left the meeting temporarily at this point.]

**Presentation and Question Sessions**

69. The following government representatives and consultants were invited to the meeting at this point:

Planning Department (PlanD)

Mr Raymond H.F. Au	- District Planning Officer/Tuen Mun and Yuen Long West (DPO/TMYLW)
Mr Eric C.Y. Chiu	- Senior Town Planner/Tuen Mun and Yuen Long West (STP/TMYLW)
Ms Jessie M.H. Kwok	- Town Planner/Tuen Mun and Yuen Long West

CEDD

Mr Carl K.S. Ng	- Senior Engineer/10 (W)
Mr Ray C.W. Choy	- Engineer/24 (W)

Consultants

Dr Karl An	- AECOM Asia Company Limited (AECOM)
Ms C.M. Kwok	- AECOM

70. With the aid of a PowerPoint presentation, Mr Eric C.Y. Chiu, STP/TMYLW, briefed Members on the background of the proposed amendments to the Outline Zoning Plan (OZP), technical considerations, provision of government, institution and community facilities and open space in the area, consultation conducted and departmental comments as detailed in the Paper. The proposed amendments included:

- (a) Amendment Item A – rezoning a site in Tin Shui Wai Area 14 from “Other Specified Uses” annotated “Bus Depot”, “Government, Institution or Community” (“G/IC”) and area shown as ‘Road’ to “Residential (Group A)2”;
- (b) Amendment Item B1 – rezoning a site in Tin Shui Wai Area 115 from “Comprehensive Development Area” (“CDA”) to “Residential (Group B) 3” (“R(B)3”) with designation of non-building area (NBA);
- (c) Amendment Item B2 – rezoning a site in Tin Shui Wai Area 112 from “CDA” to “R(B)4” with designation of NBA;



- (d) Amendment Item B3 – rezoning two strips of land in Tin Shui Wai Areas 112 and 115 from “CDA” to area shown as ‘Road’; and
- (e) Amendment Item C – rezoning a site at the junction of Tin Yip Road and Tin Kwai Road from “Other Specified Uses” annotated “Telephone Exchange” to “G/IC”.

71. The Vice-chairman remarked that Amendment Items B and C were mainly to reflect the as-built developments and the latest planning circumstances. In response to the Vice-chairman’s enquiry, Mr Raymond H.F. Au, DPO/TMYLW, PlanD said that Amendment Item A site (Item A Site) was intended to be disposed for private residential development upon completion of the statutory OZP amendment process. The Vice-chairman then invited questions and views from Members.

72. A Member enquired whether there was any possibility to include Tin Chuk Street and the telephone exchange site to the west of Item A site into the proposed private residential development to optimise utilisation of land resources. In response, Mr Raymond H.F. Au, DPO/TMYLW, PlanD said that Tin Chuk Street was the only vehicular access to the existing Tin Shui Wai Tin Chuk Street Sewage Pumping Station to the southwest of Item A Site currently serving the Tin Shui Wai area, while access to the telephone exchange to the west of Item A site was from Tin Pak Road. The relevant government bureau(x)/department(s) currently had no plan to relocate the sewage pumping station and the telephone exchange. As such, Tin Chuk Street, the sewage pumping station site and the telephone exchange site were not included in the site boundary of the proposed residential housing development under CEDD’s EFS. In that regard, the same Member considered that retaining Tin Chuk Street to serve solely the sewage pumping station might not be efficient in terms of land utilisation, and opined that consideration could be given to including Tin Chuk Street into the proposed private residential development site should there be a change in circumstances in the future.

73. After deliberation, the Committee decided to:

- (a) agree to the proposed amendments to the approved Tin Shui Wai OZP No.

S/TSW/16 as shown on the draft Tin Shui Wai OZP No. S/TSW/16A at Attachment II of the Paper (to be renumbered as S/TSW/17 upon exhibition) and its Notes at Attachment III of the Paper were suitable for exhibition under section 5 of the Town Planning Ordinance (the Ordinance); and

- (b) adopt the revised Explanatory Statement (ES) for the draft Tin Shui Wai OZP No. S/TSW/16A at Attachment IV of the Paper (to be renumbered as S/TSW/17) as an expression of the planning intentions and objectives of the Board for the various land use zonings of the OZP and the revised ES would be published together with the OZP.

