

RNTPC Paper No. Y/I-DB/2D
For Consideration by the
Rural and New Town
Planning Committee
on 23.6.2017

**APPLICATION FOR AMENDMENT OF PLAN
UNDER SECTION 12A OF THE TOWN PLANNING ORDINANCE**

APPLICATION NO. Y/I-DB/2

Applicant : Hong Kong Resort Company Limited represented by Masterplan Limited

Site : Area 6f, Lot 385 RP & Ext. (Part) in D.D. 352, Discovery Bay

Site Area : 7,623 m² (about)

Lease : Lot No. 385 R.P. in D.D. 352 and the extensions thereto

Plan : Approved Discovery Bay Outline Zoning Plan (OZP) No. S/I-DB/4

Zoning : "Other Specified Uses" annotated "Staff Quarters(5)" ("OU(Staff Quarters(5))")

Proposed Amendment : From "OU(Staff Quarters(5))" to "Residential(Group C)12" ("R(C)12")

1. The Proposal

- 1.1 The applicant proposes to rezone the application site (the Site) (**Plan Z-1a**) from "OU(Staff Quarters(5))" to "R(C)12" with development restrictions of maximum domestic gross floor area (GFA) of 21,600m² and maximum building height (BH) of 18 storeys (128mPD). The proposed rezoning is intended to facilitate a medium-density residential development at the Site (**Drawing Z-1a**). According to the indicative development scheme submitted by the applicant, a new sub-area under the current "R(C)" zone is proposed to be added to the Notes of the OZP (**Table 1** and **Appendix XIII**), with the Remarks reflecting the proposed development parameters. The planning intention of the zone remains the same.

Table 1

<u>Sub-area</u>	<u>Maximum GFA (m²)</u>	Number of Storeys	<u>Maximum Building Height</u>	
			Meters above Hong Kong Principal Datum (mPD)	Meters (m)
R(C)12	21,600	18	128	--

- 1.2 Based on the applicant's indicative development scheme, the proposed residential development consists of two residential blocks with 476 flats (**Drawings Z-1a and Z-2**). The population is estimated to be about 1,190. Various plans and figures submitted by the applicant including Concept Plans, Section Plan, Landscape Master Plan, Compensatory Tree Plan, water sensitive receivers (WSRs) plan, existing and proposed drainage, sewerage and water supply layout plans, proposed visual mitigation measures and photomontages are in **Drawings Z-1a to Z-10c**. A comparison between the existing development restrictions under "OU(Staff Quarters(5))" zone on the OZP, proposed development restrictions under the proposed "R(C)12" zone and the major development parameters of the indicative development scheme are as follows:

	<u>Existing Development Restrictions under "OU(Staff Quarters(5))"zone</u>	<u>Proposed Development Restrictions for "R(C)12" zone</u>	<u>Indicative Development Scheme</u>
Site Area	--	--	about 7,623 m ²
Plot Ratio (PR)	--	--	about 2.83
Maximum Domestic GFA	170m ²	21,600m ²	21,600m ²
Site Coverage	--	--	about 30%
No. of Blocks	--	--	2
No. of Storeys	3	18	18
Maximum BH	9m	128mPD	73m/128mPD (including roof top structure)
No. of Flats	--	--	476
Average Flat Size (m²)	--	--	45
Estimated Population	--	--	1,190
No. of Car Parking and Loading/Unloading Spaces	--	--	golf cart parking spaces and servicing vehicles loading/unloading spaces (the number of provision is not provided by the applicant)
Private open space	--	--	not less than 1,190m ²

- 1.3 In terms of infrastructure provision, the applicant proposes to use the existing Discovery Bay Reservoir and construct a new private water treatment works (WTW), fresh water pumping station and fresh water service reservoir at the location of the decommissioned water treatment plant (**Plan Z-2, Drawings Z-8a and 8b**) to provide fresh water supply to the proposed development. An on-site sewage treatment works (STW) with maximum daily sewage flow rate of about 440 m³/day is proposed to be constructed within the Site (**Drawing Z-7**) to serve the future development. Suitable golf cart parking spaces, servicing vehicles and loading/unloading spaces would be provided. An Emergency Vehicular Access (EVA) will be provided between Parkvale Drive and the Site. Besides, the applicant proposes to divert a portion of the existing hiking trail so that it will not be extinguished by the proposed new access road (**Drawing Z-1b**). In terms of landscape and open space provision, 118 trees within the Site are proposed to be felled; two tree groups along the western periphery would be retained and 125 compensatory trees would be planted (**Drawings Z-3 and Z-4**). A private open space of not less than 1,190 m² including water features and landscape furniture would be provided for future residents (**Drawing Z-3**). The year of completion for the proposed development is not specified.
- 1.4 On 26.2.2016, the applicant submitted another rezoning application concerning Area 10b of Discovery Bay under Application No. Y/I-DB/3 (**Plan Z-1a**) to facilitate a low to medium-density residential development partly on top of a podium level of service area at the application site.
- 1.5 On 13.5.2016 and 26.8.2016, the Rural and New Town Planning Committee (the Committee) decided to defer a decision on the application for a total of four months upon the applicant's requests to allow sufficient time for the applicant to address the comments of relevant government departments. On 13.6.2016, 27.10.2016, 28.11.2016 and 26.1.2017, the applicant submitted Further Information (FI) in response to the departmental and public comments. The application was scheduled for consideration by the Committee on 17.2.2017. However, at the request of Planning Department, the Committee decided to defer a decision on the application and agreed to consider both Planning Applications No. Y/I-DB/2 and Y/I-DB/3 together. An extract of the minutes of the RNTPC meeting on 17.2.2017 is at **Appendix VIII**. The RNTPC Paper No. Y/I-DB/2C submitted on 17.2.2017 was therefore not considered by the Committee. However, on 7.4.2017, the applicant withdrew Application No. Y/I-DB/3.
- 1.6 On 10.4.2017, the applicant submitted FI in response to departmental comments (**Appendix VI**). The latest FI involves a newly submitted Geotechnical Planning Review Report (GPRR), replacement pages of Study on Drainage, Sewerage and Water Supply Systems and Environmental Study, revised compensatory planting plan, existing and proposed water and sewerage supply layout plans and a revised Concept Plan showing diverted hiking trail. On 26.5.2017, the applicant submitted FI in response to departmental comments (**Appendix VII**). The application is therefore scheduled for consideration by the Committee at this meeting.
- 1.7 In support of the application, the applicant has submitted the following documents:
- (a) Application Form received on 25.2.2016 (**Appendix I**)
 - (b) Planning Statement (**Appendix Ia**)

