

TOWN PLANNING BOARD

TPB Paper No. 10982

**For Consideration by
the Town Planning Board on 13.9.2024**

**DRAFT DISCOVERY BAY OUTLINE ZONING PLAN NO. S/I-DB/5
CONSIDERATION OF REPRESENTATIONS NO. TPB/R/S/I-DB/5-R1 TO R50**

DRAFT DISCOVERY BAY OUTLINE ZONING PLAN (OZP) NO. S/I-DB/5
CONSIDERATION OF REPRESENTATIONS NO. TPB/R/S/I-DB/5-R1 to R50

Subject of Representations	Representers (No. TPB/R/S/I-DB/5-)
<p><u>Amendments to the Plan</u></p> <p><u>Item A (Plans H-2a to 2d)</u> Rezoning of a site to the north of Discovery Valley Road from “Other Specified Uses” (“OU”) annotated “Staff Quarters (5)” (“OU(Staff Quarters)5”) to “Residential (Group C) 12” (“R(C)12”)</p> <p><u>Item B1 (Plans H-3a to 3e)</u> Incorporation of a sea area in Nim Shue Wan into the planning scheme area and zoning it to “R(C)13”, and rezoning of a site to the south of Discovery Bay Road from “Government, Institution or Community” (“G/IC”), “OU(Staff Quarters)1”, “Residential (Group D)” and “Green Belt” (“GB”) to “R(C)13”</p> <p><u>Item B2 (Plans H-3a to 3e)</u> Incorporation of a sea area in Nim Shue Wan into the planning scheme area and zoning it to “R(C)14”, and rezoning of a site near Nim Shue Wan from “OU(Staff Quarters)1”, “OU(Service Area)”, “OU(Pier)3” and “OU(Petrol Filling Station)” (“OU(PFS)”) to “R(C)14”</p> <p><u>Item B3 (Plans H-3a, 3b, 3d and 3e)</u> Rezoning of a site to the northwest of the marina from “OU(Sports and Recreation Club) 4” (“OU(SRC)4”) and “R(C)7” to “R(C)15”</p> <p><u>Item B4 (Plans H-3a to 3d, 3f and 3g)</u> Rezoning of a site to the south of Discovery Bay Road from “OU(Staff Quarters)1”, “OU(Service Area)”, “OU(Dangerous Goods Store/Liquefied Petroleum Gas</p>	<p>Total: 50</p> <p><u>Support All Items with Adverse Views on Individual Amendments to the Notes and Oppose Amendments to the Notes (n) (1):</u> R48: Hong Kong Resort Company Limited</p> <p><u>Support Item B4 with Adverse Views on Amendment to the Notes (c) (1):</u> R49: Discovery Bay Services Management Limited</p> <p><u>Support Item B5 with Adverse Views on Amendment to the Notes (e) (1):</u> R50: Discovery Bay Marina Club Limited</p> <p><u>Oppose All or Individual Items (36)</u></p> <p><i>Owners’ Committees (OCs)</i> R30: Chairperson of Beach Village OC and Member of Discovery Bay City OC R31: Chairperson of La Vista and La Serene OC</p> <p><i>Individuals</i> R11 to R19, R21 to R29, R32 to R47</p> <p><u>Oppose Amendments to the Notes (o) (10)</u></p> <p><i>OC</i> R4: Chairperson of Hillgrove Village OC</p> <p><i>Individuals</i> R1 to R3, R5 to R10</p> <p><u>Support and Oppose Different Items at the Same Time (1)</u> R20: Individual</p>

Subject of Representations	Representers (No. TPB/R/S/I-DB/5-)
<p>Store)”, “OU(Pier)3” and “OU(PFS)”, “G/IC” and “R(C)7” to “OU(Residential Development with Service Area Below)” and stipulating sub-areas on the OZP</p> <p><u>Item B5 (Plans H-3a to 3d, 3h and 3i)</u> Incorporation of a sea area in Nim Shue Wan into the planning scheme area and zoning it to “OU(SRC)4” and stipulating as Area B, and rezoning of a site to the west of the marina from “OU(Service Area)”, “OU(Marina)” and “OU(PFS)” to “OU(SRC)4” and stipulating as Area B</p> <p><u>Item B6 (Plans H-3a, 3b, 3d and 3i)</u> Incorporation of a sea area in Nim Shue Wan into the planning scheme area and zoning it to “OU(Helicopter Landing Pad)” (“OU(HLP)”)</p> <p><u>Amendments to the Notes</u></p> <ul style="list-style-type: none"> (a) Revision to “R(C)” zone to incorporate ‘Pier (on land designated “R(C)14” only)’ under Column 1 (b) Revision to the Remarks for “R(C)” zone to incorporate “R(C)12”, “R(C)13”, “R(C)14” and “R(C)15” sub-areas with development restrictions (c) Incorporation of a new set of Notes for “OU(Residential Development with Service Area Below)” zone (e) Revision to “OU(SRC)4” zone to incorporate ‘Boat Services Facility’, ‘Marine Fuelling Station’ and ‘Pier’ under Column 1 (f) Revision to the Remarks for “OU(Staff Quarters)” zone to delete sub-areas (1) and (5) (g) Revision to the Remarks for “OU(Pier)” zone to delete sub-area (3) (n) Revision to “CA” zone to incorporate ‘Country Park’ under Column 1 (o) Revision to the covering Notes in accordance with the Revised Master Schedule of Notes to Statutory Plans (MSN) and to reflect the latest situation 	

Note: The names of the representers are attached at **Annex III**. Soft copies of the submissions are sent to Town Planning Board (the Board) Members via electronic means; and are also available for public inspection at the Board’s website at https://www.tpb.gov.hk/en/plan_making/S_I-DB_5.html and the Planning Enquiry

Counters of the Planning Department (PlanD) in North Point and Sha Tin. A set of hard copies is deposited at the Board's Secretariat for Members' inspection.

1. Introduction

- 1.1 On 12.4.2024, the draft Discovery Bay OZP No. S/I-DB/5 (the Plan) (**Annex I**) was exhibited for public inspection under section 5 of the Town Planning Ordinance (the Ordinance). The Schedule of Amendments setting out the amendments incorporated into the OZP is at **Annex II** and the locations of the amendment items are shown on **Plan H-1**.
- 1.2 During the two-month exhibition period, a total of 50 representations were received. On 14.8.2024, the Board agreed to consider all the representations collectively in one group.
- 1.3 This paper is to provide the Board with information for consideration of the representations. The list of representers and a summary of their representations are at **Annex III and Annex IV** respectively. The representers have been invited to attend the meeting in accordance with section 6B(3) of the Ordinance.

2. Background

Item A – Proposed Residential Development to the north of Discovery Valley Road

- 2.1 To take forward the Rural and New Town Planning Committee (RNTPC) of the Board's decision on 14.1.2022 to agree to a section 12A (s.12A) application (No. Y/I-DB/2), the site to the north of Discovery Valley Road (about 0.76ha) has been rezoned from "OU(Staff Quarters)5" to "R(C)12" subject to a maximum domestic gross floor area (GFA) of 21,600m² and a maximum building height (BH) of 128 metres above Principal Datum (mPD) (including structure) on the OZP.

Items B1 to B6 – Proposed Residential Development with Servicing Facilities, Sports and Recreation Facilities and a Helipad near Nim Shue Wan

- 2.2 To take forward the RNTPC's decision on 11.8.2023 to agree to another s.12A application (No. Y/I-DB/4), the two sea areas in Nim Shue Wan (about 1.5ha) have been incorporated into the planning scheme area of the OZP (the Area) and zoned as "R(C)13", "R(C)14", "OU(SRC)4" and "OU(HLP)" while the adjoining sites (about 6.3ha) have also been rezoned from various zones to "R(C)13", "R(C)14", "R(C)15", "OU(Residential Development with Service Area Below)"¹ and "OU(SRC)4" with respective maximum GFA and BH restrictions.

Amendments to the Notes of the OZP

- 2.3 Amendments to the Notes of the OZP have also been made:

¹ For the site under **Item B4** which is zoned "OU(Residential Development with Service Area Below)" on the OZP, the applicant proposed to rezone it to "OU(Service Area with Residential Development Above)" in the s.12A application (No. Y/I-DB/4).

