

RNTPC Paper No. A/I-TCTC/60  
For Consideration by the  
Rural and New Town  
Planning Committee  
on 12.11.2021

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

**APPLICATION NO. A/I-TCTC/60**

- Applicant** : The Neighbourhood Advice-Action Council (NAAC)
- Site** : Lots 2536 (Part) and 742 RP (Part) in D.D.3 TC, Tung Chung, Lantau Island
- Site Area** : About 306.2m<sup>2</sup>
- Land Status** : (a) Lot 2536 in D.D.3 TC  
New Grant No. 8393 (granted for non-industrial (excluding godown and petrol filling station) purposes)
- (b) Lot 742 RP in D.D.3 TC  
Block Government Lease (demised for agricultural purposes)
- Plan** : Approved Tung Chung Town Centre Area Outline Zoning Plan (OZP) No. S/I-TCTC/24
- Zoning** : “Village Type Development” (“V”)  
[restricted to a maximum building height (BH) of 3 storeys (8.23m)]
- Application** : Proposed Temporary Shop and Services (District Health Centre Express) for a Period of 4 Years

**1. The Proposal**

- 1.1 The applicant seeks planning permission to use an existing 3-storey New Territories Exempted House (NTEH) for a District Health Centre (DHC) Express with ancillary toilet and parking spaces at the application site (the Site) (**Plan A-1**). The Site falls within an area zoned “V” on the approved Tung Chung Town Centre (TCTC) Area OZP No. S/I-TCTC/24. According to the Notes of the OZP, while ‘Shop and Services’ is always permitted on the ground floor of a NTEH, it is a Column 2 use on other floors of a NTEH and on land within the “V” zone which requires planning permission from the Town Planning Board (the Board).
- 1.2 The Site, with a formed/built area of about 306.2m<sup>2</sup>, is partly occupied by an existing NTEH and partly vacant. According to the applicant, the proposed DHC Express will be operated within the existing NTEH for providing

healthcare promotion and consultation services to the general public. A mobile toilet for the disabled and two parking spaces will be provided in the open area of the Site. Details of the proposal are as follows:

<b>Site Area</b>	About 306.2m <sup>2</sup>
<b>Total Non-domestic Floor Area</b>	About 186.8m <sup>2</sup>
<b>No. of Building/structure</b>	1 NTEH and 1 mobile toilet
<b>BH</b>	NTEH: 3 storeys (8.23m) Mobile toilet: 1 storey (about 2.3m)
<b>Proposed Uses within the NTEH</b>	Reception and activity areas, group counselling and dance/gym rooms, office and store room
<b>No. of Parking Spaces</b>	2 - 1 private parking space - 1 parking space for disabled
<b>Anticipated Operation Date</b>	November 2021

1.3 Plans showing the site location, site layout and floor layouts of the proposed DHC Express submitted by the applicant are at **Drawings A-1 to A-5**.

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

- (a) Application form received on 21.9.2021 **(Appendix I)**
- (b) Supplementary Information for replacement pages of application form received on 24.9.2021 **(Appendix Ia)**
- (c) Further Information (FI) received on 3.11.2021 **(Appendix Ib)** providing response to departmental comment (accepted and exempted)

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

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

- (a) NAAC is awarded the contract by the Food and Health Bureau (FHB) for operation of a DHC Express in Islands district for a period of three years. The proposed DHC Express is intended to provide healthcare consultation services to the general public on prevention of high blood pressure and diabetes;
- (b) the proposed DHC Express would provide healthcare services to about 1,000 people per year in accordance with the agreement with FHB. A visitation of about 20 general public per day for joining the consultation services and activities at the Site is expected;
- (c) the village house at the Site can reflect the village character of Islands district and the New Territories. It is at a convenient location within 3 to 15-minute

walking distance from the nearby Mun Tung Estate and Yat Tung Estate with a total population of about 50,000;

- (d) a toilet will be provided in the open area of the Site to serve the needs of those visitors with physical disabilities; and
- (e) considering the need for transitional arrangement and a possible extension of services, planning permission for temporary use for a period of four years is sought.

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

The applicant is not the “current land owner” but has complied with the 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) by obtaining consent from the land owner. Detailed information would be deposited at the meeting for Members’ inspection.

