

RNTPC Paper No. A/SK-SKT/22B
For Consideration
by the Rural and New Town
Planning Committee
on 20.3.2020

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

APPLICATION NO. A/SK-SKT/22

- Applicant** : Shing Fung Group Property Investment Limited represented by Lanbase Surveyors Limited
- Site** : Lots 8 S.B, 9 S.A and 9 S.B in D.D. 212 and Adjoining Government Land, 1 Hong Kin Road, Sai Kung, New Territories
- Site Area** : 3,810m² (about) (including 218.492m² Government Land)
- Lease** : (a) Old schedule agricultural lots held under Block Government Lease (about 94.3%)
(b) Government Land (about 5.7%)
- Plan** : Approved Sai Kung Town Outline Zoning Plan (OZP) No. S/SK-SKT/6
- Zoning** : “Residential (Group E)2” (“R(E)2”)

- restricted to a maximum plot ratio (PR) of 0.75, a maximum site coverage (SC) of 40% and a maximum building height (BH) of 9m (2 storeys over 1 storey of carport)
- Application** : Proposed 19 Houses¹

1. The Proposal

- 1.1 The applicant seeks planning permission for development of 19 houses within the Site. The Site falls within an area mainly zoned “R(E)2” on the approved Sai Kung Town OZP No. S/SK-SKT/6 (**Plan A-1**). According to the Notes of the OZP, ‘House’ within the “R(E)2” zone requires planning permission from the Town Planning Board (the Board). Besides, development within the “R(E)2” zone is subject to a maximum PR of 0.75, a maximum SC of 40% and a maximum BH of 9m (2 storeys over 1 storey of carport). The Site is currently occupied by temporary structures for storage purpose.

¹ A narrow strip of the Site (29m²) falls within the “GB” zone. It could be regarded as minor boundary adjustment in accordance with the covering Notes of the OZP and minor relaxation of PR restriction is not required.

- 1.2 The proposed development comprises 19 blocks of 3-storey (2 storeys over 1 storey of carport) houses. Car parking facilities and E&M plant rooms are to be provided at the ground floor of each block. The major development parameters of the proposal are summarized as follows:

Development Parameters	Current Application
Site Area	about 3,810m ²
Total GFA	not exceeding 2,857.5m ²
Plot Ratio	not more than 0.75
Site Coverage	not more than 40%
Building Height	not exceeding 9m / 2 storeys over 1 storey of carport
No. of Blocks	19
Average Unit Size	150.4m ²
Estimated No. of Residents	about 95
No. of Car Parking Spaces	Private car: 38
Open Space (Private)	about 1,675m ²

- 1.3 The lot index plan, master layout plan, floor and section plans submitted by the applicant are at **Drawings A-1 to A-6**.

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

- (a) Application form and attachments received on 14.6.2019 (Appendix I)
- (b) Supplementary Planning Statement (Appendix Ia)
- (c) Further Information (FI) received on 9.9.2019 providing responses to departmental comments (*exempted from publication and recounting requirements*) (Appendix Ib)
- (d) FI received on 2.10.2019 providing responses to departmental comments and a revised Air Quality Impact Assessment (AQIA) (*not exempted from publication and recounting requirements*) (Appendix Ic)
- (e) FI received on 20.1.2020 providing responses to departmental comments (*exempted from publication and recounting requirements*) (Appendix Id)

- 1.5 On 2.8.2019 and 29.11.2019, the Rural and New Town Planning Committee (the Committee) agreed to defer making a decision on the application for two months each, as requested by the applicant, to allow time for preparation of FIs in response to departmental comments. The applicant submitted FIs as detailed in paragraph 1.4 above. The application is scheduled for consideration by the Committee at this meeting.

2. **Justifications from the Applicant**

The justifications put forth by the applicant in support of the application are detailed in part 5 of the Supplementary Planning Statement at **Appendix Ia** and **FI at Appendix Id**. They can be summarized as follows:

- (a) the proposed development will help to implement the Board's planning intention of the "R(E)2" zone, which is to phase out existing industrial uses through redevelopment for house use;
- (b) some of the lots in the subject locality are rather small in size. The approval of the proposed development will encourage developers to assemble the fragmental sites for redevelopment and will act as pioneer to achieve the planning intention of the "R(E)2" zone;
- (c) the Site is conveniently linked to Hiram's Highway via Hong Kin Road and is well served by other public transports. Car parking facilities will be provided within the Site;
- (d) to phase out the existing industrial uses by redevelopment to residential use, industrial/residential (I/R) interface problem during the interim period is unavoidable. An Environmental Assessment (EA) in support of the application is provided, and the assessment results have indicated that the air quality impact from the nearby concrete batching plant on air sensitive receivers would comply with the relevant criteria. No adverse impact from the concrete batching plant is expected;
- (e) the Geotechnical Planning Review Report (GPRR) has indicated that the proposed development is geotechnically feasible. Stability of all slopes and retaining walls within or of vicinity to the Site affecting or being affected by the proposed development during demolition and construction works shall be assessed and monitored. Remedial and mitigation works shall be proposed and carried out if found necessary; and
- (f) the applicant wishes the authority to re-consider the acceptability of the project with reference to a precedent case of an approved planning application No. A/K15/119², in which that application shares similar situation with the current proposal with concrete batching plants in the vicinity of the application site and faces I/R interface issue.

3. **Compliance with the Owner's "Consent/Notification" Requirement**

The applicant is not a "current land owner" of the private lots but has complied with the requirements as set out in the Town Planning Board Guidelines on Satisfying the "Owner's Consent/Notification" Requirements under Sections 12A and 16 of the Town Planning Ordinance (TPB PG-No. 31A) by sending notifications. Detailed information would be deposited at the meeting for Members' inspection. The "owner's consent/notification" requirement is not applicable on the government land portion of the Site.

² Application No. A/K15/119 for proposed comprehensive residential development within the "Comprehensive Development Area (3)" zone on the draft Cha Kwo Ling, Yau Tong, Lei Yue Mun OZP No. S/K15/24 (in force at the time of submission) was approved by the Metro Planning Committee of the Board on 15.6.2018.

4. Previous Application

There is no previous application at the Site.

5. Similar Applications

5.1 There are 2 similar applications (No. A/SK-SKT/10 and 14) for residential uses on the “R(E)1” zone to the northeast of the Site. The applications were approved with conditions by the Committee on 22.1.2016 and 2.3.2018 respectively mainly on grounds of general compliance with the planning intention of “R(E)1” zone, not susceptible to adverse impacts from traffic and noise emissions, and no significant impacts on sewerage, drainage, risk and environmental aspects. Details of these applications are summarized at **Appendix II**.

5.2 Applications No. A/SK-SKT/23 and 25 for proposed social welfare facility (residential care home for the elderly (RCHE)) and flat with minor relaxation of PR restriction and applications No. A/SKT/24, 26 and 27 for proposed social welfare facility (RCHE) with minor relaxation of PR restriction on the same “R(E)1” zone are being processed.

6. The Site and Its Surrounding Areas (Plans A-1 and A-2, Aerial Photo on Plan A-3 and Site Photos on A-4a to 4c)

6.1 The Site is:

- (a) located at the south-western part of Sai Kung Town;
- (b) accessible from Hong Kin Road;
- (c) currently occupied by temporary structures for storage purpose mainly within area covered by a short term waiver (STW) for storage purpose; and
- (d) falling within the consultation zone of Pak Kong Water Treatment Works (PKWTW), which is a Potentially Hazardous Installation (PHI).

6.2 The surrounding areas have the following characteristics:

- (a) to its north and northwest are storage of construction materials/metal recycling warehouse and a concrete batching plant held under short term tenancies (STTs) and STWs;
- (b) to its further north is the Hiram’s Highway;
- (c) to its immediate east is a vegetated slope zoned “GB”, and Sai Kung Fire Station is located at the northeast of the Site across Hong Kin Road; and
- (d) the Tsiu Hang Special Area and Lions Nature Education Centre are located to its south.

7. Planning Intention

The “R(E)2” zone is intended primarily for phasing out of existing industrial uses through redevelopment (or conversion) for residential use on application to the Board. Whilst existing industrial uses will be tolerated, new industrial developments are not permitted in order to avoid perpetuation of I/R interface problem.

8. Comments from Relevant Government Departments

8.1 The following government departments have been consulted and their views on the application and public comments are summarised as follows:

Land Administration

8.1.1 Comments of the District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD):

- (a) the Site comprises Lots 8 s.B, 9 s.A and 9 s.B in D.D. 212 and adjoining government land. All the lots are old schedule agricultural lots held under the Block Government Lease. A STW (SW66) has been granted to permit Lot 8 s.B in D.D. 212 to be used for storage purposes and is now running on a quarterly basis (**Plan A-2**). Two structures each with an area of 65.04m² (one with a height not exceeding 3.96m and the other with a height not exceeding 3.05m) with a total roofed-over area not exceeding 130.08m² are permitted under the said waiver. The waiver may be terminated by either party by giving to the other three calendar months’ notice of termination;
- (b) the Site includes some unleased and unallocated government land and encroaches onto the land held under a STT running on a quarterly basis for open storage purpose granted to a third party not related to the applicant. As there is no guarantee that the encroached area of this STT could be made available for the development, the applicant may consider to exclude this encroached area from the Site;
- (c) the Site falls within the consultation zone of PKWTW, which is a PHI. Environmental Protection Department (EPD)’s comments should be sought in regards;
- (d) the existing batching plant (north of the Site) falls primarily on the various parcels of private agricultural land which have been granted with STWs permitting the uses and structures for concrete batching plants and storage. According to the terms and conditions of the said waivers, the waivers may be terminated by either party (the waivee or the Government) by serving a three calendar months’ notice. Whilst there is a mechanism to terminate the waivers, there is no guarantee that such termination notice would be served by the Government to facilitate the proposed development under the planning application; and
- (e) if the application is approved by the Board, the lot owner will need to apply to his office for a land exchange to effect the proposal. However,

there is no guarantee that any land exchange application, with or without government land involved, would be approved by the Government. Such land exchange application, if eventually approved, would be subject to such terms and conditions including the payment of a premium and an administrative fee as the Government considers appropriate at its sole discretion.

Traffic

8.1.2 Comments of the Commissioner for Transport (C for T):

- (a) given that the Site is reserved for residential use on the OZP and taking into account the scale of the proposed development is relatively small, which consists of only 19 houses, the traffic impact from the proposed development is considered minimal;
- (b) no in-principle objection to the proposed development subject to the approval condition on “the design and provision of parking facilities for the proposed development to the satisfaction of the C for T or of the Town Planning Board”;
- (c) parking provision for private developments should comply with the requirement under Hong Kong Planning Standards and Guidelines (HKPSG). The number of parking spaces for Type A and Type B Houses (flat size less than 160m²) do not comply with HKPSG; and
- (d) the access road leading to the Site is not managed by the Transport Department.

