

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/I-TCTC/59

- Applicant** : Full Fame Development Limited represented by PlanArch Consultants Limited
- Site** : Lots 1766 RP, 1768 (Part), 1770 (Part), 1771 RP (Part), 1774 (Part) in D.D.3 TC and Adjoining Government Land (GL), Tung Chung, Lantau Island
- Site Area** : About 5,400m² (including GL of about 2,767m²)
- Lease** : Block Government Lease (demised for agricultural use)
- Plan** : Approved Tung Chung Town Centre Area Outline Zoning Plan No. S/I-TCTC/24
- Zonings** : “Residential (Group B)3” (“R(B)3”) (about 86.4%)
- restricted to a maximum plot ratio (PR) of 2 and maximum building height (BH) of 55mPD

an area shown as ‘Road’ (about 13.6%)
- Application** : Proposed Flat

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed flat at the application site (the Site) (**Plan A-1**). The Site falls within an area partly zoned “R(B)3” (about 4,666m² or 86.4%) and partly shown as ‘Road’ (about 734m² or 13.6%) on the approved Tung Chung Town Centre Area Outline Zoning Plan (OZP) No. S/I-TCTC/24. According to the Note of the OZP, whilst ‘Flat’ is Column 1 use which is always permitted within the “R(B)3” zone subject to a maximum PR of 2 and maximum BH of 55mPD, planning permission from the Town Planning Board (the Board) is required since part of the Site falls within an area shown as ‘Road’ on the OZP.

- 1.2 According to the applicant's submissions, the proposed residential development with a PR of not more than 2 would provide a gross floor area (GFA) of not more than 10,800m². It comprises two 13-storey domestic blocks for providing about 187 units and one two-storey clubhouse providing recreational facilities for future residents. Whilst majority of the Site is located within the "R(B)3" zone on the OZP, as a strip of land along the eastern boundary within the 'Road' area on the OZP would become a piece of 'left-over' land upon the widening of Tung Chung Road North (TCRN), the applicant proposes to include this 'left-over' land into the boundary of the proposed development. As shown on the proposed scheme, the concerned 'Road' area within the Site will be mainly used for landscaping area and private open spaces (**Drawing A-9**). Vehicular and pedestrian accesses have been reserved for the remaining lots owned by others and encircled by the Site¹ (**Drawing A-3**). According to the proposal, out of 60 existing trees within the Site, seven trees will be retained and 53 trees will be felled, while 211 new trees will be planted. The Master Layout Plan (MLP), Section Plans, Landscape Master Plan and Open Space Demarcation Plan are at **Drawings A-1 to A-10**. The major development parameters of the proposed scheme are as follows:

Total Site Area	About 5,400m ²
PR	Not more than 2
Maximum GFA	Not more than 10,800m ²
Site Coverage	Not more than 37%
Maximum BH	Not more than 55mPD
No. of Building Blocks	2 Residential blocks and 1 Clubhouse block
No. of Storeys	Residential blocks: 13 (excluding two basement levels) Clubhouse: 2 (excluding two basement levels)
Average Flat Size	57.75m ²
No. of Units	187
Estimated Population	524
Private Open Space	Not less than 524m ² as private open space
Ancillary Parking Facilities/ Loading and Unloading (L/UL) Spaces	Total parking spaces: 93 - <i>Private car parking space: 81</i> - <i>Motorcycle parking spaces: 2</i> - <i>Bicycle parking spaces: 10</i> Total L/UL spaces: 2 (for heavy goods vehicles)
Anticipated completion year	2026

¹ There are four lots owned by others and encircled by the Site, i.e. Lots 1767, 1769, 1772 and 1773 in D.D. 3 TC. The applicant will provide vehicular and pedestrian access to the concerned lots except Lot 1796 which will have direct access to the widened TCRN.

