

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

**APPLICATION NO. A/I-TCE/7**

- Applicant** : Land Castle Limited represented by Llewelyn-Davies Hong Kong Limited
- Site** : Tung Chung Town Lot (TCTL) No. 55, Tung Chung Area 106B, Tung Chung, Lantau Island
- Site Area** : About 10,648m<sup>2</sup>
- Lease** : New Grant No. 23318  
(a) subject to Conditions of Sale of TCTL No. 55;  
(b) restricted for private residential purpose;  
(c) the total gross floor area shall not be less than 22,361m<sup>2</sup> and shall not exceed 37,268m<sup>2</sup>;  
(d) boundary walls and fences along the northwestern boundary shall achieve visual and physical porosity of not less than 50%; and  
(e) two 10m wide non-building areas along the northeastern and southwestern boundaries.
- Plan** : Approved Tung Chung Extension Area Outline Zoning Plan (OZP) No. S/I-TCE/2
- Zonings** “Residential (Group B) 3” (“R(B)3”)  
[Restricted to a maximum plot ratio (PR) of 3.5 and a maximum building height (BH) of 70 metres above Principal Datum (mPD)]
- Application** : Proposed Minor Relaxation of Building Height Restriction (BHR) for Permitted Flat Use

**1. The Proposal**

- 1.1 The applicant seeks planning permission for proposed minor relaxation of BHR from 70mPD to 76.5mPD<sup>[1]</sup> (i.e. +6.5m or +9.29%) (or about +10% based on the

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<sup>[1]</sup> According to the further information received on 20.3.2026, the applicant proposes to reduce the proposed BH of the development from 76.9mPD in the original submission to 76.5mPD by a slight adjustment to the site formation level from 7.2mPD to 6.8mPD (-0.4m), taking into account the impact of potential flood risk and the adjacent road level of Wui Tung Street (**Appendix Ic**).

absolute BH aboveground)<sup>[2]</sup> for permitted residential development at Tung Chung (TC) Area 106B (the Site) (**Plan A-1**). The Site falls within an area zoned “R(B)3” on the approved Tung Chung Extension Area OZP No. S/I-TCE/2. According to the Notes for “R(B)” zone of the OZP, ‘Flat’ use is always permitted, and minor relaxation of BHR may be considered by the Town Planning Board (the Board) on application under section 16 of the Town Planning Ordinance (the Ordinance) based on the individual merits of a development proposal.

- 1.2 The Site is located on newly reclaimed land in the northwestern part of the Tung Chung East (TCE) abutting the waterfront promenade, with vehicular ingress/egress at Wui Tung Street (**Plans A-1, A-2a and A-2b**). The proposed development will provide 745 flats with a planned population of about 1,937, targeted for completion by 2030. It comprises two residential towers of 17 storeys above a 3-storey podium (excluding transfer plate), accommodating car parking and non-domestic uses including clubhouse, mechanical and electrical (M&E) facilities and landscape areas, with a proposed total BH of 76.5mPD (main roof). The provision of two 10m-wide non-building areas (NBAs) along the northeastern and southwestern boundaries of the Site has been maintained in accordance with the Explanatory Statement (ES) of the OZP and the Special Conditions (SC) of the land lease for view corridor and air ventilation purposes and to enhance pedestrian connectivity.
- 1.3 According to the applicant, the proposed minor relaxation on BHR of the Site from 70mPD to 76.5mPD (+6.5m or +9.29%) is in line with the Government’s policy of facilitating aboveground car park design for private developments. According to the submissions, the design of the proposed development has adopted (i) floor-to-floor heights (FTFHs) ranging from 3.3m to 3.5m for residential floors to provide better sunlight penetration and air ventilation to the indoor living environment, and (ii) a site formation level of 6.8mPD for the proposed development to minimise risk of flooding and to tie in with the street level of the ingress/egress point at Wui Tung Street at about 6.18mPD<sup>[3]</sup>. It also includes a rationalised design of the proposed layout and the location of residents’ facilities, which will co-locate with the aboveground car park within podium floors.
- 1.4 Various design measures are proposed by the applicant, including (i) building setback of not less than 6m (ranging from 6m to 7.45m as shown on **Drawing A-9**) along the entire northwestern site boundary from the waterfront promenade to enhance the permeability of the Site; (ii) building setback of not less than 7.3m at G/F along the northeastern site boundary abutting the NBA to enhance openness of the Site; and (iii) two void areas (each about 6m in width and 3.5m in height) on 2/F of the podium to enhance air permeability (**Drawing A-10**). Not less than 1,937m<sup>2</sup> of private open space will be provided in accordance with the Hong Kong Planning Standards and Guidelines (HKPSG), with a minimum green coverage of 20% at the Site.
- 1.5 The Master Layout Plan/Block Plan (MLP), floor plans, section plans and photomontages of the proposed development are shown on **Drawings A-1 to A-8**. The major development parameters of the proposed development are summarised

