



毅勤發展顧問有限公司
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Date : 17th July, 2024
Our Ref. : ADCL/PLG-10288/L003

The Secretary
Town Planning Board
15/F., North Point Government Offices
333 Java Road, North Point, Hong Kong

By Email

Dear Sir/Madam,

Section 12A Planning Application - Request for Amendment to the Approved Cheung Chau Outline Zoning Plan No. S/I-CC/9 from "Residential (Group C) 6" Zone to "Residential (Group C) 9" Zone at Cheung Chau Inland Lot No. 4 RP, Fa Peng, Cheung Chau, Island

We refer to our submission dated 21.6.2024 (Ref.: ADCL/PLG-10288/L001), we would like provide the following item for your onward processing:-

- i. Replacement pages of the Application Form (No. S12A); and
- ii. Replacement pages of the Planning Statement.

It is clarified that the address for the proposed amendment is *Cheung Chau Inland Lot No. 4 RP, Fa Peng, Cheung Chau, Island*.

Thank you for your kind attention and should you have any queries, please do not hesitate to contact our Miss Isa YUEN or Mr. Thomas LUK at 3180 7811.

Yours faithfully,
For and on behalf of
Aikon Development Consultancy Limited

Encl.

c.c. DPO/ Sai Kung & Islands (Attn.: Mr. Derek TAM) – By Email
Client

Address 地址：

香港德輔道中 267-275 號龍記大廈 17 樓 1702 室
Unit 1702, 17/F, Loon Kee Building,
Nos. 267-275 Des Voeux Road Central, Hong Kong

For Official Use Only 請勿填寫此欄	Application No. 申請編號	
	Date Received 收到日期	

- The completed form and supporting documents (if any) should be sent to the Secretary, Town Planning Board (the Board), 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong.
申請人須把填妥的申請表格及其他支持申請的文件 (倘有), 送交香港北角渣華道 333 號北角政府合署 15 樓城市規劃委員會(下稱「委員會」)秘書收。
- Please read the "Guidance Notes" carefully before you fill in this form. The document can be downloaded from the Board's website at <http://www.tpb.gov.hk/>. It can also be obtained from the Secretariat of the Board at 15/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong (Tel: 2231 4810 or 2231 4835), and the Planning Enquiry Counters of the Planning Department (Hotline: 2231 5000) (17/F, North Point Government Offices, 333 Java Road, North Point, Hong Kong and 14/F, Sha Tin Government Offices, 1 Sheung Wo Che Road, Sha Tin, New Territories).
請先細閱《申請須知》的資料單張, 然後填寫此表格。該份文件可從委員會的網頁下載 (網址: <http://www.tpb.gov.hk/>), 亦可向委員會秘書處 (香港北角渣華道 333 號北角政府合署 15 樓 - 電話: 2231 4810 或 2231 4835) 及規劃署的規劃資料查詢處(熱線: 2231 5000) (香港北角渣華道 333 號北角政府合署 17 樓及新界沙田上禾輦路 1 號沙田政府合署 14 樓)索取。
- This form can be downloaded from the Board's website, and obtained from the Secretariat of the Board and the Planning Enquiry Counters of the Planning Department. The form should be typed or completed in block letters. The processing of the application may be refused if the required information or the required copies are incomplete.
此表格可從委員會的網頁下載, 亦可向委員會秘書處及規劃署的規劃資料查詢處索取。申請人須以打印方式或以正楷填寫表格。如果申請人所提交的資料或文件副本不齊全, 委員會可拒絕處理有關申請。

1. Name of Applicant 申請人姓名/名稱
(<input type="checkbox"/> Mr. 先生 / <input type="checkbox"/> Mrs. 夫人 / <input type="checkbox"/> Miss 小姐 / <input type="checkbox"/> Ms. 女士 / <input checked="" type="checkbox"/> Company 公司 / <input type="checkbox"/> Organisation 機構)
Combine Hero Properties Limited 雙鷹置業有限公司

