

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/I-TOF/3

<u>Applicant</u>	: Drainage Services Department (Consultants Management Division), HKSAR Government represented by Atkins China Limited
<u>Site</u>	: Government Land in D.D. 309L near Fan Kwai Tong, Tai O, Lantau Island
<u>Site Area</u>	: 95.14m ² (about)
<u>Land Status</u>	: Government Land
<u>Plan</u>	: Approved Tai O Fringe Outline Zoning Plan (OZP) No. S/I-TOF/2
<u>Zoning</u>	: “Village Type Development” (“V”)
<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 (SPS)) at the application site (the Site) which falls within an area zoned “V” on the approved Tai O Fringe OZP No. S/I-TOF/2 (**Plan A-1**). According to the Notes of the OZP for the “V” zone, ‘Public Utility Installation’ is a Column 2 use which requires planning permission from the Town Planning Board (the Board). The Site is currently vacant and covered by vegetation.
- 1.2 The applicant proposes to construct a SPS at the Site (**Drawing A-1**), to be known as Fan Kwai Tong Sewage Pumping Station, to convey sewage flows generated from village areas including Leung Uk Tsuen, Nam Chung Tsuen and Fan Kwai Tong to Tai O Sewage Treatment Works for proper treatment. The proposal comprises a two-storey SPS with a gross floor area (GFA) of about 62.46m², and a building height (BH) of 4.8m above ground level and a basement with a depth of 5m (**Drawings A-2 and A-3**). The ground floor is mainly to house pumping facilities, switch room and deodorisation equipment while the basement is for accommodating the wet wells and inlet and valve chambers. The proposed SPS is expected to commence construction in 2024 for commissioning by late 2028.
- 1.3 The applicant indicates that three possible sites have been studied for the proposed SPS in a site selection exercise (**Drawing A-4**). Two of the sites (Option 2 and Option 3)

are considered not suitable since temporary/permanent reclamation and pond filling may be required respectively, which may cause adverse environmental impacts. Land resumption may also be required for the site under Option 3. Option 1 (i.e. the Site) is considered most suitable for the construction of a SPS having regard to its technical feasibility and no unacceptable environmental impacts on such aspects as landscape, visual, water quality, noise, ecology, odour, etc.

- 1.4 According to the tree survey report (**Drawing A-5** and **Appendix E in Appendix Ia**), the three existing trees identified within the Site are proposed to be transplanted to the site of another proposed SPS in Hang Mei, Tai O¹ (**Plan A-1**). Buffer planting will be provided along the boundary fence to enhance visual amenity (**Drawing A-6**).
- 1.5 The location plan, floor plans, section plan, site selection plan and tree preservation plan submitted by the applicant are at **Drawings A-1 to A-5** respectively.
- 1.6 In support of the application, the applicant has submitted the following documents:
 - (a) application form received on 18.11.2022; (**Appendix I**)
 - (b) further information (FI) received on 10.3.2023[#]; and (**Appendix Ia**)
 - (c) FI received on 26.4.2023. (**Appendix Ib**)

[#] *accepted but not exempted from publication and recounting requirements*
- 1.7 On 13.1.2023, the Committee agreed to defer making a decision on the application for two months as requested by the applicant.

2. **Background**

In December 2010, the Drainage Services Department commissioned the consultancy for the Upgrading of Cheung Chau and Tai O Sewage Collection, Treatment and Disposal Facilities – Design and Construction (the Project), which includes expansion and upgrading of the existing Tai O Sewage Treatment Works, provision of new sewers to unsewered areas in Tai O, and construction of two new SPSs in Tai O including the subject SPS in Fan Kwai Tong and the other one in Hang Mei. The Environmental Impact Assessment (EIA) Report for the Project was approved by the Director of Environmental Protection (DEP) on 29.3.2017, with an Environmental Permit (EP) granted under the Environmental Impact Assessment Ordinance (EIAO) on 13.9.2017.

3. **Justifications from the Applicant**

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

¹ The location of the proposed SPS in Hang Mei is subject to confirmation.