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

- (a) Application Form received on 31.8.2021 **(Appendix I)**
- (b) Supporting Planning Statement with MLP, Landscape Master Plan (LMP) & Open Space Demarcation Plan, Traffic Impact Assessment (TIA), Environmental Assessment (EA), Drainage Impact Assessment (DIA), Sewerage Impact Assessment (SIA), Visual Impact Assessment (VIA) and Tree Preservation and Removal Proposal (TPRP) **(Appendix Ia)**
- (c) Further Information (FI) received on 15.10.2021 submitting revised MLP, revised LMP and responses to departmental comments[#] **(Appendix Ib)**
- (d) FI received on 25.10.2021 submitting responses to departmental comments[#] **(Appendix Ic)**
- (e) FI received on 23.11.2021 submitting revised TIA, revised SIA, revised MLP, LMP, floor plans and open space demarcation plan, new landscape section plans and responses to departmental comments* **(Appendix Id)**
- (f) FI received on 28.12.2021 submitting revised pages for SIA with updated information, incorporation of previous response-to-comment table into the TIA, revised MLP and landscape section plans[#] **(Appendix Ie)**

[#] *accepted and exempted from publication and recounting requirements.*

^{*} *accepted but not exempted from publication requirements*

1.4 At the request of the applicant, the Rural and New Town Planning Committee (Committee) agreed on 29.10.2021 to defer making a decision on the application for one month to allow time for the applicant to address departmental comments. With the FI received on 23.11.2021 and 28.12.2021, the application is scheduled for consideration by the Committee at this meeting.

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed at **Appendices Ia to Ie** and summarised as follows:

- (a) the proposed residential development is in line with the planning intention of “R(B)3” zone which is primarily for the development of medium-density

residential developments. The proposed development scheme is a feasible scheme which allows early provision of housing while providing a right of way for other lot owners to develop their land in future;

- (b) the proposed scheme complies with the development parameters stipulated under the OZP and conforms to the overall stepped-height concept. The design, disposition and height of the building blocks and treatment to the façade will be compatible with the surroundings and blend in well with the existing neighbourhood;
- (c) as there is no specific use for the narrow strip of ‘left-over’ land between the existing private lots within the Site and the gazetted TCRN currently shown as ‘Road’ on the OZP, the incorporation of this ‘left-over’ land into the residential development will provide additional floor area for housing and more greening opportunities. It will also ensure good management for the ‘left-over’ land and make best use of scarce land resources;
- (d) lush landscaping, a wide range of green features and a promenade along the western boundary of the Site (**Drawing A-3**) will be provided to create a desirable living environment and high quality open space for residents and help integrate the proposed development with its surroundings;
- (e) technical assessments, including TIA, EA, SIA and DIA, demonstrate that the proposed development would not result in adverse traffic, noise, air quality, sewerage and drainage impacts. As demonstrated in the VIA, the proposed development is visually compatible with the nearby developments and significant adverse visual impact on the neighbourhood would not be generated;
- (f) to minimise lighting impact and disturbance to the surrounding areas, there will be careful lighting design and landscape buffer of over 10m from the proposed residential development to screen off light sources projecting towards the surrounding areas. Besides, the proposed development does not fall within any burial ground; and
- (g) approval of the application would not set an undesirable precedent.

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

The applicant is the sole “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection. Besides, 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 to the GL portion.

4. Background

- 4.1 The Site falls within Tung Chung Area 48 which is zoned “Residential 3” (“R3”) and abuts the proposed widening of existing TCRN on the Finalised Recommended Outline Development Plan (RODP) for Tung Chung West (TCW) formulated under the Tung Chung New Town Extension (TCNTE) Study. The recommended land use proposal for the “R3” site and road widening alignment of TCRN were zoned as “R(B)3” and shown as ‘Road’ respectively on the draft Tung Chung Town Centre Area (TCTC) OZP No. S/I-TCTC/21 which was subsequently approved by the Chief Executive in Council (CE in C) on 7.2.2017, and the zonings of the Site have remained unchanged since then. The Civil Engineering and Development Department (CEDD) has been undertaking the Design and Construction for TCNTE (West) since 2017 for the detailed design of infrastructure works in TCW.
- 4.2 In May 2018, the first road scheme of the widening of TCRN (the Scheme) was gazetted under the Roads (Works, Use and Compensation) Ordinance (Cap. 370). In April 2019, the alignment of TCRN was shifted eastwards in the road gazette amendment (the Amendment Scheme) to avoid encroaching onto existing features and graves/urns on the western side of the originally proposed road alignment² (**Plan A-2**). Under the Roads (Works, Use and Compensation) Ordinance (Cap. 370), the CE in C authorized the works without modification on 15.10.2020.