- (c) Supplementary information received on 15.3.2016 (Appendix Ib)
- (d) FI received on 13.6.2016 providing revised Landscape Master Plan, Traffic Study, Environmental Study and additional photomontages [*accepted but not exempted from publication and recounting requirements*] (Appendix II)
- (e) FI received on 27.10.2016 providing revised Concept Plan, Landscape Proposal, Environmental Study, planning statement and updated photomontages [*accepted but not exempted from publication and recounting requirements*] (Appendix III)
- (f) FI received on 28.11.2016 providing revised Environmental Study and Technical Note on Water Quality [*accepted but not exempted from publication and recounting requirements*] (Appendix IV)
- (g) FI received on 26.1.2017 providing revised existing and proposed water supply and sewerage layout plans [*accepted and exempted from publication and recounting requirements*] (Appendix V)
- (h) FI received on 10.4.2017 providing a GPRR, replacement pages of Study on Drainage, Sewerage and Water Supply Systems and Environmental Study, revised compensatory planting plan, existing and proposed water and sewerage supply layout plans and revised Concept Plan showing diverted hiking trail [*accepted but not exempted from publication and recounting requirements*] (Appendix VI)
- (i) FI received on 26.5.2017 providing revised pages of GPRR [*accepted and exempted from publication and recounting requirements*] (Appendix VII)

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in the Planning Statement at **Appendix Ia** and the FI at **Appendices II to VII**. They are summarized as follows:

Consistent with Chief Executive (CE)'s Policy Address and the Strategic Planning of Lantau

- (a) The proposed development helps achieve the objective of the CE's Policy Address in increasing and expediting housing land supply to optimise residential development. The long-term planning for Discovery Bay is consistent with the envisaged developments at Siu Ho Wan, Sunny Bay and Tung Chung New Town Extension at Lantau.

Consistent with the General Planning Intention of Discovery Bay

- (b) The Concept Plan of the proposed development addresses the general planning intention of Discovery Bay as stated in the Explanatory Statement of the OZP. Considerations have been given to ensure the development proposal is of high quality, compatibility with the natural setting and with existing forms of residential development.

Logical Location for Increased Residential Development Intensity

- (c) The proposed residential blocks are replacement of the originally intended staff quarters which are no longer needed. The Site is a logical location for residential development for it is readily accessible, currently served by public transport and in close proximity to commercial and leisure activities; the proposed BH and footprint are of similar scale to the surrounding existing residential blocks; and the proposed increase in residential units of 476 and population of 1,190 is of very modest development intensity and is in balance with the mountain backdrop setting.

Staff Quarters are No Longer Needed in Discovery Bay

- (d) Since the completion of Discovery Bay Tunnel and the connection between Discovery Bay and other parts of Hong Kong has been improved, staff quarters are no longer needed in Discovery Bay.

Adequate Infrastructure Provision

- (e) The applicant requests Water Supplies Department (WSD) and Environmental Protection Department (EPD) to take into account the proposed development in the future planning for Siu Ho Wan water and sewage treatment facilities, in order to provide extra water supply and sewage treatment capacity for the proposed development. Also, the proposal for the Site is moderate in scale, the demand on the government infrastructure would be insignificant. Subject to improvement works where necessary, the proposed development would be feasible to support the planned population.

No Adverse Water Supply, Water Quality, Sewerage, Landscape and Visual, Traffic and Geotechnical Impacts

Water Supply

- (f) The entire new private water supply network, comprising WTW, pumping station, service reservoir, transmission and distribution mains will be an exclusive network to supply Area 6f and will be totally segregated from the existing WSD's water supply network (**Drawings Z-8a and 8b**).

Water Quality

- (g) The water quality control standard for the proposed local WTW adopts the same standard as the WSD's WTW. Potable water in Discovery Bay had been sourced from Discovery Bay Reservoir and filtration plant (**Plan Z-2**) for about 20 years before 2000. Discovery Bay residents were used to this arrangement and there was never any concern raised on water quality.

Sewerage

- (h) A small STW separated from the existing sewerage system will be installed at the Site (**Drawing Z-7**). It will be established, operated and maintained by the applicant. The contingency measure of connecting overflowing sewage pipe from the proposed private STW to the existing Discovery Bay Sewage Pumping Station (SPS) No. 1 is proposed by the applicant. Detailed connection proposal will be

provided in design stage. The proposed STW will be accommodated in a dedicated plant room to be installed with sufficient odour removal measures and adverse odour impact is not anticipated. Moreover, construction phase impacts are not anticipated to be significant, site runoff and sewage can be alleviated by implementing good site practice.

Landscape and Visual

- (i) Large portion of the Site has been disturbed or formed, the surrounding vegetation is not of significant conservation value. Hence, development of the Site will not have any direct and indirect ecological impacts. There will not be any adverse impact on the landscape setting in the area. Site formation and vegetation clearance would be minimised as much as possible. A revised compensatory planting plan (**Drawing Z-4**) demonstrates that about 125 compensatory trees would be planted within the Site with good separation distance.
- (j) The siting, disposition and building height of the proposed development have been given careful consideration in that the proposed building height is compatible with that of the adjoining Parkvale Village and is in accordance with the topography of the Site; the view corridors currently enjoyed by the existing residents of Parkvale Village would not be interrupted; the proposed development would comply with the Sustainable Building Guidelines; and a setback from Discovery Valley Road of more than 45m is proposed to minimise its visual impact.

Traffic

- (k) The submitted Traffic Impact Assessment (TIA) confirms that the proposed additional residential units would not generate adverse traffic impact to the ferry services and the critical road links and junctions in Discovery Bay, Tung Chung and Sunny Bay areas. Moreover, the proposed development is unlikely to result in adverse vehicular emissions or traffic noise impacts.