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<sup>[2]</sup> According to the Civil Engineering and Development Department (CEDD), the existing site formation level of the Site is about 5.6mPD. In this regard, the corresponding increase of BH aboveground is from about 64.4m to about 70.9m.

<sup>[3]</sup> As advised by CEDD, the existing site formation level of Wui Tung Street near the proposed ingress/egress point of the Site is about 6.1mPD (**Plan A-2b**).

as follows:

	<b>Proposed Development Parameters</b>
Site Area	10,648m <sup>2</sup>
PR	3.5
Gross Floor Area (GFA)	37,268m <sup>2</sup>
No. of Blocks	2
Maximum BH (at main roof)	76.5mPD <sup>[a]</sup>
No. of Storeys	20 storeys (including 17 domestic storeys on top of a 3-storey podium)
Site Coverage	
- Below 15m	Not more than 100%
- Above 15m	Not more than 33.33%
No. of Flats	745
Average Flat Size	About 50m <sup>2</sup>
Design Population	Not more than 1,937
Private Open space (POS)	Not less than 1,937m <sup>2</sup>
Car Parking Spaces	
- Private car	212 (including 10 for visitors)
- Motor cycle	8
- Loading/unloading (L/UL)	2
- Bicycle Parking Space	44

Note

- [a] The proposed FTFH of the residential floors at 3/F to 16/F is 3.3m and 17/F to 19/F is 3.5m. The proposed FTFH for the 3-storey podium is about 14m in total (including proposed FTFH of car park on G/F and 1/F of about 4m and 5m respectively, and clubhouse with covered landscape on 2/F of about 5m).

1.6 To support the application, the applicant has submitted a Visual Appraisal (VA) (**Appendix Ia**) to demonstrate that the proposed development with a relaxed BH of 76.5mPD would not pose significant adverse visual impacts to the surrounding areas and comply with the ascending BH profile of TCE from the northern part at the waterfront to the southern part at the metro core area. As illustrated in the photomontages of the VA (**Drawings A-6 to A-8**), the proposed development is not incompatible with the surrounding medium to high-density residential developments. Based on the considerations on air ventilation provided by the applicant and with the provision of two NBAs at the Site, the overall air ventilation of TCE would not be affected.

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

- (a) Application Form received on 16.1.2026 (**Appendix I**)
- (b) Consolidated Supporting Planning Statement (SPS) with VA received on 30.4.2026 (**Appendix Ia**)  
(SPS with VA received on 16.1.2026 and replacement pages received on 21.1.2026 were superseded, while Further Information (FI) received on 29.1.2026\*, 20.3.2026\* and 28.4.2026\* are attached at **Appendices Ib to Id** respectively.)

\*accepted and exempted from publication and recounting requirements

- 1.8 On 13.3.2026, the Rural and New Town Planning Committee (the Committee) of the Board agreed to the applicant's request to defer making a decision on the application for two months.

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

The justifications put forth by the applicant in support of the application are detailed in the consolidated SPS (**Appendix Ia**) and summarised as follows:

### In line with Government Policy

- (a) The proposed development is in line with the latest Government's policy to facilitate the provision of the aboveground car park in private development projects. Not more than two levels of aboveground car parks have been proposed and the proposal is supported by VA and considerations on air ventilation (**Appendix Ia**). The application observes the relevant requirements for seeking permission for a minor relaxation of BHR under the enhanced GFA exemption arrangements for car parks as promulgated in November 2025.

### Provision of Aboveground Car Parks

- (b) The proposed aboveground car park arrangement is constrained by facilities ancillary to the residential development (e.g. ingress/egress to the development, emergency vehicular access (EVA)/driveway, landscape areas, lift lobbies, clubhouse and M&E facilities) which are already planned on the aboveground levels (**Drawings A-1 to A-5**). Therefore, some of the required car parking spaces would have to be accommodated on another floor (i.e. 1/F). Accordingly, a 2-storey aboveground car park is required for the proposed development and no excessive car parking area is created to raise the BH of the proposed development.
- (c) Compared with the two sets of General Building Plans (GBP) approved by Building Authority (BA) on 30.9.2025 and 16.2.2026 respectively<sup>[4]</sup>, the current MLP shows no change in (i) GFA; (ii) no. of flats and average flat size; and (iii) run-in/out, except for a slight reduction of six car parking spaces in the second GBP submission due to adjustment in flat mix and in accordance with the car parking ratio under lease.