Environment

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

- (a) he objects to the application;
- (b) the proposed residential development is located less than 5m from an active concrete batching plant under a STW in an area zoned “R(E)2” on the approved Sai Kung Town OZP. It is undesirable from environmental planning point of view and will create landuse incompatibility problem unless there is a committed programme to phase out the industrial use located in the vicinity of the proposed residential development;
- (c) the landuse incompatibility problem would cause noise and dust nuisances and etc. to future residents of the proposed development (e.g. due to traffic of heavy vehicles, spillage of concrete slurry from concrete mixers, etc.) and lead to complaints. Dust nuisance arising from I/R interface problem cannot be accounted for in the quantitative AQIA;
- (d) the responses to comments at **Appendix Id** fail to address the potential I/R interface problem and have outstanding technical

comments set out in **Appendix III**. Apart from the air quality assessment, there is no assessment on other environmental concerns, such as noise and hazard, etc., as the proposed development falls within the consultation zone of the PKWTW which is a PHI. From noise point of view, it is anticipated that the proposed development would be affected by traffic noise and the noise impact caused by the nearby fire station and adjacent concrete batching plant; and

- (e) regarding the approved planning application No. A/K15/119 mentioned in Item (a) of **Appendix Id**, it is understood that the Board has already approved/is processing planning applications to phase out the existing concrete batching plants in Yau Tong Industrial Area for comprehensive residential and/or commercial development. On this application, there is no sign to phase out the active concrete batching plant located next to the proposed development, hence the planning application No. A/K15/119 is considered not relevant.

Urban Design and Visual

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

- (a) the proposed development parameters with a BH of 9m at main roof level and SC less than 40% are in line with the restrictions stipulated in the OZP. The Site is substantially screened by existing roadside planting along Hong Kin Road and is visually blocked by the existing industrial workshop along Hiram's Highway. The proposed development is considered not incompatible with the surrounding rural context with low-density low-rise developments;
- (b) with reference to Appendix 5 of the submission (**Appendix Ia**), the proposed houses at the western portion of the Site would be in close proximity to an existing operating concrete batching plant. I/R interface problem is anticipated. The applicant is advised to provide relevant mitigation measures, including but not limited to buffer planting along the western boundary of the Site to alleviate the anticipated I/R interface problem, as well as, providing visual buffer between the proposed development and the surrounding natural environment;
- (c) the proposed development would abut an area zoned "GB" and "Country Park" ("CP"). Should any fence walls be erected along the Site boundary, the applicant is advised to adopt sensitive designs to minimise potential visual impact on the surrounding environment; and
- (d) for the FI at **Appendix Ib** providing responses to our advisory comment in paragraph (b) above, which is to address the I/R interface problem, concerned department like DEP would be in a better position to consider whether it is necessary to impose an approval condition to that effect from environmental perspective. However, from visual impact point of view, no approval condition is recommended.

Landscape

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

- (a) no objection in principle to the application from landscape planning point of view;
- (b) the Site with an area of about 3,810m², is currently occupied by temporary structures for open storage use. Village houses and low-rise residential developments are found on its further north and east. There is no major vegetation found within the Site, and significant adverse impact on existing landscape resources within the application boundary is not anticipated; and
- (c) in view of the Site being separated by “GB” from major road, should the Board approve the application, it is not necessary to impose a landscape condition as its effect to enhancing the quality of public realm is not apparent.

Sewerage

8.1.6 Comments of DEP:

there is no assessment on sewerage provision in the EA to demonstrate the environmental acceptability of the proposed residential development. An approval condition on the submission of a Sewerage Impact Assessment (SIA) and implementation of mitigation measures identified therein to the satisfaction of the DEP or of the Town Planning Board is suggested.

8.1.7 Comments of the Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD):

it is noted that the development/project proponent has not submitted any SIA. Comment on the sewerage assessment, in particular whether a SIA report is required for the application should be sought from EPD. The sewerage assessment for the planning application needs to meet the full satisfaction of EPD, the authority of sewerage infrastructure.

Drainage

8.1.8 Comments of the CE/MS, DSD:

- (a) the submission has not included any drainage assessment for comment. The developer/project proponent shall be requested to carry out Drainage Impact Assessment (DIA) in accordance with DSD Advice Note No. 1 “Application of Drainage Impact Assessment Process to Private Sector Process”. The DIA process provides a systematic approach in addressing drainage issues associated with the project. The primary objective of the DIA process is to demonstrate that with the implementation of necessary mitigation measures, the project will not cause an unacceptable increase in the risk of flooding in areas upstream of, adjacent to or downstream of the development; and

- (b) no comment on the application subject to the approval condition on the submission of a DIA and implementation of mitigation measures identified therein to the satisfaction of the Director of Drainage Services or of the Town Planning Board.

Building Matters

8.1.9 Comments of the Chief Building Surveyor/New Territories East 2 and Rail, Buildings Department (CBS/NTE2 & Rail, BD):

- (a) no in-principle objection to the application under the Buildings Ordinance (BO);
- (b) unless the Site abuts on a specified street under Building (Planning) Regulation (B(P)R) 18A (3) of not less than 4.5m wide, its development intensity should be determined by the Building Authority under B(P)R 19(3). In this connection, the applicant should clarify the land status/ integrity of the existing access road connecting the lot to Hong Kin Road;
- (c) it is noted that the carports are excluded from GFA calculations. PNAP APP-2, HKPSG and the advice of C for T will be referred to when determining exemption of GFA calculations for the carports;
- (d) applicant's attention is drawn to the policy on GFA concession under PNAP APP-151, in particular, the 10% overall cap on GFA concession and where appropriate, the Sustainable Building Design requirements including building setback and building separation under PNAP APP-152;
- (e) Emergency Vehicular Access (EVA) complying with B(P)R 41D shall be provided for all blocks within the Site; and
- (f) detailed comments will be given during general building plans submission stage.

Fire Safety

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

- (a) no in-principle objection to the application subject to fire service installations and water supplies for fire-fighting being provided to the satisfaction of his department;
- (b) detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans; and
- (c) the EVA provision in the Site shall comply with the standard as stipulated in the Code of Practice for Fire Safety in Buildings 2011 whenever the building works fall within the ambit of the Buildings Ordinance.

Water Supply

8.1.11 Comments of the Chief Engineer/Construction, Water Supplies Department (CE/Construction, WSD):

- (a) no objection to the application;
- (b) for provision of water supply to the development, the applicant may need to extend the inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards; and
- (c) the Site falls within the consultation zone of PKWTW, which is a PHI. Comments from EPD should be sought in this respect.

Risk Aspect

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

- (a) there is a high pressure town gas transmission pipeline (running along Hiram's Highway) in the vicinity of the Site (**Plan A-2**). It is anticipated that the proposed development site will result in a significant increase in population in the vicinity of the above gas installation. A risk assessment would be required from the project proponent to assess the potential risks associated with the gas installation, having considered the proposed development. He agrees to impose an approval condition on the submission of risk assessment;
- (b) the future developer/consultant/works contractor shall therefore liaise with the Hong Kong and China Gas Company Limited in respect of the exact locations of the existing or planned gas pipes/gas installations within/in the vicinity of the proposed development site and any required minimum setback distance away from them during the design and construction stages of the development; and
- (c) the future developer/consultant/works contractor is required to observe the requirements of the Electrical and Mechanical Services Department's Code of Practice on "Avoidance of Damage to Gas Pipes" 2nd Edition.

Geotechnical

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

no comment on the application subject to the approval condition on the submission of a revised GPRR and implementation of the mitigation measures recommended therein to the satisfaction of the Director of Civil Engineering and Development or of the Town Planning Board.

District Officer's Comments

8.1.14 Comments of the District Officer/Sai Kung, Home Affairs Department (DO/SK, HAD):

- (a) no comment on the application; and
- (b) the local view should be fully considered. Ex-chairman of Sai Kung District Council, Chairman of Sai Kung Rural Committee and Chairman of Sai Kung Area Committee raise strong objections to the application. Their main concern is that the proposed development will increase the population and add to the heavy traffic in Sai Kung Town, especially the section between Place of Worship and Po Lo Che Road. Residential development along Hiram's Highway will not be supported by the local community until the improvement works of Hiram's Highway are completed.

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

- (a) Chief Highway Engineer/New Territories East, Highways Department (CHE/NTE, HyD);
- (b) Director of Agriculture, Fisheries and Conservation (DAFC);
- (c) Executive Secretary (Antiquities and Monuments) of Antiquities and Monuments Office, Development Bureau (ES/AMO, DEVB); and
- (d) Chief Engineer (Works), HAD (CE(Works), HAD).

9. Public Comments Received During Statutory Publication Periods

On 22.6.2019 and 11.10.2019, the application and FI were published for public inspection. During the statutory public inspection periods, a total of 7 public comments were received from Sai Kung Rural Committee, an ex-member of Sai Kung District Council, the chairman of Sai Kung Area Committee, the Hong Kong and China Gas Co. Limited and individuals (**Appendix III**). 6 public comments object to the application on grounds that the proposed development would worsen the traffic condition and overstrain traffic capacity; there is a concrete batching plant in the vicinity of the Site which leads to I/R interface problem; and the Site is adjacent to and includes some green belt, recreation or education centre would be more appropriate uses at the Site. The Hong Kong and China Gas Co. Limited opined that the proposed development is close to the existing high pressure pipeline along Hiram's Highway and project proponent should conduct a Quantitative Risk Assessment to evaluate the potential risk.

10. Planning Considerations and Assessments

10.1 The application is for proposed development of 19 houses at the Site zoned "R(E)2" on the OZP. The Site is currently occupied by some temporary structures for storage purpose. There are some existing industrial uses including storage of construction materials/metal recycling warehouse and a concrete batching plant in the vicinity of the Site. The planning intention of the "R(E)2" zone is primarily for

phasing out of existing industrial uses through redevelopment for residential use. 'House' use within the "R(E)2" zone requires planning permission from the Board to ensure that effective mitigation measures would be implemented to resolve the interface problems with the remaining industrial uses in the vicinity. Although the proposed house development is in line with the planning intention of the "R(E)2" zone to phase out the existing industrial uses, the interface problems with the existing industrial uses in the vicinity of the Site have not been satisfactorily resolved in the application.

- 10.2 The Site is in close proximity to existing industrial operations including storage of construction materials, warehouse and concrete batching plant (**Plan A-2**). In particular, the concrete batching plant is about 5m to the north. DLO/SK advises that the concrete batching plant is held under STWs and although there is a mechanism to terminate the waivers, there is no guarantee that such termination notice would be served by the Government to facilitate the proposed development. Hence, it is uncertain as to whether the concrete batching plant will be terminated or relocated in the near future. DEP advises that the proposed residential development would create landuse incompatibility problem with the concrete batching plant. It would cause noise and dust nuisances to future residents. DEP objects to the application in view of the I/R interface issue of the proposed development as dust nuisance arising from I/R interface problem cannot be accounted for in the quantitative AQIA. Regarding the similar case (application No. A/K15/119) mentioned by the applicant, an Environmental Assessment was submitted by the applicant to demonstrate that the proposed development would be environmentally acceptable and the applicant had also committed to provide a number of measures in the building layout design to mitigate the environmental impacts and nuisance from the industrial operations in the vicinity, in which DEP had no objection to the application from environmental perspective. DEP also advises that there is no assessment on noise impact in the revised EA Report to demonstrate the environmental acceptability of the proposed development. Also, there is no assessment on sewerage and drainage impacts in the submission to demonstrate that the proposed development would not induce adverse sewerage and drainage impacts.
- 10.3 The proposed development would result in an increase in population within the Consultation Zone of PKWTW. There is also a high pressure town gas transmission pipeline (running along Hiram's Highway) in the vicinity of the Site (**Plan A-2**). There is no risk assessment in the submission to demonstrate that the proposed development would be acceptable from risks point of view in relation to the PHI and gas installations.
- 10.4 There are public comments including those referred by DO/SK, HAD, objecting to the application mainly on traffic impacts. C for T advises that as the scale of the proposed development is relatively small, traffic impact from the proposed development is considered minimal. Regarding other concerns on risk assessments, land uses and I/R interface problem, the assessments in paragraphs 10.1 to 10.3 are relevant.

