

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

**APPLICATION NO. A/K8/50**

<b><u>Applicant</u></b>	Water Supplies Department (WSD) represented by Binnies Hong Kong Limited
<b><u>Site</u></b>	Government land to the south of Lion Rock Park and to the north of Ma Chai Hang Fresh Water Service Reservoir (MCH FWSR), Wong Tai Sin, Kowloon
<b><u>Site Area</u></b>	About 25,200m <sup>2</sup>
<b><u>Land Status</u></b>	Government Land
<b><u>Plan</u></b>	Approved Wang Tau Hom and Tung Tau Outline Zoning Plan (OZP) No. S/K8/23
<b><u>Zoning</u></b>	“Green Belt” (“GB”) (about 22,381m <sup>2</sup> ; 89% of the Site) and “Open Space” (“O”) (about 2,819m <sup>2</sup> ; 11% of the Site)
<b><u>Application</u></b>	Proposed Service Reservoir

**1. The Proposal**

- 1.1 The applicant seeks planning permission to relocate the Diamond Hill Fresh Water and Salt Water Service Reservoirs (DHSRs) (**Drawing A-1**) to the caverns and slopes at the application site (the Site), which falls within an area zoned “GB” and “O” on the approved Wang Tau Hom and Tung Tau OZP No. S/K8/23 (**Plan A-1**). According to the Notes of the OZP, the proposed relocated DHSRs, which is regarded as ‘Service Reservoir’ use, requires planning permission from the Town Planning Board (the Board) within “GB” and “O” zones.
- 1.2 According to the applicant, the proposed relocated DHSRs of about 25,200m<sup>2</sup> (**Drawing A-2**) comprise (i) five cavern chambers (at about 108-135m below ground) accommodating three salt water service reservoirs (SWSRs) and two

fresh water service reservoirs (FWSRs)<sup>[1]</sup> at the hillsides to the north of MCH FWSR, (ii) a 775m-long vehicular tunnel connecting to the cavern chambers with the portal at the south of Lion Rock Park, and (iii) a 2-storey ancillary building with the tunnel portal connecting to an unnamed access road leading to Chuk Yuen Road (**Plan A-2**) (i.e. the Proposed Scheme as shown in **Drawing A-2**). The Proposed Scheme is indicative in nature for the purpose of demonstrating that the proposed development would have no insurmountable adverse impacts on environmental, traffic, visual and landscape resources and infrastructural provision. The Proposed Scheme including the alignment of the vehicular tunnel and the disposition of cavern chambers may be modified during the detailed design stage taking into account the unforeseeable circumstances in relation to geotechnical/excavation difficulties and constraints to be found on site. A plan showing the works area boundary is at **Drawing A-3**<sup>[2]</sup>.

- 1.3 The proposed ancillary building is located on an unused slope not forming part of Lion Rock Park (**Plan A-2**). It has a total floor area of about 2,612m<sup>2</sup> with a building height of two storeys / about 17.1m. The building is for the purpose of routine maintenance of DHSRs, and it accommodates cavern ventilation equipment and related electrical/fire safety (FS) facilities<sup>[3]</sup> on G/F and 1/F with landscaped roof above<sup>[4]</sup> (**Drawings A-6 to A-11**). The gated entrance to the ancillary building and the tunnel portal are on the ground level. One private car parking space and one medium/heavy goods vehicle loading/unloading bay will be provided on site (**Drawing A-13**). The construction work of the proposed DHSRs is tentatively scheduled to commence in 2022 for completion in 2027. The floor, section, landscape plans and perspectives of the Proposed Scheme submitted by the applicant are shown at **Drawings A-4 to A-11**.

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

- (a) Application Form received on 20.10.2021 (**Appendix I**)
- (b) Supplementary Planning Statement (SPS) enclosing (**Appendix Ia**)  
Landscape Proposal (LP), Extracted Traffic Impact

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<sup>[1]</sup> Three proposed SWSRs have a capacity of about 17,766m<sup>3</sup> and two proposed FWSRs have capacity of about 15,581m<sup>3</sup> (each chamber is about 41-53m long, 20-25m wide and 6-7m high).

<sup>[2]</sup> According to the applicant, the works area as shown in **Drawing A-3** is critically defined by (i) at least 230m / 270m between the main cavern and Tsui Chuk Garden / the slope of Chuk Yuen North Estate shall be maintained respectively; (ii) the main cavern shall not located within the MTR Shatin-to-Central Link (SCL) – Tuen Ma Line Railway Protection Boundary; (iii) the main cavern shall have sufficient rock cover and avoid any weak zone; (iv) the main cavern and access tunnel shall not intrude into Lion Rock Country Park; and (v) the vehicular access tunnel shall not be longer than 775m.

<sup>[3]</sup> Including tunnel ventilation fans, air ducts, FS pumps/tanks/control rooms, switch rooms, store rooms, etc.

<sup>[4]</sup> According to the applicant, the landscaped roof has potential to be opened up for public enjoyment. WSD will facilitate taking forward any appropriate proposals for gainful utilization of the space on the rooftop for recreational and other activities.

