

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

**APPLICATION NO. Y/I-DB/4**

**Applicant** : Hong Kong Resort Company Limited (HKRCL) represented by Masterplan Limited

**Site** : Discovery Bay Area 10b and Area 22 (part) within Lot 385 RP in D.D. 352 and the Extensions thereto

**Site Area** : 77,938m<sup>2</sup> (about)  
(including about 15,700m<sup>2</sup> of sea area (about 20%) involving reclamation currently not covered by outline zoning plan)

**Lease** : Lot 385 RP in D.D. 352 and the Extensions thereto

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

<b><u>Zonings</u></b>	<b><u>Zoning</u></b>	<b><u>Approximate Area (%)</u></b>	<b><u>Maximum Gloor Floor Area (GFA)</u></b>	<b><u>Maximum Building Height (BH) (including structure)</u></b>
	“Other Specified Uses” annotated “Service Area” (“OU(Service Area)”)	32,800m <sup>2</sup> (42%)	5,310m <sup>2</sup>	1 storey not exceeding 9m
	“OU(Marina)”	7,740m <sup>2</sup> (10%)	-	6m
	“OU(Sports and Recreation Club(4))”	6,900m <sup>2</sup> (9%)	5,500m <sup>2</sup> for Areas A and B	Area A: 8 storeys not exceeding 25m; Area B: 5 storeys not exceeding 15m
	“OU(Staff Quarters(1))”	6,200m <sup>2</sup> (8%)	1,300m <sup>2</sup>	5 storeys not exceeding 15m
	“OU(Pier(3))”	3,300m <sup>2</sup> (4%)	100m <sup>2</sup>	1 storey not exceeding 9m
	“OU(Dangerous Goods Store/Liquefied Petroleum Gas (LPG) Store)”	880m <sup>2</sup> (1%)	500m <sup>2</sup>	1 storey not exceeding 9m
	“OU(Petrol Filling Station (PFS))”	860m <sup>2</sup> (1%)	240m <sup>2</sup>	1 storey not exceeding 9m
	“Government, Institution or Community” (“G/IC”)	3,000m <sup>2</sup> (4%)	-	18m
	“Residential (Group D)” (“R(D)”)	400m <sup>2</sup> (0.5%)	-	1 storey not exceeding 6m
	“Green Belt” (“GB”)	160m <sup>2</sup> (0.2%)	-	-

**Proposed Amendments** : To rezone the application site (the Site) to “OU(Service Area with Residential Development Above)”, “Residential (Group C) 13” (“R(C)13”), “R(C)14”, “R(C)15” and “OU(Sports and Recreation Club(4))”; and to extend the OZP planning scheme boundary beyond the existing seawall and zone it as “R(C)14”, “OU(Sports and Recreation Club(4))” and “OU(Marina)”<sup>(1)</sup>

## 1. **The Proposal**

- 1.1 The applicant proposes to rezone the Site from various zonings to “OU(Service Area with Residential Development Above)”, “R(C)13”, “R(C)14”, “R(C)15” and “OU(Sports and Recreation Club(4))”; and to extend the OZP planning scheme boundary beyond the existing seawall at Nim Shue Wan and zone it as “R(C)14”, “OU(Sports and Recreation Club(4))” and “OU(Marina)” to facilitate a comprehensive residential development with servicing facilities, sports and recreational facilities, and a helipad (**Drawing Z-1** and **Plan Z-1a**). The proposed extension area of the OZP (i.e. the sea area) falls within the already approved reclamation scheme<sup>(2)</sup>. In relation to the proposed rezoning, the applicant also proposes a new set of Notes for the proposed “OU(Service Area with Residential Development Above)” zone (**Appendix II**) and amendments to the Notes for the “R(C)”, “OU(Sports and Recreation Club)” and “OU(Marina)” zones (**Appendices IIIa to IIIc**).
- 1.2 The rezoning proposals comprise four portions which include (I) service area with residential development above; (II) residential areas; (III) sports and recreation club; and (IV) helipad and associated access road (**Plan Z-1a**). The proposed zonings and the proposed main uses and development restrictions of each portion as shown on the indicative scheme are summarised below:

### **Portion (I): Service Area with Residential Development Above**

#### *Proposed “OU(Service Area with Residential Development Above)” Zone*

This zone, located in the central part of the Site, is intended for development with a mix of 14 medium and low-rise residential blocks with a maximum BH of 18 storeys above podium (**Drawing Z-3** and Section I-I on **Drawing Z-5c**). The 2-storey podium will mainly be used as a service area for reprovisioning of the existing services/facilities, including bus depot, bus overnight parking, golf cart parking and repair office and refuse collection chamber, and provision of management office, electrical and mechanical (E&M) services/facilities, storages, etc. An outdoor PFS is reprovisioned at the western end of this zone while the existing telephone exchange is retained at the eastern end of this zone (**Drawing Z-2**). The development within this zone will be subject to a maximum domestic GFA of 36,100m<sup>2</sup>, non-domestic GFA of 11,330m<sup>2</sup> and a maximum BH of 18 storeys (excluding podium) and 89mPD (including structure). A new set of Notes is proposed for this zone (**Appendix II**).

---

<sup>(1)</sup> The proposed helipad, which is currently within the sea area not covered by the OZP, is proposed to be included in the “OU(Marina)” zone, while the proposed access road to the helipad (i.e. the existing eastern breakwater) is already within the “OU(Marina)” zone on the OZP.

<sup>(2)</sup> The water area has been previously gazetted under the then Foreshores and Sea-bed Ordinance (G.N.710 of 2.4.1976 and G.N. 593 of 10.3.1978) for the purposes of a leisure and resort centre.

### **Portion (II): Residential Areas**

#### *Proposed “R(C)13” Zone*

This zone, located at the western side of the Site involving a small part of reclamation (**Plan Z-1a**), is intended for the development of two medium-rise residential blocks of 18 storeys above podium (**Drawing Z-3** and Section F-F on **Drawing Z-5b**). The 2-storey podium will be used to accommodate E&M services/facilities and the existing sewage pumping station (**Drawing Z-2**). The development within this zone will be subject to a maximum GFA of 14,100m<sup>2</sup> and a maximum BH of 18 storeys (excluding podium) and 89mPD (including structure) (**Appendix IIIa**).

#### *Proposed “R(C)14” Zone*

This zone, located at the southern side of the Site with reclamation (**Plan Z-1a**), is intended for the development of 34 2-storey houses (**Drawing Z-3** and Sections A-A, B-B and C-C on **Drawing Z-5a**). The development within this zone will be subject to a maximum GFA of 6,500m<sup>2</sup> and a maximum BH of 2 storeys and 17mPD (including structure). As the affected kaito pier will be relocated to this zone, ‘Pier’ is proposed to be added as a Column 1 use under the Notes for the “R(C)” zone (**Appendix IIIa**).

#### *Proposed “R(C)15” Zone*

This zone, located to the northwest of the existing Lantau Yacht Club (**Plan Z-1a**), is intended for the development of four 5-storey residential blocks (**Drawing Z-3** and Sections D-D and E-E on **Drawings Z-5a** and **Z-5b** respectively). The development within this zone will be subject to a maximum GFA of 4,500m<sup>2</sup> and a maximum BH of 5 storeys and 38mPD (including structure) (**Appendix IIIa**).

### **Portion (III): Sports and Recreation Club**

#### *Proposed “OU(Sports and Recreation Club(4))” Zone*

This zone, located to the southern waterfront of the existing Lantau Yacht Club with reclamation (**Plan Z-1a**), is proposed to be rezoned and combined with the “OU(Sports and Recreation Club(4))” zone to meet the operational needs of Lantau Yacht Club and its marina. This zone is for the marina club and its ancillary facilities such as boat storage and workshop, crew quarters and office with a maximum BH of 5 storeys (**Drawing Z-3** and Sections G-G and H-H on **Drawings Z-5b**). The existing development restrictions of the “OU(Sports and Recreation Club(4))” zone including a maximum GFA of 5,500m<sup>2</sup> and a maximum BH for Area B of 5 storeys and 15m (including structure) will remain unchanged while ‘Marine Fuelling Station’ and ‘Boat Services Facilities’ and ‘Pier’ are proposed to be added as Column 1 uses under the Notes for the “OU(Sports and Recreation Club)” zone (**Appendix IIIb**).

