

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

**APPLICATION NO. A/TP/693**

<b><u>Applicant</u></b>	: Drainage Services Department (DSD) represented by AECOM Asia Company Limited
<b><u>Site</u></b>	: Government Land (GL) at Tai Po Old Market Playground (TPOMP) (Part) and a registered slope No. 7NW-B/F 193, Tai Po, New Territories
<b><u>Site Area</u></b>	: About 7,900m <sup>2</sup>
<b><u>Land Status</u></b>	: GL
<b><u>Plan</u></b>	: Approved Tai Po Outline Zoning Plan (OZP) No. S/TP/30
<b><u>Zoning</u></b>	: “Open Space” (“O”)
<b><u>Application</u></b>	: Proposed Public Utility Installation (Stormwater Storage Facility)

**1. The Proposal**

- 1.1 The applicant seeks planning permission for a proposed Stormwater Storage Facility (SSF) in a portion of TPOMP near On Ho Lane and a registered man-made slope feature no. 7NW-B/F 193 across Tai Po Tai Wo Road (the Site) which falls within an area zoned “O” on the approved Tai Po OZP (**Plan A-1**). According to the Notes of the OZP, the proposed SSF, 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 7,900m<sup>2</sup>, comprises part of TPOMP managed by Leisure and Cultural Services Department (LCSD), with facilities including a basketball court with spectator stand, children’s playground, elderly fitness corner, Sundial Square, park access and associated LCSD’s leisure facilities, and a registered slope between Lam Tsuen River and Tai Po Tai Wo Road managed by Highways Department (HyD) as shown in **Drawings A-5a to A-5d**.
- 1.3 The Review of Drainage Master Plan in Tai Po – Feasibility Study (DMP Review), completed by DSD in December 2019, identified that Tai Po Old Market would be subject to high flood risk and the existing drainage system has insufficient capacity for flood protection in a large rainfall event under a high tide condition. According to the applicant, the standards of flood protection in Tai Po Old Market will be largely enhanced to that specified in the standards of

the Stormwater Drainage Manual such that the flood risks thereon could be significantly reduced.

- 1.4 The proposed SSF comprises two single-storey above-ground structures (a pumping station and a discharge chamber), an underground storage tank, E&M works and associated pipeworks, and ancillary works including reprovisioning of basketball court with spectator stand, children's playground, elderly fitness corner and associated park facilities. The proposed above-ground pumping station provides ancillary equipment and control systems for the operation of the underground storage tank and pumping facility. It consists of a pump well with a maximum pump rate of  $16\text{m}^3/\text{s}$  and an underground stormwater tank with a capacity of  $25,000\text{m}^3$ . The runoff will be discharged into the pumping station via the new drainage network. Excessive water will be temporarily stored in the underground tank and then discharged into Lower Lam Tsuen River via the discharge chamber by pump in the southern portion of the Site (**Drawing A-1**).
- 1.5 The proposed underground storage tank has a footprint of about  $4,200\text{m}^2$  with a depth of about 18m (**Drawings A-2, A-3a to 3b, and A-4a to A-4f**). In addition to the proposed underground storage tank, a single-storey above-ground pumping station comprising the associated pump house, screen room, switch room and transformer rooms (with an area of about  $1,150\text{m}^2$ ) at the TPOMP, as well as an above-ground discharge chamber (with an area of about  $130\text{m}^2$ ) will be built within the Site. The major development parameters are tabulated below:

Site Area (about) <ul style="list-style-type: none"><li>• <i>TPOMP</i></li><li>• <i>Registered slope feature no. 7NW-B/F 193</i></li></ul>	7,900m <sup>2</sup> 7,200m <sup>2</sup> 700m <sup>2</sup>	
Site Coverage (about)	16%	
<b><u>Underground Structure</u></b> Stormwater Storage Tank		
Total Floor Area (about)	4,200m <sup>2</sup>	
Dimension (about)	80.7m (L) x 52m (W) x 18m (H)	
Capacity	25,000m <sup>3</sup>	
<b><u>Above-ground Structure</u></b>		
No. of structures	2 (pumping station and discharge chamber)	
	<u>Area (about)</u>	<u>Height (about)</u>
<b><u>Pumping Station</u></b> <i>Pump House</i> <i>Screen Room</i> <i>Transformer Rooms</i> <i>Switch Room</i>	1,150m <sup>2</sup> 380m <sup>2</sup> 350m <sup>2</sup> 250m <sup>2</sup> 170m <sup>2</sup>	<i>10.5m or +16.0mPD</i> <i>10.5m or +16.0mPD</i> <i>8m or +13.5mPD</i> <i>8m or +13.5mPD</i>
<b><u>Discharge Chamber</u></b>	130m <sup>2</sup>	3.7m; +7.2mPD
Tentative construction programme	Q1 2025 – Q2 2030	

