

Extract minutes of the 582nd RNTPC on 23.6.2017

Sai Kung and Islands District

Agenda Item 3

Section 12A Application

[Open Meeting (Presentation and Question Sessions only)]

Y/I-DB/2 Application for Amendment to the Approved Discovery Bay Outline Zoning Plan No. S/I-DB/4, To rezone the application site from "Other Specified Uses" annotated "Staff Quarters(5)" to "Residential (Group C)12", Area 6f, Lot 385 RP & Ext. (Part) in D.D. 352, Discovery Bay, New Territories
(RNTPC Paper No. Y/I-DB/2D)

[The item was conducted in English and Cantonese.]

3. The Secretary reported that the application site was located in Discovery Bay and the application was submitted by Hong Kong Resort Company Limited (HKRCL), which was a subsidiary of HKR International Limited. Masterplan Limited (Masterplan), Urbis Limited (Urbis) and Ove Arup & Partners Hong Kong Limited (Arup) were three of the consultants of the applicant. The following Members had declared interests in the item:

- Mr Ivan C.S. Fu - having current business dealings with HKRCL, Masterplan, Urbis and Arup;
- Ms Janice W.M. Lai - having current business dealings with Urbis and Arup;
- Mr Alex T.H. Lai - his firm having current business dealings with Arup and handled a case involving HKRCL;
- Mr Stephen L.H. Liu - having past business dealings with HKRCL; and
- Dr Lawrence K.C. Li - co-owning with spouse a flat in Discovery Bay.

4. The Committee noted that Mr Ivan C.S. Fu and Dr Lawrence K.C. Li had tendered apologies for being unable to attend the meeting. As Ms Janice W.M. Lai, Mr Alex T.H. Lai and Mr Stephen L.H. Liu had no involvement in the application, the Committee agreed that they could stay in the meeting.

5. The following representatives from the Planning Department (PlanD) and the representatives of the applicant were invited to the meeting at this point:

- Ms. Donna Y.P. Tam - District Planning Officer/Sai Kung and Islands (DPO/SKIs);
- Mr Richard Y.L. Siu - Senior Town Planner/Sai Kung and Islands (STP/SKIs); and

HKRCL

Mr Wilson Cheung
Mr Clarence Leung
Mr Simon Chau
Mr Wong Tak Wai

Masterplan

Mr Ian Brownlee
Ms Cynthia Chan

Arup

Mr Franki Chiu
Mr Elvis Lau

} Applicant's representatives

<u>Urbis</u> Mr Tim Osborne	}	Applicant's representatives
<u>WSP Asia Limited</u> Mr Ivan Yue		
<u>Mayer Brown JSM</u> Mr F.K. Au		

Presentation and Question Sessions

6. The Chairman extended a welcome and explained the procedure of the hearing. He then invited PlanD's representatives to brief Members on the background of the application. Mr Richard Y.L. Siu, STP/SKIs, drew Members' attention that three replacement pages (pages 7, 14 and 17 of the Main Paper) of the Paper incorporating the revised paragraphs 4.1, 9.1.7(c) and 9.2 were tabled at the meeting for Members' reference. He then presented the application with the aid of a PowerPoint presentation and covered the following aspects as detailed in the Paper:

- (a) background to the application;
- (b) the proposed rezoning from "Other Specified Uses" annotated "Staff Quarters(5)" ("OU(Staff Quarters)5") to "Residential (Group C)12" ("R(C)12") to facilitate a proposed medium-density residential development;
- (c) departmental comments – departmental comments were set out in paragraph 9 of the Paper. The District Lands Officer/Islands (DLO/Is) advised that the proposed residential development with a maximum gross floor area (GFA) of 21,600m² and plot ratio (PR) of 2.83 did not conform with the approved Master Plan (MP) No. MP6.0E7h(a). Should the Board approve the rezoning application and after the town planning procedures of the proposed amendment to the Outline Zoning Plan (OZP) had been completed, the owner of the application site (the Site) would need to apply to the Lands Department (LandsD) for approval to amend the MP. LandsD would then process the application and seek necessary approvals, including endorsement

of the Executive Council (ExCo) if it was decided that the proposal would result in a change of the development concept of the Site. The Chief Town Planner/Urban Design and Landscape (CTP/UD&L), PlanD considered that the scope of slope works and impact on trees should be reviewed. The existing trees would be affected by the slope upgrading works but further tree impact and treatment were not observed. The Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD) advised that the submitted Geotechnical Planning Review Report (GPRR) was insufficient to demonstrate the geotechnical feasibility of the proposed slope upgrading/modification and natural terrain hazard mitigation works. Other concerned departments had no objection to or no adverse comment on the application;

