

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/I-TCE/2

<u>Applicant:</u>	Hong Kong Housing Authority
<u>Site:</u>	Government Land at Area 109, Tung Chung, Lantau Island
<u>Site Area:</u>	About 12,000 m ²
<u>Land Status:</u>	Government Land
<u>Plan:</u>	Approved Tung Chung Extension Area Outline Zoning Plan (OZP) No. S/I-TCE/2
<u>Zoning:</u>	“Residential (Group A) 5” (“R(A)5”) - Restricted to a maximum plot ratio (PR) of 5.4 and a maximum building height (BH) of 95mPD with a minor relaxation clause
<u>Application:</u>	Proposed Minor Relaxation of PR Restriction for Permitted Public Housing Development

1. The Proposal

- 1.1 The applicant seeks planning permission for minor relaxation of PR restriction from 5.4 to 5.8 (i.e. +0.4 or +7.4%) for permitted public housing development at the application site (the Site) (**Plan A-1**). The Site zoned “R(A)5” on the OZP is subject to a maximum PR of 5.4 and a maximum BH of 95mPD. According to the Notes of the OZP, ‘Flat’ use is always permitted within the “R(A)5” zone. Based on the individual merits of a development proposal, minor relaxation of PR and/or BH restrictions may be considered by the Town Planning Board (the Board) on application under section 16 of the Town Planning Ordinance. As such, the proposed minor relaxation of PR restriction requires planning permission from the Board.
- 1.2 According to the applicant’s proposal, the proposed development comprises two 28-storey public housing blocks atop a 2-storey podium and 1-storey basement carpark. The proposed increase in PR would allow an addition of 242 flats (total provision of 1,344 flats). The Site will be accessed via Road L3 (**Drawing A-1**). The piling works of the Site have been commenced by the applicant since July 2021 and the proposed development is scheduled for completion in 2025/26 tentatively.

- 1.3 The Master Layout Plans, Section Plans, Landscape Master Plan and photomontages of the proposed development are at **Drawings A-1 to A-11** while the major development parameters are summarised in the following table:

Development Parameters	Proposed Scheme
Site Area	About 12,000m ²
Gross Floor Area (GFA)	Total: About 69,600m ² Domestic: About 66,000m ² Non-domestic: About 3,600m ²
PR	Total: 5.8 Domestic: 5.5 Non-domestic: 0.3
No. of Blocks	2
No. of Storeys	31 storeys (including 2-storey podium and 1-storey basement)
BH	Not exceeding 95mPD
No. of Flats	About 1,344
No. of Population	About 3,763
Open Space	Not less than 3,763m ²
Green Coverage	Not less than 20%
Ancillary Parking and Loading/ Unloading Spaces	Private Car Parking Spaces: 185 (including 10 for visitors and 7 for non-domestic portion) Motorcycle Parking Spaces: 12 Light Goods Vehicle Parking Spaces: 5 Loading/Unloading Bays: 5 Bicycle Parking Spaces: 90

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

- (a) Application form received on 28.12.2021 **(Appendix I)**
- (b) Supporting Planning Statement, Schematic Drawings, Landscape Master Plan and Open Space Demarcation Plan, Water Works Impact Assessment (WWIA), Sewerage Impact Assessment (SIA), Traffic Impact Assessment (TIA) and Environmental Assessment Study (EAS) **(Appendix Ia)**
- (c) Further Information (FI) dated 26.1.2022 providing responses to departmental comments and a replacement page of the SIA report* **(Appendix Ib)**
- (d) FI dated 14.2.2022 providing responses to departmental and public comments* **(Appendix Ic)**

* *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 Supporting Planning Statement (**Appendix Ia**) and the FI (**Appendices Ib and Ic**). They can be summarised as follows:

- (a) there is an acute demand for public housing. The proposed increase in overall PR to 5.8 would increase the public housing production and is in line with Government's policy of enhancing development intensity of public housing sites and better utilising land resources;
- (b) the proposed PR and BH are compatible with the high-density residential developments (such as planned public housing developments in Area 99 and Area 100, Ying Tung Estate, Century Link and The Visionary) in the vicinity;
- (c) the disposition and layout of the building blocks have been specifically designed in response to the context of the Site in order to optimise the development potential as far as practical. Parking facilities are provided based on the standards under the Hong Kong Planning Standards and Guidelines (HKPSG) and the underground carpark is designed to maximise greenery on ground level;
- (d) a continuous retail shop frontage abutting the planned District Open Space (DO) in its southeast is proposed with a view to encouraging street life, enhancing interface between shop frontage and the open space and creating a generous spatial experience for recreation and leisure;
- (e) compared with the OZP compliant scheme, the proposed development will not cause significant change in urban design, visual and landscape impacts and is considered compatible with the local environment. No adverse impact on air ventilation is anticipated; and
- (f) various technical assessments, including WWIA, SIA, TIA and EAS, have been conducted to demonstrate that the proposed development would not induce adverse impacts on water supply, drainage, sewerage, traffic and environmental aspects. Acoustic windows have been incorporated for the flat units as necessary according to the EAS.

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) are not applicable.

4. Background

- 4.1 To optimise the use of public housing land, the 2014 Policy Address announced that the maximum domestic PR for housing sites in New Town would be raised by 20% (i.e. up to 5 in Density Zone 2). On the Recommended Outline Development Plan of the Tung Chung New Town Extension Study completed in 2016, domestic PR of 5 (representing a 20% increase) and non-domestic PR 0.4 had been proposed for the Site. To allow design flexibility, a maximum total PR of 5.4 is stipulated in the Notes of the OZP for the subject "R(A)5" zone.

- 4.2 In December 2018, the Chief Executive in Council announced the policy of “Enhancement of the Development Intensity of Public Housing Sites” for addressing the shortage in public housing supply that the domestic PR for public housing sites should be allowed to increase by up to 30% in respective Density Zones (i.e. up to 5.5 in Density Zone 2 where the Site is located) where their technical feasibility permits.

5. **Previous Application**

There is no previous application at the Site.

6. **Similar Application**

- 6.1 There is a similar application (No. A/I-TCE/1) submitted by the applicant for minor relaxation of PR restriction from 6.4 to 6.7 (i.e. +0.3 or +4.7%) for permitted public housing development and proposed public vehicle park at Area 99 (**Plan A-1**) zoned “R(A)3” to the southeast of the Site. The application was approved with condition by the Committee on 6.11.2020 mainly on the grounds that the application is in line with government’s policy to increase housing supply and car parking spaces; the proposal is not incompatible with the surrounding area; and no adverse impacts are anticipated.
- 6.2 Details of the similar application are summarised at **Appendix II** for Members’ reference.

7. **The Site and Its Surrounding Areas (Plans A-1 to A-4)**

7.1 The Site is:

- (a) accessible from and located to the immediate southeast of Road L3;
- (b) currently a construction site let to the applicant under Short Term Tenancy (STT) for the proposed development; and
- (c) within 600m walking distance from the planned Tung Chung East Station in the southeast.

7.2 The surrounding areas have the following characteristics:

- (a) to the immediate northeast is Area 110 planned for medium-density residential development;
- (b) to the northwest across Road L3 is Area 106 planned for medium-density residential development(s);
- (c) to the immediate southeast is the planned DO (i.e. Linear Park) in Area 111C. Road D4 and the proposed public housing development in Area 100 are located to the further southeast; and

- (d) to the further south and southwest across Road L4 are the proposed public housing developments in Area 99 and Area 103.

8. Planning Intention

- 8.1 The planning intention of the “R(A)” zone is primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.
- 8.2 According to the Explanatory Statement of the OZP, to provide flexibility for innovative design adapted to the characteristics of particular sites, minor relaxation of PR/BH restrictions of the “R(A)” sub-areas may be considered by the Board through planning permission system. Each proposal will be considered on individual merits.