Assessment (TIA), Extracted Geotechnical Design Report (GDR), Extracted Executive Summary (ES) of Environmental Impact Assessment (EIA), Extracted Environmental Monitoring and Audit Manual (EM&A), Extracted Drainage Impact Assessment (DIA) and Extracted Waterworks Impact Assessment (WIA) received on 20.10.2021

- (c) Further Information (FI) 1 vide letter received on 26.11.2021 enclosing responses to departmental comments, Tree Survey, Tree Treatment/Planting Proposal, Extracted Landscape and Visual Impact Assessment (LVIA), details of planters and vertical greening, revised Landscape Plans and Extracted revised TIA <sup>#</sup> (**Appendix Ib**)
- (d) FI2 vide letter received on 10.1.2022 enclosing responses to departmental and public comments, replacement pages of TIA and LVIA as well as rectifications to the plans and figures <sup>\*</sup> (**Appendix Ic**)

Remarks:

# *accepted but not exempted from publication and recounting requirements*

\* *accepted and exempted from publication and recounting requirements*

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

The justifications put forth by the applicant in support of the application are detailed in the SPS and FIs at **Appendices Ia** to **Ic**, which are summarised as follows:

- (a) The proposed relocation of the DHSRs to cavern is in line with the government policy. The 2011-12 Policy Address announced to actively explore the use of rock caverns to re-provision existing public facilities and release such sites for housing and other uses as one of measures to expand land sources. Civil Engineering and Development Department (CEDD) carried out various studies on rock cavern development and DHSRs is one of the identified facilities for relocation. The Site is also one of the identified Strategic Cavern Areas (SCVAs)<sup>[5]</sup> possessing potentials for cavern development under CEDD's study. WSD carried out a detailed feasibility study in 2014 which affirmed that the relocation of DHSRs to caverns is technically feasible. The relocation proposal of the DHSRs to caverns is essential to optimise land supply with a sustainable approach to meet the social need of Hong Kong.
- (b) Upon relocation of the DHSRs, whilst the reliability of the water supply networks in the area could be maintained, the existing DHSRs site in Diamond Hill of about 4 ha could be released for housing and/or other uses currently under

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<sup>[5]</sup> The proposed cavern chambers at the Site are located within the SCVA No. 26 – Lion Rock West.

review by CEDD<sup>[6]</sup>.

- (c) Based on the following site selection criteria and operational requirements under WSD's detailed feasibility study, three potential sites for the cavern chambers (i.e. Site 1 northwest of Chuk Yuen North Estate, Site 2 north of Lion Rock Park and Site 3 north of MCH FWSR) (**Drawing A-16**) are shortlisted since these three sites:
- (i) entirely fall within vacant Government land to avoid land resumption and are located within the SCVA No. 26 – Lion Rock West as delineated in CEDD's Cavern Master Plan (CMP) for underground use;
  - (ii) would not encroach into the Lion Rock Country Park;
  - (iii) are in high topographical level where water supply could be distributed by gravity;
  - (iv) are large enough to accommodate the portal ancillary building of the proposed DHSRs and its associated underground watermain; and
  - (v) have the least environmental impact and accessible by the public road network to facilitate future operation and maintenance.

The Site (i.e. Site 3) is considered as the most suitable location for relocating the DHSRs as the Site has greatest distance from the residential clusters along Shatin Pass Road, Chui Chuk Street and Chuk Yuen Road (as compared to Site 1) and avoids being within close proximity to MTR SCL tunnel (as compared to Site 2).

- (d) The proposed 2-storey ancillary building is small in scale and considered not incompatible with the surrounding natural character. According to the submitted Landscape Proposal, landscaped area with lawn, shrubs and trees are proposed on the roof of the proposed ancillary building. Vertical green wall are also proposed at southeastern corner of the building façade (**Drawings A-10 and A-11**).
- (e) Development inside underground rock caverns is a designated project under EIA Ordinance (EIAO) (Cap. 499). According to the Executive Summary of EIA Report, no insurmountable environmental impacts on air, noise, waste, ecology, landscape and visual aspects, etc. arising from the construction and operation activities were identified from the construction and operation of relocated DHSRs with effective mitigation measures in place (including dust suppression measures such as frequent watering as well as use of blast nets/canvas covers, use of quiet powered mechanical equipment and other good site practices such as control of lighting and minimisation of groundwater infiltration during construction phase). During operation phase, only small amount of general

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<sup>[6]</sup> CEDD commissioned the feasibility study for the released site in 2019. The study will formulate the public/private housing development proposal with the provision of community facilities, etc. The study is anticipated to be completed in early 2022.

refuse and chemical waste would be generated and no adverse waste implication is envisaged during operation of the project.