- (d) during the first three weeks of the statutory publication periods, a total of 6,172 public comments were received. Amongst which, 4,446 were supporting comments from an Islands District Council (IsDC) member, local residents of Discovery Bay, owners/residents of Parkvale Village, staff and business operators in Discovery Bay, a non-government organisation and members of the general public; 1,257 were objecting comments from another IsDC member, Designing Hong Kong Limited, Kadoorie Farm and Botanic Garden Corporation, Owners' Committees of Parkvale Village and Hillgrove Village, owners/residents of Parkvale Village/Hillgrove Village/Serene Village/Woodland Court/Woodgreen Court, etc., local residents and members of the general public; and the remaining 469 offered comments/concerns on the application. Major comments/views were set out in paragraph 10 of the Paper; and
- (e) PlanD's views – PlanD did not support the application based on the assessments set out in paragraph 11 of the Paper, which were summarised as follows:
 - (i) in terms of strategic planning context, Discovery Bay was not recommended as a potential development area or strategic growth area;

- (ii) Discovery Bay was intended for a holiday resort and residential/commercial development under the original land grant with a total planned population of 25,000 and a total domestic GFA of 900,683m² upon full development as stipulated in the OZP. Any further increase in population would have to be considered in the context of the general planning intention for the area and subject to detailed feasibility investigation on infrastructure and environmental capacities;
- (iii) the proposed medium-rise development should be justified in the context of the development concept of Discovery Bay which was intended for a holiday resort and residential/commercial development. Approval of the current application would set an undesirable precedent for similar rezoning applications. Given that there were six "OU(Staff Quarters)" sites on the OZP with similar nature and site conditions, the accumulative impact of developing those land with increase in population would further depart from the original development concept of Discovery Bay and overstrain the existing and planned infrastructure capacities;
- (iv) there were some 124,000m² domestic GFA allowed in the "Residential (Group C)2" ("R(C)2") zone in Discovery Bay North on the OZP which had not been incorporated in the prevailing MP and yet to be implemented. The planned residential developments should be implemented first before new sites were proposed to be rezoned for additional residential development. The applicant had not indicated the implementation programme of the residential developments within the "R(C)2" zone and no justification had been provided; and
- (v) CTP/UD&L, PlanD considered that trees would be affected by the slope upgrading works, and H(GEO), CEDD considered that the information provided by the applicant was insufficient to demonstrate the geotechnical feasibility of the proposed slope upgrading/modification and natural terrain hazard mitigation works.

Régarding the public concerns on environmental, infrastructure and traffic issues, the comments of government departments and planning assessments above were relevant.

7. The Chairman then invited the applicant's representatives to elaborate on the application. Mr Ian Brownlee, the applicant's representative, informed the Committee that response to departmental comments had been prepared, which was tabled at the meeting. With the aid of a PowerPoint presentation, Mr Ian Brownlee made the following main points:

Background

- (a) the application was originally considered on 17.2.2017 but was deferred by the Committee since another s.12A application (No. Y/I-DB/3) relating to Area 10B of Discovery Bay was being processed. That application was subsequently withdrawn due to technical issues not yet resolved;
- (b) the applicant had addressed the outstanding departmental concerns on water supply and sewage treatment during the last four months, which had been resolved to departments' satisfaction and infrastructure provision was no longer recommended as a rejection reason. New rejection reasons were now recommended by PlanD;