“R(C)” zone

- (i) in relation to **Items A and B1 to B3**, the Notes and the Remarks of the “R(C)” zone are revised to incorporate “R(C)12”, “R(C)13”, “R(C)14” and “R(C)15” sub-areas with development restrictions. ‘Pier’ is incorporated as a Column 1 use on land designated as “R(C)14” zone;

“OU(Residential Development with Service Area Below)”, “OU(SRC)” and “OU(HLP)” zones

- (ii) in relation to **Items B4, B5 and B6**, a new set of Notes for the “OU(Residential Development with Service Area Below)” and “OU(HLP)” zones are incorporated with development restrictions while the Notes for the “OU(SRC)” zone are revised;

“OU(Staff Quarters)” and “OU(Pier)” zones

- (iii) in relation to **Items A, B1, B2 and B4**, the sub-areas of “OU(Staff Quarters)1”, “OU(Staff Quarters)5” and “OU(Pier)3” in the Remarks are deleted;
- (iv) to provide flexibility for provision of ancillary uses within the piers, the development restrictions in the Remarks for the “OU(Pier)” zone is revised so that kiosk or premises not in excess of a maximum non-domestic GFA of 100m² in total for use as ‘Shop and Services’ and ‘Eating Place’ are also considered as ancillary to ‘Pier’ use;

“OU(PFS)”, “OU(Service Area)” and “OU(Dangerous Goods Store/LPG Store)” zones

- (v) in relation to **Items B2, B4 and B5**, these zones are no longer shown on the OZP and the set of Notes of these zones are deleted accordingly;

Technical amendments

- (vi) as a minor part of Lantau North (Extension) Country Park falls within the “CA” zone, ‘Country Park’ is incorporated as a Column 1 use for the “CA” zone;
- (vii) as taxi access has been allowed to Discovery Bay North since 2011, ‘Taxi Rank’ is added in covering Notes of the OZP as a use always permitted within the Area; and
- (viii) to align with the updated MSN, technical amendments are proposed to the covering Notes of the OZP and the Notes for the “R(C)”, “G/IC”, “GB”, “CA”, “CPA”, “OU(Commercial Complex and Residential Development cum Transport Interchange)”, “OU(Commercial and Public Recreation Development cum Transport Interchange)”, “OU(Public Recreation cum Residential Development)” and “OU(Golf Course cum Residential Development)” zones.

The Draft OZP

2.4 On 15.3.2024, RNTPC agreed that the proposed amendments to the approved

Discovery Bay OZP No. S/I-DB/4 were suitable for public inspection under section 5 of the Ordinance. The relevant RNTPC Paper No. 1/24 is available at the Board's website² and the extract of the minutes of the RNTPC's meeting is at **Annex V**. Subsequently, the draft Discovery Bay OZP No. S/I-DB/5 was gazetted on 12.4.2024.

3. Local Consultations

- 3.1 During the processing of the respective s.12A applications relating to **Items A and B1 to B6**, the applications were published for public comment in accordance with the provisions of the pre-amended Ordinance³. In considering the two s.12A applications respectively on 14.1.2022 and 11.8.2023, RNTPC had taken into account the public comments received.

Islands District Council (IsDC)

- 3.2 Upon the gazettal of the draft OZP on 12.4.2024, members of IsDC were notified on the same date that members of the public could submit representations on the amendments in writing to the Secretary of the Board during the exhibition period of the draft OZP. No representation from IsDC members was received.
- 3.3 IsDC's District Infrastructure and Development Planning Committee (DIDPC) was consulted on the OZP amendments on 30.4.2024. At the meeting, the members expressed concerns mainly on the provision of transport services, infrastructure and community facilities of Discovery Bay, environmental impacts arising from the proposed residential developments and reclamation, as well as disturbances to the ferry/kaito passengers and villagers of Nim Shue Wan due to relocation of the ferry pier and possible blocking of existing footpath between Discovery Bay Road and Nim Shue Wan Village by the proposed residential development. Extract of minutes of the DIDPC meeting is at **Annex VI**.
- 3.4 Most of the views raised at the meeting are similar to those raised in the submitted representations in paragraph 5 below and **Annex IV**, and PlanD's responses to the representations in the same paragraph and annex are relevant. Regarding the concerns over possible blocking of the existing pedestrian access between Discovery Bay Road and Nim Shue Wan Village, the lease of Lot 385 RP and Extensions thereto in D.D. 352 (i.e. the lot of Discovery Bay development) requires the landowner to provide a free and uninterrupted right at all time for the owners of other lots within or immediately adjoining Discovery Bay and their tenants, visitors and other persons authorised by them to pass through the pathways and roadways within Discovery Bay. Exact arrangement of the pedestrian access will be considered and scrutinised by the concerned government departments upon receipt of the landowner's application, if any, in the subsequent amendment to the Master Plan under lease and/or building plan submission stages, etc. No representation from DIDPC members was received.

Meeting with Local Residents of Discovery Bay

- 3.5 On 10.6.2024, a meeting organised by Mr. Chow Yuen Kuk, Johnathan, an IsDC Member was held in Discovery Bay Community Hall with about 60 local residents

² RNTPC Paper No. 1/24 and the attachments are available at the Board's website at https://www.tpb.gov.hk/en/meetings/RNTPC/Agenda/738_rnt_agenda.html.

³ The "pre-amended Ordinance" refers to the Town Planning Ordinance as in force immediately before 1.9.2023.

and relevant stakeholders of Discovery Bay, as well as PlanD's representatives attended. A summary of views expressed at the meeting is attached in **Annex VII**. Major points raised at the meeting include:

- (a) 'Taxi Rank' as a use always permitted in the Area and amendments to the Explanatory Statement (ES) of the OZP are not in line with the 'car-free' concept of Discovery Bay;
- (b) there is doubt over the Traffic Impact Assessments (TIAs) conducted in the s.12A applications concluding that the proposed residential developments would not have insurmountable traffic impacts. The internal and external transport services of Discovery Bay are incapable to serve the additional population arising from the proposed residential developments;
- (c) the proposed high-rise buildings will lead to wall effect causing adverse impact on visual and air ventilation aspects;
- (d) tree compensation is inadequate for the trees to be felled; and
- (e) Discovery Bay residents were not well-informed and consulted during the planning application stage and plan making process. While receiving a high number of adverse comments from the local residents, RNTPC still agreed to the s.12A applications.

3.6 Some of the attendees also submitted representations providing similar views as summarised in paragraph 5 below and **Annex IV**, and PlanD's responses to the representations in the same paragraph and annex are relevant.

4. The Representation Sites and their Surrounding Areas

4.1 The Representation Sites and their Surrounding Areas

Representation Site under Item A (Plans H-2a to 2d)

- 4.1.1 Representation site under **Item A (Item A Site)** (about 0.76ha) is zoned "R(C)12" subject to a maximum domestic GFA of 21,600m² and a maximum BH of 128mPD (including structure) which is located on a sloping platform to the north of Discovery Valley Road. While the site had been zoned for staff quarters serving Discovery Bay since the first OZP published in 2001, it was never developed as staff quarters and is currently vacant and covered with trees and vegetation. The site is accessible via a footpath connecting to Parkvale Drive and its surroundings are mainly medium-rise residential developments (15 to 23 storeys) namely Parkvale Village and Midvale Village which are zoned "R(C)4".
- 4.1.2 According to the applicant's Indicative Scheme under the s.12A application (No. Y/I-DB/2) (**Drawings H-1a to 1c**), the proposed development consisting of two 18-storey residential blocks with a domestic GFA of about 21,600m², a plot ratio (PR) of 2.83 and a BH of 128mPD (including structures) will provide 476 flats for an estimated population of 1,190.

Representation Sites under Items B1 to B6 (Plans H-3a to 3i)

- 4.1.3 Representation sites under **Items B1 to B6** (collectively **Item B Site**) (about 7.8ha) are located at Nim Shue Wan which is at the southern waterfront of Discovery Bay with about one-fifth of it being the seawall and sea areas (about 1.5ha) which fell outside the OZP prior to the gazettal of the draft Discovery Bay OZP No. S/I-DB/5. The land portion is currently occupied by low-rise structures/buildings of various land uses mainly serving Discovery Bay including a telephone exchange, a sewage pumping station (SPS), a staff quarter, a refuse collection point, a liquefied petroleum gas (LPG) store, a petrol filling station (PFS), a warehouse, a bus parking area, a bus and golf cart servicing/repairing area, a horticultural nursery, a boat servicing yard, a helipad, the ferry pier being used by the ferry/kaito to Peng Chau and Mui Wo and service piers for tugboat, sand barge, LPG vessel, etc. To the north of the site is mainly medium-rise residential developments of 18 storeys.
- 4.1.4 According to the s.12A application (No. Y/I-DB/4), the nearshore reclamation to be carried out in the two sea areas within the lot of Discovery Bay development will be in form of decking over piles with mitigation measures to avoid water quality, marine ecology and fisheries impacts. As shown on the Indicative Scheme (**Drawings H-2a to 2e**), the proposed development on both reclamation and land portions comprises a total of 57 residential blocks including a mix of medium and low-rise buildings and houses, new and reprovisioned servicing facilities in the podium level, an extension area for the adjoining sports and recreation club (Lantau Yacht Club) and a helipad at the eastern end of the marina for reprovisioning of the existing helipad within Lantau Yacht Club. The proposed development has a total GFA of about 78,030m² (with domestic and non-domestic GFAs of 61,200m² and 16,830m² respectively), a total PR of about 1 (with domestic and non-domestic PRs of about 0.78 and 0.22 respectively), BHs ranging from 1 to 18 storeys with some blocks above 2-storey podium (ranging from 12mPD to 89mPD, including structure) stepping down from the north towards the waterfront. The proposed number of flats is 858 and the estimated population is 2,145.