11. Planning Department's Views

- 11.1 Based on the assessments made in paragraph 10 and having taken into account the public comments mentioned in paragraph 9, the Planning Department does not support the application for the following reason:

the applicant fails to demonstrate that the interface problems with the adjacent industrial use can be satisfactorily resolved and that the proposed development would not be subject to adverse environmental impacts.

- 11.2 Alternatively, should the Committee decide to approve the application, it is suggested that the permission shall be valid until **20.3.2024**, and after the said date, the permission shall cease to have effect unless before the said date, the development permitted is commenced or the permission is renewed. The following conditions of approval and advisory clauses are also suggested for Members' consideration:

Approval Conditions

- (a) the provision of fire service installations and water supplies for firefighting to the satisfaction of the Director of Fire Services or of the Town Planning Board;
- (b) the design and provision of parking facilities for the proposed development to the satisfaction of the Commissioner for Transport or of the Town Planning Board;
- (c) the submission of a Quantitative Risk Assessment in relation to the Pak Kong Water Treatment Works to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (d) the submission of a Quantitative Risk Assessment in relation to the high pressure transmission pipeline (running along Hiram's Highway) in the vicinity of the Site to the satisfaction of the Director of Electrical Mechanical and Services or of the Town Planning Board;
- (e) the submission of a Drainage Impact Assessment and implementation of the mitigation measures identified therein to the satisfaction of the Director of Drainage Services or of the Town Planning Board;
- (f) the submission of a Sewerage Impact Assessment and implementation of the sewage improvement measures identified therein to the satisfaction of the Director of Environmental Protection or of the Town Planning Board;
- (g) the submission of a revised Environmental Assessment and implementation of mitigation measures identified therein to the satisfaction of the Director of Environmental Protection or of the Town Planning Board; and
- (h) the submission of a revised Geotechnical Planning Review Report and implementation of the mitigation measures recommended therein to the satisfaction of the Director of Civil Engineering and Development or of the Town Planning Board.

Advisory Clauses

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

12. Decision Sought

- 12.1 The Committee is invited to consider the application and decide whether to grant or refuse to grant permission.
- 12.2 Should the Committee decide to reject the application, Members are invited to advise what reason(s) for rejection should be given to the applicant.
- 12.3 Alternatively, should the Committee decide to approve the application, Members are invited to consider the approval conditions and advisory clauses, if any, to be attached to the permission, and the date when the validity of the permission should expire.

13. Attachments

Appendix I	Application form received on 14.6.2019
Appendix Ia	Supplementary Planning Statement
Appendix Ib	FI received on 9.9.2019
Appendix Ic	FI received on 2.10.2019
Appendix Id	FI received on 20.1.2020
Appendix II	Similar Applications
Appendix III	Technical comments from DEP
Appendix IV	Public Comments
Appendix V	Advisory Clauses
Drawing A-1	Location Plan
Drawing A-2	Master Layout Plan
Drawings A-3 to A-6	Floor and Section Plans
Plan A-1	Location Plan
Plan A-2	Site Plan
Plan A-3	Aerial Photo
Plans A-4a to A-4c	Site Photos

**PLANNING DEPARTMENT
MARCH 2020**

Similar Applications

Application No.	Location	Zonings	Date of Consideration	Decision of the RNTPC	Approval Conditions
A/SK-SKT/10 Proposed Flat and House	Lot 1002 in D.D. 215, 6 Hong Ting Road, Sai Kung	“R(E)1” and “Road”	22.1.2016	Approved with conditions	(a) to (d)
A/SK-SKT/14 Proposed Flat and Shop and Services and Minor Relaxation of Plot Ratio (from 2 to 2.036)	Lots 963 (Part), Ext.to 963 (Part) and 991 (Part) in D.D. 215, 7-9 Hong Ting Road, Sai Kung, New Territories	“R(E)1” and “Road”	2.3.2018	Approved with conditions	(a), (c), (e) and (f)

Approval Conditions:

- (a) the provision of fire service installations and water supplies for firefighting
- (b) the provision of sewerage upgrading works as identified in the sewerage impact assessment
- (c) the submission and implementation of landscape proposal
- (d) the submission of land contamination assessment prior to the commencement of any construction/development works
- (e) the submission of traffic review before population intake for the proposed development
- (f) the submission of a land contamination assessment and the implementation of the mitigation measures proposed therein prior to the commencement of the foundation works for the proposed development

Technical comments from DEP

General Comment

- (a) There will be potential industrial and residential (“I/R”) interface problems in this planning application given the close proximity of an existing concrete batching plant to the proposed residential site, i.e., less than 5m for this case. The operation of the concrete batching plant including generation of heavy vehicle traffic would cause dust nuisances, amongst others, to future residents and lead to complaints. This kind of potential dust nuisance pollution problem cannot be accounted for in the quantitative Air Quality Impact Assessment (AQIA) in the current submission, i.e., the potential dust nuisance pollution problem will persist even though there is no adverse air quality impact predicted in AQIA.

Specific Technical Comments on AQIA

- (b) RtC Item (f), it is noted that “Please refer to the enclosed e-mail from Transport Department (TD). No comment regarding the traffic forecast data has been issued by TD”. However, the subject TD's confirmation email is missing. Please provide.
- (c) RtCs Item (e), Annex A of the FI (**Appendix Id**) does not indicate TD's agreement on traffic forecast used in the AQIA. Please check and provide.
- (d) RtCS Item (f), it is noted that all road sections were set as at-grade type in the previous Caline4 model runs. According to the intended model input, the heights of road links and air sensitive receivers (ASRs) should range from 0 to 20m and 1.5 to 7.5m respectively. Setting elevated road sections (e.g. 8m) to at grade level increased their vertical separation from high level ASRs (e.g. 7.5m) and thus under-predicted their impacts at these ASRs.
- (e) RtCs Item (g), it is agreed that landuse with smaller roughness values are more appropriate for the subject site. Hence, the larger roughness values used in the previous AERMOD model runs resulted in under-predicting the impacts at all ASRs.
- (f) RtCs Item (h), it is found that a much larger exhaust velocity was used in the previous AERMOD model runs. The large exhaust velocity led to excessive momentum plume rise and resulted in under-prediction at all ASRs. Please also check and provide source of reference of the proposed flow rate.
- (g) please rectify and re-run all relevant models to avoid under-prediction. Otherwise, the maximum under-predictions due to the aforesaid 3 points should be quantified to justify that the current conclusion of Air Quality Objectives (AQOs) compliance will not be changed.
- (h) Moreover, please be reminded that in case revisiting quantitative AQ assessment, if necessary, will be carried out after the 6-month transitional period, please use the latest version of AQ models including EMFAC-HK (v.4.2). For details, please refer to the following doclink:

EMFAC-HK Vehicle Emission Calculation

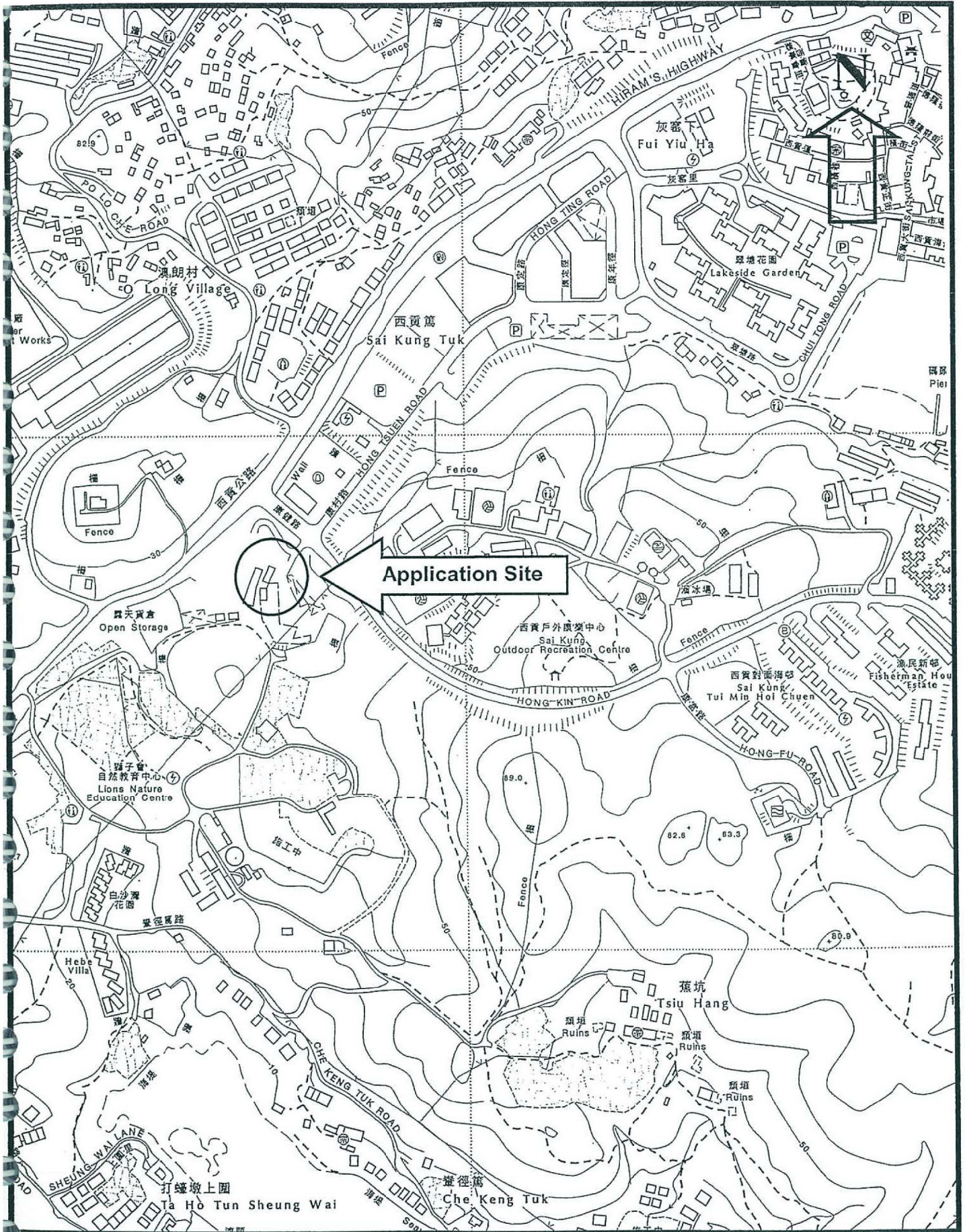
http://www.epd.gov.hk/epd/english/environmentinhk/air/guide_ref/emfac-hk.html

- (i) Please highlight all the changes made in future submissions and provide RtC table for case of reference.

