

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

**APPLICATION NO. A/ST/1025**

<b><u>Applicant</u></b>	: Drainage Services Department (DSD) represented by AECOM Consultancy Limited
<b><u>Site</u></b>	: Government Land at Sha Tin Park near Yi Ching Lane, Sha Tin, New Territories
<b><u>Site Area</u></b>	: About 4,530m <sup>2</sup>
<b><u>Land Status</u></b>	: Government land (GL)
<b><u>Plan</u></b>	: Draft Sha Tin Outline Zoning Plan (OZP) No. S/ST/37
<b><u>Zoning</u></b>	: “Open Space” (“O”)
<b><u>Application</u></b>	: Proposed Public Utility Installations (Stormwater Storage and Pumping Facility)

**1. The Proposal**

- 1.1 The applicant seeks planning permission for a proposed Stormwater Storage and Pumping Facility (SSPF) in Sha Tin Park (formerly known as Sha Tin Central Park) (the Site) which falls within an area zoned “O” on the draft Sha Tin OZP (**Plan A-1**). According to the Notes of the OZP, the proposed SSPF, which is regarded as ‘Public Utility Installation’, is a Column 2 use in the “O” zone requiring planning permission from the Town Planning Board (the Board), while the associated pipeworks are considered as ‘Public Utility Pipelines’ which are always permitted within the boundaries of the OZP.
- 1.2 The Site with an area of about 4,530m<sup>2</sup> is part of Sha Tin Park managed by Leisure and Cultural Services Department (LCSD), with facilities including Family Games Area (a lawn), Fitness Corner, Azalea Garden (杜鵑園), a pavilion and associated LCSD’s leisure facilities as shown in **Drawing A-4**.
- 1.3 The Review of Drainage Master Plan in Sha Tin and Sai Kung – Feasibility Study (DMP Review), completed by DSD in December 2019, identified that the drainage system in Sha Tin Town Centre has insufficient capacity for flood protection during extreme weather condition. According to the applicant, the size of the proposed stormwater tank is designed to cater for the required flood protection standard under the latest stormwater design standard and the anticipated climate change scenario.

- 1.4 The proposed pumping station consists of a pump with a maximum pump rate of  $4\text{m}^3/\text{s}$  and an underground stormwater tank with a capacity of  $8,000\text{m}^3$ . The runoff will be discharged into the pumping station via the new drainage network and then discharged into Shing Mun River by pump. The excessive water will be stored in the underground tank. After implementation of these proposed improvement works, the flood protection level of Sha Tin Town Centre will be increased to the required protection standard (**Drawing A-1**).
- 1.5 The proposed pump house will provide equipments for lifting, screening and control systems for the operation of the underground storage tank and pumping facility. The above-ground transformer and switch room will provide transformer and electric switchboard for the operation of the pumping facility.
- 1.6 The proposed underground storage tank has a footprint of about  $2,150\text{m}^2$  with a height of approximately 11m (**Drawings A-2 and A-3a to A-3c**). In addition to the proposed underground storage tank, a single-storey above-ground structure comprising the associated DSD pump house (with an area of about  $1,180\text{m}^2$ ), switch room and transformer room (with an area of about  $170\text{m}^2$ ) will be built above-ground within the site. The major development parameters are tabulated below:

Site Area	$4,530\text{m}^2$
Site Coverage (about)	30%
<b>Underground Structure (Storage Tank)</b>	
No. of Underground Structure	1
Total Floor Area (about)	$2,150\text{m}^2$
Dimension (about)	43m (L) x 50m (W) x 11m (H)
Capacity	$8,000\text{m}^3$
<b>Above-ground Structures (Pump House, and Transformer and Switch Room)</b>	
No. of Above-ground Structures	2
Total Floor Area (about)	
<i>Pump House:</i>	$1,180\text{m}^2$
<i>Transformer and Switch Room:</i>	$170\text{m}^2$
Dimension (about)	
<i>Pump House:</i>	43m (L) x 27.4m(W) x 10m (H)
<i>Transformer and Switch Room:</i>	13m (L) x 13m (W) x 6.8m (H)
Building Heights (absolute height/No. of storey) (about)	
<i>Pump House:</i>	15.7mPD (10m /1)
<i>Transformer and Switch Room:</i>	12.5mPD (6.8m /1)
Tentative construction programme	Q1 2025 – Q4 2028 (about 46 months)

- 1.7 The existing LCSD facilities as mentioned in paragraph 1.2 above will be demolished to make way for construction of the underground storage tank. During the construction period, park visitors could access to alternative facilities within the park (**Drawing A-5**). Upon completion, leisure facilities with an area of about  $2,554\text{m}^2$  will be reprovisioned in the space above the storage tank (**Drawings A-3a to A-3c, A-6 and A-10**), while the remaining area of about  $1,976\text{m}^2$  will be permanently affected to form part of DSD's SSPS.