- 1.6 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, the remaining part of TPOMP will continue to be opened for public use and there are alternative leisure facilities in the vicinity within walking distance (**Plans A-5a to A-5d**). Half of the basketball court will be temporarily repovisioned in the nearby Chui Lok Street Garden in the view of pressing demand of the public. Upon completion of the SSF, the affected facilities with an area of about 5,630m<sup>2</sup> will be reprovisioned above the underground storage tank (**Drawings A-2, A-3a to 3b, A-4a to A-4f, and A-8**), while the remaining area of about 1,150m<sup>2</sup> will be permanently affected to form part of DSD's SSF. For the southern portion of the Site, part of the cycle track will be temporarily closed during the construction which will be reinstated after completion of the discharge chamber.

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

- (a) Application Form received on 2.2.2024 (Appendix I)
- (b) Supplementary Planning Statement (Appendix Ia)
- (c) Further Information (FI) received on 7.3.2024\* (Appendix Ib)

*\*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 Ib**, as summarized below:

- (a) the proposed development is an essential facility for Tai Po Old Market to meet the required flood protection standard and flood prevention. It reduces the risk of flooding and its consequent nuisance to the public in Tai Po Old Market, promotes local flood resilience and thus minimizes damage costs;
- (b) having considered other potential sites in the neighbourhood, the Site is the most suitable location for the proposed development in view of its location at the downstream end of Tai Po Old Market drainage catchment and closest to Lam Tsuen River; cost effectiveness with minimum modification works on the existing drainage network required, avoidance of land resumption and substantial road opening on high-volume carriageways; and less disturbance to the public in terms of traffic and environmental aspects;
- (c) the proposed development will not undermine the planning intention of the "O" zone for TPOMP. The existing park facilities will be re-provided after construction and thus, and the public enjoyment of open space during operation will not be affected;
- (d) strategic integrated design by utilizing underground space for essential infrastructure while allowing public amenities to be built above ground, enabling multiple land uses on one site and thus making efficient use of scarce land resources in the urban neighbourhood;
- (e) there are similar planning applications in Kwun Tong and Wong Tai Sin Districts approved by the Board recently;
- (f) Tai Po District Council was consulted on the project scope including the proposed development. Members generally supported the project;

- (g) according to the tree preservation and removal proposal submitted by the applicant, among the 169 trees within the Site, 35 will be retained, 133 will be removed and one is proposed to be transplanted. No registered Old and Valuable Tree (OVT) is identified with the Site. One Trees of Particular Interest (TPI) is identified which will not be affected by the proposed works and therefore will be retained. 133 trees will be planted with a compensatory ratio of 1:1 within the Site with reference to 'Greening Master Plan of Tai Po' and 'Street Tree Selection Guide' (**Drawings A-6 to A-7**);
- (h) to compensate for the loss of existing greenery, at-grade greenery will be re-provided as much as practicable. Additional greenery provisions such as roof greening and vertical greening will also be provided. About 3,020m<sup>2</sup> (about 38%) of greenery in total will be provided (**Drawing A-9**);
- (i) the storage tank will be placed underground whereas the above-ground structures will have architectural and landscape design for aesthetic upgrade and visual enhancement. The building mass of the pumping station is encased with an earth-tone coloured and timber textured screen to reduce its visual bulk. According to the photomontages (**Drawings A-4a to A-4f**), the screen is constructed with vertical timber-pattern planks and green mesh forming a natural backdrop, which blend in with the adjacent vast greening of TPOMP. For the discharge chamber, stone looking materials will be applied to harmonize with the existing surrounding retaining structures; and
- (j) according to the technical assessments, no significant adverse environmental, traffic, drainage, sewerage and geotechnical impacts on the surrounding areas 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**

There is no previous application involved at the Site.

### **5. Similar Application**

There is no similar application for 'Public Utility Installation' use within the same "O" zone on the OZP.

**6. The Site and its Surrounding Areas (Drawings A-5a to A-5d, Plans A-1 to A-4d)**

- 6.1 The northern portion of the Site is mainly TPOMP with open space and playground managed by LCSD and accessible via On Ho Lane, Ting Kok Road and Tai Po Tai Wo Road. Within the Site are active and passive leisure facilities including basketball court, children's playground, elderly fitness corner, Sundial Square, park access and associated LCSD's leisure facilities. The southern part of the Site is mainly located at a registered man-made slope feature no. 7NW-B/F 193 between Tai Po Tai Wo Road and Lam Tsuen River.
- 6.2 The surrounding areas have the following characteristics:
- (a) the Site is surrounded by existing open space with vegetation and leisure facilities in the northwestern and western portions of TPOMP;
  - (b) to the east of the Site is Tai Po Old Market Public School. To the west, northwest and northeast of TPOMP are high-density residential developments including Eightland Garden;
  - (c) MTR Tai Wo Station is located at about 650m to the west of the Site; and
  - (d) the Site is about 70m (Pumping Station) and 10m (Discharge Chamber) to the north of Lam Tsuen 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/Tai Po, Lands Department (DLO/TP, LandsD):