Geotechnical

- (l) The submitted GPRR concludes that the foundation, site formation and excavation and lateral support (ELS) schemes for the proposed development are considered to be geotechnical feasible to construct and there is no adverse impact on the nearby features. Some recommendations of foundation, site formation and ELS works are proposed. Moreover, geotechnical monitoring would be carried out to monitor the effect of the works.

Population Assumption is More Updated

- (m) The applicant justifies that the 2.5 average persons per unit is derived from City Management's latest record (property management company of all Discovery Bay residential units) and the Working Group on Population Distribution Projections for 2013-2021 published by the Planning Department. It is more updated and comprehensive than the 2011 Population Census.

Responses to Local Concerns

- (n) With reference to the Sub-Deed of Mutual Covenant (Sub-DMC) for Parkvale Village, the applicant clarifies that the section of Parkvale Drive at the pocket of Parkvale Village is identified as “Passageways”. It is not part of “Village Retained Areas” or designated as “Village Common Areas”. Also, the section of Parkvale Drive leading from Discovery Valley Road and ending outside the pocket of Parkvale Village does not form part of Parkvale Village (**Drawing Z-1c**).
- (o) The applicant has carried out rounds of public consultation in 2016 as a good practice. Open letters were issued to Discovery Bay residential units; dedicated enquiry hotline and email were established; public exhibitions were held and articles were published regarding the details of the subject rezoning proposal.

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

The applicant is the sole “current land owner”. Detailed information would be deposited at the meeting for Members’ inspection.

4. Background

Development of Discovery Bay

- 4.1 In 1973, the Government granted approval for the Discovery Bay development (the Development) as a “Recreation and Leisure Community”. Any proposal to increase the development intensity should be initiated by the owner / developer (i.e. the applicant of the subject application, Hong Kong Resort Company Limited (HKRCL)). The control of the Development has been exercised by means of Master Plan (MP) and Supplementary MPs prepared by the Lands Department under the requirement of the lease. In 1975, MP3.5 was approved to allow “resort accommodation” with a gross building area (GBA) of about 401,340m² in the Development. In July 1976, the Executive Council (ExCo) approved the grant of land with a site area of about 615.2 ha to HKRCL ~~under Private Treaty Grant by way of Land Exchange~~ for a holiday resort and residential/commercial development in Discovery Bay, with a wide range of recreational facilities and resort accommodation and some commercial elements to serve the locals and the visitors. In September 1976, the land grant was executed.
- 4.2 According to MP4.0 approved in 1978, the previously allowed “resort accommodation” with a GBA of about 401,340 m² was deleted and a domestic GBA of about 524,000m² was added to the MP. The total domestic GBA had become about 524,000m². Between 1978 and 2000, the domestic GBA was increased four times¹ to 758,365m² under the approved MP6.0E1. To effect

¹ The domestic GBA was further increased by 34,000m² under MP5.3 approved in 1987, the maximum domestic GBA being allowed under MP was 558,000m². Subsequently in 1989, an additional domestic GBA of 1,510m² was added to the approved MP5.4. The total domestic GBA was increased to 559,510m². The maximum domestic GBA 559,510m² were maintained under MP5.5 and MP5.6 approved in 1992 and 1994 respectively. Under MP5.7 approved in 1999, the originally allowed hotel GBA of 25,000m² was replaced by the same domestic GBA, increasing the total permissible domestic GBA under MP up to 584,510m². In 2000, the domestic GBA was further increased by 173,855m² under the approved MP6.0E1, making the total domestic

further development mainly in Discovery Bay North, an additional housing development amounting to a domestic GBA of 17,290m² was incorporated in the latest MP6.0E7h(a) (**Plan Z-1b**) approved in 2016. The maximum domestic GBA permissible under the current MP is now 775,655m².

- 4.3 In 2001, the Government agreed in principle to HKRCL's proposed additional residential GBA of 124,000 m² in Discovery Bay North (**Plan Z-1a**). As the new OZP for Discovery Bay was under preparation at that time based on the then draft MP6.0E7h(a) (with the domestic GBA of 775,655m²), allowance was made in the OZP to cater for such increase as well as minor adjustments in other areas. As a result, the total domestic GFA allowed in the OZP is 900,683m². Comparing with the latest MP6.0E7h(a) with a maximum domestic GBA of 775,655m², the OZP has an additional GFA of 125,028m² which mainly comprise the undeveloped GFA in sub-areas A, B and C of the "R(C)2" zone in the north (designated as "Potential Housing Development Area" on the MP (**Plan Z-1a**)) but is not yet reflected in MP6.0E7h(a)². The GBA permitted under the latest MP6.0E7h(a) approved on 24.3.2016 and the prevailing Discovery Bay OZP No. S/I-DB/4 are compared as follows:

	MP6.0E7h(a)	Discovery Bay OZP No. S/I-DB/4
Domestic GBA/GFA (Total Domestic PR)	775,655m ² (0.119)	900,683m ² (0.139)
Total GBA/GFA (Total PR)	1,006,042m ² (0.155)	1,047,081m ² (0.16)

- 4.4 The land area planned for residential development in Discovery Bay mainly falls within various "R(C)" zones and "OU" zones³. The land use zonings and development intensity as incorporated in the Discovery Bay OZP had taken into consideration the development character, availability of infrastructure, the need to conserve the natural environment, the contents of MP as well as the relevant height restrictions set out in the Deed of Restrictive Covenant (DRC) of Hong Kong Disneyland.
- 4.5 In terms of the Site under the current application, it falls within Area 6f in the MP, which has all along been designated as "Staff Quarters" for the provision of staff quarters accommodation (**Plan Z-1b**).

5. **Previous Application(s)**

There is no previous application at the Site.

GBA amounting to 758,365m².

² The 125,028m² additional GFA consists of about 124,000m² in the "R(C)2" zone and about 1,000m² in the "R(C)7" zone.

³ The "OU" zones are "OU(Commercial Complex and Residential Development cum Transport Interchange)" zone, "OU(Commercial and Public Recreation Development cum Transport Interchange)" zone, "OU(Public Recreation cum Residential Development)" zone and "OU(Golf Course Cum Residential Development)" zone.