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<sup>[4]</sup> As advised by the Buildings Department (BD), there are two sets of GBP for the residential development at the Site which have been approved by the BA on 30.9.2025 and 16.2.2026 respectively. The first GBP submission is for an 18-storey residential development on top of 1-storey basement car park while the second GBP submission is for 17-storey residential development on top of 3-storey podium including 2-storey aboveground car park. Both GBP submissions for the residential development at the Site conform to the development restrictions of a maximum PR of 3.5 and BHR of 70MPD of the OZP. It is noted that the major development parameters including GFA, no. of flats and average flat size and general layout and design features/provisions including building setbacks, void areas, greenery and private open spaces proposed under the current application are largely the same as those incorporated in the second GBP approved on 16.2.2026, except for a slight reduction on car parking provisions due to adjustment in flat mix, changes to FTFH for podium and residential floors, and site formation level for the proposed development at the Site.

### Proposed FTFH and Site Formation Level

- (d) According to the GBP approved on 16.2.2026 with a 2-storey aboveground car park, being constrained by the overall BHR of 70mPD under the OZP, the headroom of various podium levels is very stringent and only meets bare minimum headroom requirements of about 3.7m. The proposed minor relaxation of BHR under the current application provides 4m headroom at G/F and 5m at 1/F, giving space for building services, enabling natural ventilation, and allowing level, step-free circulation across the landscaped podium deck at 2/F. This design improves accessibility for all residents, including the elderly, and supports the elderly-friendly building design. Besides, the clubhouse is separated into northwestern and southeastern portions within the Site and is split into two storeys, with one storey co-located with the aboveground car park at 1/F (**Drawings A-3 to A-5**). Such design allows for reduction in podium bulk and enhances visual and wind permeability at pedestrian level along Wui Tung Street.
- (e) The proposed development is required under lease to achieve a Provisional Gold Rating under BEAM Plus certification. In this regard, the minimum size of openable windows must increase from 6.25% to 7% of the room's floor area. The proposed typical FTFH of 3.3m / 3.5m for residential floors would enhance ventilation standards, while improving sunlight penetration and air circulation within residential units. The proposed FTFH of 3.3m / 3.5m for residential floors also aligns with prevailing market trends in recent housing projects and does not exceed the maximum typical floor height (i.e. 3.5m) under Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) APP-5.

### Compatible to Surrounding Developments and Minor Increase in BH

- (f) The current application only involves minor relaxation of BHR. The proposed relaxation of BH by 6.5m (i.e. +9.29%) is considered minor in nature and is considered compatible with the surrounding areas in terms of BH and development intensity. There are similar approved planning applications for minor relaxation of BHR in the surrounding areas, including applications No. A/I-TCE/3, A/I-TCE/4, A/I-TCE/5 and A/I-TCE/6, which have a magnitude of increase in BH ranging from about 3.2% to about 50%. The magnitude of proposed increase in BH under the current application is comparable to those previous approved planning applications and is not considered excessive.

### In Line with the Urban Design Concept and No Significant Changes in Visual and Air Ventilation Aspects

- (g) The proposed increase in BH is compatible with the surrounding development context while maintaining the stepped BH profile of the area. As illustrated in the VA, the stepped BH profile and descending development density from the mountain backdrop in the south to the waterfront area in the north are maintained (**Drawings A-6 to A-8**).
- (h) The proposed development respects the two 10m-wide NBAs along the northeastern and southwestern boundaries, which are identified under the Tung Chung New Town Extension (TCNTE) Study as breezeways to improve air circulation and/or provide major view corridors from the hillside to the waterfront in the north. While

there is no NBA requirement under OZP for the Site, the proposed development follows the TCNTE Study’s recommendations and ensures there is no encroachment on the NBAs. The applicant’s considerations on air ventilation also confirms that the overall air ventilation of the TCE area remains unaffected with the provision of the NBAs maintained. In addition, the proposed building setbacks from the waterfront promenade and the northeastern NBA will enhance pedestrian-level ventilation. Taken together, no adverse air ventilation impact is anticipated.