### **4. Background**

- 4.1 The Chief Executive had announced plans in the 2017 and 2018 Policy Addresses to set up DHCs in 18 districts to provide district-based primary healthcare services through medical-social collaboration and public-private partnership. The aims are to enhance public awareness of disease prevention and their capability in self-management of health, provide support for the chronically ill, as well as relieving the pressure on specialist and hospital services. DHCs also serve as a hub to network with public and private service providers and navigate the clients to appropriate service when needed. Pursuant to the 2019 Policy Address, the Government will expedite the setting up of DHCs in all 18 districts.
- 4.2 FHB announced in April 2021 that the Government had reached service agreements with the respective non-governmental organisations (NGOs) for the operation of ‘DHC Express’ in 11 districts (including but not limited to Islands district). To help establish a prevention-focused primary healthcare system, ‘DHC Express’ will provide key primary healthcare services, including health promotion and education, health risk factors assessment and chronic disease management which will be similar to those of a DHC but in a more basic scale. These ‘DHC Express’ services will migrate as appropriate to the local DHC at a later stage.
- 4.3 The applicant is the NGO awarded the contract to provide ‘DHC Express’ services in Islands district.

### **5. Previous Application**

There is no previous application at the Site.

## 6. **Similar Application**

There is no similar application for 'Shop and Services' use within the same "V" zone on the OZP.

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

### 7.1 The Site is:

- (a) located in the southwestern part of the existing TCTC area and is partly occupied with an existing furnished NTEH and partly vacant (**Plans A-4a and A-4b**);
- (b) accessible via an adjoining footpath connecting with Tung Chung Road in its north, and the nearest bus stops are located about 35m to its northeast; and
- (c) surrounded by village houses in Sheung Ling Pei in its east, and Ha Ling Pei, Wong Ka Wai and Lung Tseng Tau villages in its south and southwest.

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

- (a) the vicinity of the Site is predominantly residential use, including the existing village clusters of the surrounding villages and the existing public housing developments of Yat Tung Estate (Areas 30 and 31) and Mun Tung Estate (Area 39) in its north and further southwest respectively;
- (b) to the immediate east of the Site is the Auxiliary Medical Service Tung Chung Office zoned "Government, Institution or Community"; and
- (c) to the west across Tung Chung Road is the proposed indoor recreation centre in Area 107 (**Plan A-1**).

## 8. **Planning Intention**

The planning intention of "V" zone is to designate both existing recognized villages and areas of land considered suitable for village expansion. Land within this zone is primarily intended for development of Small Houses by indigenous villagers. It is also intended to concentrate village type development within this zone for a more orderly development pattern, efficient use of land and provision of infrastructures and services. Selected commercial and community uses serving the needs of the villagers and in support of the village development are always permitted on the ground floor of a NTEH. Other commercial, community and recreational uses may be permitted on application to the Board.

## **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:

### **Healthcare Policy Aspect**

9.1.1 Comments of the Secretary for Food and Health (SFH):

- (a) the applicant identified and proposed to utilise the Site as Core Centre premises having considered its easy accessibility, the unique district characteristic carried by the 3-storey village house, and the barrier-free facilities for wheelchair bound users as well as the outdoor open space for exercise doers. The Site was agreed by the Primary Healthcare Office (PHO) of FHB in May 2021 subject to the legitimacy of the land use and compliance with the requirements as set out in the contractual agreement (the Agreement) and the related statutory provisions;
- (b) the purpose of setting up the Core Centre of Islands DHC Express in this application is in line with the policy objective and service requirements. As regards the planning application for a period of four years as proposed by the applicant taking into account possible service extension under the application, she has no adverse comment on the application period as buffer for the applicant to carry out pre-operation renovation and post-operation reinstatement works, depending on the landlord's requirements, during the planning approval period may be required; and
- (c) detailed comments including the policy background, purposes of DHC Express and details of the Agreement awarded to the applicant are at **Appendix II**.