74. Members noted that as a general practice, the Secretariat of the Board would undertake detailed checking and refinement of the draft OZP including the Notes and ES, if appropriate, before their publication under the Ordinance. Any major revision would be submitted for the Board's consideration.

[The Vice-chairman thanked the government representatives and consultants for attending the meeting. They left the meeting at this point.]

[Miss Winnie W.M. Ng rejoined the meeting at this point.]

[Mr Eric C.Y. Chiu, Senior Town Planner/Tuen Mun and Yuen Long West (STP/TMYLW), was invited to the meeting at this point.]

### **Agenda Item 63**

#### **Section 16 Application**

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/506      Proposed Filling of Land for Permitted Agricultural Use in "Village Type Development" Zone, Lot 1394 S.A in D.D. 129, Mong Tseng Wai, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/506)

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### Presentation and Question Sessions

75. With the aid of some plans, Mr Eric C.Y. Chiu, STP/TMYLW, briefed Members on the background of the application, the proposed works, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department did not support the application.

76. A Member noted that when the previous application No. A/YL-LFS/271 for proposed filling of land was approved by the Committee in 2015, the application site (the Site) was fragmented from the fish ponds/wetland in the Wetland Conservation Area due to unauthorised development, and asked if there had been any change/improvement to the environment in the area since then. In response, Mr Eric C.Y. Chiu, STP/TMYLW, said that around 2015, land filling works had been carried out in the vicinity of the Site and the environment of the area was adversely affected. Subsequently, with enforcement actions taken by the Planning Authority, the environment of the Site and its vicinity had seen improvements in recent years and the area was now largely covered by vegetation. The Vice-chairman expressed appreciation for the effectiveness of enforcement actions taken by the Planning Department.

### Deliberation Session

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

- “(a) the proposed filling of land, which falls within the Wetland Buffer Area, is not in line with the Town Planning Board Guidelines for ‘Application for Developments within Deep Bay Area under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 12C) in that there is no ecological impact assessment in the submission to demonstrate that the proposed filling of land would not result in “net-loss in wetland” and negative off-site disturbance impact to the wetland/fishponds at the Wetland Conservation Area; and
- (b) the applicant fails to justify the need for the proposed filling of land, and to



demonstrate that the proposed filling of land would not have adverse landscape impact on the surrounding areas.”

### Agenda Item 65

#### Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/YL-LFS/508      Temporary Open Storage of Construction Materials for a Period of 3 Years in “Residential (Group E)” and “Green Belt” Zones, Lots 1700 (Part) and 1701 (Part) in D.D. 129, Lau Fau Shan, Yuen Long  
(RNTPC Paper No. A/YL-LFS/508)

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#### Presentation and Question Sessions

78.      With the aid of some plans, Mr Eric C.Y. Chiu, STP/TMYLW, briefed Members on the background of the application, the applied use, departmental and public comments, and the planning considerations and assessments as detailed in the Paper. The Planning Department did not support the application.

79.      Members had no question on the application.

#### Deliberation Session

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

“(a)    the applied use is not in line with the planning intention of the “Residential (Group E)” zone, which is primarily for phasing out of existing industrial uses through redevelopment for residential use on application to the Town Planning Board. There is no strong planning justification in the submission for a departure from the planning intention, even on a temporary basis;

(b)    the applied use is not in line with the Town Planning Board Guidelines for

‘Application for Open Storage and Port Back-up Uses under Section 16 of the Town Planning Ordinance’ (TPB PG-No. 13G) in that the applicant fails to demonstrate that the applied use would not have adverse traffic impact on the surrounding areas; and

- (c) the applicant fails to demonstrate that the applied use would not be susceptible to adverse slope safety impact and would not have adverse slope safety impact on the surrounding areas.”

**Agenda Item 67**

**Section 16 Application**

[Open Meeting]

A/YL-PN/75	Proposed Redevelopment of House (New Territories Exempted House), and Filling and Excavation of Land in “Coastal Protection Area” Zone, Lot 117 in D.D. 135 and Adjoining Government Land, Sheung Pak Nai, Yuen Long
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81. The Secretary reported that the application was withdrawn by the applicant.