6. Similar Application(s)

- 6.1 There is no similar application within the boundary of the Discovery Bay OZP.
- 6.2 On 26.2.2016, the applicant submitted another rezoning application concerning Area 10b of Discovery Bay under Application No. Y/I-DB/3 (**Plan Z-1a**). The applicant proposes to rezone the application site of Application No. Y/I-DB/3 from “OU(Staff Quarters(1))”, “OU(Service Area)”, “OU(Dangerous Goods Store/ LPG Store)”, “OU(Pier(3))”, “OU(PFS)”, “OU(Marina)” and “G/IC” to “R(C)13”, “G/IC”, “OU(Residential Above Service Area)” and “OU(Promenade)” and to extend the OZP boundary beyond the existing seawall and zone it as “R(C)13” and “OU(Promenade)” to facilitate a low to medium-density residential development partly on top of a podium level of service area at the application site. As mentioned in paragraph 1.5 above, the applicant withdrew the application on 7.4.2017.

7. The Site and its Surrounding Areas (Plans Z-1a to Z-7)

7.1 The Site is:

- (a) located on a slope rising from 44mPD to 70mPD, about 600m away from the Discovery Bay Ferry Pier (**Plan Z-1a**);
- (b) currently vacant and covered with grass, scrubs, trees, vegetation, man-made slopes and a formed flat land (**Plans Z-4 to Z-6**); and
- (c) accessible via a footpath connecting to Parkvale Drive to the north of the Site (**Plan Z-2**).

7.2 The surrounding areas have the following characteristics:

- (a) the immediate surroundings are natural/man-made vegetated slopes. There is a hiking trail partly within the Site linking Parkvale Village and the uphill area (**Plans Z-1a and Z-3**);
- (b) to the further east and north of the Site are two medium-rise residential developments (15 to 23 storeys) namely Parkvale Village and Midvale Village falling within an area zoned “R(C)4” (**Plan Z-1a**); and
- (c) Discovery Valley Road is located about 50m to the south of the Site (**Plan Z-2**).

8. Planning Intentions

General Planning Intention

- 8.1 The Territorial Development Strategy Review (TDSR) and the South West New Territories Development Strategy Review (SWNTDSR) have laid down the planning and development framework for Lantau Island. Discovery Bay is not identified as one of the Strategic Growth Areas. In line with the strategic planning context

provided by the SWNTDSR approved in 2001, the Explanatory Statement of the OZP stipulates that the general planning intention of Discovery Bay is for conservation of the natural environment and to provide for low-density developments compatible with the surrounding natural setting.

- 8.2 Discovery Bay is expected to be developed in accordance with local conditions and the capacities of the existing and planned infrastructure. Based on the approved MP, the existing and planned infrastructural provision as well as the planning intention of maintaining the sub-urban community character of Discovery Bay, the SWNTDSR adopted the planned population of 25,000, upon full development of Discovery Bay.

Specific Land Use Zoning

- 8.3 The planning intention of the “OU(Staff Quarters(5))” zone is intended to designate land for the provision of staff quarters to serve the Discovery Bay development.

9. Comments from Relevant Government Departments

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

Land Administration

- 9.1.1 Comments of the District Lands Officer/Islands, Lands Department (DLO/Is, LandsD):

Master Plan

- (a) The Site falls on private lot known as Lot No. 385 R.P. in D.D. 352 & the Extensions thereto (the Lot) and is held under New Grant No. 6122 as extended by three Extension Letters in 1979, 1980 and 1981 (the New Grant). Pursuant to S.C. (6) of the New Grant, the Lot shall be developed in accordance with the MP approved by the then Secretary for the New Territories (now being exercised by D of Lands) under lease.
- (b) According to the prevailing MP6.0E7h(a) approved under S.C. (6) of the New Grant, Area 6f, having a gross site area of about 8,300 m², is designated as “Staff Quarters” (**Plan Z-1b**) with maximum GBA of 170m² and PR of 0.02.
- (c) The proposed residential development with maximum GFA of 21,600m² and PR of 2.83 does not conform with the approved MP6.0E7h(a).
- (d) The applicant is required to provide various public recreation facilities in Discovery Bay under MP6.0E7h(a), which include hiking trails with a total length of 3,770m. It is noted that the existing hiking trail for public use passes through the Site (**Plan Z-1a**). Any proposed development at the Site shall not affect the existing hiking trail.

- (e) The applicant has proposed to divert the affected portion of an existing hiking trail while keeping its required length. This proposal forms part of the development plan of Area 6f which will be considered after receipt of application for amendment of the MP.

Right of Development

- (f) The Principal Deed of Mutual Covenant (PDMC) dated 30.9.1982 has notionally divided the Lot into 250,000 undivided shares.
- (g) Should the Board approve the rezoning application, the applicant will have to apply to LandsD for approval to amend the MP. In the processing of the application for amendment of MP, the applicant shall substantiate its right and capacity to develop the Site and demonstrate, amongst others, that the development will not prejudice the provisions in the PDMC and they have sufficient undivided shares retained by them for allocation to the proposed development. Besides, the applicant shall prove that they are the legal owner of the Site and have the capacity to execute the approval letter with the Government.

Building Height Restriction

- (h) The Lot is subject to the height control restriction stipulated in the DRC dated 10.12.1999 entered into between the Government of the Hong Kong Special Administrative Region and Hong Kong International Theme Parks Limited. Any proposed development shall comply with the DRC. Detailed examination will be conducted upon receipt of formal application (if any) with relevant site co-ordinates for revision of MP.

ExCo's Endorsement

- (i) The Audit Commission in 2004 recommended that the D of Lands should seek ExCo's endorsement before approving any major changes to the concept of a development if the concept has been approved by ExCo when approving the land grant.
- (j) Should the Board approve the subject rezoning application and the proposed amendment to the OZP has successfully gone through the usual town planning procedures, then the owner of the Site will have to apply to LandsD for approval to amend the MP so as to implement the proposed development. Upon receipt of such application, LandsD will process the application according to the established practice and seek necessary approvals, including endorsement of ExCo if it is decided that the proposal would result in a change of the development concept of the Lot. The proposed approval, if approved by LandsD acting in the capacity as the landlord at its discretion, will be subject to such terms and conditions, including payment of premium and administrative fee, as imposed by LandsD.