5. Previous Application

There is no previous application at the Site.

6. Similar Application

There is no similar application for ‘Flat’ use within “R(B)” zone and area shown as ‘Road’ on the OZP.

7. The Site and Its Surrounding Areas (Plans A-1 to A-5)

7.1 The Site is:

- (a) located in Tung Chung Area 48 at the southwest of existing TC town centre, which is currently accessible via an informal vehicular access abutting the existing TCRN and partly used as a vehicle parking area;
- (b) vegetated at its western side and to its east is TCRN; and

² The Amendment Scheme for widening of TCRN has been incorporated into the Tung Chung Town Centre Area (South) Outline Development Plan No. D/I-TCTCS/1 (the TCTCS ODP) adopted by the Secretary for Development on 7.9.2020. The portion between the “R(B)3” zone and area shown as ‘Road’ on the OZP is correspondingly zoned “Amenity” (“A”) on the TCTCS ODP.

- (c) partly located within the Ma Wan Chung (MWC) Site of Archaeological Interest (SAI).

7.2 The surrounding areas have the following characteristics (**Plans A-1 to A-3**):

- (a) to the east of the Site across TCRN are the Tung Chung Community Services Complex and the Tao Yan Youth Camp which fall within a planned public housing site in Area 23 (zoned “R(B)1” subject to a maximum PR of 4 and maximum BH of 75mPD);
- (b) to the south of the Site is an area zoned “Government, Institution or Community” (“G/IC”) in Area 24A reserved for the development of a G/IC complex for government offices, social and community facilities and a public vehicle park under the committed improvement works for revitalisation of MWC implemented by CEDD under the TCNTE project, and an existing bee farm (**Plan A-2**);
- (c) to the further south of the Site is the existing Yat Tung Estate in Areas 30 and 31 (zoned “R(A)” subject to a maximum domestic PR of 5);
- (d) to the west of the Site across an existing nullah is the planned open space in Area 37 and the village cluster of Ma Wan Chung Village (subject to a maximum BH of 3 storeys (8.23m)); and
- (e) to the north of the Site is the planned open space in Area 29B.

8. **Planning Intention**

- 8.1 The planning intention of “R(B)” zone is primarily for medium-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.
- 8.2 Area shown as ‘Road’ on the OZP is planned to provide convenient connection between various development areas and activity nodes.

9. **Comments from Relevant Government Departments**

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

Land Administration

- 9.1.1 Comments of the District Lands Officer/Islands, Lands Department (DLO/Is, LandsD):
 - (a) the Site comprises the private lots known as Lots No. 1766 RP, 1768 (Part), 1770 (Part), 1771 (Part) and 1774 (Part) in D.D.3 TC (“the Lots”) and unleased GL. The Lots are Old

Schedule Lots demised for agricultural use under the Block Government Lease which contains the restriction that no structures are allowed to be erected without the prior approval of the Government. The Site is also located within MWC SAI;