1.8 In support of the application, the applicant submitted the following documents:

- (a) Application Form received on 20.12.2023 (Appendix I)
- (b) Supplementary Planning Statement (Appendix Ia)
- (c) Further Information (FI) received on 5.1.2024\* (Appendix Ib)
- (d) Further Information (FI) received on 25.1.2024\* (Appendix Ic)
- (e) Further Information (FI) received on 5.2.2024\* (Appendix Id)

*\*accepted and exempted from publication and recounting requirements*

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

The justifications put forth by the applicant in support of the application are detailed at **Appendices Ia to Id**, as summarized below:

- (a) in multiple large rainfall events under a high tide condition, the drainage networks will be surcharged and flood water cannot be drained away due to high water level along Shing Mun River. The flood water will be trapped inside the basin and will cause flooding in the low-lying areas identified near Sha Tin Centre Street and Pak Hok Tin Street because of the backflow from Shing Mun River. There is imminent need for the project to reduce future risk of flooding impact on traffic and residential areas, resulting in loss and inconvenience to the general public;
- (b) the Site is the only available open space in the drainage catchment with sufficient large space to accommodate the required stormwater retention volume, structure of the storage tank and its ancillary facilities. No private land resumption is required for the Site. Disturbance to high-volume carriageways is avoided to lessen adverse impact on the public, traffic and environment;
- (c) the proposed SSPF at the downstream of the drainage network is the most effective solution to isolate the influence of the water level in Shing Mun River from the low-lying areas in Sha Tin Town Centre. Rainwater in the catchment can be pumped into the SSPF during high tide and large rainfall events. The existing location is close to the existing drainage network, thus fewer pipe laying and construction works are required. It is more cost-effective by avoiding large-scale upstream and downstream drainage improvement works;
- (d) most of the attractions and special features in Sha Tin Park will not be affected by the proposed development. Part of the above-ground space in the Site would be re-provided for the park upon completion of the proposed development for better utilization of the land resources;
- (e) the Sha Tin District Council was consulted on 6.7.2021 and Members had no comments on the proposed development;
- (f) according to the tree treatment plan submitted by the applicant (**Drawing A-7**), among the 83 trees within the Site, 9 trees will be retained, 58 will be removed and 16 are proposed to be transplanted to an area to the immediate northeast of the Site within Sha Tin Park. No registered Old and Valuable Tree (OVT) is identified within the Site. 58 trees will be

planted with a compensatory ratio of 1:1. In order to allow park visitors to enjoy the reprovisioned lawn area, 9 new trees are proposed to be planted within the site boundary and 49 new trees are proposed to be planted outside of the Site in Sha Tin Park and Tsang Tai Uk Recreation Ground which is also managed by LCSD (**Drawings A-8 to A-10**). DSD will further liaise with LCSD on the detailed compensatory planting;

- (g) the proposed SSPF will be mostly underground with only single-storey above-ground structures for operational requirement. Green lawn, vertical greening and landscape planting will be provided to mitigate visual impact on the surroundings. The building mass is encased with a timber textured screen to reduce its visual bulk. According to the photomontages submitted by the applicant (**Drawings A-3a to A-3c**), the screen is constructed with vertical timber-textured planks and green mesh forming a natural backdrop, which blend with the adjacent vast greening; and
- (h) according to the technical assessments, no significant adverse environmental, traffic, drainage, sewerage and geotechnical impacts arising from the proposed development are anticipated.

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

As the Site involves GL 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. 31B) are not applicable to the application.

### **4. Previous Application (Appendix III and Plan A-2)**

Part of the Site is the subject of a previous application No. A/ST/323 for ‘Heritage Museum’ use which was rejected by the Rural and New Town Planning Committee (the Committee) of the Board on 17.6.1994 on grounds of incompatibility with the then Sha Tin Central Park; insufficient landscaping proposals; no proposal on diversion of the existing trunk storm water drain running across the Site; and insufficient proposed coach parking space. The previous application is of different nature from the current application.