Others

- (k) The revised alignment of the sewer main in the present submission accords with our tenancy records, but minor discrepancy is still found in the alignment of the water main. The applicant shall further review its alignment.

Traffic

9.1.2 Comments of the Commissioner for Transport:

He has no comment on the application from the traffic engineering viewpoint.

Environment

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

- (a) He has no objection to the subject rezoning application.
- (b) Based on the submitted FI (**Appendix VI**), the applicant has demonstrated the commitment to include a nitrogen removal system in the proposed STW for the Site.

Drainage and Sewerage

9.1.4 Comments of the Chief Engineer/Hong Kong & Islands, Drainage Services Department (CE/HK&Is, DSD):

Based on the submitted FI (**Appendix VI**), it is noted from the revised Environmental Study that emergency overflow pipe from the proposed STW at Area 6f will be connected to existing SPS No. 1 for discharge to Siu Ho Wan STW during emergency situation. Subject to EPD's agreement on the abovementioned disposal proposal, he has the following advisory comments from technical viewpoint:

- (a) the proposed measures, as specified in the revised Environmental Study, shall be implemented properly to avoid overflow during normal condition;
- (b) the applicant shall exercise due diligence to resume normal operations of STW as soon as possible;
- (c) the applicant could submit detailed hydraulic calculations to demonstrate the public sewerage facilities have adequate capacities to the additional discharge from the proposed development during emergency situations in design stage, or otherwise new sewers shall be constructed and maintained by the developer at his own cost to his satisfaction;

- (d) the developer shall pay for the sewage service charges same as the normal condition; and
- (e) given that the applicant would submit more detailed sewage proposal for future's development in the subject area, he would scrutinise the proposal in detailed design stage.

Urban Design and Visual

9.1.5 Comments of the Chief Architect, Central Management Division 2, Architectural Services Department (CA/CMD2, ArchSD):

Based on the submitted FI (**Appendix VI**), all of their previous comments have been addressed in the submissions. He has no comment from a visual impact point of view.

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

- (a) The proposal is unlikely to cause significant adverse visual impact to the surrounding area.
- (b) The Site is a piece of formed land with vegetated slope located on a hill slope and at the south-western edge of the existing residential development cluster falling within sub-area A of the "R(C)4" zone, which is intended primarily for medium-density residential development with BH not exceeding 22 storeys and 120mPD. As shown in the photomontages (**Drawings Z-10a to Z-10c**), the proposed development is similar in scale and height to the neighbouring buildings within the "R(C)4" zone.

Landscape

9.1.7 Comments of the CTP/UD&L, PlanD:

- (a) The proposed development under the subject rezoning application is not incompatible with the surrounding environment from the landscape planning perspective. However, the scope of works of slope works and impact on trees should be re-visited.
- (b) According to the applicant, part of the Site was previously formed. Together with slopes at the west and northeast periphery, the Site is occupied by grassland and existing trees. Based on the submitted FI (**Appendix VI** and **Drawing Z-4**), it is noted that the number of compensatory tree has been revised from 148 to 125, the applicant should clarify the girth size of the compensatory trees, which include the trees proposed on uphill and downhill vegetated slopes (slope angle smaller than 35 degree) in adjacent to the Site and trees of small ultimate size.

Planting of six proposed compensatory trees on existing slope feature no. ~~10SW-B/C196~~ **10SW-B/C219** (slope angle 80 degree) at northwest of the Site is not feasible according to GEO Publication No. 1/2011. Deletion or relocation of proposed compensatory trees should be considered.

- (c) Based on the submitted GPRR (**Appendix VI** and **VII**), it is noted that registered slope features nos. 10SW-B/C219, 10SW-B/C196, 10SW-B/C195 and 10SW-B/C194 and natural terrain A will be affected by the proposed development and associated slope upgrading works. It is noted that trees will be impacted by the slope upgrading works (e.g. soil nailings or slope preventive measure works), further tree impact and treatment (e.g. preservation, retention or felling) of existing trees are not observed.
- (d) 3,500m² of greenery area and 1,190m² of communal open space are proposed for the design population of 1,190. Based on the Landscape Master Plan (**Drawing Z-3**), the proposed greenery area and communal open space is achievable.

Buildings Matter

9.1.8 Comments of the Chief Building Surveyor/New Territories East 1 and Licensing, Buildings Department (CBS/NTE1&L, BD):

- (a) If the existing structures are erected on leased land without approval of the BD (not being New Territories Exempted Houses), they are unauthorized under the Buildings Ordinance (BO) and should not be designated for any use under the application.
- (b) Before any new building works (including containers/open sheds as temporary buildings) are to be carried out on the Site, the prior approval and consent of BD should be obtained, otherwise they are Unauthorized Building Works (UBW). An Authorized Person should be appointed as the coordinator for the proposed building works in accordance with the BO.
- (c) For UBW erected on leased land, enforcement action may be taken by the BD to effect their removal in accordance with BD's enforcement policy against UBW as and when necessary. The granting of any planning approval should not be construed as an acceptance of any existing building works or UBW on the Site under the BO.
- (d) If the Site does not abut a "Specified Street" of not less than 4.5m wide, the development intensity of the proposal should subject to determination under Building (Planning) Regulations (B(P)R) 19(3) by the Building Authority upon formal submission of building plan for any proposed new buildings. B(P)R 18A refers.
- (e) Access to the Site should be provided under Regulation 5 of B(P)R. The land status of the adjoining lands, footpath, street, etc. should be clarified upon formal building plan submission stage.

- (f) The proposal should be provided with EVA, Site Access and Means of Escape to street, and may need to be resolved with Fire Services Department and LandsD upon formal building plan submission stage.
- (g) Detailed comments under the BO on individual sites for private developments such as permissible plot ratio, site coverage, EVA, private streets and/or access roads, open space, barrier free access and facilities, compliance with the sustainable building design guidelines, etc. will be formulated at formal building plan submission stage.

Fire Safety

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

- (a) He has no specific comment on the proposed rezoning. Detailed fire safety requirement will be formulated upon receipt of formal submission of general building plans.
- (b) The arrangement of EVA shall comply with Section 6. Part D of the Code of Practice for Fire Safety in Buildings 2011 which is administered by BD.