**Portion (IV): Helipad and associated Access Road**

*Proposed “OU(Marina)” Zone*

The existing temporary helipad at the waterfront near the Lantau Yacht Club (**Plans Z-1b, Z-3 and Z-4b**) will be relocated to the land to be reclaimed at the eastern tip of the marina. While the proposed associated access road for the helipad (i.e. the existing eastern breakwater) is currently zoned “OU(Marina)”, it is proposed to incorporate the new helipad into the OZP and zone it as “OU(Marina)” (**Plan Z-2**). ‘Helicopter Landing Pad’ is thus proposed to be added as a Column 1 use under the Notes for the “OU(Marina)” zone (**Appendix IIIc**).

- 1.3 According to the applicant’s indicative scheme (**Drawings Z-2 to Z-6c**), the proposed development comprises the development of a total of 57 residential blocks, including a mix of medium and low-rise buildings and houses, with new/reprovisioned services and facilities to be provided at the podium of some residential blocks; the replanning of Lantau Yacht Club; and the reprovisioning of the existing temporary helipad. The proposed development has a total GFA of about 78,030m<sup>2</sup> (with domestic GFA of 61,200m<sup>2</sup> and non-domestic GFA of 16,830m<sup>2</sup>), a total plot ratio (PR) of about 1 (with domestic PR of 0.78 and non-domestic PR of 0.22), BHs ranging from 1 storey to 18 storeys above podium (about 12mPD to 88.2mPD, including structure). The proposed number of flats is 858 and the estimated population is 2,145. The applicant also proposes to reclaim some sea area near Nim Shue Wan in form of decking over piles with a width of 9m to 37m. The whole development is tentatively scheduled for completion by 2034.
- 1.4 A comparison of the development restrictions/requirements for the relevant zones under the current OZP and the current rezoning application, and the major development parameters of the indicative scheme submitted by the applicant are set out in the following table:

	<b>Permitted Development under current OZP (a)</b>	<b>Proposal under current application (b)</b>	<b>Difference (b) – (a)</b>
<b><i>Portion (I) Service Area with Residential Development Above</i></b> (site area about 25,375m <sup>2</sup> or 33% of the Site)			
Zonings	Mainly “OU” zones for “Service Area”, “Staff Quarters(1)”, “Dangerous Goods Store/ LPG Store”, “Pier(3)” and “PFS”; and “G/IC” zones for refuse collection point (RCP) and telephone exchange	“OU(Service Area with Residential Development Above)”	N/A
Domestic GFA	1,300m <sup>2</sup> see remark [i] below	36,100m <sup>2</sup>	+34,800m <sup>2</sup>
Non-domestic GFA	see remark [ii] below	11,330m <sup>2</sup>	N/A
Max. BH (incl. structure)	5 storeys (15m)	18 storeys above podium (89mPD)	+13 storeys above podium

	Permitted Development under current OZP (a)	Proposal under current application (b)			Difference (b) – (a)
<b>Portion (II) Residential Areas</b> (site area about 23,200m <sup>2</sup> or 30% of the Site)					
Zonings	Mainly “OU” zones for “Sports and Recreation Club(4)” and “Service Area”, partly “Pier(3)”, “Staff Quarters(1)”; and “G/IC” zone for sewage treatment works	“R(C)13”	“R(C)14”	“R(C)15”	N/A
Domestic GFA	see remark [i] below	14,100m <sup>2</sup>	6,500m <sup>2</sup>	4,500m <sup>2</sup>	+25,100m <sup>2</sup>
		25,100m <sup>2</sup>			
Non-domestic GFA	see remark [ii] below	nil	nil	nil	N/A
Max. BH (incl. structure)	5 storeys (15m)	18 above podium (89mPD)	2 (17mPD)	5 (38mPD)	+13 storeys above podium
<b>Portion (III) Sports and Recreation Club</b> (site area about 21,388m <sup>2</sup> or 27% of the Site)					
Zoning	Mainly “OU(Service Area)” and “OU(PFS)”	Area B of “OU(Sports and Recreation Club(4))”			N/A
Non-domestic GFA	see remark [ii] below	5,500m <sup>2</sup>			N/A
Max. BH (incl. structure)	1 storey (9m)	5 storeys (15m)			+4 storeys (+6m)
<b>Portion (IV) Helipad and associated Access Road</b> (site area about 7,975m <sup>2</sup> or 10% of the Site)					
Zoning	sea area (for proposed helipad) not covered by OZP; and the breakwater (for proposed road) currently zoned “OU(Marina)”	“OU(Marina)”			N/A
<b>The Whole Development</b>					
Site Area (about)	62,240m <sup>2</sup> (land area); and 15,700m <sup>2</sup> (sea area)	77,938m <sup>2</sup> (including 15,700m <sup>2</sup> from proposed reclamation)			+15,700m <sup>2</sup> (all from proposed reclamation)
Major Uses	<ul style="list-style-type: none"><li>Service Area</li><li>Sports and Recreation Club (currently for horticultural nursery)</li><li>Staff quarters</li></ul>	<ul style="list-style-type: none"><li>Residential</li><li>Service Area</li><li>Sports and Recreation Club</li></ul>			+ Residential (mainly) - Staff quarters
Total Domestic GFA	1,300m <sup>2</sup>	61,200m <sup>2</sup>			+59,900m <sup>2</sup>
Total Non-Domestic GFA	11,650m <sup>2</sup>	16,830m <sup>2</sup>			+5,180m <sup>2</sup>
BH (incl. structure)	1 storey to 8 storeys (6m to not exceeding 25m)	1 storey to 18 storeys above podium (12mPD to 89mPD)			+10 storeys above podium
Total No. of Blocks	N/A	57			N/A
Total No. of Flats	Nil see remark [iii] below	858			+858
Total No. of Population	Nil see remark [iii] below	2,145			+2,145
Private Open Space	Nil	2,145m <sup>2</sup>			+2,145m <sup>2</sup>

	Permitted Development under current OZP (a)	Proposal under current application (b)	Difference (b) – (a)
GIC and Servicing Facilities	<ul style="list-style-type: none"> <li>bus depot (including repair station and parking area)</li> <li>golf cart parking</li> <li>LPG store<sup>(3)</sup></li> <li>RCP</li> <li>PFS</li> <li>kaito pier</li> <li>service pier</li> <li>boat servicing yard</li> <li>sewage pumping station and a decommissioned sewage treatment plant</li> <li>telephone exchange</li> <li>helipad</li> </ul>	All the affected facilities will be retained/reprovisioned within/outside the Site, except the decommissioned sewage treatment plant which is no longer required	- sewage treatment plant
Transport Facilities			
• No. of transport terminus	Nil	1	+1
• No. of loading/unloading bays/lay-bys	Nil	15	+15
• No. of kaito pier	1	1	-
• No. of service pier	1	1	-
• No. of helipad	1	1	-

Remarks:

- [i] The current maximum permissible domestic GFA within the Site is 1,300m<sup>2</sup> under the “OU(Staff Quarters(1))” zone which falls mainly within Portion (I).
- [ii] The current maximum permissible non-domestic GFA within the Site is 11,650m<sup>2</sup> which involves various zones within Portions (I) to (III).
- [iii] According to the approved DB Master Plan (MP), the staff residing at the staff quarters do not count towards the total no. of population in DB.

1.5 A plan showing the boundaries of relevant areas, the master layout plan (MLP), block plan, landscape master plan, section plans and photomontages submitted by the applicant are at **Drawings Z-1 to Z-6c** respectively.

### Urban Design and Visual

1.6 The general concept of the proposed comprehensive residential development is to create a distinctive residential neighbourhood with connections to surrounding residential areas and landscape assets. According to the Visual Impact Assessment (VIA) submitted by the applicant (**Appendix Ia**), the overall design layout and BH of the development are planned to create a stepped profile descending from the slopes of the Site to the Nim Shue Wan waterfront to reduce the visual obstruction. The tallest 18-storey blocks are sited in the northwestern

<sup>(3)</sup> Application No. A/I-DB/8 for the proposed Dangerous Goods Godown (LPG Store) was approved with conditions by the RNTPC on 13.1.2023. According to the supplementary planning statement of the application, the proposed facility has taken into account the demand of the planned future population under the current application.

part of the Site which step progressively down from 6-storey blocks and 2-storey houses along the promenade in the southeastern part of the Site (**Drawings Z-5a to Z-6c**). Besides, building separations of not less than 15m for residential blocks, gaps between the semi-detached houses and about 4m wide waterfront promenade will be provided to allow visual permeability (**Drawings Z-2 and Z-3**).

