

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/I-TCE/3

<u>Applicant:</u>	Hong Kong Housing Authority
<u>Site:</u>	Government Land at Area 103, Tung Chung, Lantau Island
<u>Site Area:</u>	About 17,300 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 110mPD with a minor relaxation clause
<u>Application:</u>	Proposed Minor Relaxation of PR and BH Restrictions for Permitted Public Housing Development

1. The Proposal

- 1.1 The application seeks planning permission for minor relaxation of PR restriction from 5.4 to 5.9 (i.e. + 0.5 or + 9.3%) and BH restriction from 110mPD to 125mPD (i.e. +15m or 13.6%) for permitted public housing development at the application site (the Site) (**Plan A-1**) which is zoned “R(A)5” on the approved Tung Chung Extension Area Outline Zoning Plan No. S/I-TCE/2 (the OZP). 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.
- 1.2 According to the applicant’s proposal, the proposed development comprises four public housing blocks of 14 to 38 domestic storeys atop a 2-storey podium located at the eastern portion of the Site, while an open-air recreational/landscape deck atop an one-storey carpark is located at the western portion of the Site. As compared with the baseline scheme (i.e. OZP compliance scheme), the proposed increases in PR and BH would allow an addition of 411 flats (total provision of 2,018 flats). Piling works at the Site have been commenced by the applicant since February 2022 and the proposed development is planned for completion in 2026/27 tentatively.

- 1.3 The Master Layout Plan, Floor Plans, Section Plan, Landscape Master Plan and photomontages of the proposed development submitted by the applicant are at **Drawings A-1 to A-10**. The major development parameters are summarised in the following table:

Development Parameters	Proposed Scheme
Site Area	About 17,300m ²
Gross Floor Area (GFA)	Total: About 102,070m ² Domestic: About 95,150m ² Non-domestic: About 6,920m ² (including a 9-classroom kindergarten)
PR	Total: 5.9 Domestic: 5.5 Non-domestic: 0.4
No. of Blocks	4
No. of Storeys	Block A: 16 storeys Block B: 39 storeys Block C: 40 storeys Block D: 30 storeys (including a 2-storey podium at all four blocks)
BH	Not exceeding 125mPD
No. of Flats	About 2,018
No. of Population	About 5,651
Government, Institution or Community (GIC) Facilities ^{Note 1}	One Neighbourhood Elderly Centre One Home Care Services for Frail Elderly Persons
Recreational Facilities	One badminton court One basketball court One table tennis table Children's play area
Open Space	Not less than 5,651m ²
Green Coverage	Not less than 20%
Ancillary Parking and Loading/Unloading Spaces ^{Note 2}	Private Car Parking Spaces: 206 (including 20 for visitors and 5 for non-domestic portion) Motorcycle Parking Spaces: 19 Light Goods Vehicle Parking Spaces: 8 Private Light Bus Parking Space (for Welfare Facilities): 1 Loading/Unloading Bays: 9 Bicycle Parking Spaces: 135

Note 1: equivalent to about 0.8% of domestic GFA, which may be disregarded according to the Notes of the OZP as they are constructed or intended for use solely as GIC facilities as required by the Government

Note 2: Based on Hong Kong Planning Standards and Guidelines (HKPSG) and parking demand in the district

- 1.4 A 5m setback from site boundary abutting the planned District Open Space (DO) to its south is proposed with a continuous retail shop frontage at ground floor with 2.5m-wide cantilevered canopies.
- 1.5 A 20m-wide Non-Building Area (NBA) across the central part of the Site is provided to serve as breezeway with consideration to the prevailing wind and to provide a major view corridor from the hillside to the sea area. A footbridge at 1/F is proposed to enhance connectivity within the Site.
- 1.6 In support of the application, the applicant has submitted the following documents:
 - (a) Application form received on 19.7.2022; **(Appendix I)**
 - (b) Supporting Planning Statement, Schematic Drawings, Landscape Master Plan and Open Space Demarcation Plan, Air Ventilation Impact Assessment (AVIA), Visual Impact Assessment (VIA), Sewerage Impact Assessment (SIA), Water Works Impact Assessment (WWIA), Traffic Impact Assessment (TIA) and Environmental Assessment Study (EAS); **(Appendix Ia)**
 - (c) Further Information (FI) dated 24.8.2022 providing responses to departmental and public comments and a replacement page of EAS report*; and **(Appendix Ib)**
 - (d) FI dated 1.9.2022 providing responses to departmental 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 FIs (**Appendices Ib and Ic**) and are summarised as follows:

- (a) there is an acute demand for public housing. The proposed increase in domestic PR to 5.5 (with overall PR of 5.9) and BH to 125mPD 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 to meet the imminent housing need;
- (b) the proposed PR and BH are compatible with the high-rise residential developments (such as planned public housing developments in Areas 99 and 100, Ying Tung Estate, Century Link and The Visionary) in the vicinity;
- (c) in view of the complex geotechnical conditions at the western portion of the Site and the requirement for a 20m NBA across the central part of the Site, high-rise development therein is constrained. As such, only an open-air recreational/landscape deck is proposed atop a one-storey carpark at the western portion of the Site, while the BH of Block A has been optimised to minimise the adverse effect on the cavities due to the imposition of foundation load. Opportunity is also taken to improve the overall layout and design by increasing

the BH of other blocks to a maximum of 125mPD;

- (d) 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 practicable while addressing various site and technical constraints in environmental, technical and geotechnical aspects;
- (e) design features including a 5m setback from DO and continuous retail shop frontage at ground floor with 2.5m-wide cantilevered canopies are proposed to encourage street life, enhancing interface between shop frontage and open space and creating a generous spatial experience for recreation and leisure;
- (f) the overall design of the development is to strengthen the connectivity with the adjacent DO and maximise greening opportunity within the development. The landscape design aims to maximise greening and recreational opportunity to cater for enjoyment of the residents;
- (g) the proposed development will not compromise the stepped BH concept of the Tung Chung New Town Extension (TCNTE), and there is no significant change in terms of urban design and landscape aspects. Various technical assessments, including AVIA, VIA, SIA, WWIA, TIA and EAS, have been conducted to demonstrate that the proposed development would not induce adverse impacts on urban design, air ventilation, visual, landscape, traffic, environmental, sewerage and fresh and salt water supply aspects; and
- (h) while the Site is located outside the Noise Exposure Forecast (NEF) 25 contours and no adverse aircraft noise impacts are expected, acoustic windows will be incorporated for those 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 In view of the waterfront location of the Site, the Site is put under Density Zone 2 of TCNTE, which is intended for development at a medium density. Taking into account the policy direction announced in the 2014 Policy Address to optimise the use of public housing land, the maximum domestic PR for housing sites in new towns would be raised by 20% (i.e. up to 5 in Density Zone 2). In this connection, a domestic PR of 5 (representing a 20% increase) and non-domestic PR 0.4 had been proposed for the Site on the Recommended Outline Development Plan of the TCNTE Study completed in 2016. 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 in 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 Applications

- 6.1 There are two similar applications (No. A/I-TCE/1 and A/I-TCE/2) submitted by the same applicant for minor relaxation of PR restriction for permitted public housing developments. Application No. A/I-TCE/1 is for minor relaxation of PR from 6.4 to 6.7 (i.e. +0.3 or +4.7%) for proposed public housing development and public vehicle park at Area 99. Application No. A/I-TCE/2 is for minor relaxation of PR from 5.4 to 5.8 (i.e. +0.4 or +7.4%) for proposed public housing development at Area 109 (**Plan A-1**). The Committee approved Application No. A/I-TCE/1 with condition on 6.11.2020 and Application No. A/I-TCE/2 on 18.2.2022, mainly on grounds that the applications are in line with Government’s policy to increase housing supply and car parking spaces (No. A/I-TCE/1 only); the proposals are not incompatible with the surrounding area; and no adverse impacts are anticipated.
- 6.2 Details of the similar applications 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 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 north and northwest across Road L3 is Area 106 zoned “Residential (Group B)3” (“R(B)3”) for medium-density residential development, subject to a maximum PR of 3.5 and a maximum BH of 70mPD;
- (b) to the northeast across Road L4 is Area 109 zoned “R(A)5” for public housing development, subject to a maximum PR of 5.4 and a maximum BH of 95mPD;

- (c) to the immediate southeast is the planned DO (i.e. Linear Park) in Area 16B. The public housing development and public transport interchange at Area 99 zoned “R(A)3” are located to the further southeast, subject to a maximum PR of 6.4 and a maximum BH of 125mPD; and
- (d) to the immediate west is a site zoned “Government, Institution or Community” reserved for development of two primary schools in Area 102.

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 Departments

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

Traffic

- 9.1.1 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 from traffic engineering perspective.

Environment and Sewerage

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

the Site is zoned “R(A)5” and residential development is always permitted. Given such and for the following reasons, he has no adverse comment on the application for minor relaxation of PR and BH restrictions:

- (a) with the proposed noise mitigation measures including fixed glazing and acoustic windows to the affected flats, the road traffic noise standard can be complied with at all noise sensitive receivers;
- (b) buffer distance from surrounding roads as recommended in HKPSG has been provided;

- (c) the planned sewage pumping station in Area 104 is about 150m away and with provision of mitigation measures such as odour removal system with 99.5% removal efficiency, adverse odour impact is not anticipated; and
- (d) the public sewerage system is capable of handling the additional flow from the proposed intensification.