- (f) The Proposed Scheme would not encroach into the boundary of Lion Rock Country Park and hence no direct impact on wildlife and habitats within the country park (**Drawing A-3**) is anticipated. A short cut-and-cover tunnel will be constructed (i.e. at and near the ancillary building) where there is no encroachment of watercourse and woodland. The remaining tunnel section and caverns will be constructed entirely underground, and thus no vegetation aboveground will be affected, noting that the vertical distance between the main caverns and the hill slopes aboveground is about 108-135m (Sketch 1 in Annex A of **Appendix Ic**). Ecological impacts arising from the proposal during construction and operation phases is considered to be small as only a small size of about 0.25ha plantation (on the slopes at and near the ancillary building) would be affected.
- (g) 299 trees of common species in the Site (at and near the ancillary building) are proposed to be removed and 9 trees are proposed to be retained. No Old and Valuable Trees or rare/protected species are found or affected. A total of 254 new trees will be compensated off site on a slope area to the north of MCH FWSR and 45 trees will be compensated on the roof/near the proposed ancillary building (**Drawing A-15**).
- (h) According to the LVIA, the residual visual impacts are anticipated to be slightly adverse to insubstantial upon full implementation of mitigation measures including tree preservation/compensation as well as greening at/around the proposed ancillary building. The building will be covered by greenery and compatible with the surrounding natural environment and the Lion Rock Park zoned "O" (**Drawing A-12**).
- (i) According to the TIA, around 5 ~~trips~~ of vehicles per day are anticipated to be generated by the operation and maintenance of the DHSRs, and the traffic impact to the local road network is considered insignificant. For the construction traffic, a total of ~~96-120~~ vehicles ~~trips~~ per day is anticipated during construction stage. All key junctions (J1-J12) would perform satisfactorily during construction stage except Po Kong Village Road / Fung Tak Road (J8) (**Drawing A-14**) during AM and PM peak period. In order to minimise the traffic impact on the road network, the construction traffic is recommended to travel during off-peak period (i.e. 10:00-16:00) during construction stage.
- (j) According to the GDR, the slope stability assessment for the site formation works at the proposed ancillary building has been carried out. While existing registered manmade slopes will be affected by the proposed works, the proposed permanent scheme of slope upgrading works is considered structurally and geotechnically feasible. Besides, preliminary blasting assessment has been conducted to confirm the feasibility to adopt drill-and-blast excavation method in the rock excavation for the proposed vehicular access tunnel and caverns.
- (k) Other technical assessments including DIA and WIA were conducted for the proposed development. It was concluded that the proposed development would not result in any adverse impacts on infrastructural capacities in the area.

- (l) Consultation sessions with Wong Tai Sin District Council (WTSDC) were conducted by the applicant between 2018 and 2020. Originally, the cavern chambers were proposed to the north of Chuk Yuen North Estate and Tsui Chuk Garden (i.e. proposed Site 1 in **Drawing A-16**), and the tunnel portal was proposed near Tsui Chuk Garden (i.e. Option 1 as shown in **Drawing A-16**). In response to the concerns from WTSDC and the local community on the locations of the cavern chambers and tunnel portal, a review on the alternative options of the locations had been carried out. After completion of the review, the location of the proposed cavern chambers is revised from Site 1 (60m from the private slope of Chuk Yuen North Estate and 200m from Tsui Chuk Garden) to Site 3 (270m from the private slope of Chuk Yuen North Estate and 230m from Tsui Chuk Garden), whereas the location of the proposed tunnel portal is revised from Option 1 near Tsui Chuk Garden to Option 3 near Lion Rock Park (**Drawing A-16** and Annex G1 in **Appendix Ic**). The revised scheme (i.e. the Proposed Scheme) was submitted to WTSDC in May 2020. Although WTSDC did not support the project, the cavern chambers and tunnel portal under the Proposed Scheme are already the most suitable option as mentioned in paragraph 2(c) above.
- (m) In response to the public comments received during the statutory publication periods (**Appendix II**), the responses from the applicant (Annex G of **Appendix Ic**) are summarised as follows:
- (i) in response to the concerns on the location of relocated DHSRs being too close to Tsui Chuk Garden, as stated in paragraph 2(l) above, the Proposed Scheme has already taken into account and balancing the views from various stakeholders, including moving the cavern chambers further away (230m) from Tsui Chuk Garden as compared to the previous scheme (200m away) and relocating the tunnel portal to the current proposed location near Lion Rock Park;
  - (ii) regarding the concerns over air quality and noise impact arising from the proposed development, mitigation measures as stated in paragraph 2(e) above are proposed to minimise the possible impacts during the construction phase. An Environmental Permit (EP) for the construction and operation of the subject proposed development has been granted to the applicant, and the applicant will strictly comply with the EIAO requirements in relation to the relevant mitigation measures and closely monitor the nearby slope and building safety;
  - (iii) regarding the site investigation (SI) works of the proposed development conducted earlier leading to soil erosion and contamination, the applicant's contractor has complied with the relevant requirements in relation to greywater treatment and discharge. The applicant has appointed site staff to closely monitor the contractor's works;
  - (iv) in response to the concern on noise nuisance generated from the helicopter related to the SI works, there has been at most one flight per week (usually at 14:00-17:00 during weekdays), and the contractor has arranged adequate notification (e.g. advance site notice) one month prior

to the flight. In addition, the noise level of helicopter flight has complied with the relevant requirement from Civil Aviation Department and the contractor has arranged staff to measure noise level during the works and made adjustment to the works if necessary;