#### Air Ventilation

- 1.7 An Air Ventilation Assessment (AVA) – Initial Study (**Appendix Ia**) has been conducted for the proposed development. Several wind enhancement features have been provided to alleviate the potential impacts on the surrounding areas, including air paths (at least 15m wide) and building separations, etc. to facilitate wind entrance (**Drawings Z-2 and Z-3**).

#### Landscape and Tree Preservation

- 1.8 According to the Landscape Design Proposal (**Appendix Ia**), there are approximately 720 existing trees at the Site with 501 trees to be retained, 41 trees to be transplanted and 178 trees to be felled. A minimum of 178 new heavy-standard trees will be planted within the Site (**Drawing Z-4**). New trees and shrub amenity planting along streets, promenade and on the podium and terraces will be provided to contribute visual and landscape mitigation to the proposed development. According to the applicant, a minimum of 30% greenery will be provided in the proposed development.

#### Environmental Aspect

- 1.9 An Environmental Study (**Appendix Ia**) covering mainly air, noise and water quality aspects has been conducted by the applicant to assess the feasibility of the proposed development. Potential issues on waste management, land contamination, ecology and fisheries have also been reviewed. According to the applicant, the proposed development would only involve minor reclamation works in form of decking over piles, with mitigation measures such as silt curtains and other good site practices, and hence impacts on water quality, marine ecology and fisheries are considered insignificant. With regard to the proposed helipad, a Technical Note on the Relocation of Helicopter Landing Pad (**Appendix Ia**) has been submitted by the applicant, including the helicopter noise impact assessment, which confirms that adverse noise impact due to the relocation of helipad is not anticipated.

#### Geotechnical Aspect

- 1.10 The Geotechnical Planning Review Report (GPRR) submitted by the applicant (**Appendix Ia**) outlines the geotechnical aspects of the foundation works, site formation works, excavation and lateral support works and slope upgrading works for the proposed development. Preliminary desktop studies on the surrounding slope features have been conducted and no past instability incident is found in the Geotechnical Engineering Office's record. The natural hillside will be further reviewed under the submission of general building plans for site formation works and mitigation measures will be provided when necessary. The GPRR concludes that the proposed development is geotechnical feasible and further

detailed analysis and geotechnical design will be carried out at a later stage.

### Infrastructural Provision

- 1.11 The applicant has conducted a Study on Drainage, Sewerage and Water Supply Systems (**Appendix Ia**) for the proposed rezoning. On drainage aspect, the applicant will provide a new drainage system to collect surface runoff generated from the proposed development and discharge directly to the sea nearby. On sewerage aspect, the additional sewage generated from the already approved and proposed developments is proposed to discharge to Siu Ho Wan Sewerage Treatment Works (STW) for further treatment and disposal via the existing sewage pumping station No. 2. The projected additional sewage flow with the proposed development under the current application is within the design capacity of Siu Ho Wan STW. On water supply, the applicant notes that the existing capacity of Siu Ho Wan Water Treatment Works (WTW) is already insufficient to support the existing developments and other concurrent developments within the supply zone of Siu Ho Wan ~~STW~~-~~WTW~~ but there will be adequate capacity after the upgrading programme for Siu Ho Wan WTW and Siu Ho Wan Fresh Water Pumping Station. The DB Reservoir will provide flushing water supply to DB. New fresh water mains and flushing water mains will be provided to the Site. The existing and proposed drainage, sewerage and water supply plans are shown at **Drawings Z-7 to Z-9** respectively.

### Traffic Aspect

- 1.12 The applicant states that the car-free character of DB will be maintained under the current application. The existing comprehensive traffic control management for DB, i.e. only authorised vehicles are allowed to access DB via DB Tunnel such as emergency vehicles, residents' service buses and goods vehicles, would be maintained.
- 1.13 Apart from the reprovisioning of the existing traffic and transport facilities, including bus depot, golf cart parking spaces, landing point for kaito, service pier and helipad, within the Site, the applicant has proposed provision of loading/unloading bays/lay-bys to serve the proposed development. According to the submitted Transport Impact Assessment (TIA), the proposed development would not generate adverse traffic impact on critical road links, junctions and existing ferry services in DB, Tung Chung and Sunny Bay areas, which concludes that the additional residential development arising from the proposed rezoning is considered acceptable from traffic engineering point of view.

### Existing Public Utility and Supporting Facilities

- 1.14 With regard to the existing public utility and supporting facilities at the Site, the telephone exchange would be retained; the bus depot, RCP, PFS and landing point for kaito would be relocated to suit the development layout; the dangerous goods store (i.e. LPG store) will be relocated to Area 10d in DB North near DB Tunnel (under the approved planning application No. A/I-DB/8<sup>(3)</sup>) (**Plan Z-1c**); the existing temporary helipad at the waterfront will be reprovisioned to the east of the marina with a new access road; and the existing staff quarters are no longer required.



1.15 In support of the application, the applicant has submitted the following documents:

- (a) Application Form received on 14.10.2022 (Appendix I)
- (b) Further Information (FI) vide letter dated 27.7.2023 providing a consolidated planning statement which supersedes the original submitted supplementary planning statement and all previous FI submissions<sup>(4)</sup> (Appendix Ia)  
*[accepted and exempted from publication and recounting requirements]*

1.16 On 13.1.2023, the Rural and New Town Planning Committee (the Committee) agreed to defer making a decision on the application for two months instead of three months as requested by the applicant.

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

The justifications put forth by the applicant in support of the application are detailed in Section 11 of the consolidated planning statement in **Appendix Ia**. They are summarised as follows:

### Consistent with the Policy Address and Broader Strategic Planning for Lantau

- (a) The proposed development helps achieve the objective of the Chief Executive's 2021 Policy Address and Hong Kong 2030+ to increase and expedite land supply to optimise residential development and to contribute to the housing supply. The long-term planning for DB is consistent with the envisaged development at Siu Ho Wan, Sunny Bay and Tung Chung New Town Extension on Lantau.

### Compliance with the General Planning Intention

- (b) The DB MP of the proposed development addresses the general planning intention of DB as stated in the Explanatory Statement (ES) of the OZP. The Site is already developed but with low quality back-of-house uses. The redevelopment would create suitable residential development with minimal impact on the natural environmental features, as well as high conservation value areas and natural habitats.

### Logical Location for Increased Development Intensity

- (c) The Site is currently well-served by public transport with easily accessible commercial and leisure activities in close proximity. The existing back-of-house functions and horticultural nursery in the Site is a mis-use of the prime location and is underutilised. The proposed land use mix and development intensities are considered optimal use of land resources.

---

<sup>(4)</sup> A total of four previous FI submissions were received on 27.2.2023, 10.3.2023, 19.5.2023 and 20.7.2023, of which the former three were accepted but not exempted from publication and recounting requirements while the latter one was accepted and exempted from publication and recounting requirements.

#### Adequate Infrastructural Provision

- (d) The relevant technical reports have demonstrated that the proposal is technically feasible to support the planned additional population and there is adequate infrastructure capacity to support the proposed development.

#### Rationalising the Servicing Facilities

- (e) The proposed scheme includes a rationalisation of various existing servicing facilities within the Site (including relocating the boat refuelling station and service pier to the proposed Area B of the “OU(Sports and Recreation Club(4))” zone near the marina) and relocation of the LPG store to a site near the DB Tunnel in DB North, and

#### Relocation of the Helipad

- (f) The proposed relocation of the helicopter landing pad to the east of the existing marina is an appropriate location which is away from the residential development.

#### The Proposed Reclamation

- (g) Under the lease, the immediately adjoining water to the south of Area 10b has been granted to the applicant, which has been previously gazetted under the Foreshores and Seabed Ordinance in 1976. As such, the applicant proposes to extend the OZP boundary to incorporate the already approved reclamation within the Site with suitable zonings.

#### No Adverse Environmental Impact

- (h) The Environmental Study (**Appendix Ia**) has demonstrated that the proposed development will not have adverse environmental impacts during construction and operation. Future land contamination investigations and environmental impact assessment for the designated development will be carried out in accordance with the relevant regulations prior to implementation.

#### Compatible Visual Form

- (i) A variation of BHs to provide visual interest and the proposed buildings will blend into the existing development without affecting the ridgeline behind.

#### Significantly Improved Amenity

- (j) The existing service area within the Site is for back-of-house uses which are either no longer required or can be better re-provisioned. The redevelopment will remove the existing unsightly mix of uses and activities and significantly improve the general environment of the area. The proposed service facilities located within the podiums will help improve the amenity of the area.