Water Supply

9.1.10 Comments of the Chief Engineer/Construction, WSD (CE/C, WSD):

- (a) He has no further comment on the subject application.
- (b) Based on the submitted FI (**Appendix VI**), it is noted that the applicant has revised the water supply proposal for the proposed development such that the proposed private water supply system exclusively for Area 6f, including WTW, service reservoir and water mains, will be totally separated from the water supply system (include service) conveying WSD water for the rest of Discovery Bay.

Electricity

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

- (a) He has no comment on the application from the regulatory services perspective.
- (b) The applicant shall approach the electricity supplier for the requisition of cable plans (and overhead line alignments drawings, where applicable) to find out whether there is any underground cable (and/or overhead line) within or in the vicinity of the Site. Based on the cable plans and the relevant drawings obtained, if there is underground cable (and/or overhead line) within or in the vicinity of the Site, the applicant shall carry out the following measures:
 - i. for site within the preferred working corridor of high voltage overhead lines at transmission voltage level 132kV and above as

stipulated in the HKPSG, prior consultation and arrangement with the electricity supplier is necessary;

- ii. prior to establishing any structure within the Site, the applicant and/or his contractors shall liaise with the electricity supplier and, if necessary, ask the electricity supplier to divert the underground cable (and/or overhead line) away from the vicinity of the proposed structure; and
- iii. the “Code of Practice on Working near Electricity Supply Lines” established under the Electricity Supply Lines (Protection) Regulation shall be observed by the applicant and his contractors when carrying out works in the vicinity of the electricity supply lines.

Geotechnical

9.1.12 Comments of the Head of Geotechnical Engineering Office, Civil Engineering and Development Department (H(GEO), CEDD):

- (a) The proposed development is overlooked by steep natural hillside and meets the Alert Criteria requiring a Natural Terrain Hazard Study. It will also affect or be affected by man-made features.
- (b) Based on the GPRR submitted by the applicant (**Appendices VI and VII**), it is considered that the information provided is insufficient to demonstrate the geotechnical feasibility of the proposed slope upgrading/modification and natural terrain hazard mitigation works. Detailed comments on the GPRR are at **Appendix IX**.

Aviation

9.1.13 Comments of the Director-General of Civil Aviation (DG of CA):

He has no comment on the proposal as all the proposed BH are below the “restricted height” prescribed under the Hong Kong Airport (Control of Obstructions) Ordinance (Cap. 301).

Housing Supply

9.1.14 Comments of the Secretary for Development (SDEV):

It is noted that the subject application would facilitate the provision of an additional 476 flats, which is in line with the Government's initiative to increase housing supply. That said, the proposed developments should be subject to no adverse departmental comments and should not cause insurmountable problems to the area.

District Officer's Comments

9.1.15 Comments of the District Officer /Islands, Home Affairs Department (DO/Is, HAD):

- (a) He has no comment on the application.
- (b) It is noted that the Islands District Council (IsDC) Members for Discovery Bay and some Discovery Bay residents expressed views/adverse comments vide their written submissions to the Board.

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

- (a) Chief Engineer/Consultant Management, Drainage Services Department;
- (b) Project Manager/Hong Kong Island and Islands, Civil Engineering and Development Department;
- (c) Chief Highway Engineer/New Territories East, Highways Department;
- (d) Controller of Government Flying Services;
- (e) Commissioner of Police; ~~and~~
- (f) ***Director of Agriculture, Fisheries and Conservation; and***
- (g) Director of Leisure and Cultural Services.

10. Public Comments Received During Statutory Publication Period

10.1 The application and its FI (**Appendices II, III, IV and VI**) were published for public inspection on 18.3.2016, 24.6.2016, 18.11.2016, 9.12.2016 and 21.4.2017 respectively. A total of 6,172 valid public comments were received. They are summarised in the following table:

	Support	Oppose	Comment/ Concerns	Total
First submission of application	1,396	562	299	2,257
Further Information received on 13.6.2016	1,751	313	170	2,234
Further Information received on 27.10.2016	725	194	0	919
Further Information received on 28.11.2016	377	99	0	476
Further Information received on 10.4.2017	197	89	0	286
Total	4,446 (about 72%)	1,257 (about 20%)	469 (about 8%)	6,172 (100%)

10.2 A full set of the valid public comments received is deposited at the Board's Secretariat and contained in a DVD for Members' reference (**Appendix X**). The major views are summarized in the following paragraphs.

10.3 The supporting views are mainly from the IsDC Member (Mr. WONG Hon Kuen), the local residents of Discovery Bay, owners/residents of Parkvale Village, staff working in Discovery Bay, business operators of Discovery Bay, a non-government organisation and individual members of the public (sample of the comments are extracted at **Appendices XIa to XIj** for reference). They support the application mainly on the following grounds:

- (a) the proposed residential development would increase the housing supply in Hong Kong. It also echoes the future development of Lantau and provides more options in the housing market;
- (b) the proposed development with a relatively low PR is compatible with the surroundings and Discovery Bay which is dominated by low-density developments. The proposal has given due regard to the mountain backdrop and the existing environment, and is in harmony with the adjacent residential uses;
- (c) the Site was originally planned for domestic use and is suitable for housing development. The Site has already been formed and vacant for more than 30 years. The proposal renders good utilisation of the vacant land;
- (d) the applicant has conducted detailed technical and impact assessments on infrastructure capacity and provided viable options on water supply and sewerage treatments;
- (e) the proposal would enhance the community and improve the living environment of Discovery Bay in that it would provide more facility and greening to the area; existing infrastructure would be upgraded; and create a new focal point in Discovery Bay. The proposal would also improve the visual, odour and hygienic problems caused by dogs fouling at the Site;
- (f) the proposal would increase the property value in Discovery Bay and enhance the competitiveness of Discovery Bay by making the area more attractive. The proposal would create more job opportunities, boost local economy, increase the shop varieties and upgrade the momentum of Discovery Bay;
- (g) the proposal helps Discovery Bay to reinforce its European style architectural design and helps boost its international and diversified image. The sustainable building design of the proposed development is also supported;
- (h) the proposed development would help speed up the improvement works of the existing staff quarters in other areas in Discovery Bay which will be beneficial to the staff working in Discovery Bay. Besides, the existing infrastructure would be upgraded which would help reduce the maintenance cost;
- (i) the maintenance expense of communal facilities could be shared due to increase of population and the proposed development would justify for a new bus route which would be beneficial to the local residents; and
- (j) with increasing population and new families, there will be additional resources and better outreach opportunity as well as more balanced voices on

the local matters. Besides, additional open space and facilities would contribute to more venue options for organising community activities.