- (b) the proposed development contravenes the existing lease conditions. His office has previously received a land exchange application in respect of the Lots and adjoining GL within “R(B)3” zone (total site area of about 4,664m²) for private residential development;
- (c) if planning permission is given, the applicant will need to apply to LandsD for a fresh/revised land exchange application to effect the development proposal approved by the Board. There is no guarantee that the fresh/revised land exchange application (if received), involving the grant of additional GL, will be approved by LandsD and he reserves his comment on the fresh/revised land exchange application. The fresh/revised land exchange application will be considered by LandsD acting in the capacity as the landlord at its sole discretion. In the event that the fresh/revised land exchange application is approved, it would be subject to such terms and conditions as the Government shall deem fit to impose, including, amongst other things, charging of premium and administrative fee;
- (d) regarding the progress of resumption of private land in relation to the authorized widening works of TCRN, the Resumption Notice (G.N. 3774 dated 24.6.2021) was gazetted and land described in the Resumption Notice (i.e. Lots 1768 (Portion), 1769 (Portion), 1770 (Portions), 1787 (Portion) and 1788 RP (Portions) all in D.D.3 TC) was reverted to the Government on 25.9.2021; and
- (e) he has no record/knowledge on fung shui area/fung shui line covering/in proximity of the Site.

Public Works Programme

9.1.2 Comments of the Head of Sustainable Lantau Office, CEDD (H(SLO), CEDD):

- (a) the alignment of TCRN was shifted eastwards in a road gazette amendment issued in April 2019 to avoid encroaching onto existing features and graves/urns on the western side of the originally proposed road alignment (**Plan A-2**). Under the Roads (Works, Use and Compensation) Ordinance (Cap. 370), CE in C authorized the works without modification on 15.10.2020;

- (b) according to the authorized road scheme, resumption of private land as described in the G.N. 3774 is required for the widening of TCRN and its associated works area;
- (c) according to the present programme, the widening works for TCRN commenced in December 2021 for completion in Q4 of 2024; and
- (d) other detailed comments are at **Appendix II**.

Traffic

9.1.3 Comments of the Commissioner for Transport (C for T):

- (a) vehicular access, number of parking and loading/unloading spaces of the proposed development and their design should comply with the updated Hong Kong Planning Standards and Guidelines, relevant Transport Planning and Design Manual requirements and should be agreed with his department if there is any change in the detailed design stage;
- (b) should the application be approved by the Board, the following approval condition should be imposed:

the design and provision of vehicular access, car parking and loading/unloading facilities to the satisfaction of the C for T or of the Board; and
- (c) other detailed comments are at **Appendix II**.

9.1.4 Comments of the Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD):

based on the FI submissions at **Appendices Ib and Id**, it is noted that the applicant has reserved a 2m setback from the retaining structure of TCRN to facilitate the slope maintenance works in future. He has no objection to the planning application from highways maintenance point of view.

Environment and Sewerage

9.1.5 Comments of the Director of Environmental Protection (DEP):

Environmental Assessment

- (a) he has no objection to the application; and

Sewerage Impact Assessment

- (b) he has no objection to the application from sewerage infrastructure planning perspective.

Urban Design, Visual and Air Ventilation

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

Urban Design and Visual

- (a) the Site is currently vacant with some vegetation. It abuts TCRN along its eastern boundary. Low-rise residential settlements of 1-3 storeys can be found in MWC to the west of the Site, and high-rise residential towers of about 122mPD can be found in Yat Tung Estate to the further southwest of the Site. Across TCRN, to the east is three 1 to 3-storey G/IC buildings (Youth Camp and Tung Chung Community Services Complex), and to the north is the future Tung Chung Town Park (+75mPD);
- (b) based on the VIA submitted by the applicant at **Appendix Ib** and responses at **Appendix Ic**, justifications on the rating of visual change have been provided. She has no adverse comment on the application from urban design and visual perspectives in this regard; and

Air Ventilation

- (c) the proposed development parameters do not fall within the criteria set out in the Joint HPLB-ETWB Technical Circular on Air Ventilation Assessments (AVAs) No. 1/06 for an AVA. Besides, according to the submitted scheme, it is observed that there is a building gap between two building blocks in north-south direction which could facilitate the penetration of the prevailing winds. Significant adverse air ventilation impact is not anticipated.