- (a) no objection to the application;

**Northern Portion**

- (b) it falls on PGLA No. TP-143 being allocated to LCSD as a Town Park and such other uses to be approved by his office. Besides, the bus shelter and seating area on the adjoining public footpath of Tai Po Tai Wo Road are included in the Site;

- (c) the public footpath leading from On Ho Lane to the proposed stormwater pumping station appears to be used as future maintenance access. The applicant is required to seek comments of TD and HyD on the management and maintenance issues of the said public footpath and affected bus shelter and seating area as mentioned in item (b) above;
- (d) according to **Appendix Ia**, DSD will carry out annual inspection, routine cleansing, maintenance of the underground storage tank and pumping facility while the reprovisioned park amenities and basketball court above storage tank to be maintained and managed by LCSD. In this connection, the applicant should seek the prior agreement of LCSD on the use, management and maintenance of the reprovisioned park amenities / facilities as well as the maintenance access;
- (e) should there be any amendments to the aforesaid PGLA required, at least 9 months should be allowed for his office to process the application;

#### Southern Portion

- (f) it falls on unleased GL involving public footpath and cycling track of Tai Po Tai Wo Road and slope feature no. 7NW-B/F 193 being maintained by HyD. The applicant should seek excavation permit from HyD before carrying out works on the public road. Separately, a portion of the said slope is being temporarily allocated to DSD under a STLA-TTP170 for works site up to 30.4.2024;
- (g) the discharge chamber and associated facilities should be taken up by DSD for future management and maintenance;
- (h) for any works to be carried out on unleased and unallocated GL (other than public road), DSD is required to apply to his office for land allocation. At least 9 months should be allowed for his office to process the application; and
- (i) his advisory comments are at **Appendix III**.

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

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

- (a) no objection to the proposed project as it has positive contribution to the community;
- (b) the applicant has committed to minimize the work nuisance and re-provide the affected recreational and landscape amenities of the Tai Po Old Market Playground as far as practicable. The proposed works are not expected to have significant negative impact on the public enjoyment of the leisure facilities; and

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

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 facilities, it is considered not incompatible with the surrounding context;
- (b) mitigation measures including façade design of above-ground structures and landscape treatments such as compensatory tree planting, vertical greening and green roof are proposed to enhance the visual amenity of the proposed development, and no significant adverse visual impact is anticipated;

Landscape

- (c) significant adverse impact on the landscape resources and landscape character arising from the proposed development is not anticipated. She has no objection to the application from landscape planning perspective;
- (d) with reference to the tree information provided by the applicant, 169 trees are found within the Site (including a protected species, T354 *Dalbergia assamica* 南嶺黃檀), no registered OVT is identified and 133 trees (including a mature tree, T329 with 950mm DBH) are in conflict with the proposed works and are proposed to be felled. Mitigation measures include planting 133 heavy standard/ standard trees and transplanting one existing tree within the Site boundary. Moreover, vertical greening and roof greening on above-ground structures, and re-provision of existing park elements are proposed;
- (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; and
- (f) her advisory comments are at **Appendix III**.

Environmental

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

- (a) no objection to the application since adverse environmental impacts (air quality, noise, water quality, waste and sewerage) associated with the proposed SSF are not anticipated with implementation of the recommended mitigation measures; and

(b) his advisory comments are at **Appendix III**.

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

- (a) Commissioner for Transport (C for T);
- (b) Commissioner of Police (C of P);
- (c) Director of Agriculture, Fisheries and Conservation (DAFC);
- (d) District Officer/Tai Po, Home Affairs Department (DO(TP), HAD);
- (e) Head of the Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD);
- (f) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
- (g) Project Manager (North) (PM(N)), CEDD;
- (h) Chief Engineer/Construction, Water Supplies Department (CE/C, WSD);
- (i) Director of Food and Environmental Hygiene (DFEH);
- (j) Executive Secretary of Antiquities and Monuments Office, Development Bureau (ES(AMO), DEVB);
- (k) Director of Fire Services (D of FS);
- (l) Chief Engineer/Mainland North, Drainage Services Department (CE/MN, DSD); and
- (m) Director of Electrical and Mechanical Services (DEMS).

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

On 9.2.2024, the application was published for public inspection. During the statutory public inspection period, three public comments were received from the principal of Tai Po Old Market Public School and two individuals objecting or expressing concerns that construction of the proposed SSF would generate adverse environmental, ecological, visual, landscape, structural stability and hygienic impacts to the surrounding environment and the adjoining school and residential development; the proposed SSF will occupy a substantial portion of the existing open space that affect the quality of the open space; and the site selection of the proposed SSF (**Appendix II**).