- 4.1.5 The table below summarises the respective amendment items:

Item	Site Area (ha)	Zoning and Development Restrictions	Development(s) shown on the Indicative Scheme
B1	0.38	“R(C)13” – Maximum GFA of 14,100m ² – Maximum BH of 89mPD (including structure)	Two 18-storey residential blocks (89mPD, including structures) above 2-storey podium accommodating electrical and mechanical services/facilities and the existing SPS
B2	1.23	“R(C)14” – Maximum GFA of 6,500m ² – Maximum BH of 17mPD	34 2-storey houses (17mPD, including structure) with reprovisioning of ferry pier

		(including structure)	
B3	0.71	“R(C)15” – Maximum GFA of 4,500m ² – Maximum BH of 38mPD (including structure)	Four 5-storey residential blocks (38mPD, including structure)
B4	2.54	“OU(Residential Development with Service Area Below)” – Maximum domestic GFA of 36,100m ² and non-domestic GFA of 11,330m ² – Maximum BH of 89mPD for Area A, 39mPD for Area B and 36mPD for Area C (all including structure)	A mix of 14 residential blocks accommodating servicing facilities in the podium (6 to 18 storeys on top of 2-storey podium ranging from 36mPD to 89mPD, including structure)
B5	2.2	“OU(SRC)4” Area B – Maximum GFA of 5,500m ² – Maximum BH of 5 storeys and 15m (including structure)	Extension of the existing sports and recreation club, Lantau Yacht Club with 1 to 5 storeys (maximum 15m, including structure)
B6	0.1	“OU(HLP)”	A helicopter landing pad

4.2 Planning Intentions

The planning intentions of the zones in relation to the above representation sites are as follows:

- (a) the “R(C)” zone (**Items A, B1, B2 and B3**) is intended primarily for low-density residential developments;
- (b) the “OU(Residential Development with Service Area Below)” zone (**Item B4**) is intended primarily for residential development and service area to serve the development and surrounding area;
- (c) the “OU(SRC)” zone (**Item B5**) is intended primarily to designate land for sports and recreation club development; and
- (d) the “OU(HLP)” zone (**Item B6**) is intended for the provision of a helicopter landing pad serving the needs of the district.

5. The Representations

5.1 Subject of Representations

5.1.1 The 50 representations include:

- (i) three representations submitted by three companies (**R48, R49 and R50**)

supporting all or individual amendment items with adverse views on individual amendments to the Notes. One of the companies (**R48**) also opposing the amendment to the Notes (n);

- (ii) 36 adverse representations submitted by the chairpersons of two OCs of residential developments in Discovery Bay (**R30 and R31**) and 34 individuals (**R11 to R19, R21 to R29 and R32 to R47**) opposing all or individual amendment items;
- (iii) 10 adverse representations submitted by the chairperson of another OC of residential development in Discovery Bay (**R4**) and 9 individuals (**R1 to R3 and R5 to R10**) opposing the amendment to the Notes (o) on addition of ‘Taxi Rank’ in the covering Notes; and
- (iv) one representation submitted by an individual (**R20**) supporting and opposing different amendment items at the same time.

5.1.2 The major grounds and views of the representations as well as their proposals (if any), and PlanD’s responses in consultation with the relevant government bureaux/departments (B/Ds), are at **Annex IV** and summarised in paragraphs 5.2 and 5.3 below.

5.2 Major Supportive Grounds and Adverse Views and Responses

5.2.1 *Planning Intention*

Major grounds/Views	Representation No.
(1) Support all amendment items and the amendments to the Notes (a) to (m) and (o) as they generally reflect the two agreed s.12A applications (No. Y/I-DB/2 and Y/I-DB/4). For the amendments to the Notes (b) and (c), they are supported as the restrictions of the new zonings are in line with the Joint Practice Notes (JPN) No. 5 ‘Development Control Parameters Building Height Restriction’ in that maximum BH is only expressed in mPD.	R48
(2) Support Item B4 and amendment to the Notes (c) to reflect the agreed s.12A application (No. Y/I-DB/4).	R49
(3) Support Item B5 and amendment to the Notes (e) to reflect the agreed s.12A application (No. Y/I-DB/4) which allows expansion of Lantau Yacht Club.	R50
(4) A well-designed and maintained recreation club in Item B5 Site would bring great value to Peninsula Village residents who will spend more time and money in the club and enjoy food and other activities.	R20
Responses	
(a) In response to (1) to (4):	

The supportive views are noted. With regard to the amendments to the Notes (b) and (c) of the BH restriction (BHR) being in line with JPN No. 5 mentioned in **R48**, please also refer to response in paragraph 5.2.2(b).

5.2.2 Statutory Planning Control and Amendments to the Notes and ES

Major grounds/Views	Representation No.
<p>(1) Some of the uses indicated in the s.12A application (No. Y/I-DB/4) are not explicitly included in the Column 1 of the “OU (Residential Development with Service Area Below)” zone under Item B4 and the “OU(SRC)4” zone under Item B5. Column 1 use of ‘Transport Terminus and Station’ under the “OU (Residential Development with Service Area Below)” zone should be amended as ‘Transport Terminus and Station (including Transport Office and Transport Staff Rest Area)’ to allow transport office and staff rest area. Besides, ‘Utility Installation for Private Project’ should be transferred from Column 2 to Column 1 in the “OU(SRC)4” zone.</p> <p>Clarification on whether other uses to support the management of Discovery Bay development indicated in the s.12A application (No. Y/I-DB/4) can be considered as ancillary uses permitted in the respective zones is required.</p>	R48, R50
<p>(2) The wording ‘including structure’ in the BHR clause of the Remarks for “R(C)” and “OU(Residential Development with Service Area Below)” zones under Items A and B1 to B4 should be deleted to tally with JPN No. 5.</p>	R48
<p>(3) The ‘number of storey’ restriction of the BHRs of “R(C)1” to “R(C)11” zones should be deleted to tally with the “R(C)12” to “R(C)15” zones under Items A and B1 to B3 and conform to JPN No. 5 in that only BHRs in mPD are imposed.</p>	R48
<p>(4) The bus and ferry shelters in Discovery Bay are provided by the developer due to Discovery Bay’s unique situation, however they are GFA accountable. The Remarks for the “R(C)” and “OU(Residential Development with Service Area Below)” zones under Items A and B1 to B4 should be amended to exempt GFA for such facilities so as not to reduce the achievable GFA of the agreed residential developments.</p> <p>Some facilities to be provided in the “OU(Residential Development with Service Area Below)” zone (e.g. transport office, transport staff rest area, management</p>	R48, R49

<p>office and workshop or management staff rest area) under Item B4 are ancillary and directly related to the management of whole Discovery Bay. The function and scale of these facilities are different with other ancillary facilities (e.g. caretakers' office) listed in the GFA exemption clause of the Notes of the OZP which serves the development itself. Granting GFA concession through the provisions under Buildings Ordinance may not be applicable. Therefore, a clause should be added in the Remarks for the "OU (Residential Development with Service Area Below)" zone so that such facilities can be disregarded from GFA calculation under OZP.</p>	
<p>(5) A new minor relaxation clause on GFA and BH restrictions through s.16 application should be added under the Remarks for the "R(C)" and "OU(Residential Development with Service Area Below)" zones under Items A and B1 to B4 to tally with the current practices and promote the Green and Innovative Buildings incentives set out in relevant JPNs.</p>	<p>R48</p>
<p>(6) The planned population stated in the ES should be updated. Given that there are no longer any exceptional infrastructural constraints, relevant paragraph of the ES should also be revised.</p>	<p>R48</p>
<p>(7) The general planning intention of the Area in the ES should be amended to include more relevant references to recent strategic studies undertaken by Government.</p>	<p>R48</p>
<p>Responses</p>	
<p>(a) In response to (1):</p> <p>The "OU(Residential Development with Service Area Below)" and "OU(SRC)4" zones under Items B4 and B5 are to reflect the agreed s.12A application (No. Y/I-DB/4). Upon PlanD's review, it is considered appropriate that the Notes including the Schedules of Uses of the two zonings should make reference to the latest MSN adopted by the Board and other existing zonings of the Discovery Bay OZP. For the "OU(Residential Development with Service Area Below)" zone, reference has been made to the "OU(Commercial Complex and Residential Development cum Transport Interchange)" zone with due consideration of the applicant's proposals (Annex IX) in the s.12A application (No. Y/I-DB/4). To avoid possible conflict/adverse impact with the residential development above and meet the needs of the local residents, visitors and users of the service area, suitable modifications are made to the Schedules of Uses of the zone and the annotation of the "OU" zone is changed to "Residential Development with Service Area Below" to better reflect such planning intention. There is no change of 'Utility Installation for Private Project' as Column 2 use in the "OU(SRC)4" zone. Implementation of the Indicative Scheme under the agreed s.12A application (No. Y/I-DB/4) will not be adversely affected by the Schedules of Uses of the two zones.</p>	

The covering Notes of the OZP states that the uses directly related and ancillary to the permitted uses and developments within the same zone are always permitted. Whether a use serving the whole Discovery Bay development but not directly related and ancillary to a permitted use within the “OU(Residential Development with Service Area Below)” zone is allowed will depend on the provision on the OZP. For example, ‘City Management Office’ mentioned by **R48** which is an ‘office’ use may be permitted upon section 16 application. PlanD’s comments on whether a specific use can be considered as ancillary use will be provided at later stage (e.g. building plan submission, issuance of Occupation Permit, etc.).