- (v) according to the applicant's implementation plan, blasting would not cause landslide or affecting the nearby building safety. In addition, the applicant has formulated the plan to stabilise the fragile rocks on site prior to the works;
- (vi) construction and maintenance of the salt water pumping station at Chuk Yuen Road (**Plan A-2**) to the residential units is a lease requirement of Tsui Chuk Garden. The proposed direct connection of salt water supply to Tsui Chuk Garden would involve construction of additional facilities by the Government with public money involved, and thus it is not feasible from public policy viewpoint;
- (vii) the proposed relocation of DHSRs to caverns could free up the scarce land resource of about 4 ha for housing or community uses. The Site is the best relocation site taking into account views from various local stakeholders; and
- (viii) the applicant has maintained close communication with the local community, including a hotline for the local residents for handling the general enquires and public complaints. Regular meetings with management offices, WTSDC Members and other affected parties would be arranged for discussing any issues about the project. Advance notices would be issued to the local residents, WTSDC Members and management office when there are any major construction activities.

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

As the Site involves Government land only, the "owner's consent/notification" requirements as set out in the Town Planning Board Guidelines on Satisfying the "Owner's Consent/Notification" Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) is not applicable to this application.

### **4. Town Planning Board Guidelines**

The Town Planning Board Guidelines No. 10 (TPB PG-No. 10) for 'Application for Development within "Green Belt" zone under section 16 of the Town Planning Ordinance' is relevant to this application. The relevant assessment criteria are summarised below:

- (a) there is a general presumption against development (other than redevelopment) in a "GB" zone;

- (b) an application for new development in a “GB” zone will only be considered in exceptional circumstances and must be justified with very strong planning grounds. The scale and intensity of the proposed development including the plot ratio, site coverage and building height should be compatible with the character of surrounding areas;
- (c) applications for Government, Institution or Community (GIC) uses and public utility installations must demonstrate that the proposed development is essential and that no alternative sites are available. The plot ratio of the development site may exceed 0.4 so as to minimise the land to be allocated for GIC uses;
- (d) the design and layout of any proposed development should be compatible with the surrounding areas. The development should not involve extensive clearance of existing natural vegetation, affect the existing natural landscape, or cause any adverse visual impact on the surrounding environment;
- (e) the vehicular access road and parking provision proposed should be appropriate to the scale of the development and comply with relevant standards. Access and parking should not adversely affect existing trees or other natural landscape features. Tree preservation and landscaping proposals should be provided;
- (f) the proposed development should not be susceptible to adverse environmental effects from pollution sources nearby such as traffic noise, unless adequate mitigating measures are provided, and it should not itself be the source of pollution; and
- (g) any proposed development on a slope should not adversely affect slope stability.

## **5. Background**

- 5.1 The Government has adopted a multi-pronged approach, including rock cavern development, for enhancing the land supply for Hong Kong. The 2011-12 Policy Address announced to actively explore the use of rock caverns to re-provision existing public facilities and release such sites for housing and other uses as one of measures to expand land sources. The 2013 to 2017 Policy Addresses also stated that rock cavern development was one of the medium and long-term land supply options.
- 5.2 CEDD had carried out various studies including “Enhancing Land Supply Strategy: Reclamation outside Victoria Harbour and Rock Cavern Development” and the “Study on Long-term Strategy for Cavern Development – Feasibility Study” which were completed in 2011 and 2017 respectively, under which some sewage treatment works and service reservoir including DHSRs were identified for relocation to caverns subject to further study. Besides, the “Long-Term Strategy for Cavern Development – Feasibility Study” has recommended, among others, the formulation of a strategic territory-wide CMP which shows the location and boundary of 48 SCVAs for developing rock caverns in Hong Kong.



- 5.3 The Task Force on Land Supply (the Task Force) established in 2017 has reviewed and evaluated various land supply options, and conducted public engagement on the options. Upon detailed analysis and examination of the opinions from public engagement, the Task Force has come up with recommendations on land supply options. Developing cavern and underground space, among others, is one of the medium-to-long term options.

**6. Previous Application**

There is no previous application in respect of the Site.

**7. Similar Application**

There is no similar application for ‘Service Reservoir’ use within the “GB” and “O” zones on the OZP.

**8. The Site and Its Surrounding Areas (Plans A-1 and A-2, aerial photo on Plan A-3, and site photos on Plan A-4)**

8.1 The proposed ancillary building of the Site is:

- (a) currently a vegetated and unused slope not falling within Lion Rock Park, and part of the existing access road to Lion Rock Park Transit Nursery to the south of Lion Rock Park; and
- (b) accessible from Chuk Yuen Road via an unnamed access road.

