

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/I-TCV/24

<u>Applicant</u>	: Sustainable Lantau Office, Civil Engineering and Development Department (CEDD), HKSAR Government represented by Ove Arup & Partners Hong Kong Limited
<u>Site</u>	: Lots 1792 (Part), 1796 (Part), 1797 (Part), 1802 (Part), 1803 (Part), 1804 (Part), 1816 (Part) and 1817 (Part) in D.D. 1 TC and Adjoining Government Land (GL), Tung Chung, Lantau Island
<u>Site Area</u>	: About 402m ² (including about 35m ² (8.7%) of GL)
<u>Lease</u>	: Block Government Lease (demised for agricultural use)
<u>Plan</u>	: Approved Tung Chung Valley Outline Zoning Plan (OZP) No. S/I-TCV/2
<u>Zonings</u>	: “Residential (Group C) 2” (“R(C)2”) (about 277m ² or 69%) [Restricted to a maximum plot ratio (PR) of 1 and a maximum building height (BH) of 30mPD] “Other Specified Uses” annotated “Stormwater Attenuation and Treatment Ponds” (“OU(SATP)”) (about 125m ² or 31%)
<u>Application</u>	: Proposed Public Utility Installation (Sewage Pumping Station)

1. The Proposal

- 1.1 The applicant seeks planning permission for proposed public utility installation (sewage pumping station) at the application site (the Site) in Tung Chung Areas 45C and 68B which falls within an area partly zoned “R(C)2” and partly zoned “OU(SATP)” on the approved Tung Chung Valley OZP No. S/I-TCV-2 (**Plan A-1**). According to the Notes of the OZP, ‘Public Utility Installation’ is a Column 2 use on both the “OU(SATP)” and “R(C)2” zones, which requires planning permission from the Town Planning Board (the Board). The Site is currently vacant and covered by vegetation. The proposed sewage pumping station was originally planned in Tung Chung Area 68C zoned “Government, Institution or Community” (“G/IC”) to the southeast of the Site (**Plan A-2**) (the former site) but

now proposes to be relocated to the Site after taking into account the local views and relevant technical considerations.

- 1.2 The proposed sewage pumping station will form part of the sewerage system of Tung Chung New Town Extension (TCNTE) serving the existing villages and future developments in Tung Chung West nearby. The proposed development comprises a two-storey sewage pumping station with a PR of 0.58, a gross floor area (GFA) of about 233m², a site coverage (SC) of about 58%, and a BH of 4.5m (at 21.3mPD at main roof) above ground level and a basement with a depth of 10.795m (**Drawings A-1 to A-3**). The ground floor of the building is mainly to house submersible pumps and associated electrical and mechanical provision such as de-odouriser, switch room and equipment storage and the basement is for accommodating two wet wells (10.795m in depth), screen chamber and inlet distribution channel. While the Site is currently not accessible by vehicle, it will have one run-in/out and one pedestrian access directly to the planned Road L26 at the eastern side of the Site. Construction of the proposed sewage pumping station is expected to commence in 2025 for completion in 2029.
- 1.3 According to the Tree Survey submitted by the applicant (**Appendix Ia**), the 12 existing trees identified within the Site are not Registered Old and Valuable Tree, “Important Tree”, stonewall tree, or rare and precious tree species, and will be fell under the gazetted road works of Road L26. Appropriate landscape design and aesthetic treatments to the building and boundary fences/walls are proposed to minimise any possible visual impact generated from the proposed development. The landscape and visual mitigation plan is at **Drawings A-4 and A-5**.
- 1.4 The floor plans, section plans, landscape plan, photomontage, access road plan and site selection plan submitted by the applicant are at **Drawings A-1 to A-7**.
- 1.5 In support of the application, the applicant has submitted the following documents:
 - (a) Application form received on 13.6.2023 (**Appendix I**)
 - (b) Supporting planning statement received on 13.6.2023 (**Appendix Ia**)
with replacement pages received on 19.6.2023
 - (c) Further Information received on 13.7.2023, 19.7.2023 (**Appendix Ib**)
and 20.7.2023
*(Accepted and exempted from publication and
recounting requirements)*