#### Lantau Yacht Club

- (k) The waterfront area currently zoned “OU(Service Area)” at the eastern end of the Site will be rezoned to “OU(Sports and Recreation Club(4))” for the expansion of Lantau Yacht Club to incorporate an area for boat storage and workshop as well as crew quarters and office, etc.

### Staff Quarters within the Site No Longer Required

- (1) Since the opening of DB Tunnel in 2000, the demand for staff quarters in DB has decreased. The two already developed “OU(Staff Quarters)” zones, with one adjacent to the fire station and the other to the south of the golf course, will be retained to accommodate the staff required to stay overnight in DB. The staff currently residing at the staff quarters within the Site will either be accommodated in other staff quarters outside the Site or are confirmed with no accommodation needs.

## **3. Background**

### Development of Discovery Bay

- 3.1 In 1973, the Government granted approval for the DB development as a “Recreation and Leisure Community”. Any proposal to increase the development intensity should be initiated by the owner/developer (i.e. HKRCL). The control of the DB development has been exercised by means of MP and Supplementary MPs prepared by the Lands Department (LandsD) under the requirement of the lease. The lot of DB was granted to HKRCL in 1976 by way of land exchange for a holiday resort and residential/commercial development in DB, with a wide range of recreational facilities and resort accommodation and some commercial elements to serve the locals and the visitors. Over the years, HKRCL has revised the MP for a number of times, with the latest version MP7.0E approved by LandsD on 17.8.2021.
- 3.2 Under the prevailing MP7.0E, the Site involves Areas 10b and 22 which are designated for ‘Service Areas’ and ‘Marine Club’ respectively (**Plan Z-1b**).

## **4. 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.

## **5. Previous Application**

On 26.2.2016, the same applicant submitted a s.12A application No. Y/I-DB/3<sup>(5)</sup> but only concerning Area 10b at the Site (**Plan Z-1c**). The applicant proposes to rezone the application site 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

---

<sup>(5)</sup> For the withdrawn Application No. Y/I-DB/3, the site area is about 62,875m<sup>2</sup> (including 14,438m<sup>2</sup> of area not covered by the OZP), the proposed total GFA is about 89,500m<sup>2</sup> (including domestic GFA of 67,500m<sup>2</sup> and non-domestic GFA of 22,000m<sup>2</sup>). As compared with the withdrawn application, the current application involves a slightly larger site area (with the incorporation of the existing Area B of the “OU(Sports and Recreation Club(4)) zone and the sea area to the east of the existing marina which falls outside the OZP boundary for reprovisioning the helipad) but a reduction in GFA.

“OU(Promenade)” to facilitate a low to medium-density residential development partly on top of a podium level of service area at the site. The application was subsequently withdrawn by the applicant on 7.4.2017.

## 6. **Similar Application**

- 6.1 There is no similar application involving rezoning from the concerned zonings to residential zonings on the OZP.
- 6.2 On 25.2.2016, the same applicant submitted an application concerning Area 6f of DB (Application No. Y/I-DB/2) (**Plan Z-1c**) for rezoning a site from “OU(Staff Quarters(5))” to “R(C)12” subject to a GFA of 21,600m<sup>2</sup> and a maximum BH of 18 storeys (128mPD including structure) to facilitate a proposed medium-density residential development providing about 476 flats. On 14.1.2022, the Committee agreed to the application upon reconsideration<sup>(6)</sup> mainly on the consideration that the proposed development was not incompatible with the surroundings in terms of land use and development intensity and the concerned bureau/departments have no objection to or no adverse comment on the application in terms of traffic, environmental, sewage and water supply aspects.

## 7. **The Site and its Surrounding Areas** (Plans Z-1a to Z-4g)

- 7.1 The Site is:
- (a) located at the southern waterfront side of the headland facing towards Nim Shue Wan with part of it being the seawall and waters of Nim Shue Wan falling outside the OZP;
  - (b) currently occupied by a telephone exchange, staff quarters, a RCP, a dangerous goods store (LPG store), a PFS, an overnight bus parking area, a warehouse, a bus repair station and golf cart repair workshops (or golf cart service centre), horticultural nursery, a boat servicing yard and an existing sewage pumping station;
  - (c) a kaito pier commuting to Peng Chau and Mui Wo and a service pier (for tugboat, sand barge, LPG vessel, etc.) are located within the seafront;
  - (d) a temporary helipad is located at the waterfront near the Lantau Yacht Club;
  - (e) accessible via Discovery Bay Road; and
  - (f) the sea areas included in the Site are abutting the bay of Nim Shue Wan and at the eastern tip of the marina respectively.

---

<sup>(6)</sup> On 23.6.2017, the Committee considered the application and decided not to agree to the application. On 19.9.2017, the applicant lodged a judicial review (JR) application against the decision of the Committee not to approve the application. On 7.8.2020, the Court of First Instance (CFI) allowed the JR and remitted the decision to the Town Planning Board (the Board) for reconsideration. On 28.8.2020, the Board decided to appeal against the CFI’s Judgment. On 10.9.2021, the Court of Appeal (CA) dismissed the appeal. As per the CA’s Judgment, the CFI’s order of remitting the decision of the Committee to the Board for reconsideration remains in force. On 14.1.2022, the Committee reconsidered and agreed to the application.

7.2 The surrounding areas have the following characteristics:

- (a) to the immediate northeast are Lantau Yacht Club (大嶼山遊艇會) and a marina for floating jetties;
- (b) to the north is a natural headland which has been developed for medium-rise and low-rise residential developments. The Peninsula Village (衡峰) comprises six 18-storey (74.8mPD) blocks (viz. Twilight Court (曦欣閣), Jovial Court (旭暉閣), Haven Court (霞暉閣) and Verdant Court (彩暉閣) to the immediate north of the Site as well as Blossom Court (寶安閣) and Cherish Court (庭安閣) to the further north). There are two clusters of low-rise residential developments, viz. Crestmont Villa (倚濤軒) of 5 storeys (66.8mPD) at the headland and Coastline Villa (碧濤軒) of 6 storeys (29.8mPD) near the marina;
- (c) to the northwest is a residential development known La Costa (海堤居), comprising two 18-storey blocks (67.4mPD) (viz. Onda Court (海濤閣) and Costa Court (海堤閣)) and some 5-storeys blocks (34.1mPD);
- (d) to the west are two residential developments, namely La Vista (海寧居) (mainly 5 storeys (59.4mPD) with one block of 14 storeys (86.7mPD)) and La Serena (海藍居) (mainly of 6 storeys (74.3mPD) with one block of 13 storeys (103.9mPD)); and
- (e) Nim Shue Wan Village (稔樹灣村) is located about 280m at the opposite coast.

## 8. **Planning Intentions**

### General Planning Intention

- 8.1 In terms of strategic planning context, according to the Revised Lantau Concept Plan 2007, Discovery Bay area was not recommended for further development. 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. DB was not identified as one of the Strategic Growth Areas. In line with the strategic planning context provided by the SWNTDSR approved in 2001, the ES of the OZP stipulates that the general planning intention of DB is for conservation of the natural environment and to provide for low-density developments compatible with the surrounding natural setting.
- 8.2 DB 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 DB, the SWNTDSR adopted the planned population of 25,000 upon full development of DB. 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.

- 8.3 The Sustainable Lantau Blueprint (the Blueprint) announced by the Government in 2017 recommends, inter alias, North Lantau Corridor for strategic economic and housing development and North-eastern Lantau Node for leisure, entertainment and tourism development while DB is not recommended as one of the potential developments or Strategic Growth Areas. Besides, the Kau Yi Chau Artificial Islands, promulgated under “Hong Kong 2030+ Towards a Planning Vision and Strategy Transcending 2030”, and its related comprehensive network of strategic roads and rails proposed by the Government have no direct connection with the DB area.

#### Specific Land Use Zonings

- 8.4 “OU(Service Area)” zone is intended to designate land for a service area in support of the DB development.
- 8.5 “OU(Marina)” zone is intended for a marina for the berthing of pleasure vessels.
- 8.6 “OU(Sports and Recreation Club)” zone is intended to designate land for sports and recreation club development.
- 8.7 “OU(Staff Quarters)” zone is intended to designate land for the provision of staff quarters to serve the DB development.
- 8.8 “OU(Pier)” zone is intended to designate land for piers to facilitate marine access to DB.
- 8.9 “OU(Dangerous Goods Store/LPG Store)” zone is intended to designate land for a Dangerous Goods store/LPG store to serve the DB development.
- 8.10 “OU(PFS)” zone is intended to designate land for a PFS to serve the DB development.
- 8.11 “G/IC” zone is intended primarily for the provision of Government, institution or community facilities serving the needs of local residents and/or a wider district. It is also intended to provide land for uses directly related to or in support of the work of the Government, organisations providing social services to meet community needs, and other institutional establishments.
- 8.12 “R(D)” zone is intended primarily for improvement and upgrading of existing temporary structures through redevelopment of existing temporary structures into permanent buildings.
- 8.13 “GB” zone is intended primarily for defining the limits of development areas by natural features, to protect the existing natural landscape and amenity, as well as to provide a countryside recreational outlet for the local population and visitors.