Housing Supply

- (c) the applicant was aware of the policy on the provision of additional housing under the Chief Executive's Policy Address and the continuous shortage of housing supply. The Board had rezoned large areas of land which were considered no longer appropriate or would unlikely be implemented, including areas zoned "Recreation", "Open Space", "Government, Institution or Community", "Industrial" and "Green Belt" for housing purpose. Also, the density of some residential sites had been increased for a higher flat production;

- (d) the review of potential housing supply opportunities by the Government mainly focused on government land and no systematic review on private land had been undertaken. He was informed by the previous District Planning Officer that the Discovery Bay OZP would not be reviewed for increasing housing supply as the priority was on government land, and a review should be undertaken by the developer, taking into account the general planning intention for Discovery Bay as included in the Explanatory Statement (ES) of the OZP. The applicant had done so;

Discovery Bay

- (e) the existing Discovery Bay OZP was outdated as it was approved over 11 years ago, i.e. in February 2005;
- (f) the applicant's long-term visions for Discovery Bay were: (i) to better utilise the existing land resources to serve a larger population while generally retaining the character of the area; and (ii) to commence long-term planning, given that the committed development in Discovery Bay was being implemented. The review of the remaining development areas in the form of a Preliminary Concept Plan was submitted to the Government in 2013 for informal discussion. It was revised in 2014 upon receipt of comments, mainly on the reduction in the proposed development densities. The current rezoning application for Area 6f was submitted as no significant planning issues were involved;

Changing Circumstances in Discovery Bay

- (g) there had been changes in Discovery Bay since the original scheme was approved, including: (i) the initial development area around Tso Yuen Wan which had been progressively expanded to include the area to the north around Yi Pak Wan; (ii) Lantau Island was connected by road traffic to other parts of Hong Kong by the Lantau Link in May 1997; (iii) the completion of the Discovery Bay Tunnel connecting to the northern part of Lantau Island in 2000 and the provision of bus services to MTR stations which reduced the

reliance on ferry services, especially during typhoons, as well as the need to provide staff quarters; and (iv) the connection to the public water supply and sewerage systems in 2000, leading to the redundancy of the treatment plants in Discovery Bay;

- (h) water from the Discovery Bay Reservoir was currently used to supply flushing water and irrigation water in Discovery Bay and all pipes were in place. If the connection to the public water supply system was not feasible, the water treatment plant would be reactivated to provide potable water to the Site. Also, a package sewage treatment plant (designed to meet the stringent standards imposed by the Government) would be provided at the Site by the applicant, if necessary. All the proposals were technically feasible;

The Site

- (i) staff quarters were no longer required at the Site. The Site was formed and grassed. No additional site formation was required and the Site was ready for development. The Site would remain unused unless it was rezoned. It should be rezoned for residential development for better utilization of the Site. The Site was within a residential area surrounded by "Residential (Group C)4" zone and the form and scale of the proposed residential development was the same as the neighbouring development, Parkvale Village, and also in line with the general planning intention for the area. When viewing from the Discovery Bay Plaza towards the Site, the proposed development was compatible with the surrounding areas with high-rise buildings along the backdrop and low-rise buildings at the front;

The Planned Population of 25,000 in the OZP

- (j) the design population of 25,000 was set many years ago and not an absolute control figure. It was not related to any infrastructure or transport constraint. The ES of OZP allowed for an increase in population, which stated that "any further increase in population would have to be considered

in the context of the general planning intention for the area and subject to detailed feasibility investigations on infrastructure and environmental capacities". The application would only result in an increase in population from 25,000 to 26,000, which was insignificant in relation to transport, sewerage, water supply and environmental capacities. The sewage and consumption of water supply in Discovery Bay would only be increased by 0.2% and 0.3% respectively. The technical feasibility of the proposed development had been proven by technical assessments;

Departmental Comments

- (k) the Secretary for Development confirmed that the proposed development was in line with the Government's initiative for increasing housing supply, provided that there were no insurmountable problems. There was neither adverse departmental comment nor insurmountable problem arising from the proposed development;
- (l) CTP/UD&L, PlanD considered that the proposal would be compatible with the surrounding environment and indicated that six of the compensatory trees should be relocated in different locations. The concern had been addressed in the revised drawing in the information tabled at the meeting;
- (m) the submitted GPRR identified the need for a Natural Terrain Hazard Study, which would be necessary either for staff quarters or the proposed development. The consultant team had further liaised with GEO upon receipt of his comments and the responses to all comments were also included in the information tabled at the meeting;