Landscape

- 9.1.7 Comments of the CTP/UD&L, PlanD:

- (a) with reference to the aerial photo of 2021 and the site photos (**Plans A-4 and A-5**), the Site is mainly a hard paved open car park with a few existing temporary structures and some existing vegetation. A nullah runs along the western boundary of the Site to MWC Village. It is situated in an area of coastal uplands and hillsides landscape characters pre-dominated by small houses, temporary structures, G/IC

buildings and woodlands with public housing estates to the further south. The proposed development is considered not entirely incompatible with the landscape character of the surrounding environment;

- (b) according to information in TPRP in **Appendix Ia** and the FI submission in **Appendix Ib**, 60 existing trees in semi-mature to mature sizes of common species, such as *Celtis sinensis* (朴樹), *Clausena lansium* (黃皮) and *Mallotus paniculatus* (白楸), and a protected species *Dalbergia odorifera* (降香黃檀) under Cap. 586, are found within the Site. 53 trees are proposed to be felled, including *Dalbergia odorifera*, due to conflict with the proposed layout, while seven trees are proposed to be retained in-situ. 11 existing trees immediately outside the site boundary are also expected to be affected by the development and proposed to be felled. A total number of 211 new trees including about 71 heavy standard trees and 140 small hedging trees along with other shrubs/ groundcover and lawn provision are proposed to enhance the landscape quality within the Site. The design population of the development is 524 and the proposed local open space provision is not less than 524m² (or not less than 1m² per person). In view that the trees proposed to be removed are mainly common species or trees in poor health conditions, significant adverse landscape impact arising from the proposed development is not anticipated;
- (c) based on the FI submissions at **Appendices Ib to Ie**, she has no further comment on the LMP, TPRP and Open Space Demarcation Plan and has no objection to the application from landscape planning perspective; and
- (d) the applicant is advised that approval of the s.16 application by the Board does not imply approval of the trees works such as pruning, transplanting and/or felling under lease. The applicant is reminded to approach the relevant authority/ government department(s) direct to obtain necessary approval on tree works.

Drainage

9.1.8 Comments of the CE/HK&I, DSD:

- (a) he has no adverse comment on the DIA and the application from drainage maintenance point of view; and
- (b) according to the applicant's responses at **Appendix Ib**, an assessment on the potential drainage impact taking into account the climate change effects up to end of 21st century would be conducted at detailed design stage. Should the

application be approved by the Board, an approval condition on the submission of a revised DIA and implementation of flood mitigation measures identified therein should be imposed.

Water Supply

9.1.9 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/Construction, WSD):

- (a) he has no objection to the application;
- (b) water supply of the proposed development in TCW depends on future Siu Ho Wan Fresh Water Service Reservoir and associated water mains by CEDD under TCNTE Project. Should the application be approved by the Board, an approval condition on the submission of a Water Supply Impact Assessment (WSIA) and the provision of water supply facilities identified therein to the satisfaction of the Director of Water Supplies or of the Board should be imposed; and
- (c) the applicant is reminded to timely submit the WSIA in order to secure water supply for the development.

Nature Conservation

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

- (a) he has no adverse comment on the application from nature conservation perspective as it is noted that the Site is located on development-related zonings (i.e. “R(B)3” zone and ‘Road’) on the OZP. The area is mostly paved with some common and fruit trees scattered mainly along the eastern and western boundaries of the Site; and
- (b) regarding potential ecological impact to the natural resources due to the proposed development in the “R(B)3” and area shown as ‘Road’, the Site forms part of a larger development area in TCW within the TCNTE area, of which the potential ecological impacts were assessed in the approved Environmental Impact Assessment (EIA) for the TCNTE Study under the EIA Ordinance and would be mitigated with appropriate measures.

Heritage Conservation

- 9.1.11 Comments of the Executive Secretary (Antiquities & Monuments), Antiquities and Monuments Office (AMO):

as the Site falls within the MWC SAI and the area of archaeological potential as identified in the approved EIA report on TCNTE, the applicant is reminded to follow the recommendation of the concerned EIA report that should finds of archaeological or historic significance under the Antiquities and Monuments Ordinance (Cap. 53) be discovered/unearthed, the AMO should be contacted immediately for further agreement on practical and feasible handling procedures.