Advisory Clauses

- (a) to note the comments of the District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD) that the Site includes some unleased and unallocated government land and encroaches onto the land held under a short term tenancy (STT) running on a quarterly basis for open storage purposes granted to a third party not related to the applicant. As there is no guarantee that the encroached area of this STT could be made available for the development, the applicant may consider to exclude this encroached area from the Site. If the application is approved by the Board, the lot owner will need to apply to his office for a land exchange to effect the proposal. However, there is no guarantee that any land exchange application, with or without government land involved, would be approved by the Government. Such land exchange application, if eventually approved, would be subject to such terms and conditions including the payment of a premium and an administrative fee as the Government considers appropriate at its sole discretion;
- (b) to note the comments of the Commissioner for Transport (C for T) that parking provision for private developments should comply with the requirement under Hong Kong Planning Standards and Guidelines (HKPSG). The number of parking spaces for Type A and Type B Houses (flat size less than 160m²) do not comply with HKPSG;
- (c) to note the comments of the Chief Engineer/Mainland South, Drainage Services Department (CE/MS, DSD) that the developer/project proponent shall be requested to carry out Drainage Impact Assessment (DIA) in accordance with DSD Advice Note No. 1 "Application of Drainage Impact Assessment Process to Private Sector Process". The DIA process provides a systematic approach in addressing drainage issues associated with the project. The primary objective of the DIA process is to demonstrate that with the implementation of necessary mitigation measures, the project will not cause an unacceptable increase in the risk of flooding in areas upstream of, adjacent to or downstream of the development;
- (d) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department (CTP/UD&L, PlanD) that the proposed houses at the western portion of the Site would be in close proximity to an existing operating concrete batching plant. Industrial/residential interface problem is anticipated. The applicant is advised to provide relevant mitigation measures, including but not limited to buffer planting along the western boundary of the Site to alleviate the anticipated industrial/residential interface problem, as well as, providing visual buffer between the proposed development and the surrounding natural environment;
- (e) to note the following comments of the Chief Building Surveyor/New Territories East 2 and Rail, Buildings Department (CBS/NTE2 & Rail, BD):
 - (i) unless the Site abuts on a specified street under Building (Planning) Regulation (B(P)R) 18A(3) of not less than 4.5m wide, its development intensity should be determined by the Building Authority under B(P)R 19(3). In this connection, the applicant should clarify the land status/integrity of the existing access road connecting the lot to Hong Kin Road;
 - (ii) it is noted that the carports are excluded from gross floor area (GFA) calculations. PNAP APP-2, HKPSG and the advice of C for T will be referred to when determining exemption of GFA calculations for the carports;

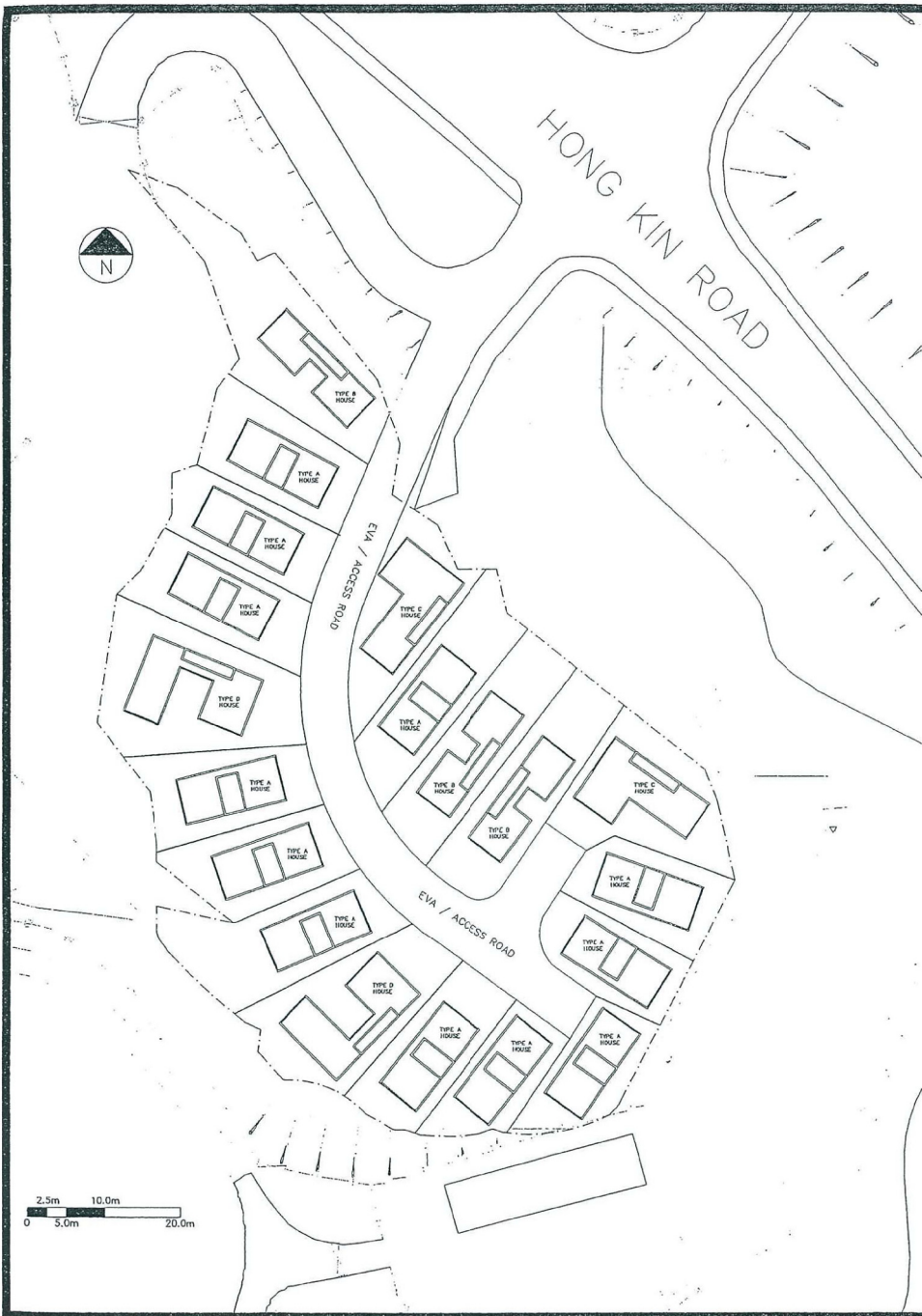
- (iii) applicant's attention is drawn to the policy on GFA concession under PNAP APP-151, in particular, the 10% overall cap on GFA concession and where appropriate, the Sustainable Building Design requirements including building setback and building separation under PNAP APP-152;
- (iv) Emergency Vehicular Access (EVA) complying with B(P)R 41D shall be provided for all blocks within the Site; and
- (v) detailed comments will be given during general building plans submission stage.
- (f) to note the comments of the Director of Fire Services (D of FS) that detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans. The EVA provision in the Site shall comply with the standard as stipulated in Code of Practice for Fire Safety in Buildings 2011 whenever the building works fall within the ambit of the Buildings Ordinance;
- (g) to note the comments of the Chief Engineer/Construction, Water Supplies Department (CE/Construction, WSD) that for provision of water supply to the development, the applicant may need to extend the inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to WSD's standards; and
- (h) to note the comments of the Director of Electrical and Mechanical Services (DEMS) that the future developer/consultant/works contractor shall liaise with the Hong Kong and China Gas Company Limited in respect of the exact locations of the existing or planned gas pipes/gas installations within/in the vicinity of the proposed development site and any required minimum setback distance away from them during the design and construction stages of the development. The future developer/consultant/works contractor is required to observe the requirements of the Electrical and Mechanical Services Department's Code of Practice on "Avoidance of Damage to Gas Pipes" 2nd Edition.



For Identification Purposes Only

(資料來源：由申請人提供的位置圖)
 (Source : Location Plan supplied by the Applicant)

參考編號 REFERENCE No. A/SK-SKT/22	繪圖 DRAWING A-1
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PROPOSED HOUSE USE
 AT LOT NOS. 8 S.B., 9 S.A AND 9 S.B AND THE ADJOINING GOVERNMENT LAND IN DD 212,
 HONG KIN ROAD, SAI KUNG, NEW TERRITORIES

Proposed GFA of Type A House :

G/F (Carport) = 67 sq.m. (G.F.A. exempted)
 1/F = 67 sq.m.
 2/F = 67 sq.m.

No. of Type A House: 12
 Total GFA of all Type A Houses. : (67 + 67) x 12 = 1608 sq.m.

Proposed GFA of Type B House :

G/F (Carport) = 78 sq.m. (G.F.A. exempted)
 1/F = 78 sq.m.
 2/F = 78 sq.m.

No. of Type B House: 3
 Total GFA of all Type B Houses. : (78 + 78) x 3 = 468 sq.m.

Proposed GFA of Type C House :

G/F (Carport) = 90 sq.m. (G.F.A. exempted)
 1/F = 90 sq.m.
 2/F = 90 sq.m.

No. of Type C House: 2
 Total GFA of all Type C Houses. : (90 + 90) x 2 = 360.0 sq.m.

Proposed GFA of Type D House :

G/F (Carport) = 105.36 sq.m. (G.F.A. exempted)
 1/F = 105.36 sq.m.
 2/F = 105.36 sq.m.

No. of Type D House: 2
 Total GFA of all Type D Houses. : (105.36 + 105.36) x 2 = 421.44 sq.m.

Site Area: "Residential (Group E)2" = 3781 sq.m.
 "Green Belt" = 29 sq.m.
 Total = 3810 sq.m. (Including government land of approx. 218.492 sq.m.)

Proposed total GFA
 = 1608 + 468 + 360 + 421.44 = 2857.44 sq.m

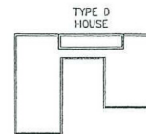
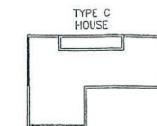
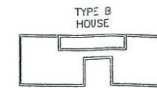
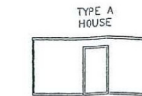
Proposed plot ratio base on total site area
 = Proposed total GFA / site area
 = 2857.44 / 3810 = 0.74938

Proposed plot ratio base on Residential (Group E)2 area
 = Proposed total GFA / Residential (Group E)2 area
 = 2857.44 / 3781 = 0.756

Proposed site coverage base on total site area
 = Proposed building footprint area/ site area
 = 1428.72 / 3810 x 100% = 37.5%

Proposed site coverage base on Residential (Group E)2 area
 = Proposed building footprint area/ Residential (Group E)2 area
 = 1428.72 / 3781 x 100% = 37.8%

No. of Carparks proposed = No. of houses x 2 = 19 x 2 = 38



B.D. REF. F.S.D. REF.