Strategic Context

- (n) the Paper referred to three outdated planning documents, including the Territorial Development Strategy Review 1998, South West New Territories Development Strategy Review 2001 and the Revised Lantau Concept Plan 2007, and mentioned about strategic growth areas, which were irrelevant to

the application. Discovery Bay was identified as an existing built-up area in the recently announced Sustainable Lantau Blueprint. The applicant was neither proposing a potential development area nor strategic growth area, but a small and modest change to the OZP for better use of an infill development site;

General Planning Intention

- (o) the application was in line with the general planning intention of the OZP. The scale, form and location of the proposed development would complement the general planning intention, and the existing building form in the area. The existing holiday resort elements in Discovery Bay such as plazas, beaches and mountains would not be affected;

Setting of Precedent

- (p) the application would not set an undesirable precedent, but was following the Policy Address to optimize the use of the underutilized sites for providing housing in Hong Kong. Each application would be considered on its own merits and within the planning context under the OZP. The proposed rezoning would not depart from the concept of the OZP nor set an undesirable precedent;

Undeveloped Site not included in the MP

- (q) referring to paragraph 11.5 of the Paper, the reason for the long time required for implementing the existing "R(C)2" zone in Discovery Bay North on the OZP was mainly due to the slow process for approval of MPs under the lease. There was a letter dated 2013 from the applicant addressing to the Director of Lands in the tabled information, which expressed the concern of the applicant as the application for approval of MP 6.0E7h(a) was submitted in 2000, and it was yet to be approved in 2013. MP 6.0E7h(a) was subsequently approved in March 2016, taking 16 years for the completion of land documentation. The application for approval of

MP 7.0 was submitted in 2002 and it was still being processed. Assuming the application would be approved in 2020, the construction would be completed in 2030. For Area 6f (i.e. the Site), assuming the current rezoning application would be approved, the statutory planning procedure be completed in 2020 and the application for approval of MP for Area 6f be approved in 2030, the construction of Area 6f would be completed in 2033. Long processing time for approval of land documentation should not be a reason for not proceeding with the current rezoning application;

Endorsement of the MP by ExCo

- (r) DLO/Is advised that if the proposed amendment to the OZP had been completed, the applicant would have to apply for approval to amend the MP and LandsD would seek the endorsement of ExCo. The normal practice of PlanD in taking forward an approved s.12A application had been changed in that the endorsement of changes to MP under the land grant by ExCo was now proposed as a prerequisite prior to the reference of the OZP by the Chief Executive in Council (CE in C) to the Board for amendment. In other words, the planning process would not be taken forward before the land administration process. The applicant requested that should the rezoning application be approved, the approved Discovery Bay OZP should be referred by the CE in C to the Board for amendment and the land administration process would then be initiated; and

Rejection Reasons

- (s) neither of the two rejection reasons suggested in the Paper was justified for rejecting the application. For rejection reason (a), the consultant team had explained the reason for taking a long time to proceed with further residential developments in Discovery Bay North under the current OZP and there was a need to ensure a continuous supply of new flats in Discovery Bay. The reason for not using the Site for staff quarters was also explained. Rejection reason (b) did not apply as only a population of 1,000 would be accommodated in the proposed residential development and it would not

overstrain the existing and planned infrastructure capacities in Discovery Bay. The compatibility of the Site with the surrounding areas and the use of a vacant development site were strong justifications for approving the current rezoning application.