#### Planning and Design Merits

- (i) The proposed development includes various design measures as stated in paragraph 1.4 above (**Drawings A-9 to A-10**).
- (j) To ensure the overall greenery provision within the Site is not diminished, a greenery coverage up to 20% is proposed within the Site. Landscaping at the two 10m-wide NBAs along the northeastern and southwestern boundaries will be subject to liaison and agreement with relevant government departments at the detailed design stage (**Drawing A-10**).

#### No Adverse Technical Impact

- (k) The Site is located outside the Noise Exposure Forecast (NEF) 25 Contour of the Hong Kong International Airport (HKIA). The proposed development conforms to the planning intention, land use, and PR restrictions outlined in the OZP. The proposed minor relaxation of BHR for the Site is not expected to generate additional traffic or engineering impacts on the surrounding area. No adverse technical impacts are anticipated from the proposed development.

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

The applicant is the sole “current land owner” of the Lot. Detailed information would be deposited at the meeting for Member’s inspection.

### **4. Background**

#### Relaxed GFA Exemption Arrangements for Car Parks

- 4.1 In the Policy Address 2025 (PA 2025), a set of enhanced measures was put forward to allow full GFA exemption for no more than two levels of aboveground car parks to facilitate a shorter construction time, costs and expedite developments<sup>[5]</sup>. According to the initiatives, the enhanced arrangement is applicable to: (i) private car parks for residents and visitors; and (ii) public car parks provided by the developer as per the Government’s requirement considering local parking needs within private development projects.

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<sup>[5]</sup> Other arrangements pertaining to car park GFA exemption will continue to apply, such as all underground car parks (regardless of private or public) will continue to enjoy full GFA exemption.

## BH Concept of TCNTE Study

4.2 According to the Notes and ES of the OZP, the Site is subject to a BHR of 70mPD as part of the lower BH profile of the TCE under the BH Concept of TCNTE Study. The OZP adopts a stepped BH profile, with heights gradually reduced from the mountain backdrop in the south towards the waterfront area in the north, encompassing the Site. Subsequent to the promulgation of the policy initiative mentioned in paragraph 4.1 above, the Planning Department (PlanD) has undertaken a review of New Development Areas, including TCE, and found that BHRs of most development sites including the Site are sufficient to accommodate two levels of aboveground car parks.

## **5. Previous Application**

There is no previous application in respect of the Site.

## **6. Similar Application**

There is no similar application for proposed minor relaxation of BHR for permitted ‘flat’ use within the “R(B)” zone on the OZP.

## **7. The Site and Its Surrounding Areas (Plans A-1 to A-3 and site photos on Plans A-4a and A-4b)**

7.1 The Site is:

- (a) located at the northwestern part of TCE abutting the waterfront promenade under construction and surrounded by undergoing site foundation works after completion of reclamation;
- (b) accessible from the existing Wui Tung Street (i.e. Road L3) connecting to Yi Tung Road and Ying Hei Road;
- (c) located near a planned Public Transport Interchange located at TC Area 99 to the northeast; and
- (d) located at about 650m to the northwest of the MTR TCE Station in the southwest under construction.

7.2 The surrounding areas are mainly planned for medium-rise and medium-density developments along the TCE waterfront promenade, including planned private residential developments at TC Areas 106A and 106C, adjoining the southwest and northeast of the Site within the same zone subject to maximum PR of 3.5, and TC Area 110 of “R(B)1” zone subject to maximum PR of 3.9. Both zones are also subject to a maximum BHR of 70mPD to conform with the TCE BH concept, which provides for a gradual descending BH profile from the mountain backdrop in the south to the waterfront area in the north (**Plan A-5**). A cluster of public housing developments (PHDs), zoned “Residential (Group A)” on the OZP, including TC Areas 109, 103, 99 and 100, is located immediately southeast of the Site. These

PHDs are subject to maximum PR of 5.4, 6.4 and 6.9 respectively and maximum BHR of 95mPD, 110mPD, 125mPD and 140mPD. To the southwest of the Site is a planned GIC cluster with sport centre, educational uses and a salt-water pumping station. Further southeast are the MTR TCE Station and property development at TC Area 133, with commercial and residential uses cum public transport interchange subject to a maximum PR of 8.8 and a maximum BH of 185mPD.