(b) In response to (2):

The formation of BHRs of the Discovery Bay OZP had taken into consideration the specific circumstances of each land use zone including sensitivity of the concerned location, compatibility with the wider building profile, visual intrusion to Hong Kong Disneyland Resort and surrounding natural setting, etc. Discovery Bay is the only large-scale development involving large waterfront site at the eastern part of Lantau Island and mostly surrounded by Lantau North (Extension) Country Park. To preserve the existing amenity and character, almost all of the development zones⁴ on the OZP are subject to a maximum absolute BH including the height of roof-top structures. The BHR clauses of the “R(C)”, “OU(SRC)4” and “OU(Residential Development with Service Area Below)” zones under **Items A and B1 to B5** follows the practice of other zonings in Discovery Bay development. According to JPN No. 5, while the highest level of the main roof is usually used in determining BH in BHR, explicit specifications on the OZP could also be for serving special purposes for which the total BH including the roof-top structures should not exceed the stipulated BHR. As the BHRs on the OZP follow the BHRs proposed by the applicant in the s.12A applications (No. Y/I-DB/2 and Y/I-DB/4) which include the roof-top structures in calculating the maximum BH, implementation of the Indicative Schemes under the two agreed s.12A applications will not be adversely affected by the BHRs.

(c) In response to (3):

The “R(C)1” to “R(C)11” zones are not the subject of any amendment item.

(d) In response to (4):

The GFA exemption clauses for the “R(C)” and “OU(Residential Development with Service Area Below)” zones follow the clauses of other existing zonings of the Discovery Bay OZP as well as other prevailing OZPs in Hong Kong.

The GFA exemption clause proposed by the applicant for the “OU(Service Area with Residential Development Above)” zone under the s.12A

⁴ Except “OU(HLP)” and “OU(Reservoir)” zone where building is not expected in these zones except minor structures.

application (No. Y/I-DB/4) is only to exempt the GFA of the facilities ancillary and directly related to the development within the respective zones (**Annex IX**). Besides, there is also no such suggestion in both s.12A applications (No. Y/I-DB/2 and Y/I-DB/4) to exempt bus and pier shelters from GFA calculation under the OZP. The suggestion is not in line with the agreed s.12A applications submitted by **R48**. Moreover, as these facilities are not serving the development within the respective zones, it is not appropriate to exempt the floor area of these facilities from GFA calculation under the OZP.

(e) In response to (5):

During the consideration of the objections to the draft Discovery Bay OZP No. S/I-DB/1, the Board deliberated on whether to include minor relaxation clause for the GFA and BH restrictions. It was agreed that non-inclusion of minor relaxation clause in the Notes of the OZP is appropriate to maintain the existing character and the intended scale of development in Discovery Bay, to avoid overtaxing the limited infrastructure provision, and to safeguard against visual intrusion to the surrounding developments including Hong Kong Disneyland Resort. The non-inclusion of minor relaxation clause for “R(C)” and “OU(Residential Development with Service Area Below)” zones follow other existing zonings of the Discovery Bay OZP.

In any case, the GFAs and BHs of the proposed developments in the “R(C)”, “OU(SRC)4” and “OU(Residential Development with Service Area Below)” zones under the Indicative Schemes fall within the relevant restrictions, and implementation of the Indicative Schemes under s.12A applications (No. Y/I-DB/2 and Y/I-DB/4) will not be adversely affected without minor relaxation clauses. There is no minor relaxation clause in the zonings proposed by the applicant under both s.12A applications, and **R48**’s suggestion is not in line with the agreed s.12A applications submitted by itself.

(f) In response to (6):

The planned population stated in the ES has been updated taking into account the two agreed s.12A applications (No. Y/I-DB/2 and Y/I-DB/4). According to the ES of the OZP, having regard to the character of the Area, environmental considerations and the existing and planned infrastructure provision, in particular the limited capacity of external links, the OZP was originally provided for a planned total population of about 25,000 persons for the Discovery Bay development. The planned total population for the Discovery Bay development has been increased to about 28,300 taking into account the two proposed developments in **Items A and B Sites**. However, any further increase in population would still have to be considered in the context of the general planning intention for the Area and subject to detailed feasibility investigations on infrastructure and environmental capacities.

(g) In response to (7):

The contents in the “Sustainable Lantau Blueprint”, “Recreation & Tourism Development Strategy for Lantau” and “Hong Kong 2030+” are not directly

related to **Items A and B1 to B6** and the general planning intention of the Area.

5.3 Major Adverse Grounds, Proposals and Responses

5.3.1 Planning Intention

Major grounds	Representation No.
(1) The proposed developments contradict with the unique character of Discovery Bay with low-density, calm and green environment that differentiates it from other places.	R26, R29
(2) Discovery Bay is not prepared for a significant increase in population. The population increase generated by the proposed developments will negatively affect the quality of life of existing residents.	R13 to R16, R19, R20, R38
(3) The estimated planned population is underestimated in technical assessments.	R19, R35
(4) The population in Hong Kong is decreasing with declining birth rate. There is over supply and low demand for private housing in Discovery Bay and the territory. The proposed private housing is unnecessary.	R10, R37
(5) The planned population in the ES has not been updated. Given the significant contribution of temporary hotel residents to the overall population in Discovery Bay, the capacity for day visitors should be taken into account in the assessment of infrastructural capacities.	R9
(6) The proposed developments will affect the public safety and increase crime rate in the Area.	R14 to R16, R37, R47
Responses	
<p>(a) In response to (1) to (4):</p> <p>According to the ES of the OZP, the general planning intention of the Area is for conservation of the natural environment and to provide for low-density developments compatible with the surrounding natural setting. 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. In particular, the unique sub-urban low-density and car-free character of the development should be maintained in keeping with the surrounding natural setting.</p> <p>Items A and B1 to B6 are mainly to take forward the two s.12A applications (No. Y/I-DB/2 and Y/I-DB/4) agreed by RNTPC on 14.1.2022 and 11.8.2023 respectively. According to their Indicative Schemes, the proposed development in Item A Site consists of two 18-storey residential blocks with</p>	

<p>a domestic GFA of about 21,600m², a PR of 2.83 and a BH of 128mPD (including structure), providing 476 flats for an estimated population of 1,190, while the proposed residential development with servicing facilities below, sports and recreation facilities and a helipad in Item B Site has a total GFA of about 78,030m² (with domestic and non-domestic GFAs of 61,200m² and 16,830m² respectively), a total PR of about 1 (with domestic and non-domestic PRs of 0.78 and 0.22 respectively) and BHs ranging from 12mPD to 89mPD (including structure), providing 858 flats for an estimated population of 2,145, which are considered not incompatible with the waterfront setting as well as the surrounding developments. At the s.12A application stage, technical assessments submitted by the applicant demonstrated the proposed developments were technically feasible, and the concerned government B/Ds had no objection to or no adverse comment on the applications. The proposed developments under Items A and B1 to B6 are considered in line with the general planning intention of the Area on the OZP.</p>
<p>(b) In response to (5):</p> <p>While hotel guest is not included in the said planned total population, the planning of existing and planned provision of government, institution and community (GIC) facilities has taken into account transient population including hotel guest, where appropriate.</p>
<p>(c) In response to (6):</p> <p>Discovery Bay is a private development and management and security matters should be safeguarded by the developer and management company. Besides, the Hong Kong Police Force (the Police) would collaborate with the community to ensure public safety.</p>

5.3.2 *Proposed Developments in Items A and B Sites*

5.3.2.1 *Development Intensity, Urban Design and Air Ventilation*

Major grounds	Representation No.
(1) The walled buildings to be constructed are not in keeping with the Discovery Bay's environment. The waterfront location has not been taken into account in the building design such as provision of breaks between buildings and the promenade along the waterfront.	R11, R21, R22, R27, R30
(2) The proposed buildings in Items A and B Sites should be in low rise, and their BHs should be reduced with more buffers between blocks.	R23, R24, R38
(3) The proposed 18-storey buildings zoned "R(C)13" under Item B1 should have lower BH or be removed from the proposal.	R18, R19, R23, R24

(4) The proposals will result in adverse visual impact and blocking of the views and light which will cause a drop in property price. The photomontages provided by the applicant do not realistically illustrate the visual impact.	R12, R14 to R16, R18, R20, R23 to R25, R35, R45
(5) The Visual Impact Assessment (VIA) undertaken in the s.12A application for Item B Site is insufficient to demonstrate no visual impact from the proposed development. The criteria for selecting the visual sensitive receivers (VSRs) is questionable, in which the visual impacts to the recreational and transport users of Discovery Bay Road and in its vicinity are not considered in the VIA. The conclusion on the visual impact is also questionable as the VIA included VSRs locating far away from the proposed development and the travelling VSR with a low sensitivity due to the transient nature of the views. The concerns on the development scale and visual impacts in the s.12A application could not be fully addressed.	R25
(6) The proposed high rise blocks under Items B1 and B4 (especially the two 18-storey buildings under Item B1) will block the prevailing winds and air ventilation, which will affect the micro-environment of the area.	R18, R21, R22, R27, R30
Proposals	
(i) The BH of the proposed 18-storey buildings under Item B1 zoned “R(C)13” should be reduced to 10 storeys.	R18
(ii) The maximum BH of the “R(C)15” zone under Item B3 should be reduced to 15m.	R12
Responses	
<p>(a) In response to (1) to (4), (i) and (ii):</p> <p>Items A and B1 to B6 are mainly to take forward the two agreed s.12A applications (Nos. Y/I-DB/2 and Y/I-DB/4).</p> <p>The proposed residential development in Item A Site comprises two medium-rise residential blocks of 18 storeys (Drawing H-1a) which is considered small in scale. The adjoining area is also mainly occupied by medium-rise residential developments of 15 to 23-storey residential blocks. In the s.12A application (No. Y/I-DB/2), the applicant submitted photomontages and proposal of visual mitigation measures.</p> <p>The proposed development in Item B Site consists of a mix of medium and low-rise blocks and houses, with BHs ranging from 1 storey to 18 storeys (about 12mPD to 89mPD, including structure) (Drawing H-2a), which is stepped from the north towards the waterfront to reduce visual obstruction. According to the VIA submitted in the s.12A application (No. Y/I-DB/4), the ridgeline of the mountains behind remains intact and the proposed development has the same residential nature as the surrounding residential</p>	

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.