8.2 The proposed cavern chambers and vehicular tunnel of the Site are currently vacant, hilly and mainly covered with vegetation to the north of MCH FWSR in Wong Tai Sin.

8.3 The surrounding areas have the following characteristics:

- (a) the surrounding areas are mainly vegetated natural and artificial slopes;
- (b) to the immediate north and west of the proposed ancillary building is Lion Rock Park and Lion Rock Park Transit Nursery respectively both under the management of Leisure and Cultural Services Department (LCSD);
- (c) to the southeast and east of the proposed ancillary building is an unnamed access road connecting to Chuk Yuen Road, and to the further east (about 100-150m away) are the existing residential cluster in Wong Tai Sin including Tin Wang Court and Tin Ma Court; and
- (d) to the north of the proposed cavern chambers is Lion Rock Country Park (about 1-37m away) (**Drawing A-3**) and to the south is MCH FWSR (about 175m away) and Tsui Chuk Garden (about 230m away).

## **9. Planning Intentions**

- 9.1 The planning intention of the “GB” zone is primarily for the conservation of the existing natural environment amid the built-up areas/at the urban fringe, to safeguard it from encroachment by urban type development, and to provide additional outlets for passive recreational activities. There is a general presumption against development within this zone.
- 9.2 The planning intention of the “O” zone is primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.

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

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

### **Policy Aspect**

- 10.1.1 Comments of the Secretary for Development (SDEV):

The Government is actively exploring the use of rock cavern development to expand the land resources of Hong Kong and as a viable source of long-term land supply. The relocation of DHSRs to caverns (to be located at the southern slope of Lion Rock) can release the existing site for housing development (with more than 2,500 flats accommodating over 7,000 people) and other uses beneficial to the people's livelihood, such as the re-provisioning of the football pitch and its ancillary facilities at the existing site of the service reservoirs, and provision of some GIC facilities, including the expansion of the Wong Tai Sin Hospital. Hence, the implementation of the relocation project is supported from policy perspective.

### **Land Administration**

- 10.1.2 Comments of the District Lands Officer/Kowloon East, Lands Department (DLO/KE, LandsD):

- (a) according to the location and boundary of the Site broadly defined by WSD, the Site would mainly affect Lion Rock Park, WSD's pumping station, Food and Environmental Hygiene Department's refuse collection point and some other Government land (**Plan A-2**). Besides, the Site would also affect vesting boundary for MTR SCL – Tuen Ma Line. While land resumption and major land clearance are not required for the project, WSD or its works agent is required to liaise with the relevant departments to obtain their agreement/permission prior to commencement of works; and

- (b) in the event that the planning application is approved by the Board, WSD shall apply to LandsD for a Government land allocation of the Site. WSD must acknowledge that LandsD will impose appropriate terms and conditions as it deems fit upon approval is given to the application. The final area to be allocated to WSD may not strictly follow the Site as now proposed.

### **Environment**

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

- (a) no objection to the application;
- (b) the subject proposal of housing service reservoirs in caverns is a designated project under the EIA Ordinance (Cap. 499) and an EP is required for its construction and operation. The EIA Report for the subject proposal was approved on 16.11.2021. An EP for the construction and operation of the subject proposal was granted to the applicant on 14.12.2021<sup>[7]</sup>. The applicant shall carry out the project in compliance with the conditions set out in the EP; and
- (c) since there is an approved EIA report for the subject proposal, further environmental assessments including sewerage impact assessment is not required.

### **Traffic**

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

- (a) no in-principle objection to the application and no adverse comment on the FI (**Appendix Ic**) from traffic engineering point of view;
- (b) should the application be approved by the Board, she suggests that an approval condition should be imposed for the design and provision of parking facilities and vehicular access for the proposed development to the satisfaction of the C for T or of the Board; and
- (c) the applicant is reminded that the C for T has the rights to impose, alter or cancel any car parking, loading/unloading facilities and/or any no-stopping restrictions, on all local roads

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<sup>[7]</sup> The EIA report can be viewed at [https://www.epd.gov.hk/eia/register/report/eiareport/eia\\_2712021/DH\\_EIA/EIA/02%20PDF/DH\\_TOC\\_v0.pdf](https://www.epd.gov.hk/eia/register/report/eiareport/eia_2712021/DH_EIA/EIA/02%20PDF/DH_TOC_v0.pdf). The EP can be viewed at <https://www.epd.gov.hk/eia/register/permit/latest/ep6022021.htm>.

to cope with changing traffic conditions and needs. The frontage road space would not be reserved for any exclusive uses of the subject development.

### **Interfacing with Nearby Facilities**

10.1.5 Comments of the Director of Leisure and Cultural Services (DLCS):

- (a) no further comment on the application having considered the submitted FIs;
- (b) for the proposed access road to LCSD's Lion Rock Park Transit Nursery (**Plans A-2 and A-3**), prior agreement on the design, works schedule and maintenance responsibility shall be obtained from LCSD and relevant works agents. The exact location of the security gate of Transit Nursery shall be agreed by LCSD before the installation works; and
- (c) it is noted that the proposed ancillary building with roof garden will be allocated to WSD. The facilities including the planting/vegetation are therefore under the long term management and maintenance of WSD.