[The Vice-chairman thanked PlanD’s representative for attending the meeting. He left the meeting at this point.]

[The Chairman joined the meeting and took over the Chairmanship at this point.]

**Agenda Item 86**

Any Other Business

Section 16A Application

[Open Meeting]

A/YL-TYST/1132-4      Application for Extension of Time for Compliance with Planning Conditions, Government Land in D.D. 120, Lam Hau Tsuen, Yuen Long (including part of the Former Wa Fung School)

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82.            The Secretary reported that application No. A/YL-TYST/1132 was approved with conditions by the Committee on 10.6.2022. The deadline for compliance with approval conditions was 10.3.2024 for conditions (a) and (d) and 10.6.2024 for conditions (b) and (e). An application for extension of time for compliance with approval conditions up till 10.6.2024 for conditions (a) and (d) and up till 10.9.2024 for conditions (b) and (e) was received by the Town Planning Board on 8.3.2024, which was the last working day before the expiry of the specified time limit for approval conditions (a) and (d). The time limit for compliance with conditions (a) and (d) had already expired on 10.3.2024, and the planning approval for the subject application had ceased to have effect and had on the same date been revoked.

83.            After deliberation, the Committee noted that the section 16A application could not be considered as the planning permission was no longer valid at the time of consideration.

84.            There being no other business, the meeting was closed at 4:35 p.m..



**Minutes of 738<sup>th</sup> Rural and New Town Planning Committee  
(held on 15.3.2024)**

**Deferral Cases**

**Requests for Deferment by Applicant for Two Months**

<b>Item No.</b>	<b>Application No.*</b>	<b>Times of Deferment</b>
4	Y/YL-LFS/12	4 <sup>th</sup> #
8	A/SK-HC/349	1 <sup>st</sup>
17	A/NE-HLH/73	1 <sup>st</sup>
22	A/NE-LYT/816	2 <sup>nd</sup> ^
24	A/NE-MKT/33	1 <sup>st</sup>
25	A/NE-MKT/34	1 <sup>st</sup>
28	A/NE-MUP/200	1 <sup>st</sup>
29	A/NE-TKL/742	2 <sup>nd</sup> ^
32	A/NE-TKL/747	1 <sup>st</sup>
37	A/FSS/296	1 <sup>st</sup>
38	A/FSS/297	1 <sup>st</sup>
42	A/YL-KTN/980	1 <sup>st</sup>
43	A/YL-KTN/981	1 <sup>st</sup>
44	A/YL-KTN/982	1 <sup>st</sup>
45	A/YL-KTN/983	1 <sup>st</sup>
47	A/YL-KTN/985	1 <sup>st</sup>
48	A/YL-KTN/987	1 <sup>st</sup>
49	A/YL-KTN/989	1 <sup>st</sup>
50	A/YL-KTN/990	1 <sup>st</sup>
51	A/YL-KTN/991	1 <sup>st</sup>
52	A/YL-KTS/988	1 <sup>st</sup>
53	A/YL-KTS/990	1 <sup>st</sup>
54	A/YL-KTS/991	1 <sup>st</sup>
56	A/YL-MP/363	1 <sup>st</sup>
57	A/YL-MP/364	1 <sup>st</sup>
58	A/YL-NSW/322	1 <sup>st</sup>
60	A/YL-SK/362	1 <sup>st</sup>
64	A/YL-LFS/507	1 <sup>st</sup>
68	A/YL/316	1 <sup>st</sup>
74	A/YL-TT/635	1 <sup>st</sup>
75	A/YL-TT/636	1 <sup>st</sup>
76	A/TM-SKW/124	1 <sup>st</sup>
77	A/HSK/490	2 <sup>nd</sup> ^
79	A/HSK/501	1 <sup>st</sup>

**Note:**

# For Item 4, as the application was submitted before 24.8.2021, the considerations for deferral under the then Town Planning Board Guidelines No. 33A are applicable.

^ The 2<sup>nd</sup> Deferment is the last deferment and no further deferment will be granted unless under special circumstances and supported with strong justifications.