2. Name of Authorised Agent (if applicable) 獲授權代理人姓名/名稱 (如適用)
(<input type="checkbox"/> Mr. 先生 / <input type="checkbox"/> Mrs. 夫人 / <input type="checkbox"/> Miss 小姐 / <input type="checkbox"/> Ms. 女士 / <input checked="" type="checkbox"/> Company 公司 / <input type="checkbox"/> Organisation 機構)
Aikon Development Consultancy Limited 毅勤發展顧問有限公司

3. Application Site 申請地點	
(a) Whether the application directly relates to any specific site? 申請是否直接與某地點有關?	Yes 是 <input checked="" type="checkbox"/> No 否 <input type="checkbox"/> (Please proceed to Part 4 請跳到第 4 部分填寫)
(b) Full address/ location/ demarcation district and lot number (if applicable) 詳細地址/地點/丈量約份及地段號碼 (如適用)	Cheung Chau Inland Lot No. 4 RP, Fa Peng, Cheung Chau, Island
(c) Site Area 申請地點面積	743.102sq.m 平方米 <input checked="" type="checkbox"/> About 約

Gist of Application 申請摘要

(Please provide details in both English and Chinese as far as possible. This part will be circulated to relevant consultees, uploaded to the Town Planning Board's Website for browsing and free downloading by the public and available at the Planning Enquiry Counters of the Planning Department for general information.)
(請盡量以英文及中文填寫。此部分將會發送予相關諮詢人士、上載至城市規劃委員會網頁供公眾免費瀏覽及下載及於規劃署規劃資料查詢處供一般參閱。)

Application No. 申請編號	(For Official Use Only) (請勿填寫此欄)		
Location/address 位置/地址	Cheung Chau Inland Lot No. 4 RP, Fa Peng, Cheung Chau, Island		
Site area 地盤面積	743.102	sq. m 平方米	<input checked="" type="checkbox"/> About 約
	(includes Government land of 包括政府土地	sq. m 平方米	<input type="checkbox"/> About 約)
Plan 圖則	Approved Cheung Chau Outline Zoning Plan No. S/I-CC/9		
Zoning 地帶	"Residential (Group C) 6"		
Proposed Amendment(s) 擬議修訂	<input type="checkbox"/> Amend the Covering Notes of the Plan 修訂圖則《註釋》的說明頁 <input checked="" type="checkbox"/> Amend the Notes of the zone applicable to the site 修訂適用於申請地點土地用途地帶的《註釋》 <input checked="" type="checkbox"/> Rezone the application site from <u>"R (C) 6"</u> to <u>"R (C) 9"</u> 把申請地點由_____地帶改劃為_____		
Development Parameters (for indicative purpose only) 發展參數(只作指示用途)			
(i) Gross floor area and/or plot ratio 總樓面面積及/或 地積比率		sq.m 平方米	Plot Ratio 地積比率
	Domestic 住用	1168.881 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	1.573 <input checked="" type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
	Non-domestic 非住用	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於	<input type="checkbox"/> About 約 <input type="checkbox"/> Not more than 不多於
(ii) No. of block 幢數	Domestic 住用	6	
	Non-domestic 非住用		
	Composite 綜合用途		