## 9. **Comments from Relevant Government Bureau/Departments**

9.1 The following government bureau/departments have been consulted and their views on the application are summarised as follows:

### **Land Administration**

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

- (a) the Site (including the area not covered by the OZP) is within Lot No. 385 RP in D.D. 352 & the Extensions thereto (“the Lot”) which is granted to HKRCL (i.e. the applicant) under New Grant No. 6122 as extended by three extension letters deposited and registered in the Land Registry as New Grant Nos. 6620, 6788 and 6947 (hereinafter collectively referred to as “the New Grant”). Pursuant to Special Condition (SC) No. 6 of the New Grant, the Lot shall be developed in accordance with the approved MP and the latest approved one is DB MP 7.0E;
- (b) the Site appears to comprise a minor portion of Area 4, Area 10b and the adjoining sea, a portion of Area 22 (Land) and a portion of Area 22 (Marina) under MP 7.0E (**Plan Z-1b**). According to MP 7.0E, Area 10b has a gross site area of about 50,950m<sup>2</sup> and is designated as (i) “Service Areas” for accommodating various servicing facilities including godowns, bus depot, sewage treatment plant, RCP, LPG storage, telephone exchange, boat servicing facilities, PFS and staff quarters; and (ii) “Temporary Marina Club”. Besides, Area 22 has a gross site area of about 18,850m<sup>2</sup> (Land) and 98,735m<sup>2</sup> (Marina) and is designated as “Marina Club ” under MP 7.0E;
- (c) the permitted users and the respective maximum gross building area (“GBA”<sup>(7)</sup>) of the facilities in Area 10b and Area 22 under MP 7.0E are listed below;

<b>Permitted User</b>	<b>Max. GBA (m<sup>2</sup>)</b>
<b><u>Area 10b</u></b>	
Godowns	3,710
Bus depot	500
Sewage treatment plant	39
RCP	1,000
LPG storage	500
Telephone exchange	700
Boat servicing facilities	1,100
PFS	240
Staff quarters	1,300
Temporary marina club	185
Pumping station	No restriction in Area 10b,

<sup>(7)</sup> According to DLO/Is, LandsD, “GBA” under MP is equivalent to “GFA”.

	but 4,885m <sup>2</sup> in the Lot
Temporary helipad (annotated "TH" on <b>Drawing Z-1b</b> )	N/A
Vehicular ferry pier	N/A
<b>Area 22</b>	
Marina club	5,315

- (d) the proposed developments do not conform to MP7.0E;
- (e) the development proposal involves reclamation of water to the south of Area 10b and within Area 22 (Marina). The proposed reclamation area is within the areas previously gazetted under the then Foreshores and Sea-bed Ordinance (subsequently repealed by the Foreshore and Sea-bed (Reclamations) Ordinance) via G.N. 710 of 2.4.1976 and G.N. 593 of 10.3.1978. Both G.N. 593 and G.N. 710 stated that the purpose of the grant of the lease of the areas of foreshore and seabed is for the purposes of a leisure and resort centre. To carry out reclamation of the un-reclaimed portions of the gazetted reclamation areas for the current proposed developments (i.e. not for the purposes of a leisure and resort centre) is outside the scope of the authorisation under the Foreshores and Sea-bed Ordinance. If the applicant wishes to carry out reclamation for housing/residential development, the applicant may need to obtain authorisation of the proposed reclamation works under the existing Foreshore and Sea-bed (Reclamations) Ordinance. Further legal advice has to be sought upon receipt of the formal application under lease to LandsD;
- (f) SC No. 41 of the New Grant requires the applicant to provide a helicopter landing site which shall be located at the position that have been agreed previously with the Government and HKRCL shall make the helicopter landing site available for the Government to use it at all times. If the existing temporary helipad at Area 10b is to be relocated to Area 22 (Marina), this would involve reclamation. As mentioned in paragraph (e) above, the applicant may need to obtain authorisation of the reclamation works under the existing Foreshore and Sea-bed (Reclamations) Ordinance for relocation of the existing helipad. Besides, the provision of a helicopter landing site within Area 22 is not permissible under MP 7.0E. The applicant is required to apply for approval to amend the MP to effect the relocation of helipad. The location of the helipad shall be agreed by all relevant government departments;
- (g) SC No. 25 of the New Grant requires the applicant to provide space within the Lot to the satisfaction of the Government for the parking, loading and unloading of motor vehicles. Comments from Transport Department and Highways Department on the parking, loading and unloading spaces should be sought accordingly;
- (h) the Principal Deed of Mutual Covenant ("PDMC") dated 30.9.1982 has notionally divided the Lot into 250,000 undivided shares. The



Memorandum on Allocation of Undivided Shares in respect of Discovery Bay City dated 17.7.2020 further sets out the allocation of undivided shares of DB according to the PDMC and the sub-allocation of the undivided shares under various Sub-DMCs and Sub-Sub-DMCs, and the total number of undivided shares retained by the applicant. The applicant shall demonstrate with justifications that there are sufficient undivided shares retained by the applicant for allocation to the current proposed developments and substantiate the applicant's right/capacity to develop the Site without prejudicing the provisions in the PDMC;

- (i) with regard to the public comments (**Appendix VIb**) on the lease matters, should the owner of the Site apply to LandsD for approval to amend the MP for implementation of the proposed developments under the captioned application, LandsD will process the application according to the established practice; and
- (j) other detailed comments are at **Appendix V**.

### **Traffic**

#### 9.1.2 Comments of the Commissioner for Transport (C for T):

- (a) to maintain the operation of the existing kaito service and license ferry service, the new landing steps with a ramp served as a barrier-free access shall be provided in order to accommodate the safe berthing of the servicing vessels and to facilitate passengers' embarkation and disembarkation;
- (b) she has no further comment on the TIA (**Appendix Ia**) from public transport operation point of view;
- (c) with regard to the public comments on the submitted TIA (**Appendix VIb**) and road safety, she opines that the submitted TIA for the proposed development is acceptable from traffic engineering point of view for the following reasons:
  - (i) DB Tunnel Link is a single 2-lane carriageway. The peak traffic volume in 2022 and the assessment year in 2037 are 375 passenger car unit/hour (pcu/hr) and 410 pcu/hr respectively. The volume-to-capacity (v/c) ratio (i.e. performance of the road section) would be 0.32 in 2037, which demonstrates a low traffic flow condition upon commissioning of the proposed development;
  - (ii) DB Road is also a single ~~2-lane~~ **2-lane** carriageway. The peak traffic volume in 2022 and 2037 are 270 pcu/hr and 305 pcu/hr respectively. The v/c ratio would be 0.29 in 2037, representing a low traffic flow condition; and
  - (iii) regarding road safety, in addition to traffic volume, it also depends on other factors including visibility, speed limit and

road alignment, etc. Taking into account that there will not be substantial changes to the existing roads, traffic pattern and traffic flow by the proposed development, she considers that the allegation that the proposed development will induce adverse impact on safety of the existing roads within DB cannot be established.

### **Environment**

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

- (a) the Environmental Study and the Study on Drainage, Sewerage and Water Supply Systems (**Appendix Ia**) conclude that the air quality and noise impacts arising from the proposed development under the current application would comply with the relevant criteria and further mitigation measures are not anticipated, and the sewage generated from the proposed development will be conveyed to Siu Ho Wan STW which can be operated within its capacity;
- (b) he has no in-principle objection to the proposed development from environmental perspective; and
- (c) it is noted that the project may constitute designated projects (DPs) as stipulated under the Environmental Impact Assessment Ordinance (EIAO). The applicant is reminded to follow the statutory process under the EIAO for any potential DP once identified at the detailed design stage<sup>(8)</sup>.

### **Drainage**

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

- (a) he has no in-principle objection to the application from drainage perspective; and
- (b) other detailed comments are at **Appendix V**.