Rev.	Date	Particulars	Drawn	Checked	Approved
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Approved for Dispatch/Construction
 Drawing No. No. _____
 Approved By: _____
 Date: _____

Job Title: PROPOSED HOUSE DEVELOPMENT
 AT DD212, Lot95A,95B,85B, Hong Kin Rd, Sai Kung
 Job No.: NT1518

Drawing Title: MASTER LAYOUT PLAN AND DEVELOPMENT PARAMETERS

Scale: Date Drawn: 24.08.16

ARCHITECTURAL		STRUCTURAL		E&M	
Drawn By	Checked By 1	Drawn By	Checked By 1	Drawn By	Checked By 1
KLD	WIC				
Name	Name	Name	Name	Name	Name
Checked By 2	Approved By 2	Checked By 2	Approved By 2	Checked By 2	Approved By 2
CHK	GW				
Name	Name	Name	Name	Name	Name

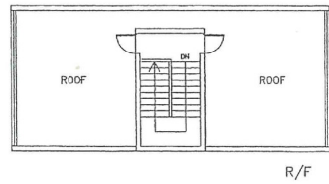
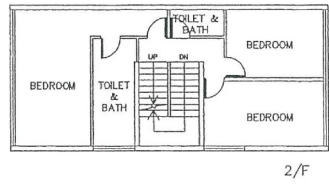
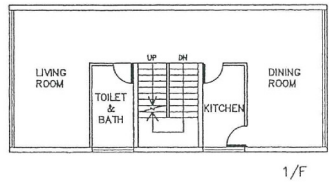
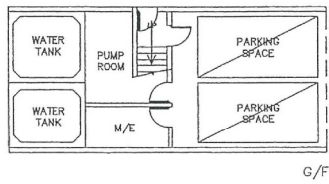
Drawing No. 516 - 001
 Rev. No.

參考編號
 REFERENCE No.
 A/SK-SKT/22

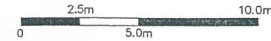
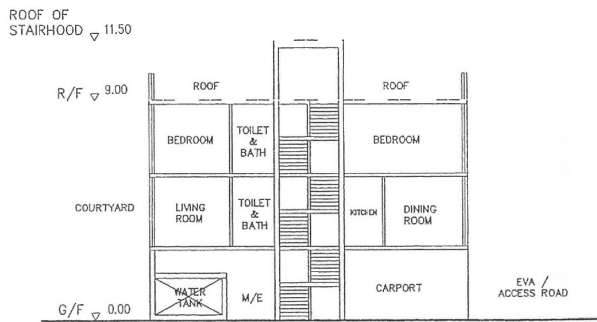
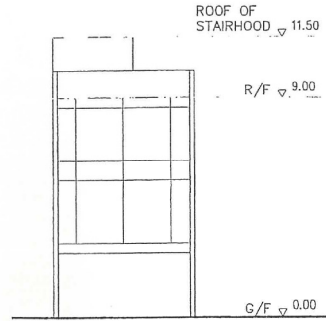
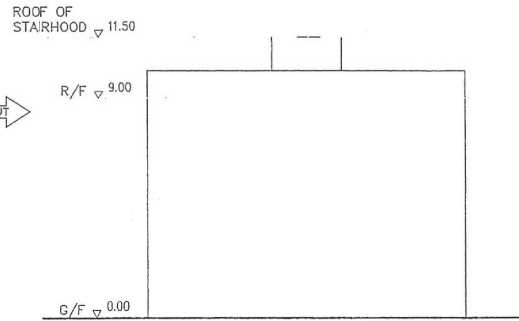
繪圖
 DRAWING
 A-2

(資料來源 : 由申請人提供的總綱發展藍圖)
 (Source : Master Layout Plan supplied by the Applicant)

PLANS OF TYPE A HOUSE



ELEVATIONS OF TYPE A HOUSE



SECTION OF TYPE A HOUSE

B.D. REF. F.S.D. REF.

Scale Date Particulars Drawn Checked Approved



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Approved for Dispatch/Construction

Signature: _____ Date: _____

Job Title: _____ Job No. NT1518
 PROPOSED HOUSE DEVELOPMENT
 AT DD212, Lai YSA, 95B, 95C, Hong Kih Rd, Sai Kung

Drawing Title
 HOUSE TYPE A - PLANS, SECTION AND ELEVATIONS

Scale: _____ Date Drawn: 24.06.16

ARCHITECTURAL	STRUCTURAL	MEP
Drawn By: KLO Checked By: MIC	Drawn By: _____ Checked By: _____	Drawn By: _____ Checked By: _____
Approved By: KEK	Approved By: _____	Approved By: _____

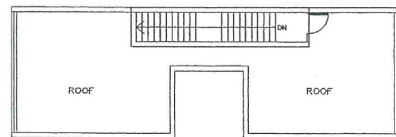
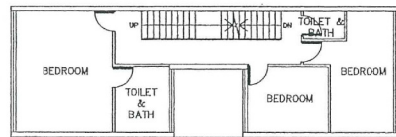
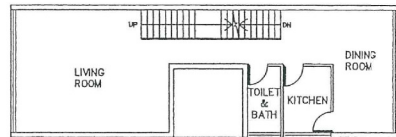
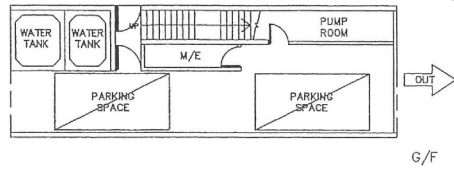
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(資料來源：由申請人提供的截視、立視及樓宇平面圖)
 (Source: Section, Elevation and Floor Plan supplied by the Applicant)

參考編號
 REFERENCE No.
A/SK-SKT/22

繪圖
 DRAWING
A-3

PLANS OF TYPE B HOUSE



ELEVATIONS OF TYPE B HOUSE

ROOF OF STAIRHOOD ∇ 11.50

R/F ∇ 9.00

G/F ∇ 0.00

ROOF OF STAIRHOOD ∇ 11.50

R/F ∇ 9.00

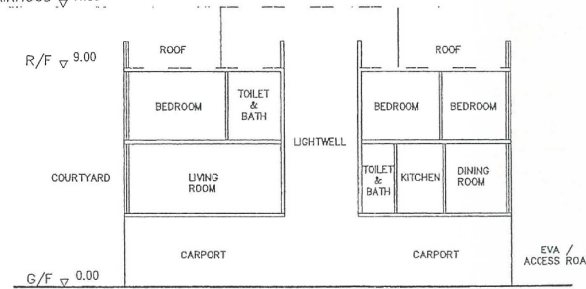
COURTYARD

G/F ∇ 0.00

ROOF OF STAIRHOOD ∇ 11.50

R/F ∇ 9.00

G/F ∇ 0.00



SECTION OF TYPE B HOUSE

B.D. REF. P.S.D. REF.

Rev. No.	Date	Particulars	Drawn	Checked	Approved
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Drawn: _____
 Checked: _____
 Approved: _____

Job Title: PROPOSED HOUSE DEVELOPMENT AT D0212, Lot95A,95B,95C, Hong Kin Rd, Sol Kung
 Job No.: N1518

Drawing Title: HOUSE TYPE B - PLANS, SECTION AND ELEVATIONS

Scale: _____ Date Drawn: 24.08.16

ARCHITECTURAL	STRUCTURAL	MEP
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Checked By: _____	Checked By: _____	Checked By: _____

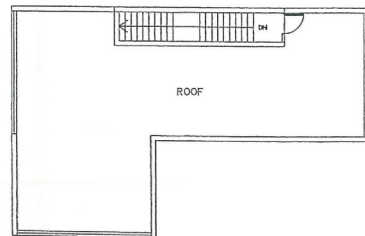
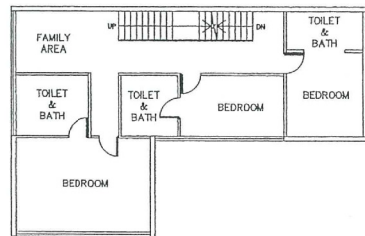
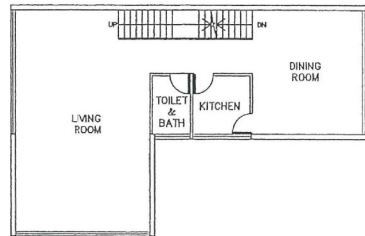
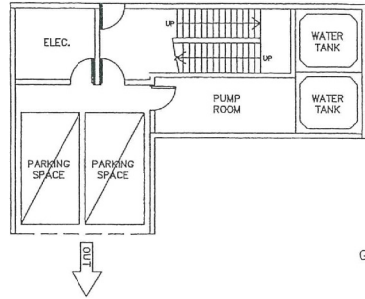
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516 - 003

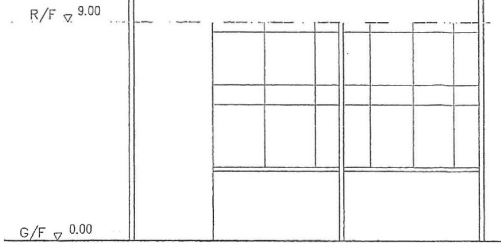
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 (Source : Section, Elevation and Floor Plan supplied by the Applicant)

參考編號 REFERENCE No. A/SK-SKT/22
 繪圖 DRAWING A-4

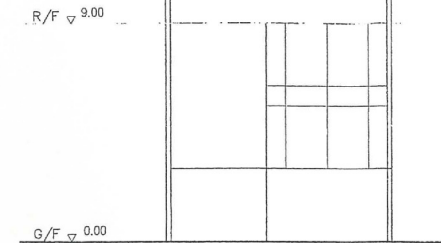
PLANS OF TYPE C HOUSE



ROOF OF STAIRHOOD ∇ 11.50

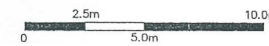
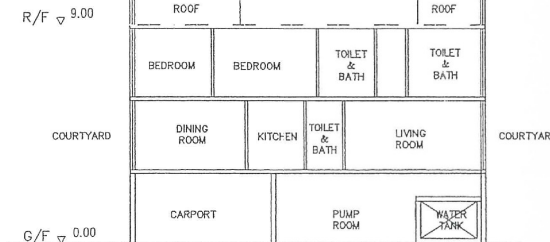


ROOF OF STAIRHOOD ∇ 11.50



SECTION OF TYPE C HOUSE

ROOF OF STAIRHOOD ∇ 11.50



B.D. REF. F.S.D. REF.