Urban Design, Visual and Air Ventilation

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

Urban Design and Visual Impact

- (a) the proposed development will incorporate urban design features set out in the Explanatory Statement of the Outline Development Plan including a 20m-wide NBA to be part of a continuous breezeway-cum-view corridor across the area, and retail shop frontage abutting DO to encourage street life thereat. In addition, the proposed development has incorporated stepped BH, 5m setback from the DO, 2.5m-wide canopy along the retail shop frontage and permeable fence/boundary wall of the carpark to improve streetscape, promote visual interests, and enhance pedestrian comfort. Given the site context and as demonstrated in the VIA, the proposal is considered not incompatible with the surrounding planned developments. Significant adverse visual impact due to the proposed increase in PR and BH is not anticipated; and

Air Ventilation Impact

- (b) the Proposed Scheme was compared to a Baseline Scheme (with development intensity compliant to the OZP restrictions) in the AVIA. Both the Proposed Scheme and the Baseline Scheme have incorporated a 20m-wide NBA and building setback from the DO. In addition, the Proposed Scheme has incorporated several design measures to facilitate air ventilation, including setback of the towers atop the podium from the western site boundary, provision of semi-open carpark with permeable fence/boundary wall, stepped height profile among the proposed building blocks and one-storey landscape deck. It is concluded that the overall ventilation performance of the surrounding areas would not be significantly affected by the proposed increase in PR and BH.

Landscape

9.1.4 Comments of CTP/UD&L, PlanD:

- (a) according to the aerial photo of 2021 (**Plan A-3**), the Site is under reclamation/site formation with no trees or vegetation observed. The proposed high-rise residential development which forms part of

the future TCNTE is considered not incompatible with the planned landscape character of the nearby areas zoned as “R(A)3” and “R(A)5” and “R(B)1” for residential development. Significant adverse landscape impact due to the proposed development is not anticipated;

- (b) with reference to the Supporting Planning Statement and the proposed Landscape Master Plan submitted by the applicant, the estimated population of the development is about 5,651 and the proposed local open space is not less than 5,651m² (i.e. 1m² per person). The proposed site coverage of greenery is minimum 20% of gross site area. The landscape areas are proposed on G/F and podium level (1/F), providing active and passive recreational facilities for different ages of users including children’s play area (not less than 452m², i.e. 400m² per 5,000 persons), badminton court, basketball court, walk/jogging path and sitting-out areas, along with trees and shrubs amenity planting; and
- (c) she has no adverse comment on the application from landscape planning perspective.

Civil Aviation

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

- (a) it is noted that the proposed maximum building level (including the parapet of the top roof) given at 137mPD in the drawings submitted 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) (No. 2) Order 1997 (Cap. 301D). The maximum building levels should have considered the highest points of all roof-top structures such as parapet, cat ladder and dog house. In addition, AHR must be strictly observed at all times. No part of any structures and equipment used during the construction or for maintenance after the completion of the construction works shall exceed the AHR limits; and
- (b) 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 NEF 25 contour of the HKIA under the Three-Runway System operations, it 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

9.1.6 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 and referral from relevant licencing authority. 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

9.1.7 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 to/no comment on the application:

- (a) District Lands Officer/Islands, Lands Department;
- (b) Head of Sustainable Lantau Office, Civil Engineering and Development Department (CEDD);
- (c) Head of Geotechnical Engineering Office, CEDD (H(GEO), CEDD);
- (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 Building Surveyor/New Territories East (1) and Licensing, Buildings Department;
- (h) Director of Social Welfare;
- (i) Secretary for Education;
- (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, GFS.

10. Public Comments Received during the Statutory Publication Period

On 26 July 2022, the application was published for public inspection. During the statutory public inspection period, eight public comments objecting to/expressing concerns on the application from individuals were received (**Appendix III**). Their

major grounds are that the proposed development with increased PR and BH will increase the population density in the area and bring about adverse traffic, visual and air ventilation impacts. One commenter asks for better integration between the existing and new developments and extension of all-weather footbridge/covered walkway for developments from the Tung Chung Town Centre to enhance pedestrian connection.