**Declaration of Interests**

The Secretary reported the following declaration of interests:

Item No.	Members' Declared Interests	
4	The application was submitted by New Magnificent Limited, which was affiliated with Sun Hung Kai Properties Limited (SHK). AECOM Asia Company Limited (AECOM) was one of the consultants of the applicant.	<ul style="list-style-type: none"> <li>- Miss Winnie W.M. Ng for being a director of the Kowloon Motor Bus Company (1933) Limited (KMB) and Long Win Company Limited (Long Win), and SHK was having shareholding interests of KMB and Long Win</li> <li>- Dr Conrad T.C. Wong and Mr Vincent K.Y. Ho for having current business dealings with SHK and AECOM</li> </ul>
29 and 32	The applicaiton sites were located in Ta Kwu Ling.	<ul style="list-style-type: none"> <li>- Dr Conrad T.C. Wong for his firms owning some land in Ta Kwu Ling</li> </ul>
43	The application was submitted by Sanfield (Management) Limited.	<ul style="list-style-type: none"> <li>- Dr Conrad T.C. Wong for having current business dealings with Sanfield (Management) Limited</li> </ul>
56	The application site was located in Mai Po. The application was submitted by CLP Power Hong Kong Limited (CLP).	<ul style="list-style-type: none"> <li>- Mr K.W. Leung for owning a property in Mai Po</li> <li>- Dr Conrad T.C. Wong for having current business dealings with CLP</li> </ul>
58	The application was submitted by CLP.	<ul style="list-style-type: none"> <li>- Dr Conrad T.C. Wong for having current business dealings with CLP</li> </ul>
68	The application was submitted by Hong Kong Housing Authority (HKHA).	<ul style="list-style-type: none"> <li>- Mr Paul Y.K. Au (as Chief Engineer (Works), Home Affairs Department) for being a member of the Strategic Planning Committee and the Subsidised Housing Committee of HKHA</li> <li>- Dr Conrad T.C. Wong for having current business dealings with HKHA</li> </ul>

The Committee noted that Mr Paul Y.K. Au had tendered an apology for being unable to attend the meeting and Dr Conrad T.C. Wong had not yet joined the meeting. As the interest of Miss Winnie W.M. Ng was direct, the Committee agreed that she could stay in the meeting but should refrain from participating in the discussion for Item 4. As Mr Vincent K.Y. Ho had no involvement in the application under Item 4, and the property owned by Mr K.W. Leung had no direct view of the application site of Item 56, the Committee agreed that they could stay in the meeting.



**Minutes of 738<sup>th</sup> Rural and New Town Planning Committee  
(held on 15.3.2024)**

**Renewal Cases**

Applications for renewal of temporary approval for 3 years

<b>Item No.</b>	<b>Application No.</b>	<b>Renewal Application</b>	<b>Renewal Period</b>
6	A/SK-CWBN/76	Temporary Vehicle Park (Private Cars and Light Goods Vehicles) in “Village Type Development” Zone, Lot 106 RP in D.D. 239, Mang Kung Uk, Hang Hau, Sai Kung	28.3.2024 - 27.3.2027
23	A/NE-LYT/822	Temporary Golf Training Centre in “Agriculture” Zone, Lot 1828 (Part) in D.D. 76, Ma Mei Ha, Fanling	27.3.2024 - 26.3.2027
40	A/KTN/102	Temporary Soya Products Processing Workshop, Retailing and Outside Seating Accommodation in “Agriculture(1)” Zone, Lots 1049 and 1050 in D.D. 95 and Adjoining Government Land, Kwu Tung North, Sheung Shui	31.3.2024 - 30.3.2027
66	A/YL-LFS/509	Temporary Transitional Housing with Ancillary Uses in “Residential (Group C)” and “Residential (Group D)” Zones, Various Lots in D.D. 128 and D.D. 129, and adjoining Government Land, Lau Fau Shan, Yuen Long	15.3.2024 - 15.3.2027
70	A/YL-TYST/1254	Temporary Shop and Services in “Residential (Group D)” Zone, Lot 2734 (Part) in D.D. 124, Tan Kwai Tsuen, Yuen Long	1.5.2024 - 30.4.2027
73	A/YL-TYST/1257	Temporary Warehouse for Storage of Machinery and Spare Parts in “Government, Institution or Community (2)” and “Open Space” Zones and area shown as ‘Road’, Lots 1483 S.A RP and 1483 S.B RP in D.D. 119 and Adjoining Government Land, Kung Um Road, Yuen Long	7.4.2024 - 6.4.2027
81	A/HSK/503	Temporary Public Vehicle Park (Private Car and Light Goods Vehicle) in “Open Space” Zone, Lot 908 RP in D.D. 125, Ha Tsuen, Yuen Long	7.4.2024 - 6.4.2027
82	A/HSK/504	Temporary Public Vehicle Park (Private Car and Light Goods Vehicle) in “Open Space” Zone and area shown as ‘Road’, Lots 904 S.B RP and 907 RP in D.D. 125, Ha Tsuen, Yuen Long	15.5.2024 - 14.5.2027