## **8. Planning Intention**

- 8.1 The planning intention of the “R(B)” zone is primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted with or without application to the Board.
- 8.2 According to the ES of the OZP, to provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of the BHR may be considered by the Board through planning permission. Each proposal will be considered on individual merits.

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

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

### **Land Administration**

- 9.1.1 Comments of the District Lands Officer/Islands, Lands Department (DLO/Is, LandsD):

- (a) no comment on the proposed BH relaxation from land administration perspective;
- (b) the Lot is held under New Grant No. 23318 dated 21.3.2025 for private residential purposes, awarded in February 2025. BH is not restricted by the Conditions of Sale (“C/S”) but is controlled by the planning regime under SC (5)(b), which requires compliance with the Ordinance;
- (c) as the Lot was awarded prior to the promulgation of the latest car park GFA exemption arrangement under the PN, SC (27)(a)(ii) requires 50% of car parking spaces at or aboveground level to be accountable for lease GFA. Nevertheless, flexibility regarding car park GFA has been incorporated in the C/S. SC (27)(a)(i)(IV) which exempts spaces on one floor at or aboveground level if there are at least two basement floors and the BA excludes them from GFA under the Buildings Ordinance (BO). Additionally, SC (27)(b) allows the Purchaser to apply for exclusion of other spaces from GFA calculation, subject to payment of premium and administrative fee;
- (d) in accordance with LAO Practice Note No. 9/2025 paragraph 2(d), the Purchaser may apply to LandsD for an approval/consent letter for car park GFA exemption. Every application submitted to LandsD will be

considered on its own merits by LandsD at its sole and absolute discretion, and there is no guarantee that the application will eventually be approved by LandsD. If the application is approved by LandsD, it will be subject to such terms and conditions as may be imposed by LandsD at its absolute discretion, subject to payment of premium and administrative fee. Considering the above, LandsD has no comment on the proposal; and

- (e) other detailed comments are in **Appendix II**.

### **Traffic**

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

- (a) no objection in-principle to the application from traffic engineering and public transport services perspectives, provided that there is (i) no change in GFA together with no change in no. of flats, average flat size and design population, (ii) the provision of car parking spaces complying with the lease conditions, (iii) no change in run-in/out compared to the GBP approved by BA on 16.2.2026, and no significant impact is generated on passenger demand for public transport services in the nearby areas; and
- (b) other detailed comments are in **Appendix II**.

### **Urban Design, Visual, Air Ventilation and Landscape**

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

##### Urban Design, Visual and Air Ventilation

- (a) no adverse comments on the application from urban design, visual and air ventilation perspectives;
- (b) the Site is located on the waterfront of the TCE Area with a maximum BHR of 70mPD. The proposed minor relaxation of BHR to 76.5mPD would amount to an increase of about 6.5m (+9.29%);
- (c) the applicant propose, a setback of about 7.3m at G/F from the northeastern NBA, a 6m to 7.45m building setback along the waterfront promenade and two void areas (about 6m in width and 3.5m in height) to enhance the permeability of the proposed development. Also, the two 10m-wide NBAs along the northeastern and southwestern boundaries of the Site as required under the lease are maintained in the applicant's proposal;
- (d) a VA is prepared by the applicant which concludes that the visual impact induced by the proposed minor relaxation is expected to be negligible as compared to the baseline scheme. On air ventilation aspect, the proposed building setbacks, void areas and two NBAs of the Site are maintained. On this basis, the applicant's considerations on air

ventilation conclude that the overall air ventilation of the TCE area would not be affected by the proposed minor relaxation of BHR;

- (e) the proposed development would maintain the area-wide stepped BH profile as set out in the ES of the OZP with BHs gradually descending from the “Other Specified Uses” annotated “Commercial and Residential Development cum Public Transport Interchange” zone with a maximum BHR of 185mPD near the mountain backdrop to the residential zones with 70mPD along the waterfront area (**Plan A-5**). On ventilation basis, air ventilation assessment for the TCE Area had been carried out under the TCNTE Study. NBAs are strategically placed in order to create a comprehensive breezeway system to promote better air ventilation. The two 10m-wide NBAs along the northeastern and southwestern boundaries of the Site for both air ventilation and view corridor purposes are maintained by the applicant;
- (f) in view of above, it is considered that the proposed development is not incompatible with the surrounding areas from urban design, visual and air ventilation perspectives;

#### Landscape

- (g) according to the aerial photo in 2024, the Site comprises a vacant parcel of reclaimed land and without distinctive landscape resources; and
- (h) no comment on the application from landscape planning perspective.