2. **Background**

- 2.1 The Planning and Engineering Study on the Remaining Development in Tung Chung – Feasibility Study commissioned by the Planning Department and CEDD completed in 2015 recommended that a sewage pumping station should be provided at the former site, which will collect and distribute sewage or wastewater against gravity to facilitate operation of the planned sewerage system of TCNTE serving the developments to the west of the western tributary of Tung Chung River including the existing villages nearby such as Mok Ka, Lam Che and Lim Yuen

and future developments in Tung Chung West. The former site was then zoned “G/IC” on the first Tung Chung Valley OZP gazetted on 8.1.2016, and the zoning has remained unchanged on the approved OZP currently in force.

- 2.2 The sewerage scheme “Tung Chung New Town Extension – Sewerage Works at Roads L22, L24, L25, L26, L28, Ngau Au, Lam Che, Nim Yuen, Mok Ka and Shek Lau Po and Sewage Pumping Stations in Tung Chung Areas 61B and 68C” (the sewerage scheme) covering the sewage pumping station at the former site was gazetted under section 8(2) of the Roads (Works, Use and Compensation) Ordinance (Cap. 370) as applied by section 26 of the Water Pollution Control (Sewerage) Regulation (Cap. 358AL) on 23.12.2022. During the statutory objection period ended on 21.2.2023, 108 objections were received against the sewerage scheme including 39 objecting the sewage pumping station at the former site mainly on the grounds that the proposed sewerage pumping station at the former site was too close to a grave which would block the access to and view from the grave and affect *feng shui*.
- 2.3 In view of the above, the applicant carried out a site selection exercise for alternative site of the proposed sewage pumping station based on further detailed site information collected. In identifying a new location, the applicant has taken into account relevant criteria which include (i) accessibility by vehicles; (ii) avoiding encroaching onto high conservation value areas; (iii) avoiding affecting existing structures; and (iv) selecting a site near rising main portion across Tung Chung River to reduce head loss and hence pump requirements and maintenance costs. Three alternative sites were identified, which were (1) Tung Chung Area 90; (2) the Site; and (3) Tung Chung Areas 45C and 88 (**Drawing A-7**). Among the three sites, the applicant considers the Site the most suitable from land utilisation, design, cost, operational and management and public view perspectives. Amendment to the gazetted sewerage scheme is necessary to facilitate the proposed sewage pumping station, and all private lots within the Site will be resumed under Cap. 370 if the sewerage works are eventually authorised by the Chief Executive in Council. If the application is approved by the Board, it is targeted to gazette the amendment scheme in Q3 2023.
- 2.4 The southern part of the Site has been included in the road scheme “Tung Chung New Town Extension – Road Works at Roads L22, L24, L25, L26 and L28” gazetted under Cap. 370 on 28.11.2022. The northern part of the Site is zoned “OU(SATP)” intended for the development of stormwater attenuation and treatment ponds as part of the sustainable drainage and flood prevention system in Tung Chung Valley, which will treat the surface runoff collected from the development areas before discharging to Tung Chung River and to alleviate flood risk along Tung Chung River.

3. Justifications from the Applicant

The justifications put forth by the applicant in support of the application are detailed in **Appendices I, Ia and Ib** and summarised as follows:

- (a) as part of the sewerage scheme, the proposed sewage pumping station will collect and distribute sewage or wastewater against gravity to support the existing villages and future developments in Tung Chung West with population intake starting from 2028;
- (b) in view of strong local objection, a site selection exercise has been conducted to identify possible alternative sites for the proposed sewage pumping station. A number of sites including “Green Belt” zone in Tung Chung Area 90, the Site, and the northern end of the “OU(SATP)” and “GB” zones in Tung Chung Areas 45C and 88 (**Drawing A-7**) were examined, but the applicant considers that the Site should be a more suitable location for the proposed sewage pumping station after taking into account all relevant considerations;
- (c) the proposed sewage pumping station will integrate with adjoining stormwater attenuation and treatment ponds also managed and operated by the Drainage Services Department (DSD) with combined maintenance access (**Drawing A-4**), which can achieve better land utilisation and reduce land requirement, enhance overall operation efficiency, reduce construction cost and have a better management and maintenance arrangements while the proposed stormwater attenuation and treatment ponds would not be adversely affected. As there is no private lot in-between, potential interfacing issues of the two DSD facilities with residential developments nearby can be minimised. If the sewage pumping station is relocated to the Site, the former site can be released for other beneficial uses;
- (d) the ground level of the Site is lower than that of the former site and therefore the depth of the wet well will be shallower which can reduce the operational requirement of the sewage pumping station;
- (e) the proposed development is compatible with the rural setting and surrounding land uses. The proposed BH will help provide a stepped height profile in the area with due regard to the physical form and existing setting, and would be able to blend in with the existing environment. While the actual height of the building structure has been minimised within practical constraints to avoid visual obstruction, appropriate landscape design is also proposed for building and fencing to achieve a simple yet visually pleasing and natural based design compatible with the surrounding landscape context;
- (f) according to the ecological survey of the approved Environmental Impact Assessment (EIA) Report for TCNTE, the Site was identified as abandoned and dry agricultural land and was ranked as low ecological value. As the habitats in the Site have been assumed to be lost due to the site formation work, no additional ecological impact will be caused due to the proposed sewage pumping station;
- (g) compared with the proposed sewage pumping station in the former site assumed in the approved EIA Report, the capacity, size and footprint of the proposed sewage pumping station would remain similar. With implementation of appropriate at-source mitigation measures including installation of de-odourisation units and introduction of noise reduction measures, no adverse environmental impact is anticipated. Also, the proposed development would not have any adverse impacts on traffic and drainage aspects;

- (h) while there is no planting area within the Site due to site constraints such as minimised footprint and necessity to provide vehicular and maintenance accesses for operational needs), new tree planting and roadside planters will be provided at Road L26 under TCNTE infrastructure works contracts while there will have 2,000 nos. of compensatory trees in compensatory woodland planting area required under TCNTE's Environmental Permit (EP); and
- (i) the village representative of Mok Ka supports the new location of the sewage pumping station while other village representatives of nearby villages expressed no adverse comment on the proposal.

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

The applicant is not a ‘current land owner’ of the private lots within the Site but has complied with the requirement as set out in the Town Planning Board Guidelines on Satisfying the “Owner’s Consent/Notification” Requirements under section 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by publishing notice in local newspapers and posting notice near the Site. Detailed information would be deposited at the meeting for Members’ inspection. For the GL portion, the “owner’s consent/notification requirements as set out in TPB PG-No. 31A are not applicable.

5. Previous Application

There is no previous application at the Site.

6. Similar Application

There is no similar application within the “R(C)2” and “OU(SATP)” zones on the OZP.

7. The Site and Its Surrounding Areas (Plans A-1 to A-3 and site photos on Plan A-4)

7.1 The Site is:

- (a) currently vacant and covered by natural vegetation with trees and shrubs; and
- (b) not accessible by vehicle.

7.2 The surrounding areas have the following characteristics:

- (a) it is predominately a rural area;
- (b) to the immediate east, south and north are vacant land covered by natural vegetation with trees and shrubs. A planned road, Road L26 running in northwest-southeast direction will be built in front of the Site;

- (c) to the west is a vegetated slope;
- (d) to the further north and north-west are some scattered structures and houses of Nim Yuen and Lam Che; and
- (e) to the further south is Mok Ka and to the further east across a tributary of Tung Chung River is Shek Lau Po where both of them are existing villages of Tung Chung Heung.

8. Planning Intentions

- 8.1 The planning intention of the “R(C)” zone is primarily for low-rise, low-density residential developments where commercial uses serving the residential neighbourhood may be permitted on application to the Board.
- 8.2 The planning intention of the “OU(SATP)” zone is primarily for the development of stormwater attenuation and treatment ponds, which form part of the sustainable drainage and flood prevention system in the planning area.