### **Water Supply**

#### 9.1.5 Comments of the Chief Engineer/Development (2), Water Supplies Department (CE/Dev(2), WSD):

- (a) he has no in-principle objection to the application;

---

<sup>(8)</sup> According to the Environmental Study (**Appendix Ia**), reclamation works and dredging works, a transport depot, a helipad, a road, a marina, etc. are identified as potential DPs which would be subject to further investigation during the detailed design stage. In accordance with the requirements of the EIAO, the project proponent is required to submit Project Profile for the project(s) to DEP for application for EIA Study Brief. Should the project(s) is/are confirmed as DP(s), the project proponent is required to submit EIA Report to fulfill all the requirements in the EIA Study Brief and the EIAO Technical Memorandum. An Environmental Permit would be required prior to the commencement of any construction works.

- (b) regarding the Study on Drainage, Sewerage and Water Supply System for Areas 4a, 10b and 22 (**Appendix Ia**), the DB fresh water booster pumping station, fresh water/flushing water service reservoirs and associated water mains at DB are private water supply systems of DB. The applicant is reminded to review the adequacy of their own system and plan/implement any necessary improvements works for their own system in a timely manner in order to secure water supply for their proposed development; and
- (c) Siu Ho Wan WTW is undergoing an extension project to upgrade its treatment capacity from 150m<sup>3</sup>/d to 300m<sup>3</sup>/d. After the completion of this extension project (tentatively by 2027), there should be adequate fresh water supply from Siu Ho Wan WTW to the developments at DB.

### **Nature Conservation**

#### 9.1.6 Comments of the Director of Agriculture, Fisheries and Conservation (DAFC):

- (a) the Site is basically developed land mainly zoned as “OU” and the adjoining sea area with existing breakwater. Review on ecological issues and fisheries have been prepared in the Environmental Study (**Appendix Ia**) and he has no comment on the proposal from ecological and fisheries perspectives; and
- (b) for the public comments raising concerns on ecological impact on Nim Shue Wan, he states that a colony of seagrass *Halophila ovalis* (喜鹽草) was recorded in the surveys of Agriculture, Fisheries and Conservation Department at Nim Shue Wan during 2003-2004 but the seagrass was not recorded at the same area during subsequent surveys between 2005-2016. It is considered that there is a long absence of the seagrass at Nim Shue Wan. Besides, there is no identified egret (鸞鳥) or important breeding grounds for the mentioned species of conservation interest within the application area.

### **Marine**

#### 9.1.7 Comments of Director of Marine (D of M):

- (a) the management of the pier and shipyard/yacht repair area as well as kaito pier and kaito service is outside her department’s purview; and
- (b) she has no comment on the proposed development from marine traffic point of view.

## **Urban Design and Visual**

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

#### **Urban Design and Visual**

- (a) the general urban design concept for the OZP area is to maintain a low-density environment and adopt a stepped height approach with low-rise on the headland and coastal lowland and high-rise further inland which complements the visual presence of the mountain backdrop and maintains the prominent sea view;
- (b) it is noted from the indicative MLP that the proposed development has adopted a stepped height profile with the tallest blocks located at the northwestern part of the Site. The developments in the proposed “OU(Service Area with Residential Development Above)” zone descend from the northwest, where existing developments of similar height are found to the east of the Site, towards the southeast. The developments in the proposed “R(C)13” zone with a maximum BH of 89mPD would be the tallest at the coast taken into account the existing developments in the surroundings;
- (c) according to the submitted VIA (**Appendix Ia**), the proposed development will result in an intensification to the surrounding built environment and the overall visual impact of the proposed development is considered moderately adverse as rated by the applicant. To minimise the potential visual impact, some mitigation measures are proposed and incorporated in the indicative scheme including sympathetic building configuration, massing and stepped height profile, visual corridors, façade treatment and landscape treatments. She has no comment on the application;

#### **Air Ventilation**

- (d) the applicant has conducted an AVA-Initial Study (**Appendix Ia**) using computational fluid dynamic modelling to compare the pedestrian wind environment in the surroundings of the proposed scheme with that in the baseline scheme (OZP Compliance Condition);
- (e) the proposed scheme incorporates:
  - two 15m NE-SW air paths above ground;
  - one 15m NE-SW air path above podium;
  - one 17m SE-NW air path above ground;
  - one 23.5m building separation between the waterfront building blocks;
  - a wind entrance approximately 30m wide is provided by the kaito pier on the southern side of the waterfront building blocks;
  - permeable carpark; and

- (f) with the proposed wind enhancement features, the simulation results demonstrate that under annual conditions, the pedestrian wind environment in the surrounding areas and near the Site for both the baseline scheme and the proposed scheme performs similarly; and under summer conditions, the proposed scheme will obtain slightly lower ventilation performance overall and in the immediate vicinity.

### **Landscape**

#### 9.1.9 Comments of the CTP/UD&L, PlanD:

- (a) the Site is located in an area of comprehensive residential development and inshore waters landscape character dominated by residential blocks, open storages, pier, communal and recreational facilities, scattered tree groups and inshore water. The proposed comprehensive residential development is considered not entirely incompatible with the existing landscape character in the proximity;
- (b) according to the Landscape Design Proposal (**Appendix Ia**), approximately 720 existing trees of common species are found within the Site. None of the existing trees is of rare/protected species and/or Old and Valuable Tree. 501 trees are proposed to be retained, 41 trees are proposed to be transplanted and 178 trees are proposed to be felled. Landscape provisions, such as landscaping at main entrance and along access roads and walkways, a minimum of 4m wide public waterfront promenade, communal gardens, peripheral and buffer planting and a minimum of 178 new trees, are proposed to be planted to mitigate the landscape impact and enhance the landscape quality of the development. Therefore, she has no adverse comment on the application from landscape planning perspective; and
- (c) other detailed comments are at **Appendix V**.

### **Buildings Matter**

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

- (a) there is no in-principle objection to the application under the Buildings Ordinance;
- (b) detailed comments under the Buildings Ordinance on individual sites for private developments such as permissible PR, site coverage, means of escape, fire resisting construction, emergency vehicular access, private streets and/or access roads, etc. will be formulated upon formal building plan submission stage; and
- (c) other detailed comments are at **Appendix V**.

### **Fire Safety**

#### 9.1.11 Comments of the Director of Fire Services (D of FS):

- (a) he has no in-principle objection to the application subject to water supplies for firefighting being provided to his satisfaction. Detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans or referrals from relevant licensing authority; and
- (b) other detailed comments are at **Appendix V**.

### **Geotechnical**

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

he has no geotechnical comment on the GPRR (**Appendix Ia**).

### **Aviation**

#### 9.1.13 Comments of the Controller of Government Flying Services (C of GFS):

the proposed helipad is of adequate size to operate the current fleet of Government Flying Service (GFS). The location of the relocated helipad is further away from obstacles or structures around which should enhance the flight safety by offering a clearer arrival and departure path. GFS has no plan to utilise it for routine operation at the current stage and should remain it for emergency operation.

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

##### Helipad Design

- (a) he has no comment on the Technical Note on Helipad Landing Pad (**Appendix Ia**) which provides the preliminary information of the relocated helipad;
- (b) the applicant is reminded to refer to the International Civil Aviation Organization Annex 14 Volume II (Heliports) for the relevant standards and recommended practices during the detailed helipad design stage, and consult GFS on its technical requirements as appropriate;

##### Helicopter Operations

- (c) considering the proposed flight path and size of the helipad for helicopter use, he has no adverse comment; and
- (d) other detailed comments are at **Appendix V**.

### **Environmental Hygiene**

#### 9.1.15 Comments of the Director of Food and Environmental Hygiene (DFEH):

- (a) the existing RCP in the Site is not under the management of her department. If domestic waste collection service by Food and Environmental Hygiene (FEHD) for domestic premises at the Site is required in future, prior comments from FEHD on the waste collection plan should be sought. The consideration of the plan will include but not limited to: (i) availability of proper RCP/facility; and (ii) accessibility and maneuverability of our refuse collection vehicles to the RCP/facility (to be evaluated by on-site trial run of FEHD refuse collection vehicles); and
- (b) other detailed comments are at **Appendix V**.

### **District Officer's Comments**

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

- (a) she has no comment on the application; and
- (b) her office has received one local comment from an individual objecting to the application mainly on the burden on infrastructure and adverse impact on flora and fauna (**Appendix IV**).