**Declaration of Interests**

The Secretary reported the following declaration of interests:

Item No.	Members' Declared Interests	
40	The application site was located in Kwu Tung.	- Dr C.H. Hau for owning a property in Kwu Tung
66	The application was submitted by Tung Wah Group of Hospitals (TWGHs).	- Dr Conrad T.C. Wong for having current business dealings with TWGHs

As the property owned by Dr C.H. Hau had no direct view of the application site of Item 40, and Dr Conrad T.C. Wong had no involvement in the application under Item 66, the Committee agreed that they could stay in the meeting.

**Minutes of 738<sup>th</sup> Rural and New Town Planning Committee  
(held on 15.3.2024)**

**Cases for Streamlining Arrangement**

(a) Applications approved on a temporary basis for a period of 3 years until 15.3.2027

<b>Item No.</b>	<b>Application No.</b>	<b>Planning Application</b>
13	A/NE-SSH/153	Temporary Private Car Park (Private Cars and Light Goods Vehicles) in "Village Type Development" Zone, Lots 449 S.F, 449 RP, 450 RP (Part), 450 S.B (Part), 464, 465 (Part), 466 S.A (Part), 466 S.B ss.1, 467, 524 (Part) and 528 (Part) in D.D. 209, Shap Sz Heung, Tai Po
14	A/NE-SSH/154	Proposed Temporary Private Car Park (Private Cars Only) in "Village Type Development" Zone, Lot 462 in D.D. 209, Kei Ling Ha San Wai, Shap Sz Heung, Tai Po
21	A/NE-LYT/813	Proposed Temporary Private Car Park (Private Car and Light Goods Vehicle Only) in "Village Type Development" Zone, Taxlord Lot 1766 RP (Part) in D.D. 83, Tsz Tong Tsuen, Lung Yeuk Tau, Fanling
26	A/NE-MUP/193	Proposed Temporary Logistics Centre and Associated Filling of Land in "Agriculture" Zone, Lots 25 (Part), 26 (Part) and 27 in DD. 38, Lots 802 (Part), 804 (Part), 806, 807, 808, 809, 811, 812, 813, 823 S.B RP, 824 S.B RP, 825, 826, 827, 828 S.B RP in D.D. 46 and Adjoining Government Land, Sha Tau Kok
27	A/NE-MUP/199	Proposed Temporary Shop and Services (Real Estate Agency) and Filling of Land in "Agriculture" Zone, Lot 755 RP in D.D. 46, Ta Kwu Ling
30	A/NE-TKL/745	Proposed Temporary Open Storage of Construction Machinery and Construction Materials in "Agriculture" Zone, Lots 175 and 176 in D.D. 84, Ta Kwu Ling
31	A/NE-TKL/746	Proposed Temporary Open Storage of Construction Material and Machinery with Ancillary Facilities and Associated Filling of Land in "Agriculture" Zone, Lots 645 (Part), 647, 650 S.A, 650 S.B (Part), 651 (Part), 653 (Part) and 654 (Part) in D.D. 82, Ta Kwu Ling
33	A/NE-TKLN/75	Proposed Temporary Public Vehicle Park (Excluding Container Vehicle) and Shop and Services in "Village Type Development" and "Recreation" Zones, Lots 388 S.A, 388 S.B, 388 RP (Part) and 390 RP (Part) in D.D. 78 and Adjoining Government Land, Tsung Yuen Ha, Ta Kwu Ling North
34	A/NE-TKLN/77	Proposed Temporary Logistic Centre, Warehouse (Excluding Dangerous Goods Godown) and Container Vehicle Park with Ancillary Facilities in "Recreation" Zone, Various Lots in D.D. 78 and 82 and Adjoining Government Land, Lin Ma Hang Road, Ta Kwu Ling North
35	A/NE-TKLN/80	Proposed Temporary Public Vehicle Park (Private Car Only) and Associated Filling of Land in "Agriculture" and "Village Type Development" Zones, Lot 389 RP, 395 S.A, 395 RP, 396 S.A, 396 RP and 398 RP in D.D. 78, Ta Kwu Ling North