Overall, the Chief Town Planner/Urban Design and Landscape, PlanD (CTP/UD&L, PlanD) had no adverse comment on the applications. The proposed residential development in **Item A** Site and the proposed residential development with servicing facilities, sports and recreation facilities and a helipad in **Item B** Site are considered not incompatible with the surrounding developments as well as the waterfront setting. The current zonings and development restrictions are considered appropriate. The stepped height concept and the possible mitigating treatments for visual relief have also been incorporated in the ES of the OZP for the project proponent to take into account during the detailed design stage.

(b) In response to (5):

According to the Town Planning Board Guidelines on submission of VIA for planning applications to the Board (TPB-PG No.41), the assessment area is expected to cover the area of visual influence within which the proposed development is pronouncedly visible from key sensitive viewers. As advised by CTP/UD&L, PlanD, the VIA submitted in the s.12A application (No. Y/I-DB/4) for the proposed development in **Item B** Site has already included the visual impact on the travellers and visitors in Discovery Bay. For comments regarding VSRs of T2 and T3 in sections 6.4.12 and 6.4.15 of the VIA Report, it is indicated that the views of the VSRs are ‘transient’ and ‘short in duration’, so both VSRs have ‘low’ sensitivity and ‘moderate’ overall visual impact. CTP/UD&L, PlanD had no adverse comment on the application.

(c) In response to (6):

An Air Ventilation Assessment (AVA) has been conducted in the s.12A application (No. Y/I-DB/4) for the proposed development in **Item B** Site with several mitigation measures proposed including three continuous air paths running across the site to facilitate the penetration of southwesterly summer winds into inland areas (**Drawing H-4**). The three continuous air paths are of 15m in width and align in northeast-southwest direction, of which two are above ground and one is above the 2-storey podium. According to the AVA, the proposed development scheme would not cause any insurmountable problem in air ventilation. The proposed mitigation measures are also incorporated in the ES of the OZP for the project proponent to take into account in the detailed design stage to alleviate the potential impact of the development.

5.3.2.2 Traffic and Transport

Major grounds	Representation No.
(1) TIAs were not properly conducted due to incorrect	R27, R32

	assumptions about the behaviours and needs of Discovery Bay community. The Board is urged to work with the developer to re-assess and improve transportation options to ensure adequate support of current needs prior to approving the amendments of OZP.	
(2)	The public transport infrastructure and services including bus and ferry services of Discovery Bay have already reached the full capacity especially at rush hours. The road network in Discovery Bay does not have capacity to cope with additional vehicles and new bus routes. Further residential development will severely exacerbate the problem.	R11, R13 to R19, R23 to R25, R27, R29 to R31, R33 to R47
(3)	There is no effective traffic safety enforcement in Discovery Bay. The developer and the management company are not able to manage the traffic condition such as the use of electrical cycles and scooters. It is also suggested to impose speed restriction and install speed cameras for police's enforcement, especially the school zones.	R11, R39
(4)	The new reclaimed area for the proposed development in Items B1 and B2 Sites near Nim Shue Wan will affect the kaito services to Mui Wo and Peng Chau, bringing inconvenience to residents and commuters.	R12, R13
(5)	Access road to the yacht club, boatyard and kaito pier should be provided.	R25

Responses

(a) In response to (1) and (2):

As stated in the ES of the OZP, Discovery Bay is primarily a car-free development. According to the Indicative Schemes of the s.12A applications (Nos. Y/I-DB/2 and Y/I-DB/4), there is no private car parking space provided within the proposed residential developments in **Items A and B** Sites.

Items A and B1 to B6 are mainly to take forward the two agreed s.12A applications (Nos. Y/I-DB/2 and Y/I-DB/4). According to the TIAs under the s.12A applications, the proposed developments including the additional residential units would not generate adverse traffic impact on critical road links and junctions in Discovery Bay and the surrounding area as well as existing ferry services of Discovery Bay. Moreover, the applicant indicated that the current traffic control management, i.e. only authorised vehicles are allowed to access Discovery Bay via Discovery Bay Tunnel such as emergency vehicles, residents' service buses and goods vehicles, would be maintained. The Commissioner for Transport (C for T) advised that the roads in Discovery Bay would have sufficient capacity to handle the additional traffic induced by the proposed developments while the TIAs have assessed the necessary factors, including additional trip rates of shuttle buses induced by the proposed developments. Therefore, she has no adverse comment on

<p>the relevant TIAs and considers the proposed developments in Items A and B Sites are acceptable from traffic engineering point of view.</p>
<p>(b) In response to (3):</p> <p>The Police will continue to perform traffic enforcement including on private roads from time to time with a view to deterring irresponsible behaviour of road users.</p>
<p>(c) In response to (4):</p> <p>As shown on the Indicative Scheme submitted under s.12A application (No. Y/I-DB/4), the ferry pier currently at Nim Shue Wan waterfront affected by the reclamation will be reprovisioned within the “R(C)14” zone about 170m to the southwest of the current location connected with the promenade accessible from Discovery Bay Road. ‘Pier’ is a Column 1 use on land designated for “R(C)14” to facilitate the relocation proposal. C for T has no objection to the reprovisioning proposal while the applicant claimed that the ferry services providers had been consulted and did not raise any objection to the proposed new location of the ferry pier. The exact reprovisioning arrangement of the ferry pier will be confirmed in the implementation stage subject to the scrutiny of the concerned government B/Ds.</p>
<p>(d) In response to (5):</p> <p>According to the Indicative Scheme submitted under s.12A application (No. Y/I-DB/4), access road to the sports and recreation club and ferry pier will be provided. The exact design of the access road will be decided at detailed design stage subject to the scrutiny of the concerned government B/Ds.</p>

5.3.2.3 *Environment and Ecology*

Major grounds	Representation No.
(1) Environmental Impact Assessment (EIA) for the proposed developments has not been carried out. Given the scale of the reclamation and its potential consequences, it is imperative that a comprehensive EIA should be undertaken and publicly reviewed before any further steps are taken.	R28, R40, R42
(2) Reclamation is not necessary for the proposed development. The reclamation in Item B Site, which involves decking over piles, still requires excavation and could disturb seabed, leading to potential ecological impact to marine life and habitats as well as environmental nuisances the lives of nearby residents.	R17, R25, R40, R42, R45, R46
(3) There is no impact assessment demonstrating that the proposed development in Item B Site will have no adverse ecological effect on land filling and stripping of	R28

vegetation.	
(4) The substantial increase in population would increase the traffic flow and hence generate environmental problems such as pollution, noise, general disturbance, etc. to residents and schools.	R13, R41
(5) The proposed developments and the associated building works will ruin the countryside and clean living, and destroy natural habitat of animals in Discovery Bay.	R37, R39, R41
(6) Industrial uses such as fuel storage and vehicle maintenance previously existed on the sites. Any contaminated land should be remediated.	R25
(7) During the construction, there will be a large number of construction vehicles and machines entering/exiting Discovery Bay. Construction vehicles should be properly managed.	R25, R34, R40, R43 to R47
(8) The lengthy construction works will generate environmental impact such as poor air ventilation, noise, light and air pollution, etc., posing safety hazards to existing residents.	R14 to R16, R25, R34, R37, R40, R43 to R47
(9) With the rise of sea level, the risk of typhoon damage to the waterfront could be significant. There are safety concerns along the coastline for reclamation in Item B Site in particular the development of houses.	R25, R46
Responses	
<p>(a) In response to (1) to (4):</p> <p>Items A and B1 to B6 are mainly to take forward the two agreed s.12A applications (Nos. Y/I-DB/2 and Y/I-DB/4). Environmental Studies have been carried out for the proposed developments in the s.12A applications.</p> <p>As advised by the Director of Environmental Protection (DEP), according to the Environmental Study of the s.12A application (No. Y/I-DB/2) of Item A Site, it was anticipated that the relatively low traffic volume on Discovery Valley Road together with its separation distance would neither induce significant cumulative air quality impact nor adverse road traffic noise. On the other hand, the Environmental Study of the s.12A application (No. Y/I-DB/4) of Item B Site also concluded that the predicted cumulative air quality and noise impacts on all air sensitive uses would comply with the Air Quality Objectives and relevant assessment criteria. Hence, adverse air quality and noise impacts of the proposed developments are not anticipated. DEP has no objection to the proposed developments from environmental perspective.</p> <p>Nearshore reclamation (about 1.5ha) near Nim Shue Wan as well as the eastern tip of the marina within the lot of Discovery Bay development is involved in Item B Site under the s.12A application (No. Y/I-DB/4). As</p>	

advised by the District Lands Officer/Islands, Lands Department (DLO/Is, LandsD), the applicant may need to obtain authorisation of the reclamation works for the proposed development under the Foreshore and Sea-bed (Reclamations) Ordinance (Cap. 127)⁵. Moreover, the Environmental Study conducted by the applicant at the s.12A application stage covers water quality and other environmental aspects as well as potential impacts on ecology and fisheries of the proposed reclamation. With mitigation measures such as silt curtains and other good site practices, impacts on water quality, marine ecology and fisheries are considered insignificant. The concerned government B/Ds have no adverse comment on the impacts arising from the proposed reclamation in various aspects.