### **Nature Conservation**

10.1.6 Comments of Director of Agriculture, Fisheries and Conservation (DAFC):

no comment on the application, noting the potential ecological impacts had already been discussed in the approved EIA Report and no significant ecological impact would be anticipated.

### **Visual and Landscape**

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

#### **Urban Design and Visual Aspects**

- (a) no further comment on the application from visual and urban design perspectives having considered the submitted LVIA;
- (b) the proposed ancillary building is at the fringe of high-rise residential cluster with existing building heights ranging from about 86mPD to 195mPD, and government, institution or community uses with existing building heights ranging from 5 to 7 storeys (about 47mPD to 78mPD). Given the context, accommodation of the proposed 2-storey ancillary building (with building height of about 17.1m / 91.35mPD at main roof level) will unlikely cause any significant

adverse visual impact;

Landscape Aspect

- (c) no objection to the application from landscape planning perspective having considered the FI submitted;
- (d) with reference to the aerial photo of 2021, the Site is situated in an area of uplands and hillsides landscape character dominated by existing woodland and residential developments. The proposed development with a 2-storey ancillary building at the tunnel portal in “O” zone and underground access tunnel with five chambers of cavern service reservoirs mainly in “GB” zone is not entirely incompatible with the landscape character of the surrounding environment;
- (e) according to the Response-to-Comment table and Annexes A to G of the FI (**Appendix Ib**), 299 nos. existing trees of common species including dominant species such as *Acacia confusa* (台灣相思), *Sterculia lanceolate* (假蘋婆) and *Mallotus paniculatus* (白楸) are proposed to be removed. Landscape provisions such as roof greenery and vertical greening at southeastern corner of the façade are proposed for the ancillary building (**Drawings A-10 and A-11**). 45 nos. of new trees are proposed within and near vicinity of the Site. Off-site new tree planting is also proposed at areas around MCH FWSR to mitigate the landscape impact (**Drawing A-15**). Significant adverse landscape impact arising from the proposed development is not anticipated; and
- (f) the applicant is reminded that approval of the planning application does not imply approval of the tree preservation/removal/compensation scheme, the applicant shall be reminded to approach relevant authority/government department(s) direct to obtain the necessary approval.

**Geotechnical**

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

- (a) no adverse comment on the application; and
- (b) it is noted that the existing registered manmade feature nos. 11NW-B/F66 and 11NW-B/FR65 (**Plan A-2**) are found near the proposed ancillary building which may affect or be affected by the proposed development. The future geotechnical study should cover all slopes and retaining walls

within or in the vicinity of the Site. As a result of the study or design, and if found necessary, all upgrading works to existing manmade slopes and retaining walls or construction of new manmade slopes and retaining walls should meet the current safety standards. The applicant is reminded that the study and design of all permanent geotechnical works should be submitted to his office for checking in accordance with ETWB TC(W) No. 29/2002.

### **Fire Safety**

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

- (a) no objection in principle to the application subject to fire service installations and equipment being provided to the satisfaction of his department. Detailed fire services requirements will be formulated upon referral from relevant department/authority;
- (b) the applicant is advised to observe the requirements of emergency vehicular access, if applicable, as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 which is administered by the Building Authority; and
- (c) the applicant shall be reminded that storage of Cat. 2 to Cat. 10 Dangerous Goods inside caverns is prohibited. Also, his attention should be drawn to the “Guide to Fire Safety Design for Caverns 1994”, if the application is approved.

#### 10.2 The following Government departments have no objection to/adverse comment on the application.

- (a) Chief Building Surveyor/Kowloon, Buildings Department;
- (b) Chief Highway Engineer/Kowloon, Highways Department;
- (c) Chief Engineer/Mainland South, Drainage Services Department (DSD);
- (d) Chief Engineer/Land Drainage, DSD;
- (e) Chief Engineer/Construction, WSD;
- (f) Chief Architect/Central Management Division 2, Architectural Services Department;
- (g) Project Manager/East, CEDD;
- (h) Commissioner of Police; and
- (i) District Officer/Wong Tai Sin, Home Affairs Department.

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

- 11.1 On 2.11.2021 and 3.12.2021, the application and the FI were published for public inspection. During the two statutory publication periods, a total of 331 public comments were received, with 256 comments objecting to the application

including Wong Tai Sin District North Area Committee, the Incorporated Owners of Tsui Chuk Garden (one letter with 142 residents indicating objection and another letter with 84 residents indicating objection), residents of Tsui Chuk Garden and individuals; 72 comments expressing concerns on the application from residents of Tsui Chuk Garden and individuals; and 3 comments from other individuals having no comments or not indicating any comment on the application. Sample letters of the public comments are in **Appendix II**. A full set of public comments would be deposited at the meeting for Members' inspection.