9. Comments from Relevant Government Bureau/Departments

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

Policy

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

the Tung Chung New Town Extension (TCNTE) is one of the major sources of housing land supply in short to medium-term. The application, which involves a proposed increase of 242 units on the Site, will enhance the supply of public housing units and achieve a better utilisation of land resources. The application is considered in line with the policy initiatives and is fully supported by the Development Bureau (DEVB).

Traffic

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

she has no objection to the application and no comment on the TIA submitted by the applicant which indicates that the proposed development will have no insurmountable traffic impact on the surrounding road network with provision of improvement measures at local junctions to be implemented by CEDD under TCNTE projects.

Environment and Sewerage

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

- (a) he has no adverse comment on the application; and

- (b) the key environmental concern associated with the proposed development is traffic noise impact from the nearby roads. The submitted EAS confirms that the development has incorporated design features such as podium, canopy and building orientation. With implementation of mitigation measures including fixed glazing and acoustic windows to those affected flats, all units will comply with the traffic noise standard. He has no comment on the EAS conclusion. Besides, he also has no comment on the SIA which concludes that the public sewerage system has adequate capacity for the proposed development.

Urban Design, Visual and Air Ventilation

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

- (a) the Site is bounded by the proposed Road L3 to the northwest, the proposed Road L4 to the southwest and the planned open space in Area 111C to the southeast. To the northwest across the proposed Road L3 is Area 106 subject to a maximum PR of 3.5 and a maximum BH of 70mPD. To the northeast is Area 110 subject to a maximum PR of 3.9 and a maximum BH of 70mPD. To the southwest and across the proposed Road L4 are Area 103 subject to a maximum PR of 5.4 and a maximum BH of 110mPD and Area 99 subject to a maximum PR of 6.7 and a maximum BH of 125mPD. To the southeast across the proposed Road D4 is Area 100 subject to a maximum PR of 6.9 and a maximum BH of 140mPD;
- (b) the proposed BH of not exceeding 95mPD is in compliance with the BH restriction under the OZP and would maintain the stepped BH profile of the Tung Chung Extension Area. Given the site context and as illustrated in the visual materials of Supporting Planning Statement, the proposal is considered not incompatible with the planned developments of the area. The proposal has incorporated a number of urban design features including setback from the planned open space with provision of greenery, commercial frontages with cantilevered canopies abutting the setback area, wind corridor with a minimum width of 15m and ventilation bays. These measures may improve streetscape, promote visual interests, and enhance pedestrian comfort. Besides, there is no significant change in building bulk as compared with the OZP compliant scheme. Significant adverse visual impact due to the proposed increase in PR is not anticipated; and
- (c) given the scale of the proposed development (with site area of about 12,000m² and maximum GFA of 69,600m²) and that it is not located within a breezeway in accordance with the air ventilation assessment (AVA) under the TCNTE Study completed in 2016, the proposed development does not fall within the criteria set out in the Technical Circular No. 1/06 on AVA and thus significant adverse air ventilation impact is not anticipated.

9.1.5 Comments of the Chief Architect/Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD):

- (a) since the adjacent “R(A)1”, R(A)3” and “R(A)5” areas with BH restrictions ranging from 110mPD to 140mPD are permitted in the OZP, she has no comment from architectural and visual impact points of view; and
- (b) it is noted that some of the façade area at Block B are facing west. Solar control devises should be considered to reduce solar heat gain and avoid glare as far as practicable.