Name	Date	Particulars	Drawn	Checked	Approved
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Approved for Dispatch/Construction

Drawn By: _____
Checked By: _____
Approved By: _____
Date: _____

Job Title: PROPOSED HOUSE DEVELOPMENT AT DD212, Lot95A,95B,95C, Hong Kin Rd, Sai Kung
Job No.: NT1518

Drawing Title: HOUSE TYPE C - PLANS, SECTION AND ELEVATIONS

Scale: _____ Date Drawn: 24.06.16

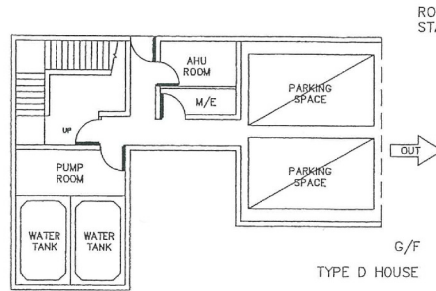
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Drawn By	Checked By	Drawn By	Checked By	Drawn By	Checked By

Drawing No. _____ Rev. No. _____
S16 - 004

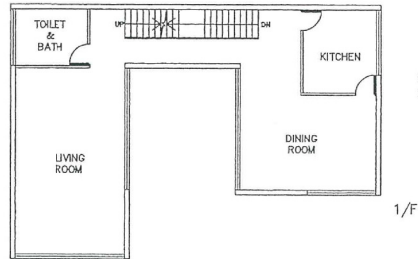
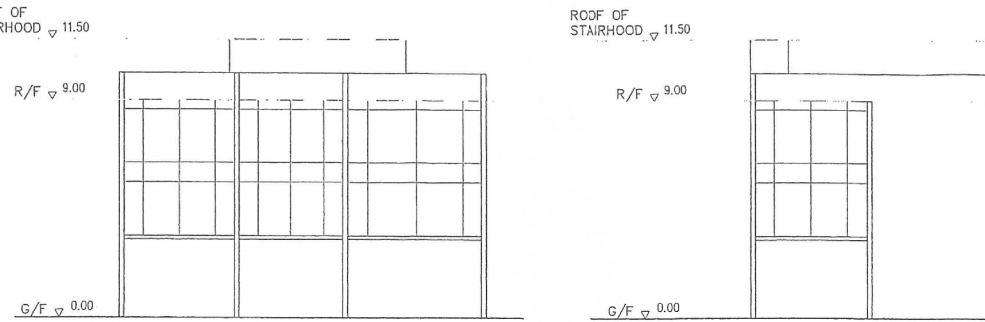
(資料來源：由申請人提供的截視、立視及樓宇平面圖)
(Source : Section, Elevation and Floor Plan supplied by the Applicant)

參考編號 REFERENCE No. A/SK-SKT/22	繪圖 DRAWING A-5
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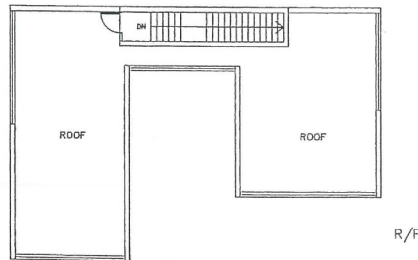
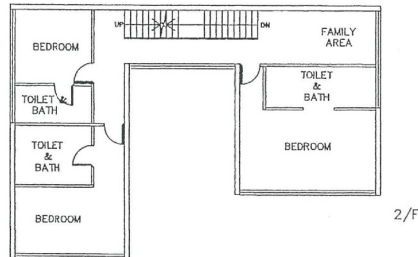
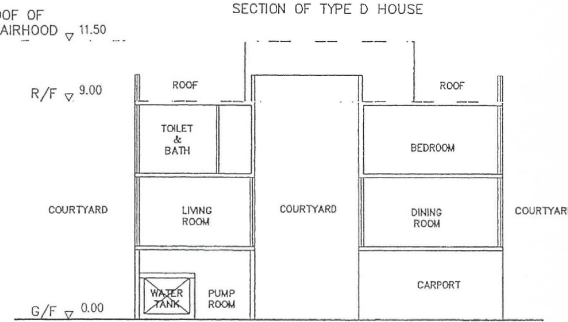
PLANS OF TYPE D HOUSE



ELEVATIONS OF TYPE D HOUSE



SECTION OF TYPE D HOUSE



B.D. REF. F.S.D. REF.

Rev. No.	Date	Particulars	Drawn	Checked	Approved
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Approved for Dispatch/Construction

Drawn By: _____
Checked By: _____
Date: _____

Job Title: _____ Job No.: _____
PROPOSED HOUSE DEVELOPMENT NT1518
AT DD212, Lot 95A, 95B, 95C, Hong Kln Rd, Sai Kung

Drawing Title: HOUSE TYPE D - PLANS, SECTION AND ELEVATIONS

Scale: _____ Date Drawn: 24.06.16

ARCHITECTURAL		STRUCTURAL		E&M	
Drawn By	Checked By	Drawn By	Checked By	Drawn By	Checked By
MIG					
Checked By: 1	Approved By: 1	Checked By: 2	Approved By: 2	Checked By: 3	Approved By: 3

Drawing No. S16 - 005 Rev. No.

(資料來源：由申請人提供的截視、立視及樓宇平面圖)
(Source : Section, Elevation and Floor Plan supplied by the Applicant)

參考編號
REFERENCE No.
A/SK-SKT/22

繪圖
DRAWING
A-6



要覽圖 KEY PLAN

SCALE 1 : 50 000 比例尺



27 正在處理中的規劃申請
PLANNING APPLICATION
BEING PROCESSED

14 (2.3.18)

26 正在處理中的規劃申請
PLANNING APPLICATION
BEING PROCESSED

與文化/文物
旅遊有關的用途
CULTURAL/
HERITAGE
TOURISM
RELATED USES

商業發展
(包括多層停車場)
COMMERCIAL
DEVELOPMENT
(WITH MULTI-STORY
VEHICLE PARK)

10 (22.1.16)

翠塘花園
LAKESIDE GARDEN

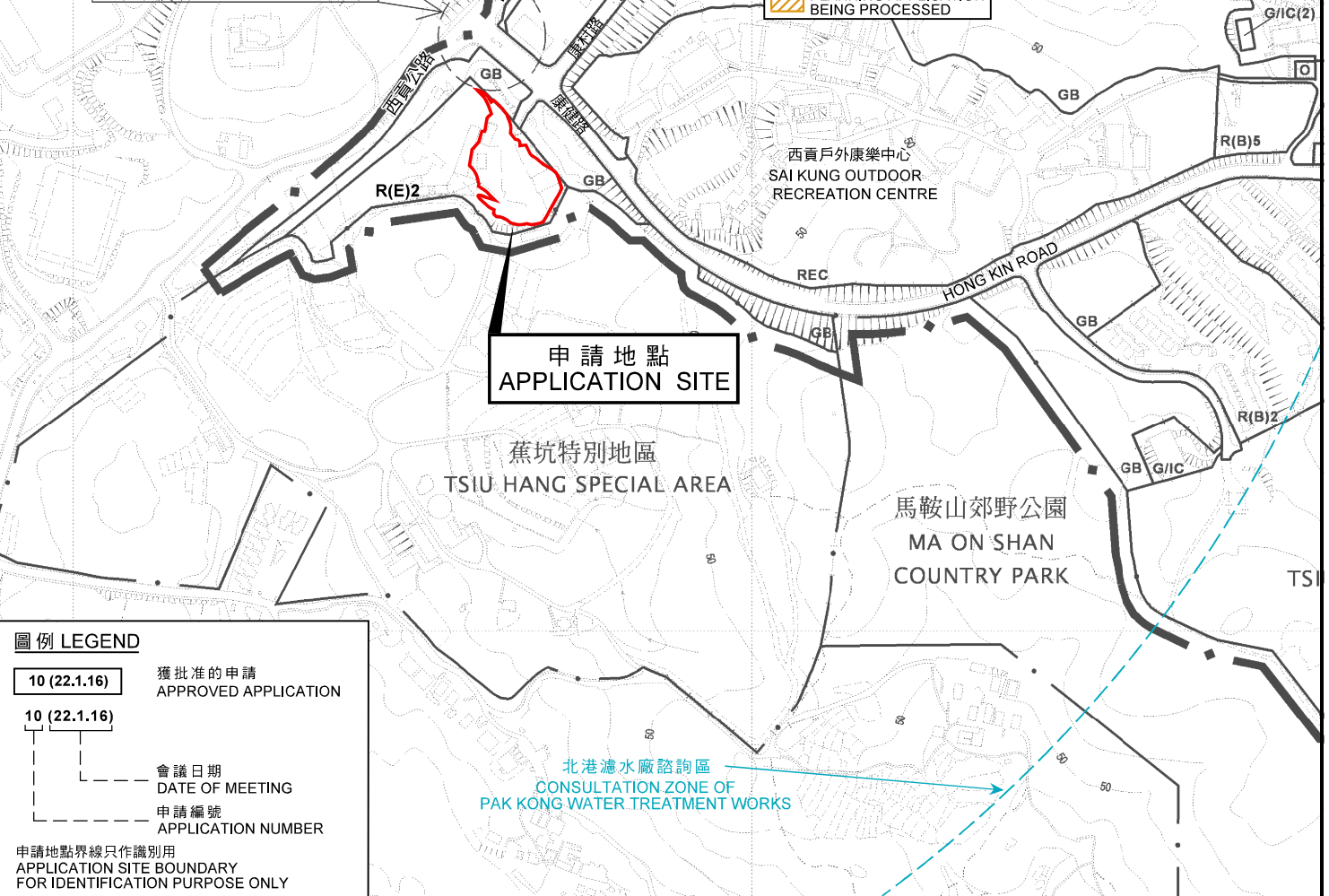
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PLANNING APPLICATION
BEING PROCESSED

24 正在處理中的規劃申請
PLANNING APPLICATION
BEING PROCESSED

23 正在處理中的規劃申請
PLANNING APPLICATION
BEING PROCESSED

北港濾水廠
PAK KONG TREATMENT WORKS

路口 (有待詳細設計)
ROAD JUNCTION
(SUBJECT TO DETAILED DESIGN)



申請地點
APPLICATION SITE

蕉坑特別地區
TSIU HANG SPECIAL AREA

馬鞍山郊野公園
MA ON SHAN
COUNTRY PARK

圖例 LEGEND

- 獲批准的申請
APPROVED APPLICATION
- 會議日期
DATE OF MEETING
- 申請編號
APPLICATION NUMBER

申請地點界線只作識別用
APPLICATION SITE BOUNDARY
FOR IDENTIFICATION PURPOSE ONLY

位置圖 LOCATION PLAN

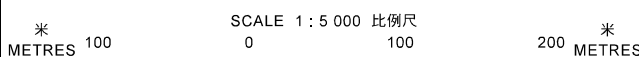
擬議 19 幢屋宇
西貢康健路丈量約份第 2 1 2 約
地段第 8 號 B 分段、第 9 號 A 分段及第 9 號 B 分段和毗連政府土地
PROPOSED 19 HOUSES
LOTS 8 S.B, 9 S.A AND 9 S.B IN D.D. 212 AND
ADJOINING GOVERNMENT LAND, HONG KIN ROAD, SAI KUNG