- (a) in order to improve the water quality and the sanitation of the unsewered areas in Tai O, new sewers are proposed to be laid in areas of Tai O which is currently beyond the coverage of the existing public sewerage system. The proposed SPS is considered necessary for conveying the sewage collected for proper treatment due to topographical constraints and large separations of 850m between the subcatchment in Fan Kwai Tong and Nam Chung Tsuen and the trunk sewer system in Tai O Town Centre;
- (b) a site selection exercise has been conducted to review the possible sites for construction of the proposed SPS. Option 1 (i.e. the Site) is situated on government land with some distance from nearby village houses. Apart from removal of some existing trees, no other major works would be involved to make this site available for construction of the proposed SPS and relatively less environmental impacts are anticipated. Option 2 is situated on a piece of land partly below high water mark. Temporary/permanent reclamation may be required, which may cause adverse impacts on water quality and ecology. Besides, it is located close to existing village houses and may generate adverse noise impact. Option 3 straddles government land and private land, rendering land resumption necessary. Should additional site area be required, filling of pond may also be needed, causing adverse water quality and drainage impacts. As such, the Site is considered preferable with relatively less environmental impacts;
- (c) relevant technical assessments on aspects including, inter alia, air quality, noise, water quality, waste management, landscape and visual have been conducted during the EIA stage of the Project. With implementation of appropriate mitigation measures (such as odour treatment by deodourisation units, installation of relevant equipment within the proposed SPS structure for noise reduction, and four-hour emergency discharge retention), no adverse environmental impact is anticipated from the proposed SPS;
- (d) the Site is entirely covered by vegetation and is located adjacent to the coast and a pond. Storm water runoff from the Site would be discharged to the sea or pond by surface flow and by infiltration. Besides, the construction of the proposed SPS would not require any temporary traffic diversions. The major impact would be on pedestrian traffic at construction phase. With proper arrangement for delivery frequency for plants and construction materials, the impact on pedestrian traffic during construction phase would be insignificant;
- (e) decorative hoarding will be adopted during construction phase. The architectural design of the proposed SPS will follow the requirements in the Guidelines on Aesthetic Design of Pumping Station Buildings (the Guidelines) and be submitted to Vetting Committee on Aesthetic Design of Pumping Station Buildings (the Vetting Committee) for approval. Buffer planting will be provided along the boundary fence of the proposed SPS for screening (**Drawing A-6**); and
- (f) The EP for the Project was granted under the EIAO on 13.9.2017.

4. 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 to the application.

5. Previous Application

There is no previous application at the Site.

6. Similar Application

There is no similar application within the “V” zones on the OZP.

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

7.1 The Site is:

- (a) vacant and covered by trees and shrubs;
- (b) located entirely within the village ‘environs’ (‘VE’) of Leung Uk and amidst the village cluster of Nam Chung Tsuen; and
- (c) abutting and accessible by a footpath connecting to Tai O Road and further to the pedestrian road network in Tai O Town Centre.

7.2 The surrounding areas have the following characteristics:

- (a) to the east and south are some temporary structures and ruins;
- (b) to the northeast and southwest are some village houses and/or ponds;
- (c) to the further north is the mangrove replanting area; and
- (d) to the further south is the vegetated slope sandwiched between village clusters of Nam Chung Tsuen and Lantau North Country Park.

8. Planning Intention

The planning intention of the “V” zone is to reflect existing recognized villages and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is primarily intended

for development of Small Houses (SH) 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 New Territories Exempted House (NTEH). Other commercial, community and recreational uses may be permitted on application to the Board.

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 is on unleased and unallocated government land and within the 'VE' of Leung Uk, which is a recognized village;
- (b) no application for Government Land Allocation in respect of the Site has been received by his office;
- (c) no particular comment on the proposed development from land administrative perspective;
- (d) as at 17.4.2023, there are six outstanding SH applications in Leung Uk. The 10-year SH demand forecast (2021-2031) provided by the Indigenous Inhabitant Representative of Leung Uk on 7.3.2021 is 83; and
- (e) other advisory comments are at **Appendix III**.

Landscape

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

- (a) the Site is located in an area of rural coastal plain landscape character predominated by woodland, SHs, seawalls and ponds. The proposed development is considered not entirely incompatible with the surrounding landscape character. In view that the affected trees are of common species, no significant adverse impact on landscape resources arising from the proposed development is anticipated;
- (b) having reviewed **Appendix Ia**, she has no further comment on the application from landscape planning perspective; and

- (c) other advisory comments are at **Appendix III**.

Environment

9.1.3 Comments of DEP:

- (a) on construction noise, according to the relevant extract from the approved EIA included in the applicant's submission, with suitable mitigation measures (e.g. adoption of quiet powered mechanical equipment, temporary barrier and alternative construction method), the prediction construction noise level at all noise sensitive receivers will comply with the relevant noise criteria during construction and upgrading of the sewerage system;
- (b) on fixed noise, according to the relevant extract from the approved EIA included in the applicant's submission, with suitable design (e.g. fixed noise sources are enclosed inside the SPS building structure and acoustic louvers), adverse fixed noise impact in operational phase is not anticipated; and
- (c) having reviewed **Appendices Ia** and **Ib**, he has no further comment on the application; and
- (d) other advisory comments are at **Appendix III**.

Fire Services

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

- (a) no objection in principle to the application. Detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans; and
- (b) other advisory comments are at **Appendix III**.

Electricity Safety

9.1.5 Comments of the Director of Electrical and Mechanical Services:

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

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

- (a) Chief Building Surveyor/New Territories East (1) and Licensing, Buildings Department;
- (b) Chief Engineer/Construction, Water Supplies Department (WSD);
- (c) Chief Engineer/Hong Kong & Islands, Drainage Services Department (CE/HK&I, DSD);
- (d) Chief Engineer/Hong Kong, WSD;
- (e) Chief Highway Engineer/ New Territories East, Highways Department;
- (f) Commissioner for Transport (C for T);
- (g) Commissioner of Police;
- (h) Director of Agriculture, Fisheries and Conservation;
- (i) Director of Food and Environmental Hygiene (DFEH);
- (j) Director of Leisure and Cultural Services;
- (k) District Officer (Islands), Home Affairs Department (DO(Is), HAD);
- (l) Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (CEDD) (H(GEO), CEDD); and
- (m) Head of the Sustainable Lantau Office, CEDD (H(SLO), CEDD).