Landscape

9.1.6 Comments of CTP/UD&L, PlanD:

- (a) she has no objection to the application from landscape planning perspective; and
- (b) the Site is under site formation with no trees or vegetation observed. It is noted from the Supporting Planning Statement and the proposed Landscape Master Plan (**Drawing A-7**) submitted by the applicant that the estimated population of the development is about 3,763 and the proposed local open space is not less than 3,763m² (or 1m² per person). The proposed site coverage of greenery is minimum 20% of the site area. The landscape areas are proposed on G/F and podium levels, providing active and passive recreational facilities for different ages of users including children’s play area (not less than 301m², or 400m² per 5,000 persons), fitness area, jogging trail and sitting-out areas, along with trees and shrubs amenity planting. The proposed high-rise residential development which forms part of the Tung Chung Extension Area is considered not incompatible with the planned landscape character of the adjacent areas zoned as “R(A)5” (Area 103) and “R(B)1” (Area 110) and “R(B)3” (Area 106). Significant adverse landscape impact due to the proposed development is not anticipated.

Civil Aviation

9.1.7 Comments of the Director-General of Civil Aviation (DG of CA):

the aircraft approaching and departing from the Hong Kong International Airport (HKIA) is one of the key existing noise sources which affects the Site. Although the Site falls outside the coverage of the Noise Exposure Forecast (NEF) 25 contour of the HKIA under the Three-Runway System operations, the Site is in close proximity to the HKIA which is a very busy airport operating 24 hours a day. Aircraft noise due to the overflights of approaching and departing aircraft is anticipated. In addition, the Site is in proximity to the helicopter holding areas and helicopter flight paths, which might also contribute to the noise environment. It is therefore

recommended that appropriate noise mitigation measures, for example, the use of acoustic insulation to improve the indoor noise environment of future development, should be devised.

Fire Safety

9.1.8 Comments of the Director of Fire Services (D of FS):

- (a) he has no objection in principle to the application; and
- (b) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans. Furthermore, the emergency vehicular access provision in the Site shall comply with the standard as stipulated in Section 6, Part D of the Code of Practice for Fire Safety in Buildings 2011 under the Building (Planning) Regulation 41D which is administered by the Buildings Department.

District Officer's Comments

9.1.9 Comments of the District Officer/Islands, Home Affairs Department (DO/Is, HAD):

she has 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/ no comment on the application:

- (a) District Lands Officer/Islands, Lands Department;
- (b) Head of Sustainable Lantau Office, Civil Engineering and Development Department;
- (c) Head of Geotechnical Engineering Office, Civil Engineering and Development Department;
- (d) Chief Engineer/Hong Kong and Islands, Drainage Services Department;
- (e) Chief Engineer/Construction, Water Supplies Department;
- (f) Chief Highway Engineer/New Territories East, Highways Department;
- (g) Chief Engineer/Railway Development Office, Highways Department;
- (h) Chief Building Surveyor/New Territories East (1) and Licensing, Buildings Department;
- (i) Director of Social Welfare;
- (j) Director of Food, Environmental and Hygiene;
- (k) Director of Electrical and Mechanical Services;
- (l) Director of Leisure and Cultural Services;
- (m) Commissioner of Police; and
- (n) Controller, Government Flying Service.

10. Public Comment Received during the Statutory Publication Period

On 4.1.2022, the application was published for public inspection. During the statutory publication period, one public comment from an individual was received (**Appendix III**).

The commenter expresses concerns on the application mainly on the grounds that there are inadequate open space, recreation facilities and government, institution and community (GIC) facilities (including neighbourhood elderly centre and child care centre) within the proposed development/ in the area, too much space is given to vehicular parking and whether the retail shop frontage proposed by the applicant could be utilised for alfresco dining.