11. Planning Considerations and Assessments

- 11.1 The application seeks planning permission for minor relaxation of PR restriction from 5.4 to 5.9 (with domestic PR not exceeding 5.5) (i.e. +0.5 or +9.3%) and BH restriction from 110mPD to 125mPD (i.e. +15m or +13.6%) for permitted public housing development at the Site, which is zoned “R(A)5” on the OZP. The proposed public housing development will provide 2,018 flats. The increases in PR and BH will allow for an addition of 411 flats, which is in line with the Government’s policy of enhancing development intensity of public housing sites (up to domestic PR of 5.5 in Density Zone 2, i.e. +30%) to increase housing supply where technical feasibility permits and better utilise land resources.
- 11.2 The proposed development comprises four public housing blocks of 14 to 38 domestic storeys atop a 2-storey podium located at the central and eastern portions of the Site. The maximum BHs of the four blocks range from 57.4mPD (16 storeys) to 124.2mPD (40 storeys). According to the applicant, the disposition of the blocks is constrained by a geological profile with the presence of marble, marble-related cavities, cavity-fill deposits and a deep and steeply inclined rockhead at the western portion of the Site. Given the complex geological conditions, only an open-air recreational/landscape deck is proposed atop an one-storey carpark at the western portion, while the BH of Block A has been optimised to minimise the adverse effect on the cavities due to the imposition of foundation load. To improve the overall layout and design, BHs of the building blocks at the remaining portion of the Site are therefore increased to a maximum of 125mPD. H(GEO), CEDD has no comment on the application and the geotechnical feasibility of the proposal.
- 11.3 The proposed development has incorporated a number of urban design measures, including a 20m-wide NBA, a varying BH profile, a 5m setback from DO, a continuous retail shop frontage with 2.5m-wide canopy abutting the DO and permeable fence/boundary wall at the carpark to improve streetscape, promote visual interests and enhance pedestrian comfort. Given the site context and as demonstrated in the VIA and AVIA, CTP/UD&L, PlanD considers that the proposal is not incompatible with the surrounding planned developments, and significant adverse visual and air ventilation impacts are not anticipated. As compared with the baseline scheme, the visual and air ventilation performances of the proposed scheme have not worsened. The proposed development is also considered in line with the stepped BH profile of the TCNTE, with BHs gradually reduced from the mountain backdrop in the south to the waterfront in the north. The proposed high-rise residential development which forms part of the future TCNTE is considered not incompatible with the planned landscape character of the nearby areas zoned as “R(A)3”, “R(A)5” and “R(B)1” for residential development. Significant adverse landscape impact due to the proposed development is not anticipated.

- 11.4 According to the applicant's submission, the proposed development is scheduled for completion in 2026/27 tentatively. WSIA, SIA, TIA and EAS have been conducted for the proposed scheme to demonstrate that no adverse water supply, sewerage, traffic and environmental impacts will be caused by the proposed development to the surrounding areas. According to the EAS, while the Site is located outside the NEF 25 contour of the HKIA and no adverse aircraft noise impact on the proposed development is expected, acoustic windows will be incorporated for the flat units as appropriate. Relevant departments have no objection to/no adverse comment on the proposed development on technical aspects.
- 11.5 According to the applicant, the application will lead to an increase in design population from about 4,917 to 5,651 (+734). Taking into account the requirement of the HKPSG and the advice of relevant bureau/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. Apart from the provision of a 9-classroom kindergarten, a Neighbourhood Elderly Centre and Home Care Services for Frail Elderly Persons at the Site, a number of GIC facilities (including elderly centres, child care centres and community centre for mental wellness, etc.) and a public transport interchange will be provided in the neighbouring public housing developments in Areas 99, 100 and 109 to serve the local community.
- 11.6 There are two similar applications (No. A/I-TCE/1 and A/I-TCE/2) submitted by the same applicant for minor relaxation of PR restriction for permitted public housing developments in Area 99 and Area 109 as detailed in paragraph 6 above. The applications were approved by the Committee on 6.11.2020 and 18.2.2022 respectively. Approval of the current application is generally in line with the Committee's previous decisions.
- 11.7 Regarding the public comments on the application as summarised in paragraph 10, the departmental comments in paragraph 9 and planning assessments in paragraphs 11.1 to 11.6 above are relevant. As regards the concern on the connectivity of the Site with the surroundings, the Site is connected to a comprehensive pedestrian network formed by the open space network in the TCNTE which links up the Site and the surrounding developments with all the key public facilities and activity nodes, the waterfront and the town centre.
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12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the public comments mentioned in paragraph 10, the Planning Department 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 9.9.2026, 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 advisory clauses suggested for Members' reference are at **Appendix IV**.

12.3 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 19.7.2022
Appendix Ia	Supporting Planning Statement with Schematic Drawings, Landscape Master Plan and Open Space Demarcation Plan, Air Ventilation Impact Assessment, Visual Impact Assessment, Sewerage Impact Assessment, Water Works Impact Assessment, Traffic Impact Assessment and Environmental Assessment Study
Appendix Ib	Further Information dated 24.8.2022 providing responses to departmental and public comments and a replacement page of EAS report
Appendix Ic	Further Information dated 1.9.2022 providing responses to departmental comments
Appendix II	Similar Applications
Appendix III	Public Comments
Appendix IV	Recommended Advisory Clauses
Drawings A-1 to A-4	Master Layout Plan and Floor Plans
Drawing A-5	Section Plan
Drawing A-6	Landscape Master Plan
Drawings A-7 to A-10	Photomontages
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a and A-4b	Site Photos

**PLANNING DEPARTMENT
SEPTEMBER 2022**