規劃署
PLANNING
DEPARTMENT

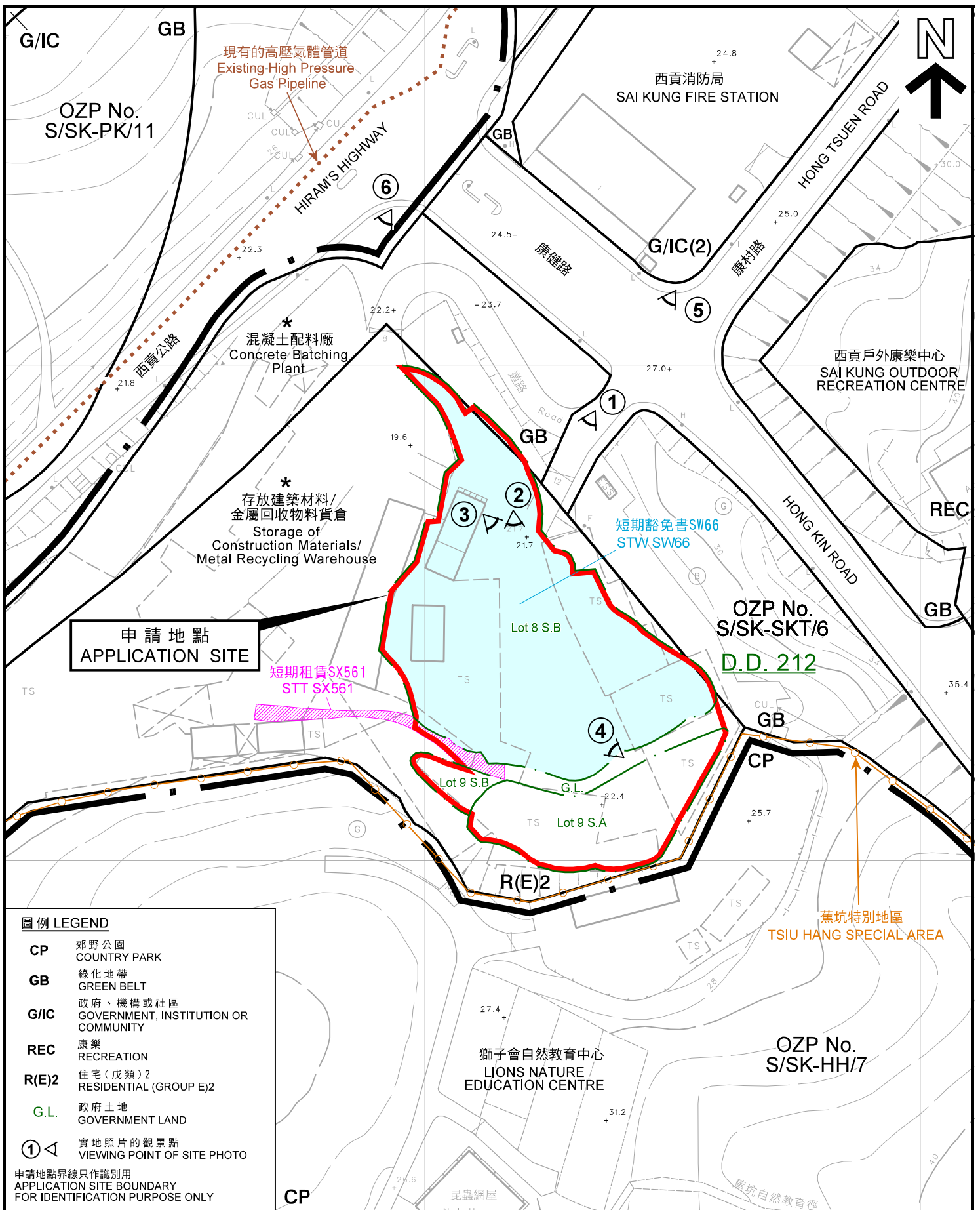


參考編號
REFERENCE No.
A/SK-SKT/22

圖 PLAN
A-1



本摘要圖於2020年3月6日擬備，
所根據的資料為於2013年6月4日
核准的分區計劃大綱圖編號S/SK-SKT/6
EXTRACT PLAN PREPARED ON 6.3.2020
BASED ON OUTLINE ZONING PLAN
No. S/SK-SKT/6 APPROVED ON 4.6.2013



圖例 LEGEND

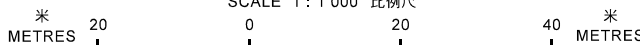
- CP** 郊野公園
COUNTRY PARK
- GB** 綠化地帶
GREEN BELT
- G/IC** 政府、機構或社區
GOVERNMENT, INSTITUTION OR COMMUNITY
- REC** 康樂
RECREATION
- R(E)2** 住宅(戊類)2
RESIDENTIAL (GROUP E)2
- G.L.** 政府土地
GOVERNMENT LAND
- ①** 實地照片的觀景點
VIEWING POINT OF SITE PHOTO

申請地點界線只作識別用
APPLICATION SITE BOUNDARY
FOR IDENTIFICATION PURPOSE ONLY

平面圖 SITE PLAN

擬議 19 幢屋宇
西貢康健路丈量約份第 2 1 2 約
地段第 8 號 B 分段、第 9 號 A 分段及第 9 號 B 分段和毗連政府土地
PROPOSED 19 HOUSES
LOTS 8 S.B, 9 S.A AND 9 S.B IN D.D. 212 AND
ADJOINING GOVERNMENT LAND, HONG KIN ROAD, SAI KUNG

SCALE 1 : 1 000 比例尺



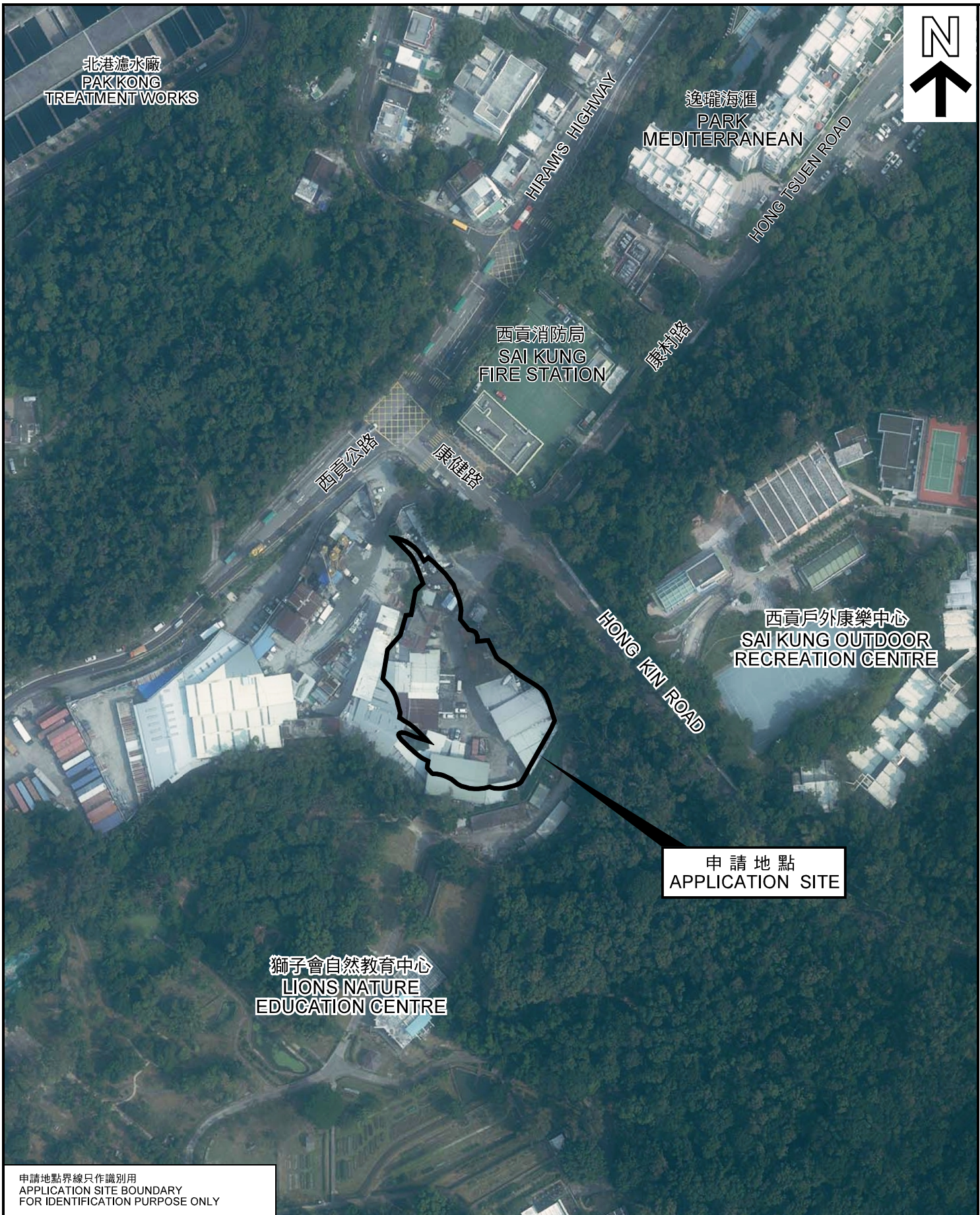
規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/SK-SKT/22

圖 PLAN
A-2

本摘要圖於 2020 年 3 月 6 日擬備，
所根據的資料為測量圖編號
8-SW-11C 和 16A
EXTRACT PLAN PREPARED ON 6.3.2020
BASED ON SURVEY SHEETS No.
8-SW-11C & 16A



申請地點界線只作識別用
APPLICATION SITE BOUNDARY
FOR IDENTIFICATION PURPOSE ONLY

本摘要圖於2020年3月6日擬備，所根據的資料為地政總署於2019年9月27日拍得的航攝照片編號E065279C

EXTRACT PLAN PREPARED ON 6.3.2020
BASED ON AERIAL PHOTO No. E065279C
TAKEN ON 27.9.2019
BY LANDS DEPARTMENT

航攝照片 AERIAL PHOTO

擬議 19 幢屋宇
西貢康健路丈量約份第 2 1 2 約地段第 8 號 B 分段、
第 9 號 A 分段及第 9 號 B 分段和毗連政府土地
PROPOSED 19 HOUSES
LOTS 8 S.B, 9 S.A AND 9 S.B IN D.D. 212 AND
ADJOINING GOVERNMENT LAND, HONG KIN ROAD, SAI KUNG

規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/SK-SKT/22

圖 PLAN
A-3

1



2



申請地點界線只作識別用
APPLICATION SITE BOUNDARY
FOR IDENTIFICATION PURPOSE ONLY

實地照片 SITE PHOTO

擬議 19 幢屋宇
西貢康健路丈量約份第 2 1 2 約
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規劃署
PLANNING
DEPARTMENT



參考編號
REFERENCE No.
A/SK-SKT/22

圖 PLAN
A-4a

本圖於 2020 年 3 月 6 日擬備，所根據的
資料為攝於 2020 年 3 月 5 日的實地照片
PLAN PREPARED ON 6.3.2020
BASED ON SITE PHOTOS TAKEN ON 5.3.2020

3



申請地點
APPLICATION SITE

4



混凝土配料廠
Concrete Batching Plant

申請地點
APPLICATION SITE

實地照片 SITE PHOTO

擬議 19 幢屋宇
 西貢康健路丈量約份第 2 1 2 約
 地段第 8 號 B 分段、第 9 號 A 分段及第 9 號 B 分段和毗連政府土地
 PROPOSED 19 HOUSES
 LOTS 8 S.B, 9 S.A AND 9 S.B IN D.D. 212 AND
 ADJOINING GOVERNMENT LAND, HONG KIN ROAD, SAI KUNG

本圖於 2020 年 3 月 6 日擬備，所根據的資料為攝於 2020 年 3 月 5 日的實地照片
 PLAN PREPARED ON 6.3.2020
 BASED ON SITE PHOTOS TAKEN ON 5.3.2020

規劃署
 PLANNING
 DEPARTMENT



參考編號
 REFERENCE No.
 A/SK-SKT/22

圖 PLAN
 A-4b

5



6



實地照片 SITE PHOTO

擬議 19 幢屋宇
 西貢康健路丈量約份第 2 1 2 約
 地段第 8 號 B 分段、第 9 號 A 分段及第 9 號 B 分段和毗連政府土地
 PROPOSED 19 HOUSES
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本圖於 2020 年 3 月 6 日擬備，所根據的資料為攝於 2020 年 3 月 5 日的實地照片
 PLAN PREPARED ON 6.3.2020
 BASED ON SITE PHOTOS TAKEN ON 5.3.2020

規劃署
 PLANNING
 DEPARTMENT



參考編號
 REFERENCE No.
 A/SK-SKT/22

圖 PLAN
 A-4c

Sai Kung and Islands District

[Ms Jane W.L. Kwan, Senior Town Planner/Sai Kung and Islands (STP/SKIs), was invited to the meeting at this point.]