11.2 Their major objection reasons and concerns are summarised below:

- (a) the proposed development is only about 200m from Tsui Chuk Garden, which is too close to the residential dwellings. The living environment of the residents (including elderly) in terms of air pollution, noise, risk of landslide and public security will be adversely affected by the construction works (including blasting and drilling) during construction stage;
- (b) no comprehensive EIA and risk assessment have been carried out by the applicant to assess the impacts on the foundation of the building blocks of Tsui Chuk Garden, landscape and visual resources, ecology, pedestrian (in particular construction vehicles adding burden to the narrow roads nearby) and geotechnical safety aspects (in particular slope stability) arising from the proposed development;
- (c) the SI works of the proposed development conducted earlier led to erosion of soil which was overflowed to the nearby footpath, adversely affected the pedestrian safety, and the noise from the helicopters associated with the SI works affected the daily life and health of the residents of Tsui Chuk Garden;
- (d) the applicant shall take the opportunity of the project to directly connect the flush water supply system to Tsui Chuk Garden;
- (e) the proposed relocation of DHSRs into caverns are considered not necessary taking into account the extensive excavation works required for caverns and tunnels;
- (f) insufficient information is provided for the public to understand the project including the information to illustrate the number of trees to be removed in the project; and
- (g) Lion Rock Country Park including the visitors to the park will be disturbed, and parking space and lawn should be provided in the proposed ancillary building.

## 12. **Planning Considerations and Assessments**

12.1 The application is for the proposed relocation of DHSRs to caverns and slopes

at the Site zoned “GB” and “O” on the OZP (**Plan A-1**). Most part of the proposed vehicular tunnel and the five cavern chambers for service reservoirs are zoned “GB” and the 2-storey ancillary building and the tunnel portal are zoned “O”. The planning intention of “GB” zone is primarily for the conservation of the existing natural environment amid the built-up areas/at the urban fringe. There is a general presumption against development within “GB” zone. The planning intention of “O” zone is primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.

- 12.2 The Government has adopted a multi-pronged approach for enhancing the land supply for Hong Kong including exploring the feasibility accommodating public facilities in rock caverns to release land for housing and other uses as announced in the 2011-12 Policy Address. CEDD subsequently carried out various studies and DHSRs is one of the identified facilities for relocation and WSD carried out a detailed feasibility study in 2014 to confirm that the relocation is technically feasible. Task Force on Land Supply in 2018 also recommended that developing caverns is one of medium-to-long term land supply options. As informed by the applicant, the existing DHSRs site of about 4 ha (**Drawing A-1**) could be released for housing and/or other uses upon relocation. SDEV supports the DHSRs relocation project from policy aspect since it could release the existing site for housing development with the provision of GIC facilities which is being examined by CEDD<sup>[8]</sup>.
- 12.3 The Site is a piece of Government land located to the south of Lion Rock Park and to the north of MCH FWSR, and is accessible from Chuk Yuen Road via an unnamed access road (**Plan A-2**). The applicant has demonstrated in the submission that the Site (i.e. Site 3) is the most suitable site within SCVA No. 26 identified in CEDD’s studies which can meet the site selection criteria and operational requirements of service reservoir as stated in paragraph 2(c) above. In particular, in determining the location of the Site, balance has been struck between the distances of the Site from the surrounding residential developments along Shatin Pass Road, Chui Chuk Street and Chuk Yuen Road as well as the MTR SCL tunnel as mentioned in paragraph 2(c) and 2(l) above (**Drawing A-16**).
- 12.4 Major parts of the Proposed Scheme including the vehicular access and the service reservoir would be located in cavern and underground, and no vegetation aboveground will be affected. While the proposed ancillary building is located on an unused slope (not falling with Lion Rock Park) within “O” zone, the proposed building is low-rise in nature of only 2 storeys and the roof would be landscaped and vertical greening would be provided (**Drawings A-10 and A-11**). The Proposed Scheme is thus considered not incompatible with the surrounding land uses including the Lion Rock Park, the green slope and the residential clusters (**Plan A-2**). According to the applicant, the Proposed Scheme would not encroach upon Lion Rock Country Park and would not have

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<sup>[8]</sup> Subject to the findings of CEDD’s study on the recommended uses and the confirmation of technical feasibility, and if required, OZP amendment procedures will be followed to reflect the recommended use(s).



adverse impact on the Lion Rock Park and the Transit Nursery during construction and operation of the proposed service reservoir. Besides, the existing open space provision in the area will not be affected. DAFC and DLCS have no adverse comment on the application.