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

- (a) Secretary for Development;
- (b) Head (Sustainable Lantau Office), CEDD;
- (c) Chief Engineer/Port Works, CEDD;
- (d) Chief Architect, Advisory and Statutory Compliance, Architectural Services Department;
- (e) Director of Electrical and Mechanical Services; and
- (f) Commissioner of Police.

## **10. Public Comments Received During Statutory Publication Periods**

- 10.1 On 4.11.2022, 17.3.2023 and 2.6.2023, the application and its FI were published for public inspection. During the statutory public inspection periods, a total of 7,353 public comments were received, including 6,035 supporting comments, 1,311 objecting comments and seven comments providing views/concerns. A full set of the public comments is deposited at the meeting for Members' inspection.
- 10.2 The supporting comments are submitted by DB and Peng Chau residents, Peng Chau Rural Committee and individuals, in which 5,751 are in the form of standard letters/providing similar views of the standard letters (samples at **Appendix VIa**). The major views of the supporting comments are summarised below:

- (a) the Site is suitable for residential developments as there is adequate infrastructure capacity with good access to public transport. The existing staff quarters are no longer required at the Site since the completion of the DB tunnel. The proposed development will maximise the development potential of the underutilised brownfield sites and to increase housing supply;
- (b) the existing condition of the Site is unattractive and the proposal will improve the hygiene, safety and overall attractiveness of the area. It will improve the amenity of the area and benefits of DB residents. The new waterfront promenade will also enhance the vibrancy of the area and provide recreational enjoyment to the public as well as DB residents;
- (c) there are various residential types of flats and houses which is a good development mix for the area. The proposed BH and the stepped height building profile are compatible with the surrounding environment. There is no impact on the ridgeline, hence it will not pose undesirable visual impact;
- (d) the technical assessments show that the proposed rezoning would not generate traffic, sewage and environmental impacts; and
- (e) the proposed development will not only fulfill the operational needs of the existing Lantau Yacht Club but also promote business and create more job opportunities.

10.3 The major opposing comments are submitted by a member of village owners' committee of DB, the residents of DB and Peng Chau, Peng Chau Reclamation Concern Group and individuals, in which 136 are in the form of standard letters/providing similar views of the standard letters and two comments have attached 38 and 79 signatures respectively (**Appendix VIb**). Their major grounds of objection are summarised below:

- (a) the proposed development deviates from the original planning intention for DB as a tranquil, resort-like area and disrupt the sustainable way of living. The proposed increase in population in DB is contrary to the planned population 25,000 as stated in the OZP. The scale of the proposed development is excessive which would vastly increase the development density in the area;
- (b) the additional population from the proposed development will create immense pressure to the existing infrastructure capacity, particularly bus and ferry transport. The proposed development may also affect the access to Nim Shue Wan Village. The increasing burden on the traffic network would also exacerbate the potential for unpredictable safety problems;
- (c) the applicant fails to deliver sufficient government, institution and community (GIC) facilities to serve the future residents. The proposed development will create burden on the existing facilities which will adversely affect the quality of life and environment for current residents;



- (d) the increasing residential density would create walled-effect buildings which will block the sea view that the residents currently enjoy and deteriorate wind ventilation in the area. The gap between each of the proposed medium-rise buildings is seriously inadequate and would block sunlight from reaching indoors and weaken air ventilation. The proposed development is not consistent with the practices advocated by the prevailing sustainable building guidelines;
- (e) there are concerns on environmental impact, including noise emitted from constructions, from the proposed bus terminus that will be right below the residential development and from the relocated helipad. There is no proof of noise mitigation measures applied to the proposed layout;
- (f) the proposed reclamation would create detrimental impacts, which could hamper the recovery of fisheries resources and lead to the loss of fishing grounds, affect hydrological patterns, accumulate sediments and pollutants and adversely affect long-term marine ecosystem;
- (g) the proposed development would adversely affect the water quality of Nim Shue Wan and thus damage the marine ecosystem. There are also doubts on whether a proper Environmental Assessment and Ecological Impact Assessment should be conducted;
- (h) there are grave concerns on the geotechnical safety on the adjacent existing residential development and the future slope maintenance responsibility;
- (i) the applicant is not the sole owner of the area. The applicant's claim of being the sole owner of the Site is misleading and the proposal is in breach of the land lease and violates the DB PDMC. The applicant's right to develop littoral area is doubtful and he has no right to reclaim the seabed of Nim Shue Wan; and
- (j) the applicant should ensure that the proposed 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.

10.4 The seven comments expressing views/concerns are from individuals (**Appendix VIc**) and their major concerns include antenna/radio emitters, helipad, RCP and the lease matter of the PDMC.

## **11. Planning Considerations and Assessments**

11.1 The applicant proposes to rezone the Site (**Plan Z-1a**) from various zonings to "OU(Service Area with Residential Development Above)", "R(C)13", "R(C)14", "R(C)15", "OU(Sports and Recreation Club(4))", and to extend the OZP boundary beyond the existing seawall at Nim Shue Wan and zone it as "R(C)14", "OU(Sports and Recreation Club(4))" and "OU(Marina)" to facilitate a comprehensive residential development with servicing facilities, sports and recreational facilities, and a helipad (**Drawings Z-2 and Z-3**). According to the indicative scheme submitted by the applicant, the proposed development

comprises the development of a total of 57 residential blocks, including a mix of medium and low-rise buildings and houses, with new/reprovisioned services and facilities to be provided at the podium of some residential blocks; the replanning of Lantau Yacht Club; and the reprovisioning of the existing temporary helipad. The BHs range from 2 storeys to 18 storeys (about 17mPD to 89mPD, including structure). The proposed development will provide about 858 flats for about 2,145 population. The applicant also proposes some nearshore reclamation (about 15,700m<sup>2</sup>) in form of decking over piles near Nim Shue Wan as well as the eastern tip of the marina for relocating the helipad.

#### Planning Intentions of DB and the Site

- 11.2 In terms of strategic planning context, according to the Revised Lantau Concept Plan 2007, DB area was not recommended for further development. According to the Sustainable Lantau Blueprint (the Blueprint) announced by the Government in 2017, North Lantau Corridor is recommended for strategic economic and housing development, North-eastern Lantau Node for leisure, entertainment and tourism development and East Lantau Metropolis as a long-term Strategic Growth Area. DB is not recommended as one of the potential developments or strategic growth areas under the Blueprint. The Kau Yi Chau Artificial Islands and its related comprehensive network of strategic roads and rails proposed by the Government have no direct connection with the DB area.
- 11.3 According to the OZP, DB is intended for a holiday resort and residential/commercial development under the original land grant with a total planned population of 25,000 upon full development. The general planning intention of DB is for conservation of the natural environment and to provide for low-density developments compatible with the surrounding natural setting. With regard to the planning intention of the Site, it is mainly to designate land for servicing facilities to support the DB development and provision of a sports and recreation club. The proposed development, which comprises mainly residential use, serving facilities, sports and recreation club facilities and a helipad, is considered not in conflict with the general planning intentions of the DB and the Site.
- 11.4 It should also be noted that there are 21,600m<sup>2</sup> domestic GFA for 476 flats with a population of about 1,190 for proposed “R(C)12” zone under the s.12A application No. Y/I-DB/2 (**Plan Z-1c**) which have not been incorporated in the DB OZP. Taking into account the estimated population of about 2,145 in the proposed development with 858 flats under the current application, the cumulative planned population of the DB development will be about 28,335. While the planned population of the DB development is 25,000 under the OZP, it is also stated in its ES 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 investigation on infrastructure and environmental capacities.

#### Compatibility with the Surroundings

- 11.5 The Site is currently mainly occupied by servicing facilities including RCP, dangerous goods store, PFS, telephone exchange, bus parking, warehouse, workshops, staff quarters, boat servicing yard, sewage pumping station,

horticultural nursery, etc. to serve DB development, which are mainly of low-density, low-rise structures/buildings occupying relatively extensive areas.

- 11.6 The proposed development consists of a mix of medium and low-rise blocks and houses, with BHs ranging from 2 storeys to 18 storeys (about 17mPD to 89mPD, including structure) which is stepped from the north towards the waterfront to reduce visual obstruction (**Drawing Z-3**). According to the VIA, the ridgeline of the mountains behind remains intact and the proposed development has the same residential nature as the surrounding residential developments, while it will result in an intensification to the surrounding built environment. With the stepped height profile, building gaps and implementation of proper mitigation measures and landscape treatments, the overall visual impact of the proposed development is considered moderately adverse. CTP/UD&L, PlanD has no adverse comment on the application in this regard. The proposed residential development with servicing facilities, sports and recreational facilities and a helipad is considered not incompatible with the waterfront setting as well as the surrounding developments.