10.4 The objections (sample of the comments are extracted at **Appendices XIIa to XIIj** for reference) are mainly from the IsDC Member (Ms. Amy YUNG Wing-sheung), concern/green groups (Designing Hong Kong Limited and Kadoorie Farm & Botanic Garden Corporation), Parkvale Village Owners' Committee, Hillgrove Village Owners' Committee, owners/residents of Parkvale Village/Hillgrove Village/Serene Village/Woodland Court/Woodgreen Court, etc., local residents, and individual members of the public. The major grounds of objections are as follows:

- (a) the scale of the proposed development is excessive compared with the original intended staff quarters. The proposed development would vastly increase the development density in the area. Besides, the proposal fails to respond to 2015 Policy Address in which the Chief Executive advocated for increasing "the supply of subsidised sale flats";
- (b) the largest area for staff quarters use in Discovery Bay is lost. The proposal contravenes the intended staff quarters use and the Site should be retained for such use. The proposed development also deviates from the original planning intention for Discovery Bay as a tranquil, resort-like area. The lack of staff quarters would also add pressure on the limited public transport option connecting Discovery Bay and the rest of Hong Kong. It is not appropriate to rezone the Site for profit-making purpose;
- (c) The proposed increase in population in Discovery Bay is contrary to the planned population 25,000 as stated in the approved Discovery Bay OZP. The population cap of 25,000 for Discovery Bay should be maintained. Moreover, the proposal completely ignores MP7.0 and misleads the Board that the population considerations should be based on MP6.0E7h(a).
- (d) There are concerns on the water and sewerage capacities resulting from the increasing population as well as potable water supply problem during drought weather. Besides, the TIA has ignored the road safety issues arising from the increasing traffic and golf carts. Also, the anticipated increase in heavy/construction vehicles using Parkvale Drive would pose danger to the residents. The applicant fails to provide information on provision of vehicle parking within the Site and viable solution for traffic and sewerage issues. There is also no comprehensive ecological impact assessment. In addition, the GPRR submitted by the applicant is inadequate in that it is merely a desk-top exercise based on out-dated information;
- (e) the applicant holds no/limited consultation with the existing residents to gauge their views on the proposed development and no detailed development design is available for the residents' information;
- (f) the applicant is not the sole owner of the Site. Also, the applicant has no right under the DMC to convert the access road for use by the proposed development. The proposal clearly violates the DMC. The access road is deemed under the DMC/sub-DMC as "Passageways" and "Village Retained Areas" and is privately owned by the 'owners' of the village. Besides, no consent has been given by the undivided shareholders. There is also

unresolved issues of encroachment onto the government land;

- (g) the proposal would destroy the peaceful and quiet ambience of the area for the developer's own profit. The proposed development will create burden and adversely affect the residents' daily lives as there are inadequate community facilities in Discovery Bay. The proposal would also eliminate green/open space; create nuisance during construction phase; affect the property value and drive out small local businesses due to high rent;
- (h) the applicant has not submitted any information on the management of the existing recreational facilities and public spaces; no impact analysis on the facilities and no information regarding proper access for the residents and emergency vehicles have been submitted; and
- (i) the applicant should ensure the development is in compliance with relevant law, regulations and land contract, etc. The approval of the subject application by the Board will likely be challenged by judicial review for its malpractice and additional legal fee will have to be burdened by Hong Kong people.

10.5 Some commenters raise concerns/give comments on the application, the major concerns/comments raised are summarised as follows:

- (a) the applicant should pay more attention to the pollution problem during construction of the proposed development. More greening should be provided to compensate the loss of the open space. It is suggested to improve the facilities that are already existed in Discovery Bay instead of building new housing;
- (b) Hong Kong lack housing land supply, the land resources should not be wasted and the proposal can lower the overall housing prices in Hong Kong;
- (c) a pet garden/dog park is suggested to be provided in the area. Moreover, the existing transport service should be improved and more golf cart parking provision should be provided; and
- (d) Discovery Bay has potential for more development due to its good air quality, low population density and good transport link, and the area is also suitable for retired persons. The development on Lantau could also help Hong Kong Disneyland and Hong Kong tourism industry.

11. Planning Considerations and Assessments

11.1 The application is for rezoning of the Site from "OU(Staff Quarters(5))" to "R(C)12" with development restrictions of maximum domestic GFA of 21,600m² and maximum BH of 18 storeys (128mPD) to facilitate a medium-density residential development at the Site.

Planning Intention of Discovery Bay

- 11.2 In terms of strategic planning context, according to the Revised Lantau Concept Plan 2007, Discovery Bay area was not recommended for further development. According to the Sustainable Lantau Blueprint (the Blueprint) announced by the Government in June 2017, North Lantau Corridor is recommended for strategic economic and housing development, North-eastern Lantau Node is recommended for leisure, entertainment and tourism development and East Lantau Metropolis is recommended as a long-term strategic growth area. Under the Blueprint, Discovery Bay is not recommended as one of the potential development areas or strategic growth area.
- 11.3 As highlighted in paragraphs 4.1 to 4.5, Discovery Bay is 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. The general planning intention of Discovery Bay is for conservation of the natural environment and to provide for low-density developments compatible with surrounding settings. 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.
- 11.4 In terms of site specific planning context, the Site is currently zoned “OU(Staff Quarters(5))” under the current OZP subject to maximum domestic GFA of 170m² and maximum BH of 9m (3 storeys) and is intended for the provision of staff quarters to serve the Discovery Bay development. Although the proposed residential development has a similar domestic nature with other residential developments in Discovery Bay and concerned government departments have no objection to the application in terms of environmental, sewerage and water supplies aspects, the proposed medium-rise development, which has a domestic GFA of 21,600m² and maximum BH of 18 storeys (128mPD) should be justified in the context of the development concept of Discovery Bay which is intended for a holiday resort and residential/commercial development. The current application, if approved, would set an undesirable precedent for similar rezoning applications. Given that there are six “OU(Staff Quarters)” sites on the OZP with maximum GFA of 3,827m² allowed under the OZP and a total area of about 2.68 ha (including the Site) (**Plan Z-7**) 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 which are subject to a planned population of about 25,000 persons.
- 11.5 It should also be noted that there are some 124,000m² domestic GFA allowed in the “R(C)2” zone (**Plan Z-1a**) of the Discovery Bay OZP which have not been incorporated in the prevailing MP and yet to be implemented under the lease. In other words, there is scope for further residential developments within the planned residential area without resorting to rezone the Site. It is considered that the planned residential developments should be implemented first before new sites are proposed to be rezoned for additional residential development. The applicant has however not indicated the implementation programme of these further residential developments within the “R(C)2” zone, and no justification has been provided by the applicant on this aspect. As advised by DLO/Is, LandsD, endorsement by ExCo is required if it is decided that any development proposal to be incorporated in the MP