10. Public Comment Received During Statutory Publication Periods

During the statutory publication periods, one comment from an individual was received, raising concerns on the lack of greening or decorative measures to ensure that the proposed SPS is compatible with the ambience of Tai O and its role as a tourism attraction (**Appendix II**).

11. Planning Considerations and Assessments

- 11.1 The applicant seeks planning permission for a proposed SPS at the Site which falls within an area zoned “V” on the OZP. The planning intention of the “V” zone is to reflect existing recognized villages and other villages, and to provide land considered suitable for village expansion and reprovisioning of village houses affected by Government projects. Land within this zone is primarily intended for development of SH by indigenous villagers. 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. The proposed SPS is a public facility to convey sewage flows generated from the village areas which are currently unsewered, including Leung Uk Tsuen, Nam Chung Tsuen and Fan Kwai Tong, to Tai O Sewage Treatment Works for proper treatment. The proposed development is an essential infrastructure serving the villages and will contribute to the improvement in water quality of the water body in Tai O. In this regard, the proposed SPS is not in conflict with the planning intention of the “V” zone.
- 11.2 The applicant has conducted a site selection exercise to review the possible sites for construction of the proposed SPS. Taking into account the site area, land status, potential environmental impacts and other technical issues, the Site is considered most

suitable for the proposed SPS. The Site is situated on a piece of unallocated government land which is currently vacant and covered by trees and shrubs. According to the applicant, the Site provides sufficient area for the proposed SPS development with some distance away from nearby village houses². The proposed SPS is small in scale with a GFA of about 62.46m² and a BH of 4.8m above ground and 5m underground. It is considered not incompatible with the surrounding areas which are predominantly characterised by village houses of three storeys and other low rise developments. CTP/UD&L, PlanD advises that no significant adverse impact on landscape resources arising from the proposed SPS is anticipated, and she has no comment on the application from landscape planning and visual impact perspectives. DLO/Is, LandsD and DO(Is), HAD also have no adverse comment on the application.

- 11.3 The proposed SPS is part of the Project under which relevant technical assessments on air quality, noise, water quality, waste management, landscape and visual, etc. have been conducted, which confirm that with implementation of appropriate mitigation measures such as odour treatment, installation of noise reduction equipment and four-hour emergency discharge retention, no adverse environmental impact is anticipated. The EIA Report was approved under the EIAO with the EP granted in 2017. The Site is located away from any existing slope and there is no geotechnical concern. Storm water runoff from the Site will be discharged to the sea or pond by surface flow and by infiltration. No adverse drainage impact is anticipated. With proper arrangement for delivery frequency for plants and construction materials, no adverse impact on pedestrian traffic during construction phase will be resulted. Relevant government departments consulted, including DEP, CE/HK&I, DSD, DAFC, DFEH, H(SLO), CEDD, C for T and H(GEO), CEDD, have no objection to or no adverse comment on the application.
- 11.4 Regarding SH development in the subject “V” zones, DLO/Is, LandsD advises that the number of outstanding SH applications for Leung Uk is six while the 10-year Small House demand forecast is 83. Based on the latest estimation by PlanD, about 2.24 ha of land (equivalent to about 89 SH sites, excluding the Site) is available within the “V” zones of Leung Uk for SH development, which is sufficient to fully meet the outstanding SH applications and the 10-year SH demand.
- 11.5 Regarding the public comment raising concerns on the greening proposal and visual impact of the SPS, the applicant confirms that decorative hoarding for the Site will be adopted during construction phase. Besides, buffer planting will be provided along the boundary fence of the proposed SPS for screening.

12. Planning Department’s Views

- 12.1 Based on the assessments made in paragraph 11 and having taken into account the public comment mentioned in paragraph 10, the Planning Department has no objection to the application.

² Based on a rough measurement, the distance between the Site and the nearest village house is about 10m (Plan A-2).

12.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until **5.5.2027**, 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 III** are also suggested for Members' 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 18.11.2022
Appendix Ia	Further Information (FI) received on 10.3.2023
Appendix Ib	FI received on 26.4.2023
Appendix II	Public Comment
Appendix III	Recommended Advisory Clauses
Drawing A-1	Location Plan
Drawing A-2	General Layout Plan
Drawing A-3	Ground Floor Plan and Sub-structure Layout Plan
Drawing A-4	Site Selection Plan
Drawing A-5	Tree Preservation Plan
Drawing A-6	Photomontage of the Proposed Sewage Pumping Station
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
MAY 2023**