### **Land Administration**

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

- (a) Lot 2536 was granted in exchange for the surrender of Lot No. 742 S.B in D.D.3 TC under New Grant No. 8393 ("NG 8393"). Pursuant to Special Condition No. 9(b) of NG 8393, "no structure shall be erected on the lot other than a maximum number of two buildings, each of which shall neither contain more than 3 storeys nor exceed a height of 8.23m, and the maximum roofed-over area of each building thereon shall not exceed 65.03m<sup>2</sup> and the maximum roofed-over of the whole of the lot shall not exceed 121m<sup>2</sup>...". Pursuant to Special Condition No. 6 of NG 8393, "The lot or any part thereof or any building or buildings erected or to be

erected thereon or any part of such building or buildings shall not be used for any purpose other than non-industrial (excluding godown and petrol filling station) purposes.”;

- (b) the proposed use in respect of Lot 2536 is permissible from lease/land administration point of view;
- (c) Lot 742 RP is demised for agricultural purposes under the Block Government Lease. If any structure(s) is/are to be erected on Lot 742 RP, LandsD's prior approval must be obtained by the lot owner; and
- (d) there is no outstanding/approved Small House application in respect of Lot 742 RP.

### **Traffic**

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

- (a) he has no in-principle objection to the application; and
- (b) the applicant is reminded that no loading/unloading activity should be conducted at the Site.

#### 9.1.4 Comments of the Government Engineer/Railway Development (2), Railway Development Office, Highways Department (GE/RD(2), RDO, HyD):

- (a) he has no comment on the planning application from the Tung Chung Line (TCL) Extension project perspective; and
- (b) the applicant's attention should be drawn to that the proposed temporary DHC Express will be in vicinity of the works site of the TCL Extension project, and therefore the operation of the temporary DHC Express will be concurrent with the construction of TCL Extension.

### **Environment**

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

- (a) the Site located in Ha Ling Pei Village is currently used as village house served by septic tank and soakaway system. Based on the information provided, one additional portable toilet will be provided for the use of disabled visitors and the sewage will be collected by licensed collector for disposal off-site;
- (b) given the scale and nature of the proposed use (i.e. health centre with 20 visitors per day), adverse environmental

impact is not anticipated. As such, he has no comment on the planning application; and

- (c) the applicant is reminded that connection to the public sewer will be required under Water Pollution Control Ordinance when the sewerage infrastructure at Ha Ling Pei village is further upgraded in future.

### **Drainage**

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

- (a) he has no objection to the application. The existing drainage facilities are considered satisfactory according to DSD's drainage record of the lots at the Site. Based on the FI at **Appendix Ib**, there would be no alterations to the ground pavement and drainage facilities within the Site;
- (b) there is neither current/planned DSD's projects nor DSD's facilities to be affected by the application based on his latest record; and
- (c) the applicant has the responsibility to check and ensure that the drainage facilities are in good conditions to accommodate the surface runoff collected from the Site and its upstream catchments. The applicant shall effect any subsequent upgrading of these works and the downstream drainage system when DSD considers necessary.

### **Building Matters**

9.1.7 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) the applicant's attention is drawn to his detailed comments at **Appendix II**.

### **Fire Safety**

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

- (a) he has no objection in principle to the proposal subject to fire service installations (FSIs) being provided to the satisfaction of his Department. Considering the design/nature of the proposal, FSIs are anticipated to be required. The applicant is advised to submit relevant layout plans incorporated with

the proposed FSIs to his department for approval. Detailed advice on FSIs layout plans are at **Appendix II**;

- (b) the following approval conditions are required:
  - (i) the submission of fire service installations and water supplies proposal for firefighting to the satisfaction of the D of FS or of the Board;
  - (ii) in relation to (i) above, the implementation of the fire service installations and water supplies proposal for firefighting to the satisfaction of the D of FS or of the Board; and
- (c) the applicant is also reminded that if the proposed structure(s) is required to comply with the Buildings Ordinance (Cap. 123), detailed FS requirements will be formulated upon receipt of formal submission of general building plans.

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

- (a) Director of Agriculture, Fisheries and Conservation (DAFC);
- (b) Head of the Sustainable Lantau Office, Civil Engineering and Development Department (H(SLO), CEDD);
- (c) Head of Geotechnical Engineering Office, CEDD (H(GEO), CEDD);
- (d) Director of Electrical and Mechanical Services (DEMS);
- (e) Director of Food and Environmental Hygiene (DFEH);
- (f) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
- (g) Chief Engineer/Construction, Water Supplies Department (CE/Construction, WSD); and
- (h) District Officer (Islands), Home Affairs Department (DO(Is), HAD).