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

10.1 The subject application is for the proposed SSF mainly in TPOMP (**Plan A-1**) to increase the flood protection level to the required protection standard. The proposed SSF includes one underground structure and two above-ground structures. The underground storage tank has a floor area of about 4,200m<sup>2</sup> and a depth of about 18m, while the above-ground stormwater pumping station and discharge chamber have a total floor area of 1,150m<sup>2</sup> and 130m<sup>2</sup> respectively, and a height of 8-10.5m and 3.7m respectively.

### Planning Intention

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 SSF is not



entirely in line with the planning intention of the “O” zone. Notwithstanding that, the proposed SSF would affect about 54.9% (i.e. 6,780m<sup>2</sup>) of the area of TPOMP (i.e. 12,340m<sup>2</sup>), of which only 9.3% (i.e. 1,150m<sup>2</sup>) of land above-ground would be permanently affected by the provision of a pumping station, while the remaining area above-ground (i.e. 45.6% or 5,630m<sup>2</sup>) would be reinstated for active and passive leisure facilities including basketball court, children’s playground, elderly fitness corner, etc. upon completion of the construction works. There is also a surplus of district and local open space of about 33.95ha and 18.49ha respectively in the Tai Po Planning Area and hence the permanently affected area is considered not significant.

- 10.3 With the reprovisioning of 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. Moreover, during the construction period of the proposed SSF, half of a basketball court will be temporarily repovisioned in the nearby Chui Lok Street Garden. Similar facilities of children’s playgrounds and elderly fitness corners are available in the vicinity to cater for the demand of the public (**Plan A-5**). With the reprovisioning of the affected recreational and landscape amenities, significant negative impact on the public enjoyment of the leisure and sport facilities is not expected. DLCS has no objection to the application. While part of the cycle track next to the proposed discharge chamber would be affected by the construction works temporarily, operation of the cycle track would be maintained and reinstated upon completion of works.

#### Site Selection

- 10.4 According to the applicant, the Site is considered most suitable for the proposed SSF taking into account location suitability, land availability, technical feasibility and impact on the public and existing facilities as stated in paragraph 2(b) above. The Site for the proposed SSF 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 SSF to help regulate the water level of low-lying areas of Tai Po Old Market. Also, no land resumption is required and with the Site located close to the existing drainage network, it is more cost-effective with minimum modification works required on the existing drainage network.

#### Landscape and Visual Aspects

- 10.5 CTP/UD&L, PlanD considers that the proposed development is low-rise in nature and with reprovisioning of the park amenities, the proposed SSF 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.
- 10.6 Regarding the landscape impact, a compensatory ratio of 1:1 will be adopted to compensate the trees felled. The proposed SSF will provide different greening elements including vertical greening and green roof within the Site (**Drawing A-8**). 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

- 10.7 DEP, C for T, DAFC, H(GEO) of CEDD, DO(TP) of HAD, CE/C of WSD, DFEH, CHE/NTE of HyD, DEMS, CE/MN of DSD 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.
- 10.8 Regarding the public comments received as detailed in paragraph 9, the applicant has committed to comply with relevant ordinances and guidelines, implement good construction practices and mitigation measures to minimize any potential impacts to the surrounding developments as mentioned in **Appendices Ia** and **Ib**, and the planning assessments and departmental comments above are relevant.

**11. Planning Department's Views**

- 11.1 Based on the assessments made in paragraph 10 and taking into account the public comments as detailed in paragraph 9 above, 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 15.3.2028, 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.

Advisory clauses

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

- 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 2.2.2024
<b>Appendix Ia</b>	Supporting Planning Statement
<b>Appendix Ib</b>	FI received on 7.3.2024
<b>Appendix II</b>	Public Comments
<b>Appendix III</b>	Recommended Advisory Clauses
<b>Drawing A-1</b>	General Project Layout Plan
<b>Drawing A-2</b>	Master Layout Plan
<b>Drawings A-3a to A-3b</b>	Section Plans
<b>Drawings A-4a to A-4f</b>	Photomontages
<b>Drawings A-5a to A-5d</b>	Current Site Condition and Site Photos
<b>Drawing A-6</b>	Tree Survey and Treatment Plan
<b>Drawing A-7</b>	Compensatory Tree Planting Plan
<b>Drawing A-8</b>	Landscape Master Plan
<b>Drawing A-9</b>	Greenery Provision
<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 to A-4d</b>	Site Photos
<b>Plans A-5a to A-5d</b>	Leisure Facilities in the Vicinity of the Application Site

**PLANNING DEPARTMENT**  
**March 2024**