Building Matters

- 9.1.12 Comments of the Chief Building Surveyor/New Territories East 1 and Licensing, Buildings Department (CBS/NTE1&L, BD):

- (a) he has no in-principle objection under the Buildings Ordinance to the proposed use at the Site; and
- (b) other detailed comments are at **Appendix II**.

Fire Safety

- 9.1.13 Comments of the Director of Fire Services (D of FS):

- (a) he has no objection in principle to the proposal subject to water supplies for firefighting and fire services installations being provided to the satisfaction of his department. Detailed fire services requirements will be formulated upon receipt of formal submission of general building plans;
- (b) approval condition on the provision of fire service installations and water supplies for firefighting to the satisfaction of the D of FS or of the Board is required; and
- (c) other detailed comments are at **Appendix II**.

Local Concerns

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

- (a) he has no knowledge about fung shui area/fung shui line covering/in proximity of the Site;
- (b) Permitted Burial Ground (PBG) No. BUR20L is near Area 29A (**Plan A-2**); and

- (c) generally speaking, a deceased person may be buried within the PBG if he or she is an indigenous villager and there is no specified permitted burial ground for an individual village. There is a custom that the indigenous villager would like to bury his/her ancestor in the PBG nearby.

Others

9.1.15 Comments of the Director of Food and Environmental Hygiene:

- (a) no objection to the application; and
- (b) other detailed comments are at **Appendix II**.

9.2 The following government departments have no objection to/comment on the application:

- (a) Government Engineer/Railway Development (2), Railway Development Office (GE/RD(2), RDO), HyD
- (b) Director of Electrical and Mechanical Services (DEMS);
- (c) Director of Leisure and Cultural Services (DLCS); and
- (d) Head of Geotechnical Engineering Office (H(GEO)), CEDD

10. Public Comments Received During Statutory Publication Period

- 10.1 The application and the FI were published for public inspection on 17.3.2021 and 6.12.2021. Within the statutory publication periods, a total of 83 public comments were received (**Appendix III**). Among the public comments received, five comments from Tung Chung Trade Association Limited (東涌商會), Tung Chung Sports Association Limited (東涌體育會) and three individuals support the application; 72 comments (which include one from The Conservancy Association, one petition letter with 87 objectors' signatures and 70 from individuals) object to the application; and six comments from Kadoorie Farm and Botanic Garden and five individuals provide views on the application. Their major grounds are summarised as follows:

Supportive

- (a) the proposed development could utilise land resources and increase housing supply. The incorporation of 'left-over' land between the Site and gazetted TCRN could enable better land management;
- (b) the proposed use is in line with the planning intention stated on the OZP and compatible with the surrounding environment. Adverse visual impact would not be caused;

Objection

- (c) the proposed development would affect existing graves/urns in the burial ground in the east, northeast and north of the Site. Existing fung shui setting and local village culture would be seriously affected;
- (d) the development of the Site for residential development and the construction works would adversely affect the adjacent bee farm;
- (e) the proposed development has no planning gain but would cause adverse impacts on visual, landscape, traffic, light pollution, environmental and ecological conservation aspects, including valuable trees at the Site, habitat for valuable species and the mangrove/mudflat near the Site;
- (f) an extensive piece of GL would be given to the applicant to facilitate its private development;
- (g) the development located at the lower part of the adjacent slope would likely be affected by flooding during heavy rain;

Providing views

- (h) a lower BH of the proposed development should be adopted, the bee farm should be preserved and the local objection should be addressed; and
- (i) suggest to incorporate appropriate designs to reduce potential ecological impact and light pollution effect on Ma Wan Chung and the surroundings.

11. Planning Considerations and Assessments

- 11.1 The Site mainly falls within an area zoned “R(B)3” (about 86.4%), with a minor portion encroaching onto an area shown as ‘Road’ (about 13.6%) on the TCTC OZP. Planning permission is required for the ‘Flat’ use only in the area shown as ‘Road’. The proposed development involves two residential blocks of not more than 55mPD providing 187 flats and one clubhouse block (2 storeys (excluding basement)) within the “R(B)3” zone while the ‘Road’ area (i.e. ‘left-over’ land) is proposed mainly for landscaping and open space.