[Dr F.C.Chan arrived to join the meeting at this point.]

Agenda Item 6

Section 16 Application

[Open Meeting (Presentation and Question Sessions Only)]

A/SK-SKT/22 Proposed 19 Houses in “Residential (Group E)2” Zone, Lots 8 S.B, 9
S.A and 9 S.B in D.D. 212 and Adjoining Government Land, 1 Hong
Kin Road, Sai Kung
(RNTPC Paper No. A/SK-SKT/22B)

Presentation and Question Sessions

14. Ms Jane W.L. Kwan, STP/SKIs, presented the application and covered the following aspects as detailed in the Paper :

- (a) background to the application;
- (b) the proposed 19 houses;
- (c) departmental comments – departmental comments were set out in paragraph 8 of the Paper;
- (d) during the first three weeks of the statutory publication period, seven public comments were received. Among them, six comments from Sai Kung Rural Committee, an ex-member of Sai Kung District Council, the chairman of Sai Kung Area Committee, and individuals objected to the application while one comment from the Hong Kong and China Gas Co. Limited provided opinion on the application. Major views were set out in paragraph 9 of the Paper; and
- (e) the Planning Department (PlanD)'s views – PlanD did not support the application based on the assessments set out in paragraph 10 of the Paper. Although the proposed house development was in line with the planning intention of “Residential (Group E)2” (“R(E)2”) zone, the interface problems with the existing industrial uses in the vicinity of the site had not been satisfactorily resolved. The site was in close proximity to existing industrial operations including a concrete batching plant (CBP). The District Lands Officer/Sai Kung, Lands Department (DLO/SK, LandsD) advised that the CBP was held under short term waivers (STWs) and although there was a mechanism to terminate the waivers, there was no guarantee that such termination notice would be served by the Government to facilitate the proposed development. Hence, it was uncertain as to whether the CBP would be terminated or relocated in the near future. The Director of Environmental Protection (DEP) objected to the application because the industrial/residential (I/R) interface issue of the proposed

development could not be accounted for in the quantitative Air Quality Impact Assessment (AQIA). DEP also advised that there was insufficient information to demonstrate the environmental acceptability of the proposed development. There was also a high pressure town gas transmission pipeline (running along Hiram's Highway) in the vicinity of the site. There was no risk assessment in the submission to demonstrate that the proposed development would be acceptable from risks point of view. Regarding the adverse public comments, the comments of government departments and planning assessments above were relevant.

15. The Chairman and a Member raised the following questions:

- (a) the land status of CBP and whether it was a permanent land use; and
- (b) whether there was any licensing control to regulate the operation of the CBP.

16. Ms Jane W.L. Kwan, STP/SKIs, made the following responses:

- (a) the CBP was in existence before the publication of the first plan covering the area (i.e. Sai Kung Town OZP No. S/SK-SKT/1) and could be regarded as 'Existing Use'; and
- (b) the CBP had been granted with STWs permitting the uses and structures for CBP and storage.

Deliberation Session

17. Noting that some existing industrial uses including the CBP were in the vicinity of the application site, a Member raised concern on whether the "R(E)2" zone was an appropriate zoning for the area.

18. Members noted that the existing industrial uses in the subject "R(E)2" zone were in existence before the publication of the first statutory plan covering the area. In light of the location of the area, which was at the southern part of Sai Kung Town and in the proximity of

Tsiu Hang Special Area, the area was zoned “R(E)2” with a view to phasing out incompatible land uses through redevelopment (or conversion) for residential use in the long run. The Chairman supplemented that application for residential development in “R(E)2” zone was required to demonstrate that the I/R interface issue could be resolved to the satisfaction of the concerned government departments. As for the current application, given that departments considered the I/R interface issue could not be satisfactorily resolved, the proposed residential development might not be ready for implementation at the current stage.

19. In response to a Member’s enquiry on the revised AQIA submitted by the applicant, Mr Terence S.W. Tsang, Assistant Director (Environmental Assessment), Environmental Protection Department (AD(EA), EPD), explained that the revised AQIA mainly demonstrated the environmental impacts caused by the industrial emission from the CBP on the surrounding areas. However, the noise and dust nuisance, including those arising from the traffic of heavy vehicles, and the potential I/R interface problem were yet to be accounted for/addressed in the revised AQIA. Regarding the similar case (application No. A/K15/119) mentioned by the applicant, it was understood that the Committee had already approved/was processing planning applications to phase out the existing CBPs in Yau Tong Industrial Area for comprehensive residential and/or commercial development. For the current application, as there was no sign to phase out the active CBP located next to the proposed development, approving the application would create a new I/R interface problem. As such, DEP objected to the application from environmental perspective.

20. In response to a Member’s question on whether the I/R interface problem between residential development and CBP was insurmountable, Mr Terence S.W. Tsang, AD(EA), EPD, said that while the creation of a new I/R interface problem was not desirable from environmental planning point of view, appropriate mitigation measures could be formulated to address the environmental issues. However, for the current application, the applicant had not provided sufficient information nor proposed adequate mitigation measures to demonstrate the environmental acceptability of the proposed development.

21. A Member asked if private developer could construct noise barrier on public roads. In response, Mr Ken K.K. Yip, Chief Traffic Engineer/New Territories East, Transport Department, said that generally speaking, noise barrier was not a traffic improvement measure but a mitigation measure to address noise impact. If the concerned departments had no

objection to the proposed noise barriers and would take up the management and maintenance of the noise barriers upon completion, private developers could propose and construct noise barriers on public roads as one of the mitigation measures.

22. To sum up, the Chairman concluded that Members generally agreed to departments' view that the interface problem between the proposed residential development and the adjacent industrial uses could not be satisfactorily resolved in the current application.

23. After deliberation, the Committee decided to reject the application. The reason was :

“the applicant fails to demonstrate that the interface problems with the adjacent industrial use can be satisfactorily resolved and that the proposed development would not be subject to adverse environmental impacts.”

Advisory Clauses

- (a) to note the comments of the District Lands Officer/Sai Kung, Lands Department that the Site includes some unleased and unallocated government land and encroaches onto the land held under a short term tenancy (STT) running on a quarterly basis for open storage purposes granted to a third party not related to the applicant. As there is no guarantee that the encroached area of that STT could be made available for the development, the applicant may consider to exclude this encroached area from the Site. If the application is approved by the Board, the lot owner will need to apply to his office for a land exchange to effect the proposal. However, there is no guarantee that any land exchange application, with or without government land involved, would be approved by the Government. Such land exchange application, if eventually approved, would be subject to such terms and conditions including the payment of a premium and an administrative fee as the Government considers appropriate at its sole discretion;
- (b) to note the comments of the Commissioner for Transport that parking provision for private developments should comply with the requirement under Hong Kong Planning Standards and Guidelines (HKPSG). The number of parking spaces for Type A and Type B Houses (flat size less than 160m²) do not comply with HKPSG;
- (c) to note the comments of the Chief Engineer/Mainland South, Drainage Services Department that the developer/project proponent shall be requested to carry out Drainage Impact Assessment (DIA) in accordance with DSD Advice Note No. 1 “Application of Drainage Impact Assessment Process to Private Sector Process”. The DIA process provides a systematic approach in addressing drainage issues associated with the project. The primary objective of the DIA process is to demonstrate that with the implementation of necessary mitigation measures, the project will not cause an unacceptable increase in the risk of flooding in areas upstream of, adjacent to or downstream of the development;
- (d) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that the proposed houses at the western portion of the Site would be in close proximity to an existing operating concrete batching plant. Industrial/residential interface problem is anticipated. The applicant is advised to provide relevant mitigation measures, including but not limited to buffer planting along the western boundary of the Site to alleviate the anticipated industrial/residential interface problem, as well as, providing visual buffer between the proposed development and the surrounding natural environment;
- (e) to note the following comments of the Chief Building Surveyor/New Territories East 2 and Rail, Buildings Department:
 - (i) unless the Site abuts on a specified street under Building (Planning) Regulation (B(P)R) 18A(3) of not less than 4.5m wide, its development intensity should be determined by the Building Authority under B(P)R 19(3). In this connection, the applicant should clarify the land status/integrity of the existing access road connecting the lot to Hong Kin Road;
 - (ii) it is noted that the carports are excluded from gross floor area (GFA) calculations. PNAP APP-2, HKPSG and the advice of C for T will be referred to when determining exemption of GFA calculations for the carports;

- (iii) applicant's attention is drawn to the policy on GFA concession under PNAP APP-151, in particular, the 10% overall cap on GFA concession and where appropriate, the Sustainable Building Design requirements including building setback and building separation under PNAP APP-152;
- (iv) Emergency Vehicular Access (EVA) complying with B(P)R 41D shall be provided for all blocks within the Site; and
- (v) detailed comments will be given during general building plans submission stage;
- (f) to note the comments of the Director of Fire Services that detailed fire safety requirements will be formulated upon receipt of formal submission of general building plans. The EVA provision in the Site shall comply with the standard as stipulated in Code of Practice for Fire Safety in Buildings 2011 whenever the building works fall within the ambit of the Buildings Ordinance;
- (g) to note the comments of the Chief Engineer/Construction, Water Supplies Department that for provision of water supply to the development, the applicant may need to extend the inside services to the nearest suitable government water mains for connection. The applicant shall resolve any land matter (such as private lots) associated with the provision of water supply and shall be responsible for the construction, operation and maintenance of the inside services within the private lots to his department's standards; and
- (h) to note the comments of the Director of Electrical and Mechanical Services that the future developer/consultant/works contractor shall liaise with the Hong Kong and China Gas Company Limited in respect of the exact locations of the existing or planned gas pipes/gas installations within/in the vicinity of the proposed development site and any required minimum setback distance away from them during the design and construction stages of the development. The future developer/consultant/works contractor is required to observe the requirements of the Electrical and Mechanical Services Department's Code of Practice on "Avoidance of Damage to Gas Pipes" 2nd Edition.