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

On 28.9.2021, the application was published for public inspection. During the three weeks of the statutory publication period, no public comment was received.

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

11.1 The application is for the provision of a DHC Express within the “V” zone in the TCTC area on a temporary basis for four years. According to the applicant, the proposed DHC Express is intended to provide healthcare consultation services for residents in TC.



### *Healthcare Policy*

- 11.2 As advised by SFH, to help establish a prevention-focused primary healthcare system, DHC Express will provide key primary healthcare services, including health promotion and education, health risk factors assessment and chronic disease management in a basic scale. The applicant is the NGO awarded the Agreement to provide DHC Express services in Islands district. The Site identified by the applicant was agreed by the PHO of FHB having considered its easy accessibility, the unique district characteristic of the 3-storey village house and the facilities that can be provided in the open area of the Site. As such, the applicant's proposal to set up a DHC Express under the subject planning application is in line with the policy objective and service requirements.

### *Planning Intention*

- 11.3 The planning intention of the "V" zone is primarily for development of Small Houses by indigenous villagers and 'Shop and Services' use is always permitted only on the ground floor of NTEH. The provision of the DHC Express at the Site for serving the local community, though not entirely in line with the planning intention of the "V" zone, can help serve any such needs in the area. The application is for a temporary use at the Site for four years. According to DLO/Is, LandsD, there is no outstanding or approved Small House application at Lot 742 RP within the Site which would be affected by the proposed use. As such, approval of the application on a temporary basis for four years would not jeopardise the planning intention of the "V" zone.

### *Land Use Compatibility*

- 11.4 Although the Site is situated within an area predominantly occupied by village houses, some ground floor shops and restaurants are found within Ha Ling Pei and the nearby villages and the Auxiliary Medical Service Tung Chung Office is located to the immediate east of the Site. As the proposed DHC Express will be operated within the existing NTEH on a temporary basis with only ancillary toilet and parking spaces provided within the open area of the Site, it is considered not incompatible with the surrounding environment and land uses. Besides, the proposed use is conveniently located to serve the community needs of local villagers and residential neighbourhoods in Yat Tung Estate and Mun Tung Estate through the provision of healthcare, education and consultation services.
- 11.5 Other departments, including C for T, DEP, GE/RD(2), RDO, HyD, CE/HK&I, DSD, H(SLO), CEDD, CE/Construction, WSD and DO(Is), HAD, have no objection to or adverse comment on the application.
- 11.6 No public comment was received during the statutory publication period.

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

- 12.1 Based on the assessments made in paragraph 11 above, 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 on a temporary basis for a period of 4 years until 12.11.2025. The following conditions of approval and advisory clauses are also suggested for Members' reference:

### Approval Conditions

- (a) the submission of a fire service installations and water supplies proposal for firefighting within **6** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 12.5.2022;
- (b) in relation to (a) above, the implementation of the fire service installations and water supplies proposal for firefighting within **9** months from the date of planning approval to the satisfaction of the Director of Fire Services or of the Town Planning Board by 12.8.2022; and
- (c) if any of the above planning condition (a) or (b) is not complied with by the specified date, the approval hereby given shall cease to have effect and shall on the same date be revoked without further notice.

### Advisory Clauses

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

- 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 period of which the permission should be valid on a temporary basis.
- 13.3 Alternatively, should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.

**14.    Attachments**

<b>Appendix I</b>	Application form received on 21.9.2021
<b>Appendix Ia</b>	Supplementary Information received on 24.9.2021
<b>Appendix Ib</b>	FI received on 3.11.2021
<b>Appendix II</b>	Detailed Departmental Comments
<b>Appendix III</b>	Advisory Clauses
<b>Drawing A-1</b>	Location Plan submitted by the applicant
<b>Drawing A-2</b>	Layout Plan submitted by the applicant
<b>Drawings A-3 to A-5</b>	Floor Plans submitted by the applicant
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plan
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a and A-4b</b>	Site Photos

**PLANNING DEPARTMENT  
NOVEMBER 2021**