The proposed reclamation may be a Designated Project (DP) under the EIA Ordinance (Cap. 499). DEP advises that the applicant should follow the statutory process under the EIA Ordinance for any potential DP once identified at the detailed design stage. Potential environmental impacts evaluated in the Environmental Studies will be revisited in the later statutory EIA for DP, if applicable.

(b) In response to (5):

According to the Environmental Studies of the two agreed s.12A applications (Nos. Y/I-DB/2 and Y/I-DB/4), the existing areas of **Items A and B Sites** are mostly developed and subject to anthropogenic disturbance. The Director of Agriculture, Fisheries and Conservation (DAFC) advises that adverse ecological impact is not expected.

(c) In response to (6):

As advised by DEP, based on the Initial Land Contamination Appraisal submitted in the s.12A application (No. Y/I-DB/4), the depot area and petrol filling stations within **Item B Site** have been identified as potential locations of contamination. A Contamination Assessment Plan is recommended prior to implementation of the project. The Environmental Protection Department (EPD)'s Guidance Note for Contaminated Land Assessment and Remediation has provided guidelines on how site assessments should be conducted and suggested practical remedial measures that can be adopted for the clean-up of a contaminated site.

(d) In response to (7) and (8):

Construction works should comply with all relevant environmental laws and regulations. As advised by DEP, as a good practice, the dust measures given in the Air Pollution Control (Construction Dust) Regulation (Cap. 311R) should be incorporated by the Contractor to control the dust nuisance. For instance, all construction vehicles will be washed at the exit before leaving the construction sites. Good site practices which can control and reduce the emission from the use of non-road mobile machinery from the projects will

⁵ 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.

also be followed. A construction noise assessment will be conducted once the detailed construction programme and methodology become available during the detailed design stage. Mitigation measures, such as use of quiet construction methods/equipment, will be studied and recommended in the detailed design stage to minimise the construction noise impact.

(e) In response to (9):

As advised by the Chief Engineer/Hong Kong & Islands, Drainage Services Department (CE/HK&I, DSD), from the drainage perspective, the impact of climate change has been taken into account when assessing the proposed development in **Item B** Site at the s.12A application stage. Corrigendum No. 1/2022 of Stormwater Drainage Manual has recently been promulgated to reflect climate change design considerations taken into account the Sixth Assessment Report published by the United Nations Intergovernmental Panel on Climate Change (IPCC AR6) and findings of relevant studies conducted by the Civil Engineering and Development Department (CEDD) and the Hong Kong Observatory, in particular with respect to the forecast for sea level rise and extreme rainfall. Project proponent is required to observe this Corrigendum No. 1/2022 to prepare the planning and design of the stormwater drainage system at detailed design stage.

As advised by the Chief Engineer/Port Works, CEDD (CE/PW, CEDD), given the proximity to the coastal area, for structures or facilities situated along the coast, the project proponent will be required to assess the coastal risks arising from sea level rise, storm surge and waves taking into account the effects of climate change and extreme weather, if necessary, with reference to the latest CEDD's Port Works Design Manual and its associated corrigenda. Appropriate climate strategy and mitigation measures should be taken to enhance the resilience of their structures and facilities at detailed design stage.

5.3.2.4 Landscape, Tree Preservation and Greenery

Major grounds	Representation No.
(1) Felling of trees for the proposed developments will cause adverse environmental impact and loss of greenery. The area will also be exposed to sunshine and become hotter. Preserving these trees or incorporating green spaces within the development should be a priority to maintain ecological balance, enhance the area's aesthetic appeal and avoid significant landscape impact.	R11, R14, R15, R17, R20, R30, R46, R47
(2) Replanting of trees cannot compensate for turning a forested area into a massive block of concrete and pavement.	R13
(3) Converting the low-rise staff quarters to high rise towers in Item A Site will greatly diminish the green background to the enclave and particularly affect those residents in	R28

	nearby buildings. The tree issues raised by a RNTPC member at the s.12A application stage has not been addressed.	
(4)	There are no details on how many trees to be felled in Item B Site.	R28
(5)	A ‘green design’ covered maintenance depot and waste management facility in Item B4 Site with maximum height to be level with ground level of the adjoining residential development Jovial, Haven and Verdant Court is suggested.	R25
Responses		
(a)	<p>In response to (1) to (4):</p> <p>Items A and B1 to B6 are mainly to take forward the two agreed s.12A applications (Nos. Y/I-DB/2 and Y/I-DB/4). The details on tree felling and compensation arrangement for the proposed developments in Items A and B Sites were assessed in the relevant Landscape Design Proposal at s.12A application stage. According to the submission of relevant s.12A applications, approximately 225 and 720 existing trees of common species are found in Items A and B Sites respectively but without any tree of rare/protected species and/or Old and Valuable Tree. The numbers of trees to be felled are 118 and 178 in Items A and B Sites respectively. As proposed in the s.12A applications, a minimum of 125 compensatory trees in Item A Site and 178 compensatory trees in Items B Site would be provided within the sites subject to further review. The ratio of tree compensation reaches to 1:1 in terms of number with reference to Development Bureau (DEVB) Technical Circular (Works) No. 4/2020 – Tree Preservation. CTP/UD&L, PlanD has no adverse comment on the proposed developments from landscape planning perspective. Besides, in view of RNTPC Member’s concern on compensatory trees in Item B Site, the ES of the OZP stipulates that, to maintain and enhance landscape quality of the area, the future developer should endeavour to achieve the tree compensation arrangement, as far as practicable, for any tree felling due to the new developments in Discovery Bay.</p>	
(b)	<p>In response to (5):</p> <p>The suggestions of green design as well as provision of open space and recreational facilities can be further explored by the developer at detailed design stage subject to the scrutiny of the concerned government B/Ds.</p>	

5.3.3 *Provision of Supporting Infrastructure and Community Facilities*

Major grounds	Representation No.
(1) Sewerage and water supply facilities are insufficient to support more development in Discovery Bay.	R9, R17, R36, R39, R41

(2) It is not convinced that the developer would provide sufficient supporting infrastructure, e.g. fresh water supply, electricity supply and sewerage facilities for the additional residents. It is not clearly addressed in the draft OZP.	R47
(3) Sewage and water supply problems at Peninsula Village would be compounded by the increased population. Also, the concerns raised by Water Supplies Department (WSD) and DSD prior to the approval of the s.12A application of Item A Site by the Board is not reflected in the ES.	R9, R13
(4) There is already shortage of school places in Discovery Bay and parents need to send their kids to school outside Discovery Bay such as in Tung Chung and Hong Kong Island. The planned schools in Discovery Bay have been put on hold for many years and have not been built. The proposed developments should not go ahead without additional schools.	R23, R24, R27, R28, R36, R41, R42
(5) The current social services and community facilities, etc. are already stretched thin. Further development without significant upgrades to these services will degrade the current resident's quality of life.	R14, R15, R17, R19, R28, R38, R40
(6) It is questioned why the developer can be exempted from the policy that 5% of the GFA be devoted to community facilities. Residential Care Homes for the Elderly (RCHE) should be provided in the proposed developments.	R28
(7) The increased population will entail issues of overcrowding of leisure facilities as the existing facilities are small in scale and rundown. There is limited recreational space including public recreational facilities for teenagers, playground areas for children, playing field, courts, etc. More spaces for outdoor activities are required.	R19, R25, R28, R29, R34, R38
(8) The rezoning related to "OU(SRC)4" zones under Items B3 and B5 is unnecessary as the developer has enough options to expand the marina club or the recreation/sports club under the existing zoning.	R12
(9) Lantau Yacht Club is an exclusive private club by invitation serving few Discovery Bay residents. Additional recreational space included at Lantau Yacht Club will not benefit the community. The developer should take the responsibility to enhance and offer more sports and recreation facilities to local residents to be in line with the previous planning.	R19, R29, R38