(iii) Building height/No. of storeys 建築物高度／層數	Domestic 住用	8.23	m 米 <input checked="" type="checkbox"/> (Not more than 不多於)	
		63.92	mPD 米(主水平基準上) <input type="checkbox"/> (Not more than 不多於)	
		3	Storeys(s) 層 <input checked="" type="checkbox"/> (Not more than 不多於) (<input type="checkbox"/> Include 包括 <input type="checkbox"/> Exclude 不包括 <input type="checkbox"/> Carport 停車間 <input type="checkbox"/> Basement 地庫 <input type="checkbox"/> Refuge Floor 防火層 <input type="checkbox"/> Podium 平台)	
	Non-domestic 非住用			m 米 <input type="checkbox"/> (Not more than 不多於)
				mPD 米(主水平基準上) <input type="checkbox"/> (Not more than 不多於)
				Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於) (<input type="checkbox"/> Include 包括 <input type="checkbox"/> Exclude 不包括 <input type="checkbox"/> Carport 停車間 <input type="checkbox"/> Basement 地庫 <input type="checkbox"/> Refuge Floor 防火層 <input type="checkbox"/> Podium 平台)
	Composite 綜合用途			m 米 <input type="checkbox"/> (Not more than 不多於)
				mPD 米(主水平基準上) <input type="checkbox"/> (Not more than 不多於)
				Storeys(s) 層 <input type="checkbox"/> (Not more than 不多於) (<input type="checkbox"/> Include 包括 <input type="checkbox"/> Exclude 不包括 <input type="checkbox"/> Carport 停車間 <input type="checkbox"/> Basement 地庫 <input type="checkbox"/> Refuge Floor 防火層 <input type="checkbox"/> Podium 平台)
(iv) Site coverage 上蓋面積	52.43 % <input type="checkbox"/> About 約			
(v) No. of units 單位數目	18 Flats			
(vi) Open space 休憩用地	Private 私人	sq.m 平方米 <input type="checkbox"/> Not less than 不少於		
	Public 公眾	sq.m 平方米 <input type="checkbox"/> Not less than 不少於		



Section 12A Rezoning Application

Request for Amendment to the Approved Cheung Chau Outline Zoning Plan No. S/I-CC/9 from “Residential (Group C) 6” Zone to “Residential (Group C) 9” Zone

Cheung Chau Inland Lot No. 4 RP, Fa Peng, Cheung Chau, Island

Planning Statement

Address:
Unit 1702, 17/F, Loon Kee Building,
Nos. 267-275 Des Voeux Road Central,
Hong Kong

Tel : (852) 3180 7811
Fax : (852) 3180 7611
Email : info@aikon.hk

Prepared by
Aikon Development Consultancy Ltd.

June 2024

EXECUTIVE SUMMARY

(In case of discrepancy between English and Chinese versions, English shall prevail)

This *Planning Statement* is submitted to the Town Planning Board ("the Board") under Section 12A of the Town Planning Ordinance to rezone the site at Cheung Chau Inland Lot No. 4 RP, Fa Peng, Cheung Chau, Island (hereinafter referred to as "the application site") from "Residential (Group C) 6" ("R(C)6") zone to "Residential (Group C) 9" ("R(C)9") zone (hereinafter referred to as "the proposed amendment") on the Approved Cheung Chau Outline Zoning Plan No. S/I-CC/9 (hereinafter referred to as "the Current OZP"). The proposed amendment is to facilitate the **Proposed House Redevelopment (New Territories Exempted Houses)** (hereinafter referred to as "the proposed redevelopment") on the application site, which covers an area of approximately 743.102 m² and fully owned by the Applicant. This *Planning Statement* serves to provide background information and planning justifications in support of the proposed redevelopment in order to facilitate the consideration by the Board.

The Applicant seeks the proposed amendment to reflect the long-established building status and to align the established redevelopment rights and entitlements since 1993 with the zoning restrictions on the Current OZP. It intends to enable the implementation of the proposed redevelopment in accordance with the Approved Building Plans in 1993, maintaining precisely the same development parameters approved.

The Applicant has intended to redevelop the application site for the proposed redevelopment since 1991, predating the gazettal of the First Cheung Chau Outline Zoning Plan in 2004 (hereinafter referred to as "the First OZP"). In 1992, a set of site formation plans in connection with the Lot was approved by the Building Authority. Subsequently, a set of building plans dated 11.1992 was approved by District Lands Office/Islands ("the Approved Building Plans") and a Certificate of Exemption for Building Works ("CoE(BW)") was issued in 1993, permitting the construction of six nos. of 3-storey New Territories Exempted Houses (NTEHs) on the application site. The Approved Building Plans and CoE, which remain valid and subsisting, have ascertained development rights for the construction of the six NTEHs, and sets out the redevelopment parameters permitted. Considering building plan approval has been sought and issuance of CoE(BW), in view of this, LandsD has further issued the Certificates of Exemption for Drainage Works ("CoE(DW)") in 2023, contingent upon fulfilling a condition related to obtaining planning permission under the Town Planning Ordinance.