59	A/YL-SK/361	Proposed Temporary Place of Recreation, Sports or Culture (Hobby Farm) and Filling of Land in "Agriculture" Zone, Lot 1639 S.A (Part) in D.D. 114, Shek Kong, Yuen Long
62	A/YL-HTF/1167	Temporary Open Storage of Metal in "Residential (Group D)" Zone, Lots 134 (Part), 159 RP (Part), 161 (Part), 162 (Part), 163 S.B (Part) and 173 (Part) in D.D. 128 and Adjoining Government Land, Ha Tsuen, Yuen Long
69	A/YL-TYST/1249	Proposed Temporary Public Vehicle Park (Private Cars and Light Goods Vehicles) in "Village Type Development" Zone, Lot 1562 RP (Part) in D.D. 121, Shan Ha Tsuen, Yuen Long
71	A/YL-TYST/1255	Proposed Temporary Warehouse for Storage of Vehicles and Vehicle Parts in "Undetermined" Zone, Lot 1198 S.E (Part) in D.D. 119, Tong Yan San Tsuen, Yuen Long
72	A/YL-TYST/1256	Temporary Warehouse for Storage of Exhibition Materials in "Open Space" and "Residential (Group A) 3" Zones, Lot 1495 (Part) in D.D. 119 and Adjoining Government Land, Kung Um Road, Yuen Long
78	A/HSK/498	Temporary Public Vehicle Park (Excluding Container Vehicle) and Storage of Vehicle Parts in "Other Specified Uses" annotated "Enterprise and Technology Park", "Open Space" and "Village Type Development" Zones, Lot 1225 (Part) in D.D. 124, San Sang Tsuen, Tin Ha Road, Hung Shui Kiu
80	A/HSK/502	Temporary Logistics Centre with Ancillary Site Office in "Residential (Group A) 3" and "Open Space" Zones and area shown as 'Road', Various Lots in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long
83	A/HSK/505	Temporary Logistics Centre in "Government, Institution or Community", "Residential (Group A) 4" and "Open Space" Zones and area shown as 'Road', Various Lots in D.D.125, Ha Tsuen, Yuen Long
84	A/HSK/506	Temporary Open Storage of Trucks and Goods Compartments of Dump Trucks in "Residential (Group A) 3" Zone, Lots 799 (Part) and 800 (Part) in D.D. 125 and Lot 3300 (Part) in D.D. 129, Ha Tsuen, Yuen Long
85	A/HSK/507	Temporary Warehouse for Storage of Food Provision in "Open Space" Zone, Lots 674 (Part), 675 S.A (Part), 675 S.B (Part) and 676 in D.D. 125 and Adjoining Government Land, Ha Tsuen, Yuen Long

(b) Application approved on a temporary basis for a period of 5 years until 15.3.2029

Item No.	Application No.	Planning Application
55	A/YL-KTS/992	Proposed Temporary Animal Boarding Establishment with Ancillary Facilities and Filling of Land in "Agriculture" Zone, Lot 1892 RP in D.D. 106, Pat Heung, Yuen Long

**Declaration of Interest**

The Secretary reported the following declaration of interest:

Item No.	Member's Declared Interest	
30 and 31	The application sites were located in Ta Kwu Ling.	- Dr Conrad T.C. Wong for his firms owning some land in Ta Kwu Ling

As the properties owned by Dr Conrad T.C. Wong's firms had no direct view of the application sites, the Committee agreed that he could stay in the meeting.