### **5. Similar Application**

There is no similar application for ‘Public Utility Installation’ in the subject “O” zone and the vicinity of Sha Tin Park.

### **6. The Site and its Surrounding Areas (Drawing A-4, Plans A-1 to A-4d)**

- 6.1 The Site is mainly a passive open space of medium usage in the middle to eastern portions of Sha Tin Park adjacent to Yi Ching Lane. Within the Site are

leisure facilities such as Family Games Area (a lawn), Fitness Corner, Azalea Garden, pavilion (**Drawing A-4, Plans A-1 and 4**).

6.2 The surrounding areas have the following characteristics: (**Plan A-1 and A-3**)

- (a) the Site is surrounded by existing open space with vegetation and leisure facilities of Sha Tin Park;
- (b) to the northern side of Sha Tin Park are Sha Tin Town Hall, major commercial developments such as New Town Plaza and high-density residential developments;
- (c) MTR Sha Tin Station is located at about 400m to the north from the Site; and
- (d) the Site is 130m to the west of Shing Mun River.

## **7. Planning Intention**

The “O” zone is intended primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public.

## **8. Comments from Relevant Government Departments**

8.1 The following government departments have been consulted and their views on the application are summarized as follows:

### **Land Administration**

8.1.1 Comments of the District Lands Officer/Shia Tin, Lands Department (DLO/ST, LandsD):

- (a) the Site, having an area of about 4,530 m<sup>2</sup>, for the proposed SSPF falls within Sha Tin Park held under the existing Government Land Allocation No. GLA-ST 299 (the GLA) which was allocated to the then New Territories Services Department on 17.6.1983 and is now responsible by LCSD. Under the engineering conditions of the GLA, no structure shall exceed a height of 10.67m above the mean formation level and maximum built over area of 5%. He also noted that Sha Tin Park has also been set aside for use as public pleasure ground under the Public Health and Municipal Service Ordinance (Cap. 132);
- (b) according to the Executive Summary of the Supplementary planning statement (**Appendix Ia**), the completed drainage improvement facilities and green open area within the Site would be managed and maintained by DSD and LCSD respectively. Should the application be approved by the Board, LCSD and

DSD should liaise with his office for any necessary amendments/arrangements of the GLA (including the boundary) in connection with the aforesaid completed uses;

- (c) in addition, he noted that the proposed works boundary of the associated drainage pipes outside the Site. The relevant lease conditions have no provision to allow laying of government drains within the areas responsible by owners of the relevant private developments under lease; and
- (d) apart from the above, he has no comments on the application.

### **Recreational Amenities, Urban Design, Visual and Landscape**

#### 8.1.2 Comments of the Director of Leisure and Cultural Services (DLCS):

- (a) regarding the tree issue, the applicant has submitted the compensatory and transplant plan and DLCS has given initial agreement to the proposed plan. Nevertheless, the exact details of the plan will be adjusted as necessary to suit the actual site situation. Furthermore, the applicant is reminded to comply with the Technical Circular (Works) No. 4/2020 administered by the Development Bureau; and
- (b) he acknowledges the substantial benefits that the proposed SSPF will bring to the community and has no objection to the proposed project. Regarding the impact on facilities within Sha Tin Park, such as the fitness corner, shelter, pebble walking trail, and landscape area, he has noted that the applicant has committed to re-provide the affected recreational and landscape amenities as far as practicable. The proposed works are not expected to have significant negative impact on the public enjoyment of the leisure facilities.

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

##### **Urban Design**

- (a) given that the proposed development is low-rise in nature and with the reprovisioning of park amenities, it is considered not incompatible with the surrounding context;
- (b) mitigation measures including aesthetic design of above-ground structures and landscape treatments such as vertical greening are proposed to enhance the visual amenity of the proposed development, and no significant adverse visual impact is anticipated.