(10) The existing bus maintenance, bus parking and waste management facilities in Item B Site could be moved to the other side of the Discovery Bay Tunnel next to existing similar utilities such as Siu Ho Wan Sewage Treatment Works and bus depots.	R25
Responses	
<p>(a) In response to (1) to (3):</p> <p>Items A and B1 to B6 are mainly to take forward the two agreed s.12A applications (Nos. Y/I-DB/2 and Y/I-DB/4). Technical assessments on various infrastructural aspects including drainage, sewerage and water supply, etc. were conducted in support of the s.12A applications. The assessments concluded that the proposed developments would not cause any insurmountable problems in the provision of supporting infrastructure with implementation of suitable mitigation/improvement measures.</p> <p>Regarding the concerns on water supply and sewerage of the proposed development in Item A Site raised at s.12A application stage, the Study on Drainage, Sewerage and Water Supply Systems in the second s.12A application (No. Y/I-DB/4) for Item B Site has taken into account both proposed developments at Items A and B Sites and other planned developments in Discovery Bay. The said study concluded that the projected additional sewage flow from the proposed developments in both sites is within the design capacity of Siu Ho Wan Sewage Treatment Works, and there will be adequate water supply capacity for the proposed developments in both sites after the upgrading of Siu Ho Wan Water Treatment Works and Siu Ho Wan Fresh Water Pumping Station under planning. Concerned government B/Ds have no objection to or adverse comment on the proposed developments. The exact implementation arrangement will be confirmed in the detailed design and project implementation stages subject to the scrutiny of the concerned government B/Ds.</p>	
<p>(b) In response to (4):</p> <p>Under the established mechanism, the Government would reserve sites for school development having regard to the planned population and the needs for community services in accordance with the Hong Kong Planning Standards and Guidelines (HKPSG). In implementing a school building project, Government would take into account various factors including the development plan of the area concerned, the school-age population projections, the actual number of existing students, the number of school places available at different grade levels, the prevailing education policies, etc.</p> <p>For Discovery Bay, a school site has been reserved in Discovery Bay Road, while the implementation programme is subject to confirmation by the Education Bureau. Based on the latest demand and supply of school place, the Secretary for Education (S for E) anticipates public sector primary school places and secondary school places in relevant school net and district of Discovery Bay will be able to meet the needs of the area concerned. S for E will closely monitor the supply and demand of school places and make</p>	

	<p>necessary arrangements to ensure an adequate supply of school places if appropriate.</p>
<p>(c) In response to (5) and (6):</p> <p>The existing and planned provision of GIC facilities in the Area are generally adequate to meet the demand of the overall population in accordance with the requirements of HKPSG (Annex VIII), 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. Since Discovery Bay development is a private development, some of the GIC facilities may be provided by the private sector based on the needs of Discovery Bay residents. For some GIC facilities, a wider spatial context/cluster is adopted in the assessment of provision for such facilities. These facilities should be carefully planned/reviewed by relevant government B/Ds, and premises-based GIC facilities could be incorporated in future development/redevelopment in the wider district when opportunities arise.</p> <p>As announced in 2020 Policy Address, about 5% of the GFA can be set aside in future public housing projects for the provision of social welfare facilities. As advised by the Director of Social Welfare (DSW), the Government has all along been adopting a multi-pronged approach to increase the provision of welfare service facilities in the territory. Besides reserving suitable sites for GIC uses in accordance with HKPSG, there are other strategies to identify suitable sites or premises including ‘Special Scheme on Privately Owned Sites for Welfare Uses’, ‘Incentive Scheme to Encourage Provision of RCHE Premises in New Private Developments’ and purchasing premises in the private property market.</p>	
<p>(d) In response to (7):</p> <p>On the provision of open space, there will be a surplus of 7.14ha of district open space and 1.08ha of local open space in the Area. The overall provision of open space is adequate to meet the demand of the planned population. Moreover, according to the Indicative Schemes of the s.12A applications, open space with area of not less than 1,190m² and 2,145m² is proposed in Items A and B Sites respectively including a promenade along Nim Shue Wan waterfront.</p>	
<p>(e) In response to (8) and (9):</p> <p>Item B3 Site was previously zoned “OU(SRC)4” reserved for extension of the existing Lantau Yacht Club but it has not been developed. Under the s.12A application (No. Y/I-DB/4) for Item B Site, the applicant proposed to relocate this extension to Item B5 Site while Item B3 Site will be developed into four 5-storey residential blocks. Item B5 Site is located to the southern waterfront of the existing Lantau Yacht Club which is zoned “OU(SRC)4” forming the extension part of Lantau Yacht Club to meet its operational needs. The proposed sports and recreation facilities is considered not incompatible with the surrounding developments while various technical assessments carried out in s.12A application stage demonstrated no</p>	

insurmountable problem from the proposed development. The proposed sports and recreation facilities falling within private development will be privately operated and its operation and management should be a commercial decision.

For the overall provision of open space and GIC facilities, responses in paragraphs 5.3.3(c) and (d) above are relevant.

(f) In response to (10):

Besides the heavily vegetated hill slopes immediately next to the tunnel portal, the land near the Siu Ho Wan-side portal of Discovery Bay Tunnel is mostly government land zoned “G/IC” and “OU” designated for specified uses and occupied by Siu Ho Wan Sewage Treatment Works, Siu Ho Wan Water Treatment Works and O-PARK1, or planned for other GIC uses and the extension of such GIC facilities (**Plan H-4**). It is not suitable for relocation of the existing privately-owned facilities serving Discovery Bay in **Item B** Site to the location as suggested by **R25**.

5.3.4 Provision of Taxi Rank

Major grounds	Representation No.
(1) According to the ES of the OZP, Discovery Bay development is a car-free development evolved from the original concept of a holiday resort approved in 1973. Allowing taxi rank is not in line with the planning intention of maintaining the car-free character as stipulated in the ES.	R1 to R4, R9, R17, R27, R30
(2) C for T is granted the power under section 1 of the Road Traffic Ordinance (Cap. 374) to impose controls on any class of vehicle in respect of the roads that may be used or prohibited from using. At present, there is only single authorised taxi drop-off point near Auberge Discovery Bay Hong Kong and there is no other taxi drop-off point in the residential areas of Discovery Bay. The introduction of ‘Taxi Rank’ on the OZP is beyond the legal authority of the Board.	R3, R4
(3) Further taxi access to Discovery Bay will increase traffic burden with insufficient supporting infrastructures such as parking spaces. Road safety of the area with lack of traffic control and enforcement will also be compromised.	R1, R2, R5 to R8, R10, R11
(4) The cost of repairing and maintenance of the private roads in Discovery Bay due to further taxi access should not be covered by management fees paid by residents of Discovery Bay.	R1, R6 to R8

Responses	
(a)	<p>In response to (1) to (3):</p> <p>Road traffic and the use of vehicles and roads (including private roads) including whether to allow taxi entering any part of Discovery Bay have been regulating by C for T under the Road Traffic Ordinance (Cap. 374) which are outside the scope of the OZP. Taxi access has been allowed to Discovery Bay North since 2011, and a taxi rank is provided in Discovery Bay North. The revision to the covering Notes of the OZP to add ‘Taxi Rank’ as a use always permitted on land falling within the OZP is to reflect such provision in the Area which is also in line with the latest MSN adopted by the Board. While Discovery Bay is primarily a car-free development, any additional taxi rank will be subject to further consideration by C for T. According to the Transport Department, provision of additional taxi rank and amendment to the restricted area of taxi are subject to their scrutiny with due consideration of traffic capacity and safety aspects.</p>
(b)	<p>In response to (4):</p> <p>Management fee of residential flats in Discovery Bay and arrangement of the repairing and maintenance costs of private roads in Discovery Bay are outside the scope of the OZP.</p>

5.3.5 *Inclusion of ‘Country Park’ as Column 1 Use of “CA” Zone*

Major grounds	Representation No.
(1) All of the land within the “CA” zone is privately owned. ‘Country Park’ should not be incorporated under Column 1 of the “CA” zone under Amendments to the Notes (n). The representer is not aware of any proposal for further expansion of Country Park.	R48
Proposal	
(i) ‘Country Park’ should be deleted from Column 1 of the “CA” zone.	R48
Responses	
(a)	<p>In response to (1) and (i):</p> <p>As a minor part of Lantau North (Extension) Country Park falls within the “CA” zone, it is appropriate to incorporate ‘Country Park’ as a Column 1 use for the “CA” zone. Such minor part of country park is on government land.</p>

5.3.6 *Public Consultation in s.12A Applications and Plan-making Processes*

Major grounds	Representation No.
(1) There have been procedural irregularities and insufficient consultation with local residents and stakeholders in the	R40, R42

s.12A application stage and plan-making process. The decision-making process appears to have ignored and overlooked the voices and concerns of the community, raising the questions about transparency.	
Responses	
<p>(a) In response to (1):</p> <p>The established practices for both statutory and administrative public consultation for s.12A application and statutory plan have been duly followed. In processing the two s.12A applications relating to Items A and B1 to B6, public consultations were conducted in accordance with the provisions under the pre-amended Ordinance and the public comments received were duly considered by RNTPC. On 12.4.2024, the draft OZP were published for public inspection for two months under section 5 of the Ordinance. Members of the public are invited to submit representation. Moreover, IsDC's DIDPC was consulted on 30.4.2024 on the draft OZP while PlanD's representatives also attended a meeting organised by an IsDC Member on 10.6.2024 with about 60 local residents and relevant stakeholders of Discovery Bay attended.</p>	