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:

Land Administration

9.1.1 Comments of the District Lands Officer/Islands, Lands Department:

- (a) he has no particular comment on the proposed development from land administrative perspective;
- (b) the entire area (including works area) of the project boundary of the proposed sewage pumping station involves eight private lots and adjoining government land;
- (c) all the eight private lots affected are Old Scheduled Agricultural Lots; and
- (d) according to their site inspection in May 2023, the Site is covered by trees and vegetation.

Environment

9.1.2 Comments of the Director of Environment Protection (DEP):

- (a) given that the sewage pumping station would not have long term environmental impact, he has no comment on the application; and

- (b) the proposed sewage pumping station at the Site is to replace the proposed sewage pumping station at the former site recommended in the approved EIA report for TCNTE with similar size, treatment capacity, footprint and separation distance from the sensitive receivers. Therefore, environmental concerns are similar. The applicant confirms that the environmental mitigation measures under the EIA will be implemented.

Natural Conservation

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

- (a) while some fruit trees and a few young native trees are found within the Site, he has no major comment on the application; and
- (b) as the Site is not currently served by any vehicular access, the applicant should take note of the “Conservation Area” in the vicinity that adjoins the western tributary of Tung Chung River.

Landscape

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

- (a) while the proposal will affect 12 trees which are proposed to be felled, new tree planting and roadside planters will be provided at Road L26 near the Site under TCNTE infrastructure works contracts and 2,000 nos. of compensatory trees in compensatory woodland planting area proposed under TCNTE’s EP (No. EP-519/2016). She has no further comment from landscape planning perspective; and
- (b) other advisory comments are at **Appendix II**.

Traffic

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

he has no comment on the application.

9.1.6 Comments of the Chief Highway Engineer/New Territories East, Highways Department:

the applicant shall be responsible for design and construction of a proper vehicular run-in/out arising from the proposal.

Fire Safety

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

- (a) he has no objection in principle to the application provided that formal submission of general building plans will be forwarded to his department and water supplies for firefighting and fire service installations being provided to the satisfaction of D of FS; and
- (b) other advisory comments are at **Appendix II**.

Electricity Safety

9.1.8 Comments of the Director of Electrical and Mechanical Services (DEMS):

- (a) he has no particular comment on the application from electricity supply safety aspect; and
- (b) other advisory comments are at **Appendix II**.

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

- (a) Secretary for Development;
- (b) Chief Architect/Advisory & Statutory Compliance, Architectural Services Department (CA/ASC, ArchSD);
- (c) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (d) Chief Engineer/Hong Kong & Islands, Drainage Services Department (CE/HK&I, DSD);
- (e) Director of Food and Environmental Hygiene;
- (f) Director of Leisure and Cultural Services;
- (g) District Officer (Islands), Home Affairs Department; and
- (h) Head of the Geotechnical Engineering Office, CEDD.

10. Public Comment Received During Statutory Publication Period

On 20.6.2023, the application was published for public inspection. During the statutory public inspection period, no public comment was received.

11. Planning Considerations and Assessments

- 11.1 The applicant seeks planning permission for a proposed sewage pumping station at the Site which falls within an area partly zoned “R(C)2” and partly zoned “OU(SATP)” on the OZP. The planning intentions of the “R(C)2” and “OU(SATP)” zones are primarily for low-rise and low-density residential developments and for development of stormwater attenuation and treatment ponds respectively. The proposed sewage pumping station is an essential infrastructure

to collect and distribute sewage or wastewater against gravity, which forms part of the sewerage system of TCNTE to improve the living environment of the existing villages nearby and serve the future developments in Tung Chung West including the planned residential development in the concerned “R(C)2” zone. In this regard, the proposed sewage pumping station is not in conflict with the planning intention of the two concerned zones.