#### Environment

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

- (a) no objection to the application and no insurmountable environmental impact associated with the proposed development is anticipated; and
- (b) noted that the clauses requiring submission of Noise Impact Assessment (NIA) and Sewerage Impact Assessment (SIA) to address the potential noise and sewerage impacts associated with the proposed development have been imposed in the lease condition.

#### Drainage

##### 9.1.5 Comments of the Chief Engineer/Hong Kong & Islands, Drainage Services Department (CE/HK&I, DSD):

no objection to the application from drainage maintenance perspective and reminds that no structure including temporary or movable shall be erected on top or within the Drainage Reserve Area (**Plan A-2b**).

#### Building Matters

##### 9.1.6 Comments of the Chief Building Surveyor/New Territories East 1 and Licensing, Buildings Department (CBS/NTE1&Licencing, BD):

- (a) no in-principle objection to the application under the BO;
- (b) it is recorded that the first submission of GBP of a residential development with an underground car park at the Site was approved by the BA on 30.9.2025, and a major revision of GBP (i.e. the second GBP submission) by relocating the basement car park to aboveground at the Site was approved on 16.2.2026;
- (c) no comment on the proposed site formation level for the proposed development and the proposed FTFH is generally acceptable. The revised layout including M&E provision, circulation area at G/F and 1/F are similar to the proposed layout in the major revision of GBP approved by BA on 16.2.2026;
- (d) according to the latest PNAP APP-2, GFA of not more than two aboveground floors for car parking, loading and unloading area may be disregarded under Regulations 23(3)(b) of the Building (Planning) Regulations (B(P)R), taking into account all relevant considerations which include the design of the car park and the effect of public interest. Moreover, BA will make reference to the advice/requirements of C for T, requirements as stipulated in the OZP and the standards set in the HKPSG; and
- (e) other detailed comments are in **Appendix II**.

### **Civil Aviation**

#### 9.1.7 Comments of the Director-General of Civil Aviation (DGCA):

- (a) no objection to the application from aircraft noise perspective;
- (b) the maximum building level of the proposed development, which will increase from 70mPD to 76.5mPD (excluding rooftop structures), will not exceed the Airport Height Restriction (AHR) limits specified in the plans referred to in Section 3 of the Hong Kong Airport (Control of Obstructions) Ordinance (Cap. 301). In addition, AHR must be strictly observed at all times. No part of any structures and equipment used during construction or for maintenance after the completion of the construction works shall exceed the AHR limits, and all lights, including those installed for construction works, shall not form a source of glare or in any way affect pilots in flight and air traffic controllers in the Air Traffic Control Towers;
- (c) the proposed development is subject to aircraft/helicopter noise disturbances given its close proximity to the HKIA and helicopter holding areas/flying routes, while it is noted that the Site is situated outside the NEF 25 Contour of the HKIA, there may still be potential noise disturbance at night-time period; and
- (d) other comments are included in the advisory clauses at **Appendix III**.

### **Gas Safety**

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

- (a) no adverse comments to the application and reminds that there is an intermediate pressure underground town gas pipeline running along Wui Tung Street in the vicinity of the Site. However, it is considered that a risk assessment is not required; and
- (b) other comments are included in the advisory clauses at **Appendix III**.

### **Fire Safety**

9.1.9 Comments of the Director of Fire Services:

- (a) no specific comment on the application. Detailed fire services requirements are formulated upon receipt of formal submission of Short Term Tenancy/Short Term Waiver, GBPs or referral of application via relevant licensing authority as appropriate; and
- (b) the EVA provision shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011, which is administered by the BA.

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

9.1.10 Comments of the District Officer/Islands, Home Affairs Department:

no comment on the application and her office did not receive any public comment regarding the application.

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

- (a) Project Manager (South and Sustainable Lantau), CEDD (PM (SSL), CEDD);
- (b) Head of Geotechnical Engineering Office, CEDD;
- (c) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (d) Chief Highway Engineer/New Territories East, Highways Department;
- (e) Controller, Government Flying Service;
- (f) Commissioner of Police;
- (g) Director of Housing;
- (h) Director of Food and Environmental Hygiene; and
- (i) Director of Leisure and Cultural Services.

## **10. Public Comment Received During the Statutory Publication Period**

10.1 On 27.1.2026, the application was published for public inspection. During the statutory public inspection period, one opposing comment from an individual was received (**Appendix IV**).