The redevelopment parameters permitted under the Approved Building Plans since 1993, however, were not truly reflected by the permissible intensities under the First OZP and Current OZP since 2004. The application site has been zoned "R(C)6" with a maximum plot ratio of 0.2, a maximum site coverage of 20% and a maximum building height of 2 storeys (7.62m), leading to a discrepancy between the established redevelopment entitlements and permissible development intensity on the Current OZP. Subject to stringent statutory planning restrictions, the implementation of the proposed redevelopment is hindered despite being regarded as of right.

In this connection, the Applicant submits the current application to reflect the long-established building status and the redevelopment rights and entitlements prior to the gazettal of the First OZP, and to enable the implementation of the proposed redevelopment as originally intended.

Address : Unit 1702, 17/F, Loon Kee Building, Nos. 267-275 Des Voeux Road Central, Hong Kong

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Aikon Development Consultancy Ltd.
毅勤發展顧問有限公司

1. INTRODUCTION

1.1 Purpose

- 1.1.1. This *Planning Statement* is submitted to the Town Planning Board ("the Board") under Section 12A of the Town Planning Ordinance (TPO) in support of an application (hereinafter referred to as "the current application") for rezoning the site at Cheung Chau Inland Lot No. 4 RP, Fa Peng, Cheung Chau, Island (hereinafter referred to as "the application site") from "Residential (Group C) 6" ("R(C)6") zone to "Residential (Group C) 9" ("R(C)9") zone (hereinafter referred to as "the proposed amendment") on the Approved Cheung Chau Outline Zoning Plan No. S/I-CC/9 (hereinafter referred to as "the Current OZP") for **Proposed House Redevelopment (New Territories Exempted Houses)** (hereinafter referred to as "the proposed redevelopment").
- 1.1.2. The application site has a total area of approximately 743.102m². The location of the application site is shown on **Figure 1** whilst **Figure 2** indicates the private lot that the application site involves. The application site is currently zoned "R(C)6" on the Current OZP gazetted on 24.09.2021 (**Figure 3** refers). The proposed redevelopment involves the demolition of existing houses and rebuilding six nos. of 3-storey New Territories Exempted Houses ("NTEHs") with a plot ratio of about 1.573, a site coverage of about 52.43% and a maximum building height of 3 storeys (8.23m) (hereinafter collectively referred to as "the proposed redevelopment parameters").
- 1.1.3. Aikon Development Consultancy Limited has been commissioned by *Combine Hero Properties Limited*, also the registered landowner of CCIL No.4 RP (hereinafter referred to as "the Applicant") to prepare and submit the current application and his behalf.

1.2 Rationale Behind the Current Application

- 1.2.1 The Applicant has all along intended to redevelop the application site (formerly erected by residential dwellings) for the proposed redevelopment since 1991, predating to gazettal of the First Cheung Chau Outline Zoning Plan in 2004 (hereinafter referred to as "the First OZP").
- 1.2.2 In 1991, a set of site formation plans in relation to the redevelopment proposal of six NTEHs on the application site was submitted. The proposal was considered satisfactory and subsequently approved by Building Authority on 20.3.1992 (hereinafter referred to as the "Approved Site Formation Plans") (see **Appendix 1**).
- 1.2.3 Application for Certificate of Exemption ("CoE") for Building Works was made on to Buildings and Lands Department (BLD) pursuant to the Buildings Ordinance (Application to New Territories) Ordinance, Cap 121. A set of building plans dated 27.11.1992 in relation to the redevelopment proposal of six NTEHs on the application site was approved by the District Lands Office/Islands ("DLO/Is") on 7.1.1993 ("the Approved Building Plans") (see **Appendix 2**). The Approved Building Plans that are with **exactly the same parameters** as proposed in the current application, have been registered in Land Registry under memorial no. 18090700230022 and 23021700570012 dated 07.09.2018 and 17.02.2023