11. Planning Considerations and Assessments

- 11.1 The application is for minor relaxation of PR restriction from 5.4 to 5.8 (i.e. +0.4 or +7.4%) for permitted public housing development at the Site which is zoned “R(A)5” on the approved Tung Chung Extension Area OZP. The proposal to increase the permitted PR to 5.5 for domestic use would allow the provision of additional 242 flats and is in line with the Government’s policy of enhancing development intensity of public housing sites (up to PR 5.5 in Density Zone 2, i.e. +30%) to increase housing supply where technical feasibility permits. It is considered to be a better utilisation of land resources and DEVB fully supports the application.
- 11.2 Whilst with the proposed increase in PR, the BH of the proposed development will be maintained at 95mPD which is in compliance with the BH restriction under the OZP and would maintain the stepped BH profile of the Tung Chung Extension Area. The proposed development is not located within any breezeway identified in the TCNTE Study. In addition, the proposal has incorporated a number of urban design measures which may improve streetscape, promote visual interests, and enhance pedestrian comfort. According to the proposed scheme, local open space will be provided in accordance with the HKPSG requirement and a greenery coverage of not less than 20% is proposed within the Site. Landscape areas are also proposed on G/F and podium levels to provide active and passive recreational facilities for different ages of users. In this regard, CTP/UD&L, PlanD considers the proposed development not incompatible with the planned developments in the area, and significant adverse visual, air ventilation and landscape impacts are not anticipated.
- 11.3 According to the applicant’s submission, the proposed development is scheduled for completion in 2025/26 tentatively. WWIA, SIA, TIA and EAS have been conducted which demonstrate that no adverse water supply, drainage, sewerage, traffic and environmental impact will be caused by the proposed development on the surrounding areas. According to the EAS, the Site would not encroach onto the predicted NEF25 contour of the HKIA and no adverse aircraft noise impact on the proposed development is expected. Acoustic windows have also been incorporated for the flat units as necessary according to the EAS. Relevant departments have no objection to/no adverse comment on the proposed development on the technical aspects.
- 11.4 The application will lead to an increase in design population from 3,371 to 3,763 (+392). Taking into account the requirement of the HKPSG and the advice of relevant bureaux/departments, the overall planned provision of GIC facilities and open space will be adequate to serve the needs of the existing and new population in Tung Chung New Town and its extension including the Site. Besides, a number

of GIC facilities (including elderly centres, children and youth centre, community centre for mental wellness and kindergartens), a public transport interchange and ball courts will be provided in the neighbouring public housing developments in Area 99, Area 100 and Area 103 and adjacent planned open spaces to serve the local community.

- 11.5 There is a similar application (No. A/I-TCE/1) submitted by the applicant for minor relaxation of PR restriction from 6.4 to 6.7 (i.e. +0.3 or +4.7%) for permitted public housing development and proposed public vehicle park at Area 99 to the southeast of the Site. The application was approved with condition by the Committee on 6.11.2020 mainly on the grounds that the application is in line with government's policy to increase housing supply and car parking spaces; the proposal is not incompatible with the surrounding area; and no adverse impacts are anticipated. Approval of the current application is generally in line with the Committee's previous decision.
- 11.6 Regarding the public comment on the application as summarised in paragraph 10 above, the departmental comments in paragraph 9 above and planning assessments in paragraphs 11.1 to 11.5 above are relevant. According to the applicant, provision of alfresco dining along the proposed retail shop frontage will be determined by management and market considerations at a later stage.

12. Planning Department's Views

- 12.1 Based on the assessment made in paragraph 11 above, the Planning Department has no objection to the application.

Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 18.2.2026, 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 advisory clauses are also suggested for Members' reference:

Advisory Clauses

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

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

13. Decision Sought

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

Appendix I	Application Form received on 28.12.2021
Appendix Ia	Supporting Planning Statement, Schematic Drawings, Landscape Master Plan and Open Space Demarcation Plan, Water Works Impact Assessment, Drainage Impact Assessment, Sewerage Impact Assessment, Traffic Impact Assessment and Environmental Assessment Study
Appendix Ib	Further Information dated 26.1.2022 providing providing responses to departmental comments and a replacement page of the SIA report
Appendix Ic	Further Information dated 14.2.2022 providing responses to departmental and public comments
Appendix II	Similar Application
Appendix III	Public Comment
Appendix IV	Recommended Advisory Clauses
Drawings A-1 to A-5	Master Layout Plans
Drawing A-6	Section Plan
Drawing A-7	Landscape Master Plan
Drawings A-8 to A-11	Photomontages
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plan A-4	Site Photos

**PLANNING DEPARTMENT
FEBRUARY 2022**