Planning Intention

- 11.2 The proposed development for ‘Flat’ use is in line with the planning intention of the “R(B)3” zone. For the small part of the Site encroaching onto the area shown as ‘Road’ on the OZP, as advised by H(SLO), CEDD, the alignment of TCRN has been shifted eastwards in the road scheme authorized by CE in C

on 15.10.2020 under the Roads (Works, Use and Compensation) Ordinance (Cap. 370). In this connection, the ‘left-over’ land falling within an area shown as ‘Road’ would not form part of the public road to be constructed and maintained by the Government. To include the ‘left-over’ land in the Site for the proposed residential development would optimise the use of land resources and facilitate proper management of the land.

Land Use Compatibility

- 11.3 The Site is located in a residential area with GIC and open space uses planned in the surroundings. As such, the proposed residential development is considered compatible with the surrounding developments. Whilst a few private lots encircled by the Site are not included in the proposed development, the applicant has provided right of ways to allow the concerned lot owners to develop their land in future, and hence the development potential of these lots will not be jeopardised.

Technical Aspects

- 11.4 Regarding the inclusion of the ‘left-over’ land in the proposed development, C for T and CHE/NTE, HyD have no adverse comment from traffic engineering and highways maintenance perspectives. The applicant has submitted TIA, EA, SIA, DIA, VIA and TPRP under the application, and relevant departments including C for T, DEP, CE/HK&Is, DSD, CE/Construction, WSD and CTP/UD&L have no objection to or no adverse comment on the application from traffic, environmental, sewerage, drainage, water supply, visual and landscape aspects.
- 11.5 The proposal with a building gap between two buildings could facilitate the penetration of the prevailing winds. In this regard, CTP/UD&L has no adverse comment from air ventilation aspect. DAFC advises that as the Site is located on development-related zoning and is mostly paved with some common and fruit trees, she has no adverse comment on the application from nature conservation perspective.

Public Comments

- 11.6 A total of 83 public comments were received during the statutory publication periods, of which the supporting views on the application are noted. Regarding the opposing views or other views on the application, departmental comments in paragraph 9 above and the planning assessments in the paragraphs 11.1 to 11.5 above are relevant. To minimise disturbance to the surrounding areas, careful lighting design and landscape buffer of over 10m will be adopted. It should also be noted that the Site does not fall within any permitted burial ground and there is no known fung shui area/fung shui line covering/in proximity of the Site.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11 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 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 condition of approval and advisory clauses are also suggested for Members' reference:

Approval Conditions

- (a) the design and provision of vehicular access, car parking and loading/unloading facilities to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (b) the submission of a revised Drainage Impact Assessment and implementation of flood mitigation measures identified therein to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (c) the submission of a Water Supply Impact Assessment and the provision of water supply facilities identified therein to the satisfaction of the Director of Water Supplies or of the Town Planning Board; and
- (d) the provision of fire service installations and water supplies proposal for firefighting 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 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 conditions and advisory clauses 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 31.8.2021
Appendix Ia	Supporting Planning Statement with MLP, LMP & Open Space Demarcation Plan, TIA, EA, DIA, SIA, VIA and TPRP
Appendix Ib	FI received on 15.10.2021
Appendix Ic	FI received on 25.10.2021
Appendix Id	FI received on 23.11.2021
Appendix Ie	FI received on 28.12.2021
Appendix II	Detailed Departmental Comments
Appendices III	Public Comments
Appendix IV	Advisory Clauses
Drawing A-1	Location Plan submitted by the applicant
Drawing A-2	Site Plan submitted by the applicant
Drawing A-3	MLP
Drawings A-4 to A-5	Floor Plans
Drawings A-6 to A-8	Section Plans
Drawings A-9	LMP
Drawing A-10	Open Space Demarcation Plan
Plans A-1	Location Plans
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4 and A-5	Site Photos

**PLANNING DEPARTMENT
JANUARY 2022**