6. **Departmental Consultation**

6.1 The following B/Ds have been consulted and their comments have been incorporated in the above paragraphs and **Annex IV**, where appropriate:

- (a) S for E;
- (b) DLO/Is, LandsD;
- (c) C for T
- (d) DEP;
- (e) DAFC;
- (f) Chief Engineer/Construction, WSD;
- (g) CE/HK&I, DSD;
- (h) Chief Building Surveyor/New Territories East (1) & Licensing, Buildings Department;
- (i) Chief Highway Engineer/New Territories East, Highways Department;
- (j) Head (Geotechnical Engineering Office), CEDD;
- (k) Head (Sustainable Lantau Office), CEDD;
- (l) CE/PW, CEDD;
- (m) Director of Marine;
- (n) Director of Electrical and Mechanical Services;
- (o) DSW;
- (p) Director of Food and Environmental Hygiene;
- (q) Director of Leisure and Cultural Services;
- (r) Director of Fire Services;
- (s) Commissioner of Police;
- (t) Director-General of Civil Aviation;
- (u) Controller of Government Flying Services;
- (v) Chief Heritage Executive (Antiquities and Monuments), Antiquities and Monuments Office, DEVB;

- (w) District Officer (Islands), Home Affairs Department; and
- (x) CTP/UD&L, PlanD.

7. Planning Department's Views

- 7.1 The supportive views of **R20 (part), R48 (part), R49 (part) and R50 (part)** are noted.
- 7.2 Based on the assessments in paragraph 5 above, PlanD does not support **R1 to R19, R20 (part), R21 to R47, R48 (part), R49 (part) and R50 (part)** and considers that the OZP should not be amended to meet the representations for the following reasons:

Planning Intention and Development Proposals

- (a) the proposed developments in the sites under **Items A and B1 to B6** are considered not incompatible with the surrounding developments as well as the waterfront setting. At the section 12A application stage, technical assessments submitted by the applicant demonstrated that the proposed developments were technically feasible, and the concerned government bureaux/departments (B/Ds) had no objection to or no adverse comment on the applications. The proposed developments are considered in line with the general planning intention of the planning scheme area (the Area) on the Outline Zoning Plan (OZP) (**R9, R13 to R16, R19, R20, R26, R29, R35, R37, R38 and R47**);
- (b) the zonings and relevant development restrictions under the Notes of the OZP which are in line with other zonings of the OZP are considered appropriate (**R12, R18, R19, R23 to R25, R38 and R48 to R50**);

Development Intensity, Urban Design and Air Ventilation

- (c) the proposed developments in the sites under **Items A and B1 to B6** are considered not incompatible with the surrounding developments as well as the waterfront setting, and unlikely to cause significant visual and air ventilation impacts. The requirements of Stepped height profile, building gaps and relevant mitigation measures are incorporated in the Explanatory Statement (ES) of the OZP for the project proponent to take into account during the detailed design stage (**R11, R12, R14 to R18, R20 to R25, R27, R30, R35, R38 and R45**);

Traffic and Transport

- (d) according to the Traffic Impact Assessments submitted in the section 12A applications for the sites under **Items A and B1 to B6**, the proposed developments including the additional residential units would not generate adverse traffic impact on critical road links and junctions as well as ferry services in Discovery Bay. The ferry pier currently at Nim Shue Wan waterfront will be reprovisioned within the “Residential (Group C) 14” zone and the exact arrangement will be confirmed in the implementation stage subject to the scrutiny of the concerned government B/Ds (**R11 to R19, R23 to R25, R27 and R29 to R47**);

Environment and Ecology

- (e) the Environmental Studies submitted in the section 12A applications for the sites under **Items A and B1 to B6** concluded that the proposed developments would not cause any insurmountable problem on environmental and ecological aspects. Relevant government B/Ds have no objection to or adverse comment on the proposed developments (**R13 to R17, R25, R28, R34, R37 and R40 to R47**);
- (f) according to the Environmental Study submitted in the section 12A application for the sites under **Items B1 to B6**, with mitigation measures, impacts from the proposed nearshore reclamation on water quality, marine ecology and fisheries are considered insignificant. Potential environmental impacts will be revisited in the later Environmental Impact Assessment for Designated Project, if appropriate (**R17, R25, R40, R42, R45 and R46**);

Landscape, Tree Preservation and Greenery

- (g) according to the tree surveys submitted in the section 12A applications for the sites under **Items A and B1 to B6**, there is no rare/protected species and/or Old and Valuable Trees identified within the sites while compensatory trees would be provided subject to further review. The ES of the OZP stipulates that to maintain and enhance landscape quality of the area, the future developer should endeavour to achieve the tree compensation arrangement, as far as practicable, for any tree felling due to the new developments in Discovery Bay (**R11, R13, R14, R15, R17, R20, R25, R28, R30, R46 and R47**);

Provision of Supporting Infrastructure and Community Facilities

- (h) technical assessments on various infrastructural aspects including drainage, sewerage and water supply, etc. were conducted in the section 12A applications for the sites under **Items A and B1 to B6**. The proposed developments would not cause any insurmountable problem with implementation of mitigation measures in the detailed design and project implementation stages. Relevant government B/Ds have no objection to or adverse comment on the proposed developments (**R9, R13, R17, R36, R39, R41 and R47**);
- (i) the existing and planned provision of open space and government, institution and community facilities in the Area are generally adequate to meet the demand of the overall planned population in accordance with the requirements of the Hong Kong Planning Standards and Guidelines (**R14, R15, R17, R19, R23 to R25, R27 to R29, R34, R36, R38 and R40 to R42**);

Taxi Rank

- (j) road traffic and the use of vehicles and roads (including private roads) have been regulating under the Road Traffic Ordinance (Cap. 374) which are outside the scope of the OZP. The revision to the covering Notes of the OZP to add 'Taxi Rank' as a use always permitted on land falling within the OZP is to reflect the existing provision of taxi rank in Discovery Bay North which is also in line with the latest Master Schedule of Notes to Statutory Plans adopted by the Town Planning Board (**R1 to R11, R17, R27 and R30**);

Country Park

- (k) as a minor part of Lantau North (Extension) Country Park falls within the “Conservation Area” (“CA”) zone, it is appropriate to incorporate ‘Country Park’ as a Column 1 use for the “CA” zone (**R48**); and

Public Consultation

- (l) the established practices for both statutory and administrative public consultation for section 12A application and statutory plan have been duly followed. Consultations with relevant parties were conducted during the statutory public inspection period of the draft OZP (**R40 and R42**).

8. Decision Sought

- 8.1 The Board is invited to give consideration to the representations taking into consideration the points raised in the hearing session, and decide whether to propose/not to propose any amendment to the OZP to meet/partially meet the representations.
- 8.2 Should the Board decide that no amendment should be made to the draft OZP to meet the representations, Members are also invited to agree that the Plan, together with its Notes and updated ES, are suitable for submission under section 8(1)(a) of the Ordinance to the Chief Executive in Council for approval.

9. Attachments

Annex I	Draft Discovery Bay OZP No. S/I-DB/5 (reduced size)
Annex II	Schedule of Amendments to the Approved Discovery Bay OZP No. S/I-DB/4
Annex III	List of Representers in respect of the Draft Discovery Bay OZP No. S/I-DB/5
Annex IV	Summary of Representations and Responses
Annex V	Extract of the Minutes of the RNTPC Meeting held on 15.3.2024
Annex VI	Extract of the Minutes of IsDC’s DIDPC Meeting held on 30.4.2024 (in Chinese)
Annex VII	Summary of Views Expressed at Meeting with Local Residents and Relevant Stakeholders of Discovery Bay on 10.6.2024
Annex VIII	Provision of Major Community Facilities and Open Space in Discovery Bay
Annex IX	Proposed Notes by Applicant under s.12A Application No. Y/I-DB/4
Drawings H-1a to H-1c	Indicative Scheme of the s.12A Application No. Y/I-DB/2 for Item A
Drawings H-2a to H-2e	Indicative Scheme of the s.12A Application No. Y/I-DB/4 for Items B1 to B6
Drawings H-3a to H-3c	Drawings provided by R21

Drawing H-4	Drawing Showing Proposed Air Paths extracted from AVA under s.12A Application No. Y/I-DB/4 for Items B1 to B6
Plan H-1	Location Plan of the Representations Sites
Plan H-2a	Item A – Site Plan
Plan H-2b	Item A – Aerial Photo
Plans H-2c and H-2d	Item A – Site Photos
Plan H-3a	Items B1 to B6 – Site Plan
Plan H-3b	Items B1 to B6 – Aerial Photo
Plans H-3c and H-3i	Items B1 to B6 – Site Photos
Plan H-4	Alternative Location for Bus Maintenance Depot, Bus Parking and Waste Management Facilities Proposed by R25

**PLANNING DEPARTMENT
SEPTEMBER 2024**