- 10.2 The individual objects to the application on the grounds that the increase in BH at the Site imposes adverse visual impacts on the surrounding environment and deprives existing residential development located to the southeast of the Site of their harbour view. There are concerns that no public consultation has been conducted regarding the Government's initiative to fully exempt the GFA for aboveground car park arrangements in private development projects. The individual argues that the approved GBP is not included in the application, making it impossible to compare the proposed layout with the original development. The individual considers that the Board should reject the application, as the minor relaxation of BHR applies solely to aboveground car parking arrangements and provides no benefit to flat production.

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

- 11.1 The application is for minor relaxation of the BHR from 70mPD to 76.5mPD (i.e. +6.5m or +9.29%, or about +10% based on the absolute BH aboveground) for permitted 'flat' development at the Site, which falls within the "R(B)3" zone (**Plan A-1**). According to the Notes of the OZP for the "R(B)" zone, minor relaxation of the BHR may be considered by the Board based on the individual merits of the proposal. The proposed development is generally in line with the planning intention of the "R(B)" zone, which is primarily for medium-density developments.

### Policy Initiatives on Aboveground Car Park

- 11.2 The proposed residential development with a 2-storey aboveground car park instead of a basement arrangement is in response to the Government's initiative promulgated in PA 2025 to fast-track construction, reduce costs and expedite flat production by allowing full GFA exemption for no more than two levels of aboveground car parks. For such arrangements, developers/applicants are required to prepare submissions for assessment by relevant government departments, including BD and LandsD. According to BD's advice, GFA exemption of the aboveground private car park in this application is subject to further vetting upon submission of the GBP, referencing to the advice from C for T. As advised by LandsD, flexibility regarding car park GFA is incorporated in the land lease document, provided that the BA excludes them from GFA calculation under the BO, and the applicant may submit an application to LandsD for an approval/consent letter for the remaining car park GFA exemption. Both CBS/NTE1 & Licensing, BD and DLO/Is, LandsD have no objection to the application. The applicant explains that two aboveground car parking floors are required to accommodate the number of car parking spaces required in accordance with SC of the lease<sup>[6]</sup> and HKPSG requirements, having regard to the design considerations for M&E and residents' facilities co-located on the same podium floors. In regard to the proposed aboveground car parking at the Site, both CBS/NTE1 & Licensing, BD and C for T have no in-principle objection to the application from the perspectives of building and traffic engineering (further discussion in paragraphs 11.4 to 11.8 below) at this planning stage.

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<sup>[6]</sup> Under SC(22) of the lease, the provision of residential parking spaces are calculated by reference to the respective size of the residential units erected within the Lot to the satisfaction of C for T.

### Minor Relaxation of BHR

- 11.3 The applicant proposes to relax the BHR of the Site from 70mPD to 76.5mPD (+6.5m or +9.29%) to align with the enhanced measures under PA 2025 as mentioned in paragraph 11.2 above. According to the applicant, the proposed minor relaxation of BHR is mainly to allow the accommodation of the 2-storey aboveground car park arrangement, with design enhancements including: (i) proposed FTFH for non-domestic uses within the podium floors including M&E facilities, clubhouse and covered landscape areas of about 4m to 5m for each podium floor and residential floors of about 3.3m for typical floors and 3.5m for upper floors; and (ii) proposed site formation level at 6.8mPD. The proposed development, providing 745 flats with a maximum PR of 3.5, complies with the PR restriction under the OZP.
- 11.4 According to the applicant, the proposed typical domestic FTFH of 3.3m or 3.5m for upper floors (**Drawing A-5**) could enhance ventilation and daylight penetration, aligns with policy direction for healthier living environments, and complies with the maximum allowable FTFH of 3.5m under PNAP APP-5. CBS/NTE1 & Licensing, BD considers that the proposed FTFH is generally acceptable.
- 11.5 As claimed by the applicant, the proposed site formation level of 6.8mPD at G/F is intended to minimise flood risk and align with the street level at the ingress and egress point of the Site at Wui Tung Street at about 6.18mPD<sup>[3][7]</sup> (**Drawing A-2 and Plan A-2b**). PM (SSL), CEDD has no comment on the application.
- 11.6 The Site is located to the north-west of TCE along the waterfront promenade, sandwiched within a cluster of medium-rise residential developments of the same "R(B)3" zone subject to a maximum BH of 70mPD (**Plan A-1**). A residential cluster of high-rise PHDs is located to its immediate southeast direction with maximum BH ranging from 95mPD to 140mPD (**Plan A-5**). The proposed development with increased BH remains within the lower tier of the overall TCE height profile for the residential cluster in the western part of TCE and is still in line with the stepped BH profile concept of TCNTE, which gradually descends from the mountainous backdrop in the south (i.e. Por Gai Shan), towards the waterfront area in the north. CTP/UD&L, PlanD advises that according to the submitted VA (**Drawings A-6 to A-8**), significant adverse visual impact arising from the proposed minor relaxation of BHR is not anticipated. The proposed development with a proposed BH of 76.5mPD is considered not incompatible with the planned surrounding developments.