8. With the aid of a PowerPoint presentation, Mr Wilson Cheung, the applicant's representative, made the following main points:

The Planning of Discovery Bay

- (a) although the Discovery Bay OZP was prepared by PlanD, Discovery Bay had been planned by the applicant for over 30 years, instead of PlanD. The current OZP was largely a duplicate of MP 6.0E7h(a) prepared and submitted by the applicant for approval in 2000. The planning of Discovery Bay was being reviewed by the applicant from time to time and Discovery Bay was developing in a systematic manner. The reasons for taking a long time to develop Discovery Bay were that it was in a remote area with a large area of about 650 hectare but the demand for housing was not high;

Staff Quarters

- (b) several pieces of land were identified by the applicant for better use, e.g. Area 6f (i.e. the Site) with a permitted GFA of 170m² reserved for staff quarters. The Site, without any road access, had been formed and remained vacant for over 20 years. There were a number of overnight facilities in Discovery Bay, mainly because in the past, the staff could not access to Discovery Bay during typhoons when the ferry service was suspended. Staff quarters were required so that some of the operational staff could stay in Discovery Bay overnight. The demand for staff quarters had been reduced since the completion of Discovery Bay Tunnel in 2000, with provision of road access to Discovery Bay;

The Site

- (c) the rezoning of the Site could provide about 470 residential units. Discovery Bay was targeted at the middle-income group and the highest residential unit price was similar to that in Yuen Long. Should the rezoning be approved, future residents at the Site would not be able to enjoy panoramic sea views as the residential buildings would be behind some existing buildings and thus, the selling price could not be comparable with those higher-end developments in Discovery Bay. The development intensity in terms of the permitted PR for Discovery Bay was currently 0.173 and it would be increased by a negligible figure of 0.004 to 0.177 should the application be approved. The characteristics and resort elements of Discovery Bay, such as golf course, marine club and marina bay, would not be affected by the proposed development. The transportation mode would remain the same and no additional bus route was required as there were existing bus routes serving the adjoining residential developments;

Development Programme for Discovery Bay

- (d) being a developer relying on residential developments as income sources, it was not the intention of the applicant to delay any development and the applicant had urged LandsD to speed up the MP approval process since 2000. As mentioned by Mr Ian Brownlee, it took 16 years to approve MP 6.0E7h(a) and the application for MP 7.0 had been submitted for 15 years but yet to be approved. Assuming the statutory town planning procedure for the Site would be completed in 2020 and it would take 10 years' time to process the MP for the Site by LandsD, the construction of the development at the Site would take 3 years and it would be completed in 2033. It was hoped that MP approval process for the Site could be shortened so that the development at the Site could be completed before the approval of MP 7.0. The applicant had been in liaison with DLO/Is and wrote many times to the Director of Lands in the past 17 years;

Local Consultation

- (e) the applicant was the sole owner of Discovery Bay. Although it was not a statutory requirement to consult residents of Discovery Bay, the applicant had maintained close communications with all residents in liaison groups, briefing sessions, owners' committee meetings, annual general meetings as well as the passenger liaison group, etc. Besides, leaflets and feature stories were distributed and enquiry hotline was available. The proposal was explained to the residents and concerns of the residents were addressed and thus, over 70% of the public comments supported the application; and

Guiding Principles for Discovery Bay

- (f) three guiding principles for designing Discovery Bay, which were tranquillity, serenity and safety, were put forward by the Chairman of the HKRCL more than 30 years ago and they were currently still valid. The former two were related to the overall development, environment and characteristics of Discovery Bay and the latter referred to the car-free environment in the area. The guiding principles would still be valid if the rezoning proposal was approved.

- 9. As the presentations of PlanD's representative and the applicant's representatives were completed, the Chairman invited questions from Members.

Future Use of the "OU(Staff Quarters)" Sites

- 10. The Chairman and a Member enquired if the applicant had the intention to rezone all the six "OU(Staff Quarters)" zones on the OZP for residential use.

- 11. Mr Wilson Cheung, the applicant's representative, made the following responses:

- (a) there were existing staff quarters at three of the "OU(Staff Quarters)" zones, which were adjacent to Peninsula Village, the fire station and to the south of the golf course respectively. Although the demand for staff quarters was

reduced, there was a need to retain such use;