- 11.2 From housing land supply perspective, whilst the proposed sewage pumping station will permanently occupy a part of the “R(C)2” zone intended for low-rise and low-density residential developments to be implemented through private initiative, the impact on housing supply is considered minimal taking into account the small affected area of about 277m². The proposed sewage pumping station will be integrated with the proposed stormwater attenuation and treatment ponds and therefore, the planned stormwater attenuation and treatment ponds forming part of the sustainable drainage and flood prevention system in Tung Chung West would not be adversely affected. Besides, the former site zoned “G/IC” can also be released for other beneficial uses.
- 11.3 Being part of the sewerage system of TCNTE serving the developments in Tung Chung West, the proposed sewage pumping station was originally planned at the former site located 20m to the south of the Site. In view of strong local objection, the applicant has conducted a site selection exercise to identify a replacement site for the proposed sewage pumping station. Upon review, the applicant considers the Site the most suitable among other options for the proposed sewage pumping station from land utilisation, design, cost, operational and management and public view perspectives. From optimising land utilisation perspective, relocating the proposed sewage pumping station to the Site, which can integrate with the proposed stormwater attenuation and treatment ponds in Area 45C, can reduce the overall land requirement (about 125m², i.e. the part of the Site within the “OU(“SATP”) zone) for infrastructure serving Tung Chung West. In addition, the two proposed public utility facilities both managed and operated by DSD can also allow shared use of some common facilities such as maintenance/pedestrian access.
- 11.4 The Site is located in an area predominately rural in character. The proposed sewage pumping station is relatively small in scale, which occupies only a site area of about 402m². The building to be erected at the Site will have a PR of about 0.58, a GFA of about 233m², a SC of about 58% and a BH of 4.5m (at 21.3mPD) above ground and 10.795m underground, which are well below the permitted maximum PR of 1 and BH of 30mPD of the “R(C)2” zone in the area. The proposed development is considered not incompatible with the surrounding area which is predominately a rural area and planned for low-rise and low-density residential development and GIC uses. CA/ASC, ArchSD has no adverse comment on the proposal from visual impact perspective.
- 11.5 The Site has 12 existing trees but they are not Registered Old and Valuable Tree, “Important Tree”, stonewall tree, or rare and precious tree species, and are planned to be fell under the gazetted road works at Road L26. The applicant commits to adopting appropriate landscape design and aesthetic treatment to the building and boundary fences/walls including creeper planting and vertical greening to minimise the possible visual impact generated from the proposed development.

New tree planting and roadside planters will be provided at Road L26 near the Site under TCNTE infrastructure works contracts. CTP/UD&L, PlanD has no adverse comment to the application from landscape planning perspective as the affected trees are common species and landscape treatments are proposed. DAFC also has no adverse comment on the proposed development.

- 11.6 The approved EIA Report for TCNTE has already taken into account the sewage pumping station planned at the former site. As the treatment capacity, footprint and separation distance from the sensitive receivers of the proposed sewage pumping station at the Site are similar, it is anticipated that there is no adverse impact from traffic, environmental, drainage and sewerage perspectives. Relevant government departments including C for T, DEP, CE/HK&I, DSD and CE/C, WSD have no objection to/no adverse comment on the application.

12. Planning Department's Views

- 12.1 Based on the assessments made in paragraph 11, 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 **28.7.2027**, 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 at **Appendix II** are also suggested for Member's reference.
- 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 13.6.2023
Appendix Ia	Supporting planning statement
Appendix Ib	Further information received on 13.7.2023, 19.7.2023 and 20.7.2023
Appendix II	Recommended advisory clauses

Drawing A-1	Ground floor plan
Drawing A-2	Roof and basement floor plans
Drawing A-3	Section plans
Drawing A-4	Landscape plan
Drawing A-5	Photomontage
Drawing A-6	Access road plan
Drawing A-7	Site selection plan
Plan A-1	Location plan
Plan A-2	Site plan
Plan A-3	Aerial photo
Plan A-4	Site photos

PLANNING DEPARTMENT
JULY 2023