### Landscape

- (c) significant impact on the landscape character arising from the proposed development is not anticipated. She has no objection to the application from landscape planning perspective;
- (d) according to the information submitted by the applicant, the Site is occupied by existing park with leisure facilities. With reference to the tree information provided by the applicant, 83 trees are identified within the application boundary, no registered OVT is identified and 58 trees are proposed to be felled. Mitigation measures including 9 new trees of native species within application boundary, 49 new trees and transplantation of 16 trees at off-site location (**Drawings A-7 to A-9**) are proposed. The lawn area should not be fully utilized for tree planting as agreed with LCSD and thus new tree planting has been maximized within the Site. Moreover, vertical greening, and reinstatement of landscape area are proposed; and
- (e) the applicant is advised that approval of the application does not imply approval of tree works such as pruning, transplanting and felling under lease. The applicant is reminded to seek approval for any proposed tree works from relevant departments prior to commencement of the works.

#### 8.1.4 Comments of the Chief Architect/Advisory and Statutory Compliance Division, Architectural Services Department (CA/ASC, ArchSD):

- Based on the information provided, she noted that the proposed pumping station consists of a one-storey pump house building with building height of about 10m above ground level and a transformer and switch room building of about 6.8m above ground level. As shown in the photomontages (**Drawings A-3a to A-3c**), vertical greening and some variations to the use of materials on the building facades have been incorporated for the pump house building and plantings are shown around the fence wall to soften the visual impact. The applicant may wish to further consider the treatment/articulation of the building facades of the two buildings at the design stage, particularly along the 41m long elevation of the pump house building to reduce the massive scale, and for the back elevations of the transformer room building, including its fence wall.

#### 8.2 The following government departments has no objection to/comment on the application:

- (a) Director of Environmental Protection (DEP);
- (b) Commissioner for Transport (C for T);
- (c) Director of Leisure and Cultural Services (DLCS);
- (d) Director of Agriculture, Fisheries and Conservation (DAFC);
- (e) District Officer/Shia Tin, Home Affairs Department (DO(ST), HAD);

- (f) Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO),CEDD);
- (g) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
- (h) Project Manager (North), Civil Engineering and Development Department (PM(N), CEDD);
- (i) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (j) Director of Food and Environmental Hygiene (DFEH); and
- (k) Director of Fire Services (D of FS).

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

On 29.12.2023, the application was published for public inspection. During the first three weeks of the statutory public inspection period, one public comment was received from an individual who considers that the proposed SSPF unnecessary as Sha Tin is not a high-risk area for flooding, and the proposed SSPF is detrimental to the landscape of Sha Tin Park hindering visitors' enjoyment of the park (**Appendix II**).

## **10. Planning Considerations and Assessments**

- 10.1 The subject application is for the proposed SSPF in Sha Tin Park (**Plan A-1**) to increase the flood protection level to the required standard. The proposed SSPF include one underground structure and two above-ground structures. The underground storage tank with total floor area of about 2,150m<sup>2</sup> and a depth of 11m, while the above-ground pump house, and transformer cum switch room have a total floor area of 1,180m<sup>2</sup> and 170m<sup>2</sup> respectively, and a height of 10m (15.7mPD) and 6.8m (12.5mPD) respectively.

### Land Use Compatibility

- 10.2 The planning intention of the "O" zone is primarily for the provision of outdoor open-air public space for active and/or passive recreational uses serving the needs of local residents as well as the general public. The proposed SSPF is not entirely in line with the planning intention of the "O" zone. Notwithstanding that, the proposed SSPF would only affect about 5.7% (i.e. 4,530m<sup>2</sup>) of the area of Sha Tin Park, of which 2.5% (i.e. 1,976m<sup>2</sup>) of land above-ground would be permanently affected by the provision of a pump house, transformer and switch room, while the remaining area above-ground (i.e. 3.2% or 2,554m<sup>2</sup>) would be reinstated for recreational facilities, including fitness corner, seating shelter and family games area, upon completion of the construction works. With a relatively inland location and not directly next to the riverfront, the reprovisioning of park facilities above the underground storage tank, greening and landscape planting proposals to allow the proposed development to blend in with the surrounding setting, the impact on the character of the "O" zone will be minimized. There is also a surplus of district and local open space of about 10.9ha and 63.9ha respectively in the Sha Tin Planning Area and hence the permanently affected area is considered not significant. Moreover, during the construction period of the proposed SSPF, alternative recreational facilities including fitness corner, pavilion and sheltered sitting-out area, as well as



family games area are available within Sha Tin Park (**Drawing A-5**) to cater for the demand of park users. DLCS considers that the proposed SSPF will bring substantial benefits to the community. With the reprovisioning of the affected recreational and landscape amenities, significant negative impact on the public enjoyment of the leisure facilities is not expected. He has no objection to the application.