- (b) amongst the remaining three undeveloped "OU(Staff Quarters)" zones, the GFA for the one at the junction of Marina Drive/Discovery Bay Road was already taken up by the one adjacent to Peninsula Village. The one adjacent to Bijou Hamlet was located at the hill top and there was no intention for changing its use. The remaining one was the application site; and
- (c) the "OU(Staff Quarters)" zone with existing staff quarters adjacent to Peninsula Village was included in the application site of the s.12A application (No. Y/I-DB/3) for rezoning to residential development. That rezoning application was not aimed at changing the use of staff quarters. Area 10b, where the application site of Y/I-DB/3 was located, was a barging and services area in Discovery Bay 30 years ago for loading/unloading activities and garages. It had been the back-of-house area for Discovery Bay in the past. As barges were no longer required due to availability of road traffic, Area 10b had become an eyesore, and was proposed to be rezoned for a better overall planning. It was a coincidence that some existing staff quarters were located in Area 10b.

Tree Compensation and Urban Biodiversity

12. A Member raised the following questions:

- (a) reasons for not improving the tree compensation proposal, noting that the compensation rate in terms of girth size was below 1:1 while the tree compensation rate in terms of number was slightly higher than 1:1;
- (b) reasons for only proposing the planting of individual trees in landscape gardens in the tree compensation proposal, instead of compensating the loss of the whole piece of woodland at the Site; and

- (c) reasons for not incorporating the concept of biodiversity in the proposal, given that it had been promoted by the Government since the promulgation of the Hong Kong Biodiversity Strategy and Action Plan.

13. Mr Ian Brownlee and Mr Tim Osborne, the applicant's representatives, made the following responses:

- (a) unlike "Conservation Area" or "Green Belt" zones, the whole Area 6f had already been zoned as a development site and some of the trees would need to be removed for site formation works;
- (b) the footprint of the proposed development had limited the available space for greening within the Site. Re-establishment works would be available for any tree which would be affected by the proposed slope works; and
- (c) the issue of biodiversity would be addressed at the detailed design stage as it was difficult to incorporate the strategy of biodiversity in the preliminary scheme of the planning application.

14. The same Member stated that the concept of biodiversity was not found in the proposal and it could be incorporated as a planning principle of the application. Also, given that there were available spaces within the Site as well as in Discovery Bay for tree planting, the tree compensation rate could be increased.

15. In response, Mr Tim Osborne said that tree planting would be included, as shown on the compensatory planting plan and the site context needed to be taken into account given that the Site was enclosed by woodland. The tree compensation ratio of 1:1 in terms of quality was not a prerequisite for approval of the rezoning application. Mr Wilson Cheung supplemented that if tree compensation in areas outside Area 6f was acceptable, the applicant would be willing to carry out compensatory planting outside the Site.

16. The same Member further added that more active enhancement on urban biodiversity should be put forward through landscaping, and it was not acceptable to compensate removal of tree patches, only by planting of individual trees along roadside.

[Mr David Y.T. Lui left the meeting at this point.]

Future Development in Discovery Bay

17. In response to the Chairman's enquiries, Ms Donna Y.P. Tam, DPO/SKIs, said that the total domestic GFA allowed in the OZP was 900,683m², while the domestic gross building area allowed in the prevailing MP 6.0E7h(a) was 775,655m². There were some 124,000m² GFA as permitted under the Discovery Bay OZP yet to be realized and not yet incorporated in the MP under the lease, i.e. the undeveloped "R(C)2" zone in Discovery Bay North, which was highlighted in orange on Plan Z-1a of the Paper.

18. Mr Wilson Cheung supplemented that the unrealized GFA was allowed in the OZP, but yet to be incorporated in MP under the lease as MP 7.0 and to be approved by LandsD. Notwithstanding the above, the general building plans of site formation works for the "R(C)2" site were approved by the Buildings Department and the site formation works were completed.

19. The Chairman raised the following questions:

- (a) the need for additional infrastructure provision of water supply and sewage treatment if the current rezoning application with a proposed GFA of 21,600m² was approved; and
- (b) other than the subject rezoning application, whether there was any other plan for further developments in Discovery Bay.

20. Mr Wilson Cheung made the following responses:

- (a) concerned departments had no objection to the infrastructural provision and the additional infrastructure facilities required for the proposed rezoning was minimal; and

- (b) Area 10b was proposed to be rezoned for residential development in s.12A rezoning application (No. Y/I-DB/3), but the application was subsequently withdrawn due to various technical difficulties. If the technical issues could be resolved, a fresh application might be submitted.