### Planning and Design Merits

- 11.7 To support the application, the applicant has demonstrated efforts to enhance the design of the proposed development by proposing various design measures, including the provision of (i) building setback of not less than 6m (ranging from 6m to 7.45m as shown in **Drawing A-9**) from the waterfront promenade to enhance permeability; (ii) building setback of not less than 7.3m at G/F along the northeastern boundary abutting the NBA to improve openness (**Drawing A-9**); and (iii) two void areas (each of not less than 6m in width and 3.5m in height) on 2/F of

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<sup>[7]</sup> According to the technical assessments conducted under the TCNTE Study, the reclamation formation levels of TCE are in accordance with established engineering standards of CEDD and DSD.

the podium for air permeability (**Drawing A-10**). Notwithstanding that these design measures have also been proposed under the second approved GBP<sup>[4]</sup>, CTP/UD&L, PlanD considers that significant adverse visual and air ventilation impacts arising from the proposed minor relaxation of BHR are not anticipated.

### Technical Aspects

- 11.8 For car parking provision, the proposed car park layout and associated M&E facilities, including EV chargers, are provided in accordance with PNAP APP-2 and HKPSG. C for T has no objection in-principle to the proposed aboveground car park from a traffic engineering perspective, provided that the provision of car parking spaces complies with the lease conditions, and there is no change in GFA, no. of flats, average flat size, design population and run-in/out of the proposed development compared with the second approved GBP. DEP and DEMS advise that the M&E provision for the proposed development and EV-related provisions comply with relevant guidelines and are not considered excessive.
- 11.9 The Site is located away from the predicted NEF 25 Contours of Three-Runway System and is therefore not expected to be subject to significant adverse aircraft noise impact. DEP has no objection to the application from the perspectives of noise and sewerage. The applicant is also required to submit a revised NIA and SIA in accordance with the SCs of the lease for the Lot. In addition, as the maximum BH of the proposed development will not exceed the AHR, where DGCA has no comment on the application. Other relevant departments consulted including DEP, PM(SSL), CEDD, CE/C, WSD and CE/HK&I, DSD have no objection to or no comment on the application. The detailed information and layout of the proposed aboveground car park and GFA exemption arrangements will be considered under subsequent detailed design stage, with the submission of GBP for review by relevant departments.

### Public Comment

- 11.10 Regarding the public comment on the application as summarised in paragraph 10 above, the planning considerations and assessments in paragraphs 11.1 to 11.9 above are relevant.

## **12. Planning Department's Views**

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comment in paragraph 10, PlanD has no objection to the application.
- 12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 8.5.2030, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The recommended advisory clauses are attached at **Appendix III**.
- 12.3 Alternatively, should the Committee decide to reject the application, the following reason for rejection is suggested for Members' reference:

there is no strong planning and design merit to justify the minor relaxation of building height restriction.

### **13. Decision Sought**

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

### **14. Attachments**

<b>Appendix I</b>	Application Form received on 16.1.2026
<b>Appendix Ia</b>	Consolidated SPS received on 30.4.2026
<b>Appendices Ib to Id</b>	Further Information received on 21.1.2026, 20.3.2026 and 28.4.2026
<b>Appendix II</b>	Government Departments' General Comments
<b>Appendix III</b>	Recommended Advisory Clauses
<b>Appendix IV</b>	Public Comment
<b>Drawing A-1</b>	Master Layout Plan / Block Plan
<b>Drawings A-2 to A-5</b>	Floor Plans and Section Plans
<b>Drawings A-6 to A-8</b>	Photomontages
<b>Drawings A-9 and A-10</b>	Proposed Design Measures
<b>Plan A-1</b>	Location Plan
<b>Plans A-2a and A-2b</b>	Site Plans
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a and A-4b</b>	Site Photos
<b>Plan A-5</b>	BHR in Tung Chung Extension Area