would change the development concept of Discovery Bay. While this would be a lease matter to be followed up by the Lands Authority, no account has been provided by the applicant on this aspect.

Compatibility with the Surroundings

- 11.6 The proposed development consists of two medium-rise residential blocks of 18 storeys adjoining medium-rise residential developments of 15 to 23-storey residential blocks. CTP/UD&L of PlanD is of the view that the proposed development is similar in scale and building height to the neighbouring buildings. It is considered that the proposed development is not incompatible with the surroundings in terms of land use and development intensity. However, CTP/UD&L, PlanD considers that trees will be impacted by the slope upgrading works and further tree impact and treatment of existing trees are not observed, and H(GEO), CEDD considers that the information provided by the applicant is insufficient to demonstrate the geotechnical feasibility of the proposed slope upgrading/modification and natural terrain hazard mitigation works.

Public Comments

- 11.7 There are in total 6,172 valid public comments received in respect of the application and the FI submissions. Amongst them, 4,446 commenters support the application, 1,257 comments object to the application and 469 commenters express comments/concerns on the application. Regarding the public concerns on environmental, infrastructure and traffic issues, the concerned departmental comments in paragraphs 9.1.1 to 9.1.15 above are relevant. As regards the applicant's right under the PDMC to convert the access road for use by the proposed development, the applicant should substantiate his right/capacity to develop the Site without prejudicing the provisions in the PDMC.

12. Planning Department's Views

- 12.1 Based on the assessment made in paragraph 11 and having taken into account the public comments mentioned in paragraph 10, the Planning Department does not support the application for the following reasons:
- (a) there is scope for further residential development under the current OZP 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 Site for residential use; and
 - (b) approval of the application would set an undesirable precedent for other similar rezoning applications, the accumulative 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.
- 12.2 Alternatively, should the Committee decide to agree/partially agree to the application, given the unique background of Discovery Bay development and that Chief Executive in Council (CE in C)'s endorsement is required for any major changes to the concept of the development as highlighted in paragraphs 4.1 and 9.1.1 (i) and (j) above, the CE in C would be requested to refer the approved Discovery Bay OZP No.

S/I-DB/4 to the Board for amendment only upon endorsement of the relevant changes to the Discovery Bay Master Plan under the land grant by CE in C if deemed required. An amendment to the approved Discovery Bay OZP No. S/I-DB/4 would be submitted to the Committee for approval prior to gazetting under the provisions of the Ordinance.

13. Decision Sought

- 13.1 The Committee is invited to consider the application and decide whether to agree, partially agree, or not to agree to the application.
- 13.2 Should the Committee decide not to agree to the application, Members are invited to advise what reasons for the decision should be given to the applicant.

14. Attachments

Appendix I	Application Form received on 25.2.2016
Appendix Ia	Planning Statement
Appendix Ib	Supplementary information received on 15.3.2016
Appendix II	Further information received on 13.6.2016 providing revised Landscape Master Plan, Traffic Study, Environmental Study and additional photomontages
Appendix III	Further information received on 27.10.2016 providing revised Master Plan, Landscape Proposal, Environmental Study, planning statement, updated photomontages and other supplementary information
Appendix IV	Further information received on 28.11.2016 providing revised Environmental Study and Technical Note on Water Quality
Appendix V	Further information received on 26.1.2017 providing revised existing and proposed water supply and sewerage layout plans
Appendix VI	Further information received on 10.4.2017 providing a Geotechnical Planning Review Report (GPRR), replacement pages of Study on Drainage, Sewerage and Water Supply Systems and Environmental Study, revised compensatory planting plan, existing and proposed water and sewerage supply layout plans and revised Concept Plan
Appendix VII	Further information received on 26.5.2017 providing a response-to-comment table with revised pages of GPRR
Appendix VIII	Extract minutes of RNTPC meeting on 17.2.2017
Appendix IX	H(GEO), CEDD's Detailed Comments on the GPRR
Appendix X	DVD containing all public comments received
Appendices XIa to XIj	Sample of supporting public comments
Appendices XIIa to XIIj	Sample of objecting public comments
Appendix XIII	Extract of the Notes of the OZP for "R(C)" zone
Drawings Z-1a to Z-1c	Concept Plans
Drawing Z-2	Section Plan
Drawing Z-3	Landscape Master Plan

Drawing Z-4	Compensatory Tree Plan
Drawing Z-5	Water Quality Sensitive Receivers
Drawing Z-6	Existing and Proposed Drainage Layout Plan
Drawing Z-7	Existing and Proposed Sewerage Layout Plan
Drawings Z-8a to Z-8b	Existing and Proposed Water Supply Layout Plans
Drawing Z-9	Visual Mitigation Measures
Drawings Z-10a to Z-10c	Photomontage
Plan Z-1a	Location Plan
Plan Z-1b	Extract of Discovery Bay Master Plan 6.0E7h(a)
Plan Z-2	Site Plan
Plan Z-3	Aerial Photo
Plans Z-4 to Z-6	Site Photos
Plan Z-7	Location Plan of “OU(Staff Quarters)” zones on the OZP

**PLANNING DEPARTMENT
JUNE 2017**