- 12.5 Moreover, as mentioned in paragraph 2(g) above, 299 trees in the Site to be removed would be fully compensated near the proposed ancillary building and off site on a slope area to the north of MCH FWSR, and 9 trees are proposed to be retained (**Drawing A-15**). Greening would be provided at the proposed ancillary building including the landscaped roof and vertical greening (**Drawings A-10 and A-11**). In this regard, CTP/UD&L, PlanD has no adverse comment on the application from visual and landscape planning perspectives.
- 12.6 Excavation, blasting and drilling works are required for the construction of relocated DHSRs and the associated vehicular tunnel. H/GEO, CEDD has no adverse comment on the application, understanding that the applicant will carry out geotechnical study at the next stage to ensure the slope stability.
- 12.7 No insurmountable environmental impacts on air, noise, waste, ecology, landscape and visual aspects, etc. arising from the construction and operation activities of relocated DHSRs were identified with mitigation measures in place as stated in paragraph 2(e) above. As advised by DEP, an EP under EIAO was issued in December 2021. DEP has no objection to the application.
- 12.8 C for T has no objection to the application subject to the incorporation of the approval condition as set out in paragraph 13.2 below, since the traffic flow during the operation phase is anticipated to be minimal, and that during construction phase would only be during off-peak period (i.e. 10:00-16:00) to minimise the traffic impact on the road network. Other relevant Government departments consulted, including Fire Services Department, DSD and WSD, have no objection to or no adverse comment on the application.
- 12.9 In view of the above, the proposed development is generally in line with the relevant criteria of the TPB PG-No.10 in that (i) the proposed development is an essential infrastructural project of reasonable size and scale which is compatible with the character of surrounding areas with a view to releasing the Site for housing or other beneficial uses whilst optimising the water supply networks in the area; (ii) the Site is the most suitable site which can meet the site selection criteria and operational requirements as demonstrated by the applicant in paragraph 2(c) above; and (iii) the proposed DHSRs are not incompatible with the surrounding landscape character, would not cause adverse traffic, environmental, drainage, landscape and visual impacts, and would not adversely affect the slope stability. In addition, the proposed development comprising one 2-storey ancillary building with landscaped roof (with potential for public enjoyment) and vertical greening is considered not incompatible with the adjacent Lion Rock Park zoned “O” which is primarily for active and/or passive recreational uses serving the needs of local residents as well as the general public.
- 12.10 Regarding the public comments objecting to the application on the grounds as

stated in paragraph 11 above, the applicant has provided responses as stated in paragraph 2(m) above. Concerned Government departments' comments and the planning assessments above are also relevant.

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

- 13.1 Based on the assessments made in paragraph 12 and having taken into account the public comments mentioned in paragraph 11, the Planning Department has no objection to the application.
- 13.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 14.1.2026, 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 following approval conditions and advisory clauses are suggested for Members' reference:

#### Approval Conditions

- (a) the design and provision of parking facilities and vehicular access for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board; and
- (b) the submission and implementation of fire service installations and water supplies for firefighting proposal to the satisfaction of the Director of Fire Services or of the Town Planning Board.

#### Advisory Clauses

The recommended advisory clauses are attached at **Appendix III**.

- 13.3 There is no strong planning reason to recommend rejection of the application.

### **14. Decision Sought**

- 14.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant the permission.
- 14.2 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.
- 14.3 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.

**15. Attachments**

<b>Appendix I</b>	Application Form received on 20.10.2021
<b>Appendix Ia</b>	SPS received on 20.10.2021
<b>Appendix Ib</b>	FI1 vide letter received on 26.11.2021
<b>Appendix Ic</b>	FI2 vide letter received on 10.1.2022
<b>Appendix II</b>	Public comments received during the statutory publication periods
<b>Appendix III</b>	Recommended advisory clauses
<b>Drawing A-1</b>	Location Plan of the Existing and Proposed DHSRs
<b>Drawing A-2</b>	Master Layout Plan of the Proposed Relocated DHSRs
<b>Drawing A-3</b>	Tentative Boundary of Works Area of the Proposed Relocated DHSRs
<b>Drawing A-4</b>	Section Plans of the Proposed Cavern Chambers of SWSRs and FWSRs
<b>Drawing A-5</b>	Section Plans of the Proposed Vehicular Tunnel
<b>Drawing A-6</b>	Floor Plan (Ground Level) of the Proposed Ancillary Building
<b>Drawing A-7</b>	Floor Plan (Level 1) of the Proposed Ancillary Building
<b>Drawing A-8</b>	Floor Plan (Roof Level) of the Proposed Ancillary Building
<b>Drawing A-9</b>	Section Plan of the Proposed Ancillary Building
<b>Drawing A-10</b>	Landscape Plan of the Proposed Ancillary Building
<b>Drawing A-11</b>	Perspectives of the Proposed Ancillary Building
<b>Drawing A-12</b>	Photomontage of the Proposed Ancillary Building (from Viewpoint 1)
<b>Drawing A-13</b>	Parking and Loading/Unloading Spaces of the Proposed Ancillary Building
<b>Drawing A-14</b>	Location Plan of Key Road Junctions
<b>Drawing A-15</b>	Location Plan of Compensation Tree Planting
<b>Drawing A-16</b>	Location Plan of Potential Sites for DHSRs Relocation and Potential Locations of Tunnel Portal
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plan A-4</b>	Site Photos

**PLANNING DEPARTMENT  
JANUARY 2022**