[Professor K.C. Chau arrived to join the meeting at this point.]

Others

21. In response to a Member's enquiry, Ms Donna Y.P. Tam said that the full reports of technical assessments submitted by the applicant, e.g. Tree Survey Report and Environmental Study were attached with the Paper for Members' consideration.

22. As the applicant's representatives had no further points to raise and there were no further questions from Members, the Chairman informed the applicant's representatives that the hearing procedure for the application had been completed and the Committee would deliberate on the application in their absence and inform them of the Committee's decision in due course. The Chairman thanked the representatives of PlanD and the applicant's representatives for attending the meeting. They left the meeting at this point.

Deliberation Session

23. The Chairman recapitulated that the application was a s.12A application to rezone the Site from "OU(Staff Quarters)5" to "R(C)12" for a proposed medium-density residential development, with a proposed maximum GFA of 21,600m². Concerned government departments generally had no adverse comment on the technical assessments. PlanD did not support the application. The main points for consideration included that the unique background of comprehensive development concept in Discovery Bay; the scope for further residential development under the current OZP; and the cumulative impact of approving similar rezoning proposals once a precedent was established.

24. Members noted that the same applicant submitted another s.12A rezoning application (No. Y/I-DB/3) for rezoning a site at Area 10b in Discovery Bay from various zones to facilitate a low to medium-density residential development. The current

application was originally scheduled for consideration by the Committee on 17.2.2017 and PlanD requested to defer the consideration of the application such that it could be considered together with application No. Y/I-DB/3, taking into account the unique background of the comprehensive development concept in Discovery Bay and the possible cumulative impacts of the proposed developments under the two applications on the natural environment and the infrastructure capacities in the area. After consideration of the applicant's presentation, the Committee on 17.2.2017 agreed that the current application should be submitted for its consideration together with application No. Y/I-DB/3. However, application No. Y/I-DB/3 was subsequently withdrawn by the applicant on 7.4.2017.

25. Some Members supported PlanD's recommendation of rejecting the application and had the following major views:

- (a) Discovery Bay was not recommended as a strategic growth area. Given the unique background of comprehensive development concept in Discovery Bay, the proposed development would have cumulative impacts on the overall planning of the area, and developments in Discovery Bay should be assessed comprehensively;
- (b) the applicant had indicated intention for further residential developments in Discovery Bay. There was still undeveloped domestic GFA allowed on the OZP. Other than for providing more housing units, there was no strong justification for rezoning the Site for residential use;
- (c) the approval of the application would set an undesirable precedent for similar applications for rezoning of "OU(Staff Quarters)" or other zones on the Discovery Bay OZP; and
- (d) the applicant had failed to address the comments regarding the landscape proposal.

26. Some Members, however, considered that the technical issues, except landscape and geotechnical ones, had been resolved by the applicant and there would not be insurmountable technical problems arising from the proposed development. The proposed

development could also facilitate the supply of housing units.

27. The Vice-chairman was of view that as site area of the application site was not small and the applicant had indicated intention for further residential developments in Discovery Bay, it would be more appropriate to assess the application with other developments in Discovery Bay comprehensively.

28. The Chairman concluded that Members in majority did not support the application. Although the major technical issues of the proposed development had been resolved, the approval of the application would set an undesirable precedent for similar applications. The cumulative impact of approving similar rezoning applications was an important factor for consideration. There was scope for further residential development under the current OZP, and the proposed development should be assessed with other developments in Discovery Bay comprehensively.

29. After further deliberation, the Committee decided not to agree to the application for the following reasons:

- “(a) there is scope for further residential development under the current Outline Zoning Plan as the total maximum domestic gross floor area allowed has yet to be realised. No strong justification has been provided by the applicant for rezoning the application site for residential use; and
- (b) approval of the application would set an undesirable precedent for other similar rezoning applications, the cumulative impact of which would further depart from the original development concept of Discovery Bay and overstrain the existing and planned infrastructure capacities for Discovery Bay area.”