#### Site Selection

- 10.3 According to the applicant, the Sites are considered most suitable for the proposed SSPF taking into account location suitability, land availability, technical feasibility and impact on the public and existing facilities as stated in paragraphs 2(b) to 2(d) above. The Site for the proposed SSPF is large enough to accommodate the required stormwater retention volume, structure of the storage tank and its ancillary facilities, while its downstream location would allow the proposed SSPF to help regulate the water level of low-lying areas in Sha Tin Town Centre. Also, no land resumption is required and with the Site located close to the existing drainage network, it is more cost-effective.

#### Landscape and Visual Aspects

- 10.4 CTP/UD&L, PlanD considers that the proposed development is low-rise in nature and with reprovisioning of the park amenities, the proposed SSPF is not incompatible with the surrounding context. Mitigation measures including aesthetic design of above-ground structures and landscape treatments are proposed to enhance the visual amenity, and no significant adverse visual impact is anticipated. CA/ASC, ArchSD has advised the applicant to review the treatment/articulation of the building facades of the two buildings in the design stage, particularly along the 41m long elevation of the pump house building to reduce the massive scale. In this regard, advisory clause to address ArchSD's concern is suggested (**Appendix IV**).
- 10.5 Regarding the landscape impact, a compensatory ratio of not less than 1:1 will be adopted to compensate the trees felled. The proposed SSPF will provide different greening elements including green lawn, vertical greening and landscape planting within the Site (**Drawings A-9 and A-10**). CTP/UD&L, PlanD considers that significant impact on the landscape character and landscape resources arising from the proposed development is not anticipated and has no objection to the application from landscape point of view.

#### Other Technical Aspects

- 10.6 DEP, C for T, DAFC, H(GEO) of CEDD, DO(ST) of HAD, CE/C of WSD, DFEH, CHE/NTE of HyD and D of FS have no objection to/adverse comments on the technical assessments and the application. No significant adverse impacts on environmental, traffic, ecological, geotechnical and fire safety aspects are envisaged.

#### Public Comment

- 10.7 Regarding the public comment's concerns on the need of the proposed SSPF and the impact on park users, the applicant's justifications in paragraphs 2(a) to

2(g) above, and the planning assessment and comments of government departments in paragraphs 10.2 to 10.5 above are relevant.

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

- 11.1 Based on the assessments made in paragraph 10 above and having taken into account the public comment mentioned in paragraph 9, the Planning Department has no objection to the application.
- 11.2 Should the Committee decide to approve the application, it is suggested that the permission shall be valid until 16.2.2028, 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 recommended advisory clauses are attached at **Appendix IV**.
- 11.3 There is no strong reason to recommend rejection of the application.

## **12. Decision Sought**

- 12.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 12.2 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.
- 12.3 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.

## **13. Attachments**

<b>Appendix I</b>	Application Form received on 20.12.2023
<b>Appendix Ia</b>	Supporting Planning Statement
<b>Appendix Ib</b>	FI received on 5.1.2024
<b>Appendix Ic</b>	FI received on 25.1.2024
<b>Appendix Id</b>	FI received on 5.2.2024
<b>Appendix II</b>	Public Comment
<b>Appendix III</b>	Previous Application
<b>Appendix IV</b>	Recommended Advisory Clauses

<b>Drawing A-1</b>	Proposed Drainage Improvement Plan in Sha Tin Town Centre
<b>Drawing A-2</b>	Layout Plan
<b>Drawings A-3a to A-3c</b>	Photomontages
<b>Drawing A-4</b>	Sha Tin Park Facilities Plan
<b>Drawing A-5</b>	Location Plan of Alternative Facilities
<b>Drawing A-6</b>	Aboveground Uses upon Completion

<b>Drawing A-7</b>	Tree Treatment Plan
<b>Drawing A-8</b>	Proposed Locations for Compensatory and Transplant Planting
<b>Drawing A-9</b>	Landscape Plan
<b>Drawing A-10</b>	Landscape Section
<b>Plan A-1</b>	Location Plan
<b>Plan A-2</b>	Site Plans
<b>Plan A-3</b>	Aerial Photo
<b>Plans A-4a to A-4d</b>	Site Photos

**PLANNING DEPARTMENT**  
**February 2024**