#### Community and Servicing Facilities

- 11.7 Most of the existing facilities including the telephone exchange building, bus depot, refuse collection facilities, PFS, helipad and landing point for kaito would be retained or reprovisioned at suitable locations within the Site. According to the applicant, the dangerous goods store will be relocated to DB North (**Plan Z-1c**) and the existing staff quarters and the decommissioned sewage treatment plant are no longer required.
- 11.8 Taking into account the population generated from the proposed developments under the current application and the agreed planning application No. Y/I-DB/2 mentioned in paragraph 11.4 above, the existing and planned provision of GIC facilities in DB are generally adequate to meet the demand of the overall population of DB in accordance with the requirements of the Hong Kong Planning Standards and Guidelines and relevant government departments, except for hospital beds, child care centres, community care services facilities, residential care homes for the elderly, pre-school and day rehabilitation services and residential care services. Nevertheless, since the entire DB development is a private development with an intention for a holiday resort and residential/commercial development, the GIC facilities should be provided from the private sector based on the needs of DB residents.

#### Technical Aspects

- 11.9 The applicant has conducted various technical assessments, including an Environmental Study, Study on Drainage, Sewerage and Water Supply Systems, TIA, Landscape design proposal, VIA, AVA, GRPP, and Technical Note on Helicopter Landing Pad to demonstrate the proposed development scheme would not cause any insurmountable problem and the infrastructure capacities can accommodate the proposed development.
- 11.10 According to the applicant, the proposed development would only involve minor reclamation works in form of decking over piles, with mitigation measures such as silt curtains and other good site practices, and hence impacts on water quality,

marine ecology and fisheries are considered insignificant. DEP has no in-principle objection to the proposed development from environmental perspective and advises that the applicant should follow the statutory process under the EIAO for any potential DP once identified at the detailed design stage. DAFC considers that the Site is basically developed land and has no adverse comment on the proposed development from ecological and fisheries perspectives.

- 11.11 CE/HK&I, DSD has no comment on the new drainage system for the proposed development which will be discharged directly to the sea nearby. CE/Dev(2), WSD indicates that there is adequate fresh water supply from Siu Ho Wan WTW to support the developments at DB after the completion of the extension project tentatively by 2027, noting that the target completion year for the proposed development is 2034.
- 11.12 On transport and traffic aspects, C for T has no further comment on the TIA from public transport operation point of view and considers the proposed development acceptable from traffic engineering point of view. As the GPRR has concluded that the proposed development is geotechnical feasible and further detailed analysis and geotechnical design will be carried out at a later stage, H(GEO), CEDD has no adverse comment on the GPRR. DG of CA considers the Technical Note on the Helipad acceptable, which provides preliminary information of the relocated helipad and confirms that the noise impact due to the relocated helipad is not anticipated. Other relevant government departments including D of M, CBS/NTE1&I, BD, D of FS and C of GFS have no objection to/adverse comment on the application.
- 11.13 The proposed rezoning is supported with detailed feasibility investigation on infrastructure and environmental capacities and the relevant technical assessments have demonstrated that the proposed development would not result in insurmountable problems and hence are considered acceptable by relevant government departments. The technical concerns of relevant departments can be addressed at the detailed design stage through appropriate control under lease and/or submission of building plans.
- 11.14 According to DLO/Is, LandsD, the proposed reclamation areas are within the areas previously gazetted under the then Foreshores and Sea-bed Ordinance in 1976 and 1978 for a leisure and resort centre, and the applicant may need to obtain authorisation of the proposed reclamation works for the proposed development under the existing Foreshore and Sea-bed (Reclamations) Ordinance, should the application be agreed by the Board. DLO/Is, LandsD will follow-up with the applicant regarding land administration matters together with the proposed reclamation separately in due course.

#### Proposed Zonings and Amendments to the Notes

- 11.15 With regard to the proposed zonings, the new set of Notes for the proposed “OU(Service Area with Residential Development Above)” zone and the proposed amendments to the Notes for the “R(C)”, “OU(Sports and Recreation Club)” and “OU(Marina)” zones (**Appendices II to IIIc**), it is noted that such amendments are proposed to facilitate implementation of the proposed development at the Site. The proposed zonings, new set of Notes for the new “OU” zone and proposed

changes to the Notes of other relevant zones including the schedule of uses and development restrictions for the concerned zones or subzones are considered not unreasonable or unacceptable. Notwithstanding this, should the application be agreed by the Committee, details of the appropriate zonings and Notes of the relevant zones would be subject to review prior to proposing amendments to the OZP for the Committee's consideration.

### Public Comments and Local Views

- 11.16 The public comments (including 6,035 supporting comments, 1,311 objecting comments and seven comments providing views/concerns) received during the statutory publication periods are summarised in paragraph 10 above and the local views conveyed by DO/Is, HAD is in paragraph 9.1.16 above. The supporting comments are noted. Regarding the objecting comments and concerns raised which are mainly related to the environmental, ecological, fisheries, transport and traffic, visual, air ventilation, geotechnical, infrastructural and land ownership/reclamation aspects, comments from relevant government bureau/departments in paragraph 9 and the planning assessments in paragraphs 11.1 to 11.15 above are relevant. As for the issues on land ownership and DMC, they are land administration matters which should be dealt with separately.

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

- 12.1 Based on the assessments made in paragraph 11 above and having taken into account the local views conveyed by DO/Is, HAD and public comments mentioned in paragraphs 9.1.16 and 10 above respectively, the Planning Department has no in-principle objection to the application.
- 12.2 Should the Committee decide to agree/partially agree to the application, the proposed amendments to the Discovery Bay Outline Zoning Plan, together with the revised Notes and Explanatory Statement, will be submitted to the Committee for consideration prior to gazetting under the Town Planning Ordinance.
- 12.3 Alternatively, should the Committee decide not to agree to the subject application, the following reason is suggested for Members' consideration:

the scale of the proposed development under the rezoning application is considered excessive and not compatible with the surrounding areas. The applicant fails to provide strong justification for rezoning the application site from various zonings to "Other Specified Uses" annotated "Service Area with Residential Development Above" ("OU(Service Area with Residential Development Above)"), "Residential (Group C) 13" ("R(C)13"), "R(C)14", "R(C)15" and "OU(Sports and Recreation Club(4))", and to extend the outline zoning plan planning scheme boundary beyond the existing seawall and zone it as "R(C)14", "OU(Sports and Recreation Club(4))" and "OU(Marina)". The current zonings for the application site are considered appropriate and should be retained.

**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 reason(s) for the decision should be given to the applicant.

**14. Attachments**

<b>Appendix I</b>	Application Form received on 14.10.2022
<b>Appendix Ia</b>	Letter dated 27.7.2023 with a consolidated planning statement
<b>Appendix II</b>	Proposed Notes for “OU(Service Area with Residential Development Above)” zone
<b>Appendices IIIa to IIIc</b>	Proposed amendments to the Notes for “R(C)”, “OU(Sports and Recreation Club)” and “OU(Marina)” zones
<b>Appendix IV</b>	Local comment conveyed by DO/Is, HAD
<b>Appendix V</b>	Detailed departmental comments
<b>Appendix VIa</b>	Sample of supporting public comments
<b>Appendix VIb</b>	Sample of objecting public comments
<b>Appendix VIc</b>	Public comments expressing views/concerns
<b>Drawing Z-1</b>	Proposed scheme showing the zonings and the areas
<b>Drawing Z-2</b>	Master Layout Plan
<b>Drawing Z-3</b>	Block plan
<b>Drawing Z-4</b>	Landscape Master Plan
<b>Drawings Z-5a to 5c</b>	Indicative sections
<b>Drawings Z-6a to 6c</b>	Photomontages
<b>Drawing Z-7</b>	Existing and proposed drainage layout plan
<b>Drawing Z-8</b>	Existing and proposed sewerage layout plan
<b>Drawing Z-9</b>	Existing and proposed water supply layout plan
<b>Plan Z-1a</b>	Location plan
<b>Plan Z-1b</b>	Extract of DB MP7.0E
<b>Plan Z-1c</b>	Location plan of previous, similar and related applications
<b>Plan Z-2</b>	Site Plan
<b>Plan Z-3</b>	Aerial photo
<b>Plans Z-4a and Z-4b</b>	Unmanned aerial vehicle photos
<b>Plans Z-4c to Z-4g</b>	Site photos

**PLANNING DEPARTMENT  
AUGUST 2023**