4. PROPOSED AMENDMENT TO THE CURRENT OZP

4.1 Proposed Amendment to the Current OZP

- 4.1.1 This application proposes to rezone the application site from "R(C)6" zone to "R(C)9" zone on the Approved Cheung Chau Outline Zoning Plan No. S/I-CC/9 for Proposed House Redevelopment (New Territories Exempted Houses).
- 4.1.2 The proposed amendment involves the following items to the Approved Cheung Chau Outline Zoning Plan No. S/I-CC/9:-
- To rezone Cheung Chau Inland Lot No. 4 RP, Fa Peng, Cheung Chau, Island from "R(C)6" zone to "R(C)9" zone.
 - To impose the development restrictions of a maximum plot ratio of 1.58, a maximum site coverage of 52.43% and a maximum building height of 3 storeys (8.23m or +64mPD).
- 4.1.3 The proposed Schedule of Uses and development restrictions for the "R(C)9" zone have been enclosed in **Appendix 5**. The proposed amendment will allow the relevant Government departments to properly control the land use, development intensity and layout of the proposed redevelopment by imposing developments restrictions.

6. PLANNING JUSTIFICATIONS

6.1 Reflecting the Long-Established Building Status and Respecting Redevelopment Rights and Entitlements

6.1.1 As outlined in the background, there is existing Approved Building Plans for the proposed redevelopment with the proposed redevelopment parameters, which were issued along with the CoE(BW) in 1993 pursuant to the Buildings Ordinance (Application to New Territories) Ordinance, Cap 121. The CoE(BW) has ascertained development rights for the construction of the six NTEHs and set out the entitlements. However, the long-established building status and the redevelopment rights and entitlements were not taken into account in the formulation of the First OZP, leading to a discrepancy between redevelopment rights/entitlements and zoning restrictions of the Current OZP. The application site, which is constrained by OZP zoning restrictions, cannot meet the permissible development intensity agreed upon by the Building and Lands Authority. This ultimately hinder the implementation of the proposed redevelopment.

6.1.2 The proposed amendment aims to accurately reflect the long-established building grounds and redevelopment rights/entitlements bestowed upon the Applicant prior to the gazettal of the First OZP. The proposed amendment seeks to emend zoning restrictions under the current planning regime and **enable the alignment between permissible intensity under the Current OZP and the said redevelopment rights/entitlements.**

6.2 Ensuring Compliance with the Condition Imposed and to Timely Effect the Approved Redevelopment

6.2.1 The proposed amendment is essential to ensures compliance with the condition stipulated by LandsD and facilitate the realization of the proposed redevelopment within existing planning mechanism. The agreement of the proposed amendment would allow implementation of the proposed development without further delay.

6.2.2 The proposed amendment under R(C)9 is ***specifically tailored to accommodate the redevelopment rights/entitlements*** of the proposed redevelopment, which the proposed redevelopment parameters and configuration are exactly the same as that in the Approved Building Plans since 1993. This tailored approach ensures that the regulatory framework appropriately supports and enables the lawful realization of the project.

6.3 In Line with Planning Intention of R(C) Zone in Developing Low-Rise, Low Density Residential Developments

6.3.1 As presented in the general planning intention of the explanatory statement of the Current OZP, it is elaborated that "*...future growth, primarily in the form of infill developments/redevelopments, is mainly confined to the existing village and other residential clusters...*". While there are two existing houses on-site await redevelopment opportunity, the proposed amendment allows the application site to continue its residential purpose with new development form as NTEHs, aligning with the general planning intention of the Current OZP.